



Spring Valley Town Advisory Board

Desert Breeze Community Center

8275 W. Spring Mountain Rd

Las Vegas, NV 89117

January 31, 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.
 - 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/SpringValleyTAB>

Board/Council Members: John Getter, Chair
 Dale Devitt
 Randal Okamura

Brian A. Morris
 Juana Leia Jordan

Secretary: Carmen Hayes (702) 371-7991 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): Mike Shannon 702-455-8338 mds@clarkcountynv.gov
 Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

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

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

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

- III. Approval of Minutes for January 10, 2023. (For possible action)
- IV. Approval of the Agenda for January 31, 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)

Las Vegas Metropolitan Police Department Spring Valley Area Command will host First Tuesday at Desert Breeze Community Center, 8275 Spring Mountain Road, on February 7, 2023 at 5:30pm. The topic for the meeting will be Fraud Prevention.

VI. Planning and Zoning

- 1. **NZC-22-0676-COUNTY OF CLARK (AVIATION):**
AMENDED ZONE CHANGE to reclassify 12.0 acres (previously notified as 12.3 acres) from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; 2) street intersection off-set; and 3) street dedication.
DESIGN REVIEWS for the following: 1) single family residential development; and 2) finished grade in the CMA Design Overlay District. Generally located on the south side of Russell Road and the east side of Buffalo Drive within Spring Valley (description on file). MN/gc/ja (For possible action) 02/07/23 PC
- 2. **VS-22-0677-COUNTY OF CLARK (AVIATION):**
VACATE AND ABANDON easements of interest to Clark County located between Russell Road and Oquendo Road, and between Buffalo Drive and Tioga Way (alignment); a portion of a right-of-way being Buffalo Drive located between Russell Road and Oquendo Road; a portion of a right-of-way being Russell Road located between Buffalo Drive and Tioga Way; and a portion of a right-of-way being Tioga Way located between Russell Road and Oquendo Road within Spring Valley (description on file). MN/gc/ja (For possible action) 02/07/23 PC
- 3. **TM-22-500223-COUNTY OF CLARK (AVIATION):**
TENTATIVE MAP consisting of 80 single family residential lots and common lots on 12.0 acres in an R-2 (Medium Density Residential) Zone in the CMA Design Overlay District. Generally located on the south side of Russell Road and the east side of Buffalo Drive within Spring Valley. MN/gc/ja (For possible action) 02/07/23 PC
- 4. **ET-22-400131 (ZC-18-0659)-BOYD CORPORATE CAMPUS, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS THIRD EXTENSION OF TIME to commence the following: 1) increase the height of outdoor lighting affixed to buildings; 2) permit roof line without articulation on the facade; 3) increase retaining wall height; 4) increase building heights; and 5) allow modified commercial driveway geometrics.
DESIGN REVIEWS for the following: 1) proposed office buildings with lighting; 2) alternative parking lot landscaping; and 3) increase finished grade for an office complex on 10.3 acres in a C-2 (General Commercial) (AE-60) Zone in the CMA Design Overlay. Generally located on the east

side of Buffalo Drive and the north side of Sunset Road within Spring Valley (description on file). MN/dd/ja (For possible action) 02/08/23 BCC

5. **ET-22-400132 (VS-18-0667)-BOYD CORPORATE CAMPUS, LLC:**
VACATE AND ABANDON SECOND EXTENSION OF TIME for easements of interest to Clark County located between Sunset Road and Teco Avenue, and between Buffalo Drive and Pioneer Way (alignment) and a portion of a right-of-way being Buffalo Drive located between Sunset Road and Teco Avenue within Spring Valley (description on file). MN/dd/ja (For possible action) 02/08/23 BCC

6. **VS-22-0675-TIGER REAL ESTATE LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Lindell Road and Westwind Road, and between Russell Road and Quail Avenue (alignment) within Spring Valley (description on file). MN/lm/ja (For possible action) 02/08/23 BCC

7. **WS-22-0674-TIGER REAL ESTATE LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate street landscaping; 2) increase wall height; 3) decrease call box setback; 4) waive off-site improvements (partial paving, curb, gutter, sidewalk, and streetlights); and 5) decrease private street width.
DESIGN REVIEWS for the following: 1) single family subdivision; and 2) finished grade on 2.5 acres in an R-E (Rural Estates Residential) (RNP-I) (AE-60) Zone within the CMA Design Overlay District. Generally located on the west side of Lindell Road, 330 feet south of Russell Road within Spring Valley. MN/lm/ja (For possible action) 02/08/23 BCC

8. **UC-22-0697-Y & C INVESTMENT, LLC:**
USE PERMIT for on-premises consumption of alcohol (supper club) in conjunction with an existing restaurant within a portion of a shopping center on 2.4 acres in a C-1 (Local Business) Zone. Generally located on the west side of Durango Drive, 820 feet south of Twain Avenue within Spring Valley. JJ/bb/syp (For possible action) 02/21/23 PC

9. **ZC-22-0693-COUNTY OF CLARK (AVIATION):**
ZONE CHANGE to reclassify 8.8 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.
USE PERMIT for a residential planned unit development.
WAIVER OF DEVELOPMENT STANDARDS for street intersection off-set.
DESIGN REVIEW for a single family residential Planned Unit Development in the CMA Design Overlay District. Generally located on the southwest corner of Buffalo Drive and Oquendo Road within Spring Valley (description on file). MN/gc/syp (For possible action) 02/22/23 BCC

10. **VS-22-0694-COUNTY OF CLARK (AVIATION):**
VACATE AND ABANDON easements of interest to Clark County located between Oquendo Road and Patrick Lane, and between Miller Lane and Buffalo Drive; a portion of a right-of-way being Buffalo Drive located between Oquendo Road and Patrick Lane; and a portion of a right-of-way being Oquendo Road located between Miller Lane and Buffalo Drive within Spring Valley (description on file). MN/gc/syp (For possible action) 02/22/23 BCC

11. **TM-22-500227-COUNTY OF CLARK (AVIATION):**
TENTATIVE MAP consisting of 78 single family residential planned unit development lots and common lots on 8.8 acres in an R-2 (Medium Density Residential) Zone in the CMA Design

Overlay District. Generally located on the southwest corner of Buffalo Drive and Oquendo Road within Spring Valley. MN/gc/syp (For possible action) **02/22/23 BCC**

12. **VS-22-0699-DWSMC ONE, LLC:**

VACATE AND ABANDON easements of interest to Clark County located between Arby Avenue and Warm Springs Road, and between Durango Drive and Gagnier Boulevard; a portion of a right-of-way being Arby Avenue located between Durango Drive and Gagnier Boulevard; and a portion of right-of-way being Gagnier Boulevard located between Arby Avenue and Warm Springs Road within Spring Valley (description on file). MN/md/syp (For possible action) **02/22/23 BCC**

13. **UC-22-0698-DWSMC ONE, LLC:**

USE PERMITS for the following: **1)** High Impact Project; **2)** mixed-use development; **3)** establish density; and **4)** establish height.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase the height of exterior light fixtures (luminaries); **2)** reduce width of loading spaces; and **3)** allow modified driveway design standards.

DESIGN REVIEWS for the following: **1)** High Impact Project; **2)** mixed-use development; and **3)** finished grade on 14.6 acres in a U-V (Urban Village – Mixed-Use) Zone in the CMA Design Overlay District. Generally located on the south side of Arby Avenue and the west side of Gagnier Boulevard within Spring Valley. MN/md/syp (For possible action) **02/22/23 BCC**

14. **VS-22-0705-CRP/PDC BADURA & CIMARRON OWNER, LLC:**

VACATE AND ABANDON easements of interest to Clark County located between Badura Avenue and Arby Avenue, and between Durango Drive and Gagnier Boulevard (alignment), a portion of a right-of-way being Badura Avenue located between Durango Drive and Cimarron Road, and a portion of right-of-way being Cimarron Road located between Badura Avenue and Arby Avenue within Spring Valley (description on file). MN/gc/syp (For possible action) **02/22/23 BCC**

15. **DR-22-0704-CRP/PDC BADURA & CIMARRON OWNER, LLC:**

DESIGN REVIEW for finished grade in conjunction with an approved distribution center on 28.3 acres in an M-D (Designed Manufacturing) Zone in the CMA Design Overlay District. Generally located on the south side of Badura Avenue and the west side of Cimarron Road within Spring Valley. MN/gc/syp (For possible action) **02/22/23 BCC**

16. **TM-22-500230-CRP/PDC BADURA & CIMARRON OWNER, LLC:**

TENTATIVE MAP for an industrial subdivision on 28.3 acres in an M-D (Designed Manufacturing) Zone in the CMA Design Overlay District. Generally located on the south side of Badura Avenue and the west side of Cimarron Road within Spring Valley. MN/gc/syp (For possible action) **02/22/23 BCC**

VII. General Business

1. Elect a new Vice Chair of the Spring Valley Town Board. (for possible action)
2. Appoint one Spring Valley Advisory Member to serve on the jury for the West Flamingo Senior Center mosaic art project (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: February 14, 2023.
- X. Adjournment.

POSTING LOCATIONS: This meeting was legally noticed and posted at the following locations:
Desert Breeze Community Center, 8275 W. Spring Mountain Rd.
<https://notice.nv.gov>



Spring Valley Town Advisory Board

January 10, 2023

MINUTES

Board Members: John Getter PRESENT
Juana Leia Jordan PRESENT
Randal Okamura PRESENT

Secretary: Carmen Hayes, 702 371-7991, chayes70@yahoo.com PRESENT

County Liaison: Mike Shannon 702-455-8338 mds@clarkcountynv.gov PRESENT

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

Mark Donohue, 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 **December 27, 2022** Minutes (For possible action)

Motion by: John Getter

Action: **APPROVE** Minutes as published

Vote: 3-0/ Unanimous

IV. Approval of Agenda for **January 10, 2023** and Hold, Combine or Delete Any Items (For possible action)

Motion by: John Getter

Action: **APPROVE** after noting **General Business** heard after **Approval of Agenda** and next meeting date will be **January 31, 2023**.

Vote: 3-0/ Unanimous

VII. General Business

1. Elect a new Chair and Vice Chair of the Spring Valley TAB. (for possible action)

Motion by: Juana Leia Jordan

Action: **APPROVE** John Getter as Spring Valley Town Board Chair and **hold** vote for Vice-Chair until the January 31, 2023 meeting.

Vote: 3-0/ Unanimous

2. Review and approve the 2023 meeting calendar. (for possible action)

Motion by: John Getter

Action: **APPROVE** the 2023 Spring Valley Town Advisory Board meeting calendar after noting the December 26, 2023 meeting is canceled.

Vote: 3-0/ Unanimous

V. Informational Items

1. Announcements of upcoming meetings and County and community meetings and events. (for discussion)

- **None**

VI. Planning & Zoning

1. **WC-22-400127 (ZC-1740-04)-WH PROPERTIES, LLC:**

WAIVER OF CONDITIONS of a zone change requiring a design review as a public hearing to ensure the final mini-warehouse building complies with the CMA Overlay Standards and is consistent with architectural treatments shown on the office buildings and retail building with a previously approved zone change to reclassify 11.3 acres from an R-E (Rural Estates Residential) (AE-60) Zone to a C-2 (General Commercial) (AE-60) Zone for a retail and office center and mini-warehouse facility in the CMA Design Overlay District. Generally located on the east side of Rosanna Street and the north side of Patrick Lane within Spring Valley. MN/md/syp (For possible action) **01/18/23 BCC**

Motion by: Randy Okamura

Action: **APPROVE** with staff recommendations

Vote: 3-0/Unanimous

2. **WS-22-0646-WH PROPERTIES, LLC:**

WAIVER OF DEVELOPMENT STANDARDS for modified street standards.

DESIGN REVIEWS for the following: **1)** mini-warehouse facility; and **2)** finished grade on 2.4 acres in a C-2 (General Commercial) (AE-60) Zone in the CMA Design Overlay District. Generally located on the east side of Rosanna Street and the north side of Patrick Lane within Spring Valley. MN/md/syp (For possible action) **01/18/23 BCC**

Motion by: Juana Leia Jordan

Action: **APPROVE** with staff recommendations

Vote: 3-0/Unanimous

3. **NZC-22-0676-COUNTY OF CLARK (AVIATION):**
ZONE CHANGE to reclassify 12.3 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; 2) street intersection off-set; and 3) street dedication.
DESIGN REVIEWS for the following: 1) single family residential development; and 2) finished grade in the CMA Design Overlay District. Generally located on the south side of Russell Road and the east side of Buffalo Drive within Spring Valley (description on file). MN/gc/ja (For possible action) **02/07/23 PC**

The applicant requested a **HOLD** to Spring Valley Town Advisory Board meeting on 01-31-2023.

4. **VS-22-0677-COUNTY OF CLARK(AVIATION):**
VACATE AND ABANDON easements of interest to Clark County located between Russell Road and Oquendo Road, and between Buffalo Drive and Tioga Way (alignment); a portion of a right-of-way being Buffalo Drive located between Russell Road and Oquendo Road; a portion of a right-of-way being Russell Road located between Buffalo Drive and Tioga Way; and a portion of a right-of-way being Tioga Way located between Russell Road and Oquendo Road within Spring Valley (description on file). MN/gc/ja (For possible action) **02/07/23 PC**

The applicant requested a **HOLD** to Spring Valley Town Advisory Board meeting on 01-31-2023.

5. **TM-22-500223-COUNTY OF CLARK(AVIATION):**
TENTATIVE MAP consisting of 80 single family residential lots and common lots on 12.3 acres in an R-2 (Medium Density Residential) Zone in the CMA Design Overlay District. Generally located on the south side of Russell Road and the east side of Buffalo Drive within Spring Valley. MN/gc/ja (For possible action) **02/07/23 PC**

The applicant requested a **HOLD** to Spring Valley Town Advisory Board meeting on 01-31-2023.

6. **WC-22-400135 (UC-20-0231)-CHOUL, LLC:**
WAIVER OF CONDITIONS of a use permit to remove a condition limiting the hours of operation to be between 4:00 p.m. and 2:00 a.m. 7 days a week on a portion of 2.5 acres in a C-1 (Local Business) Zone. Generally located on the east side of Jones Boulevard and the south side of Cherokee Avenue within Spring Valley. JJ/bb/syp (For possible action) **02/07/23 PC**

Motion by: Randy Okamura

Action: **APPROVE** with a one year review and removal of 2:00am closure time

Vote: 3-0/Unanimous

7. **DR-22-0671-TRI POINTE HOMES NEVADA INC:**
DESIGN REVIEW for a new 3 story model within a previously approved single family residential development on 9.3 acres in an R-2 (Medium Density Residential) Zone. Generally located on the south side of Patrick Lane and the east side of Hualapai Way within Spring Valley. JJ/sd/ja (For possible action) **02/08/23 BCC**

Move forward with no action as motion to deny failed 2-1 with Juana Leia Jordan voting in opposition.

8. **VS-22-0675-TIGER REAL ESTATE LLC:**

VACATE AND ABANDON easements of interest to Clark County located between Lindell Road and Westwind Road, and between Russell Road and Quail Avenue (alignment) within Spring Valley (description on file). MN/lm/ja (For possible action) **02/08/23 BCC**

The applicant requested a **HOLD** to Spring Valley Town Advisory Board meeting on 01-31-2023.

9. **WS-22-0674-TIGER REAL ESTATE LLC:**

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate street landscaping; 2) increase wall height; 3) decrease call box setback; 4) waive off-site improvements (partial paving, curb, gutter, sidewalk, and streetlights); and 5) decrease private street width.

DESIGN REVIEWS for the following: 1) single family subdivision; and 2) finished grade on 2.5 acres in an R-E (Rural Estates Residential) (RNP-I) (AE-60) Zone within the CMA Design Overlay District. Generally located on the west side of Lindell Road, 330 feet south of Russell Road within Spring Valley. MN/lm/ja (For possible action) **02/08/23 BCC**

The applicant requested a **HOLD** to Spring Valley Town Advisory Board meeting on 01-31-2023.

10. **VS-22-0691-DURANGO STOREFLEX, LLC:**

VACATE AND ABANDON easements of interest to Clark County located between Butler Street and Durango Drive, and between Capovilla Avenue (alignment) and Warm Springs Road within Spring Valley (description on file). MN/bb/ja (For possible action) **02/08/23 BCC**

Motion by: Randy Okamura
Action: **APPROVE** per staff conditions
Vote: 3-0/Unanimous

11. **ZC-22-0679-PROJECT BAM LAND LLC:**

ZONE CHANGE to reclassify 5.0 acres from an R-E (Rural Estates Residential) (AE-60) Zone to an M-D (Designed Manufacturing) (AE-60) Zone.

WAIVER OF DEVELOPMENT STANDARDS for modified commercial driveway design.
DESIGN REVIEWS for the following: 1) distribution center; 2) alternative parking lot landscaping; and 3) finished grade in the CMA Design Overlay District. Generally located on the east side of Miller Lane and the south side of Maule Avenue within Spring Valley (description on file). MN/lm/ja (For possible action) **02/08/23 BCC**

Motion by: John Getter
Action: **APPROVE** Zone Change
DENY Waiver of Development Standards
DENY Design Review
Vote: 3-0/Unanimous

12. **VS-22-0680-PROJECT BAM LAND LLC:**

VACATE AND ABANDON easements of interest to Clark County located between Miller Lane and Buffalo Drive, and between Maule Avenue and Badura Avenue within Spring Valley (description on file). MN/lm/ja (For possible action) **02/08/23 BCC**

Motion by: John Getter
Action: **APPROVE** with staff conditions
Vote: 3-0/Unanimous

13. **ZC-22-0683-TIEN KUI-MU & YUEH YIN & TIEN TONY:**
ZONE CHANGE to reclassify 1.8 acres from an R-E (Rural Estates Residential) Zone to a C-1 (Local Business) Zone.
USE PERMITS for the following: **1)** convenience store; and **2)** gasoline station.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** cross access; **2)** allow modified driveway design standards; and **3)** allow a non-standard bus turnout.
DESIGN REVIEW for a proposed convenience store with gasoline pumps. Generally located on the east side of Buffalo Drive and the south side of Russell Road within Spring Valley (description on file). MN/rk/ja (For possible action) **02/08/23 BCC**

Motion by: Juana Leia Jordan
Action: **APPROVE** with staff conditions
Vote: 3-0/Unanimous

14. **VS-22-0684-TIEN KUI-MU & YUEH YIN & TIEN TONY:**
VACATE AND ABANDON easements of interest to Clark County located between Buffalo Drive and Tioga Way, and between Russell Road and Oquendo Road; and a portion of a right-of-way being Buffalo Drive located between Russell Road and Oquendo Road within Spring Valley (description on file). MN/rk/ja (For possible action) **02/08/23 BCC**

Motion by: Randy Okamura
Action: **APPROVE** with staff conditions
Vote: 3-0/Unanimous

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.

- An individual in attendance expressed concern **DR-22-0671** was returned to the Board with a request for a 3-story model.
- John Getter requested staff briefings regarding Transform Clark County, stating it would be very helpful for new Board members.

IX. Next Meeting Date **January 31, 2023**

X Adjournment

Motion by: John Getter
Action: **ADJOURN** meeting at 8:36 p.m.
Vote: 3-0/Unanimous

SINGLE FAMILY RESIDENTIAL
(TITLE 30)

RUSSELL RD/BUFFALO DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
NZC-22-0676-COUNTY OF CLARK (AVIATION):

AMENDED ZONE CHANGE to reclassify 12.0 acres (previously notified as 12.3 acres) from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; 2) street intersection off-set; and 3) street dedication.

DESIGN REVIEWS for the following: 1) single family residential development; and 2) finished grade in the CMA Design Overlay District.

Generally located on the south side of Russell Road and the east side of Buffalo Drive within Spring Valley (description on file). MN/gc/ja (For possible action)

RELATED INFORMATION:

APN:
163-34-101-002

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase wall height to 6 feet 8 inches where a maximum of 6 feet is allowed per Section 30.64.020 (an 11.1% increase).
2. Reduce street intersection off-set to 108 feet where a minimum of 125 feet is required per Section 30.52.052 (a 13.6% reduction).
3. Reduce dedication of Tioga Way to 48 feet (previously notified to fully waive dedication) where 60 feet is required per Section 30.52.030 (a 20% reduction).

DESIGN REVIEWS:

1. Single family residential development.
2. Increase finished grade to 4.6 feet (previously notified as 4 feet) where a maximum of 3 feet is allowed per Section 30.32.040 (a 53.3% increase).

LAND USE PLAN:

SPRING VALLEY - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)
SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A

- Site Acreage: 12
- Number of Lots: 80
- Density (du/ac): 6.7
- Minimum/Maximum Lot Size (square feet): 4,179/12,049 (gross and net)
- Project Type: Single family residential
- Number of Stories: Up to 2
- Building Height (feet): Up to 28.5
- Square Feet: 1,642 to 3,072

Neighborhood Meeting Summary

This request is for a nonconforming zone change to reclassify 12 acres from an R-E zoning district to an R-2 zoning district for a single family residential development. The applicant conducted a neighborhood meeting at Desert Breeze Community Center on September 19, 2022, as required by the nonconforming zone boundary amendment process. The required meeting notices were mailed to the neighboring property owners within 1,500 feet of the project site and 2 neighbors attended the meeting. According to the applicant, the neighbors expressed a preference of a residential use over a commercial use on the site. The neighbors also expressed a concern of losing views from their individual homes. Therefore, the applicant agreed to not build 3 story homes on the site. Otherwise, the neighbors did not express opposition to the project.

Site Plans

The plans depict a proposed single family residential development consisting of 80 residential lots and 11 common element lots at a density of 6.7 dwelling units per acre. Both gross and net lot sizes range from a minimum of 4,179 square feet to a maximum of 12,049 square feet, with an average lot size of 4,956 square feet. The lots will be served by 42 foot wide private streets with a 4 foot wide sidewalk on 1 side of the street, except for Tioga Way which will be a 48 foot wide public street with 5 foot wide sidewalks on both sides of the street. Access to the project is from Russell Road via Tioga Way. A 5 foot wide pedestrian access is also provided to Buffalo Drive. The finished grade of the site may increase up to 4.6 feet due to the topography of the site; and therefore, a design review to increase finished grade is requested. The intersection of a private street (Whistlebeck Avenue) and Tioga Way is 108 feet from the intersection of Russell Road and Tioga Way; and thus, a waiver of development standards for street intersection off-set is necessary.

Landscaping

A 15 foot wide landscape area with a detached sidewalk is provided along Russell Road and Buffalo Drive. A 6 foot to 10 foot wide landscape area is also provided along some of the interior streets and Tioga Way. A waiver of development standards is requested to allow walls up to 6 feet 8 inches between lots and along the perimeter of the development.

Elevations

The plans show 1, one story model and 3, two story models up to 28.5 feet high, with 4 types of elevation designs. Building materials consist of stucco finish, stucco pop-outs, stone veneer,

wrought iron railings, and tile roofing. Decorative trim is provided along all windows and doors on all elevations.

Floor Plans

The plans depict homes ranging in size from 1,642 square feet to 3,072 square feet with 3 to 6 bedrooms, 2 to 4.5 baths, and 2 to 3 car garages.

Applicant's Justification

The applicant states that a number of R-2 zoned subdivisions are already established in the area. The increase in finished grade is necessary since the topography of the site falls from the southwest to northeast; however, the applicant intends to make the elevation difference along the property boundary as minimal as possible. The applicant also states that the proposed increase in wall height is a standard waiver that the applicant requests for its subdivisions in order to provide additional privacy to potential home buyers throughout the development. The waiver to reduce the dedication of Tioga Way to 48 feet is being requested since the street terminates into a cul-de-sac within the subdivision. Since Tioga Way terminates in the subdivision, the reduction in street intersection off-set will not cause any issues due to the minimal traffic in the area.

Surrounding Land Use

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

Related Applications

Application Number	Request
TM-22-500223	A tentative map for an 80 lot single family residential subdivision is a companion item on this agenda.
VS-22-0677	A vacation and abandonment of a 5 foot wide portion of right-of-way being Russell Road and Buffalo Drive, a 12 foot wide portion of right-of-way being Tioga Way, and a 5 foot wide BLM right-of-way grant easement along Russell Road is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

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

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

There has been a trend within portions of the Spring Valley area for more residential developments, and this site is located in an area with existing single family residential developments. Immediately to the south of the subject site are 2 single family residential subdivisions that are planned for Neighborhood Commercial uses but were approved for R-2 zoning by nonconforming zone changes (NZA-19-0737 and NZC-0002-14). Farther south along Buffalo Drive, there are 2 other existing single family residential developments that were reclassified to the R-2 zoning district by nonconforming zone change applications (NZA-0001-14 and NZC-0398-13). Based on these past approvals to reclassify properties along Buffalo Drive to the R-2 zoning district for single family residential developments, staff finds there is a trend in this area for additional single family residential developments. This trend has changed the character of the neighborhood; therefore, staff finds the proposed development will be more consistent and compatible with the character and condition of the area rather than development in conformance to the land use plan.

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

The adjacent and abutting properties to the north, east, and south are all developed as R-2 zoned single family residential subdivisions. The proposed project consisting of 80 lots at a density of 6.5 dwelling units per acre is similar in density and intensity to the existing single family residential developments in the area. Furthermore, the easternmost portion of the subject site is already currently planned for Mid-Intensity Suburban Neighborhood uses.

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

There has been no indication from service providers that the approval of this request will have a substantial adverse effect on public services and facilities in this area. However, the proposed increase in density for the site would create an increase in the number of students for schools in this area. Information provided by the Clark County School District (CCSD) indicates this site would be served by Rogers Elementary School, Sawyer Middle School, and Durango High School. CCSD indicates that Rogers Elementary School is over capacity but the middle school and high school are currently under capacity.

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

The proposed development complies with Goal 1.1 of the Master Plan that encourages opportunities for diverse housing options to meet the needs of residents of all ages, income levels

and abilities. Staff finds the project also complies with Policy 1.3.2 which encourages a mix of housing options, product types, and unit sizes.

Summary

Zone Change

Staff finds that there is a trend changing the character and conditions of the area which makes this request appropriate. The density and intensity of the proposed project are consistent and compatible with existing and planned developments in this area. There has been no indication that the proposed project will have an adverse impact on public services or facilities in the area. In addition, the project will comply with the goals and policies of the Master Plan. Therefore, staff can support the proposed zone change 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 #1

Staff can support the waiver to increase wall height to 6 feet 8 inches. Staff finds the wall will not adversely impact the surrounding properties and the walls will provide additional privacy for future residents. Similar requests have been approved for other residential developments.

Design Review #1

The proposed use of the property is consistent and compatible with existing and planned land uses in the area. The provision of a pedestrian access from the subdivision to Buffalo Drive complies with Policy 6.2.4 which promotes increased connectivity and reduced impediments to pedestrian access, such as block walls and fences, that require the unnecessary use of a vehicle to travel short distances to otherwise adjacent uses. Furthermore, the architectural design of the residences is consistent with existing single family homes in the area; therefore, staff supports the design review request.

Public Works - Development Review

Waiver of Development Standards #2

Staff has no objection to the reduced intersection off-set along Tioga Way between Russell Road and Whistlebeck Avenue. The wide common lot on the west side of Tioga Way improves visibility for those entering the site.

Waiver of Development Standards #3

Staff has no objection to the reduced width for Tioga Way since it will only serve this subdivision and the 6 lots adjacent to the site. Also, the subdivisions to the south were approved and developed without Tioga Way, so there is no way it can connect to Oquendo Road.

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.

Department of Aviation

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

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on March 8, 2023 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Resolution of Intent to complete in 4 years;
- Provide direct pedestrian access from the subdivision to Buffalo Drive;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a Master Plan amendment and a zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;

- The installation of detached sidewalks will require the vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or the execution of a License and Maintenance Agreement for non-standard improvements in the right-of-way.
- 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.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0448-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

APPLICANT: PN II, INC.

**CONTACT: WESTWOOD PROFESSIONAL SERVICES, 5725 W. BADURA AVENUE,
SUITE 100, LAS VEGAS, NV 89118**



AGENDA LOG AMENDMENT

Department of Comprehensive Planning

Application Number: NZC-22-0676

Property Owner or Subdivision Name: County of Clark (Aviation)

Public Hearing: Yes No

Staff Report already created: Yes No

Delete this application from the: **TAB/CAC** **PC** **BCC**

Add this application to the: **TAB/CAC** **PC** **BCC**

Change(s) to be made:

Held no date specific

Withdrawn

No change to meeting(s) 1/31/23 Spring Valley TAB, 2/7/23 PC; 3/8/23 BCC

Amend Write-up

Renotify

Make a public hearing (Radius:)

Rescheduling

Other:

Additional fees – \$AMOUNT OF ADDITIONAL FEES: \$950.00

Refund

80%

100% (please include justification for full refund below)

AMOUNT OF REFUND\$:

Reason for Change: Revised plans submitted that requires re-notification. Re-notification fees and revised plans fee (\$950 total) already paid on 1/9/23.

Change initiated by: grc **Date:** 1/11/23

Change authorized by: MND **Date:** 1/11/23

Change processed by: ds **Date:** 1/11/23

Follow up assigned to: **Instructions:**

Parcel Number(s): 163-34-101-002

Town Board(s): Spring Valley



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 checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>UC-22-0696</u> DATE FILED: <u>12-19-2022</u> PLANNER ASSIGNED: <u>[Signature]</u> TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>2-28-23</u> PC MEETING DATE: <u>3-21-23</u> BCC MEETING DATE: _____ FEE: <u>\$675</u>
	PROPERTY OWNER NAME: <u>Peter Matravers / MATRAVERS FAMILY TRUST</u> ADDRESS: <u>28102 Tefir</u> CITY: <u>Mission Viejo</u> STATE: <u>CA</u> ZIP: <u>92692</u> TELEPHONE: <u>612-532-2359</u> CELL: <u>Same</u> E-MAIL: <u>kmatravers@gmail.com</u>
	APPLICANT NAME: <u>KATHERINE W. MATRAVERS</u> ADDRESS: <u>28102 TEFIR</u> CITY: <u>MISSION VIEJO</u> STATE: <u>CA</u> ZIP: <u>92692</u> TELEPHONE: <u>612-532-2359</u> CELL: _____ E-MAIL: <u>KMATRAVERS@GMAIL.COM</u> REF CONTACT ID #: _____
CORRESPONDENT NAME: <u>Katherine W. Matravers / SIMONA STEPHENS</u> ADDRESS: <u>28102 Tefir / 1900 E. WARM SPRING RD.</u> CITY: <u>Mission Viejo</u> STATE: <u>CA</u> ZIP: <u>92692</u> TELEPHONE: <u>612-532-2359</u> CELL: <u>Same</u> E-MAIL: <u>kmatravers@gmail.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 163-23-604-006, 163-23-604-001

PROPERTY ADDRESS and/or CROSS STREETS: 4445 S Jones Blvd. and University

PROJECT DESCRIPTION: ALLOW PERSONAL SERVICE USE IN C-P ZONING

(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.

Peter Matravers
Property Owner (Signature)*

Peter Matravers
Property Owner (Print)

STATE OF CALIFORNIA
COUNTY OF ORANGE

SUBSCRIBED AND SWORN BEFORE ME ON JULY 8, 2022 (DATE)

By PETER MATRAVERS
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.

RUTAR

SUZANA RUTAR, Architect Ltd.,
A Professional Corporation

October 21, 2022

Clark County Comprehensive Planning
Current Planning Division
500 South Grand Central Pky.
P.O. Box 551744
Las Vegas, Nevada 89155-1744

UC-22-0696

Re: **Special Use Permit
Justification Letter**
4445 S. Jones Blvd. Suite B2/B3
Las Vegas, NV 89103
APN # 163-23-604-006

To Whom It May Concern:

Please accept this as the required justification letter for a special use permit for a personal service us on APN 163-23-604-006, as required for C-P zoning. The site and building are existing, new tenant Essentials LLC wants to lease B2/B3 space to be used as personal service, a beauty salon. Hours of operation are 9AM-6PM. Essentials LLC will have licensed estheticians to perform all personal beauty serviced that are regulated under the Nevada State Board of Cosmetology. These will be services such as facials, waxing and lash extensions.

The parking is existing on site. Parking requirements for personal services is the same as Office, therefore, no additional parking spaces are required. Refer to drawings and parking analysis for calculations.

Thank you for your consideration of this request. If you have any questions or if you require additional information, please call me at 263-6176.

Sincerely,



Simona Stephens
Project Architect

SUZANA RUTAR Architect, Ltd.
A Professional Corporation

PLANNER
COPY

2

02/07/23 PC AGENDA SHEET

EASEMENTS/RIGHTS-OF-WAY
(TITLE 30)

RUSSELL RD/BUFFALO DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-22-0677-COUNTY OF CLARK (AVIATION):

VACATE AND ABANDON easements of interest to Clark County located between Russell Road and Oquendo Road, and between Buffalo Drive and Tioga Way (alignment), a portion of a right-of-way being Buffalo Drive located between Russell Road and Oquendo Road; a portion of a right-of-way being Russell Road located between Buffalo Drive and Tioga Way; and a portion of a right-of-way being Tioga Way located between Russell Road and Oquendo Road within Spring Valley (description on file). MN/gc/ja (For possible action)

RELATED INFORMATION:

APN:
163-34-101-002

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

BACKGROUND:

Project Description

The plans depict the vacation and abandonment of a 5 foot wide easement being a BLM right-of-way grant along Russell Road, 5-foot wide portions of right-of-way being Russell Road and Buffalo Drive, and a 12 foot wide portion of right-of-way (including a portion of the cul-de-sac) being Tioga Way. The applicant states the 5 foot wide easement and rights-of-way need to be vacated to support detached sidewalks, and that the 12 foot wide portion of right-of-way being Tioga Way is being vacated to allow for a reduced street width.

Surrounding Land Use

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

Related Applications

Application Number	Request
NZC-22-0676	A nonconforming zone change request from R-E to R-2 zoning, waivers of development standards for increased wall height, street intersection off-set, and street dedication, and design reviews for a single family residential development and finished grade is a companion item on this agenda.
TM-22-500223	A tentative map for an 80 lot single family residential subdivision is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on March 8, 2023 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- Drainage study and compliance;
- All parcel owners affected by this vacation to grant necessary access easements;
- Return streetlights to Public Works or replace streetlight inventory and convert existing streetlights to private power source;

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

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- The Clark County Water Reclamation District (CCWRD) has existing or proposed assets within the area proposed to be vacated per VS-22-0677; CCWRD has no objection to the request for vacation as presented; however, CCWRD requests all existing rights granted to us within the rights-of-way are reserved; it is understood that this vacation shall not reduce our rights to operate and maintain our facilities; CCWRD also requests that drivable access be able to handle H-20 loading and is maintained by fee owner; and that the CCWRD requests no gates or fences are allowed to be installed across the subject parcel as a condition of the rights granted to the CCWRD.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: PN II, INC.

**CONTACT: WESTWOOD PROFESSIONAL SERVICES, 5725 W. BADURA AVENUE,
SUITE 100, LAS VEGAS, NV 89118**

02/07/23 PC AGENDA SHEET

BUFFALO RUSSELL
(TITLE 30)

RUSSELL RD/BUFFALO DR

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-22-500223-COUNTY OF CLARK (AVIATION):

TENTATIVE MAP consisting of 80 single family residential lots and common lots on 12.0 acres in an R-2 (Medium Density Residential) Zone in the CMA Design Overlay District.

Generally located on the south side of Russell Road and the east side of Buffalo Drive within Spring Valley. MN/gc/ja (For possible action)

RELATED INFORMATION:

APN:
163-34-101-002

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 12
- Number of Lots: 80
- Density (du/ac): 6.7
- Minimum/Maximum Lot Size (square feet): 4,179/12,049 (gross and net)
- Project Type: Single family residential

The plans depict a proposed single family residential development consisting of 80 residential lots and 11 common element lots at a density of 6.7 dwelling units per acre. Both gross and net lot sizes range from a minimum of 4,179 square feet to a maximum of 12,049 square feet, with an average lot size of 4,956 square feet. The lots will be served by 42 foot wide private streets with a 4 foot wide sidewalk on 1 side of the street, except for Tioga Way which will be a 48 foot wide public street with 5 foot wide sidewalks on both sides of the street. Access to the project is from Russell Road via Tioga Way. A 5 foot wide pedestrian access is also provided to Buffalo Drive.

Surrounding Land Use

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

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
South	Neighborhood Commercial	R-2	Single family residential
West	Neighborhood Commercial	R-E	Undeveloped

Related Applications

Application Number	Request
NZC-22-0676	A nonconforming zone change request from R-E to R-2 zoning, waivers of development standards for increased wall height, street intersection off-set, and street dedication, and design reviews for a single family residential development and finished grade is a companion item on this agenda.
VS-22-0677	A vacation and abandonment of a 5 foot wide portion of right-of-way being Russell Road and Buffalo Drive, a 12 foot wide portion of right of way being Tioga Way, and a 5 foot wide BLM right-of-way grant easement along Russell Road is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis**Current Planning**

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

Department of Aviation

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

Staff Recommendation

Approval is contingent upon approval of NZC-22-0676 and VS-22-0677. This item will be forwarded to the Board of County Commissioners' meeting for final action on March 8, 2023 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:**Current Planning**

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of

time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- The installation of detached sidewalks will require the vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or the execution of a License and Maintenance Agreement for non-standard improvements in the right-of-way.
- 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.

Current Planning Division - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided;
- Private streets shall have approved street names and suffixes;
- All street suffixes shall be spelled out on the Final Map.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0448-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: PN II, INC.

**CONTACT: WESTWOOD PROFESSIONAL SERVICES, 5725 W. BADURA AVENUE,
SUITE 100, LAS VEGAS, NV 89118**

DRAFT



TENTATIVE MAP APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

3

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>TM-22-500 233</u>	DATE FILED: <u>12-29-2022</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: <u>AI</u>	TAB/CAC DATE: <u>2-14-2023</u>
		TAB/CAC: <u>Spring Valley</u>	
		PC MEETING DATE: <u>3-7-2023</u>	
		BCC MEETING DATE: <u>—</u>	
		FEE: <u>\$75000</u>	

PROPERTY OWNER	NAME: <u>LTF Real Estate Company Inc</u>
	ADDRESS: <u>2900 Corporate Place</u>
	CITY: <u>Chanhassen</u> STATE: <u>MN</u> ZIP: <u>55317</u>
	TELEPHONE: <u>952-947-0000</u> CELL: _____
	E-MAIL: <u>ccampbell@lt.life</u>

APPLICANT	NAME: <u>LTF Real Estate Company Inc</u>
	ADDRESS: <u>2900 Corporate Place</u>
	CITY: <u>Chanhassen</u> STATE: <u>MN</u> ZIP: <u>55317</u>
	TELEPHONE: <u>952-947-0000</u> CELL: _____
	E-MAIL: <u>ccampbell@lt.life</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Traver Jones / Kimley-Horn</u>
	ADDRESS: <u>7740 North 16th Street, Suite 300</u>
	CITY: <u>Phoenix</u> STATE: <u>AZ</u> ZIP: <u>85020</u>
	TELEPHONE: <u>602-216-1234</u> CELL: _____
	E-MAIL: <u>traver.jones@kimley-horn.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-04-101-025, 176-04-101-026

PROPERTY ADDRESS and/or CROSS STREETS: SE Corner of Sunset Road and Durango Drive

TENTATIVE MAP NAME: Tentative Map for Life Time - Las Vegas

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.

Kari L. Broyles _____
 Property Owner (Signature) Property Owner (Print)

STATE OF Minnesota
 COUNTY OF CARVER

SUBSCRIBED AND SWORN BEFORE ME ON December 5, 2022 (DATE)
 By Kari L. Broyles

NOTARY PUBLIC: Susan M. Schilling



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

APR-22-100686

02/08/23 BCC AGENDA SHEET

OFFICE AS A PRINCIPAL USE
(TITLE 30)

BUFFALO DRIVE/SUNSET ROAD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-22-400131 (ZC-18-0659)-BOYD CORPORATE CAMPUS, LLC:

WAIVERS OF DEVELOPMENT STANDARDS THIRD EXTENSION OF TIME to commence the following: 1) increase the height of outdoor lighting affixed to buildings; 2) permit roof line without articulation on the facade; 3) increase retaining wall height; 4) increase building heights; and 5) allow modified commercial driveway geometrics.

DESIGN REVIEWS for the following: 1) proposed office buildings with lighting; 2) alternative parking lot landscaping; and 3) increase finished grade for an office complex on 10.3 acres in a C-2 (General Commercial) (AE-60) Zone in the CMA Design Overlay.

Generally located on the east side of Buffalo Drive and the north side of Sunset Road within Spring Valley (description on file). MN/dd/ja (For possible action)

RELATED INFORMATION:

APN:
163-34-401-012 through 163-34-401-014

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase the height of outdoor lighting affixed to a building to vary from zero feet to 174 feet from finished grade where 14 feet above finished grade is required per Section 30.48.670 (a 100% to 1,142.8% increase).
2. Permit horizontal roof line longer than 100 feet not broken up by articulations in the facade per Section 30.48.650.
3. Increase the height of a retaining wall to 5.5 feet with a 1.03 foot screen wall where a 3 foot maximum retaining wall with 6 foot screen wall is permitted, per Figure 30.64-15 (an 83.3% increase).
4. Increase the height of the proposed buildings to 180 feet where a maximum of 50 feet is permitted per Table 30.40-4 (a 260% increase).
5. Allow a 17 foot 8 inch throat depth where a 150 foot throat depth is required per Uniform Standard Drawing 222.1 (an 88.2% reduction).

DESIGN REVIEWS:

1. Proposed office buildings with lighting.
2. Alternative parking lot landscaping.
3. Increase finished grade height to 66 inches (5.55 feet) where a maximum of 18 inches (1.5 feet) is the standard per Section 30.32.040 (a 266.6% increase).

**LAND USE PLAN:
SPRING VALLEY - CORRIDOR MIXED-USE**

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 10.3
- Project Type: Office buildings
- Number of Stories: 10
- Building Height (feet): 180 (each office building)/64 (parking garage)
- Square Feet: 322,600 (Phase 1 building)/316,600 (Phase 2 building)
- Parking Required/Provided: 1,115/1,153 (Phase 1 building, surface, and parking garage)/2,229/2,233 (Phase 2 building, surface, and parking garage)

History & Site Plans

ZC-18-0659 reclassified 2.5 acres from R-E zoning to C-2 zoning for a proposed office complex. The C-2 zoning was made permanent, and this extension of time request is for the waivers of development standards and design reviews only. VS-18-0667 was a companion application that was approved with the zone change. ADET-20-900547 (ZC-18-0659) was administratively approved which extended the application expiration date to October 17, 2021 to commence. ET-20-400123 (VS-18-0667) was approved with an expiration date of October 17, 2022 to record. ET-21-400166 was approved to extend ZC-18-0659 to have a similar expiration as the vacation application. The applicant is now requesting another extension of time for 2 years.

The previously approved plans via ZC-18-0659 depict 2 office buildings and a parking garage to be constructed in 2 phases. Access to the site is from Sunset Road, Buffalo Drive, and Teco Avenue. The westerly entrance on Sunset Road and the entrance on Buffalo Drive include decorative concrete elements with decorative concrete drive aisles located along the westerly and southerly entrances of the 2 proposed office buildings.

The Phase 1 building is located north of Sunset Road on the easterly portion of the site and will include Phase 1 of the parking garage (the first 3 levels) at the northeasterly portion of the site. Surface parking is located on the southwesterly portion of the site and designed to meet and exceed parking lot landscaping requirements. The surface parking located at the northwesterly portion of the site is located where the future Phase 2 building will be situated. The Phase 1 parking garage and surface parking provides a total of 1,153 parking spaces.

The Phase 2 building is located at the northwesterly pad site of the complex and will be connected to the Phase 1 building by an enclosed breezeway. Phase 2 will also include a 3 level addition to the parking garage to provide a total of 2,233 parking spaces.

Site amenities include plaza entry features on the north, west, and east sides of Building 1, covered executive parking area, exterior employee patio/break area, bicycle parking areas, and drop-off areas.

Landscaping

The approved plans show a minimum of 10 feet of landscaping provided adjacent to the street frontages with a detached sidewalk located along Sunset Road and Buffalo Drive and an attached sidewalk along Teco Avenue. Parking lot landscaping is provided adjacent to the southwesterly surface parking area and around the boundary of Buildings 1 and 2 (when completed), and landscaping is provided on the south and east property lines of APN 16-34-401-014 adjacent to the drive aisles. Landscaping materials include Willow Acacia, Palo Verde, Date Palm, Chinese Pistache, Flowering Plum, Holly Oak, and African Sumac, with shrubbery and accent plants with groundcover. The retaining wall with screen wall is set back 17 feet from the right-of-way along Buffalo Drive, and set back 25 feet from the right-of-way along Sunset Road, and provides for a minimal screen wall at the back of the required landscape area.

Lighting

The approved plans depict building lighting which will be located on the building to define recess areas below the soffits and accent metal fins. Parking lot lighting includes 14 foot high shielded light fixtures in the southwesterly parking area, along the drive aisles on the east and north sides of the proposed buildings, and on top of the parking garage.

Elevations

The approved plans depict a pair of 180 foot high, 10 story office buildings that will be constructed in 2 phases. The finished floor of Phase 1 building is proposed at 4 feet below the grade of Sunset Road, and the finished floor of Phase 2 building is proposed at 5 feet below the grade of Buffalo Drive. The soffit at the top of the buildings is over 275 feet long, which is interconnected with a metal panel architectural detail that runs down the faces of the buildings. Below the soffit is a recessed glass wall that is above a protruding glass wall. The building's exterior materials including modern architectural design include painted metal panels, recessed colored curtain wall systems with either blue or grey coloring at varying levels, and painted architectural metal louvers over portions of levels 3 through 9. The parking garage is 64 feet high with 6 parking levels. The parking garage will be constructed in 2 phases with a total of 6 levels, and the first 3 levels constructed as part of Phase 1.

Floor Plans

The previously approved plans show Building 1 is a 322,600 square foot 10 story office building and Building 2 is a 316,600 square foot 10 story office building. The plans depict shell space for future occupants/tenants.

Revision History

The applicant provided revised plans dated March 2020. Although access to the proposed office complex has not changed, the revised plans show that there is 1 main office building on the southwest corner of the complex, the parking garage is proposed on the northwest corner with overall square footage increased, and a daycare building and an employment center have been added on the northeast corner of the complex. The total revised square footage for each building is as follows: 356,493 (office building), 8,101 (daycare building), and 6,440 (employment center building). The landscape plan was also updated to match the revised site plan.

The revised elevations dated March 2020 show the following: a 175 foot, 10 story office building. The building's exterior materials feature modern architectural design and include painted metal panels, recessed colored curtain wall systems with either blue or grey coloring at varying levels, and painted architectural metal louvers over portions of Levels 3 through 9. The daycare building and the employment center building are each 1 story, a maximum of 22 feet tall, and each building exterior includes features architecturally compatible with the rest of the site. The parking garage has a proposed height of 40 feet and is 3 stories.

Revised floor plans show the following: a 356,493 square foot main office building, an 8,101 square foot daycare building, and a 6,440 square foot employment center building. Additionally, revised parking calculations for the site now stand at 1,445/1,484 (required/provided). Parking spaces are provided along the south property line (Sunset Road), west property line (Buffalo Drive), and the northwest corner of the site (Teco Avenue).

Signage

Signage is not a part of this request.

Previous Conditions of Approval

Listed below are the approved conditions for ET-21-400166 (ZC-18-0659):

Current Planning

- Until October 17, 2022 to commence;
- 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; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for ADET-20-900547 (ZC-18-0659):

Current Planning

- Until October 17, 2021 to commence.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Listed below are the approved conditions for ZC-18-0659:

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning.
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date, or it will expire.

Public Works - Development Review

- Drainage study and compliance.
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site.
- Traffic study and compliance.
- Full off-site improvements.
- Right-of-way dedication to include 45 feet to 50 feet to back of curb for Buffalo Drive, 30 feet for Teco Avenue and associated spandrel.
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for bus turnout including passenger loading/shelter areas in accordance with RTC standards.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals and that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

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 #0498-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Applicant's Justification

The applicant states that multiple issues out of the applicant's control (i.e.: supply chain & logistic issues, price volatility, and material availability) affected their ability to commence on the project. It is for these reasons that the applicant is requesting an extension of time be granted for the office as a principal use of this project.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-21-400166 (ZC-18-0659)	Second extension of time for a zone change & an office as a principal use	Approved by BCC	March 2022
ADET-20-900547 (ZC-18-0659)	First extension of time for a Zone change & an office as a principal use	Approved by ZA	December 2020

Prior Land Use Requests

Application Number	Request	Action	Date
ET-20-400123 (VS-18-0667)	First extension of time to vacate easements located between Sunset Road and Teco Avenue, and between Buffalo Drive and Pioneer Way	Approved by BCC	December 2020
VS-18-0667	Vacated easements located between Sunset Road and Teco Avenue, and between Buffalo Drive and Pioneer Way	Approved by BCC	October 2018
ZC-18-0659	Reclassified the site from R-E zoning to C-2 zoning, waivers for increased height, roof line articulation, modified driveway geometrics, increased wall height, lighting, and design reviews for proposed buildings, lighting, landscaping, and increase finished grade	Approved by BCC	October 2018
ZC-0873-03 (WC-0192-04)	Waived a condition of a zone change requiring right-of-way dedication (Tioga Way)	Approved by BCC	August 2004
TM-0251-04	1 lot commercial subdivision	Approved by PC	June 2004
ZC-0083-04	Reclassified 10 acres from R-E and M-D to C-2 zoning for a shopping center	Approved by BCC	February 2004
ZC-0873-03	Reclassified 2.5 acres from R-E to M-D zoning	Approved by BCC	July 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-D	Undeveloped
South	Business Employment & Corridor Mixed-Use	R-E & C-2	Retail center & undeveloped
East	Business Employment	R-E	Undeveloped & communication tower
West	Corridor Mixed-Use	M-D	Office warehouse (IGT)

Related Applications

Application Number	Request
ET-22-400132 (VS-18-0667)	Second extension of time to vacate & abandon a right-of-way is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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

Due to the extraneous circumstances that the applicant has faced, including but limited to: the shortage of material, increased price of building materials, and supply chain & logistic issues, staff can support this request for an extension of time. Furthermore, the site has an approved drainage study via PW19-15084. Lastly, any future revisions to the proposed site that are not compliant with Title 30 standards will require new land use approval & building permits.

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Until October 17, 2024 to commence.
- 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 any modifications submitted as revised plans that do not comply with Title 30 shall require a land use application; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- 30 days to 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;
- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: BOYD CORPORATE CAMPUS, LLC

CONTACT: RUSSELL ROWE, ROWE LAW GROUP, 7435 S. EASTERN AVENUE, SUITE 510, LAS VEGAS, NV89123

DRAFT



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AGENDA LOG AMENDMENT

Department of Comprehensive Planning

Application Number: ET-22-400131

Property Owner or Subdivision Name: Boyd Corporate Campus LLC

Public Hearing: Yes No

Staff Report already created: Yes No

Delete this application from the: **TAB/CAC** 01/10 **PC** _____ **BCC** _____

Add this application to the: **TAB/CAC** 01/31 **PC** _____ **BCC** _____

Change(s) to be made:

- Held no date specific
 - Withdrawn
 - No change to meeting(s) 2/8/23 BCC
 - Amend Write-up
 - Renotify
 - Make a public hearing (Radius: _____)
 - Rescheduling
 - Other: _____
 - Additional fees – \$AMOUNT OF ADDITIONAL FEES: _____
 - Refund
 - 80%
 - 100% (please include justification for full refund below)
- AMOUNT OF REFUND\$: _____

Reason for Change: Town board needs to be held until changes to Agenda Sheet can be made

Change initiated by:	<u>DD</u>	Date:	<u>12/28/2022</u>
Change authorized by:	<u>NM</u>	Date:	<u>12/28/2022</u>
Change processed by:	<u>ds</u>	Date:	<u>12/28/2022</u>
Follow up assigned to:	_____	Instructions:	_____

Parcel Number(s): 163-34-401-012 to -014

Town Board(s): Spring Valley

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02/08/23 BCC AGENDA SHEET

RIGHT-OF-WAY/EASEMENTS
(TITLE 30)

BUFFALO DRIVE/SUNSET ROAD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-22-400132 (VS-18-0667)-BOYD CORPORATE CAMPUS, LLC:

VACATE AND ABANDON SECOND EXTENSION OF TIME for easements of interest to Clark County located between Sunset Road and Teco Avenue, and between Buffalo Drive and Pioneer Way (alignment) and a portion of a right-of-way being Buffalo Drive located between Sunset Road and Teco Avenue within Spring Valley (description on file). MN/dd/ja (For possible action)

RELATED INFORMATION:

APN:
163-34-401-012 through 163-34-401-014

LAND USE PLAN:
SPRING VALLEY - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

The approved plans depict the vacation of 33 foot wide government patent easements along the northerly, easterly, and southerly boundaries of APN 163-34-401-012 and along all boundaries of APN 163-34-401-014. Pedestrian access easements for driveways on Sunset Road near the west property line, and on Buffalo Drive on APN 163-34-401-013 are also being requested to be vacated. The plans also show the vacation of a 5 foot wide portion of Buffalo Drive between Sunset Road and Teco Avenue. The applicant indicates that the easements and portions of the right-of-way for a detached sidewalk are no longer needed with the companion development of the properties.

Previous Conditions of Approval

Listed below are the approved conditions for ET-20-400123 (VS-18-0667):

Current Planning

- Until October 17, 2022 to record.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that re-approval by utility companies is required.

Public Works - Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for VS-18-0667:

Current Planning

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

Public Works - Development Review

- Drainage study and compliance.
- Right-of-way dedication to include 45 feet to 50 feet to back of curb for Buffalo Drive, 30 feet for Teco Avenue and associated spandrel.
- Vacation to be recordable prior to building permit issuance or applicable map submittal.
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Applicant's Justification

The applicant states that multiple issues out of their control (i.e.: supply chain & logistic issues, price volatility, and material shortages) affected their ability to commence the project. It is for these reasons that the applicant is requesting an extension of time be granted for the vacation and abandonment application.

Prior Land Use Requests

Application Number	Request	Action	Date
ADET-20-900547 (ZC-18-0659)	First extension of time for a zone change & an office as a principal use	Approved by ZA	December 2020
ET-20-400123 (VS-18-0667)	First extension of time to vacate easements located between Sunset Road and Teco Avenue, and between Buffalo Drive and Pioneer Way	Approved by BCC	December 2020
VS-18-0667	Vacated easements located between Sunset Road and Teco Avenue, and between Buffalo Drive and Pioneer Way	Approved by BCC	October 2018
ZC-18-0659	Reclassified to C-2 zoning for an office building as a principal use	Approved by BCC	October 2018
ZC-0873-03 (WC-0192-04)	Waived a condition of a zone change requiring right-of-way dedication (Tioga Way)	Approved by BCC	August 2004

Prior Land Use Requests

Application Number	Request	Action	Date
TM-0251-04	1 lot commercial subdivision	Approved by PC	June 2004
ZC-0083-04	Reclassified 10 acres from R-E and M-D to C-2 zoning for a shopping center	Approved by BCC	February 2004
ZC-0873-03	Reclassified 2.5 acres from R-E to M-D zoning	Approved by BCC	July 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment & Corridor Mixed-Use	M-D	Office warehouse, manufacturing, & undeveloped
South	Business Employment & Corridor Mixed-Use	R-E & C-2	Retail center & undeveloped
East	Business Employment & Corridor Mixed-Use	R-E	Undeveloped & communication tower
West	Corridor Mixed-Use	M-D	Office warehouse (IGT)

Related Applications

Application Number	Request
ET-22-400131 (ZC-18-0659)	Second Extension of time for an office building is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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

Due to the extraneous circumstances that the applicant has faced, including but not limited to shortage of material, increased price of building materials, and supply chain & logistics issues, staff can support this request for an extension of time.

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Until October 17, 2024 to record.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that re-approval by the utility companies is required.

Public Works - Development Review

- 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;
- Compliance with previous conditions.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

**TAB/CAC:
APPROVALS:
PROTEST:**

APPLICANT: BOYD CORPORATE CAMPUS, LLC

CONTACT: RUSSELL ROWE, ROWE LAW GROUP, 7435 S. EASTERN AVENUE, SUITE 510, LAS VEGAS, NV 89123



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AGENDA LOG AMENDMENT

Department of Comprehensive Planning

Application Number: ET-22-400132

Property Owner or Subdivision Name: Boyd Corporate Campus LLC

Public Hearing: Yes No

Staff Report already created: Yes No

Delete this application from the: **TAB/CAC** 01/10 **PC** _____ **BCC** _____

Add this application to the: **TAB/CAC** 01/31 **PC** _____ **BCC** _____

Change(s) to be made:

- Held no date specific
 - Withdrawn
 - No change to meeting(s) 2/8/23 BCC
 - Amend Write-up
 - Renotify
 - Make a public hearing (Radius: _____)
 - Rescheduling
 - Other: _____
 - Additional fees – \$AMOUNT OF ADDITIONAL FEES: _____
 - Refund
 - 80%
 - 100% (please include justification for full refund below)
- AMOUNT OF REFUND\$: _____

Reason for Change: Town board needs to be held until changes to Agenda Sheet can be made

Change initiated by: DD Date: 12/28/2022

Change authorized by: NM Date: 12/28/2022

Change processed by: ds Date: 12/28/2022

Follow up assigned to: _____ Instructions: _____

Parcel Number(s): 163-34-401-012 to -014

Town Board(s): Spring Valley

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02/08/23 BCC AGENDA SHEET

EASEMENTS
(TITLE 30)

LINDELL RD/RUSSELL RD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-22-0675-TIGER REAL ESTATE LLC:

VACATE AND ABANDON easements of interest to Clark County located between Lindell Road and Westwind Road, and between Russell Road and Quail Avenue (alignment) within Spring Valley (description on file). MN/lm/ja (For possible action)

RELATED INFORMATION:

APN:
163-36-104-005

LAND USE PLAN:
SPRING VALLEY - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

The applicant is proposing to develop the site as a single family residential development. The request is to vacate 33 foot wide patent easements within the property that the applicant indicates are not necessary for the development of the area. Any required rights-of-way, utility, and drainage easements will be dedicated with the recording of future subdivision map.

Surrounding Land Use

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

Related Applications

Application Number	Request
WS-22-0674	A request for alternative development standards for a single family subdivision is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Right-of-way dedication to include 40 feet for Lindell Road;
- 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 this site is located within a Special Flood Hazard Area (SFHA) as designated by the Federal Emergency Management Agency (FEMA).

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: TIGER REAL ESTATE LLC

CONTACT: PETYA BALOVA, BALOVA ENGINEERING, 7495 WEST AZURE DRIVE SUITE 140-C, LAS VEGAS, NV 89130

SINGLE FAMILY RESIDENTIAL
(TITLE 30)

LINDELL RD/RUSSELL RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-22-0674-TIGER REAL ESTATE LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate street landscaping; 2) increase wall height; 3) decrease call box setback; 4) waive off-site improvements (partial paving, curb, gutter, sidewalk, and streetlights); and 5) decrease private street width.

DESIGN REVIEWS for the following: 1) single family subdivision; and 2) finished grade on 2.5 acres in an R-E (Rural Estates Residential) (RNP-1) (AE-60) Zone within the CMA Design Overlay District.

Generally located on the west side of Lindell Road, 330 feet south of Russell Road within Spring Valley. MN/lm/ja (For possible action)

RELATED INFORMATION:

APN:

163-36-104-005

WAIVERS OF DEVELOPMENT STANDARDS:

1. Eliminate street landscaping along a collector street (Lindell Road) where Figure 30.64-17 is required.
2. a. Increase screen wall height up to 8 feet where a maximum 6 foot high wall is permitted per Table 30.64-1.
b. Increase retaining wall height up to 6 feet where a maximum retaining wall height up to 3 feet is allowed per 30.64.050.
3. Decrease the call box location to 35 feet where 50 feet is required per Uniform Standard Drawing 222.1 (a 30% reduction).
4. Waive full off-site improvements (partial paving, curb, gutter, sidewalk, and streetlights) along Lindell Road.
5. Decrease the private street entry width for a gated community to 44 feet from lip of curb to lip of curb where 48 feet is required per Uniform Standard Drawing 222.1 (an 8% reduction).

DESIGN REVIEWS:

1. Single family residential subdivision.
2. Increase finished grade to 5 feet where a maximum of 3 feet is the standard per 30.32.040 (a 67% increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.5
- Number of Lots/Units: 4
- Density (du/ac): 1.6
- Minimum/Maximum Lot Size (square feet): 21,139/25,306
- Project Type: Single family residential

Site Plans

The plan depicts a 4 lot residential subdivision with gated access to Lindell Road. The 4 lots range in size from 21,139 square feet to 25,306 square feet. The gated access is set back 59 feet with the call box located 35 feet from edge of right-of-way.

The plans show a combination of 4 foot high retaining wall with 6 foot high screen wall on top along the following: Lindell Road, northern boundary of the Flood Zone within Lot #3 and Lot #4, and a portion of the north property line. A 6 foot high retaining wall is proposed along the west property line, adjacent to developed residential lots. Plans also show interior subdivision screen walls proposed at 8 feet high. All walls mentioned above necessitate the waivers of development standards for increasing the height.

Lastly, plans depict 8 foot high walls on both sides of the private street, immediately adjacent to the gates, which continue toward Lindell Road and are in compliance with Title 30 requirements.

Landscaping

The plan depicts a 3 foot wide street light and traffic conduit easement with a gravel groundcover located behind the future back of sidewalk along Lindell Road. A 10 foot high combined retaining wall with screen wall will be constructed along Lindell Road with 8 foot high walls located between the lots.

Applicant's Justification

The applicant indicates that the site is encumbered by a wash on the southerly portion of the site. The developers will process a request to reduce the FEMA designation which will allow for more buildable area on the proposed 2 southerly lots. Since the process will take some time, after the parcels have been mapped, a wall will be placed at the current limit of the FEMA Flood Zone A boundary for site security purposes. Once the Flood Zone has been reduced or re-designated the wall will be reconstructed to the farthest extent possible to the south allowing for a larger buildable lot area. Additionally, custom designed homes will be constructed, and the proposed design is not known at this time. The street improvements are requested to match the existing rural neighborhood street improvements where there are no full off-sites between Russell Road and Sunset Road. Additionally, the applicant would like to preserve the rural characteristics of the neighborhood where there is no landscaping along street frontages while

maintaining site privacy. Lastly, the applicant indicates that with there only being 4 homes within the gated community and property owners having keyless entry, there should not be an issue of vehicles cueing into Lindell Road for access to the development.

Surrounding Land Use

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

Related Applications

Application Number	Request
VS-22-0675	A request to vacate and abandon 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

Waivers of Development Standards

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

Waivers of Development Standards #1, #2 & Design Review #1

The burden of development is to provide the current standards determined for the community. While it may be reasonable to increase the site grade and provide retaining walls, staff is concerned with making a walled neighborhood that does not provide aesthetic improvements along the street frontage, especially when the site is creating large parcels that are over the minimum lot area; therefore, staff is unable to support these requests.

Public Works - Development Review

Waiver of Development Standards #3

Staff finds the request to reduce the throat depth to the call box to be a self-imposed hardship. As a vacant site, the design can be minimally changed to comply with the minimum standards.

Waiver of Development Standards #4

Historical events have demonstrated how important off-site improvements are for drainage control. Additionally, full width paving allows for better traffic flow and sidewalks on public streets provide safer pathways for pedestrians and for children to walk to school. Therefore, staff cannot support the Waiver of Development Standards for full off-site improvements.

Waiver of Development Standards #5

Staff has no objection to the reduced street width provided that Fire Prevention approves the request. However, since staff is not supporting the application in its entirety, 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 is not supporting the application in its entirety, staff cannot support this request.

Department of Aviation

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

Staff Recommendation

Denial.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- 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 40 feet for Lindell Road;
- Clark County Fire Prevention approval of the reduced street width;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- Applicant is advised that this site is located within a Special Flood Hazard Area (SFHA) as designated by the Federal Emergency Management Agency (FEMA); and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Department of Aviation

- Applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation;
- Applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation;
- Applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation when property sales/leases commence;
- Incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- 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 #0477-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: TIGER REAL ESTATE LLC

**CONTACT: PETYA BALOVA, BALOVA ENGINEERING, 7495 WEST AZURE DRIVE,
SUITE 140-C, LAS VEGAS, NV 89130**

DRAFT

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SUPPER CLUB
(TITLE 30)

TWAIN AVE/DURANGO DR

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-22-0697-Y & C INVESTMENT, LLC:

USE PERMIT for on-premises consumption of alcohol (supper club) in conjunction with an existing restaurant within a portion of a shopping center on 2.4 acres in a C-1 (Local Business) Zone.

Generally located on the west side of Durango Drive, 820 feet south of Twain Avenue within Spring Valley. JJ/bb/syp (For possible action)

RELATED INFORMATION:

APN:
163-17-704-013 ptn

LAND USE PLAN:
SPRING VALLEY - CORRIDOR MIXED-USE

BACKGROUND:
Project Description
General Summary

- Site Address: 3945 S. Durango Drive, Suite A-8
- Site Acreage: 2.4 (portion)
- Project Type: On-premises consumption of alcohol (supper club) in conjunction with an existing restaurant within a shopping center
- Square Feet: 4,361 (lease space)
- Parking Required/Provided: 107/115

Site Plan

This is a request for a proposed supper club in conjunction with an existing restaurant within a shopping center. This lease space obtained a service bar approval from the Planning Commission (UC-0832-16) in January 2017. The plan depicts a 25,000 square foot shopping center consisting of 3 buildings situated on 2.4 acres. The existing restaurant and proposed supper club occupy a tenant suite consisting of 4,361 square feet which is located within the most southern portion of a 16,900 square foot in-line commercial building. The existing restaurant does not have an outside dining use. Access to the shopping center is granted via existing commercial driveways located along Durango Drive. The restaurant is open 7 days a week from 11:00 a.m. to 10:00 p.m. There are 115 parking spaces provided for the shopping center where 107 parking spaces are required.

Landscaping

All street and site landscaping exists and no additional landscaping is proposed or required.

Elevations

The plans (photographs) depict an existing building 24 feet in height consisting of a stucco finish painted with neutral, earth-tone colors. No changes to the existing elevation are proposed.

Floor Plans

The plans depict a 4,361 square foot tenant suite consisting of various tables and booths for dining patrons, kitchen, restroom facilities, and walk-in cooler and freezer. Entrance to the existing restaurant is granted via existing doors located on the east side of the building.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that the request is to pursue the ability to serve alcohol via a supper club in conjunction with an existing restaurant. This unit was previously approved for a service bar in 2017. Another existing restaurant holds a similar entitlement gaming and full liquor sales within the same building. The mini-warehouses buffer the restaurant from the residential uses to the west.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0832-16	On-premises consumption of alcohol establishment (service bar) in conjunction with an existing restaurant within a portion of a shopping center	Approved by PC	January 2017
UC-0571-07 (ET-0168-09)	First extension of time to review a massage establishment within the shopping center	Approved by PC	August 2009
UC-0571-07	Massage establishment within the shopping center	Approved by PC	July 2007
UC-0778-02	Service bar in conjunction with a restaurant	Approved by PC	July 2002
ZC-1774-96	Reclassified from R-E to C-1 zoning, with a tenant space for a tavern being zoned C-2, with a use permit for a mini-warehouse building, and a design review for retail buildings and mini-warehouse building	Approved by BCC	April 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial	C-2 & C-1	Retail within the same shopping center & mini-warehouse north of the shopping center
South	Neighborhood Commercial	C-1	Office building

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
East	Public Use	P-F	Undeveloped (Desert Breeze Park)
West	Corridor Mixed-Use	C-1	Mini-warehouse

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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

Policy SV-1.5 of the Master Plan encourages the development of neighborhood oriented retail, offices, and commercial services that allow Spring Valley residents to meet their daily needs, including work opportunities within close proximity of their homes. Staff can support the proposed supper club in an existing restaurant that has operated with a service bar license in the past. The mini-warehouse building on the west side of the in-line retail building where this use is located, acts as a buffer for the residential uses farther west.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

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

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: JOSEPH PAPA

CONTACT: CHRISTINE WALKER, CHI STADIUM, 3945 S. DURANGO DRIVE, SUITE A-8, LAS VEGAS, NV 89147

DRAFT

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02/22/23 BCC AGENDA SHEET

PLANNED UNIT DEVELOPMENT
(TITLE 30)

BUFFALO DR/OQUENDO RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-22-0693-COUNTY OF CLARK (AVIATION):

ZONE CHANGE to reclassify 8.8 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.

USE PERMIT for a residential planned unit development.

WAIVER OF DEVELOPMENT STANDARDS for street intersection off-set.

DESIGN REVIEW for a single family residential Planned Unit Development in the CMA Design Overlay District.

Generally located on the southwest corner of Buffalo Drive and Oquendo Road within Spring Valley (description on file). MN/gc/syp (For possible action)

RELATED INFORMATION:

APN:

163-33-601-004

WAIVER OF DEVELOPMENT STANDARDS:

Reduce street intersection off-set to 98 feet where a minimum of 125 feet is required per Section 30.52.052 (a 21.6% reduction).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 8.8
- Number of Lots: 78
- Density (du/ac): 8.9
- Minimum/Maximum Lot Size (square feet): 3,308/5,047 (gross and net)
- Project Type: Single family residential planned unit development
- Number of Stories: 2 & 3
- Building Height (feet): Up to 35
- Square Feet: 1,866 to 3,023
- Open Space Required/Provided (square feet): 19,614/19,690

Site Plans

The plans depict a single family residential planned unit development consisting of 78 residential lots and 5 common element lots at a density of 8.9 dwelling units per acre. Both gross and net lot sizes range from a minimum of 3,308 square feet to a maximum of 5,047 square feet, with an average lot size of 3,521 square feet. The lots internal to the subdivision will be served by 43 foot wide private streets with a 5 foot wide sidewalk on one side of the street. The lots fronting Miller Lane will be served by a 55 foot wide public street with a 5 foot wide detached sidewalk. Access to the project is from Oquendo Road. A total of 19,690 square feet of open space is provided where 19,614 square feet is required. Open space consists of 3 areas; a 5,388 square foot area located on the northeast portion of the site; an 11,603 square foot area centrally located along the east property line; and a 2,699 square foot corridor connecting Miller Lane and a private street (Firerock Street). The applicant has indicated that amenities for the open space areas will include walking paths, benches, dog stations, trash receptacles, shade structures, and useable turf areas. The intersection of a private street (Lacemaker Street) and Firerock Street is 98 feet from the intersection of Oquendo Road and Firerock Street, and thus, a waiver of development standards for street intersection off-set is necessary. Screen walls up to 6 feet 8 inches are proposed throughout the subdivision. Proposed setbacks for the development are as follows:

- Front – 20 feet with a 10 foot reduction for maximum 50% of the overall building width
- Interior side – 5 feet
- Side street (corner) – 10 feet
- Rear – 15 feet
- Rear patio – 3 feet
- Side (project perimeter setback of Lots 1 & 30) – 10 feet

Landscaping

A 15 foot wide landscape area with a detached sidewalk per Figure 30.64-17 is provided along Buffalo Drive, Oquendo Road, and Miller Lane. A 5.5 foot wide landscape area with 24 inch box large evergreen trees per Figure 30.64-11 is located along the south property line adjacent to the existing R-1 zoned subdivision.

Elevations

The plans show 3, two story models and 3, three story models up to 35 feet high, with 3 types of elevation designs. Building materials consist of stucco finish, stucco pop-outs, masonry veneer, wrought iron railings, and tile or standing seam metal roofing. Decorative trim is provided along all windows and doors on all elevations.

Floor Plans

The plans depict homes ranging in size from 1,866 square feet to 3,023 square feet with 3 to 5 bedrooms, 2.5 to 3.5 baths, and 2 car garages.

Applicant's Justification

The applicant states that the proposed development will be complementary to the surrounding subdivisions. Furthermore, the applicant states that the reduction in street intersection off-set does not create unsafe driving conditions in the area.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1 & R-2	Single family residential
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Neighborhood Commercial	R-1 & R-2	Single family residential
East	Compact Neighborhood (up to 18 du/ac) & Neighborhood Commercial	R-3 & M-D	Multiple family residential & office/warehouse building
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1	Single family residential

Related Applications

Application Number	Request
VS-22-0694	A request to vacate and abandon a 5 foot wide portion of right-of-way being Oquendo Road and Buffalo Drive, and a 5 foot wide BLM right-of-way grant easement along the west property line is a companion item on this agenda.
TM-22-500227	Tentative map for a 78 lot single family residential planned unit development is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

The request for R-2 zoning conforms to the Master Plan which designates this site as Mid-Intensity Suburban Neighborhood. The proposed R-2 zoning will provide a transition from the more intense R-3 and M-D zoning to the east to the R-1 zoning to the west. R-2 zoned subdivisions also exist along Buffalo Drive to the north and south. Therefore, staff finds the proposed zoning is consistent and compatible with the existing and approved land uses in the area. The request complies with Policy SV-1.1 of the Master Plan which promotes preserving the integrity of contiguous and uniform suburban development in Spring Valley through development regulations that encourage compatible in-fill development.

Use Permit and Design Review

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

Staff can support the use permit request for a planned unit development (PUD) at this location. The proposed PUD will still comply with the same development standards established in Title 30 for a typical R-2 zoned subdivision including minimum lot size, setbacks, and height. The increase in density allowed through the PUD to 8.9 du/ac is appropriate since it is located adjacent to an arterial street (Buffalo Drive) and allows for a transition from the more intense R-3 and M-D zoned developments to the east and the R-1 zoned developments to the west. Additionally, the applicant has provided the required open space distributed throughout the site as an amenity for future residents.

The proposed development complies with Goal 1.1 which encourages opportunities of diverse housing options to meet the needs of all ages, income levels, and abilities; and Policy 1.3.2 which encourages a mix of housing options, product types, and unit sizes. The architectural design of the residences is compatible with the existing single family homes in the area. However, staff would recommend a condition that prevents the 3 story homes from being built adjacent to the existing R-1 zoned subdivision along the south property line. The homes within the R-1 zoned subdivision to the south adjacent to the site are all single story, and Title 30 requirements for a PUD encourages transitioning considerations that include a range of design features related to existing and proposed development such as, but not limited to, height, mass, and architecture. Furthermore, there is not a street that separates the proposed development from the R-1 zoned subdivision as there is to the north and west of the site.

Staff also recommends a condition to provide direct pedestrian access for the subdivision from Night Watch Avenue to Buffalo Drive. Policy 6.2.4 promotes increased connectivity and reduced impediments to pedestrian access, such as block walls and fences, that requires the unnecessary use of a vehicle to travel short distances to otherwise adjacent uses. A number of destinations are located along Buffalo Drive within walking distance to the project including employment sites and the Opportunity Village Campus.

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.

Public Works - Development Review

Waiver of Development Standards

Staff has no objection to the reduction in street intersection off-set for the entry street on Oquendo Road. With additional landscape areas adjacent to the entry street, visibility will be improved for those entering the site.

Department of Aviation

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

continue to upgrade the Harry Reid International Airport facilities to meet future air traffic demand.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- No 3 story homes on lots adjacent to the R-1 zoned subdivision along the south property line;
- Provide direct pedestrian access from Night Watch Avenue to Buffalo Drive;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the use permit, waiver of development standards, and design review must commence within 4 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Miller Lane and associated spandrel;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for a bus turnout on Buffalo Drive, south of Oquendo Road, including passenger loading/shelter pad in accordance with RTC standards;
- The installation of detached sidewalks will require the vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or the execution of a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the

completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0449-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: PN II, INC.

**CONTACT: WESTWOOD PROFESSIONAL SERVICES, 5725 W. BADURA AVENUE,
SUITE 100, LAS VEGAS, NV 89118**

02/22/23 BCC AGENDA SHEET

EASEMENT/RIGHTS-OF-WAY
(TITLE 30)

BUFFALO DR/OQUENDO RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-22-0694-COUNTY OF CLARK (AVIATION):

VACATE AND ABANDON easements of interest to Clark County located between Oquendo Road and Patrick Lane, and between Miller Lane and Buffalo Drive; a portion of a right-of-way being Buffalo Drive located between Oquendo Road and Patrick Lane; and a portion of a right-of-way being Oquendo Road located between Miller Lane and Buffalo Drive within Spring Valley (description on file). MN/gc/syp (For possible action)

RELATED INFORMATION:

APN:
163-33-601-004

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

BACKGROUND:

Project Description

The plans depict the vacation and abandonment of 5 foot wide portions of right-of-way being Buffalo Drive and Oquendo Road, and a 5 foot wide BLM right-of-way grant easement along the west property line. The applicant states that the rights-of-way and easement need to be vacated to support detached sidewalks.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1 & R-2	Single family residential
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Neighborhood Commercial	R-1 & R-2	Single family residential
East	Compact Neighborhood (up to 18 du/ac) & Neighborhood Commercial	R-3 & M-D	Multiple family residential & office/warehouse building
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1	Single family residential

Related Applications

Application Number	Request
ZC-22-0693	A zone change request from R-E to R-2 zoning, use permit for a residential planned unit development, waiver of development standards for street intersection off-set, and a design review for a single family residential planned unit development is a companion item on this agenda.
TM-22-500227	Tentative map for a 78 lot single family residential planned unit development is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

Staff has no objection to the vacation of right-of-way and easements 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:

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 25 feet to the back of curb for Miller Lane and associated spandrel;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for a bus turnout on Buffalo Drive, south of Oquendo Road, including passenger loading/shelter pad in accordance with RTC standards;

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

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: PN II, INC.

CONTACT: WESTWOOD PROFESSIONAL SERVICES, 5725 W. BADURA AVENUE,
SUITE 100, LAS VEGAS, NV 89118

BUFFALO OQUENDO
(TITLE 30)

BUFFALO DR/OQUENDO RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-22-500227-COUNTY OF CLARK (AVIATION):

TENTATIVE MAP consisting of 78 single family residential planned unit development lots and common lots on 8.8 acres in an R-2 (Medium Density Residential) Zone in the CMA Design Overlay District.

Generally located on the southwest corner of Buffalo Drive and Oquendo Road within Spring Valley. MN/gc/syp (For possible action)

RELATED INFORMATION:

APN:
163-33-601-004

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 8.8
- Number of Lots: 78
- Density (du/ac): 8.9
- Minimum/Maximum Lot Size (square feet): 3,308/5,047 (gross and net)
- Project Type: Single family residential planned unit development

The plans depict a single family residential planned unit development consisting of 78 residential lots and 5 common element lots at a density of 8.9 dwelling units per acre. Both gross and net lot sizes range from a minimum of 3,308 square feet to a maximum of 5,047 square feet, with an average lot size of 3,521 square feet. The lots internal to the subdivision will be served by 43 foot wide private streets with a 5 foot wide sidewalk on 1 side of the street. The lots fronting Miller Lane will be served by a 55 foot wide public street with a 5 foot wide detached sidewalk. Access to the project is from Oquendo Road. A total of 19,690 square feet of open space is provided. Open space consists of 3 areas; a 5,388 square foot area located on the northeast portion of the site; an 11,603 square foot area centrally located along the east property line; and a 2,699 square foot corridor connecting Miller Lane and a private street (Firerock Street).

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1 & R-2	Single family residential
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Neighborhood Commercial	R-1 & R-2	Single family residential
East	Compact Neighborhood (up to 18 du/ac) & Neighborhood Commercial	R-3 & M-D	Multiple family residential & office/warehouse building
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1	Single family residential

Related Applications

Application Number	Request
ZC-22-0693	A zone change request from R-E to R-2 zoning, use permit for a residential planned unit development, waiver of development standards for street intersection off-set, and a design review for a single family residential planned unit development is a companion item on this agenda.
VS-22-0694	A request to vacate and abandon a 5 foot wide portion of right-of-way being Oquendo Road and Buffalo Drive, and a 5 foot wide BLM right-of-way grant easement along the west property line is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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

Department of Aviation

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

Staff Recommendation

Approval is contingent upon approval of ZC-22-0693 and VS-22-0694.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Miller Lane and associated spandrel;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for a bus turnout on Buffalo Drive, south of Oquendo Road, including passenger loading/shelter pad in accordance with RTC standards;
- The installation of detached sidewalks will require the vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or the execution of a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Current Planning Division - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided;
- All street suffixes shall be spelled out on the Final Map;
- Cul-de-sac's shall have the suffix of Court or Circle;
- Firerock is a street name sound alike.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0449-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: PN II, INC.

CONTACT: WESTWOOD PROFESSIONAL SERVICES, 5725 W. BADURA AVENUE,
SUITE 100, LAS VEGAS, NV 89118

DRAFT

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02/22/23 BCC AGENDA SHEET

EASEMENTS & RIGHT-OF-WAY
(TITLE 30)

ARBY AVE/GAGNIER BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-22-0699-DWSMC ONE, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Arby Avenue and Warm Springs Road, and between Durango Drive and Gagnier Boulevard; a portion of a right-of-way being Arby Avenue located between Durango Drive and Gagnier Boulevard; and a portion of right-of-way being Gagnier Boulevard located between Arby Avenue and Warm Springs Road within Spring Valley (description on file). MN/md/syp (For possible action)

RELATED INFORMATION:

APN:

176-04-412-002 through 176-04-412-004; 176-04-412-010

LAND USE PLAN:

SPRING VALLEY - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

The plans depict the vacation of 33 foot wide patent easements along the east, west, and south portions of APN 176-04-412-010. A 3-foot wide patent easement will also be vacated along the north portion of this parcel, adjacent to Arby Avenue. The patent easements are no longer needed for right-of-way and utility purposes.

The plans also depict the vacation of a 5 foot wide portion of right-of-way adjacent to Arby Avenue and Gagnier Boulevard. The vacation of the right-of-way is necessary to accommodate the 5 foot wide detached sidewalk required for the pedestrian realm.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-20-0094	Reclassified the project site from C-2 to U-V zoning with use permits for a mixed-use development; establish density, and establish height; waivers of development standards to increase the height of exterior light fixtures and to allow modified driveway design standards; and a design review for a mixed-use development	Approved by BCC	June 2020

Prior Land Use Requests

Application Number	Request	Action	Date
SC-18-0899	Name an unnamed private street to Advanced Way	Approved by PC	January 2019
DR-0066-08	Retail building - expired	Approved by PC	March 2008
DR-1421-07	Comprehensive sign package - expired	Approved by BCC	January 2008
TM-0174-07	Commercial subdivision	Approved by PC	July 2007
VS-0398-05	Vacated and abandoned easements and portions of right-of-way	Approved by PC	May 2005
ZC-0402-05	Reclassified the site to a C-2 zoning	Approved by BCC	April 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	C-2 & M-D	Shopping center & undeveloped
South	Business Employment	C-2 & M-D	Office complex & undeveloped
East	Business Employment	C-2	Assisted living facility
West	Corridor Mixed-Use	C-2	Shopping center

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

Related Applications

Application Number	Request
UC-22-0698	Use permits, waivers of development standards, and design reviews for a mixed-use development is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis**Public Works - Development Review**

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

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

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: JAN GOYER

CONTACT: JAN GOYER, OVATION CONTRACTING INC, 6021 S. FORT APACHE ROAD #100, LAS VEGAS, NV 89148

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VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>VS-22-0699</u>	DATE FILED: <u>12/21/22</u>
<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 #): _____		PLANNER ASSIGNED: <u>MND</u>	TABI/CAC: <u>SPRING VALLEY</u>
		PC MEETING DATE: <u>-</u>	
		BCC MEETING DATE: <u>2/22/23 e 9:00 AM.</u>	
		FEE: <u>\$875.00</u>	

PROPERTY OWNER	NAME: <u>B-R Ovation Limited Partnership</u>
	ADDRESS: <u>6021 S. Fort Apache Road, #100</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u>
	TELEPHONE: <u>702-990-2325</u> CELL: <u>702-580-9036</u>
	E-MAIL: <u>jang@ovationdev.com</u>

APPLICANT	NAME: <u>Ovation Contracting, Inc. -- Jan Goyer</u>
	ADDRESS: <u>6021 S. Fort Apache Road, #100</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u>
	TELEPHONE: <u>702-990-2325</u> CELL: <u>702-580-9036</u>
	E-MAIL: <u>jang@ovationdev.com</u> REF CONTACT ID #: <u>208832</u>

CORRESPONDENT	NAME: <u>Ovation Contracting, Inc. -- Jan Goyer</u>
	ADDRESS: <u>6021 S. Fort Apache Road, #100</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u>
	TELEPHONE: <u>702-990-2325</u> CELL: <u>702-580-9036</u>
	E-MAIL: <u>jang@ovationdev.com</u> REF CONTACT ID #: <u>208832</u>

ASSESSOR'S PARCEL NUMBER(S): 176-06-412-010, 176-04-412-002, 176-04-412-003, 176-04-412-004

PROPERTY ADDRESS and/or CROSS STREETS: Gagnier Blvd. & W. Arby 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.

DocuSigned by:

 Property Owner (Signature)*

Reinier Santana
 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON 10/6/2022 (DATE)
 By Reinier Santana
 NOTARY PUBLIC:



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

July 27, 2021
Revised 9/20/22

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

VS-22-0699

**Re: Letter of Justification for Vacation
Gagnier/Arby Apartments**

To Whom It May Concern:

The proposed Gagnier/Arby Apartment project is generally located on the south side of W. Arby Avenue and the east side of South Durango Drive, in Section 4, of Township 22 South, Range 60 East, M.D.M. Clark County, Nevada. The site consists of parcels APN 176-04-412-010, -002, -003, and -004. The purpose of this letter is to provide justification for vacating a portion of the existing patent easements to the north, south, east and west of APN 176-04-412-010.

On APN 176-04-412-010, we are respectfully requesting to vacate 33 feet of the existing patent easement along the east, south and west side of the parcel. We are also requesting to vacate 3 feet along the north side of the parcel. This patent easement, identified as Serial Patent 1163955 as recorded in Book 133, Instrument Number 109620 that is being vacated is not needed for future roadways.

Lastly, we are requesting to vacate 5-feet of right-of-way from Arby and Gagnier so that the sidewalk can be offset and conform with the pedestrian realm requirements.

If you have any questions or comments about this letter, please call me at 702-815-0720.

Sincerely,
Impulse Civil Engineering

Peter J. Laas, P.E.
Principal

Cc: Jan Goyer, Ovation Development

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02/22/23 BCC AGENDA SHEET

MIXED-USE DEVELOPMENT
(TITLE 30)

ARBY AVE/GAGNIER BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0698-DWSMC ONE, LLC:

USE PERMITS for the following: 1) High Impact Project; 2) mixed-use development; 3) establish density; and 4) establish height.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase the height of exterior light fixtures (luminaries); 2) reduce width of loading spaces; and 3) allow modified driveway design standards.

DESIGN REVIEWS for the following: 1) High Impact Project; 2) mixed-use development; and 3) finished grade on 14.6 acres in a U-V (Urban Village - Mixed-Use) Zone in the CMA Design Overlay District.

Generally located on the south side of Arby Avenue and the west side of Gagnier Boulevard within Spring Valley. MN/md/syp (For possible action)

RELATED INFORMATION:

APN:

176-04-412-002 through 176-04-412-004; 176-04-412-010

USE PERMITS:

1. High Impact Project.
2. Mixed-use development.
3. Establish a maximum density of 72 du/ac.
4. Establish a maximum height of 77 feet.

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow exterior light fixtures (luminaries) mounted on buildings up to 77 feet high where the line of the first story eave, or 14 feet above finished grade, whichever is lower, is the maximum height allowed per Section 30.48.670 (a 450% increase).
2. Reduce the width of loading spaces to 9 feet where a minimum width of 10 feet is required per Section 30.60.70.b.2 (a 10% reduction).
3. a. Reduce throat depth for the central driveway on Arby Avenue to 87 feet where a minimum depth of 150 feet is required per Uniform Standard Drawing 222.1 (a 42% reduction).
- b. Reduce the throat depth for a driveway on Arby Avenue to 55 feet where a minimum depth of 150 feet is required per Uniform Standard Drawing 222.1 (a 63.3% reduction).

- c. Reduce the throat depth for a driveway on Arby Avenue to 63 feet where a minimum depth of 150 feet is required per Uniform Standard Drawing 222.1 (a 58% reduction).

DESIGN REVIEWS:

1. High Impact Project.
2. Mixed-use development.
3. Increase finished grade to 57 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 58.3% increase).

LAND USE PLAN:

SPRING VALLEY - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 14.6
- Number of Units: 1,042
- Density (du/ac): 72
- Project Type: Mixed-use development
- Number of Stories: 5
- Building Height (feet): 77
- Square Feet: 16,000 (retail)/770,916 (multiple family buildings)
- Open Space Required/Provided: 6.1/6.1
- Parking Required/Provided: 1,674/1,728

History and Request

A conforming zone boundary amendment for a proposed mixed-use development was approved via ZC-20-0094 by the Board of County Commissioners in June 2020. The previously approved mixed-use development consisted of a single building with 1,288 dwelling units and a density of 88.4 dwelling units per acre with a maximum building height of 200 feet. An additional 170,039 square feet of office space and 87,512 square feet of retail/restaurant space, respectively, were also approved with the zone change. The design review component of ZC-20-0094 expired in June 2022; therefore, the applicant is now proposing a new mixed-use development consisting of 4 multiple family buildings with a total of 1,042 dwelling units with a density of 77 dwelling units per acre and a maximum building height of 77 feet. An additional 16,000 square feet of retail space is proposed with the development.

Site Plans

The plans depict a proposed 5 story mixed-use development consisting of 1,042 dwelling units with a density of 72 dwelling units per acre. Four freestanding multiple family structures, Buildings 1 through 4, are located at the northeast, northwest, southeast, and southwest corners of the project site. Buildings 1 and 4 each feature a retail component located on the first floor of

each structure. Below is a table reflecting the building setbacks from the north, south, east, and west property lines of the site:

Building Setback from Property Lines (in feet)				
Building:	Property Line			
	North	East	South	West
1	22	505	365	60
2	330	490	55	45
3	330	20	75	525
4	22	20	380	540

The proposed development is bisected by an east/west open space/promenade area measuring between 60 feet to 170 feet in width. A centrally located north/south driveway adjacent to Arby Avenue (north property line), measuring up to 60 feet in width, divides the east and west halves of the site. A waiver of development standards to reduce the throat depth to 87 feet is required for the centrally located driveway. A 5 foot wide attached sidewalk is located on both sides of the driveway servicing the development. Three additional driveways are proposed along Arby Avenue consisting of the following: 1) northwest corner of the project site (ingress/egress to the private street "Advanced Way"); 2) driveway entrance to building 1, consisting of an interior 5 level parking garage; and driveway entrance to building 4, also consisting of an interior 5 level parking garage. A waiver of development standards is also required to reduce the throat depth to 55 feet and 63 feet, respectively, for the driveway entrances to Buildings 1 and 4. The private street servicing the development, Advanced Way, measures a minimum of 25 feet in width circulating along the west and south sides of the development. A pedestrian realm measuring between 20 feet to 40 feet in width, including a 5 foot wide detached sidewalk, is located along Advanced Way. A pedestrian realm measuring between 20 feet to 25 feet in width, including a 5 foot wide detached sidewalk, is also located adjacent to Arby Avenue and Gagnier Boulevard. A single driveway entrance to Advanced Way is located at the southeast corner of the site, adjacent to Gagnier Boulevard. A design review to increase finished grade is also part of this request. The site generally slopes from west to east, necessitating an increase in finished grade up to 42 inches in the middle of the site, and up to 57 inches for the eastern portion of the site.

The shared parking schedule is utilized to calculate the parking requirements for the mixed-use development. The applicant calculates a maximum 16,000 square feet for retail space. The tenant mix of retail and multiple family requires 1,674 parking spaces where 1,728 parking spaces are provided. Parking spaces are uniformly distributed within the interior parking garages located within Buildings 1 through 4, while a total of 26 parallel parking spaces are located on both sides of the north/south driveway servicing the development. Two loading spaces are required for the retail portion of the development, with the first space being located within the parking garage for Building 1, and the second space located within the parking garage for Building 4. A waiver of development standards is required to reduce the width of the loading spaces to 9 feet. The loading spaces are located at the southeast and southwest corners of the parking garages for buildings 1 and 4, respectively.

Landscaping and Open Space

The plans depict a pedestrian realm measuring between 20 feet to 25 feet in width, including a detached sidewalk, located adjacent to Arby Avenue and Gagnier Boulevard. A pedestrian realm measuring between 20 feet to 40 feet in width, including a 5 foot wide detached sidewalk, is also located along Advanced Way (private street). Twenty-four inch box trees, in addition to shrubs and groundcover, are planted within the street landscape and pedestrian realm areas.

The proposed development is bisected by an east/west open space/promenade area ranging between 60 feet to 170 feet in width, consisting of 2 courtyards with a total area measuring 110,000 square feet. Amenities within the courtyard area consist of 2 pools and spas, garden beds, game courtyards, yoga terrace, and a picnic area with group fire pits. Additional open space areas include 4 clubhouses and 4 plazas.

Elevations

The plans depict four, 5 story buildings measuring up to 77 feet in height to the roofline. Building materials include a stucco exterior, decorative metal awnings, railings around balconies, and faux stone tiles. The mass of the buildings is reduced by off-set surface planes and parapet walls along the roofline at varying heights. All rooftop mechanical equipment will be screened from public view and the right-of-way by parapet walls.

Floor Plans

Below is a table reflecting the retail areas and dwelling units featured within each building:

Dwelling Units and Retail Areas	
Building 1	
Dwelling Units	253 units
Retail Area	8,000 square feet
Building 2	
Dwelling Units	268 units
Building 3	
Dwelling Units	268 units
Building 4	
Dwelling Units	253 units
Retail Area	8,000 square feet

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the proposed design of the project complies with the Master Plan that promotes opportunities for a mix of uses such as commercial and multiple family development. In this case, the mixture of uses is vertically integrated with ground level commercial. With the recent construction of Uncommons, as well as the height of the existing hospital, the height proposed with this application is compatible and similar to other projects in the surrounding area. The waiver to increase the height of wall mounted light fixtures was also approved with the prior project (ZC-20-0094) based upon the overall height of the project. In addition, any wall mounted

lighting will be shielded and architecturally integrated into the design of the building. The applicant indicates there are 4 entrances off of Arby Avenue plus another entrance from Gagnier Boulevard. With the additional access points, the slight reduction in throat depth will not cause any public safety issues. In order to better accommodate and increase the throat depth for entries into Buildings 1 and 4, the final waiver being requested is to reduce the loading areas width to 9 feet where 10 feet is required. The Site generally slopes from west to east. In order to balance the site, the site will need approximately 42 inches of fill in the middle of the site, and up to 57 inches of fill for the eastern portion of the site. Based upon the prior approval of the mixed-use project on the site, the applicant believes this modified request is still harmonious and compatible with the surrounding area. The applicants intent is to build a quality project with significant architectural enhancements and use of a varied color scheme to add visual interest. The substantial interior and exterior amenities will enhance the residents' living experience.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-20-0094	Reclassified the project site from C-2 to U-V zoning with use permits for a mixed-use development; establish density, and establish height; waivers to increase the height of exterior light fixtures and to allow modified driveway design standards; and a design review for a mixed-use development	Approved by BCC	June 2020
SC-18-0899	Name an unnamed private street to Advanced Way	Approved by PC	January 2019
DR-0066-08	Retail building - expired	Approved by PC	March 2008
DR-1421-07	Comprehensive sign package - expired	Approved by BCC	January 2008
TM-0174-07	Commercial subdivision	Approved by PC	July 2007
VS-0398-05	Vacated and abandoned easements and portions of right-of-way	Approved by PC	May 2005
ZC-0402-05	Reclassified the site to a C-2 zoning	Approved by BCC	April 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	C-2 & M-D	Shopping center & undeveloped
South	Business Employment	C-2 & M-D	Office complex & undeveloped
East	Business Employment	C-2	Assisted living facility
West	Corridor Mixed-Use	C-2	Shopping center

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

Related Applications

Application Number	Request
VS-22-0699	A request to vacate and abandon government patent easements and right-of-way is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permits

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

Use Permits #1 through #4

The proposed use permits for a mixed-use development, to establish a density of 72 units per acre, and to establish a maximum building height of 77 feet comply with goals and policies in the Master Plan. For example, the goal of Policy 6.2.1 is to ensure the design and intensity of new development is compatible with established neighborhoods and uses in terms of height, scale, and overall mix of uses. In addition, Policy 3.6.2 encourages compact, mixed-use, and transit oriented development, or any combination thereof, in locations that will lessen reliance on automobiles as the primary means of access to necessary services and encourage reduction in vehicle miles traveled. In this development, residents will be able to walk to the retail uses, which will reduce automobile dependency. Lastly, the density and height are appropriate at this location since the site is surrounded by commercial development and an approved project for a similarly sized mixed-use development. For example, a hospital to the east was approved for a height of 122 feet, several buildings within the mixed-use project to the north were approved for a height of 75 feet, and a resort hotel was approved for a height of 216 feet at the southwest corner of Durango Drive and the CC 215. Therefore, staff recommends approval of these requests.

Waivers of Development Standards

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

Waivers of Development Standards #1

Although the wall mounted luminaries will exceed the maximum height of 14 feet, the increased height is appropriate for the height and scale of the development. In addition, any wall mounted

lighting will be shielded and architecturally integrated into the design of the building. Lastly, there is no single family residential development existing or planned around this site, and staff does not anticipate any negative visual impacts from the increased height; therefore, staff recommends approval of this request.

Waiver of Development Standards #2

Staff cannot support the reduction to the required width of the loading spaces as this is a self imposed burden. The loading space configuration and design is impractical as delivery vehicles would be required to execute a 3-point turn inside of the space to safely exit into the vehicle drive aisle. Standard vehicle parking spaces are also located on both sides of the loading zones which also potentially create conflict between automobiles and delivery vehicles; therefore, staff recommends denial of this request.

Design Reviews #1 and #2

The proposed design is consistent and compliant with the policies set forth in the Master Plan. For example, a key consideration for a mixed-use area is to incorporate detached sidewalks and shade along major pedestrian routes to provide a safe and comfortable environment. The pedestrian realm adjacent to Arby Avenue and Gagnier Boulevard range between 20 feet to 25 feet in width, and includes a 5 foot wide detached sidewalk. The pedestrian realm located along the south and west sides of the site, adjacent to Advanced Way (private street), measures between 20 feet to 40 feet in width, and includes a 5 foot wide detached sidewalk. Policy 1.3.5 encourages the integration and connection of common open space, recreational amenities, and other features in new residential developments to enhance the health and quality of life of residents. The project site is designed with an east/west open space/promenade area consisting of 2 courtyards with a total area measuring 110,000 square feet. Amenities within the courtyard area consist of 2 pools and spas, garden beds, game courtyards, yoga terrace, and a picnic area with group fire pits. The building elevations contain substantial amounts of articulation through the use of symmetry, variations in color, texture, and material. Furthermore, the mass of the building is minimized through the use of variations in the horizontal plane of the structure. The mixed-use development will further stimulate investment and strengthen the economic vitality of the surrounding area and properties. The design of the project is consistent and compliant with policies in the Master Plan; however, since staff is not supporting the waivers of development standards for throat depth, staff cannot support these design reviews.

Public Works - Development Review

Waiver of Development Standards #3

Although the throat depth at each driveway does not comply with the minimum standard, the applicant worked with staff to remove parking spaces, which provides more room for vehicles to safely exit the right-of-way to gain access to the site. However, since Planning is recommending denial of the application, staff cannot support this waiver.

The westernmost driveway on Arby Avenue is too close to the existing driveway on the parcel to the west. Closing the driveway will eliminate any conflict with vehicles entering and exiting both sites.

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. However, since Planning is recommending denial of the application, staff cannot support this design review.

Department of Aviation

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

Staff Recommendation

Approval of the use permits and waiver of development standards #1; denial of waivers of development standards #2, #3, and the design reviews.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

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

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;

- Westernmost driveway on Arby Avenue to be removed.
- Applicant is advised that off-site improvement permits may be required; that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0009-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: JAN GOYER
CONTACT: JAN GOYER, OVATION CONTRACTING INC, 6021 S. FORT APACHE
ROAD #100, LAS VEGAS, NV 89148**



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

B

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 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 #)	STAFF	APP. NUMBER: <u>UC-22-0698</u> DATE FILED: <u>12/21/22</u> PLANNER ASSIGNED: <u>MNO</u> TAB/CAC: <u>SPRING VALLEY</u> TAB/CAC DATE: <u>1/31/23</u> PC MEETING DATE: <u>-</u> @ <u>7:00</u> BCC MEETING DATE: <u>2/22/23 @ 9:00 AM.</u> FEE: <u>\$3,275</u>
	PROPERTY OWNER	NAME: <u>B-R Ovation Limited Partnership</u> ADDRESS: <u>6021 S. Fort Apache Road, #100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>702-990-2325</u> CELL: <u>702-580-9036</u> E-MAIL: <u>jang@ovationdev.com</u>
	APPLICANT	NAME: <u>Ovation Contracting, Inc. -- Jan Goyer</u> ADDRESS: <u>6021 S. Fort Apache Road, #100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>702-990-2325</u> CELL: <u>702-580-9036</u> E-MAIL: <u>jang@ovationdev.com</u> REF CONTACT ID #: <u>208832</u>
	CORRESPONDENT	NAME: <u>Ovation Contracting, Inc. -- Jan Goyer</u> ADDRESS: <u>6021 S. Fort Apache Road, #100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>702-990-2325</u> CELL: <u>702-580-9036</u> E-MAIL: <u>jang@ovationdev.com</u> REF CONTACT ID #: <u>208832</u>

ASSESSOR'S PARCEL NUMBER(S): 176-04-412-010, 176-04-412-002, 176-04-412-003, 176-04-412-004

PROPERTY ADDRESS and/or CROSS STREETS: Gagnier Blvd. & W. Arby Avenue

PROJECT DESCRIPTION: Mixed Use Project

(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.

DocuSigned by:


 Property Owner (Signature)*

Reinier Santana

Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 10/6/2022 (DATE)
 By Reinier Santana

NOTARY PUBLIC: 



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

November 29, 2022

VIA UPLOAD

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

PLANNER
COPY

Re: *Justification Letter for Mixed Use Project*
APNs: 176-04-412-010, 176-04-412-002, 003 and 004

To Whom It May Concern:

Please be advised, this firm represents Ovation Contracting (the "Applicant"). On behalf of the Applicant, we are requesting a design review to modify the previously approved mixed use project. The site is generally located near Arby Avenue and Gagnier Boulevard and is approximately 14.6 acres in size (the "Site"). The Site is zoned U-V and is located to the east of Durango Drive and north of Warm Springs Road. Surrounding the Site are existing commercial and office buildings. A hospital is located just to the east of the Site.

On June 3, 2020, the Clark County Board of County Commissioners approved a zone change, special use permit and design review for a mixed use project (ZC-20-0094). The project was approved for 1,288 residential units with a density of 88.4 dwelling units per acre. The total height of the project was 200-feet. The project contemplated 170,039 square feet of office and 87,512 square feet of retail.

The Applicant is proposing to amend the previously approved project to be less intense. The density will be 71.3 dwelling units per acre and the height will be 73 feet. As such, the Applicant is requesting four land use applications: (1) High Impact Project; (2) Special Use Permit for a Mixed Use Project; (3) Waiver of Development Standards to increase the height of exterior light fixtures (luminaries) and reduce pedestrian realm width; and (4) Design Review.

High Impact Project, Special Use Permit for Mixed Use Project, and Design Review

The proposed project is designed to be a vertical mixed use project. The Applicant is proposing 1,042 units with an overall density of 71.3 dwelling units per acre. Given the number of units, a request for a high impact project is required.

The commercial square footage will be incorporated into the residential building at the ground level. The Applicant is also proposing approximately 16,000 square feet of commercial adjacent to Arby Avenue. There will be four (4) residential wrap garage buildings with parking

internal to each building. All units will be accessed via internal hallways and elevators and directly from the parking garage. The Applicant is providing 1,728 parking spaces where 1,674 parking spaces are required. Each garage will have six floors with approximately 84 spaces per level. Access to the Site will be off Arby Avenue and Gagnier Boulevard as well as off a private drive on the south and west boundary of the Site.

Throughout the Site are courtyards with open space in each area. This design ensures that each of the four wrap buildings will have centralized and convenient open space for residents living in each of those buildings. The amenities within the open space areas will include two pools and spas, garden beds, game courtyards, yoga terrace, picnic area with group fire pits, club house with high end fitness center and event space for residents. The Site will provide approximately 264,000 square feet of open space where 262,125 square feet is required.

The Applicant is proposing five story buildings with architectural features along the roofline to break up the massing of the buildings. The overall height is proposed to be 73 feet inclusive of architectural features. The buildings are comprised of studios, one bedroom, and two bedroom units. The breakdown by building/ parcel is as follows:

Building One: 177 one bedrooms and 76 two bedrooms. Total 253 units

Building Two: 186 one bedrooms, and 82 two bedrooms. Total 268 units.

Building Three: 186 one bedrooms and 82 two bedrooms. Total 268 units.

Building Four: 177 one bedrooms and 76 two bedrooms. Total 253 units

The amenities will be similar in all buildings and include fitness centers, yoga studios, bistro kitchens, social club areas, library/ business center, dog wash and EV charging stations.

Finally, the proposed design of the project complies with Goal 2 of the Comprehensive Master Plan. Goal 2 promotes opportunities for a mix of uses such as commercial and multi-family development. In this case, the mixture of uses is vertically integrated with ground level commercial. With the recent construction of Uncommons as well as the height of the existing hospital, the height proposed with this application is compatible and similar to other projects in the surrounding area.

Waiver of Development Standards

The Applicant is seeking a waiver of development standards to allow exterior light fixtures (luminaries) mounted on buildings up to 73 feet high where the line of the first store eave, or 14 feet above finished grade, whichever is lower, is the maximum height allowed per Section 30.48.670.

This waiver was also approved with the prior project (ZC-20-0094) based upon the overall height of the project. In addition, any wall mounted lighting will be shielded and architecturally integrated into the design of the building.



The Applicant is requesting a waiver of development to reduce the throat depth from 150' to 87' for the middle entrance on Arby Avenue. The Applicant is also requesting to reduce the throat depth to 48-feet where 150-feet is required for the garage entrances for buildings 1 and 4, respectively. However, there are four (4) entrances off of Arby Avenue plus another entrance from Gagnier Boulevard. With the additional access points, the slight reduction in throat depth will not cause any public safety issues.

The final waiver request is to reduce the pedestrian realm from 20-feet wide to 15-feet wide or a 5-foot reduction. Due to architectural enhancements and pop-outs of the buildings, in certain areas the pedestrian realm reduces to 15-feet in width otherwise the pedestrian realm is at 20-feet in width.

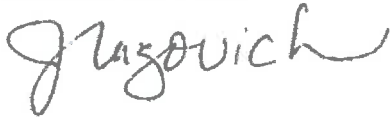
Design Review to Increase Grade

The Applicant is requesting a maximum grade increase to approximately 4'9" or 57-inches. The Site generally slopes from west to east. In order to balance the Site, the Site will need approximately 3'6" or 42-inches of fill in the middle of the Site and up to 4'9" or 57-inches of fill for the eastern portion of the Site.

Summary

Based upon the prior approval of the mixed use project on the Site, we believe this modified request is still harmonious and compatible with the surrounding area. The Applicant builds a quality project with significant architectural enhancements and use of a varied color scheme to add visual interest. The substantial interior and exterior amenities will enhance the resident's living experience.

Thank you for your consideration of this request.

Sincerely,
KAEMPFER CROWELL

Jennifer Lazovich

JL/amp

02/22/23 BCC AGENDA SHEET

EASEMENTS/RIGHTS-OF-WAY
(TITLE 30)

BADURA AVE/CIMARRON RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-22-0705-CRP/PDC BADURA & CIMARRON OWNER, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Badura Avenue and Arby Avenue, and between Durango Drive and Gagnier Boulevard (alignment), a portion of a right-of-way being Badura Avenue located between Durango Drive and Cimarron Road, and a portion of right-of-way being Cimarron Road located between Badura Avenue and Arby Avenue within Spring Valley (description on file). MN/gc/syp (For possible action)

RELATED INFORMATION:

APN:
176-04-301-011 & 013

LAND USE PLAN:
SPRING VALLEY - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

The plans depict the vacation and abandonment of government patent easements on APN 176-04-301-011 that include 33 feet along the east and west property lines, and 3 feet along the south property line. Additionally, the plans depict the vacation and abandonment of 5 foot wide portions of right-of-way being both Badura Avenue and Cimarron Road to allow for detached sidewalks.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-21-0490	Reclassified the site from R-E to M-D zoning for a distribution center	Approved by BCC	November 2021

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-D, R-E, & U-V	Offices, undeveloped, & mixed-use development
South	Public Use & Business Employment	C-P, C-2, & U-V	St. Rose Dominican Hospital, assisted living facility, & undeveloped

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
East	Business Employment	R-E	Private school
West	Business Employment	C-2	Shopping center

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

Related Applications

Application Number	Request
DR-22-0704	Design review to allow finished grade up to 155 inches is a companion item on this agenda.
TM-22-500230	Tentative map for a 2 lot industrial subdivision is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

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 35 feet to back of curb for Badura Avenue, 60 feet for Gagnier Boulevard, 30 feet for Arby Avenue, and associated spandrels;

- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Maule Avenue/Badura Avenue Connection improvement project;
- 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, and for the Maule Avenue/Badura Avenue Connection improvement project;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger, and for the Maule Avenue/Badura Avenue Connection improvement project;
- All other right-of-way and easement dedications to record with the subdivision map;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

Clark County Water Reclamation District (CCWRD)

- No objection.

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

**APPLICANT: TERESA CORRAL, PHELAN DEVELOPMENT COMPANY
CONTACT: SHANNON COOPER, TANEY ENGINEERING, 6030 S. JONES
BOULEVARD, LAS VEGAS, NV 89118**



VACATION APPLICATION

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

14

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (VS) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____	STAFF	DATE FILED: <u>12-27-22</u> PLANNER ASSIGNED: <u>GRC</u> ACCEPTED BY: _____ FEE: <u>\$ 875</u> CHECK #: _____ COMMISSIONER: _____ OVERLAY(S)? _____ PARCELS? Y/N _____ PPNAS? Y/N _____	APP. NUMBER: <u>VS-22-0705</u> TAB/CAC <u>Spring Valley</u> TAB/CAC DATE: <u>1-31-23</u> TIME: <u>6pm</u> PC MEETING DATE: _____ BCC MTG DATE: <u>2-23-23</u> ZONE / AE / RNP: _____ PLANNED LAND USE: _____
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PROPERTY OWNER	NAME: <u>CRP/PDC Badura & Cimarron Owner, LLC</u> ADDRESS: <u>450 Newport Center Drive, Suite 405</u> CITY: <u>Newport Beach</u> STATE: <u>California</u> ZIP: <u>92660</u> TELEPHONE: <u>303-949-6665</u> CELL: _____ E-MAIL: <u>tcorral@phelandevco.com</u>
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APPLICANT	NAME: <u>Phelan Development Company - Teresa Corral</u> ADDRESS: <u>450 Newport Center Drive, Suite 405</u> CITY: <u>Newport Beach</u> STATE: <u>California</u> ZIP: <u>92660</u> TELEPHONE: <u>303-949-6665</u> CELL: _____ E-MAIL: <u>tcorral@phelandevco.com</u> ACA CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>Shannon Cooper - Taney Engineering</u> ADDRESS: <u>6030 South Jones Boulevard</u> CITY: <u>Las Vegas</u> STATE: <u>Nevada</u> ZIP: <u>89118</u> TELEPHONE: <u>702-362-8844</u> CELL: _____ E-MAIL: <u>ShannonC@taneycorp.com</u> ACA CONTACT ID #: <u>184454</u>
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ASSESSOR'S PARCEL NUMBER(S): 176-04-301-011, 176-04-301-013 - Badura & Cimarron

PROPERTY ADDRESS and/or CROSS STREETS: 176-04-301-011, 176-04-301-013 - Badura & Cimarron

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.

CRP/PDC Badura & Cimarron Owner, LLC, a Delaware limited liability company
 By: Phelan-TLC2, LLC, a Delaware limited liability company, its Manager
 By: TLC Investments, LLC, a Delaware limited liability company, its Manager

[Signature]
 Property Owner (Signature)*

Teresa Corral
 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF _____
 SUBSCRIBED AND SWORN BEFORE ME ON _____ (DATE)

By _____
 NOTARY PUBLIC: _____

Please see Attached

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

ACKNOWLEDGMENT

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


State of California
County of Orange

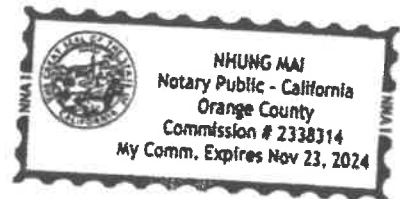
On June 30, 2022 before me, Nhung Mai, Notary Public
(insert name and title of the officer)

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

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

WITNESS my hand and official seal.

Signature  (Seal)





TANEY ENGINEERING

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

December 13, 2022
PHN-21-002

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

VS-22-0705

Re: Badura & Cimarron - Justification Letter for Design Review, Tentative Map, & Vacation of Patent Easements & Right of Way
APNs: 176-04-399-004, 176-04-399-012 (Project APNs 176-04-301-013, 176-01-301-011)

To whom it may concern:

Taney Engineering, on behalf of our client, Phelan Development Company for CRPPDC Badura & Cimarron Owner LLC as owner of record, would like to respectfully submit the enclosed Tentative Map, Vacation, & Design Review application for excess fill. The site is being developed on a 26.79-acre parcel, located at west Badura Avenue & south Cimarron Road on APNs 176-04-301-013 & 176-04-301-011.

Design Review:

Our intent and request is for having excess fill on the site, more than the 18" allowable maximum (it is understood that this threshold has now been increased to 36"). A previous application for this site, ZC-21-0490 and an accompanying design review, was approved for a fill height of 87 inches where a maximum of 18 inches was the standard per Section 30.32.040. It needs to be clearly noted that the grading for this site is identical to that previously approved. The fill height at that specific location noted on the cross section in the application is still at 87". However, a complete analysis of all fill differentials across the entirety of the site has revealed that a fill height of 155" occurs near the sites northeast corner. Simply stated, the initial application and subsequent approval failed to point out this actual point of maximum fill. Although nothing has been altered, we are requesting this increase due to the oversight. The point of maximum fill is indicated on the enclosed exhibit which shows differentials from existing ground to finish grade. It needs to be further clarified that the site has been optimized to balance the cut and fill. Therefore, the buildings are lower along Arby Street on the uphill side of the site, and higher along Badura on the lower side of the site, all due solely to effectively working with the natural terrain. All relationships of floor height to adjoining street grades are identical to that previously approved.

It needs to be noted that the previously approved site plan had an entry near the sites northwest corner. It was placed to the immediate west of the vacated Butler Street alignment. Butler was vacated to the south of Badura but has been maintained as a 60' public right of way to the north of Badura. Clark County Public Works has commenced on a roadway project on Badura along this site's entire frontage. They have planned a raised median with a left turn pocket for eastbound traffic to go northbound. There is an existing driveway to the immediate west of our site which allows full turning movements onto Badura. Public Works has expressed concerns with turning movement conflicts at this intersection if we are allowed to keep our commercial driveway at its current location. Therefore, as suggested by public works, we have moved our driveway 330' east of the Butler alignment to match an approved driveway location being built by the Uncommons Development to the north of Badura. It needs to be further clarified that the driveway is providing more offset to parked vehicles than the previously approved entry at the Butler alignment (the condition is being bettered and is still safe). Additionally, the relocated driveway has a throat depth of 6.68' where 100' is required. The original zone change application (ZC-21-

0490) was approved to allow a minimum throat depth of 6.5' throughout the Site. Therefore, an additional throat depth waiver is not required as the prior entitlement approvals are in place and active.

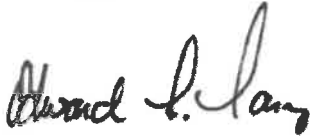
Vacation:

Our intent and request is to vacate a patent easement recorded under patent number 1172152 – specifically 33' on the east and west side boundaries of the parcel. On the north and south sides, where public right of way is needed, only 3' of the existing patent will be vacated, leaving the remainder within granted public right of way. All of the patent to the north will be kept.

In accordance with County standards to only have right of way to the back of curb, we are requesting that 5' of right of way be vacated along both Badura Avenue and Cimarron Road. Note that 15' wide public utility and access easements will be granted from back of curb, adjoining the public right of way, with the recordation of final maps. This will allow for walkways and all necessary utilities within the 15' section.

We hope this letter clarifies our intent. Please feel free to give us a call should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward F. Taney". The signature is written in a cursive style with a large, prominent initial "E".

Edward F. Taney, P.E.

President

TANEY ENGINEERING

15

02/22/23 BCC AGENDA SHEET

FINISHED GRADE
(TITLE 30)

BADURA AVE/CIMARRON RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

DR-22-0704-CRP/PDC BADURA & CIMARRON OWNER, LLC:

DESIGN REVIEW for finished grade in conjunction with an approved distribution center on 28.3 acres in an M-D (Designed Manufacturing) Zone in the CMA Design Overlay District.

Generally located on the south side of Badura Avenue and the west side of Cimarron Road within Spring Valley. MN/gc/syp (For possible action)

RELATED INFORMATION:

APN:

176-04-301-011 & 176-04-301-013

DESIGN REVIEW:

Increase finished grade to 155 inches, where 87 inches was previously approved (a 78% increase), and a maximum of 36 inches is the standard per Section 30.32.040 (a 330.6% increase).

LAND USE PLAN:

SPRING VALLEY - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 28.3
- Project Type: Distribution center
- Number of Stories: 1
- Building Height (feet): 39
- Square Feet: 523,250 (total of 6 buildings)
- Parking Required/Provided: 524/536

Site Plans

The plans approved under ZC-21-0490 depict a distribution center consisting of 6 buildings that are orientated in both north/south, and east/west directions. The perimeter of the site is bounded by public rights-of-way on the north, south, and east sides. Gagnier Boulevard is shown as a through street and divides the site into east and west portions. The plans depict 4 proposed

driveways on Badura Avenue and Arby Avenue, 2 proposed driveways on Cimarron Road, and 2 proposed driveways on Gagnier Boulevard. However, the westernmost driveway on Badura Avenue has shifted 330 feet to the east at the request of Public Works. The loading docks for the distribution center are internal to the development and are not facing public street frontage or visible from residential development. Parking for the facility is generally located around the perimeter of the site. Finished grade up to 87 inches was previously approved under ZC-21-0490; however, it is now determined by the applicant that the finished grade will increase up to 155 inches near the northeast corner of the site.

Landscaping

Landscaping is per the approved plans under ZC-21-0490 which consists of an 8 foot to 15 foot wide landscape area with detached sidewalk along Badura Avenue, a 15 foot wide landscape area with detached sidewalk along Cimarron Road, a 6 foot to 20 foot wide landscape area with attached sidewalks along Arby Avenue and Gagnier Boulevard, and a minimum 6 foot wide landscape area along the west property line. An intense landscape buffer along the north property line is a condition of approval of ZC-21-0490.

Elevations

The approved plans show the buildings will be 39 feet high and constructed of concrete tilt-up panels with glass store fronts, vertical/horizontal reveal lines, and color changes. The height of the building varies slightly from 35 feet to 39 feet and have been designed to break-up the roofline and enhance the overall look of the building. The loading dock area will be located interior to the site and screened from public view by walls and perimeter street landscaping.

Floor Plans

The approved plans depict a 523,250 square foot distribution/warehouse shell with 6 potential building lease spaces.

Applicant's Justification

The applicant states that the grading of the site remains the same as was approved with ZC-21-0490, but after further analysis, it was determined that the maximum fill was incorrectly identified. The maximum fill is actually up to 155 inches and located at the northeast corner of the site. Furthermore, the applicant states that the site has been optimized to balance the cut and fill across the site, and that the relationship of floor height to adjoining street grades are identical to what was previously approved.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-21-0490	Reclassified the site from R-E to M-D zoning for a distribution center with a design review for finished grade	Approved by BCC	November 2021

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-D, R-E, & U-V	Offices, undeveloped, & mixed-use development
South	Public Use & Business Employment	C-P, C-2, & U-V	St. Rose Dominican Hospital, assisted living facility, & undeveloped
East	Business Employment	R-E	Private school
West	Business Employment	C-2	Shopping center

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

Related Applications

Application Number	Request
VS-22-0705	A request to vacate and abandon government patent easements and 5 foot wide portions of right-of-way being Badura Avenue and Cimarron Road is a companion item on this agenda.
TM-22-500230	Tentative map for a 2 lot industrial subdivision is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development 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 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 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;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 35 feet to back of curb for Badura Avenue, 60 feet for Gagnier Boulevard, 30 feet for Arby Avenue and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Maule Avenue/Badura Avenue Connection improvement project;
- 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 and for the Maule Avenue/Badura Avenue Connection improvement project;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger, and for the Maule Avenue/Badura Avenue Connection improvement project;
- All other right-of-way and easement dedications to record with the subdivision map.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0002-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: TERESA CORRAL, PHELAN DEVELOPMENT COMPANY
CONTACT: SHANNON COOPER, TANEY ENGINEERING, 6030 S. JONES
BOULEVARD, 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) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>DR-22-0704</u> DATE FILED: <u>12-27-22</u> PLANNER ASSIGNED: <u>GRC</u> TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>1-31-23</u> PC MEETING DATE: <u>-</u> BCC MEETING DATE: <u>2-22-23</u> FEE: <u>\$ 675</u>
	PROPERTY OWNER NAME: <u>GPR/PDC Badura & Cimarron Owner, LLC</u> ADDRESS: <u>450 Newport Center Drive, Suite 405</u> CITY: <u>Newport Beach</u> STATE: <u>CA</u> ZIP: <u>92660</u> TELEPHONE: <u>303-949-6665</u> CELL: _____ E-MAIL: <u>tcorral@phelandevco.com</u>
	APPLICANT NAME: <u>Phelan Development Company - Teresa Corral</u> ADDRESS: <u>450 Newport Center Drive, Suite 405</u> CITY: <u>Newport Beach</u> STATE: <u>CA</u> ZIP: <u>92660</u> TELEPHONE: <u>303-949-6665</u> CELL: _____ E-MAIL: <u>tcorral@phelandevco.com</u> REF CONTACT ID #: _____
CORRESPONDENT NAME: <u>Taney Engineering - Shannon Cooper</u> ADDRESS: <u>6030 South Jones Boulevard</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-362-8844</u> CELL: _____ E-MAIL: <u>ShannonC@taneycorp.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 176-04-301-011, 176-04-301-013

PROPERTY ADDRESS and/or CROSS STREETS: Badura & Cimarron

PROJECT DESCRIPTION: Requesting Design Review for additional excess fill - previous application AC-21-0490

(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.

GPR/PDC Badura and Cimarron Owner, LLC
 By GPR/PDC Badura and Cimarron Owners, LLC, as Manager
 By Phelan-TLC2, LLC, as Manager
 By: TLC2 Investments, LLC, as Manager

[Signature]
 Property Owner (Signature)*

Teresa Corral
 Property Owner (Print)

STATE OF _____
 COUNTY OF _____

SUBSCRIBED AND SWORN BEFORE ME ON _____ (DATE)

By _____
 NOTARY PUBLIC: _____

Please See the Attached

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

ACKNOWLEDGMENT

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

State of California


County of orange

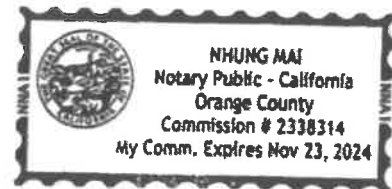
On July 19, 2022 before me, Nhung Mai, Notary Public
(insert name and title of the officer)

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

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

WITNESS my hand and official seal.

Signature  (Seal)





TANEY ENGINEERING

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

December 13, 2022
PHN-21-002

DR-22-0704

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

Re: Badura & Cimarron - Justification Letter for Design Review, Tentative Map, & Vacation of Patent Easements & Right of Way
APNs: 176-04-399-004, 176-04-399-012 (Project APNs 176-04-301-013, 176-01-301-011)

To whom it may concern:

Taney Engineering, on behalf of our client, Phelan Development Company for CRPPDC Badura & Cimarron Owner LLC as owner of record, would like to respectfully submit the enclosed Tentative Map, Vacation, & Design Review application for excess fill. The site is being developed on a 26.79-acre parcel, located at west Badura Avenue & south Cimarron Road on APNs 176-04-301-013 & 176-04-301-011.

Design Review:

Our intent and request is for having excess fill on the site, more than the 18" allowable maximum (it is understood that this threshold has now been increased to 36"). A previous application for this site, ZC-21-0490 and an accompanying design review, was approved for a fill height of 87 inches where a maximum of 18 inches was the standard per Section 30.32.040. It needs to be clearly noted that the grading for this site is identical to that previously approved. The fill height at that specific location noted on the cross section in the application is still at 87". However, a complete analysis of all fill differentials across the entirety of the site has revealed that a fill height of 155" occurs near the sites northeast corner. Simply stated, the initial application and subsequent approval failed to point out this actual point of maximum fill. Although nothing has been altered, we are requesting this increase due to the oversight. The point of maximum fill is indicated on the enclosed exhibit which shows differentials from existing ground to finish grade. It needs to be further clarified that the site has been optimized to balance the cut and fill. Therefore, the buildings are lower along Arby Street on the uphill side of the site, and higher along Badura on the lower side of the site, all due solely to effectively working with the natural terrain. All relationships of floor height to adjoining street grades are identical to that previously approved.

It needs to be noted that the previously approved site plan had an entry near the sites northwest corner. It was placed to the immediate west of the vacated Butler Street alignment. Butler was vacated to the south of Badura but has been maintained as a 60' public right of way to the north of Badura. Clark County Public Works has commenced on a roadway project on Badura along this site's entire frontage. They have planned a raised median with a left turn pocket for eastbound traffic to go northbound. There is an existing driveway to the immediate west of our site which allows full turning movements onto Badura. Public Works has expressed concerns with turning movement conflicts at this intersection if we are allowed to keep our commercial driveway at its current location. Therefore, as suggested by public works, we have moved our driveway 330' east of the Butler alignment to match an approved driveway location being built by the Uncommons Development to the north of Badura. It needs to be further clarified that the driveway is providing more offset to parked vehicles than the previously approved entry at the Butler alignment (the condition is being bettered and is still safe). Additionally, the relocated driveway has a throat depth of 6.68' where 100' is required. The original zone change application (ZC-21-

0490) was approved to allow a minimum throat depth of 6.5' throughout the Site. Therefore, an additional throat depth waiver is not required as the prior entitlement approvals are in place and active.

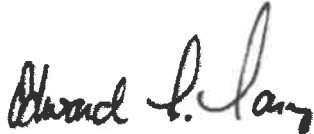
Vacation:

Our intent and request is to vacate a patent easement recorded under patent number 1172152 – specifically 33' on the east and west side boundaries of the parcel. On the north and south sides, where public right of way is needed, only 3' of the existing patent will be vacated, leaving the remainder within granted public right of way. All of the patent to the north will be kept.

In accordance with County standards to only have right of way to the back of curb, we are requesting that 5' of right of way be vacated along both Badura Avenue and Cimarron Road. Note that 15' wide public utility and access easements will be granted from back of curb, adjoining the public right of way, with the recordation of final maps. This will allow for walkways and all necessary utilities within the 15' section.

We hope this letter clarifies our intent. Please feel free to give us a call should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward F. Taney". The signature is fluid and cursive, with the first name being the most prominent.

Edward F. Taney, P.E.
President
TANEY ENGINEERING

02/22/23 BCC AGENDA SHEET

BADURA & CIMARRON
(TITLE 30)

BADURA AVE/CIMARRON RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-22-500230-CRP/PDC BADURA & CIMARRON OWNER, LLC:

TENTATIVE MAP for an industrial subdivision on 28.3 acres in an M-D (Designed Manufacturing) Zone in the CMA Design Overlay District.

Generally located on the south side of Badura Avenue and the west side of Cimarron Road within Spring Valley. MN/gc/syp (For possible action)

RELATED INFORMATION:

APN:
176-04-301-011 & 013

LAND USE PLAN:
SPRING VALLEY - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 28.3
- Number of Lots: 2
- Project Type: Industrial subdivision

The plans show a 2 lot industrial subdivision. Lot 1 is 9 acres and Lot 2 is 17.9 acres. Gagnier Boulevard will be dedicated between the 2 lots. The site also has street frontage along Badura Avenue to the north, Cimarron Road to the east, and Arby Avenue to the south.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-21-0490	Reclassified the site from R-E to M-D zoning for a distribution center	Approved by BCC	November 2021

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-D, R-E, & U-V	Offices, undeveloped, & mixed-use development

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
South	Public Use & Business Employment	C-P, C-2, & U-V	St. Rose Dominican Hospital, assisted living facility, & undeveloped
East	Business Employment	R-E	Private school
West	Business Employment	C-2	Shopping center

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

Related Applications

Application Number	Request
DR-22-0704	Design review to allow finished grade up to 155 inches is a companion item on this agenda.
VS-22-0705	A request to vacate and abandon government patent easements and 5 foot wide portions of right-of-way being Badura Avenue and Cimarron Road is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- Drainage study and compliance;

- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 35 feet to back of curb for Badura Avenue, 60 feet for Gagnier Boulevard, 30 feet for Arby Avenue, and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Maule Avenue/Badura Avenue Connection improvement project;
- 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, and for the Maule Avenue/Badura Avenue Connection improvement project;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger, and for the Maule Avenue/Badura Avenue Connection improvement project;
- All other right-of-way and easement dedications to record with the subdivision map.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Current Planning Division - Addressing

- No comments.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0002-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

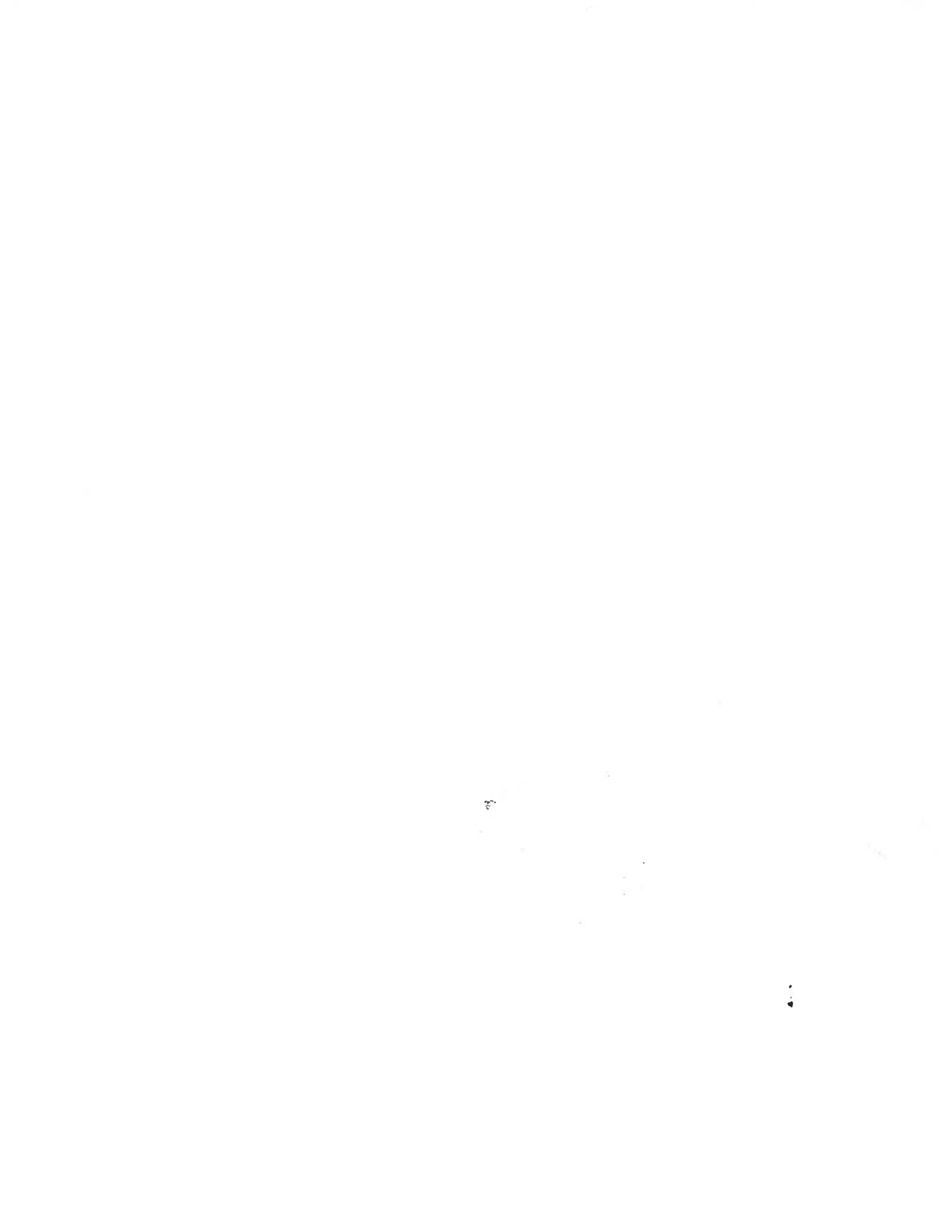
TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: TERESA CORRAL, PHELAN DEVELOPMENT COMPANY

CONTACT: SHANNON COOPER, TANEY ENGINEERING, 6030 S. JONES BOULEVARD, LAS VEGAS, NV 89118





TENTATIVE MAP APPLICATION

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT
SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

APPLICATION TYPE	STAFF	DATE FILED: <u>12-27-22</u>	APP. NUMBER: <u>TM-22-500230</u>
		PLANNER ASSIGNED: <u>GRC</u>	TAB/CAC: <u>Spring Valley</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		ACCEPTED BY: <u>-</u>	TAB/CAC MTG DATE: <u>1-31-23</u> TIME: <u>6pm</u>
		FEE: <u>750</u>	PC MEETING DATE: <u>-</u>
		CHECK #: <u>-</u>	BCC MEETING DATE: <u>2-22-23</u>
		COMMISSIONER: <u>-</u>	ZONE / AE / RNP: <u>-</u>
		OVERLAY(S)? <u>-</u>	PLANNED LAND USE: <u>-</u>
		TRAILS? Y/N <u>-</u> BFA? Y/N <u>-</u>	NOTES: <u>-</u>

PROPERTY OWNER	NAME: <u>CRP/PDC BADURA & CIMARRON OWNER LLC</u>
	ADDRESS: <u>450 Newport Center Dr. Ste. 405</u>
	CITY: <u>Newport Beach</u> STATE: <u>CA</u> ZIP: <u>92660</u>
	TELEPHONE: <u>303-949-6665</u> CELL: <u>-</u>
	E-MAIL: <u>tcorral@phelandevco.com</u>

APPLICANT	NAME: <u>Phelan Development Company - Teresa Corral</u>
	ADDRESS: <u>450 Newport Center Dr. Ste 405</u>
	CITY: <u>Newport Beach</u> STATE: <u>CA</u> ZIP: <u>92660</u>
	TELEPHONE: <u>303-949-6665</u> CELL: <u>-</u>
	E-MAIL: <u>tcorral@phelandevco.com</u> REF CONTACT ID #: <u>-</u>

CORRESPONDENT	NAME: <u>Taney Engineering - Shannon Cooper</u>
	ADDRESS: <u>6030 South Jones Blvd</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702-362-8844</u> CELL: <u>-</u>
	E-MAIL: <u>ShannonC@taneycorp.com</u> REF CONTACT ID #: <u>-</u>

ASSESSOR'S PARCEL NUMBER(S): 176-04-301-011, 176-04-301-013

PROPERTY ADDRESS and/or CROSS STREETS: Badura & Cimarron

TENTATIVE MAP NAME: Badura & Cimarron

NUMBER OF LOTS: 2 GROSS/NET ACREAGE 28 GROSS/NET DENSITY -

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.

Teresa Corral
Property Owner (Signature)* Teresa Corral
Property Owner (Print)

STATE OF _____
COUNTY OF _____

SUBSCRIBED AND SWORN BEFORE ME ON _____ (DATE)

By _____
NOTARY PUBLIC _____

Please See the attached

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

ACKNOWLEDGMENT

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

State of California
County of Orange

On March 8, 2022 before me, Nhung Mai, Notary Public
(insert name and title of the officer)

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

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

WITNESS my hand and official seal.

Signature



(Seal)

