



Spring Valley Town Advisory Board

Desert Breeze Community Center

8275 W. Spring Mountain Rd

Las Vegas, NV 89117

March 8, 2022

6:00pm

AGENDA

Note:

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

Catherine Godges, Vice Chair
John Getter

Secretary: Carmen Hayes (702) 371-7911 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, Invocation, Pledge of Allegiance, and Roll Call

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

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

- III. Approval of Minutes for February 22, 2022. (For possible action)
- IV. Approval of the Agenda for March 8, 2022 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (For discussion only)
 - Short Term Rental Meeting at Desert Breeze at 5:30pm on March 24, 2022.
- VI. Planning and Zoning
1. **ET-22-400014 (UC-0787-17)-LAUB JOEL A AND LAUB KIMBERLY L FAMILY TRUST: USE PERMITS SECOND EXTENSION OF TIME** for the following: **1)** increase manager's unit area; and **2)** waive mixed-use development design standards.
DESIGN REVIEWS for the following: **1)** modify an approved office/warehouse complex with manager's units; and **2)** modify a parking lot on 5.6 acres in conjunction with an existing office/warehouse complex with manager's units in an M-D (Designed Manufacturing) (AE-60) Zone in the CMA Design Overlay District. Generally located on the west side of Tenaya Way, 660 feet north of Sunset Road within Spring Valley. MN/jgh/syp (For possible action) **04/05/22 PC**
 2. **NZC-22-0068-DEAN JERRY & DEANNA FAMILY TRUST-EXEMPTION TRUST & DEAN DEANNA S TRS: ZONE CHANGE** to reclassify 8.3 acres from an R-E (Rural Estates Residential) Zone to an R-4 (Multiple Family Residential - High Density) Zone.
USE PERMIT for senior housing.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase building height; and **2)** reduced throat depth.
DESIGN REVIEWS for the following: **1)** senior housing (multiple family development); and **2)** finished grade. Generally located on the north side of Russell Road and the west side of Redwood Street within Spring Valley (description on file). MN/md/jo (For possible action) **04/05/22 PC**
 3. **VS-22-0069-DEAN JERRY & DEANNA FAMILY TRUST-EXEMPTION TRUST & DEAN DEANNA S TRS: VACATE AND ABANDON** easements of interest to Clark County located between Dewey Drive and Russell Road, and between Rainbow Boulevard and Redwood Street; and a portion of right-of-way being Russell Road located between Rainbow Boulevard and Redwood Street within Spring Valley (description on file). MN/md/jo (For possible action) **04/05/22 PC**

4. **AR-22-400013 (UC-17-1014)-CHURCH HAMERE N.K.M.W ST. M.E.O.T:**
USE PERMIT SECOND APPLICATION FOR REVIEW to expand an existing place of worship.
WAIVER OF DEVELOPMENT STANDARDS for off-site improvements (including curb, gutter, sidewalk, streetlights, and partial paving).
DESIGN REVIEW for a proposed parking lot on 1.0 acre in conjunction with an existing place of worship on 2.4 acres in an R-E (Rural Estates Residential) (RNP-I) (AE-60) Zone in the CMA Design Overlay District. Generally located on the southwest corner of Lindell Road and Oquendo Road within Spring Valley. MN/jgh/syp (For possible action) **04/06/22 BCC**
5. **ET-22-400021 (WS-0793-16)-TPG/CORE ACQUISITIONS, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS THIRD EXTENSION OF TIME for the following: 1) increase building height; and 2) alternative landscaping.
DESIGN REVIEWS for the following: 1) multiple family residential development; and 2) finished grade on 10.5 acres in an R-4 (Multiple Family Residential - High Density) Zone in the CMA Design Overlay District. Generally located on the east side of Durango Drive and the north side of Badura Avenue within Spring Valley. MN/sd/syp (For possible action) **04/06/22 BCC**

VII. General Business

1. Presentation by Republic Services.

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: March 29, 2022.

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>

04/05/22 PC AGENDA SHEET

INCREASE MANAGER'S UNIT AREA
(TITLE 30)

TENAYA WY/SUNSET RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-22-400014 (UC-0787-17)-LAUB JOEL A AND LAUB KIMBERLY L FAMILY TRUST:

USE PERMITS SECOND EXTENSION OF TIME for the following: 1) increase manager's unit area; and 2) waive mixed-use development design standards.

DESIGN REVIEWS for the following: 1) modify an approved office/warehouse complex with manager's units; and 2) modify a parking lot on 5.6 acres in conjunction with an existing office/warehouse complex with manager's units in an M-D (Designed Manufacturing) (AE-60) Zone in the CMA Design Overlay District.

Generally located on the west side of Tenaya Way, 660 feet north of Sunset Road within Spring Valley. MN/jgh/syp (For possible action)

RELATED INFORMATION:

APN:

163-34-411-011; 163-34-411-012

USE PERMITS:

1. Increase manager's units up to 1,442 square feet where 800 square feet is permitted per Table 30.44-1 (an 80.3% increase).
2. Waive the required mixed-use development design standards per Table 30.44-1.

LAND USE PLAN:

SPRING VALLEY - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 5.6
- Number of Units: 10
- Project Type: Office/warehouse with increased manager's unit areas
- Number of Stories: 3
- Building Height (feet): Up to 50
- Square Feet: 32,096 (Building D1)/29,906 (Building - JLA Corporate)
- Parking Required/Provided: 413/448

Site Plans

The approved plans depict an office warehouse complex with 10 manager's units. The plans show 2 office/warehouse buildings, set back approximately 10 feet from the north property line, approved by WS-0502-17, and 32 feet from the east property line. This application was approved to add manager's units to the previously approved office/warehouse complex. Access to the site is from a shared driveway on Tenaya Way. Parking is located along the south side of the buildings and between the proposed buildings with a parking lot located southwest of the proposed buildings. A total of 448 parking spaces are provided for the entire complex.

Lighting

The approved plans depict parking lot lighting with 20 foot high antique light poles which match the existing light poles that are in the existing parking areas. Wall mounted shielded lighting fixtures and ground mounted shielded landscape lighting fixtures are located throughout the site.

Landscaping

The approved plans show a previously approved 20 foot wide landscape area along Tenaya Way with an existing attached sidewalk. A gated 10 foot wide landscape area consisting of an intense landscape buffer per Figure 30.64-12 is located along the north property line, with a 6 foot high decorative block wall. Landscaping is provided throughout the parking areas and in pockets along the southern face of the buildings and connected by colored and textured sidewalks with pedestrian amenities such as seating areas, and decorative trash receptacles. The landscape palette consists of Wilson Olive, Purple Leaf Plum, Japanese Blueberry, Fan-Tex Ash, Oriental Pear, Southern Live Oak, Raywood Ash, and Arizona Cypress trees, various shrubs, and groundcover.

Elevations

The approved plans depict a 3 story, 45 foot high office/warehouse with manager's units (Building D1) and a 2 story, 50 foot high office/warehouse (JLA Corporate Building). Building materials consist of concrete tilt-up panels, stucco finished foam pop-outs, acrylic canvas awnings, sectional roll-up doors, mixed exterior cladding of stone and brick materials, wood shutters, and wrought iron railings. Decorative windows and chamfered concrete reveals are shown on all elevations.

The majority of Building D1 is 41 feet high with a flat corniced parapet roofline; however, on a portion of the south and north elevations, a pitched roof with concrete roof tiles at an overall height of 45 feet is incorporated into the roofline design. The lowest parapet line on the north elevation is 39 feet high at the second floor, and then steps 8 feet to the south before increasing to 41 feet for the roofline for the third floor, and stair steps south for an overall height increase of 45 feet. The southern elevation includes varying rooflines, diverse building facade details, and varying window fenestrations. The approved changes to the north elevation of the building includes a 6 foot high parapet surrounding the northern deck to screen the view of the northerly facing windows from the adjacent single family subdivision to the north.

Most of the north elevation of the JLA Corporate Building is 46 feet 10 inches high with flat parapet rooflines and a central roofline extending to an overall height of 50 feet. The lowest roofline on the north elevation is 34 feet 6 inches at the second floor, and then steps to the south

at 23 feet 5 inches before increasing to an overall height of 50 feet. The approved changes to the building design include the elimination of the third floor and removal of all northerly facing windows.

Floor Plans

The approved plans show a 32,096 square foot (Building D1) office/warehouse building with 13,256 square feet of office, and 18,840 square feet of warehouse. The first floor consists of a warehouse, storage and garage space, and a lobby area. The second and third floors consist of office and storage areas. The second floor of the building includes a deck that faces south into the interior of the office warehouse complex. The third floor includes a deck that faces north. There are 3 options for the office warehouse manager's units layout: Unit A includes 648 square feet of office area, 1,112 square feet of warehouse area, and 1,213 square feet of unit living area; Unit B includes 714 square feet of office area, 1,226 square feet of warehouse area, and 1,380 square feet of living unit area; Unit C includes 840 square feet of office area, 1,180 square feet of warehouse area, and 1,442 square feet of living unit area. The living area of the manager's unit is located on the second and third floors.

The approved JLA Corporate Building consists of 29,906 square feet for office warehouse with 11,463 square feet of office, and 18,443 square feet of warehouse. The first floor consists of a warehouse, offices, storage areas, and restrooms. Internal to the building is an open-air courtyard. The second floor consists of offices, storage, restrooms, and a breakroom.

Previous Conditions of Approval

Listed below are the approved conditions for ET-20-400018 (UC-0787-17):

Current Planning

- Until November 8, 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; 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 UC-0787-17:

Current Planning

- 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;
- Traffic study and compliance;
- Vacate existing access easement at driveway and re-dedicate a pedestrian access easement per new driveway requirements.

Department of Aviation

- Compliance with airport-related deed restrictions for APN 163-34-411-010, which will not be removed since the parcel is located within the AE-60;
- After removing manager's units from the deed restriction portion of the parcel, applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Clark County Department of Aviation;
- After removing manager's units from the deed restriction portion of the parcel, 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 Clark County Department of Aviation;
- After removing manager's units from the deed restriction portion of the parcel, 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;
- After removing manager's units from the deed restriction portion of the parcel, 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.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; and to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0348-2017 to obtain your POC exhibit.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that this request is necessary because they need time to finalize development plans and to obtain building permits. The applicant is also working on obtaining permission from adjacent landowners to pull grading permits and are requesting 2 additional years to commence construction.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-20-400018 (UC-0787-17)	First extension of time for increased manager's unit area for an approved office/warehouse complex and modified parking lot	Approved by ZA	March 2020
UC-0787-17	Increased manager's unit area for an approved office/warehouse complex and modified parking lot	Approved by BCC	November 2017
WS-0502-17	Reduced side setback & height setback ratio for an office warehouse building (Phase 2)	Approved by BCC	August 2017
WS-0232-07	Reduced parking and a design review for an office/warehouse complex with manager's units - expired	Approved by BCC	April 2007
ZC-1698-06	Reclassified the west half of the site from R-E to M-D zoning for future development	Approved by BCC	January 2007
ZC-2154-04 (WC-0377-06)	Waived conditions of a zone change requiring dedication of 30 feet for Monte Cristo Way	Approved by BCC	January 2007
ZC-2154-04	Reclassified the east half of the site and parcels to the east from R-E to M-D zoning for a warehouse complex with accessory residential quarters	Approved by BCC	April 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	R-1 & M-D	Single family residential & undeveloped
South	Business Employment	M-D & R-E	Office warehouse & Undeveloped
East	Business Employment	M-D & C-2	Place of worship, undeveloped & Office warehouse
West	Business Employment	M-D & R-E	Undeveloped

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.

Drainage and traffic studies have been completed; therefore, staff can support an additional 2 years to commence. However, staff will not support an additional extension of time being that 6 years will have elapsed from the original 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

- Until November 8, 2023 to commence.
- Applicant is advised that 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.

Public Works - Development Review

- Compliance with previous conditions.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:
APPROVALS:
PROTEST:

APPLICANT: TENAYA LOFTS, LLC
CONTACT: LINDSAY KAEMPFER, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA
DRIVE, SUITE 650, LAS VEGAS, NV 89135



LAND USE APPLICATION

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT
SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

- TEXT AMENDMENT (TA)
- ZONE CHANGE
 - COMPOSING (ZC)
 - NONCOMPOSING (ZNC)
- USE PERMIT (UC)
- VARIANCE (V)

WAYS OF DEVELOPMENT STANDARDS (WS)

- DESIGN REVIEW (DR)
- PUBLIC HEARING

- ADMINISTRATIVE DESIGN REVIEW (ADR)
- STREET NAME / NUMBERING CHANGE (SC)
- WAIVER OF CONDITIONS (WC)

FORMAL APPLICATION IS

- AMENDMENT REQUEST (AR)
- EXTENSION OF TIME (ET)
 - UC-0787-17
 - (ORIGINAL APPLICATION IS)
- APPLICATION REVIEW (AR)

(ORIGINAL APPLICATION IS)

- DEVELOPMENT AGREEMENT (DA)

STATUS

DATE FILED: 2/2/22
 PLANNER ASSIGNED: JGH
 ACCEPTED BY: _____
 FEE: \$ 6,000
 CHECK #: _____
 COMMISSIONER: _____
 OVERLAY(S): _____
 PUBLIC HEARING Y / N Y / N
 TRALST Y / N _____ FINAL Y / N _____
 APPROVAL/DECNL BY: _____

APP. NUMBER: ET-22-400014
 TAB/CAC: Spring Valley
 TAB/CAC INTD DATE: 3/8 TIME: 6:00
 PG MEETING DATE: 1/4/5/22
 SCC MEETING DATE: _____
 ZONE / AE / TRP: _____
 PLANNED LAND USE: _____
 NOTIFICATION RADII: 800 Y / N
 LETTER DUE DATE: _____
 COMMENCE COMPLETE: _____

PROPERTY OWNER

NAME: Tennis Lohs, LLC
 ADDRESS: 6415 South Tanaya, Suite 105
 CITY: Las Vegas STATE: NV ZIP: 89113
 TELEPHONE: (702) 221-1444 FAX: (702) 221-1443
 CELL: (702) 782-5120 EMAIL: cheryl@tennis.com

RESPONDENT

NAME: Same as Property Owner
 ADDRESS: _____
 CITY: _____ STATE: _____ ZIP: _____
 TELEPHONE: _____ FAX: _____
 CELL: _____ EMAIL: _____

NAME: Georgina Crowl, Robert Grossman/Ann M. Pierce
 ADDRESS: 1880 Festival Plaza Drive, Suite 650
 CITY: Las Vegas STATE: NV ZIP: 89135-2958
 TELEPHONE: (702) 782-7005 FAX: (702) 786-7181
 CELL: _____ EMAIL: apierce@tennlaw.com

ASSESSOR'S PARCEL NUMBER(S): 169-34-511-011, 012

PROPERTY ADDRESS and/or CROSS STREETS: NVC West Sunset Road & South Tanaya Way

PROJECT DESCRIPTION: To construct Phase 2 of the existing LeffWorld Lifestyle community

I, the undersigned, own and are the owner of record in the State of Nevada of the property described in this application, or am, and otherwise qualify to submit this application under Clark County Code, and the jurisdiction of the planning and zoning, or other, laws including master plans, and all the necessary and accurate conditions herein set forth in all respects true and correct, and the undersigned warrant to that the applicant has no liability and expense before a hearing can be conducted, and the applicant, the Clark County Comprehensive Planning Department, or its designers, is clear the project and is valid and legal upon all laws and regulations of the State of Nevada.

[Signature]
 Property Owner (Signature)
Joel Lohs
 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF CLARK

APPROVED AND RECOMMENDED BY: CHERYL DAWN, 2021

BY: [Signature]
Cheryl Dawn



NOTE: Corporate declaration of authority or declaration of preparer of statement is required if the applicant and/or property owner is a corporation, partnership, trust or similar structure in any jurisdiction.

KAEMPFER

CROWELL

ATTORNEYS AT LAW

LAS VEGAS OFFICE

PLANNER
COPY

LAS VEGAS OFFICE
1980 Festival Plaza Drive
Suite 650
Las Vegas, NV 89136
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
50 West Liberty Street
Suite 700
Reno, NV 89501
Tel: 775.852.3900
Fax: 775.327.2011

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

November 8, 2021

VIA UPLOAD

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

**Re: *Justification Letter – Second Extension of Time
Tenaya Lofts, LLC
APN's: 163-34-411-011 and 012 UC-0787-17***

Dear sir or madam:

This firm represents Tenaya Lofts, LLC (the "Applicant") in the above referenced matter. The Applicant is submitting for a second extension of time for previously approved use permits and design reviews. The property is located near the northwest corner of S. Tenaya Way and W. Sunset Road, bearing Clark County Assessor Parcel Numbers 163-34-411-011 and 012 (formally APN 163-34-411-010) (the "Property"). The Applicant is requesting a second extension of time.

By way of background, the Clark County Board of County Commissioners approved use permits and a design review in August 2017 (UC-0787-17) to modify an approved office/warehouse complex with manager's units. An administrative first extension of time (ET-20-400018) was approved in March 2020. A condition of approval was a commencement date of November 8, 2021.

The Applicant is requesting an additional extension to allow for time to finalize development plans and obtain building permits. Since the last extension of time approval, drainage and traffic studies were completed and approved. Moreover, the civil plan review process with the County was completed. The Applicant is now working on obtaining permission from the adjacent landowner to pull grading permits. Therefore, the Applicant respectfully requests a two-year extension of time.

Thank you in advance for your consideration. Please direct any correspondence regarding this matter to me.

Sincerely,

KAEMPFER CROWELL



Robert Gronauer

JED/lak

04/05/22 PC AGENDA SHEET

SENIOR HOUSING
(TITLE 30)

RUSSELL RD/REDWOOD ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-22-0068-DEAN JERRY & DEANNA FAMILY TRUST-EXEMPTION TRUST & DEAN DEANNA S TRS:

ZONE CHANGE to reclassify 8.3 acres from an R-E (Rural Estates Residential) Zone to an R-4 (Multiple Family Residential - High Density) Zone.

USE PERMIT for senior housing.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; and 2) reduced throat depth.

DESIGN REVIEWS for the following: 1) senior housing (multiple family development); and 2) finished grade.

Generally located on the north side of Russell Road and the west side of Redwood Street within Spring Valley (description on file). MN/md/jo (For possible action)

RELATED INFORMATION:

APN:
163-26-406-001 through 163-26-406-003

- WAIVERS OF DEVELOPMENT STANDARDS:**
1. Increase building height to 55 feet where 35 feet is the maximum permitted per Table 30.40.3 (a 42.9% increase).
 2. Reduce the throat depth from a visitor call box to 60 feet where a minimum of 100 feet is required per Uniform Standard Drawing 222.1 (a 40% reduction).

- DESIGN REVIEWS:**
1. Senior housing (multiple family development).
 2. Increase finished grade to 156 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 333% increase).

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: 8.3

- Number of Units: 270
- Density (du/ac): 32.7
- Project Type: Senior housing
- Number of Stories: 5
- Building Height (feet): 55 (average of Buildings 1 through 4)
- Square Feet: 83,718 (Building 1)/102,332 (Building 2)/79,049 (Building 3)/112,899 (Building 4)/18,516 (Clubhouse)/1,350 (Accessory Structure)
- Open Space Required/Provided: 58,500/131,672
- Parking Required/Provided: 270/330

Neighborhood Meeting Summary

This request is for a non-conforming zone change to reclassify 8.4 acres from an R-E zoning district to an R-4 zoning district to allow a senior housing (multiple family) development. The applicant conducted a neighborhood meeting on March 1, 2021. The required meeting notices were mailed to the neighboring property owners within 1,500 feet of the project site. Three people attended the meeting and expressed concerns about traffic, timing of construction, and the type of buffer between the senior housing facility and their residences.

Site Plans

The plans depict a multiple family residential development situated on an 8.3 acre project site consisting of 270 dwelling units with a density of 32.7 dwelling units per acre. The proposed development has been submitted as a request for Senior Housing, thereby qualifying for a density bonus of up to 39 dwelling units per acre within the R-4 zoning district. The proposal consists of 4 multiple family buildings within the boundaries of the project site. An open space area, featuring a courtyard with various recreational amenities, is centrally located within the project site between the 4 buildings. A 3 story clubhouse is also proposed along the south portion of the site, located between building 1 and building 4. Building 1 is set back 103 feet from the south property line, and 93 feet from the east property line, adjacent to Russell Road and Redwood Street respectively. Building 2 is set back 93 feet from the east property line, adjacent to Redwood Street, and 87 feet from the north property line along Dewey Drive. Building 3 is set back 87 feet from the north property line adjacent to Dewey Drive, and 85 feet from the west property line adjacent to an existing congregate care facility. Building 4 is set back 86 feet from the west property line and 97 feet from the south property line, adjacent to Russell Road. The development requires 58,500 square feet of open space where 131,672 square feet of open space is provided. Open space is centrally located within the project site consisting of a recreational building, pickleball court, swimming pool, dog park, bocce ball court, and greenspace. All 4 multiple family buildings, and the recreation building, are connected by a series of internal 5 foot wide pedestrian walkways within the interior of the site. A 5 foot wide detached sidewalk is provided along Russell Road, with the exception of the required bus turnout at the southeast corner of the project site. A 5 foot wide attached sidewalk is provided along Redwood Street (east property line) and Dewey Drive (north property line) of the project site. Access to the project site is granted via a single driveway located along Russell Road, with ingress and egress to the development controlled by a security gate. A waiver of development standards is required to reduce the throat depth from the visitor call box to 60 feet where 100 feet is required per the Uniform Standard Drawings. An exit only gate is located at the north portion

of the site, adjacent to Dewey Drive. The senior housing (multiple family development), requires 270 parking spaces where 330 parking spaces are provided. A carport is located along the east portion of the property, with a setback of 16 feet from Redwood Street. A second carport is located along the west property line with a setback of 10 feet. An increase in finished grade is also part of this request, as there is an existing wash at varying depths throughout the project site. The wash, at its maximum depth of 13 feet, is located at the northeast corner of the site. This results in the required design review to allow a maximum increase of 13 feet above finished grade.

Landscaping

The plans depict a 15 foot wide landscape area, including a 5 foot wide detached sidewalk, adjacent to Russell Road. A 15 foot to 16 foot wide landscape area behind a 5 foot wide attached sidewalk is located along Redwood Street and Dewey Drive. Twenty-four inch box trees, in addition to shrubs and groundcover, will be planted in the street landscape areas. A 6 foot high decorative perimeter fence is set back behind the required landscape areas along Russell Road, Redwood Street, and Dewey Drive. Although not required per Code because of the bus turnout located at the southeast corner of the site, a 10 foot wide landscape area is provided consisting of 24 inch box trees, including shrubs and groundcover, at the corner of Russell Road and Redwood Street. A 10 foot wide landscape area, with 24 inch box trees planted 30 feet on center, is provided along the west property line.

Elevations

The 4 story multiple family buildings extend up to 50 feet in height to the top of the parapet wall, where visible from the public streets and adjacent property to the west. The east, west, and south elevations for the courtyard, located within the interior of the site, depict an additional 11 feet of building height (and additional story) below the main level of the buildings. Therefore, the multiple family buildings are approximately 61 feet high where visible from the interior courtyard. The height average for all sides of the buildings averages to 55 feet, necessitating a waiver of development standards. The exterior materials of the buildings consist of painted stucco, cement board wooden finish, black metal fascia and trim, and decorative metal railings. All rooftop mounted equipment will be screened from public view and the right-of-way by parapet walls. The buildings are painted with neutral, earth tone colors. The pool equipment, maintenance and restroom buildings, centrally located within the courtyard area, measure up to 12 feet in height consisting of painted stucco to match the multiple family buildings.

Floor Plans

The floor plans consist of 137 one bedroom, and 133 two bedroom units. The clubhouse building, located between building 1 and building 4, features 3 levels consisting of a fitness room, spin room, multi-purpose room, business center, kitchen, shower/locker room, barber, grandchildren room, mail room, and offices. The maintenance and pool equipment rooms each measure 676 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states all 270 units proposed for the development will be occupied by at least 1 person 55 years of age or older. In renting of units at this development, the rental publications will make it clear, and the rental condition will be strictly enforced, that housing is available only for those residents where the Head of Household within each rental unit is 55 years of age or older. Additionally, appropriate and significant facilities, services, and amenities are being provided specifically to meet the particular physical and social needs, interests, and limitations of older persons. Such facilities, services, and amenities include an expanded clubhouse at 18,516 square feet. This is nearly 2 times to 3 times the size of clubhouses at non-senior housing developments. The reason for this increased square footage is that seniors tend to use clubhouses more, and for a wider variety of purposes; and this increased space will increase socialization (an important facet to senior living) by providing large areas for bingo, card games and other participation games, ballroom dancing, arts and crafts, movies, and lectures. There will be a grandchildren play room to make visits with the family more fun. Additionally, the swimming pool and spa features are oversized in order to accommodate instructor and water aerobics, and to allow for greater and more comfortable use by seniors. There are large lawn areas for croquet, badminton, and other outdoor senior directed activities. Enhanced outdoor seating areas are also provided. To address physical limitations, (i) the Fitness Center is designed for seniors, (ii) elevators are spaced throughout the building for easy access to every floor, and (iii) a community van will be provided for trips to doctors, movie theaters, museums, shopping, casinos, and the like.

The buildings provide architectural enhancements such as balconies, building articulation, varying coloring scheme, architectural pop outs, and will be comprised of painted stucco, large decorative windows, and wood accents. The applicant is proposing four, 4 story buildings with a maximum height of 55 feet where 35 feet is permitted. To justify the increased height request, the applicant has strategically designed the project to include 2 rows of parking and a drive aisle between the existing residential development to the east and the closest proposed building to provide for adequate buffering. The overall building setback along the eastern property line is a minimum of 88 feet. Redwood Street is a 60 foot right-of-way, providing a total separation of nearly 150 feet from the existing single family development on the east. Additionally, the C-2 zoning to the immediate west of the site has an allowable 55 foot height limitation, the same as the maximum height requested for this development. As noted above in the opening paragraph in support of the nonconforming zone change, Redwood Street serves as both an actual and a natural demarcation line between the residential to the east and the more intense commercial and office uses to the west of Redwood Street.

While the call box is set at 60 feet where a minimum of 100 feet is required, the shortened distance will not create a traffic safety hazard since there are 2 lanes entering the development. If a vehicle is stopped at the call box, residents and visitors can pass safely in the other lane and continue to the gates or to the clubhouse. Additionally, while the call box is set at 60 feet from the entrance, the actual security gates are set from 180 feet to 220 feet from the entrance. The Traffic Mitigation Letter that is required for this development will include a queuing analysis that will support the shortened length. Importantly, as a practical matter, many of the residents will use community vehicles to exit and then re-enter the site and most visitors will bypass the call box entirely choosing instead to meet with staff or the residents in the Clubhouse. Further

justifying this waiver is the fact that the entrance to this gated community is restricted in its location as the neighbors have voiced their strong position that the entrance must not be located on either Redwood Street or Dewey Drive. The driveway location has been established by incorporating it into the required bus turnout, and then lining it up as closely as possible to the driveway across the street. In addition, an existing wash creates a logistical concern for site planning, and the owner has tried to incorporate this feature into the project, thus further necessitating limiting the throat depth.

The applicant intends to balance the site so that neither the addition of fill to the site nor the removal of fill from the site will be required. Since a balanced site is not assured at this time, this design review for a finished grade above 36 inches is being processed. There is a dry wash with varying depths that runs through the site that is no longer active due to appropriate flood mitigation measures taken upstream. The wash is at its maximum depth at the northeast corner of the site. At this location, the bottom of the wash to the finish grade is 13 feet. This results in a required design review to allow a maximum of 13 feet above finished grade. This increase in finished grade is the only way to allow for proper drainage of the site.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial	R-E & C-P	Undeveloped & office building
South	Neighborhood Commercial	R-E & C-P	Single family residential, office complex, & undeveloped
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
West	Corridor Mixed-Use	C-2	Congregate care facility

Related Applications

Application Number	Request
VS-22-0069	A request to vacate and abandon patent easements and right-of-way is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate 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.

The applicant states there have been many changes over the last several years within the southwest sector, including the addition of various multiple family residential developments. Moreover, the need for additional housing, including senior housing, is rapidly growing throughout the Las Vegas valley. With the high influx of new residents moving to Las Vegas every day, there is a shortage of housing opportunities to meet that need. Therefore, the current request for senior housing should be considered not only compatible for the area, but desirable for the overall community.

Immediately to the north of the proposed development, across Dewey Avenue, is a 5 acre parcel featuring an existing 2 story office building zoned C-P with a planned land use of Neighborhood Commercial. Also to the north of the project site is an undeveloped 1.3 acre R-E zoned parcel with a planned land use of Neighborhood Commercial. To the east of the project site, across Redwood Street, is an existing 5 acre single family residential development with R-2 zoning and a planned land use of Mid-Intensity Suburban Neighborhood. To the south of the project site, across Russell Road, is an undeveloped parcel zoned R-E, a developed 2.5 acre parcel with an office building zoned C-P, and a developed single family residential lot zoned R-E. All 3 parcels have a planned land use of Neighborhood Commercial. To the west of the project site is an existing 2 story congregate care facility zoned C-2, with a planned land use of Corridor Mixed-Use. The proposed zone change to R-4 for senior housing (multiple family development) is inconsistent and incompatible with the existing R-2 single family residential development to the east.

- 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.*

According to the applicant, with the commercial and office uses (existing and planned) adjacent to the north, south, and west of the site, coupled with the site being located on Russell Road, a heavily travelled 100 foot wide right-of-way, the density and intensity of this proposed use is compatible with the surrounding area. Additionally, the site is located just 1 block east of Rainbow Boulevard, a 120 foot wide major thoroughfare. The proposed use will also act as an ideal transition from the more intense C-2 commercial uses to the west and the single family residential to the east across Redwood Street. The location of the site is also ideal for senior housing due to its close proximity to a variety of commercial uses and within 1 block of the Spring Valley Hospital. Therefore, the site's location is not only an ideal transition piece to buffer the existing single family to the east, but it's situated in such an area that will benefit future residents of the senior community.

Immediately to the north of the proposed development, across Dewey Avenue, is a 5 acre parcel featuring an existing 2 story office building zoned C-P with a planned land use of Neighborhood Commercial. Also to the north of the project site is an undeveloped 1.3 acre R-E zoned parcel with a planned land use of Neighborhood Commercial. To the east of the project site, across Redwood Street, is an existing single family residential development zoned R-2 with a density of 6.3 dwelling units per acre. To the south of the project site, across Russell Road, is an

undeveloped parcel zoned R-E, a developed 2.5 acre parcel with an office building zoned C-P, and a developed single family residential lot zoned R-E. All 3 parcels have a planned land use of Neighborhood Commercial. To the west of the project site is an existing 2 story congregate care facility zoned C-2, with a planned land use of Corridor Mixed-Use. Staff finds the density and intensity of the proposed project, a senior housing development with a density of 32.7 dwelling units per acre, is incompatible with the density of the existing R-2 development to the east.

- 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.*

The applicant states the proposed zone change will not result in any negative impacts on surrounding infrastructure not already contemplated in the area. Moreover, approval of the project will allow for the completion of Redwood Street adjacent to the site. Also, the development will provide a bus stop requested by the RTC which will enhance public transportation in the immediate area. Additionally, senior housing is generally viewed as less impactful than standard multiple family developments from a neighborhood standpoint, and will not burden Clark County schools or roadways. The applicant will also continue to mitigate any impacts the proposed development may have.

There has been no indication from service providers that this request will have an adverse or substantial effect on public facilities and services. The school district has indicated that this development would generate 45 additional elementary school, 25 middle school, and 35 high school students if this project became something other than senior housing. The school district indicates Earl Elementary School is under capacity by 56 students while Sawyer Middle School and Durango High School are over capacity by 252 and 214 students, respectively.

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

The applicant states the proposed development meets the goals and policies of the Master Plan due to the following reasons: 1) the project site is located in walking distance to various commercial uses to the west, as well as being in close proximity to the Spring Valley Hospital less than a mile away; 2) the project will have internal pedestrian connectivity, as well as easy access to neighboring commercial developments; 3) the project will provide much needed senior housing opportunity, with a wide range of on-site activities for various lifestyles; 4) the site is located adjacent to existing commercial and office uses with quick access to the CC 215 via Rainbow Boulevard. The site is located near public facilities, a major hospital, and mass transit stops to support senior multiple family developments; 5) the applicant is providing 131,672 square feet of open space for the project, which is well in excess of twice the Code requirement; 6) a "trail access walkway" is provided at the northeast corner of the site, near Redwood Street, to allow for additional site recreational opportunities; 7) drought tolerant landscaping is provided; 8) the buildings depict varying elevations and are oriented in various directions to avoid a monotone linear pattern; 9) the site is surrounded by various land uses and is within close proximity to a hospital; and 10) the site is located 1 block off Rainbow Boulevard, a 120 foot

right-of-way which provides for public transportation stops north and south, and, as noted above, a new bus stop will be provided on Russell Road for those desiring to go east and west.

Staff finds the proposed zoning 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. Furthermore, the proposed zoning complies with Goal 1.2 that encourages expanding the number of long term affordable housing units available in Clark County.

Summary

Zone Change

Staff finds that there has not been a change in law and policies that make this request appropriate for the area. The reclassification of this site to an R-4 zoning district would allow a density up to a maximum of 39 dwelling units per acre that is incompatible with the developed R-2 zoning district to the east, across Redwood Street. Staff finds that the proposed request does not satisfy all of the requirements of a compelling justification to warrant approval of the nonconforming zone boundary amendment to R-4 zoning; therefore, staff recommends denial.

Use Permit

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

The proposed use for senior housing is consistent with the goals and policies of the Master Plan, as listed below, to provide opportunities for diverse housing options meeting the needs of residents of all ages, income levels and abilities.

- Policy 1.1.1 (Mix of Housing Types) - Encourage the provision of diverse housing types at varied densities and in numerous locations. In particular, seek opportunities to expand "middle" housing options that are less prevalent in unincorporated parts of Clark County, such as duplexes, townhomes, three and four-plexes, and smaller multiple family complexes.
- Policy 1.1.2 (Housing Access) - Concentrate higher-density housing in areas with access to existing or planned high-frequency transit, major employment centers, existing infrastructure, and other services.
- Policy 1.1.4 (Supportive Housing) - Encourage housing options that incorporate universal design principles to facilitate aging-in-place, and accommodation of older residents and others with mobility limitations or disabilities.
- Policy 1.1.5 (Housing for Vulnerable Populations) - Collaborate with local and regional partners on development of programs and resources to prevent residents from becoming homeless and facilitate the provision of expanded housing for vulnerable populations, including the elderly and those transitioning away from homelessness.
- Goal 1.2 – Expand the number of long-term affordable housing units available in Clark County.

- Policy 1.2.3 (Non-Profit Ownership) - Encourage acquisition of housing by non-profit organizations, land trusts, or tenants as a strategy to protect housing from upward pressure on prices and rents.

Staff finds the proposed senior housing use is consistent with the purpose, goals, and policies of the Master Plan. However, since staff is not supporting the nonconforming zone boundary amendment associated with this request, staff cannot support the use permit.

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 cannot support the request to increase the height of the multiple family buildings. Immediately to the east of the project site, across Redwood Street, are single-story residences that would potentially be impacted by the height increase. The proposed height of the building is not compatible with the building height of the surrounding residential and commercial uses; therefore, staff recommends denial.

Design Review #1

The senior housing (multiple family development) project provides several amenities including open space, swimming pool, clubhouse, and fitness center. Furthermore, the building includes off-set surface planes, an aesthetically pleasing color palette, and parapet walls along the roofline at various heights. However, staff is concerned with the overall height, bulk and mass of the building, as there is an existing R-2 single family residential development immediately to the east of the project site, across Redwood Street. Therefore, since staff is not supporting the nonconforming zone boundary amendment, use permit and waiver, staff cannot support the design review.

Public Works - Development Review

Waiver of Development Standards #2

Staff has no objection to reducing the throat depth to the security gate call box. Although the throat depth distance to the call box does not comply with the minimum standard, the applicant has placed the gates farther into the site, which will provide more room for vehicles to exit the right-of-way, reducing stacking in the right-of-way to avoid collisions. However, since Planning is recommending denial of the application, staff cannot support this waiver.

Design Review #2

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

Clark County Code, Title 30, or previous land use approval. However, since Planning is recommending denial of the application, staff cannot support this design review.

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

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on May 4, 2022 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

If approved:

- Resolution of Intent to complete in 3 years;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and 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;
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way; 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 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

- 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 #0075-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: CENTURA DEVELOPMENT CO., LLC

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

2



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 (WVS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>120-22-0068</u> DATE FILED: <u>2/4/22</u> PLANNER ASSIGNED: <u>MNO</u> TAB/CAC: <u>SPRING VALLEY</u> TAB/CAC DATE: <u>3/9/22 @ 6:00 PM</u> PC MEETING DATE: <u>4/5/22 @ 7:00 PM</u> BCC MEETING DATE: <u>5/4/22 @ 9:00 AM</u> FEE: <u>\$4,143.50</u>
	PROPERTY OWNER NAME: <u>Trent Family Living Trust</u> ADDRESS: <u>6740 W Russell Rd</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____
	APPLICANT NAME: <u>Centura Development Co., LLC (Attn., Rodman Jordan)</u> ADDRESS: <u>1984 Alcova Ridge Dr</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702.901.3183</u> CELL: <u>702.901.3183</u> E-MAIL: <u>rjordan@centuradev.com</u> REF CONTACT ID #: <u>Redwood</u>
CORRESPONDENT NAME: <u>Baughman & Turner, Inc (Attn: David Turner)</u> ADDRESS: <u>1210 Hinson Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89102</u> TELEPHONE: <u>702-870-8771</u> CELL: <u>702.289.1714</u> E-MAIL: <u>davidt@baughman-turner.com</u> REF CONTACT ID #: <u>Redwood</u>	

ASSESSOR'S PARCEL NUMBER(S): 163-26-406-003
 PROPERTY ADDRESS and/or CROSS STREETS: 6740 West Russell (Russel & Redwood Street)
 PROJECT DESCRIPTION: Redwood Senior Living

(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.

Robert L. Trent ROBERT L. TRENT
 Property Owner (Signature)* Property Owner (Print)

STATE OF NEVADA
 COUNTY OF CLARK
 SUBSCRIBED AND SWORN BEFORE ME ON October 15, 2020 (DATE)
 By ROBERT L. TRENT
 NOTARY PUBLIC: J. Copeland



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

**KAEMPFER
CROWELL**

ATTORNEYS AT LAW

LAS VEGAS OFFICE

CHRISTOPHER L. KAEMPFER

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July 22, 2021

Via Electronic Upload

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

**PLANNER
COPY**

**Re: Revised Compelling Justification Letter
Nonconforming Zone Change, Special Use Permit, Waivers and Design
Reviews relating to a Senior Housing Development
Redwood Living, LLC
APN: 163-26-406-001 through 003**

To Whom It May Concern:

Please be advised this office represents Redwood Living, LLC (the "Applicant") in the above-referenced matter. The proposed project is located on approximately 9.85 gross acres (8.26 net) on the northwest corner of Redwood Street and Russel Road. The property is more particularly described as Accessor's Parcel Numbers 163-26-406-001 through 003 (the "Site"). The Applicant is requesting a nonconforming zone change from R-E to R-4, together with a special use permit and a design review to allow for a 270 unit *senior multi-family housing development*. A design review for finished grade and waivers to allow for (i) increased height, (ii) a reduced call box location and (iii) reduced throat depth are also being requested.

Nonconforming Zone Change:

The Site is master planned Residential Suburban (RS) and is surrounded by property and existing uses planned for office to the north and south, and commercial uses to the west. To the east, across Redwood Street, is a small, 31 home, single family development. *Redwood Street has served, and is continuing to serve, as an appropriate demarcation line between lower density residential to the east and higher intensity, commercial and office uses to the west.* This request for a zone change to R-4 satisfies the criteria for a nonconforming zone change with the compelling justification required by Title 30 as follows:

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

The Spring Valley Use Plan was last amended in September of 2014. There have been many changes the last several years within the southwest sector including the addition of various multi-family residential developments. Moreover, the need for additional housing, including senior housing, is rapidly growing throughout the Las Vegas valley. With the high influx of new residents moving to Las Vegas every day, there is a shortage of housing opportunities to meet that need. Therefore, the current request for senior housing should be considered not only compatible for the area, but desirable for the overall community.

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

With the commercial and office uses (existing and planned) adjacent to the north, south and west of the Site, coupled with the Site being located on Russel Road, a heavily travelled 100-foot right-of-way, the density and intensity of this proposed use is compatible with the surrounding area. Additionally, the Site is located just one block east of Rainbow Boulevard, a 120-foot major thoroughfare.

The proposed use will also act as an ideal transition from the more intense C-2 commercial uses to the west and the single family residential to the east across Redwood Street. The location of the Site is also ideal for senior housing due to its close proximity to a variety of commercial uses and within one block of the Spring Valley Hospital.

Therefore, the Site's location is not only an ideal transition piece to buffer the existing single family to the east, but it's situated in such an area that will benefit future residents of the senior community.

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 storm water and drainage facilities, as a result of the uses allowed by the nonconforming zone change:

The proposed zone change will not result in any negative impacts on surrounding infrastructure not already contemplated in the area. Moreover, approval of the project will allow for the completion of Redwood Street adjacent to the Site. Also, the development will provide a bus stop requested by the RTC which will enhance public transportation in the immediate area. Additionally, senior housing is generally viewed as less impactful than standard multi-family developments from a neighborhood standpoint and will not burden Clark County schools or roadways. The Applicant will also continue to mitigate any impacts the proposed development may have.

4. The proposed nonconforming zone conforms to other applicable adopted plans, goals, and policies:

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Pursuant to the general policies of the new Urban Land Use Policies, Goal 2 encourages "opportunities for a mix of uses such as commercial, office, recreational, entertainment, public facilities, multi family residential and other activities within close proximity to each other." Here, the Site is located in walking distance to various commercial uses to the west, as well as being in proximity to the Spring Valley Hospital less than a mile away.

Goal 4 encourages "pedestrian and vehicular connections between all development types." Here, the project will have internal pedestrian connectivity, as well as easy access to neighboring commercial developments.

Goal 7 encourages "housing alternatives to meet a range of lifestyle choices, ages and affordability levels." Here, the project will provide much needed senior housing opportunity, with a wide range of on site activities for various lifestyles.

Not only is the proposed development compatible with the general policy of the Urban Land Use Policies, but it is also compatible with the more specific Multiple Family Residential policies of the Urban Land Use Policies, including, but not limited to the following policies:

- Policy 10 "encourage[s] site design to be compatible with adjacent land use and offsite circulation patterns." Here, the Site is located adjacent to existing commercial and office uses with quick access to the 215-Beltway via Rainbow Boulevard. The Site is located near public facilities, a major hospital, and mass transit stops to support senior multi-family developments.
- Policy 51 encourages multi-family projects to provide several amenities including usable open space, swimming pools, barbeque pits, and community centers. Here, the residents will have complete use of a clubhouse, swimming pool, spa, outdoor dining and conversation areas, a pet park, pickle ball courts and gardens. *Importantly, the applicant is providing 131,672 square feet of open space for the Site which is well in excess of twice the County code requirement.* In addition to providing these substantial on site amenities, the Applicant is also providing on the northeast corner of the Site (near Redwood Street) a "Trail Access Walkway" to allow for additional off site recreational opportunities.
- Policy 53 encourages the use of drought-tolerant landscaping. Here, the landscaping meets or exceeds all Title 30 requirements.
- Policy 55 encourages spatial distribution rather than the massing of buildings. Here, the buildings are oriented in various directions to avoid the monotone linear pattern. Additionally, the design review shows varied elevations.
- Policy 56 encourages the multi-family uses to be located adjacent to a mix of other land uses including commercial, office, educational, institutional and recreational uses to

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minimize impacts on necessary public services and facilities. Here, the Site meets this policy as it is surrounded by various uses and is within close proximity to a hospital.

- Policy 57 encourages multi-family developments to be located near transit along with pedestrian and road networks that can accommodate higher residential densities. Here, the Site is located one block of Rainbow Boulevard, a 150-foot right-of-way which provides for public transportation stops north and south, and, as noted above, a new bus stop will be provided on Russell Road for those desiring to go east and west.

As such, the Site design meets the goals and polices set forth in the Urban Land Use Policies. Finally, senior multi-family developments within R-4 zoning districts allow for up to 39 units to the acre. The Applicant is proposing 270 units at a gross density of 27.41 units to the acre (32.69 units to the acre net), far below the maximum for R-4.

Special Use Permit for Senior Housing:

The applicant is requesting a Special Use Permit for Senior Housing per table 30.44-1 of the Clark County Code. All 270 units proposed for the development will be occupied by at least one person 55 years of age or older. In renting of units at this development, the rental publications will make it clear, and the rental condition will be strictly enforced, that housing is available only for those residents where the Head of Household within each rental unit is 55 years of age or older. Additionally, appropriate and significant facilities, services, and amenities are being provided specifically to meet the particular physical and social needs, interests and limitations of older persons. Such facilities, services and amenities include an expanded clubhouse at 18,516 square feet. This is nearly 2 to 3 times the size of clubhouses at non-senior housing developments. The reason for this increased square footage is that seniors tend to use clubhouses more, and for a wider variety of purposes; and this increased space will increase socialization (an important facet to senior living) by providing large areas for bingo, card games and other participation games, ballroom dancing, arts and crafts, movies and lectures. There will be a Grandchildren play room to make visits to Grandpa and Grandma more fun. Additionally, the swimming pool and spa features are oversized in order to accommodate instructor and water aerobics and to allow for greater and more comfortable use by seniors. There are large lawn areas for croquet, badminton and other outdoor senior directed activities. Enhanced outdoor seating areas are also provided. To address physical limitations, (i) the Fitness Center is designed for seniors, (ii) elevators are spaced throughout the building for easy access to every floor and (iii) a community van will be provided for trips to doctors, movie theaters, museums, shopping, casinos and the like.

Design Review And Waiver Of Development Standards For Increased Height:

The Applicant is proposing a 270 unit senior housing development for ages 55 and older. The development would include a total of 137 one bedroom units and 133 two bedroom units. The units range in size from 759 square feet to 1,820 square feet and will include their own

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private outdoor patio or balcony. The main entry to the Site is centrally located on the Site via a gated entry way along Russell Road.

The Site will provide outdoor amenities such as clubhouse, swimming pool, spa, outdoor dining and conversation areas, a pet park, pickle ball courts and gardens. Ample landscaping will be provided along the perimeter and throughout the project to provide shade and visual relief. The Applicant is also providing a total of 131,672 square feet of open space where 58,500 square feet is required and 330 parking spaces where 324 spaces are required.

The buildings provide architectural enhancements such as balconies, building articulation and varying coloring scheme and architectural pop outs and will be comprised of painted stucco, large decorative windows and wood accents. The Applicant is proposing four (4) story buildings with a maximum height of 50-feet where 35-feet is permitted. Therefore, the Applicant is requesting a waiver to allow for an increase in building height. To justify the increased height request, the Applicant has strategically designed the project to include two rows of parking and a drive aisle between the existing residential to the east and the closest proposed building to provide for adequate buffering. The overall building setback along the eastern property line is a minimum of 88 feet. Redwood Street is a 60-foot right-of-way, providing a total separation of nearly 150 feet from the existing single family development on the east. Additionally, the C-2 zoning to the immediate west of the Site has an allowable 50 foot height limitation, the same as the maximum height requested for this development. Further, as noted, above, in the opening paragraph in support of the non-conforming zone change, Redwood Street serves as both an actual and a natural demarcation line between the residential to the east and the more intense commercial and office uses to the west of Redwood Street.

Design Review for increase in the finish grade:

It is important to note that to every extent possible, the Applicant intends to balance the Site so that neither the addition of fill to the Site nor the removal of fill from the Site will be required. That being said, since a balanced site is not assured at this time, this design review for a finish grade above 18 inches is being processed. There is a dry wash that runs through the Site. (The wash is no longer active due to appropriate flood mitigation measures taken upstream.) This wash is at varying depths throughout the Site. The wash is at its maximum depth at the northeast corner of the Site. At this location, the bottom of the wash to the finish grade is 13'. This results in a required design review to allow a maximum of 13' above finish grade. This increase in finish grade will allow, and per our engineer is the only way to allow, for proper drainage of the Site.

Waiver of throat depth to Security Gates/call box location:

The call box is located 60 feet from the entrance to the community where 100 feet is the minimum required by Code. The clubhouse/offices/sales facilities (hereinafter collectively "Clubhouse") are all located approximately 150 feet from the entrance. While the call box is set

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at 60 feet where a minimum of 100 feet is required, the shortened distance will not create a traffic safety hazard since there are two lanes entering the development. If a vehicle is stopped at the call box, residents and visitors can pass safely in the other lane and continue to the gates or to the Clubhouse. Additionally, while the call box is set at 60 feet from the entrance, the actual security gates are set from 180 to 220 feet from the entrance. The Traffic Mitigation Letter that is required for this development will include a queuing analysis that will support the shortened length. Importantly, as a practical matter, many of the residents will use community vehicles to exit and then re-enter the Site and most visitors will bypass the call box entirely choosing instead to meet with staff or the residents in the Clubhouse. Further justifying this waiver is the fact that the entrance to this gated community is restricted in its location as the neighbors have voiced their strong position that the entrance must not be located on either Redwood Street or Dewey Drive. The driveway location has been established by incorporating it into the required bus turnout, and then lining it up as closely as possible to the driveway across the street. In addition an existing abandoned wash creates a logistical concern for Site planning, and the owner has tried to incorporate this feature into the project, thus further necessarily limiting the throat depth.

Thank you in advance for your time and consideration regarding this application. Please feel free to contact me should you have any questions or comments about anything set forth in this letter.

Sincerely,

KAEMPFER CROWELL



Christopher L. Kaempfer

CLK/lak

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04/05/22 PC AGENDA SHEET

RIGHT-OF-WAY & EASEMENTS
(TITLE 30)

RUSSELL RD/REDWOOD ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-22-0069-DEAN JERRY & DEANNA FAMILY TRUST-EXEMPTION TRUST & DEAN DEANNA S TRS:

VACATE AND ABANDON easements of interest to Clark County located between Dewey Drive and Russell Road, and between Rainbow Boulevard and Redwood Street; and a portion of right-of-way being Russell Road located between Rainbow Boulevard and Redwood Street within Spring Valley (description on file). MN/md/jo (for possible action)

RELATED INFORMATION:

APN:

163-26-406-001 through 163-26-406-003

LAND USE PLAN:

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

BACKGROUND:

Project Description

This application is a request to vacate and abandon portions of easements and right-of-way. The first part of this request is to vacate 33 foot wide patent easements centrally located within the project site and a 33 foot wide easement located along the west portion of the site. Three foot wide patent easements, located adjacent to Dewey Drive and Redwood Street, will also be vacated. The second part of this request is to vacate a 5 foot wide portion of Russell Road to accommodate the required detached sidewalk along the street. The vacation of the patent easements are necessary to develop the project site.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial	R-E & C-P	Undeveloped & office building
South	Neighborhood Commercial	R-E & C-P	Single family residential, office complex, & undeveloped
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
West	Corridor Mixed-Use	C-2	Congregate care facility

Related Applications

Application Number	Request
NZC-22-0068	A nonconforming zone change to reclassify 8.4 acres from an R-E zone to an R-4 zone for senior housing (multiple family 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. This item will be forwarded to the Board of County Commissioners' meeting for final action on May 4, 2022 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

- 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

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

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: CENTURA DEVELOPMENT CO., LLC

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

DRAFT



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input checked="" type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	DEPARTMENT USE	APP. NUMBER: <u>VS-22-0069</u>	DATE FILED: <u>7/4/22</u>
		PLANNER ASSIGNED: <u>MND</u>	TAB/CAC DATE: <u>3/8/22</u>
		TAB/CAC: <u>SPRING VALLEY</u>	PC MEETING DATE: <u>4/5/22 @ 7:00 P.M.</u>
		BCC MEETING DATE: <u>5/4/22 @ 9:00 A.M.</u>	<u>@ 6:00</u>
		FEE: <u>\$ 875.00</u>	

PROPERTY OWNER	NAME: <u>Jerry and Deanna Dean Family Trust-Exemption Trust</u>
	ADDRESS: <u>6640 W. Patrick Lane</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

APPLICANT	NAME: <u>Redwood Living, LLC</u>
	ADDRESS: <u>1984 Alcova Ridge Drive</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u>
	TELEPHONE: _____ CELL: <u>702-901-3183</u>
	E-MAIL: <u>rjordan@centuradev.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Chris Kaempfer - Kaempfer Crowell</u>
	ADDRESS: <u>1980 Festival Plaza Drive, Suite 650</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u>
	TELEPHONE: <u>702-792-7000</u> CELL: _____
	E-MAIL: <u>clk@kcnvlaw.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 163-26-406-001 and 002

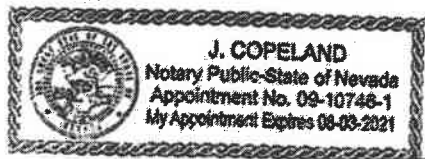
PROPERTY ADDRESS and/or CROSS STREETS: Russell Road/Redwood Street

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.

Michael J. Dean
Property Owner (Signature)*

Michael J. Dean
Property Owner (Print)

STATE OF NEVADA
 COUNTY OF CLARK
 SUBSCRIBED AND SWORN BEFORE ME ON July 1, 2021 (DATE)
 By Michael J. Dean
 NOTARY PUBLIC: J. Copeland



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

LAS VEGAS OFFICE

CHRISTOPHER L. KAEMPFER
ckaempfer@kcwvlaw.com
702.792.7054

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Fax: 775.827.2011

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

July 23, 2021

Via Electronic Upload

Clark County Comprehensive Planning Department
500 South Grand Central Parkway, 1st Floor
Las Vegas, Nevada 89106

VS-22-0069

Re: Vacation and Abandonment of Patent Easements and a vacation of a portion of the dedicated Right of Way on Russell Road regarding APN #s 163-26-406-001; 002 and 003 ("Properties")

To Whom It May Concern:

This office represents the owner/applicant with regard to the above referenced Properties. Filed simultaneously with this vacation and abandonment request is a non-conforming zone change request to R-4, together with a use permit/design review for senior housing, and waivers of development standards for (i) increased height, (ii) reduced call box location and (iii) reduced throat depth. Also filed concurrently is a design review for finished grade above 18 inches.

This vacation and abandonment consists of two parts. The first is the vacation of Patent Easements that presently exist between parcels 001, 002 and 003. With the consolidation of these 3 parcels, the Patent Easements as shown on the enclosed site plan are no longer needed. The potential alignment to the north terminates at W. Diablo Drive and the parcels north of the Properties between Dewey Drive and Diablo Drive are currently served either by Santa Margarita Street or Redwood Street. Similarly, the parcels to the south of Russell Road are served, or will be served, by Santa Margarita Street or Redwood Street. Quite simply the Patent Easements affected by this vacation and abandonment are no longer needed.

The second part of our vacation and abandonment request relates to the vacation of a five foot (5') portion of the Right of Way along Russell Road. This request is necessitated in order to accommodate our detached sidewalks.

For your ease of reference, please see the attached documents whereby the pertinent Patent Easements were created. Also attached is a legal description of that portion of the Russell Road dedication now sought to be vacated. Finally, please note that we have **(as evidenced by the attached)**: 1) provided all the applicable patent easement numbers with the appropriate legal descriptions; 2) corrected/modified the overall site plan to include both the record information and patent numbers for both patent easements being vacated and to show, via hatching, the 5 foot portion of the right of way being vacated along Russell Road and 3) we have removed the private drainage easement vacation request from this application.



For the above reasons, we very respectfully request that the vacation and abandonment of the Patent Easements and a vacation of a five foot (5') portion of the Russell Road Right of Way be approved.

Thank you very much for your consideration of these requests and please do not hesitate to contact the undersigned at the contact information set forth in this letter or alternatively you may contact Lindsay Kaempfer of this office at 702-792-7043. Thank you again and please stay safe and well.

Sincerely,

KAEMPFER CROWELL

A handwritten signature in black ink, appearing to read "Christopher L. Kaempfer", written in a cursive style.

Christopher L. Kaempfer

CLK/adb

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04/06/22 BCC AGENDA SHEET

PARKING LOT/PLACE OF WORSHIP
(TITLE 30)

LINDELL RD/OQUENDO RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

AR-22-400013 (UC-17-1014)-CHURCH HAMERE N.K.M.W ST. M.E.O.T:

USE PERMIT SECOND APPLICATION FOR REVIEW to expand an existing place of worship.

WAIVER OF DEVELOPMENT STANDARDS for off-site improvements (including curb, gutter, sidewalk, streetlights, and partial paving).

DESIGN REVIEW for a proposed parking lot on 1.0 acre in conjunction with an existing place of worship on 2.4 acres in an R-E (Rural Estates Residential) (RNP-1) (AE-60) Zone in the CMA Design Overlay District.

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

RELATED INFORMATION:

APN:

163-36-204-004; 163-36-204-018

WAIVER OF DEVELOPMENT STANDARDS:

Waive full off-site improvements (curb, gutter, sidewalk, streetlights, and paving) along Lindell Road where full off-site improvements are required per Chapter 30.52.

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 5985 Lindell Road
- Site Acreage: 3.4 (1 acre parking lot/2.4 acre place of worship)
- Project Type: Proposed parking lot in conjunction with an existing place of worship
- Parking Provided: 94 (proposed parking lot)/107 (existing place of worship)/201 (total)

Site Plans

The applicant has constructed a parking lot consisting of 94 parking spaces located on the northern APN 163-36-204-018 with access to an existing place of worship on the southern APN 163-36-204-004. No changes were proposed to the existing place of worship on the southern parcel other than the removal of 5 existing parking spaces to provide the cross access with the

northern parcel. There are 4 rows of proposed parking spaces on the northern parcel oriented north to south. The site has access to Lindell Road and Oquendo Road. Both Lindell Road and Oquendo Road are developed to rural standards.

Landscaping

The plans depicted and the applicant constructed a 10 foot wide landscape area along Lindell Road, a 10 foot wide landscape area along Oquendo Road, and a 10 foot wide landscape area along the western property line. Interior parking lot trees are generally distributed throughout the site. Landscape materials include trees, shrubs, and groundcover.

Previous Conditions of Approval

Listed below are the approved conditions for AR-20-400092 (UC-17-1014):

Current Planning

- 1 year to review as a public hearing.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an application for review.

Public Works - Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for ET-20-400023 (UC-17-1014):

Current Planning

- Until August 14, 2020 to review as a public hearing;
- 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 and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for ET-18-400271 (UC-17-1014):

Current Planning

- Until January 3, 2020 to complete and review;
- 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 and application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for UC-17-1014:

Current Planning

- 1 year to review as a public hearing;
- Provide a decorative wall along Lindell Road and Oquendo Road with intense landscaping on the outside of the wall and some landscaping on the inside of the wall;
- 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 and application for review; 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; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Remove driveway on Oquendo Road;
- Execute a restrictive covenant agreement (deed restrictions);
- Off-sites waived for Lindell Road and Oquendo Road.

Building/Fire Prevention

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; and to show on-site fire lane, turning radius, and turnarounds.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the required permits and inspections have been completed; the applicant is requesting that there be no further reviews.

Prior Land Use Requests

Application Number	Request	Action	Date
AR-20-400092 (UC-17-1014)	Application review to expand an existing place of worship, waiver for off-site improvements, and design review for a proposed parking lot on 1 acre in conjunction with a place of worship	Approved by BCC	October 2020
ET-20-400023 (UC-17-1014)	Second extension of time to expand an existing place of worship	Approved by BCC	April 2020
ET-18-400271 (UC-17-1014)	Extension of time to expand an existing place of worship	Approved by BCC	February 2019
VS-18-0057	Vacated and abandoned a portion of right-of-way being Ponderosa Way, between Westwind Road and Lindell Road	Approved by BCC	December 2018

Prior Land Use Requests

Application Number	Request	Action	Date
UC-17-1014	Expanded an existing place of worship, waiver for off-site improvements, and design review for a proposed parking lot on 1 acre in conjunction with a place of worship	Approved by BCC	January 2018
DR-0122-13	Redesigned a place of worship on the southern portion of the site	Approved by BCC	May 2013
UC-0043-12	Place of worship and increased building height to 45 feet, waiver for full off-sites on Lindell Road and Ponderosa Way, and a design review for a place of worship	Approved by BCC	March 2012
ZC-1111-08	Established the RNP-I Overlay for the Spring Valley area	Approved by BCC	February 2009
UC-0044-08	Place of worship and increased building height to 45 feet, waivers for off-site improvements, street landscaping, single family residential height/setback ratio, and access to a local street, and a design review for a place of worship - expired	Approved by BCC	April 2008

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Ranch Estate Neighborhood	R-E (RNP-I)	Single family residential & undeveloped
South	Ranch Estate Neighborhood	R-E (RNP-I)	Undeveloped
East	Ranch Estate Neighborhood	R-E (RNP-I)	Single family residential

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Title 30 standards of approval for an application for review 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 since the original approval.

There are no reported problems from Clark County Public Response Office and all necessary permits and inspections have been completed. Staff has no objection to this request.

Public Works - Development Review

There have been no significant changes in this area. Staff has no objection to this application for review.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Remove the time limit.

Public Works - Development Review

- Compliance with previous conditions.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: HAMERE NOAH EOTC

CONTACT: DEMELASH ASSEFA, EOTC, 5985 LINDELL RD, LAS VEGAS, NV 89118



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

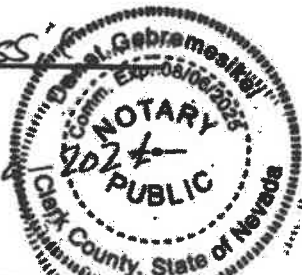
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APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input checked="" type="checkbox"/> 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) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) <input checked="" type="checkbox"/> APPLICATION REVIEW (AR) <u>LC1014-17</u> <small>(ORIGINAL APPLICATION #)</small>	STAFF APP. NUMBER: <u>AR-22-400013</u> DATE FILED: <u>1/31/2022</u> PLANNER ASSIGNED: <u>JGH</u> TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>3/8/22</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>4/6/22</u> 6:00PM FEE: <u>\$950</u>
	PROPERTY OWNER NAME: <u>Hamere Noah Ethiopian Orthodox Church</u> ADDRESS: <u>5985 Lindell Road</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: _____ CELL: <u>702 610 9731</u> E-MAIL: _____
	APPLICANT NAME: <u>Hamere Noah Ethiopian Orthodox Church</u> ADDRESS: <u>5985 Lindell Road</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: _____ CELL: <u>702 610 9731</u> E-MAIL: <u>demelashassefa@yahoo.com</u> REF CONTACT ID #: _____
CORRESPONDENT NAME: <u>Demelash Assefa</u> ADDRESS: _____ CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: _____ TELEPHONE: _____ CELL: <u>702 610 9731</u> E-MAIL: <u>demelashassefa@yahoo.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 163-36-204-018/004
PROPERTY ADDRESS and/or CROSS STREETS: SWC of Lindell and Ogilendo
PROJECT DESCRIPTION: parking lot expansion for an existing place & workshop

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

Property Owner (Signature): [Signature] Property Owner (Print): Addisu Missie
STATE OF Nevada
COUNTY OF Clark
SUBSCRIBED AND SWORN BEFORE ME ON 09/30/2021 (DATE) 9-30-2021
By Addisu Missie
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.

PLANNER COPY

Date 9/30/2021

AR-22-400013

JUSTIFICATION LETTER

This letter is regarding the overall project of parking expansion for the church located at 5985 Lindell Road Las Vegas Nevada 89118 under the application number of UC-17-1014.

The project is completed per the approved plans and details. The following inspections and permits were final and cleared:

- 1) BD18-61323 : Building final inspection including drainage compliance was cleared in July of 2020
- 2) PW18-16176 : OFFSITE PERMIT WAS CLEARED AND FINAL
- 3) PW18-16176-B01: Bond was closed and released.
- 4) Zoning clearance was final on 4/03/2019
- 5) Landscape inspection per UC-1014-17 were inspected and final on 7/11/2019.
- 6) Notice of final action dated October 19, 2020

Per the above indicated permits and inspections the parking expansion were finished and final per plan and per the conditions indicated on the above listed use permit.

We hope this satisfies the approval and closing of this project. Let me know if you have any questions that I may help or clarify you.

Best Regards,



MUSSIE
Mosie Addisu

04/06/22 BCC AGENDA SHEET

MULTIPLE FAMILY RESIDENTIAL
(TITLE 30)

DURANGO DR/BADURA AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-22-400021 (WS-0793-16)-TPG/CORE ACQUISITIONS, LLC:

WAIVERS OF DEVELOPMENT STANDARDS THIRD EXTENSION OF TIME for the following: 1) increase building height; and 2) alternative landscaping.

DESIGN REVIEWS for the following: 1) multiple family residential development; and 2) finished grade on 10.5 acres in an R-4 (Multiple Family Residential - High Density) Zone in the CMA Design Overlay District.

Generally located on the east side of Durango Drive and the north side of Badura Avenue within Spring Valley. MN/sd/syp (For possible action)

RELATED INFORMATION:

APN:
176-04-301-001; 176-04-301-002

LAND USE PLAN:
SPRING VALLEY - URBAN NEIGHBORHOOD

BACKGROUND:
Project Description
General Summary

- Site Address: N/A
- Site Acreage: 10.5
- Number of Units: 237
- Density (du/ac): 22.6
- Project Type: Multiple family residential
- Number of Stories: 3
- Building Height: Up to 42 feet, 7 inches
- Open Space Required/Provided: 23,700 (square feet)/56,706 (square feet)
- Parking Required/Provided: 432/432

Site Plans

The approved plans depict a site that was previously approved via ZC-0146-12 and WS-0793-16 for a multiple family residential development located on the east side of Durango Drive and on the north side of Badura Avenue. The development consists of 237 units on a 10.5 acre site with a density of 22.6 dwelling units per acre. Access to the site is located via a driveway entrance/exit along Durango Drive. The site includes 7 residential buildings, leasing office,

lounge, fitness center, and a centrally located swimming pool. Parking is located throughout the site and includes tenant garages and covered parking.

Landscaping

Landscaping was previously approved via ZC-0146-12 and WS-0793-16 and is not required nor a part of this request.

Elevations

The approved plans depict 5 building types. The buildings are 3 stories and 34 feet 6 inches high at the parapets with architectural features ranging in height from 38 feet 9 inches to 42 feet 7 inches. Waiver of development standards #1 is requested to allow the increase in height. The facades include stucco siding with various colors, stone veneer, archways, balconies, and patios.

Floor Plans

The approved plans depict 5 building types with a mixture of 1 and 2 bedroom units between 717 square feet and 1,215 square feet. There are a total of 133 attached garages. A 2,400 square foot leasing office, 1,750 square foot clubhouse, 2,216 square foot fitness center, and 1,600 square foot lounge are located on the first floor of Building 5.

Previous Conditions of Approval

Listed below are the approved conditions for: ET-19-400172 (WS-0793-16):

Current Planning

- Until April 20, 2022, to commence.
- 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.

Public Works - Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for: ADET-19-900191 (WS-0793-16):

Current Planning

- Until April 19, 2020, 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: WS-0793-16:

Current Planning

- Provide small trees 20 feet apart within the landscape area/drainage easement along Durango Drive;

- 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 Title 30.32-040-9 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, 30 feet for Maule Avenue, 30 feet for Butler Street, and associated spandrels;
- If required by Regional Transportation Commission, dedicate and construct right-of-way for bus turnouts including passenger loading/shelter areas in accordance with Regional Transportation Commission standards.
- Applicant is advised that the installation of detached sidewalks on Badura Avenue will require dedication to back of curb and on Darango Drive 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; 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.

Signage

Signage is not a part of this request.

Applicant's Justification

By way of background, the Board of County Commissioners previously approved a design review, waiver of conditions, and waiver of development standards to allow for a multiple residential development on the property on April 27, 2017 (WS-0793-16). The applicant had been looking to change its product to address the market needs. A first extension of time was requested and approved on April 9, 2019 (ADET-19-900191). The applicant continued to diligently work on design changes, preparing drainage and traffic studies and construction drawings; however, was unable to complete the work necessary to commence construction prior to the April 19, 2020, expiration; therefore, in 2020 the applicant requested and was granted a second extension of time (ET-19-400172).

The applicant has since finalized their plans and worked with planning staff between August 2020 and November 2020 to update their approved entitlements with revised plans. The applicant is diligently proceeding with construction drawings for a March/April 2022 building

submittal and is in the process of updating the drainage study. Therefore, the applicant is respectfully requesting an additional 2 years to commence construction.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-19-0996	Vacated and abandoned easements	Approved by BCC	February 2020
ET-19-400172 (WS-0793-16)	Second extension of time for a multiple family residential development	Approved by BCC	April 2020
ADET-19-900191 (WS-0793-16)	First administrative extension of time for a multiple family residential development	Approved by ZA	April 2019
WS-0793-16	Increased building height and allowed alternative landscaping, waived conditions of a zone change for detached sidewalks and enhanced landscaping, design review for a multiple family development, and increased finished grade	Approved by BCC	April 2017
ZC-0146-12	Reclassified 10 acres of the site from R-E and C-2 to R-4 zoning for a multiple family residential development	Approved by BCC	May 2012
CP-0979-11 (PA-0011-11)	Amendment to the Spring Valley Land Use Plan designating the subject parcels to Residential Urban Center	Adopted by BCC	March 2012
ZC-1322-04	Reclassified the western 4.5 acres from R-E to C-2 zoning with a design review for a retail center	Approved by BCC	September 2004

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	UV	Undeveloped (future mixed-use development)
South	Business Employment	C-2	Shopping center
East	Business Employment	R-E	Undeveloped
West	Entertainment Mixed-Use	H-1	Undeveloped

The subject site and the surrounding area to the east and south are in the Public Facility Needs Assessment (PFNA) area.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have

substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval.

Staff finds that the applicant has made some progress towards commencement of the project by having a drainage study approved in 2018, and a preliminary subdivision minor map letter was issued in July of this year. The applicant, along with other projects in Clark County have been sidelined due to the pandemic and have had to postpone plans for submittal, or required extensions for projects not able to commence. Therefore, staff can support this request.

Public Works - Development Review

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

Staff Recommendation Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Until April 19, 2024 to commence.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions;
- Coordinate with Public Works - Design Division for the Maule Avenue/Badura Avenue Connection-Tenaya Way to El Capitan improvement project;
- Coordinate with Public Works - Traffic Division for the Traffic Signal System improvement project;
- Dedicate any right-of-way and easements necessary for the above-mentioned projects;
- 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 above-mentioned projects;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger and for the above-mentioned projects.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: TPG/CORE (DURANGO & BADURA) ACQUISITIONS, LLC

CONTACT: KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DR., STE 650, LAS VEGAS, NV 89135

DRAFT

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LAND USE APPLICATION

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

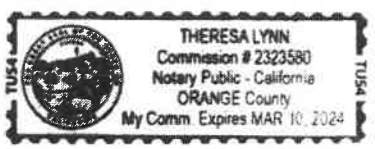
<input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) <u>WS-0793-16</u> (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF DATE FILE: <u>2/8/22</u> PLANNER ASSIGNED: <u>SWD</u> ACCEPTED BY: <u>SWD</u> FEE: <u>300</u> CHECK #: _____ COMMISSIONER: <u>M-U</u> OVERLAY(S)? _____ PUBLIC HEARING? Y (N) <u>(N)</u> TRAILS? Y (N) <u>(N)</u> PFNA? Y (N) <u>(N)</u> APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>Et-22-40021</u> TAB/CAC: <u>Spring Valley</u> TAB/CAC MTG DATE: <u>3/8</u> TIME: <u>6:00 Pm</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>4/6/22</u> ZONE / AE / RNP: <u>P24</u> PLANNED LAND USE: <u>Urban New</u> NOTIFICATION RADIUS: <u>50'</u> SIGN? Y / N _____ LETTER DUE DATE: _____ COMMENCE/COMPLETE: <u>✓</u>	
	PROPERTY OWNER NAME: <u>TPG/CORE (Durango & Badura) Acquisitions, LLC</u> ADDRESS: <u>5000 Birch Street #600</u> CITY: <u>Newport Beach</u> STATE: <u>CA</u> ZIP: <u>92660</u> TELEPHONE: <u>949-487-6262</u> CELL: <u>000.000.0000</u> E-MAIL: <u>pcoyle@picernegroup.com</u>		
	APPLICANT NAME: <u>TPG/CORE (Durango & Badura) Acquisitions, LLC</u> ADDRESS: <u>5000 Birch Street #600</u> CITY: <u>Newport Beach</u> STATE: <u>CA</u> ZIP: <u>92660</u> TELEPHONE: <u>949-487-6262</u> CELL: <u>000.000.0000</u> E-MAIL: <u>pcoyle@picernegroup.com</u> CONTACT ID #: <u>n/a</u>		
	CORRESPONDENT NAME: <u>Kaempfer Crowell - Bob Gronauer</u> ADDRESS: <u>1980 Festival Plaza Dr. #650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702.792.7000</u> CELL: <u>000.000.0000</u> E-MAIL: <u>rjg@kcnvlaw.com</u> REF CONTACT ID #: <u>171509</u>		

ASSESSOR'S PARCEL NUMBER(S): 176-04-301-001 & 002
 PROPERTY ADDRESS and/or CROSS STREETS: NEC Durango & Badura
 PROJECT DESCRIPTION: Extension of time

(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.

Kenneth A. Picerne
 Property Owner (Signature)*
 Kenneth Picerne
 Property Owner (Print)

STATE OF CA
 COUNTY OF Orange County
 SUBSCRIBED AND SWORN BEFORE ME ON February 20, 2022 (DATE)
 By Kenneth A. Picerne
 NOTARY PUBLIC: Theresa Lynn



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

CALIFORNIA JURAT

GOVERNMENT CODE § 8202

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

Subscribed and sworn to (or affirmed) before me on
this 20 day of January, 2022, by
Date Month Year

(1) Kenneth A. Piceme

(and (2) _____),
Name(s) of Signer(s)

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



Place Notary Seal and/or Stamp Above

Signature Theresa Lynn
Signature of Notary Public

OPTIONAL

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

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

KAEMPFER

CROWELL

ATTORNEYS AT LAW

LAS VEGAS OFFICE

BOB GRONAUER

bgronauer@kcnylaw.com
702.792.7082

January 25, 2022

VIA UPLOAD

Clark County
Department of Planning
500 S. Grand Central Parkway, 1st Floor
Las Vegas, Nevada 89106

Re: TPG/Core (Durango & Badura) Acquisitions, LLC
Extension of Time for WS-0793-16
NEC Durango /Badura

To Whom It May Concern:

This Firm represents TPG/Core (Durango & Badura) Acquisitions, LLC (the "Applicant") in the above-reference matter. The proposed project is located on approximately 9.23 acres on the northeast corner of Durango Drive and Badura Avenue (the "Property"). The Property is more particularly described as Assessor's Parcel Numbers 176-04-301-001 and 002. This application is a request for a third extension of time to allow for an additional two years to commence construction.

By way of background, the Clark County Board of County Commissioners previously approved a design review, waiver of conditions, and waiver of development standards to allow for a multi-residential development on the Property on April 27, 2017 (WS-0793-16). The Applicant had been looking to change its product to address the market needs. A first extension of time was requested and approved on April 9, 2019 (ADET-19-00191). The Applicant continued to diligently work on design changes, preparing drainage and traffic studies and construction drawings however was unable to complete the work necessary to commence construction prior to the April 19, 2020 expiration, therefore in 2020 the Applicant requested and was granted a second extension of time (ET-19-400172).

The Applicant has since finalized their plans and worked with Planning Staff between August 2020 and November 2020 to update their approved entitlements with revised plans. The Applicant is diligently proceeding with construction drawings for a March/April 2022 building submittal and is in the process of updating the drainage study. Therefore the Applicant is respectfully requesting an additional two years to commence construction.

LAS VEGAS OFFICE
1980 Festival Plaza Drive
Suite 650
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CARSON CITY OFFICE
510 West Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

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Recipient's Name
January 25, 2022
Page 2

We thank you in advance for your kind consideration. If you have any question, please do not hesitate to reach out to Ann Pierce or me.

Sincerely,

KAEMPFER CROWELL

Bob Gronauer
Bob Gronauer *by Ann*

RJG/amp

