



Spring Valley Town Advisory Board

Desert Breeze Community Center

8275 W. Spring Mountain Rd

Las Vegas, NV 89117

April 12, 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 chaves70@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 Godes, Vice Chair
 John Getter

Secretary: Carmen Hayes (702) 371-7991 chaves70@yahoo.com
 Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

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

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

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

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

- III. Approval of Minutes for March 29, 2022. (For possible action)
- IV. Approval of the Agenda for April 12, 2022 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (For discussion only)
- VI. Planning and Zoning
1. **NZC-22-0139-CHINGROS FAMILY TRUST & CHINGROS CAROLYN TRS:**
ZONE CHANGE to reclassify 4.9 acres from an R-E (Rural Estates Residential) Zone to an RUD (Residential Urban Density) Zone.
USE PERMIT for an attached (townhouse) planned unit development.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce the gross area of a planned unit development; **2)** reduce setbacks; **3)** reduce private street width; **4)** allow modified A-curb and ribbon curb with an inverted crown; **5)** reduce back of curb radii for private streets; and **6)** allow modified private residential driveway design.
DESIGN REVIEWS for the following: **1)** an attached single family residential planned unit development; and **2)** finished grade. Generally located on the south side of Patrick Lane, 300 feet east of Fort Apache Road within Spring Valley (description on file). JJ/rk/jo (For possible action) **05/03/22 PC**
 2. **VS-22-0140-CHINGROS FAMILY TRUST & CHINGROS CAROLYN TRS:**
VACATE AND ABANDON easements of interest to Clark County located between Patrick Lane and a Clark County Flood Control Channel, and between Fort Apache Road and Quarterhouse Lane (alignment) within Spring Valley (description on file). JJ/rk/jo (For possible action) **05/03/22 PC**
 3. **TM-22-500046-CHINGROS FAMILY TRUST & CHINGROS CAROLYN TRS:**
TENTATIVE MAP consisting of 73 residential lots and common lots on 4.9 acres in an RUD (Residential Urban Density) Zone. Generally located on the south side of Patrick Lane, 300 feet east of Fort Apache Road within Spring Valley. JJ/rk/jo (For possible action) **05/03/22 PC**
 4. **VS-22-0128-BEDROSIAN FAMILY TRUST & BEDROSIAN EDMUND V & AIDA TRS:**
VACATE AND ABANDON easements of interest to Clark County located between Lindell Road and Edmond Street, and between Patrick Lane and Sobb Avenue within Spring Valley (description on file). MN/jgh/jo (For possible action) **05/03/22 PC**

5. **ET-22-400034 (ZC-17-0827)-LMC KAKTUSLIFE PROPERTY OWNER, LLC:**
ZONE CHANGE SECOND EXTENSION OF TIME to reclassify 16.1 acres from a C-2 (General Commercial) Zone to a U-V (Urban Village - Mixed-Use) Zone in the CMA Design Overlay District.
USE PERMITS for the following: **1)** High Impact Project; **2)** increased density; and **3)** increased height.
DESIGN REVIEW for a proposed mixed-use development. Generally located on the north side of Maule Avenue, 750 feet east of Cimarron Road within Spring Valley (description on file). MN/hw/syp (For possible action) **05/04/22 BCC**

VII. General Business

1. None.

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

- IX. Next Meeting Date: April 26, 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>



Spring Valley Town Advisory Board

March 29, 2022

MINUTES

Board Members: Yvette Williams, Chair - EXCUSED Catherine Godges, Vice Chair - PRESENT
Rodney Bell - PRESENT John Getter - PRESENT
Brian A. Morris - PRESENT

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

County Liaison: Mike Shannon 702-455-8338 mds@clarkcountynv.gov EXCUSED
Tiffany Hesser 702-455-7388 TLH@clarkcountynv.com PRESENT

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

Catherine Godges called the meeting to order at 6:00 pm
Mark Donohue, Current Planner

II. Public Comment

- None.

III. Approval of **March 8, 2022** Minutes

Motion by: **Catherine Godges**
Action: **APPROVE** as published.
Vote: **PASSED 3/0 Unanimous**
Catherine Godges **Abstain**

IV. Approval of Agenda for **March 29, 2022** and Hold, Combine or Delete Any Items (For possible action)

Motion by: **Catherine Godges**
Action: **Approved as amended**
Vote: **4/0 Unanimous**

V. Informational Items

1. Announcements of upcoming meetings and County and community meetings and events. (for discussion)
 - None.

VI. Planning & Zoning

1. **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**

Motion by: **Brian Morris**

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

Vote: **4/0 Unanimous**

2. **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**

Motion by: **John Getter**

Action: **APPROVE** per staff conditions

Vote: **4/0 Unanimous**

3. **UC-22-0125-C C BUILDING II, LLC:**
USE PERMIT to allow a financial services, specified (high interest loan) business in conjunction with an existing office building on 1.5 acres in a U-V (Urban Village) Zone in the CMA Design Overlay District. Generally located on the south side of Teco Avenue, 208 feet east of Seeliger Street within Spring Valley. JJ/jor/jo (For possible action) **04/05/22 PC**

Motion by: **Brian Morris**

Action: **APPROVE** subject to staff conditions

Vote: **4/0 Unanimous**

4. **NZC-22-0090-BELTWAY DEWEY, LLC:**
ZONE CHANGE to reclassify 10.3 acres from an R-E (Rural Estates Residential) Zone and an R-2 (Medium Density Residential) Zone to an R-5 (Apartment Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase building height; **2)** reduce landscaping; and **3)** alternative driveway geometrics.
DESIGN REVIEWS for the following: **1)** multiple family residential development; and **2)** finished grade in the CMA Design Overlay District. Generally located on the south side of Hacienda Avenue, the west side of Jerry Tarkanian Way, and the north side of Diablo Drive within Spring Valley (description on file). JJ/jt/xx (For possible action) **04/19/22 PC**

Motion by: **Brian Morris**

Action: **DENY**

Vote: **4/0 Unanimous**

5. **DR-22-0089-UNLV RESEARCH FOUNDATION:**
DESIGN REVIEW for finished grade in conjunction with an approved office building on 18.9 acres in an M-D (Designed Manufacturing) Zone in the CMA Design Overlay District. Generally located on the north side of Sunset Road and the east side of Jim Rogers Way within Spring Valley. MN/nr/jo (For possible action) **04/20/22 BCC**

Motion by: **John Getter**
Action: **APPROVE** with staff conditions
Vote: **4/0 Unanimous**

6. **ET-22-400031 (ZC-21-0095)-COLLABORATION CENTER FOUNDATION, INC:**
ZONE CHANGE FIRST EXTENSION OF TIME to reclassify 4.7 acres from an R-E (Rural Estates Residential) Zone to a C-P (Office and Professional) Zone in the CMA Design Overlay District.
USE PERMITS for the following: **1)** major training facility; **2)** recreational facility with temporary commercial outdoor events; and **3)** live entertainment.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce parking; **2)** reduce separation from a temporary commercial outdoor event to a residential use; **3)** reduce separation from outdoor live entertainment to a residential use; and **4)** allow modified driveway design standards.
DESIGN REVIEW for a major training facility, office uses, and recreational facility in conjunction with a non-profit disability service provider. Generally located on the north side of Windmill Lane and the east side of Gagnier Boulevard (alignment) within Spring Valley (description on file). MN/jud/jo (For possible action) **04/20/22 BCC**

Motion by: **Catherine Godges**
Action: **APPROVE** per staff conditions
Vote: **4/0 Unanimous**

7. **VS-22-0104-COLLABORATION CENTER FOUNDATION, INC:**
VACATE AND ABANDON easements of interest to Clark County located between Windmill Lane and Robindale Road, and between Gagnier Boulevard (alignment) and Cimarron Road and portion of a right-of-way being Windmill Lane located between Gagnier Boulevard (alignment) and Cimarron Road within Spring Valley (description on file). MN/jud/jo (For possible action) **04/20/22 BCC**

Motion by: **Catherine Godges**
Action: **APPROVE** per staff conditions
Vote: **4/0 Unanimous**

8. **ET-22-400032 (UC-19-0867)-MADRAS DURANGO, LLC:**
USE PERMIT FIRST EXTENSION OF TIME for a vehicle wash.
WAIVER OF DEVELOPMENT STANDARDS to allow modified driveway design standards.
DESIGN REVIEW for a proposed vehicle wash in conjunction with a partially developed commercial center on a 0.8 acre portion of a 2.2 acre site in a C-1 (Local Business) Zone in the CMA Design Overlay District. Generally located on the north side of Robindale Road and the east side of Durango Drive within Spring Valley. MN/jvm/ja (For possible action) **04/20/22 BCC**

Motion by: **John Getter**
Action: **APPROVE** with staff conditions
Vote: **4/0 Unanimous**

9. **WC-22-400022 (WS-0715-06)-WARM SPRINGS & CIMARRON DEVELOPMENT, LLC:**
WAIVER OF CONDITIONS of a design review requiring no additional freestanding signs on-site in conjunction with an existing office building on a 4.8 acre portion of 38.0 acres in a C-P (Office and Professional) Zone in the CMA Design Overlay District. Generally located on the west side of Cimarron Road and the south side of Warm Springs Road within Spring Valley. MN/sd/syp (For possible action) **04/20/22 BCC**

Motion by: **Rodney Bell**
Action: **APPROVE** per staff conditions
Vote: **3/1 NAY - Getter**

10. **DR-21-0662-WARM SPRINGS & CIMARRON DEVELOPMENT, LLC:**
DESIGN REVIEW for a comprehensive sign package in conjunction with an existing commercial complex on a 4.8 acre portion of 38.0 acres in a C-P (Office and Professional) Zone in the CMA Design Overlay District. Generally located on the west side of Cimarron Road and the south side of Warm Springs Road within Spring Valley. MN/sd/jd (For possible action) **04/20/22 BCC**

Motion by: **Rodney Bell**
Action: **APPROVE** per staff conditions
Vote: **3/1 NAY - Getter**

VII General Business

1. None.

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

- A neighbor made comments regarding Laredo needs a stop sign due to high traffic area and speeding. Sahara and Bronco vehicle are racing. A traffic study is needed in this area.

IX. Next Meeting Date

The next regular meeting will be **April 12, 2022** at 6:00pm

X Adjournment

Motion by Catherine Godges
Action: Adjourn
Vote: 4/0 - Unanimous

The meeting was adjourned at 7:37 p.m.

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/>

05/03/22 PC AGENDA SHEET

PLANNED UNIT DEVELOPMENT
(TITLE 30)

PATRICK LN/FORT APACHE RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-22-0139-CHINGROS FAMILY TRUST & CHINGROS CAROLYN TRS:

ZONE CHANGE to reclassify 4.9 acres from an R-E (Rural Estates Residential) Zone to an RUD (Residential Urban Density) Zone.

USE PERMIT for an attached (townhouse) planned unit development.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce the gross area of a planned unit development; 2) reduce setbacks; 3) reduce private street width; 4) allow modified A-curb and ribbon curb with an inverted crown; 5) reduce back of curb radii for private streets; and 6) allow modified private residential driveway design.

DESIGN REVIEWS for the following: 1) an attached single family residential planned unit development; and 2) finished grade.

Generally located on the south side of Patrick Lane, 300 feet east of Fort Apache Road within Spring Valley (description on file). JJ/rk/jp (For possible action)

RELATED INFORMATION:

APN:

163-32-301-002; 163-32-301-003

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the minimum gross area of a planned unit development to 4.9 acres where 5.0 acres is required per Section 30.24.020 (a 2% reduction).
2.
 - a. Reduce setback for residential units to a sidewalk to 1 foot where a minimum of 10 feet is required per Section 30.24.080 (a 90% reduction).
 - b. Reduce setback for the front face of garage and second story living space to a street to 4 feet where a minimum of 10 feet is required per Section 30.24.080 (a 60% reduction).
 - c. Reduce setback for residential units to a parking curb to 5 feet where a minimum of 10 feet is required per Section 30.24.080 (a 50% reduction).
3. Reduce the width of a private street to 30 feet where a minimum of 37 feet with 36 feet of drivable surface is required per Chapter 30.52 (a 19% reduction).
4. Allow modified A-curb and ribbon curb with an inverted crown where Uniform Standard Drawing 210.S1 is required.
5. Reduce back of curb radii for private streets to 10 feet where a minimum of 20 feet is the standard per Uniform Standard Drawing 201 (a 50% reduction).
6. Reduce the distance from property line to a private residential driveway to 3 feet where 6 feet is required per Uniform Standard Drawing 222 is required (a 50% reduction).

DESIGN REVIEWS:

1. An attached (townhouse) planned unit development.
2. Increased finished grade to 52 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 45% increase).

LAND USE PLAN:

SPRING VALLEY - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 4.9
- Number of Lots: 73
- Density (du/ac): 14.7
- Minimum/Maximum Lot Size (square feet): 1,132/1,881
- Project Type: Attached (townhouse) planned unit development
- Number of Stories: 2 & 3
- Building Height (feet): 35 feet 10 inches
- Square Feet: 1,235/2,050
- Open Space Required/Provided: 18,364/56,336
- Parking Required/Provided: 191/192

Neighborhood Meeting Summary

The applicant conducted a virtual neighborhood meeting on January 10, 2022 as required by the nonconforming zone boundary amendment process, prior to formal filing of this application. All owners within 1,500 feet of the project site were notified about the meeting. There were 4 attendees present at the meeting for this item. The attendees had general questions on the traffic, design and layout. According to the applicant overall, there were no objections raised by the neighbors.

Site Plans

This request is for a nonconforming zone change to reclassify approximately 4.9 acres to an RUD zone for a proposed attached (townhouse) planned unit development. The plans depict an attached single family residential development consisting of 73 residential lots with a density of 14.7 dwelling units per acre. The development consists of townhouse, residential dwellings under separate ownership that are attached to 1 or more dwellings on opposite sides of the structure.

The proposed development features a total of 14 buildings, made up of 4 plex, 5 plex, and 6 plex buildings designed around 30 foot wide private streets. The street network consists of 1 main drive with a loop street around the center of the project. The townhomes are designed with garages facing the private streets. The development will be served by a single point of ingress/egress to the north from Patrick Lane. A network of common open spaces is located throughout the development, which will include on-site pedestrian paths, tot-lot playground equipment, gazebo, picnic tables, barbeques, benches, and a dog park. Parking will consist of

garage parking for residents and designed surface off-street parking for visitors. Approximately 46 parking spaces are shown for the visitors and 146 parking spaces are provided for the residents.

Per Title 30, many of the development standards for planned unit developments are established by a use permit process based on the plans that are approved for the project by the Board of County Commissioners. The minimum setbacks and height for each of the townhouse units are the following:

- Front face of garage - 4 feet (from the edge of the private street)
- Front living area (second story) - 4 feet
- Side street (corner) yard - 5 feet
- Interior side yard - 10 feet between buildings, zero feet between units
- Rear living area - 5 feet to common element
- Rear courtyard/patios - zero feet to common element
- Perimeter - 10 feet
- Height - 35 feet 10 inches

The plans indicate that an increase in grade to 52 inches is required due to typical grading constraints. The increased fill will be generally located along the eastern and northern boundary lines.

Landscaping

Street landscaping consists of a 15 foot wide area, which includes a 5 foot wide detached sidewalk along Patrick Lane. Along the interior property lines, there is a minimum 15 foot wide landscape buffer with trees shown 20 feet on-center. Internal to the site, a network of common open space areas is located throughout the development, which will include on-site pedestrian paths, tot-lot playground equipment, gazebo, picnic tables, barbeques, benches, and a dog park. The development requires 18,364 square feet of open space where 56,336 square feet of open space is provided.

Elevations

The plans depict 4 plex, 5 plex, and 6 plex residential units with 4 different elevations. The units will be both 2 and 3 stories with a maximum height of 35 feet 10 inches and feature pitched, concrete tile roofs (height is established with the use permit). All units feature consistent and unified architecture throughout the exterior design of the buildings. The building materials generally consist of stucco and stone veneer accents, which include horizontal and vertical articulation on all elevations. Decorative window variations and trimming are featured on all elevations, in addition to wrought iron railings utilized for the patio decks. Additionally, design variations have been incorporated into the overall design of the garage doors facing the private streets.

Floor Plans

The plans depict 3 bedroom units with 4 different floor plans that range from 1,235 square feet to 2,050 square feet. The first floor of every unit will contain a 2 car garage.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the subject property is an in-fill site and will serve as a transitional land use from the single family R-2 developments to the east and the commercial development to the west. The proposed project will have less impact on the area than the approved land use of Corridor Mix-Use. It will generate less traffic and have a similar use (dwellings) as most of the area.

According to the applicant, the waivers of development standards are appropriate since the development is lower density than typical attached developments. The reduced setbacks to the street are internal to the subdivision street and will not impact the adjacent properties or future residence of the development. Furthermore, the reduced street width is suitable since the streets function as a drive aisle, providing access to garages similar to multiple family developments. The design will meet all fire access requirements and meet turning movement requirements. Lastly, each home will provide a 2 car garage.

Surrounding Land Use

	<u>Planned Land Use Category</u>	<u>Zoning District</u>	<u>Existing Land Use</u>
North & West	Neighborhood Commercial	C-1	Commercial complex's
South	Business Employment	R-4	Flood control channel & multiple family residential
East	Corridor Mixed-Use	R-2	Townhouse subdivision

Related Applications

<u>Application Number</u>	<u>Request</u>
TM-22-500046	A tentative map for 73 single family lots on 4.9 acres is a companion item on this agenda.
VS-22-0140	A request to vacate and abandon patent easements on the property 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, re adoption or amendment of the land use plan that have substantially changed the character or condition of the area, or the circumstances surrounding the property, which makes the proposed nonconforming zone boundary amendment appropriate.*

According to the applicant, development trends within this portion of the Spring Valley Township have changed over the past few years, with an emphasis toward single family residential development. Most of the properties with commercial land use designations south and northeast of the project site have recently been approved with residential zoning designations such as R-4 and R-2, respectively. RUD zoning appears to be warranted in this area as a transition from R-2 to the east and C-1 zoning to the west.

To the east of the project site is an existing single family planned unit development that is zoned R-2; however, the land use plan designates this site for Corridor Mix-Use. Since 2017 several parcels located between Durango Drive and Fort Apache Road, and between Russell Road and Sunset Road, that are designated for commercial development in the Land Use Plan have been reclassified into residential zoning districts and developed with single family and multiple family residential developments. The trend in this area is for additional residential development and less commercial development. The proposed zone change to RUD zoning for single family residential development is consistent and compatible with existing and approved development in this area and is appropriate for this location.

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, the proposed density and intensity will result in a land use of like intensity when compared to the townhouse development directly east of the project site. Furthermore, residential zoning adjacent to commercial development is generally consistent along the Fort Apache Road corridor.

The project is bounded to the east by an existing attached (townhouse) planned unit development; to the west by an existing C-1 commercial complex; to the south by an approved R-4 multiple family development; and to the north by an existing commercial center. Staff finds that the density and intensity of the proposed project, a single family residential development with a density of 14.9 dwelling units per gross acre, are compatible with existing and planned land uses in the surrounding area. Also there remains a demand for housing, particularly for sale housing that is attainable in the southwest; therefore, the proposed density and intensity will result in a land use that is consistent with the surrounding residential area.

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

There has been no indication from service providers that this request will have a substantial adverse effect on public facilities and services. The school district has indicated that this development would generate 12 additional elementary school students, 7 middle school students,

and 10 high school students. Faiss Middle School and Durango High School are currently under capacity and can accommodate the additional students. Tanaka Elementary School is over capacity for the 2021-2022 school year.

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

The applicant indicates this project complies with several of the recently adopted Master Plan goals and policies. The project provides a mix of housing types that meet the diverse needs of the community, which complies with Policy 1.1.1. This site is also an in-fill development which is encouraged based on Policy 1.4.4. Lastly, the nonconforming zone change request will be assessed with the Public Facilities Needs Assessment fee, which will help in the contribution towards the provisions necessary for public infrastructure and compliant with Policy SV-2.1.

Summary

Zone Change

Staff finds that there is a trend changing the character and condition of the area which makes this request appropriate. The density and intensity of the proposed project are consistent and compatible with existing and planned developments in this area. There has been no indication that the proposed project will have an adverse effect on public services or facilities in this area. The proposed project complies with other goals and policies within the Master Plan. Staff finds the applicant has provided a Compelling Justification to warrant approval of the nonconforming zone boundary request.

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.

A planned unit development (PUD) is intended to maximize flexibility and innovation in residential development by utilizing area sensitive site planning and design to achieve a desirable mixture of compatible land use patterns that include efficient pedestrian and vehicular traffic systems, streetscapes, and enhanced residential amenities. The design of the project is not a typical single family residential development; however, the standards for planned unit developments allow flexibility in design to provide for innovative and unique development options. The design is unique and innovative in that it allows for individual home ownership rather than a rental option of an apartment unit or the ownership of airspace like the typical condominium development. To mitigate the impact of the proposed structures, the buildings are designed with variations in height, roof pitch, and other architectural enhancements. Staff finds the proposed development provides an appropriate land use transition to the existing residential development and commercial land uses within the immediate area; therefore, staff recommends approval of 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

The request to reduce the overall area of the PUD is due to a previously dedicated right-of-way which reduced the gross acreage of the project site slightly below the required 5 acre minimum. Staff finds that a 2% reduction in area is minimum; therefore, staff recommends approval of this request.

Waiver of Development Standards #2

Staff finds the proposed residential unit and garage setback reductions will have minimal to no impact on this development and will be internal to the site; therefore, staff recommends approval of this request.

Design Review #1

Architectural enhancements are provided on all sides of the proposed residences. Staff finds that the design provides varied neighborhood design and/or innovative architecture that includes varied setbacks from residences to front property lines, varied rooflines, and/or architectural enhancements on all sides. Staff finds the design of the proposed development effective for both pedestrian and vehicular safety and is compatible with the surrounding residential and commercial development within the area. Furthermore, the project provides amenities such as pedestrian paths, play structures, picnic areas, and a dog park within the complex; therefore, recommends approval of this request.

Public Works - Development Review

Waiver of Development Standards #3

Staff has no objection to the request to reduce the width of the private streets provided that Fire Prevention approves the request.

Waiver of Development Standards #4

Staff has no objection to allowing A-curb and ribbon curb with an inverted crown on the private streets within the proposed subdivision. The applicant must show and provide evidence that this request will not be detrimental to the subdivision.

Waiver of Development Standards #5

Staff has no objection to the request to reduce the back of curb radius on the private streets provided that Fire Prevention approves the request.

Waiver of Development Standards #6

Staff has no objection to the reduction in the distance from the driveway to the property line. The applicant provided open space to act as a buffer between each of the unit blocks to minimize hazards for drivers traveling through the site and exiting their garages.

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.

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on June 8, 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

- Resolution of Intent to complete in 4 years;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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;
- Right-of-way dedication to include 35 feet to the back of the curb for Patrick Lane;

- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications for any collector street or larger;
- 90 days to record required right-of-way dedications for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0102-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: BEAZER HOMES HOLDINGS, LLC
CONTACT: DARRYL LATTIMORE, ACTUS, 3283 E. WARM SPRINGS ROAD, SUITE 300, LAS VEGAS, NV 89120



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input checked="" type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> NONCONFORMING (NZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p>	STAFF	<p>APP. NUMBER: <u>NZC.22.0139</u> DATE FILED: <u>3-7-22</u></p> <p>PLANNER ASSIGNED: <u>RK</u></p> <p>TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>4-12-22</u></p> <p>PC MEETING DATE: <u>5-3-22</u> R-E to RUD</p> <p>BCC MEETING DATE: <u>6-8-22</u> Corridor Mixed Use</p> <p>FEE: <u>\$3,975.00</u> JJ</p>
	PROPERTY OWNER	<p>NAME: <u>Chingros Family Trust</u></p> <p>ADDRESS: <u>16 Monarch Beach Resort N</u></p> <p>CITY: <u>Dana Point</u> STATE: <u>CA</u> ZIP: <u>92629</u></p> <p>TELEPHONE: _____ CELL: <u>702 812 7897</u></p> <p>E-MAIL: <u>Alevaniko@aol.com</u></p>
	APPLICANT	<p>NAME: <u>Beazer Homes</u> Contact: <u>Jeff Lesnick</u></p> <p>ADDRESS: <u>2490 Paseo Verde Parkway, Suite 120</u></p> <p>CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89074</u></p> <p>TELEPHONE: <u>702-802-4428</u> CELL: <u>702-802-4428</u></p> <p>E-MAIL: <u>Jeff.Lesnick@Beazer.com</u> REF CONTACT ID #: _____</p>
	CORRESPONDENT	<p>NAME: <u>Actus</u> Contact: <u>Darryl Lattimore</u></p> <p>ADDRESS: <u>3283 East Warm Springs Road, Suite 300</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u></p> <p>TELEPHONE: <u>702-586-9296 x101</u> CELL: <u>702-403-4174</u></p> <p>E-MAIL: <u>Darryl.Lattimore@Actus-NV.com</u> REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 163-32-301-002 & 163-32-301-003

PROPERTY ADDRESS and/or CROSS STREETS: near southeast corner of Fort Apache Road & Patrick Lane

PROJECT DESCRIPTION: Single family attached (townhouse) residential development by Beazer Homes

(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.

Carolyn Chingros Carolyn Chingros
 Property Owner (Signature)* Property Owner (Print)

STATE OF California
 COUNTY OF Orange

SUBSCRIBED AND SWORN BEFORE ME ON December 15th 2022 (DATE)
 By Carolyn Chingros
 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.



February 3, 2022



3283 E. Warm Springs Rd. Suite 300
Las Vegas, NV 89120
(702) 586-9296

Clark County Comprehensive Planning
500 South Grand Central Parkway
Box 551744
Las Vegas, NV 89155-1744

NZC-22-0139

Re.: **Gardenia**
Land Use Justification Letter
by Beazer Homes in support of a Non-Conforming Zone Change
APNs: 163-32-301-002 & 163-32-301-003

Dear Staff,

On behalf of our client, Beazer Homes, we are requesting review and approval of a Zone Boundary Amendment (non-conforming), Special Use Permit (PUD), Waiver of Standards and Design Review for subject property. Gardenia will consist of seventy-three (73) single family attached (townhouse) residential lots and four (4) common lots encompassing the entire 4.97-acre site for a density of 14.7± residential lots per acre. Please note that the acreage listed on the APN map is not accurate and the acreage discussed herein is based on actual field surveying analysis by the State of Nevada Professional Land Surveyor. A summation of the requests is stated below and are presented in detail after the summation.

Summary of Requests:

Non-Conforming

- Zone Change: R-E to RUD
- Vacation: Per separate application
- Special Use Permit: Planned Unit Development (townhomes)
- Design Review:
 1. Single-Family Attached Residential Townhome Planned Unit Development
 2. Increase Finished Grade to 52 inches where 36 inches is standard (44.4% increase).

Waiver of Standards:

1. Reduce the internal street back of curb radii to 10 feet where 20 feet is required per *Uniform Standard Drawing 201* (50% reduction) **See Streets and Parking Section for Justification.**
2. Increase Building Height for three story option to 35 feet 10-inches where 35 feet is required per *Title 30 Table 30.40-3* (2.4% increase). **See Floor Plans and Elevations Section for Justification.**

3. Reduce minimum street width for a private street greater than 150 feet in length than serves more than 1 dwelling unit to 30 feet where a minimum 37 feet with a minimum 36 feet of drivable surface is required per *Title 30.52.030.b.1* (18.9% reduction). **See *Streets and Parking Section for Justification*.**
4. Allow A-Curb and Ribbon Curb where R-Curb or Roll curb is required and use of inverted crowns within *Uniform Standard Drawing 210.S1*. **See *Streets and Parking Section for Justification*.**
5. Reduce distance from property line to driveway to 3 feet where 6 feet is required per *Uniform Standard Drawing 222* (50% reduction) **See *Streets and Parking Section for Justification*.**
6. Reduce setback to sidewalk from 10-feet to 1-foot (90% reduction) per *Title 30.24.080C.(d.)*. **See *Setbacks/Separations for Justification*.**
7. Reduce corner setback to parking curb from 10-feet to 5 feet (50% reduction) per *Title 30.24.080C.(d.)* **See *Setbacks/Separations for Justification*.**
8. Reduce the minimum lot size of a PUD project from 5 gross acres to 4.97 gross acres (0.6% reduction)

Project Description

The project consists entirely of 4.97 acres and is generally located 300 feet east of the intersection of Fort Apache Road and Patrick Lane. The project site is located in a portion of the East Half (E ½) of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of Section 32, Township 21 South, Range 60 East, MDB&M, Nevada commonly known as APNs: 163-32-301-002 & 163-32-301-003.

The project site is currently zoned Residential Estates (R-E) and has a land use designation of Corridor Mixed Use (CM). The project site is bounded to the north by Patrick Lane and existing office commercial site (zoned C-1 with a NC land use designation) to the west and an existing residential project (zoned R-2 with a land use designation of CM) east of the project site. There is an existing Flood Control Channel to the south of the project site with zoning of R-E and land use designation of Business Employment (BE). In addition, there is also a proposed project zoned as R-4 (ROI-20-0110) with a land use designation of BE on the south side of said channel.

Please note that the required 4-foot sidewalks required with the PUD will be provided at the rear of the homes to allow access to the entry of each home. Said sidewalks are provided internally for connectivity and pedestrian circulation within the site.

Non-Conforming Zone Change

The applicant is respectfully requesting a nonconforming zone change from R-E to RUD for the subject parcel in support of the proposed townhome development.

The proposed RUD zoning designation appears more compatible within the current CM land use designation than could have a zoning designation of C-2. Please see the Compelling Justification Letter for further discussion of the Non-Conforming Zone Change.

Design Review and Special Use Permit for PUD

The developer is requesting a design review for a proposed townhouse attached residential development, as well as a design review to increase the finished grade in conjunction with the proposed project site. Gardenia will consist of seventy-three (73) single family attached (townhouse) residential lots and four (4) common lots encompassing the entire 4.97-acre site for a density of 14.7± residential lots per acre. Said density does not exceed the maximum density of 16 units per acre allowed within a RUD PUD development within Clark County (*Table 30.4D-3*).

Title 30.24.020(1) states that the overall size of a PUD must be a minimum of five (5) gross acres. The project site has historically had a gross acreage of 5 acres. A recent amendment to *Title 30.08 Definitions* has redefined "Acre and Gross Acreage" to not include existing right-of-way dedicated from adjacent parcels (in this case the drainage channel right-of-way south of the project site). The applicant is asking for a Waiver of Standards to reduce the minimum size of a PUD from 5 gross acres to 4.97 gross acres (a 0.6 % reduction as requested per **Waiver of Development Standards #8**).

The PUD will not adversely affect the surrounding property. Development of this infill parcel is compatible and harmonious with adjacent uses as there is an existing single family residential community (zoned R-2) east of the project site. The building heights and material of the proposed buildings are compatible with the surrounding communities. This community will propose alternative setbacks and development waivers conducive with a townhome development, but compensation for said requests will be providing future residents with more than twice the required amount of interior open space to promote an active, healthy lifestyle. The project site will have like transitioning by maintaining appropriate buffering and similar building heights.

The project site will utilize a 42.5-foot wide private street (37.5-foot wide curb to curb with a 5-foot sidewalk on one side of the street) for entry into the project site and internal private drives (30-foot wide with A-type or ribbon curb; no parking either side of the drive) that will have a one access point to Patrick Lane. Lots within the project site range in size from 1,132 gross square feet to 1,881 square feet with an average lot size of 1,321 square feet.

Setbacks/Separations

The applicant is requesting the following modified setbacks (not including architectural encroachments) with the PUD:

- Front (Garage) Setback: 4 feet min and 5 feet max to private drive
- Front (Living) Setback: 4 feet to living to private drive
- Rear Living Setback: 5.25 feet to Common Element
- Rear Porch/Patio Setback: 0 feet to Common Element (leading edge)
- Side Setback: 0 feet between units

The setbacks required are conducive with a townhome development. All of the setbacks are internal to the project site while the perimeter setbacks are maintained to not negatively impact surrounding communities. The 4' and 5' driveway lengths allow the developer to create open space within the center of the project and is a similar request from other townhome developments. Please see the *Streets and Parking* section below for further discussion on relocation of the typical sidewalks required in a PUD. The minimum sidewalk separation of 1 foot is generated from the sidewalk (**Waiver of Development Standards #6**), but is typically 3 feet from the proposed property lines and 4 feet from the building foundation at the side of the buildings. The distance from the townhome property line to the parking curb line (corner) will be 5 feet in lieu of the required 10 feet (**Waiver of Development Standards #7**). The rear living area is approximately 8.25 feet from the sidewalk (3 foot to lot line and 5.25 feet in the townhome lot) as per the *Setback/Separation Exhibit* on Site Plan Sheet SP2.

Cross sections provided with the submittal illustrate the elevations along the project perimeters to the adjacent properties. There will be several areas where the elevations have been raised more than 36 inches vertically, with a maximum fill of 52 inches within the project site generally located near the center of the site. The increase in elevation is due to typical grading constraints as evidenced by the current west-east cross-section.

Open Space and Pedestrian Circulation

The landscape plan provided depicts a centralized amenity area within Common Element B. It contains a pergola, picnic tables, BBQs, benches and a tot lot playground. A secondary area near the project entry will include a dog park area. Each rear elevation will face a minimum 15-foot wide common element. All of landscaping within Gardenia (both in the common elements and the yard areas) will be maintained by the homeowner's association so that the community will remain cohesively and properly maintained. Pedestrian circulation is maintained via proposed four-foot wide sidewalks throughout the community.

Streets and Parking

As justification for **Waiver of Development Standards #3**, please note that the proposed 30-foot wide private drive section with no parking allowed will maintain more clearance within the fire apparatus accessway than a typical 37-foot wide Clark County private street section with parking allowed. Parking will only be allowed in garages and within off-street parking stalls. The 30-foot width meets the minimum LVVWD easement widths and will meet all fire access/turning movements.

In addition, the developer is requesting that USD 210.S1 be modified (**Waiver of Development Standards #4**) to allow for A-Curb, ribbon curb, and the use of inverted crowns (see Detail 3 of Site Plan sheet SP1). The inverted crown street section will allow storm runoff to collect in the center of the road in lieu of adjacent to the proposed building garages. The inverted crown is also a smoother transition into the driveway and garage of the buildings. R-Curb/Roll Curb are not required with use of the inverted crown since a 2-foot valley gutter conveys runoff within the street.

The distance from property line to driveway is being requested to be reduced from 6 feet to 3 feet (**Waiver of Development Standards #5**). The wet utility and dry utility designs for this type of product vary from typical single family detached product and 6 feet isn't necessary to provide all necessary facilities to the buildings. Reduction of this separation is a typical pattern with single family attached products. The developer is requesting a reduction in the internal street minimum back of curb radii in UDS 201 from 20 feet to 10 feet (**Waiver of Development Standards #1**). Please note that the reduced radii are only being requested adjacent to proposed stub streets (less than 150 feet in length) and that fire access/turning movements are not hindered by this request as fire trucks do not drive down stub streets less than 150 feet in depth.

The required parking for this PUD development per *Title 30.24.080.e.1* is as follows:

Spaces per Unit:	146 garage spaces (2 spaces per each of the proposed 73 Units)
Visitor Parking:	15 spaces (1 space per every 5 Units)
<u>Additional Parking:</u>	<u>30 spaces [1 space for every 5 enclosed parking space (garage) provided]</u>
Cumulative Spaces:	191 spaces

The current project site provides 146 garage spaces and 46 off-street parking spaces for a cumulative 192 spaces to meet the necessary parking requirement for the PUD.

Floor Plans and Elevations

The developer is proposing four (4) different townhome buildings: one six-Plex, two 5-Plexes, one 4-plex. The proposed two-story homes will range in livable square footage from 1,235 square feet to 2,050 square feet. Each unit will have a widened two-car garage. Each unit will take access to the building via the rear of lot, so the front door of every unit will face a landscaped common element. The elevation materials consist of stucco finished walls and concrete tile roofs. The developer will provide four (4) different architectural elevation styles to each building to provide variety within the community. The elevations meet *Title 30.24.080.b.2* by providing the three of the listed design features: offset

garage doors, decks/patio covers, and enhanced window fenestration of all windows facing street/common elements. Please note that floor plans and elevation for the 6-Plex have not been provided at this time since they are similar to the 5-Plex units. The townhomes are modular in nature, therefore design on the elevations will not change with the 6-Plex.

Building Type 3 has a third story option which raises the height of two units of the five unit to 35 feet 10 inches at the top of the roofline (**Waiver of Development Standards #2**). The developer is requesting an additional 10-inches for use of this option within all lots not adjacent to the eastern boundary line (Lots 1 to 19). The third story option provides additional building variation and articulation within the site and the building height is only a 2.4% increase of code for 40% (2 of 5 units) of the building elevation.

Conclusion

We are hopeful that this letter clearly describes the project and the intent of the proposed development. If you have any questions or need any additional information, please feel free to call our office at (702) 586-9296.

Sincerely,

A handwritten signature in black ink, appearing to read "Darryl C. Lattimore". The signature is fluid and cursive, with a horizontal line crossing through the middle of the letters.

Darryl C. Lattimore, PE
President

05/03/22 PC AGENDA SHEET

EASEMENTS
(TITLE 30)

PATRICK LN/FORT APACHE RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-22-0140-CHINGROS FAMILY TRUST & CHINGROS CAROLYN TRS:

VACATE AND ABANDON easements of interest to Clark County located between Patrick Lane and a Clark County Flood Control Channel, and between Fort Apache Road and Quarterhouse Lane (alignment) within Spring Valley (description on file). JJ/rk/jo (For possible action)

RELATED INFORMATION:

APN:

163-32-301-002; 163-32-301-003

LAND USE PLAN:

SPRING VALLEY - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

This application is a request to vacate and abandon patent easements on this site. The plans depict the vacation and abandonment of 33 foot wide government patent easements along the east, west, and south perimeter of the development. The applicant indicates all necessary easements and rights-of-way will be provided with the future recording of the subdivision map.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Neighborhood Commercial	C-1	Commercial complex's
South	Business Employment	R-4	Flood control channel & multiple family residential
East	Corridor Mixed-Use	R-2	Townhouse subdivision

Related Applications

Application Number	Request
NZC-22-0139	A nonconforming zone change to reclassify this site to RUD zoning for a single family development is a companion item on this agenda.
TM-22-500046	A tentative map for 73 single family residential lots on 4.9 acres is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on June 8, 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

- Right-of-way dedication to include 35 feet to the back of curb for Patrick Lane;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications for any collector street or larger;
- 90 days to record required right-of-way dedications for any collector street or larger;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Building Department - Fire Prevention

- All proposed single family residential submittals will comply with code requirements for residential streets.
- Per 503.2.1.1 (Parallel Parking Permitted on Both Sides) where parallel parking is permitted on both sides of the fire apparatus access road, the minimum clear width of the fire apparatus road shall be 36 feet (10,972 mm), measuring 37 feet (11,277 mm) from back-of-curb to back-of-curb for L curbs, 38 feet (11,852 mm) from back-of-curb to

back-of-curb for R curbs, and 39 feet (11,887 mm) from back-of-curb to back-of-curbs for roll curbs.

- The prohibition of parallel parking on both sides for the purpose of narrowing the roadway width is not permitted for fire apparatus roads serving 1 and 2 family dwellings.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: BEAZER HOMES HOLDINGS, LLC

CONTACT: DARRYL LATTIMORE, ACTUS, 3283 E. WARM SPRINGS ROAD SUITE 300, LAS VEGAS, NV 89120

DRAFT



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

2

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	DEPARTMENT USE	APP. NUMBER: <u>VS-22-0140</u>	DATE FILED: <u>3-7-22</u>
		PLANNER ASSIGNED: <u>RK</u>	TAB/CAC DATE: <u>4-12-22</u>
		TAB/CAC: <u>Spring Valley</u>	
		PC MEETING DATE: <u>5-3-22</u>	R-E to RUD
		BCC MEETING DATE: <u>6-8-22</u>	Corridor Mixed Use
		FEE: <u>\$875.00</u>	JJ

PROPERTY OWNER	NAME: <u>Chingro Family Trust</u>
	ADDRESS: <u>16 MARARCH BEACH RESORT N</u>
	CITY: <u>DANA POINT</u> STATE: <u>CA</u> ZIP: <u>92629</u>
	TELEPHONE: _____ CELL: <u>702 812 7897</u>
	E-MAIL: <u>Alexaniko@adl.com</u>

APPLICANT	NAME: <u>Beazer Homes</u> Contact: <u>Jeff Lesnick</u>
	ADDRESS: <u>2490 Paseo Verde Parkway, Suite 120</u>
	CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89074</u>
	TELEPHONE: <u>702-802-4428</u> CELL: <u>702-802-4428</u>
	E-MAIL: <u>Jeff.Lesnick@Beazer.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Actus</u> Contact: <u>Darryl Lattimore</u>
	ADDRESS: <u>3283 East Warm Springs Road, Suite 300</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u>
	TELEPHONE: <u>702-586-9296 x101</u> CELL: <u>702-403-4174</u>
	E-MAIL: <u>Darryl.Lattimore@Actus-NV.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 163-32-301-002 & 163-32-301-003

PROPERTY ADDRESS and/or CROSS STREETS: near southeast corner of Fort Apache Road & Patrick Lane

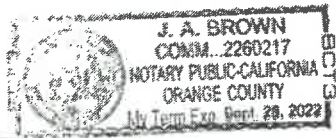
I, (We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

[Signature]
Property Owner (Signature)*

Carolyn Chingros
Property Owner (Print)

STATE OF NEVADA
COUNTY OF CLARK
SUBSCRIBED AND SWORN BEFORE ME ON 15th December 2022 (DATE)

By Carolyn Chingros
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.

December 20, 2021



3283 E. Warm Springs Rd. Suite 300
Las Vegas, NV 89120
(702) 586-9296

Clark County Comprehensive Planning
500 South Grand Central Parkway
Box 551744
Las Vegas, NV 89155-1744

Re.: Gardenia
Justification Letter for Vacation of Patent Easements
APNs: 163-32-301-002 & 163-32-301-003

VS-22-0140

Dear Staff,

On behalf of our client, Beazer Homes, we are requesting review and approval of a Vacation & Abandonment for the following:

- Existing onsite patent easements.

Gardenia will consist of seventy-three (73) single family attached (townhouse) residential lots and four (4) common lots encompassing the entire 4.97-acre site for a density of 14.7± residential lots per acre. The project is generally located 300 feet east of the intersection of Fort Apache Road and Patrick Lane. The existing patent easements are no longer necessary.

We are hopeful that this letter clearly describes the project and the intent of the proposed development. If you have any questions or need any additional information, please feel free to call our office at (702) 586-9296.

Sincerely,

Darryl C. Lattimore, PE
President

05/03/22 PC AGENDA SHEET

GARDENIA
(TITLE 30)

PATRICK LANE/FORT APACHE RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

TM-22-500046-CHINGROS FAMILY TRUST & CHINGROS CAROLYN TRS:

TENTATIVE MAP consisting of 73 residential lots and common lots on 4.9 acres in an RUD (Residential Urban Density) Zone.

Generally located on the south side of Patrick Lane, 300 feet east of Fort Apache Road within Spring Valley. JJ/rk/jo (For possible action)

RELATED INFORMATION:

APN:

163-32-301-002; 163-32-301-003

LAND USE PLAN:

SPRING VALLEY - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 4.9
- Number of Lots: 73
- Density (du/ac): 14.9
- Minimum/Maximum Lot Size (square feet): 1,132/1,881
- Project Type: Attached (townhouse) planned unit development

The plans depict a gated residential development totaling 73 single family attached townhome lots and 4 common area lots on 4.9 acres. The density of the overall development is shown at 14.9 dwelling units per acre. The project is made up of 4 plex, 5 plex, and 6 plex buildings designed around 30 foot wide private streets. The street network consists of 1 main drive with a loop street around the center of the project. The townhomes are designed with garages facing the private streets. The development will be served by a single point of ingress/egress to the north from Patrick Lane. A network of common open spaces is located throughout the development, which will include on-site pedestrian paths, tot-lot playground equipment, gazebo, picnic tables, barbeques, benches, and a dog park. Parking will consist of garage parking for residents and designed surface off-street parking for visitors. Approximately 46 parking spaces are shown for the visitors and 146 parking spaces are provided for the residents.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Neighborhood Commercial	C-1	Commercial complex's
South	Business Employment	R-4	Flood control channel & multiple family residential
East	Corridor Mixed-Use	R-2	Townhouse subdivision

Related Applications

Application Number	Request
NZC-22-0139	A nonconforming zone change to reclassify this site to RUD zoning for a single family development is a companion item on this agenda.
VS-22-0140	A request to vacate and abandon patent easements on the property is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis**Current Planning**

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

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on June 8, 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, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:**Current Planning**

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

Public Works - Development Review

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

- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 35 feet to the back of the curb for Patrick Lane;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications for any collector street or larger;
- 90 days to record required right-of-way dedications for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Current Planning Division - Addressing

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

Fire Prevention Bureau

- All proposed single family residential submittals will comply with code requirements for residential streets;
- Per 503.2.1.1 (Parallel Parking Permitted on Both Sides) where parallel parking is permitted on both sides of the fire apparatus access road, the minimum clear width of the fire apparatus road shall be shall be 36 feet (10,972 mm), measuring 37 feet (11,277 mm) from back-of-curb to back-of-curb for L curbs, 38 feet (11,852 mm) from back-of-curb to back-of-curb for R curbs, and 39 feet (11,887 mm) from back-of-curb to back-of-curbs for roll curbs;
- The prohibition of parallel parking on both sides for the purpose of narrowing the roadway width is not permitted for fire apparatus roads serving 1 and 2 family dwellings.

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 #0102-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: BEAZER HOMES HOLDINGS, LLC
CONTACT: DARRYL LATTIMORE, ACTUS, 3283 E. WARM SPRINGS ROAD SUITE 300, LAS VEGAS, NV 89120



TENTATIVE MAP APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>TM-22-5004C</u>	DATE FILED: <u>3-7-22</u>
		PLANNER ASSIGNED: <u>RK</u>	TAB/CAC DATE: <u>4.12.22</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		TAB/CAC: <u>Spring Valley</u>	PC MEETING DATE: <u>5-3-22</u>
		PC MEETING DATE: <u>5-3-22</u>	BCC MEETING DATE: <u>6-8-22</u>
		BCC MEETING DATE: <u>6-8-22</u>	FEE: <u>\$750.00</u>

RE to RUD
Corridor Mixed Use
JJ

PROPERTY OWNER	NAME: <u>Chingros Family Trust</u>
	ADDRESS: <u>16 Monarch Beach Resort N.</u>
	CITY: <u>DANA POINT</u> STATE: <u>CA</u> ZIP: <u>92629</u>
	TELEPHONE: _____ CELL: <u>702 812 7897</u>
	E-MAIL: <u>Alexaniko@aol.com</u>

APPLICANT	NAME: <u>Beazer Homes</u> Contact: <u>Jeff Lesnick</u>
	ADDRESS: <u>2490 Paseo Verde Parkway, Suite 120</u>
	CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89074</u>
	TELEPHONE: <u>702-802-4428</u> CELL: <u>702-802-4428</u>
	E-MAIL: <u>Jeff.Lesnick@Beazer.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Actus</u> Contact: <u>Darryl Lattimore</u>
	ADDRESS: <u>3283 East Warm Springs Road, Suite 300</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u>
	TELEPHONE: <u>702-586-9296 x101</u> CELL: <u>702-403-4174</u>
	E-MAIL: <u>Darryl.Lattimore@Actus-NV.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 163-32-301-002 & 163-32-301-003

PROPERTY ADDRESS and/or CROSS STREETS: near southeast corner of Fort Apache Road & Patrick Lane

TENTATIVE MAP NAME: Gardenia

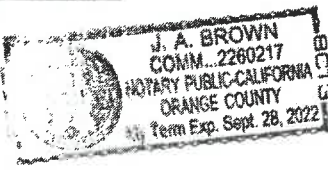
I, (We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Carolyn Chingros Property Owner (Signature)*
Carolyn Chingros Property Owner (Print)

STATE OF California
 COUNTY OF Orange

SUBSCRIBED AND SWORN BEFORE ME ON 15th December 2021 (DATE)
 By Carolyn Chingros

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.



4

05/03/22 PC AGENDA SHEET

EASEMENTS
(TITLE 30)

MOHAWK ST/SOBB AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-22-0128-BEDROSIAN FAMILY TRUST & BEDROSIAN EDMUND V & AIDA TRS:

VACATE AND ABANDON easements of interest to Clark County located between Lindell Road and Edmond Street, and between Patrick Lane and Sobb Avenue within Spring Valley (description on file). MN/jgh/jo (For possible action)

RELATED INFORMATION:

APN:

163-36-701-009

LAND USE PLAN:

SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

The subject parcel, within Spring Valley, is located at the alignment of Mohawk Street near Sobb Avenue. The applicant indicates the intent of the application is to vacate government patent easements, 33 feet wide on the north, east, and south sides and 3 feet wide along the west side of the property that are not needed for roads or utility purposes. This request will facilitate future development of the site.

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-21-0606	Reclassified 2.5 acres from an R-E (AE-65) Zone to an M-D (AE-65) Zone for an office/warehouse	Approved by BCC	January 2022

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial	R-E	Undeveloped
South	Business Employment	R-E	Undeveloped
East	Neighborhood Commercial	M-D	Office/warehouse
West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Undeveloped

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

Staff Recommendation

Approval.

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

Clark County Water Reclamation District (CCWRD)

- No objection.

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

APPLICANT: PETERSEN MANAGEMENT LLC

CONTACT: ELENA ARELLANO, GCW ENGINEERING, 1555 S. RAINBOW BOULEVARD, LAS VEGAS, NV 89146



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>V5-22-0128</u>	DATE FILED: <u>3/3/22</u>
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____		PLANNER ASSIGNED: <u>JGH</u> TAB/CAC: <u>Spring valley</u> PC MEETING DATE: <u>5/3/22</u> BCC MEETING DATE: _____ FEE: <u>\$ 875</u>	TAB/CAC DATE: <u>4/12/22</u> <u>6PM</u>

PROPERTY OWNER	NAME: <u>Diamond Mohawk LLC, a NV Limited Liability Company</u> ADDRESS: <u>5052 S. Jones, Ste. 110</u> CITY: <u>Las Vegas,</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-734-9393</u> CELL: <u>n/a</u> E-MAIL: <u>dpetersen@visiconlv.com</u>
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APPLICANT	NAME: <u>Petersen Management, LLC</u> ADDRESS: <u>5052 S. Jones, Ste. 110</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-734-9393</u> CELL: _____ E-MAIL: <u>dpetersen@visiconlv.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>GCW Inc./Elena Arellano</u> ADDRESS: <u>1555 S. Rainbow Boulevard</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u> TELEPHONE: <u>702-804-2145</u> CELL: <u>702-804-2000</u> E-MAIL: <u>earellano@gcwwengineering.com</u> REF CONTACT ID #: <u>187090</u>
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ASSESSOR'S PARCEL NUMBER(S): 163-36-701-009

PROPERTY ADDRESS and/or CROSS STREETS: Northeast corner of Mohawk and Sobb Street (alignments)

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

Property Owner (Signature)

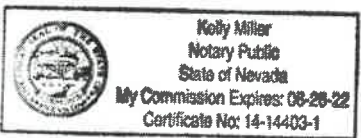
STATE OF NEVADA
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON February 15, 2022 (DATE)

By Barry C Petersen
NOTARY PUBLIC: [Signature]

Diamond Mohawk, a NV LLC

Property Owner (Print)



*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.

806-015

March 2, 2022

Clark County
Department of Comprehensive Planning
500 Grand Central Parkway
Las Vegas, Nevada

**PLANNER
COPY**

Subject: Justification Letter to accompany Vacation Application
Government Patent Easement
Assessor's Parcel Number: 163-36-701-009

To Whom It May Concern:

GCW Engineering has been retained to file the subject application for the property owner, Diamond Mohawk LLC. The intent of the application is to vacate government patent easements, 33 feet wide on the north, east, south, and three feet along the west that are not needed for roads or utility purposes (see exhibit). The parcel is located on the Mohawk Street alignment, at the northeast corner of the Mohawk and Sobb Street alignments. The surrounding parcels are undeveloped and a mixture of private and publicly owned parcels. The approval of this application will not affect the future need for roadways in this location and will facilitate future development of the site.

Enclosed for your use in evaluating this request, are the following documents:

- Signed application & disclosure form for Owner & Applicant.
- Site plan
- Legal description of areas being vacated
- Exhibit "A" forms
- Assessor's parcel maps
- Vesting deed
- Government patent that created the easements
- Justification letter
- Filing fees

Please place this application on the next available Planning Commission agenda. Should you have any questions, please contact the undersigned at 702-804-2145.

Sincerely,

Elena M. Arellano

Elena Arellano
Project Coordinator

05/04/22 BCC AGENDA SHEET

MIXED-USE DEVELOPMENT
(TITLE 30)

MAULE AVE/CIMARRON RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-22-400034 (ZC-17-0827)-LMC KAKTUSLIFE PROPERTY OWNER, LLC:

ZONE CHANGE SECOND EXTENSION OF TIME to reclassify 16.1 acres from a C-2 (General Commercial) Zone to a U-V (Urban Village - Mixed-Use) Zone in the CMA Design Overlay District.

USE PERMITS for the following: 1) High Impact Project; 2) increased density; and 3) increased height.

DESIGN REVIEW for a proposed mixed-use development.

Generally located on the north side of Maule Avenue, 750 feet east of Cimarron Road within Spring Valley (description on file). MN/hw/syp (For possible action)

RELATED INFORMATION:

APN:

176-04-601-022; 176-04-601-023

USE PERMITS:

1. Allow a High Impact Project.
2. Increase the allowable density through the use of development incentives to approximately 37.7 du/ac (608 units) by providing a 15 foot wide or larger supplemental pedestrian area (beyond what is required per Table 30.48).
3. Increase the maximum allowable height to 69 feet where up to 55 feet is the standard per Table 30.48 (a 26% increase).

LAND USE PLAN:

SPRING VALLEY - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 8030 W. Maule Avenue
- Site Acreage: 16.1
- Number of Lots/Units: 608
- Density (du/ac): 37.7
- Project Type: Mixed-use development
- Number of Stories: 5 (residential)/1 (commercial)
- Building Height (feet): 68.5 (residential)/34 (commercial)

- Open Space Required/Provided: 3.5 acres/3.8 acres
- Parking Required/Provided: 1,018/1,018

Site Plans

The previously approved plans show a horizontal mixed-use development consisting of the following elements: 1) residential; 2) commercial; 3) open space indoor and outdoor amenity areas; 4) 3 level below grade parking garage; and 5) usable passive and active open space. The residential component consists of 608 apartment units at a density of 37.7 dwelling units per acre. The commercial component originally consisted of a 1,231 square foot retail coffee shop and a 3,243 square foot retail convenience store in conjunction with the club house and fitness center. Since the approval, the commercial component has been modified and the entire area will be used for a fitness center open to the public.

The 608 apartment units are distributed among 7 buildings. The buildings are oriented in various directions to one another with some buildings having a north/south orientation and others having an east/west orientation. The perimeter buildings are set back (closest building point) from the property lines as follows: 1) 44 feet from the north; 2) 43 feet from the east; 3) 77 feet from the south (Maule Avenue); and 4) 50 feet from the west. The clubhouse with fitness center and retail commercial component is centrally located and set back 167 feet from Maule Avenue.

Parking for the development is provided with surface open spaces and was originally approved with a 3 level below grade parking garage. Since then the applicant revised the plans to show 1 level of below grade parking. The parking complies with all Title 30 provisions for a mixed-use development since it allows for overall project parking spaces to be shared by the various land uses that operate at different times throughout the day. Access to the site is via driveways along Maule Avenue.

Pedestrian Circulation & Open Space/Recreational Amenities

Pedestrian circulation is provided by the following: 1) pedestrian realm areas; 2) sidewalks adjacent to buildings and within courtyard areas between the buildings; and 3) useable open space areas along the interior and perimeter of the site. The submitted pedestrian circulation plan depicts the functional integration and connectivity of the overall project with the pedestrian realm connections providing direct connectivity with all the project elements. The commercial component is functionally integrated and connected with the residential component using clearly identifiable, safe, and convenient pedestrian connections. Since the project is a horizontal mixed-use development, the applicant provided plans depicting the integration and connectivity between commercial and residential elements. The project complies with all pedestrian realm, landscaping, and parking requirements.

The previously approved plans show an additional 15 foot wide supplemental pedestrian area, which is in addition to the required 15 foot wide pedestrian realm along Maule Avenue. The practical effect of a supplemental pedestrian realm is that it is detached from the streetscape and maintains and enhances pedestrian connectivity within the site. Additionally, the hardscape areas, which include pedestrian walkways, and landscape areas are continued throughout the areas where buildings are located. The overall pedestrian connectivity is enhanced and provides for strong and practical site integration.

The previously approved plans depict a total of 3.8 acres of open space. Open space consists of the following: 1) pedestrian realm; 2) 2.6 acre amenity areas located around courtyards created by the buildings; 3) internal sidewalks and landscape areas; 4) clubhouse; 5) fitness area; and 6) passive and active open space within the courtyard areas. The pedestrian circulation plan depicts pedestrian movement and convenient access throughout the site. Additional open space includes terraces, lounge, and the outdoor decks within the buildings.

Elevations

The overall project has architectural elements that unify the development and contain prominent fenestration patterns on all elevations. Exterior elevations depict different types of stucco and plaster finish, horizontal metal siding, glass elements, and fabric sunshades. All elevations are enhanced and feature various amounts of façade articulation with architectural elements that feature painted metal elements and varied architectural elements. The building complies with all applicable setbacks related to height/setback provisions required by Title 30.

The 5 story residential buildings will range in height up to 68.5 feet. The previously approved plans depict substantial plane variation for all buildings that create articulation along all sides of the project.

Floor Plans

The overall 608 residential unit count consists of the following: 1) 128, studio units that are 679 square feet; 2) 358, one bedroom units that are 831 square feet; and 3) 122, two bedroom units that are 1,246 square feet. The plans depict each unit having livable area with an outdoor deck/patio. Each residential building will also have a 1,692 square foot roof deck. The clubhouse and fitness center consist of the following: 1) community room; 2) craft room; 3) kitchen; 4) theatre; 5) meeting rooms; 6) offices; 7) restrooms; 8) workout areas; and 9) storage rooms.

Previous Conditions of Approval

Listed below are the approved conditions for ET-20-400129 (ZC-17-0827):

Current Planning

- Until December 20, 2023 to complete.
- 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.

Public Works - Development Review

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

Listed below are the approved conditions for ZC-17-0827:

Current Planning

- A resolution of intent to complete in 3 years;

- Enter into a Development Agreement as agreed upon by the applicant to mitigate impacts of the project including but not limited to issues identified by the technical reports and studies, and issues identified by the Board of County Commissioners;
- As part of the Development Agreement or as a separate agreement, applicant to submit a Decommissioning Plan acceptable to the County which specifies the actions to be taken by the Developer in the event construction of the project is stopped or abandoned with said plan to be submitted and approved prior to building permits;
- Allow the following permits prior to the adoption of the Development Agreement: all grading, including excavation and underground utilities, and structural first lift with initial foundation work;
- Bond or other security is acceptable to Clark County for excavation prior to Development Agreement or Decommissioning Plan;
- The commercial component to be developed concurrently with the first phase;
- Design review as a public hearing for all site signage and lighting;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to back of curb for Maule Avenue.

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 #0366-2017 to obtain your POC exhibit.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that they have made progress towards completion of the project with several permits either issued or in progress. The proposed extension of time is being requested to allow additional time to assure that all permits can be secured, as the owner does not believe that the current expiration date would allow for sufficient time to obtain the remaining permits and complete construction.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-20-400129 (ZC-17-0827)	First extension of time for a zone change, use permit, and design review for Kaktus Life mixed-use project	Approved by BCC	December 2020
ORD-20-900347 DA-20-0335	Negotiated Development Agreement for the Kaktus Life mixed-use project	Approved by BCC	September 2020

Prior Land Use Requests

Application Number	Request	Action	Date
AG-20-900348	Performance Agreement for the Kaktus Life mixed-use project	Approved by BCC	September 2020
ET-20-400010 (VS-17-1079)	First extension of time for easements located between Roy Horn Way and Maule Avenue	Approved by ZA	February 2020
VS-17-1079	Vacated and abandoned easements located between Roy Horn Way and Maule Avenue	Approved by PC	February 2018
ZC-0827-17	Reclassified 16.1 acres from C-2 to U-V zoning	Approved by BCC	December 2017
VC-0984-08	Variance to increase height to 248 feet for 3 mixed-use buildings - expired	Approved by BCC	November 2008
UC-2125-04	Allowed three, 248 foot high mixed-use buildings for a total of 405 dwelling units - expired	Approved by BCC	January 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Business Employment	C-2	Undeveloped
South	Business Employment	R-3	Multiple family residential
West	Business Employment	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 to circumstances have occurred at the subject site since the original approval. In addition, the applicant has made satisfactory progress towards the completion of the project with building permits either being issued or ready to be issued for the main structures of the project. Final grading permits were issued for the project in January 2022. Given that there has been no substantial changes in circumstances at the site, the small timeframe being requested, and the appearance of a good faith effort to complete the project, as evidence by the submitted and issued building permits, staff can support the proposed 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 December 20, 2024 to complete.
- 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.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: PAUL OGIER

**CONTACT: LEBENE OHENE, LAS VEGAS, 520 S. FOURTH STREET, LAS VEGAS, NV
89101**



LAND USE APPLICATION

5 **PLANNER COPY**
ET-22-400034

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input 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) ZC-0827-17 (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>ET-22-400034</u> DATE FILED: <u>3/3/22</u> PLANNER ASSIGNED: <u>HW</u> TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>4/12/22</u> PC MEETING DATE: <u>—</u> BCC MEETING DATE: <u>5/4/22</u> FEE: <u>\$</u>
	PROPERTY OWNER NAME: <u>LMC Kaktuslife Property Owner LLC</u> ADDRESS: <u>700 NW 107 Avenue, Suite 400</u> CITY: <u>Miami</u> STATE: <u>FL</u> ZIP: <u>33172</u> TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>paul.ogier@livelmc.com</u>
	APPLICANT NAME: <u>Paul Ogier</u> ADDRESS: <u>95 Enterprise Ste. 200</u> CITY: <u>Aliso Viejo</u> STATE: <u>CA</u> ZIP: <u>92656</u> TELEPHONE: <u>848-354-9626</u> CELL: <u>N/A</u> E-MAIL: <u>paul.ogier@livelmc.com</u> REF CONTACT ID #: <u>N/A</u>
	CORRESPONDENT NAME: <u>Jay Brown/Lebene Ohene</u> ADDRESS: <u>520 South Fourth Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u> TELEPHONE: <u>702-598-1429</u> CELL: <u>702-561-7070</u> E-MAIL: <u>Lohene@brownlawlv.com</u> REF CONTACT ID #: <u>173835</u>

ASSESSOR'S PARCEL NUMBER(S): 176-04-601-022 & 176-04-601-023

PROPERTY ADDRESS and/or CROSS STREETS: Maule Ave & Buffalo Dr

PROJECT DESCRIPTION: Extension of time on previously approved mixed use development

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

Paul Ogier
 Property Owner (Signature)* Property Owner (Print)

STATE OF _____
 COUNTY OF _____
 SUBSCRIBED AND SWORN BEFORE ME ON _____ (DATE)
 By _____
 NOTARY PUBLIC: _____

See Attached

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

California All-Purpose Acknowledgment

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

STATE OF CALIFORNIA }

COUNTY OF ORANGE }

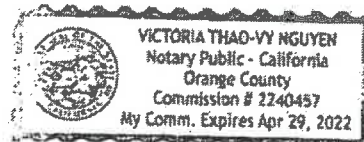
On February 14, 2022, before me Victoria Thao-Vy Nguyen, Notary Public, personally appeared Paul Ogier, who proved to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature _____

 (SEAL)
Notary Public



**PLANNER
COPY**
ET-22-400034

LAW OFFICE

Brown, Brown & Premisrjut

JAY H. BROWN
DAVID T. BROWN
PUJOY K. PREMSRJRUT

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

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

February 17, 2022

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

**Re: KaktusLife III Mixed-Use Project
Justification Letter – Second Extension of Time
Application Number: ZC-17-0827 or (ZC-0827-17)
Assessors' Parcel Number: 176-04-601-022 & 176-04-601-023**

To Whom It May Concern:

On behalf of our Client, LMC Kaktuslife Property Owner, LLC, please accept this letter for a request for a second extension of time on ZC-0827-17, for an approved mixed-use and High Impact Project located on the north side of Maule Avenue and 750 feet east of Cimarron Road. The project is now under joint ownership with the previous ownership group. This request is necessary because the ownership group anticipates that the project cannot be completed within the currently approved timeframe.

This application is a request to allow one (1) additional year by extending the completion date to December 20, 2024, to obtain all required building permits necessary to complete the project. The original application (ZC-0827-17) was approved on December 20, 2017, with a condition requiring three (3) years to complete which was December 20, 2020.

The first extension of time was approved on December 16, 2020, with a condition stating until December 20, 2023, to complete. This request is to extend the completion date by one year.

Building permits have been issued for portions of the project with grading completed for a portion of the project and construction commenced as of early February 2022.

The following are the Building Permits submitted that are either under the review process or have been issued.

BD43-02739 - Apartment Buildings and Site (main permit) – Permit is in process and pending issuance.

BD20-23171 - Clubhouse - Permit is in process and pending issuance.

BD20-18824 - Garage - Permit ready and pending issuance.

BD21-18985 - Trash Enclosure - Permit in process and pending issuance.

BD21-18994 - Pool Enclosure - Permit in process and pending issuance.

BD21-41486 - Grease Interceptor - Permit is ready and pending issuance.

BD21-42518 - Final Grading - Permit issued.

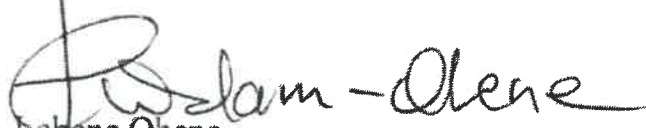
The information provided above demonstrates that the Applicant is diligently pursuing construction of the project. The request for the one (1) additional year is to ensure that there is enough time to obtain all the required building permits to complete the project.

We appreciate your review and approval of the application as requested.

Please contact me if you have questions or concerns with the application.

Sincerely,

BROWN, BROWN & PREMSRIRUT


Lebene Ohene
Land Use and Development Consultant

