



Spring Valley Town Advisory Board

Desert Breeze Community Center

8275 W. Spring Mountain Rd

Las Vegas, NV 89117

June 8, 2021

6:30pm

AGENDA

Note:

- Social distancing will be practiced during this meeting. You will be asked to keep appropriate spacing (six (6) feet) away from other meeting attendees.
- 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 and is/will be available on the County's website at www.clarkcountynv.gov.

Board/Council Members: Yvette Williams, Chair
Rodney Bell
Brian A. Morris

Catherine Godges, Vice Chair
John Getter

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

County Liaison(s): Mike Shannon 702-455-8338 mds@clarkcountynv.gov

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.

If you do not wish to attend this meeting in person, but would like to comment on an item appearing on this agenda, please submit your comments to mds@clarkcountynv.gov, before 04:30 pm, on May 25, 2021. Please include your name, address, and identify which agenda item you are commenting on,

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

and your comment. Comments will be read into the record. No comments over three (3) minutes in length will be read. All comments received will be compiled into a document and shared as part of the meeting's minutes.

- III. Approval of Minutes for May 25, 2021. (For possible action)
- IV. Approval of the Agenda for June 8, 2021 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)

- Present an update of the Southwest Ridge Sculpture project by a committee member that represent Spring Valley TAB (For discussion).

VI. Planning and Zoning

- 1. **WS-21-0194-TAPANES LAZARO J HERNANDEZ & HERNANDEZ SONIA CHAVEZ: WAIVER OF DEVELOPMENT STANDARDS** to reduce the setback for an accessory structure in conjunction with an existing single family residence on 0.8 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the west side of Bronco Street, 125 feet south of Coley Avenue within Spring Valley. JJ/sd/jo (For possible action) **06/15/21 PC**
- 2. **ET-21-400081 (UC-18-0994) -BIEDINGER TIMOTHY: USE PERMIT FIRST EXTENSION OF TIME** to allow an accessory structure to exceed one-half the footprint of the principal structure on 0.6 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located 200 feet south of Palmyra Avenue, 300 feet west of El Camino Road within Spring Valley. JJ/jor/jo (For possible action) **07/06/21 PC**
- 3. **VS-21-0221-WANG R & WU T REVOCABLE TRUST ETAL & WANG R TRS: VACATE AND ABANDON** easements of interest to Clark County located between Oquendo Road and Ponderosa Way (alignment), and between Duneville Street and Red Rock Street within Spring Valley (description on file). MN/lm/jd (For possible action) **07/06/21 PC**
- 4. **DR-21-0249-IN-N-OUT-BURGER: DESIGN REVIEWS** for the following: **1)** finished grade; and **2)** an office/warehouse development on 1.1 acres in an M-D (Designed Manufacturing) (AE-60) Zone in the CMA Design Overlay District. Generally located on the northeast corner of Sunset Road and Montessouri Street within Spring Valley. MN/bb/jd (For possible action) **07/07/21 BCC**
- 5. **VS-21-0245-DRY CREEK PLAZA, LLC: VACATE AND ABANDON** easements of interest to Clark County located between Post Road and Patrick Lane, and between Jones Boulevard and Duneville Street and a portion of a right-of-way being Jones Boulevard located between Post Road and Patrick Lane within Spring Valley (description on file). MN/bb/jd (For possible action) **07/07/21 BCC**

6. **UC-21-0226-DRY CREEK PLAZA, LLC:**
USE PERMIT for a congregate care facility.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced minimum lot size for a congregate care facility; 2) allow a congregate care facility to have a non-residential appearance; and 3) landscaping.
DESIGN REVIEWS for the following: 1) a congregate care facility; and 2) finished grade on 1.8 acres in a C-P (Office and Professional) (AE-60 & AE-65) Zone in the CMA Design Overlay District. Generally located on the northeast corner of Jones Boulevard and Post Road within Spring Valley. MN/al/jd (For possible action) **07/07/21 BCC**

7. **WS-21-0015-DNK DEVELOPMENT, LLC & MEGA INVESTMENTS, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced lot sizes; 2) waive full off-site improvements (partial paving, curb, gutter, sidewalk, and streetlights); and 3) modified gate geometrics.
DESIGN REVIEWS for the following: 1) finished grade; and 2) a single family residential subdivision on 1.8 acres in an R-E (Rural Estates Residential) (AE-65) Zone. Generally located on the west side of Lindell Road and the south side of Teco Avenue within Spring Valley. MN/bb/jd (For possible action) **07/07/21 BCC**

8. **WS-21-0250-SD PARCELS, LLC:**
WAIVER OF DEVELOPMENT STANDARDS to allow roof signs (signage mounted above entry canopies).
DESIGN REVIEW for canopy signage in conjunction with a partially developed office/warehouse complex on 16.5 acres in an M-D (Designed Manufacturing) (AE-60) Zone in the CMA Design Overlay District. Generally located on the north side of Post Road, 300 feet east of Tenaya Way within Spring Valley. SS/rk/jo (For possible action) **07/07/21 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: June 29, 2021.

X. Adjournment.

POSTING LOCATIONS: This meeting was legally noticed and posted at the following locations:

Desert Breeze Community Center, 8275 W. Spring Mountain Rd.

Helen Meyer Community Center, 4525 New Forest Dr.

Spring Valley Library, 4280 S. Jones

West Flamingo Senior Center, 6255 W. Flamingo

<https://notice.nv.gov>



Spring Valley Town Advisory Board

May 25, 2021

MINUTES

Board Members:	Yvette Williams, Chair - PRESENT Rodney Bell - PRESENT Brian A. Morris - PRESENT	Catherine Godges, Vice Chair - PRESENT John Getter - PRESENT
Secretary:	Carmen Hayes, 702 371-7991, chayes@yahoo.com PRESENT	
County Liaison:	Mike Shannon 702-455-8338 mds@clarkcountynv.gov PRESENT	

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

Yvette Williams called the meeting to order at 6:35 pm
Greg Cervan, Current Planner

II. Public Comment

- Yvette Williams announced that if you are double vaccinated you do not have to wear a mask, but everyone must still social distance.

III. Approval of **May 11, 2021** Minutes

Motion by: **Yvette Williams**
Action: **APPROVE** as published.
Vote: **PASSED 5/0 Unanimous**

IV. Approval of Agenda for **May 25, 2021** and Hold, Combine or Delete Any Items (For possible action)

Motion by: **Yvette Williams**
Action: **Approved as amended**
Vote: **5/0 Unanimous**

Item #9 to be heard after #5.

V. Informational Items

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

VI. Planning & Zoning

1. **UC-21-0195-MORENO DESIDERIO M JR:**
USE PERMIT to allow an accessory garage to exceed one half the footprint of the principal dwelling on 1.1 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the west side of Duneville Street, 152 feet north of Edna Avenue within Spring Valley. JJ/sd/jo (For possible action) **06/15/21 PC**

Motion by: **Brian Morris**

Action: **DENY.**

Vote: **5/0 Unanimous**

2. **WS-21-0194-TAPANES LAZARO J HERNANDEZ & HERNANDEZ SONIA CHAVEZ:**
WAIVER OF DEVELOPMENT STANDARDS to reduce the setback for an accessory structure in conjunction with an existing single family residence on 0.8 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the west side of Bronco Street, 125 feet south of Coley Avenue within Spring Valley. JJ/sd/jo (For possible action) **06/15/21 PC**

Motion by: **Yvette Williams**

Action: **HOLD** to Spring Valley TAB Meeting on June 8, 2021 due to applicant being a no show.

Vote: **5/0 Unanimous**

3. **WS-21-0214-SJJN TRUST & SIEGEL STEPHEN G TRS:**
WAIVER OF DEVELOPMENT STANDARDS for increased height of a solid block wall in the front yard in conjunction with a single family residence on 1.0 acre in an R-E (Rural Estates Residential) Zone. Generally located on the east side of Spanish Heights Drive, 200 feet north of Hacienda Avenue within Spring Valley. JJ/bb/jo (For possible action) **06/15/21 PC**

Motion by: **John Getter**

Action: **APPROVE with staff conditions.**

Vote: **5/0 Unanimous**

4. **AR-21-400064 (UC-1908-05)-SPRING MOUNTAIN PLAZA, LLC:**
USE PERMIT EIGHTH APPLICATION FOR REVIEW for a massage establishment in conjunction with an existing retail center on 1.9 acres in a C-2 (General Commercial) Zone. Generally located on the northwest corner of Red Rock Street and Spring Mountain Road within Spring Valley. JJ/bb/jo (For possible action) **06/16/21 BCC**

Motion by: **John Getter**

Action: **APPROVE with staff recommendations.**

Vote: **3/2 NAY – Godges and Williams.**

5. **ET-21-400071 (NZC-18-0475)-RW INVESTMENTS, LLC:**
ZONE CHANGE FIRST EXTENSION OF TIME to reclassify 2.6 acres from an R-E (Rural Estates Residential) (AE-60) Zone to an M-D (Design Manufacturing) (AE-60) Zone in the CMA Design Overlay District.
USE PERMIT for an office as a principal use.
DESIGN REVIEW for a proposed office/warehouse development. Generally located on the east side of Buffalo Drive and the north side of Teco Avenue within Spring Valley (description on file). MN/jgh/jo (For possible action) **06/16/21 BCC**

Motion by: **Yvette Williams**

Action: **APPROVE per staff conditions.**

Vote: **5/0 Unanimous**

6. **ZC-21-0212-GKT 5, LLC & GRAGSON CACTUS HIGHLANDS, LLC:**
ZONE CHANGE to reclassify 5.0 acres from an R-1 (Single Family Residential) Zone to an R-2 (Medium Density Residential) Zone.
USE PERMIT for an attached (townhouse) planned unit development.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setback; **2)** reduce the minimum street width for private street; **3)** allow A-curb and ribbon curb; **4)** reduce back of curb radius; **5)** increase building height; **6)** reduce driveway distance; and **7)** reduce street intersection.
DESIGN REVIEWS for the following: **1)** single family attached residential townhome planned unit development; and **2)** finished grade. Generally located on the northwest corner of Russell Road and Torrey Pines Drive within Spring Valley (description on file). MN/sd/jd (For possible action) **06/16/21 BCC**

Motion by: **Yvette Williams**
Action: **APPROVE per staff conditions.**
Vote: **5/0 Unanimous**

7. **VS-21-0211-GKT 5, LLC & GRAGSON CACTUS HIGHLANDS, LLC:**
VACATE AND ABANDON a portion of flood control right-of-way located between Torrey Pines Drive and Redwood Street and easements of interest to Clark County between Russell Road and Diablo Drive and between Torrey Pines Drive and Redwood Street within Spring Valley (description on file). MN/sd/jd (For possible action) **06/16/21 BCC**

Motion by: **Yvette Williams**
Action: **APPROVE per staff conditions.**
Vote: **5/0 Unanimous**

8. **TM-21-500053-GKT 5, LLC & GRAGSON CACTUS HIGHLANDS, LLC:**
TENTATIVE MAP consisting of 50 lots and 7 common lots for a planned unit development (PUD) on 5.0 acres in an R-2 (Medium Density Residential) Zone. Generally located on the northwest corner of Russell Road and Torrey Pines Drive within Spring Valley. MN/sd/jd (For possible action) **06/16/21 BCC**

Motion by: **Rodney Bell**
Action: **APPROVE as presented.**
Vote: **5/0 Unanimous**

9. **VS-21-0183-SPANISH RIDGE INDUSTRIAL OWNER, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Spanish Ridge Avenue and Hacienda Avenue, and between Riley Street and the 215 Beltway within Spring Valley (description on file). JJ/jgh/jd (For possible action) **06/16/21 BCC**

Motion by: **John Getter**
Action: **APPROVE per staff conditions.**
Vote: **5/0 Unanimous**

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.

If you would like to provide a written general public comment on an item not appearing on this agenda, but within the general jurisdiction of this body, please submit your comments to mds@clarkcountynv.gov, before 04:30 pm, May 25, 2021. Please include your name, address, and your comment. Comments will be read into the record. No comments over three (3) minutes in length will be read. All comments received will be compiled into a document and shared as part of the meeting's minutes.

- None.

IX. Next Meeting Date

The next regular meeting will be **June 8, 2021** at 6:30pm

X Adjournment

Motion by Yvette Williams

Action: Adjourn

Vote: 5/0 - Unanimous

The meeting was adjourned at 8:18 p.m.

POSTING LOCATIONS: This meeting was legally noticed and posted at the following locations:
Desert Breeze Community Center, 8275 W. Spring Mountain Rd.
Helen Meyer Community Center, 4525 New Forest Dr.
Spring Valley Library, 4280 S. Jones
West Flamingo Senior Center, 6255 W. Flamingo
<https://notice.nv.gov/>

06/15/21 PC AGENDA SHEET

ACCESSORY STRUCTURE
(TITLE 30)

COLEY AVE/BRONCO ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-21-0194-TAPANES LAZARO J HERNANDEZ & HERNANDEZ SONIA CHAVEZ:

WAIVER OF DEVELOPMENT STANDARDS to reduce the setback for an accessory structure in conjunction with an existing single family residence on 0.8 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the west side of Bronco Street, 125 feet south of Coley Avenue within Spring Valley. JJ/sd/jo (For possible action)

RELATED INFORMATION:

APN:

163-11-707-005

WAIVER OF DEVELOPMENT STANDARDS:

To reduce the rear setback for an existing accessory structure to zero feet where 5 feet is required per Table 30.40-1 (a 100% reduction).

LAND USE PLAN:

SPRING VALLEY - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 3035 Bronco Street
- Site Acreage: 0.8
- Project Type: Accessory structure
- Accessory structure height (feet): 9
- Square Feet: 900

Site Plans

The plans depict an existing single family residence with existing accessory structures (stables) that currently have a zero foot setback to the rear property line. Access to the property is from Bronco Street. The accessory structures as shown on the plans are located along the west property line, which is designated as the rear property line. There is also a horse corral, horse grounds, swimming pool, and a cabana on the site. The square footage of the principal residence is approximately 2,790 square feet, with the existing stables being approximately 900 square feet.

Landscaping

Landscaping is not part of this application.

Elevations

The plans depict 4 stables used as shelter for their horses and each is approximately 9 feet in height and 15 feet in length. Materials are of wood and metal fencing that is partially enclosed along the sides and rear of the accessory structure.

Applicant’s Justification

The applicant states that these stables were already in place when the property was purchased. The applicant had assumed that the stables were approved by permit. Currently, 4 horses reside at the property and the stables are used for shelter.

Surrounding Land Use

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

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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.

Review of the site plan and other documents show the stables are partially screened from the public right-of-way as they are in the rear yard and are blocked by the principal residence. The structures are typical of other horse stables in that their architecture and building materials are similar to stables found in many rural neighborhoods. The request for setback reduction will not affect any right-of-way or access points to the property. In addition, there is an existing block wall along the western property line, which reduces the visual impacts to the neighboring properties, and the stables are under the maximum height allowed at 9 feet. Staff believes the impact upon adjacent properties and the surrounding neighborhood will not be significant; therefore, staff can support this request.

Staff Recommendation
Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- No comment.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: LAZARO HERNANDEZ
CONTACT: LAZARO HERNANDEZ, 3035 S BRONCO ST, LAS VEGAS, NV 89146

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07/06/21 PC AGENDA SHEET

ACCESSORY STRUCTURE
(TITLE 30)

VINCENT ST/PALMYRA AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-21-400081 (UC-18-0994) -BIEDINGER TIMOTHY:

USE PERMIT FIRST EXTENSION OF TIME to allow an accessory structure to exceed one-half the footprint of the principal structure on 0.6 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located 200 feet south of Palmyra Avenue, 300 feet west of El Camino Road within Spring Valley. JJ/jor/jo (For possible action)

RELATED INFORMATION:

APN:

163-11-802-016

USE PERMIT:

Increase the area of a proposed accessory structure to 1,500 square feet where an accessory structure with a maximum area of 1,230 square feet (50% of the footprint of the principal dwelling) is permitted per Table 30.44-1 (a 22% increase).

LAND USE PLAN:

SPRING VALLEY - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 3151 Vincent Street
- Site Acreage: 0.6
- Project Type: Accessory structure
- Number of Stories: 1
- Building Height (feet): 19
- Square Feet: 1,500

History and Site Plans

The initial application included a request to allow an accessory building with a vertical metal exterior; however, the 2 use permits requested regarding the architectural compatibility and vertical metal siding were withdrawn at the Planning Commission meeting. This application is to extend the use permit to allow a 1,500 square foot accessory structure with stucco siding, where 1,230 square feet is permitted. The previously approved site plan depicts a detached

accessory structure located at the south end of the parcel and set back 16 feet from the south (rear) property line and 10 feet from east (side) property line. The existing 1,978 square foot single family residence with an attached 483 square foot garage is located near the front portion of the parcel, north of the proposed accessory structure. The property is enclosed by an existing 6 foot high concrete wall. Access to the proposed accessory structure will be from a driveway located along the east side of the residence.

Landscaping

The property has mature landscaping throughout the site. No changes are proposed with this application.

Elevations

The plans depict a 1 story, 19 foot high detached stucco building per the revised plans submitted at the Planning Commission meeting. The north elevation will have a 10 foot by 10 foot roll-up door and a 3 foot by 8 foot swing door, while the east, west, and south elevations will not incorporate any windows or other architectural features.

Floor Plans

The plans show a 1,500 square foot proposed accessory structure with an open floor plan.

Previous Conditions of Approval

Listed below are the approved conditions for UC-18-0994:

Current Planning

- Per revised plans submitted February 5, 2019;
- Remove conex box when construction of accessory structure is completed;
- Accessory structure shall be painted to match the residence;
- Certificate of Occupancy shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Applicant's Justification

The submitted justification letter states that there is ongoing complications regarding NV Energy and wiring from NV Energy that needs to be relocated on the applicant's site. Due to costs and unforeseen scheduling conflicts with NV Energy, the applicant is requesting an extension of time to complete the permitting process with the Clark County Building Department.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-18-0994	Allow an accessory structure to exceed 50% of the footprint of a principal dwelling; use permits to allow a design that is not architectural compatible to the principal dwelling, with modified design standards (vertical metal siding) were withdrawn	Approved by PC	February 2019
ZC-0613-10	Reclassified from an R-E to an R-E (RNP-I) zoning to establish a Residential Neighborhood Preservation Overlay District	Approved by BCC	February 2011

Surrounding Land Use

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

STANDARDS FOR APPROVAL:

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

Analysis**Current Planning**

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. Staff supports the applicant's request since there is an active building permit for the accessory structure (BD-21-02267). The applicant is in process of moving necessary NV Energy infrastructure, and due to unforeseen costs and scheduling conflicts, staff finds that an extension of time is warranted.

Staff Recommendation
Approval.

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

PRELIMINARY STAFF CONDITIONS:**Current Planning**

- Until February 5, 2023 to commence.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change

in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: TIMOTHY BIEDINGER

CONTACT: TIM BIEDINGER, CITIWIDE ENTERPRISES, 3151 VINCENT STREET, LAS VEGAS, NV 89146

DRAFT

07/06/21 PC AGENDA SHEET

EASEMENTS
(TITLE 30)

OQUENDO RD/DUNEVILLE ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-21-0221-WANG R & WU T REVOCABLE TRUST ETAL & WANG R TRS:

VACATE AND ABANDON easements of interest to Clark County located between Oquendo Road and Ponderosa Way (alignment), and between Duneville Street and Red Rock Street within Spring Valley (description on file). MN/lm/jd (For possible action)

RELATED INFORMATION:

APN:

163-36-202-005

LAND USE PLAN:

SPRING VALLEY - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

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 government patent easements along the perimeter of this site. The applicant indicates they will dedicate any necessary right-of-way to the County along Oquendo Road and Duneville Street.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1111-08	Reclassified various parcels in Section 36 from R-E to R-E (RNP-I) zoning	Approved by BCC	February 2009
VS-0099-07	Vacate and abandon easements - expired	Approved by	March 2007

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, East & West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residential
South	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

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

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: R WANG

CONTACT: JASON FACKRELL, MHP LIMITED, 6440 SKY POINTE DRIVE #140-385, LAS VEGAS, NV 89131

4

07/07/21 BCC AGENDA SHEET

OFFICE/WAREHOUSE
(TITLE 30)

SUNSET RD/MONTESSOURI ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

DR-21-0249-IN-N-OUT-BURGER:

DESIGN REVIEWS for the following: 1) finished grade; and 2) an office/warehouse development on 1.1 acres in an M-D (Designed Manufacturing) (AE-60) Zone in the CMA Design Overlay District.

Generally located on the northeast corner of Sunset Road and Montessori Street within Spring Valley. MN/bb/jd (For possible action)

RELATED INFORMATION:

APN:

163-34-810-042

DESIGN REVIEWS:

1. Increase the finished grade up to 3 feet (36 inches) where a maximum of 18 inches is the standard per Section 30.32.040 (a 100% increase).
2. Office/warehouse development.

LAND USE PLAN:

SPRING VALLEY BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:

Project Description

General Summary

- Site Address: 6450 Montessori Street
- Site Acreage: 1.1
- Project Type: Office/warehouse
- Number of Stories: 1
- Building Height (feet): 26
- Square Feet: 16,953 (proposed)/26,118 (existing)/43,071 (total)
- Parking Required/Provided: 65/77

Site Plan

The site plan depicts an existing warehouse (26,118 square feet) on the northern 2.3 acres and a proposed new warehouse with accessory offices (16,953 square feet) on the southern 1 acre parcel. Both parcels are under the same ownership. Existing gated access is taken from

Montessori Street 200 feet north of Sunset Road on the west side of the property. Both buildings will share this access from Montessori Street. Sixty-five parking spaces are required for all uses and 77 parking spaces are provided.

Landscaping

The landscape plan depicts a 15 foot to 24 foot wide landscaped buffer adjacent to Sunset Road with an attached sidewalk and decorative wall/fence. The decorative wall/fence and landscaping are adjacent to the attached sidewalk along Montessori Street, a local street. The parking lot includes landscaped islands. The plan depicts 25 trees and 144 shrubs being planted.

Elevations

The building elevation plans depict a white and gray painted smooth faced and scored faced CMU walls with pre-finished storefront frame with tinted glazing. The building has a flat roof with varying elevations at the southeast and northwest corners. Maroon colored awnings overhang windows and doors with additional architectural wire supports and façade treatments.

Floor Plan

The floor plan depicts offices and meeting rooms on the south side of the new building, maintenance room, cook-out room, potato prep room, storage, employee lounge, and restrooms. The northern half of the new building will include a garage on the northwest corner and covered docks on the northeast corner. The main pedestrian access is found on the southwest corner of the building, facing Montessori Street and the parking lot. Additional access points are located in the garage and loading docks.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is proposing to construct a single story 16,953 square foot warehouse and accessory office building. This will allow for expansion of the warehouse space and provide additional accessory office space for the business operations. Cross access circulation of traffic will be allowed between the buildings. The exterior elevations consist of painted concrete block with varying color and scoring treatments on all 4 sides of the building. The proposed development exceeds the required parking and loading zone standards. All landscaping is designed to meet Title 30 requirements. A maximum of 3 feet of fill for the increased finished grade will be located at the northeast corner of the new building.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0059-10	Warehouse and eliminate cross access	Approved by BCC	April 2010
ZC-2022-03	Reclassified 30 acres from R-E to M-D zoning	Approved by BCC	February 2004

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	M-D	Industrial
South	Business and Design/Research Park	M-D	Undeveloped
East	Commercial General	C-2	Retail/office
West	Commercial General & Business and Design/Research Park	C-2 & M-D	Office/industrial

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Design Review #2

This development complies with all development standards as specified in Title 30, and shall be harmonious and compatible with surrounding developments, and shall not be unsightly, undesirable, or noxious. The proposed building is compatible with the surrounding uses and is consistent with the development patterns of the surrounding area. The shared access within the site limits creates the need for additional access points and makes beneficial use of the center of the property.

Public Works - Development Review

Design Review #1

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

Staff Recommendation

Approval

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of

time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0473-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: IN-N-OUT-BURGER

CONTACT: CHRIS RICHARDSON, RICHARDSON WETZEL ARCHITECTS, 4300 E. SUNSET ROAD, SUITE E-3, HENDERSON, NV 89014

CALIFORNIA JURAT

GOVERNMENT CODE § 8202

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

State of California

County of Orange

Subscribed and sworn to (or affirmed) before me on this 21 day of January, 2021, by
Date Month Year

(1) Sean Finnegan

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

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



Place Notary Seal and/or Stamp Above

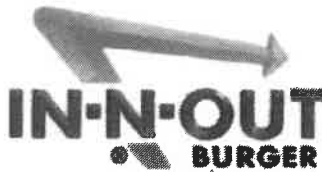
Signature Rachel A. Blake
Signature of Notary Public

OPTIONAL

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

Description of Attached Document Clark County, NV
Title or Type of Document: Land Use Application
Document Date: _____ Number of Pages: 1
Signer(s) Other Than Named Above: _____

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Irvine, California 92612
(949) 509-6200



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19 April 2021

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

PLANNER
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DR-21-0249

RE: In-N-Out Cookout – Design Review & Waiver of Development Standards
APN: 163-34-810-042

To whom it may concern:

In-N-Out Burgers is pleased to be submitting this application for Design Review for a proposed warehouse project. The parcel is currently zoned Designed Manufacturing (M-D) with a land-use designation of Business and Design/Research Park (BDRP). The existing property is currently vacant/unimproved and is adjacent to an existing In-N-Out Burgers owned and operated warehouse. The project will share the existing driveways on Montessouri Street and on-site cross-access vehicular circulation and parking.

The proposed project is for a 16,953sf building comprised of approximately 10,439sf of warehouse and 6,514sf of accessory office use. There is also a 5,000sf covered truck parking/dock area. The warehouse and office uses are allowed in M-D and no conditional use permit will be required.

The project meets/exceeds the requirements of 1.5 parking spaces per 1,000sf, providing 40 spaces on this parcel where 26 are required. The provided parking includes 2 accessible parking spaces, per the requirements. Additionally, the project includes (3) interior truck loading docks and (2) exterior truck parking/loading docks. The proposed design also provides 4 short-term bicycle parking spaces (2 racks).

The proposed project will also share parking facilities with the existing warehouse development. However, with the development of this proposed new building, the existing facility will lose 16 spaces, resulting in 37 spaces available for use. The existing warehouse is 26,118sf. At the required parking ratio of 1.5 spaces per 1,000sf for warehouse, it requires 40 spaces. The two (2) warehouse projects combine for a total of 49,071sf, requiring a total of 65 spaces, while providing 77 spaces total.

All landscape requirements are provided to meet or exceed Title 30.64 requirements, with parking lot trees and provided landscape buffers along Sunset Road and Montessouri Street to match the existing development.

The exterior elevations consist of painted concrete block with varying color and scoring treatments, pre-finished/painted metal parapet caps and shade awnings, and aluminum storefront system with tinted glazing. Architectural features are consistently provided on all sides of the building.

An additional Design Review is required because we are proposing to increase the finish grade over the maximum of 18-inches in order to keep this development compatible and functional with the existing facility to the north.

A Waiver of Development Standards is being requested in concurrence with the Design Review for non-standard improvements within the right-of-way. The sidewalk is attached along Sunset

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Road and there exists a Pedestrian Access Easement along this frontage that extends from 15' to 25' into the property. In order to meet the Title 30 landscape buffer requirements, we have to place landscape within this easement. Further, we understand that if the waiver is approved, we will be required to complete a License and Maintenance agreement.

Given this data, we request your support on this project. If additional information is necessary to prepare these applications for review, please contact me at your earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Sean Finnegan".

In-N-Out Burgers
Sean Finnegan
Manager, Facilities Planning and Development

PLANNER
COPY

DR-21-0249

07/07/21 BCC AGENDA SHEET

EASEMENTS/RIGHT-OF-WAY
(TITLE 30)

JONES BLVD/POST RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-21-0245-DRY CREEK PLAZA, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Post Road and Patrick Lane, and between Jones Boulevard and Duneville Street and a portion of a right-of-way being Jones Boulevard located between Post Road and Patrick Lane within Spring Valley (description on file). MN/bb/jd (For possible action)

RELATED INFORMATION:

APN:

163-36-301-011

LAND USE PLAN:

SPRING VALLEY - OFFICE PROFESSIONAL

BACKGROUND:

Project Description

The applicant is proposing to vacate patent easements of 33 feet along the north and east property lines and 3 feet on the south property line. The request includes a proposed vacation of 5 feet of right-of-way along Jones Boulevard to accommodate a detached sidewalk and landscaping.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-18-0456	Reclassified 1.8 acres from R-E to C-P zoning for a congregate care facility	Approved by BCC	August 2018
NZC-0180-07	Reclassified the site from R-E to C-P zoning for an office development, subject to no vehicular access to Post Road and single story buildings with architectural elements consistent with contiguous single family residences - expired	Approved by BCC	April 2007

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Office Professional	R-E	Undeveloped with an approved congregate care facility

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
South	Office Professional	C-P	Hospice care facility & office building
East	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Undeveloped
West	Public Facilities	R-E	Undeveloped

Related Applications

Application Number	Request
UC-21-0226	A request for a congregate care facility 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 does not object to either the vacation of patent easements that are not necessary for site, drainage, or roadway development or right-of-way on Jones Boulevard to accommodate detached sidewalks.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: CLAYTON NEILSEN

CONTACT: CLAYTON NEILSEN, 6765 W. RUSSELL ROAD, SUITE 200, LAS VEGAS, NV 89118

DRAFT



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	DEPARTMENT USE	APP. NUMBER: <u>VS-21-0245</u>	DATE FILED: <u>5-12-2021</u>
		PLANNER ASSIGNED: <u>BBB</u>	TAB/CAC DATE: <u>6-8-2021</u>
		TAB/CAC: <u>Spring Valley</u>	
		PC MEETING DATE: <u> </u>	
		BCC MEETING DATE: <u>7-7-2021</u>	
		FEE: <u>875</u>	

PROPERTY OWNER	NAME: <u>Dry Creek Plaza LLC</u>
	ADDRESS: <u>775 W 1200 N Ste 100</u>
	CITY: <u>Springville</u> STATE: <u>UT</u> ZIP: <u>84663</u>
	TELEPHONE: <u>801-489-9535</u> CELL: <u> </u>
	E-MAIL: <u>Mike@amercd.com</u>


APPLICANT	NAME: <u>Clayton L. Neilsen</u>
	ADDRESS: <u>6575 W Russell Rd, Ste. 200</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702-798-7978</u> CELL: <u>480-748-9994</u>
	E-MAIL: <u>clayton.neilsen@lmeng.com</u> REF CONTACT ID #: <u> </u>


CORRESPONDENT	NAME: <u>Clayton L. Neilsen</u>
	ADDRESS: <u>6575 W Russell Rd, Ste. 200</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702-798-7978</u> CELL: <u>480-748-9994</u>
	E-MAIL: <u>clayton.neilsen@lmeng.com</u> REF CONTACT ID #: <u> </u>

ASSESSOR'S PARCEL NUMBER(S): 163-36-301-011

PROPERTY ADDRESS and/or CROSS STREETS: 6070 W Post Rd / Jones and Post

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~~ Utah Utah
 COUNTY OF _____
 SUBSCRIBED AND SWORN BEFORE ME ON March 17, 2021 (DATE)
 By _____
 NOTARY PUBLIC: Jennifer Lind

Mike Morley
 Property Owner (Print)

JENNIFER LIND
 NOTARY PUBLIC - STATE OF UTAH
 COMMISSION # 711180
 COMM. EXP. 03-19-2024

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

APR-21-100372
Companion w/ APR-21-100103 UC/MS/DR-21-0226

LARRY R. NELSON, P.E.
President

March 22, 2021

Department of Comprehensive Planning
Development Review
500 S. Grand Central Parkway
Las Vegas, Nevada 89155

- STRUCTURAL
- CIVIL
- SURVEY
- PLANNING

**Reference: Vacation of Patent Easement Justification Letter
for APN# 163-36-301-001(Patent #1230153)**

Dear Staff:

On behalf of our client, we are pleased to provide information regarding a Vacation request for the above-mentioned parcel number, which is located on the northeast corner of Jones Boulevard and Post Road.

We are proposing to vacate a patent easement (#1230153) across the parcel that was granted per the Bureau of Land Management (Nevada Document 059538), for it is not needed. Public R.O.W adjacent to the site has already been dedicated.

We feel that this development and the proposed vacation are compatible with the surrounding area and planned development. With this in mind, we respectfully request the approval of this patent easement vacation. If you have any questions or concerns, please contact this office at your earliest convenience.

Thank you for your consideration.

Sincerely,

L. R. NELSON CONSULTING ENGINEERS, LLC



Clayton L. Neilsen, P.E.
Vice President/ Civil Department Manager

VS-21-0245

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NEVADA

L. R. NELSON
CONSULTING ENGINEERS, INC.
6765 West Russell Road, Suite 200
Las Vegas, NV 89118-1885

Phone 702 / 798-7978
FAX 702 / 451-2296
Email lrnelson@lrneng.com

UTAH

L. R. NELSON
CONSULTING ENGINEERS, LLC.
51 West 9000 South
Sandy, UT 84070-2008

Phone 801 / 565-8580
FAX 801 / 565-9340
Email lmengineers@lrnslc.com

LARRY R. NELSON, P.E.
President

March 22, 2021

- STRUCTURAL
- CIVIL
- SURVEY
- PLANNING

Department of Comprehensive Planning
Development Review
500 S. Grand Central Parkway
Las Vegas, Nevada 89155

**Reference: Vacation of Right-of-Way Justification Letter
for APN# 163-36-301-001**

Dear Staff:

On behalf of our client, we are pleased to provide information regarding a Vacation request for the above-mentioned parcel number, which is located on the northeast corner of Jones Boulevard and Post Road.

We are proposing to vacate 5' of the right-of-way for Jones Boulevard to allow for a 5' landscape area with a 5' detached sidewalk per the requirements of Title 30. The original right-of-way was dedicated per Book: 1991228 Instrument: 00797.

We feel that this development and the proposed vacation are compatible with the surrounding area and planned development. With this in mind, we respectfully request the approval of this patent easement vacation. If you have any questions or concerns, please contact this office at your earliest convenience.

NEVADA

L. R. NELSON
CONSULTING ENGINEERS, INC.
6765 West Russell Road, Suite 200
Las Vegas, NV 89118-1885
Phone 702 / 798-7978
FAX 702 / 451-2296
Email lnelson@lrmeng.com

Thank you for your consideration.

Sincerely,

L. R. NELSON CONSULTING ENGINEERS, LLC



Clayton L. Neilsen, P.E.
Vice President/ Civil Department Manager

UTAH

L. R. NELSON
CONSULTING ENGINEERS, L.L.C.
51 West 9000 South
Sandy, UT 84070-2008
Phone 801 / 565-8580
FAX 801 / 565-9340
Email lrmengineers@lrnslc.com

US-21-0245

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6

07/07/21 BCC AGENDA SHEET

CONGREGATE CARE
(TITLE 30)

JONES BLVD/POST RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-21-0226-DRY CREEK PLAZA, LLC:

USE PERMIT for a congregate care facility.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced minimum lot size for a congregate care facility; 2) allow a congregate care facility to have a non-residential appearance; and 3) landscaping.

DESIGN REVIEWS for the following: 1) a congregate care facility; and 2) finished grade on 1.8 acres in a C-P (Office and Professional) (AE-60 & AE-65) Zone in the CMA Design Overlay District.

Generally located on the northeast corner of Jones Boulevard and Post Road within Spring Valley. MN/al/jd (For possible action)

RELATED INFORMATION:

APN:

163-36-301-011

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the minimum lot size for a congregate care facility to 78,408 square feet where a minimum of 80,000 square feet is required per Table 30.44-1 (a 2% reduction).
2. Allow a congregate care facility to have a non-residential appearance when adjacent to a residential neighborhood where a residential appearance is required per Table 30.44-1.
3. Permit alternative landscaping along Jones Boulevard (an arterial street) where landscaping per figure 30.64-17 is required.

DESIGN REVIEWS:

1. A congregate care facility.
2. Increase finished grade to 60 inches (5 feet) where a maximum of 18 inches (1.5 feet) is permitted per Section 30.32.040 (a 233% increase).

LAND USE PLAN:

SPRING VALLEY - OFFICE PROFESSIONAL

BACKGROUND:

Project Description

General Summary

- Site Address: 6070 W. Post Road
- Site Acreage: 1.8
- Project Type: Congregate care
- Number of Stories: 1
- Building Height (feet): 35
- Square Feet: 31,100
- Parking Required/Provided: 61/64

History

This site was reclassified to a C-P zone by ZC-18-0456 in August 2018. The zone change was conforming to the land use plan and was approved subject to no resolution of intent and an ordinance was adopted to change the zoning map. A use permit with design review and waivers of development standards was approved for a similar congregate care facility with the zone change; however, the use permit, design review and waivers had a time limit of 2 years to commence. The project did not commence, and these approvals expired. This request is to reestablish approval of the congregate care facility, which also includes some modifications to the previously approved plans.

Site Plan

The plans show a proposed 60 bed congregate care facility located approximately 20 feet from the west property line, 18 feet from the south property line, and 77 feet from the east property line. Access to the site is from both Jones Boulevard and Post Road. A total of 64 parking spaces are provided to the north and east of the building where a minimum of 61 parking spaces are required. An emergency generator is located on the east side of the building and is screened by a metal gate. A 6 foot high block wall is provided along the north and east property lines.

Landscaping

A 15 foot to 20 foot wide landscape area with a detached sidewalk is provided along Jones Boulevard. The landscaping along Jones Boulevard does not comply with the requirements of Figure 30.64-17 for the placement of plant material. The plans depict shrubs and groundcover between the back of curb and the sidewalk, and trees, shrubs, and groundcover between the sidewalk and the building. Trees are not being planted between the back of curb and the sidewalk due to the location of site zones for the street intersections and driveways. An approximate 18 foot wide landscape area with an attached sidewalk is provided along Post Road. A 10 foot wide intense landscape buffer per Figure 30.64-12 is provided along the east property line. A 6 foot wide landscape area is provided along the north property line. The landscaping material will consist of trees, various shrubs, and groundcover.

Elevations

The plans depict a 1 story, 35 foot high, congregate care building. Building materials consist of EIFS, metal shade canopies, aluminum storefront systems and decorative block windows. The roof is flat with parapet walls at various heights.

Floor Plans

The plans show a 31,100 square foot, 60 bed congregate care facility consisting of semi-private and isolation rooms, dining area, cooking area, nurse stations, play area, physical therapy area, lobby, offices, and restrooms. The facility also includes a 2,000 square foot clinic that will serve the patients of the facility and patients outside of the facility with similar medical conditions.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that the facility will serve medically fragile children up to the age of 18 years old. The children are medically stable; however, by birth or through accident, require long-term, 24 hour skilled nursing services, and/or life sustaining equipment to survive. Furthermore, the applicant states that although the building does not have a traditional residential appearance, the building has a pleasing look with varied materials, height, and depth. The smaller lot size is only 2% below what is required and is adjacent to an approved congregate care facility to the north.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-18-0456	Reclassified 1.8 acres from R-E to C-P zoning for a congregate care facility	Approved by BCC	August 2018
NZC-0180-07	Reclassified the site from R-E to C-P zoning for an office development, subject to no vehicular access to Post Road and single story buildings with architectural elements consistent with contiguous single family residences - expired	Approved by BCC	April 2007

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Office Professional	R-E	Undeveloped with an approved congregate care facility
South	Office Professional	C-P	Hospice care facility & office building
East	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Undeveloped
West	Public Facilities	R-E	Undeveloped

Related Applications

Application Number	Request
VS-21-0245	A vacation of easements and portion of right-of-way of Jones Boulevard is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use 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 Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Staff finds that the proposed congregate care use is compatible with the surrounding uses in the area. The proposed use is consistent with the congregate care use approved on the adjacent property to the north and the existing hospice use to the south. Additionally, staff finds that a congregate care use is an appropriate transitional use from Jones Boulevard to the existing and planned residential developments to the east.

Waivers of Development Standards

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

Waiver of Development Standards #1

Staff finds that the 2% reduction in minimum lot size for a congregate care facility to be minimal and will not result in negative impacts to the surrounding area. Although the approved congregate care facility to the north is a separate project, the subject site combined with the adjacent property to the north results in an overall area used for congregate care uses well beyond the minimum 80,000 square foot lot area required.

Waiver of Development Standards #2 & Design Review #1

The proposed building complies with Urban Specific Policy 78 which encourages architectural treatments on all building sides to eliminate blank building elevations along public rights-of-way and areas visible to the general public to improve visual quality. The architecture of the proposed building is consistent and compatible with an existing office complex to the southwest and to the hospice care facility & office building to the south. The design of the proposed building is also similar in design to the previously approved plans for a congregate care facility at this location. Therefore, staff can support the design review.

Waiver of Development Standards #3

The proposed landscape plan is not depicting trees between the back of curb along Jones Boulevard and the detached sidewalk due to the location of the driveway and street intersection site zones. To provide a uniform streetscape along Jones Boulevard shrubs and groundcover will

be provided to the west of the sidewalk and trees, shrubs, and groundcover on the east side of the sidewalk. Because of the unique situation with the site zones staff can support this waiver.

Public Works - Development Review

Design Review #2

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

Department of Aviation

The development will penetrate the 100:1 notification airspace surface for McCarran International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.48.130 of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

The property lies within the AE-65 (65 - 70 DNL) noise contour for McCarran International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade McCarran International Airport facilities to meet future air traffic demand.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

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

- Traffic study and compliance;
- Full off-site improvements;
- Coordinate with Public Works - Design Division for the Jones Boulevard improvement project;
- Dedicate any right-of-way and easements necessary for the Jones Boulevard improvement project.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Building Department - Fire Prevention

- No comment.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0209-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: CLAYTON NEILSEN

CONTACT: CHRIS HART, 6765 W. RUSSELL ROAD, SUITE 200, LAS VEGAS, NV 89118

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE		APP. NUMBER: <u>4C-21-0226</u> DATE FILED: <u>5-10-21</u>
<input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) 675⁰⁰ <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) 475⁰⁰ <input checked="" type="checkbox"/> DESIGN REVIEW (DR) 675⁰⁰ <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF	PLANNER ASSIGNED: <u>AI</u> TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>6-8-21</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>7-7-21</u> FEE: <u>\$1,825⁰⁰</u>
	PROPERTY OWNER	NAME: <u>Dry Creek Plaza LLC</u> ADDRESS: <u>775 W 1200 N Ste 100</u> CITY: <u>Springville</u> STATE: <u>UT</u> ZIP: <u>84663</u> TELEPHONE: <u>801-489-9535</u> CELL: _____ E-MAIL: <u>Mike@amerod.com</u>
	APPLICANT	NAME: <u>Clayton L. Neilson</u> ADDRESS: <u>6575 W Russell Rd, Ste. 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-798-7978</u> CELL: <u>480-748-9994</u> E-MAIL: <u>clayton.neilson@lrneng.com</u> REF CONTACT ID #: _____
	CORRESPONDENT	NAME: <u>Chris Hart</u> ADDRESS: _____ CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: _____ TELEPHONE: _____ CELL: <u>702-882-8263</u> E-MAIL: <u>cmhart5@gmail.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 163-36-301-011

PROPERTY ADDRESS and/or CROSS STREETS: 6070 W Post Rd / Jones and Post

PROJECT DESCRIPTION: 31,000 S.F. Skilled Nursing Facility for Children

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

Property Owner (Signature)* [Signature] Mike Morley
 STATE OF Utah Property Owner (Print)
 COUNTY OF Utah
 SUBSCRIBED AND SWORN BEFORE ME ON January 15, 2021 (DATE)
 By Jennifer Lind - Notary Public
 NOTARY PUBLIC:



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

APR-31-100103 / See APR-21-100372 For US

LARRY R. NELSON, P.E.
President

March 22, 2021

- STRUCTURAL
- CIVIL
- SURVEY
- PLANNING

Department of Comprehensive Planning
Development Review
500 S. Grand Central Parkway
Las Vegas, Nevada 89155

UC-21-0226

**Reference: Justification Letter for Design Review and Waiver
of Standards for Positively Kids Skilled Nursing Facility
for APN# 163-36-301-011**

Dear Staff:

On behalf of our client, we are pleased to provide this justification letter for a Design Review and Waiver of Standards for the above-mentioned project, which is located on the northeast corner of S. Jones Blvd. and W Post Rd.

We are requesting a Design Review; A Design Review for Fill; Special Use Permit for a Congregate Care Facility (Skilled Nursing Facility) in the C-P zoning; Waiver from the minimum lot size of 80,000 S.F; a Waiver for non-residential architectural; Waiver of Standards for Landscaping per Figure 30.64.17 for this project. It is located at the northeast corner of Jones Boulevard and Post Road. Below are further details regarding the various Waiver of Standards. The project site is approximately 1.8 acres and the Assessor's Parcel Number is 163-36-301-011.

The proposed project consists of an approximately 29,100 S.F. Congregate Care Facility with 60 beds and a 2,000 S.F. Clinic for children to the age of 18 years old. This facility will provide pediatric extended care for medically fragile children. The children are medically stable, however, by birth or through accident require long-term, 24-hour skilled nursing services, and/or life-sustaining equipment to survive. Additionally, the Clinic will serve children outside of the facility with the same medical conditions.

We are requesting a Design Review for Fill as the site will require more than 18" of fill. This is needed to ensure that the building is set high enough above the grade in Jones and Post to provide adequate flood protection. As part of the Design Review, cross sections have been provided and the maximum fill is anticipated to be 4.23' which is an increase over the 18" of 2.73'.

We are requesting a Waiver from Table 30.44-1, under Congregate Care, Number 1, which states "The minimum size lot for such a facility shall not be less than 80,000 square feet". The subject parcel lot size is 1.8 acres net or 78,408 square feet. This is

NEVADA

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UTAH

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Email lrnengineers@lrnslc.com

only 1,592 square feet (2%) less than the required 80,000 square feet which we believe will not have any adverse impact to the adjacent parcels. Additionally, the two parcels to the North have been previously approved as a Skilled Nursing Facility.

We are requesting a Waiver from Table 30.44-1, under Congregate Care, Number 3, which states "Buildings within, or adjacent to, residential neighborhoods will be designed with a residential appearance, such as a gabled roof with concrete tile and masonry or stucco wall construction". Though the design does not adopt a traditional Mediterranean-style residential appearance, it has been designed for a pleasing look which is varied in material, height and depth. The color palette is neutral but varied, featuring several shades of E.I.F.S., multiple full-weight accents of natural stone veneer, and decorative metal canopies to provide shade and shadows. Heights vary, and pop-outs occur throughout the facades, resulting in an appropriately scaled appearance for a project near a residential neighborhood. Additionally, the building is designed as four-sided architecture, with no plain back sides, so that the appearance is high quality from adjacent streets and neighboring properties.

We are requesting for a Waiver of Standards for Landscaping per Figure 30.64-17. Per that figure, trees are required in the 5' landscape area between the back of curb and sidewalk. We are unable to provide these trees due to Site Visibility Zones (SVZ's) being in this location.

We feel that this development and the proposed Design Review, Special Use Permit and Waiver of Standards are compatible with the surrounding area and planned development. With this in mind, we respectfully request the approval of this development. If you have any questions or concerns, please contact this office at your earliest convenience.

Thank you for your consideration.

Sincerely,

L. R. NELSON CONSULTING ENGINEERS, LLC



Clayton L. Neilsen, P.E.
Vice President/Civil Department Manager

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REDUCED LOT SIZE
(TITLE 30)

LINDELL RD/TECO AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-21-0015-DNK DEVELOPMENT, LLC & MEGA INVESTMENTS, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced lot sizes; 2) waive full off-site improvements (partial paving, curb, gutter, sidewalk, and streetlights); and 3) modified gate geometrics.

DESIGN REVIEWS for the following: 1) finished grade; and 2) a single family residential subdivision on 1.8 acres in an R-E (Rural Estates Residential) (AE-65) Zone.

Generally located on the west side of Lindell Road and the south side of Teco Avenue within Spring Valley. MN/bb/jd (For possible action)

RELATED INFORMATION:

APN:

163-36-401-026

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Reduce the minimum net lot area to 15,654 square feet where 16,200 square feet (adjacent to a collector street) is allowed per Table 30.40-1 (a 3% reduction).
- b. Reduce the minimum net lot area to 15,703 square feet where 18,000 square feet is allowed per Table 30.40-1 (a 13 % reduction).
- c. Reduce the minimum gross lot area to 19,577 square feet where 20,000 square feet is required per Table 30.40-1 (a 2% reduction).
2. Waive full off-site improvements (partial paving, curb, gutter, sidewalk, and streetlights) along Teco Avenue and Lindell Road where required per Section 30.52.050.
3. Reduce the throat depth to a gate call box to 38 feet where 50 feet is required per Uniform Standard Drawing 222.1 (a 24% reduction).

DESIGN REVIEWS:

1. To increase finished grade up to 4 feet (48 inches) where a maximum of 1.5 feet (18 inches) is the standard per Section 30.32.040 (a 167% increase).
2. Single family residential development.

LAND USE PLAN:

SPRING VALLEY - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Acreage: 1.8 (net)/2.3 (gross)
- Number of Lots/Units: 4
- Density (du/ac): 1.7 (gross)
- Minimum/Maximum Lot Size (square feet): 15,654 /17,974 (net)
- Project Type: Single family residential

Site Plan

The site plan depicts 4 proposed lots with cul-de-sac access from the north at Teco Avenue. The maximum increased fill depth will be located at the southeast corner of the property. The property and the existing homes located west of this site are on higher ground. This property will be elevated above the land to the south, north, and east with maximum 3 foot retaining walls. Currently 3 out of the 4 lots do not meet minimum net lot standards. No perimeter landscaping is proposed and rural street standards are depicted.

Elevations

The proposed homes will be custom built and match the materials and designs of the surrounding neighborhood.

Floor Plans

The proposed homes will be custom built with floor plans comparable to the surrounding neighborhood.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is proposing to develop 4 new lots with custom homes matching the sizes, architecture and design style of the surrounding neighborhood. In order to develop the site with acceptable drainage patterns, the applicant is proposing to increase the amount of allowed fill by adding up to 30 inches in specific areas of the property. Per the parcel map determination #MSM-20-600046, the applicant is requesting a waiver of full off-site improvements, including partial paving, curb, gutter, sidewalk, and streetlights. Due to the property being located on a corner and the additional right-of-way dedication required, the applicant is requesting a waiver from minimum gross and net lot sizes, to accommodate 4 lots. The resulting lots and development of custom designed single family residential homes will match the existing development in the surrounding area.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, East, & West	Rural Estates Residential (up to 2 du/ac)	R-E	Single family residential
South	Office Professional	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

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 proposed lot size waiver will not comply with Title 30 minimum standards and will be detrimental to the surrounding area. The use of the area adjacent to the property included in the waiver request could be affected in a substantially adverse manner. The granting of such application will not be in harmony with the general purpose, goals, objectives, and standards of the Comprehensive Master Plan and Title 30. Staff finds that this is a self-imposed hardship and that the development could be adjusted to meet minimum lot sizes. Therefore, staff recommends denial.

Design Review #1

The proposed development is not compatible with adjacent development and development in the area and will not be developed with minimum gross and net lot sizes. Staff finds that the reduction in lot size is a self-imposed hardship and that the development could be adjusted to meet minimum lot sizes. Since staff is not supporting the request to reduce lot size, staff cannot support the design review.

Public Works - Development Review

Waiver of Development Standards #2

Staff has no objection to not install full off-site improvements on Teco Avenue and Lindell Road. The parcels along Teco Avenue and Lindell Road are in the RNP-I Overlay District, resulting in non-urban standards for the roadways. However, since Planning is recommending denial of the application, staff cannot support this request.

Waiver of Development Standards #3

Staff has no objection to the reduction in the throat depth distance to the call box. The proposed 4 lot subdivision should see a low volume of traffic because of the limited number of lots. However, since Planning is recommending denial of the application, staff cannot support this request.

Design Review #2

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

Department of Aviation

The development will penetrate the 100:1 notification airspace surface for McCarran International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.48.120 of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

The property lies within the AE 65 (65 - 70 DNL) and the AE 60 (60 - 65 DNL) noise contours for McCarran International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade McCarran International facilities to meet future air traffic demand.

Staff Recommendation

Denial.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

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

Public Works - Development Review

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

- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;
- Applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation;
- Applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation;
- Applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation when property sales/leases commence;
- For the portion located in the AE-65, incorporate an exterior to interior noise level reduction of 35 decibels into the building construction for the habitable space that exceeds 35 feet in height, for that portion located in the AE-60, incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0361-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: DNK DEVELOPMENT, LLC AND MEGA INVESTMENTS, LLC

CONTACT: JANNA FELIPE, TANEY ENGINEERING, 6030 S. JONES BOULEVARD,
LAS VEGAS, NV 89118

DRAFT

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07/07/21 BCC AGENDA SHEET

SIGNAGE
(TITLE 30)

POST RD/TENAYA WY

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-21-0250-SD PARCELS, LLC:

WAIVER OF DEVELOPMENT STANDARDS to allow roof signs (signage mounted above entry canopies).

DESIGN REVIEW for canopy signage in conjunction with a partially developed office/warehouse complex on 16.5 acres in an M-D (Designed Manufacturing) (AE-60) Zone in the CMA Design Overlay District.

Generally located on the north side of Post Road, 300 feet east of Tenaya Way within Spring Valley. SS/rk/jo (For possible action)

RELATED INFORMATION:

APN:
163-34-701-031

WAIVER OF DEVELOPMENT STANDARDS:
Allow 29 roof signs (signage mounted above entry canopies) where not permitted per Section 30.72.040(9).

LAND USE PLAN:
SPRING VALLEY - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:

Project Description
General Summary

- Site Address: 7180 W. Post Road
- Site Acreage: 16.5
- Project Type: Canopy signage
- Letter Sign Height (feet): 2
- Maximum Square Feet: 70

History & Site Plan

In September 2018, the Board of County Commissioners (BCC) approved four, 1 story, office/warehouse buildings totaling 252,900 square feet. One of the buildings fronts Post Road to the south with 3 other buildings located behind as well as to the west of the building in the front. The front setback was approved at 83 feet, the rear setback was approved at 89 feet, and the interior side setbacks were approved at 68 feet from the east property line, and 93 feet from

the west property line. Parking is located along the entire perimeter of the site with the main parking areas shown on the north, west, and south sides of the complex.

Signage

The canopy signage is for 3 of the 4 approved buildings and depicts the location, height, square footage, and material being used. All the canopy signs are located on top of the entry canopies and not above the roofline of the actual buildings. The canopy signs are located on the west elevation of Building 1, the north elevation of Building 2, and the south elevation of Building 3. The canopy signage will not be internally illuminated and are approximately 14.5 feet above finished grade. The signs themselves consist of cabinets with panel channel letters.

Applicant's Justification

The applicant indicates there were several conditions of approval placed on the zone change application in 2018 that addressed the height and lighting of Building 1 as this was the closest building to the residential homes to the west. The waiver associated with this request is consistent with the types of conditions that were added to Building 1 in that none of the canopy signs will be illuminated. Therefore, there will be no lighted signs facing towards the residential homes which means there will be no adverse impacts on the residential homes to the west.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-20-0567	Major training facility in conjunction with an approved office/warehouse complex	Approved by PC	February 2021
TM-20-500063	Commercial subdivision	Approved by PC	May 2020
WS-19-0486	Over-length cul-de-sac in conjunction with an approved office/warehouse complex	Approved by PC	August 2019
ZC-18-0206	Reclassified this site to M-D zoning for an office/warehouse complex	Approved by BCC	September 2018
ZC-0300-08	Reclassified this site to M-D zoning for an office/warehouse complex with use permit to have offices as a principal use, and waivers to eliminate the required cross access and reduce setback - expired	Approved by BCC	November 2008

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Office Professional	R-E	Undeveloped
South	Business and Design/Research Park	M-D	Office/warehouse complex
East	Business and Design/Research Park	M-D & R-E	Undeveloped
West	Rural Neighborhood & Business and Design/Research Park	R-E & C-P	Single family residential & office complex

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Waiver of Development Standards

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

Waiver of Development Standards & Design Review

Sign standards are created in part to provide reasonable yet appropriate conditions for identifying businesses and services by controlling the size, type, and design of signs in relationship to the type of the establishment. Staff finds that the requested deviation from the sign standards are generally appropriate for the type and size of this development. The canopy roof signs will mostly be visible internal to the site and all the signs are located on top of the entry canopies and not above the roofline of the actual buildings. The canopy signage will not be internally illuminated and are approximately 14.5 feet above finished grade. Overall, staff finds that the signs are tasteful and will enhance the unique aesthetic environment of the office/warehouse complex.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: SD PARCELS, LLC

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

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE

- TEXT AMENDMENT (TA)
- ZONE CHANGE
 - CONFORMING (ZC)
 - NONCONFORMING (NZC)
- USE PERMIT (UC)
- VARIANCE (VC)
- WAIVER OF DEVELOPMENT STANDARDS (WS)
- DESIGN REVIEW (DR)
 - PUBLIC HEARING
- ADMINISTRATIVE DESIGN REVIEW (ADR)
- STREET NAME / NUMBERING CHANGE (SC)
- WAIVER OF CONDITIONS (WC)
 - _____
(ORIGINAL APPLICATION #)
- ANNEXATION REQUEST (AR)
- EXTENSION OF TIME (ET)
 - _____
(ORIGINAL APPLICATION #)
- APPLICATION REVIEW (AR)
 - _____
(ORIGINAL APPLICATION #)

STAFF

APP. NUMBER: WS-21-0250 DATE FILED: 5-12-21
 PLANNER ASSIGNED: RK
 TAB/CAC: Spring Valley TAB/CAC DATE: 6-8-21
 PC MEETING DATE: _____ M-D / AE-GO
 BCC MEETING DATE: 7-7-21 BDRP
 FEE: \$1,150.00 MN ZC-18-0206

PROPERTY OWNER

NAME: SD Parcels, LLC
 ADDRESS: 6050 S. Fort Apache Rd, 200A
 CITY: Las Vegas STATE: NV ZIP: 89148
 TELEPHONE: 000-000-0000 CELL: 000-000-0000
 E-MAIL: n/a

APPLICANT

NAME: SD Parcels, LLC
 ADDRESS: 6050 S. Fort Apache Rd, 200A
 CITY: Las Vegas STATE: NV ZIP: 89148
 TELEPHONE: 000-000-0000 CELL: 000-000-0000
 E-MAIL: n/a REF CONTACT ID #: n/a

CORRESPONDENT

NAME: Kaempfer Crowell - Ann Pierce
 ADDRESS: 1980 Festival Plaza Dr. #650
 CITY: Las Vegas STATE: NV ZIP: 89135
 TELEPHONE: 702-792-7048 CELL: 000-000-0000
 E-MAIL: apierce@kcnvlaw.com REF CONTACT ID #: 164674

ASSESSOR'S PARCEL NUMBER(S): 163-34-701-031

PROPERTY ADDRESS and/or CROSS STREETS: Patrick and Tenaya

PROJECT DESCRIPTION: Waiver of Development Standards to allow signage on canopies

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

[Signature]
 Property Owner (Signature)

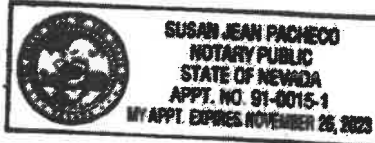
A Jonathan Schwartz
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON April 8, 2021 (DATE)

By A Jonathan Schwartz

NOTARY PUBLIC: Susan Jean Pacheco



*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.

ATTORNEYS AT LAW

LAS VEGAS OFFICE

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702.792.7050

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

May 11, 2021

VIA UPLOAD

Clark County Planning Department
500 Grand Central Parkway, 1st Floor
Las Vegas, NV 89155

**Re: Revised Justification letter
Waiver of Development Standards – Canopy Signage
APN: 163-34-701-031**

To Whom It May Concern:

Please be advised, this office represents the applicant (the "Applicant"). On behalf of the Applicant, we are submitting a waiver of development standards to allow for canopy signage above each tenant space. The project is located near Post Road and Tenaya Way and is more particularly described as APN: 163-34-701-031. The project was previously approved on September 19, 2018 (ZC-18-0206) and allowed for four office warehouse buildings in a M-D zoning district.

We are submitting this application to allow for canopy signage for each of our tenants. The text of the sign will be placed above the canopy for each of the entrances into the tenant spaces on Buildings 1, 2 and 3. The maximum sign area will be 70 square feet and will not be illuminated. There were several conditions of approval added to ZC-18-0206 that addressed the height and lighting of Building #1 as this was the closest building to the residential homes to the west. The waiver associated with this application is consistent with the types of conditions that were added to Building #1 in that none of the canopy signs will be illuminated. Therefore, there will be no lighted signs facing towards the residential homes which means there will be no adverse impacts on the residential homes to the west.

Finally, we believe this canopy signage is more fitting to the design of the buildings and will lend more visual interest while still providing the necessary directional signage into the individual tenant suites.

Thank you for your consideration of this request.

Sincerely,

KAEMPFER CROWELL



Jennifer Lazovich

JJL/amp

