



Whitney Town Advisory Board

Whitney Community Center

5712 Missouri Ave.

Las Vegas, NV. 89122

April 1, 2021

6:00pm

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 Secretary Name at Secretary's Phone Number and is/will be available on the County's website at www.clarkcountynv.gov.
- If you do not wish to attend this meeting in person, but would like to comment on an item appearing on this agenda, or provide general public comment, please submit your comments to bva@clarkcountynv.gov, before 5:00 pm, April 1, 2021. Please include your name, address, and identify which agenda item you are commenting on, 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.

Board/Council Members: Christopher Fobes, Chairperson
Greg Konkin, Vice Chairperson
Geraldine Ramirez
Amy Beaulieu
Al Martinez

Secretary: Maureen Helm 702-606-0747 mhelmtab@gmail.com

County Liaison(s): Blanca Vazquez 702-455-8531 bva@clarkcountynv.gov

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

the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

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 bva@clarkcountynv.gov, before 5:00 pm, on April 1, 2021. Please include your name, address, and identify which agenda item you are commenting on, 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 March 11, 2021. (For possible action)
- IV. Approval of the Agenda for April 1, 2021 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
- VI. Planning and Zoning
 - 1. **NZC-21-0062-BORLAND, LLC:**
ZONE CHANGE to reclassify 12.0 acres from C-2 (General Commercial) Zone to RUD (Residential Urban Density) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase wall height; **2)** reduce street intersection off-set; and **3)** off-site improvements (including partial paving, curb, gutter, sidewalk, and streetlights).
DESIGN REVIEWS for the following: **1)** single family residential subdivision; and **2)** finished grade. Generally located on the south side of Tropicana Avenue and the east side of Steptoe Street within Whitney (description on file). JG/jt/jd (For possible action) **PC 4/20/21**
 - 2. **VS-21-0063-BORLAND, LLC:**
VACATE AND ABANDON a portion of a right-of-way being Tropicana Avenue located between Steptoe Street and Wetlands Park Lane within Whitney (description on file). JG/jt/jd (For possible action) **PC 4/20/21**
 - 3. **TM-21-500017-BORLAND, LLC:**
TENTATIVE MAP consisting of 100 lots and common lots on 12.0 acres in an RUD (Residential Urban Density) Zone. Generally located on the south side of Tropicana Avenue and the east side of Steptoe Street within Whitney. JG/jt/jd (For possible action) **PC 4/20/21**
 - 4. **WS-21-0082-S.J. NIXON 2004 IRREVOCABLE TRUST:**
WAIVER OF DEVELOPMENT STANDARDS for modified commercial driveway design standards.
DESIGN REVIEW for a vehicle maintenance development on 5.0 acres in an M-1 (Light Manufacturing) Zone. Generally located on the south side of Emerald Avenue, approximately 1,570 feet east of Stephanie Street within Whitney. JG/sd/jd (For possible action) **PC 4/20/21**

5. **ZC-21-0092-DRAKETAIL HOLDINGS II, LLC:**
ZONE CHANGE to reclassify a 4.9 acre portion of a 10.2 acre site from an R-E (Rural Estates Residential) Zone and R-2 (Medium Density Residential) Zone to an R-5 (Apartment Residential) Zone.
USE PERMIT for a senior housing project.
WAIVER OF DEVELOPMENT STANDARDS to allow alternative street landscaping.
DESIGN REVIEWS for the following: 1) a senior housing project with associated structures; and 2) alternative parking lot landscaping. Generally located on the north side of Russell Road, 490 feet east of Boulder Highway within Whitney (description on file). JG/rk/jd (For possible action)
BCC 4/21/21

VII. General Business

- 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 bva@clarkcountynv.gov, before 5:00 pm, April 1, 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.

- IX. Next Meeting Date: April 15, 2021.

- X. Adjournment.

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

Names of Locations:

Whitney Library, Whitney Senior Center, Jack-in-the-box @Boulder Highway/Russell,

CVS @ Tropicana/Boulder Highway

<https://notice.nv.gov>



Whitney Town Advisory Board

March 11, 2021

MINUTES

Board Members:	Christopher Fobes –Chair - PRESENT Greg Konkin - Vice Chair- PRESENT Amy Beaulieu- PRESENT Geraldine Ramirez- PRESENT Al Martinez- PRESENT
Secretary:	Maureen Helm 702-606-0747 mhelmstab@gmail.com
Town Liaison:	Blanca Vazquez 702-455-8531 bva@clarkcountynv.gov

I. Call to Order, Pledge of Allegiance, Roll Call,(see above) County Staff Introductions

Stephanie Halasi – Community Services Specialist, Administrative Services
Greg Cerven; Planning, Blanca Vazquez; Town Liaison

The meeting was called to order by Fobes at 6:00 p.m.

II. Public Comment
None

III. Approval of February 11, 2021 Minutes

Moved by: Ramirez
Approve minutes as submitted
Vote: 5-0 Unanimous

IV. Approval of Agenda for March 11, 2021

Moved by: Beaulieu
Approve as submitted
Vote: 5-0 Unanimous

V. Informational Items(for discussion)
None

VI. Planning and Zoning

1. **ZC-21-0064-HADDAD JIMEEL M SPENDTHRIFT TRUST & HADDAD JIMEEL M TRS:**

ZONE CHANGE to reclassify 0.6 acres from H-2 (General Highway Frontage) Zone to C-2 (General Commercial) Zone.

USE PERMITS for the following: 1) vehicle repair; 2) reduce the separation from a vehicle maintenance (automobile) facility to a residential use; and 3) increase the number of vehicles (automobiles) displayed outside for a vehicle sales facility when the business has common parking with other businesses.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) permit service bay doors to face a street; 2) eliminate interior parking lot landscaping; 3) eliminate street landscaping; 4) eliminate landscaping adjacent to a less intensive use; 5) permit a freestanding sign to not be located within a curbed landscaped or rockscaped area; 6) reduce setback for a freestanding sign; 7) eliminate the sidewalk around the perimeter of the building; 8) eliminate the pedestrian walkway from the adjacent public sidewalk to the principal building entrance; 9) reduce parking; 10) mechanical equipment screening; 11) permit non-decorative metal paneling; 12) reduce the setback for a trash enclosure from a residential development; 13) allow non-standard improvements within the right-of-way; and 14) allow modified driveway design standards.

DESIGN REVIEWS for the following: 1) vehicle repair facility; 2) vehicle sales facility (display area); and 3) signage. Generally located on the west side of Boulder Highway, 100 feet south of English Avenue within Whitney (description on file). JG/md/jd (For possible action)

BCC 4/7/21

MOVED BY-Martinez

APPROVE- Subject to IF approved staff conditions

Applicant withdrew Waiver of Standards #9 #12

VOTE: 5-0 Unanimous

VII. General Business (for possible action)

None

VIII. Public Comment

Neighbor spoke about safety concerns, dirt bikes and quads speeding around the dead end at Rawhide and Nellis

The street lights in that area are very dim and don't stay on

IX. Next Meeting Date

The next regular meeting will be April 1, 2021.

X. Adjournment

The meeting was adjourned at 6:30 p.m.

04/20/21 PC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL SUBDIVISION
(TITLE 30)

TROPICANA AVE/STEPTOE ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
NZC-21-0062-BORLAND, LLC:

ZONE CHANGE to reclassify 12.0 acres from C-2 (General Commercial) Zone to RUD (Residential Urban Density) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase wall height, **2)** reduce street intersection off-set; and **3)** off-site improvements (including partial paving, curb, gutter, sidewalk, and streetlights).

DESIGN REVIEWS for the following: **1)** single family residential subdivision; and **2)** finished grade.

Generally located on the south side of Tropicana Avenue and the east side of Steptoe Street within Whitney (description on file). JG/t/jd (For possible action)

RELATED INFORMATION:

APN:
161-27-101-019; 161-27-501-003

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase wall height to 11 feet (5 feet of retaining wall plus 6 feet of screen wall) where 9 feet (3 feet of retaining wall plus 6 feet of screen wall) is the maximum allowed per Section 30.64.050 (a 22% increase).
2. Reduce street intersection off-set on Hardy Jasmine Avenue between Steptoe Street and Toad Lily Street to 86 feet where 125 feet is required per Section 30.52.052 (a 31% decrease).
3. Waive off-site improvements (including partial paving, curb, gutter, sidewalk, and streetlights) along Tropicana Avenue where off-site improvements are required per Chapter 30.52.

DESIGN REVIEWS:

1. Single family residential subdivision.
2. Increase finished grade to 60 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 233% increase).

LAND USE PLAN:
WHITNEY - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 12
- Number of Lots/Units: 100
- Density (du/ac): 8.3
- Minimum/Maximum Lot Size (square feet): 2,749/4,003
- Project Type: Single family residential subdivision
- Number of Stories: 2
- Building Height (feet): 24
- Square Feet: 1,414/1,603
- Open Space Required/Provided (square feet): 20,000/20,907
- Parking Required/Provided: 240/400

Neighborhood Meeting Summary

The required notices were mailed to a 1,500 foot radius from the site notifying property owners of a neighborhood meeting on November 12, 2020 at 6:00 p.m. at the Whitney Recreation Center. Nine neighbors attended the meeting, and topics discussed included construction hours, street landscaping, amenities for residents, wall height, and layout of the subdivision.

Site Plan

The site plan depicts a single family residential subdivision with a single entrance/exit from Steptoe Street on the west side of the site. Internal streets are 48 foot wide public streets with 5 foot wide sidewalks on both sides of the streets. Two internal streets run east/west, and 2 internal streets run north/south ending in stub streets. Pedestrian connections are provided from the stub streets in the northwest and northeast portion of the site to Tropicana Avenue. Open space includes a 16,034 square foot common lot near the entrance, a 4,873 square foot common lot in the northeast corner, and a 38,686 square foot common lot that runs along the southside of Tropicana Avenue as the road transitions into Broadbent Boulevard.

A design review is necessary to increase finished grade above 18 inches along the southern and eastern boundary. Also, a waiver of development standards is necessary to reduce the street intersection off-set on Hardy Jasmine Avenue (the entrance and exit for the subdivision) between Steptoe Street and the internal Toad Lily Street. Another waiver of development standards is requested to waive off-site improvements (including partial paving, curb, gutter, sidewalk, and streetlights) along Tropicana Avenue. The off-site improvements are shown on the plans along Tropicana Avenue; however, the waiver of development standards will allow the deferment of the off-site improvements until Clark County Public Works completes the drainage channel improvements along the south side of Tropicana Avenue.

Landscaping

Around the perimeter of the subdivision, landscaping includes a 6 foot wide landscape strip behind an attached sidewalk along Steptoe Street and a 15 foot wide landscape planter along Tropicana Avenue, which consists of a 5 foot wide landscape strip, detached sidewalk, and 5 foot wide landscape strip. The 38,686 square foot common lot that runs along the southside of

Tropicana Avenue as it transitions into Broadbent Boulevard will include a meandering path, rock groundcover, and bushes. The open space on the northeast side of the subdivision will include a fenced dog play area and turf area. Lastly, the open space near the entrance and exit to the subdivision will include a tot lot, turf area, and a ramada. Ten foot wide landscape strips are also provided on the north and south sides of the road entering the subdivision.

Elevations

The 2 story homes are up to 24 feet in height to the peak of the pitched barrel tile roof. Various elevation options include painted stucco, articulation such as stucco pop-outs or faux shutters around the windows, and stone or brick veneer.

Floor Plans

Two home models are provided, which are 1,414 square feet and 1,603 square feet. The first floor generally consists of a foyer, bathroom, living room, and kitchen. The second floor consists of a laundry room, bedrooms, and bathrooms. Non-livable spaces include 2 car garages, covered back porch, and covered front patio.

Signage

Signage is not a part of this request.

Applicant's Justification

According to the applicant, the proposed single family subdivision is appropriate for the location. However, several alternative standards are necessary, but justified. For example, the design review for increased finished grade is necessary along the southern and eastern boundaries of the site. This is due to the sewer design constraints and the natural topography of the site. Similarly, a waiver of development standards to increase retaining wall height along the southern and eastern boundaries is necessary due to sewer design constraints and the natural topography.

The applicant states that the other waivers of development standards are also necessary. For example, the waiver of development standards to reduce street intersection off-set will not create any negative impacts due to the low traffic volume of Steptoe Street. Lastly, the waiver of development standards for off-site improvements along Tropicana Avenue is necessary since Clark County will be installing a large storm drain system in this area soon. According to the applicant, it would not be in the best interest of the applicant or Clark County to install the off-site improvements only to have them ripped out when the drainage facility is installed. Instead, the applicant will work with Public Works to contribute their fair share of monies for off-site improvements along Tropicana Avenue.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1084-03	Reclassified the site to C-2 zoning for a future commercial use	Approved by BCC	August 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Suburban (up to 8 du/ac)	R-1 & R-T	Single family residential & manufactured home park
South & East	Business and Design/Research Park & Residential Suburban (up to 8 du/ac)	M-D & R-2	Office/warehouse buildings & single family residential
West	Business and Design/Research Park	M-D	Office/warehouse buildings

Related Applications

Application Number	Request
TM-21-500017	A tentative map for a single family subdivision is a companion item on this agenda.
VS-21-0063	A vacation and abandonment of right-of-way is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

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

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

A change in trends since the most recent adoption of the Whitney Land Use Plan in 2018 has been an increased demand for housing. Economic forces have increased the demand for housing, and this project will provide additional housing opportunities.

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

The density and intensity of the proposed RUD single family zoning district is compatible with the existing uses in the surrounding area. For example, an R-1 zoned single family subdivision is located across Tropicana Avenue to the north, an R-2 zoned single family subdivision is located to the east, and office/warehouse developments are located to the south and to the west across Steptoe Street. Further east, further south, and further west, beyond the adjacent and abutting

properties, are existing RUD zoned single family subdivisions. As a result, the proposed RUD zoning is compatible with the single family subdivisions and office/warehouse projects in the area.

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

There has been no indication from the utility purveyors that the proposed RUD zoning will result in substantial adverse effects on public facilities and services.

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

The proposed nonconforming zone boundary amendment complies with Goal 2 in the Comprehensive Master Plan, which encourages in part a mix of commercial, office, and residential uses in proximity. Here, the proposed RUD zoning will create a node of residential and office/warehouse uses at the intersection of Tropicana Avenue and Steptoe Street. Also, the nonconforming zone boundary amendment complies with Goal 7, which encourages housing alternatives to meet a range of lifestyle choices, ages, and affordability levels. Here, the proposed RUD zoning will allow smaller lot single family dwellings to increase affordability.

Summary

Zone Change

The proposed nonconforming zone boundary amendment provides additional housing, which addresses the trend of increased housing demand in Southern Nevada. Also, the density and intensity are compatible with the existing development in the area, and the zoning will not substantially impact public facilities and services. Lastly, the zoning conforms to applicable goals in the Comprehensive Master Plan. As a result, staff can support the nonconforming zone boundary amendment to RUD zoning.

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

Topography and drainage can dictate the need for additional retaining walls. Since the increased retaining wall height will only occur on the south and eastern portions of the site, which are adjacent to existing office/warehouse projects to the south and an existing single family subdivision to the east, staff does not anticipate any substantial adverse visual impacts from the increased retaining wall height.

Design Review #1

The proposed single family subdivision is compatible with adjacent development and development in the area. Access is provided from Steptoe Street, which is a lower traffic volume local street, and the internal street circulation within the subdivision is logical and grid-like. This creates clear on-site circulation without unnecessary winding streets and dead-ends. In addition, pedestrian access is provided to Tropicana Avenue on both the east and west side of the subdivision, which increases pedestrian connectivity. Furthermore, usable open space is located near the subdivision entrance and at the northeast corner of the subdivision so all residents will have convenient access. Also, the landscaping and meandering path along the south side of Tropicana Avenue as the road transitions into Broadbent Boulevard will provide a recreational amenity for residents in the subdivision and in the community. Finally, the single family houses are aesthetically pleasing and include variety and architectural embellishments. As a result, staff can support the request.

Public Works - Development Review

Waiver of Development Standards #2

Staff has no objection to the reduction in the street intersection offset between Steptoe Street and Toad Lily Street. The applicant is providing additional common elements adjacent to Hardy Jasmine Avenue which should improve the visibility for those vehicles entering the subdivision.

Waiver of Development Standards #3

Staff has no objection to not installing full off-site improvements on Tropicana Avenue. The applicant is coordinating with Clark County Public Works - Design Division for the Tropicana Avenue and Broadbent Boulevard improvement project and has agreed to enter into a cost participation agreement for the off-sites adjacent to the site. Clark County will install those off-sites as part of a future improvement project.

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.

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on May 19, 2021 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Resolution of Intent to complete in 4 years;

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a protective wall constructed per the requirements of the Department of Public Works is required adjacent to the drainage channel along Tropicana Avenue; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements on Steptoe Street;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for bus turnout including, a 5 foot by 25 foot bus shelter pad easement, behind the sidewalk on the south side of Tropicana Avenue, just east of Steptoe Street;
- Coordinate with Public Works - Design Division for the Tropicana Avenue/Broadbent Boulevard improvement project;
- Dedicated any right-of-way and easements necessary for the Tropicana Avenue/Broadbent Boulevard improvement project;
- Applicant shall enter into a cost participation agreement for the future Tropicana Avenue improvements.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control, 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.

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 #0405-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: LGI HOMES - NEVADA, LLC
CONTACT: JANNA FELIPE, TANEY ENGINEERING, 6030 S. JONES BOULEVARD,
LAS VEGAS, NV 89118

DRAFT

04/20/21 PC AGENDA SHEET

RIGHT-OF-WAY
(TITLE 30)

TROPICANA AVE/STEPTOE ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-21-0063-BORLAND, LLC:

VACATE AND ABANDON a portion of a right-of-way being Tropicana Avenue located between Steptoe Street and Wetlands Park Lane within Whitney (description on file). JG/jt/jd
(For possible action)

RELATED INFORMATION:

APN:
161-27-101-019; 161-27-501-003

LAND USE PLAN:
WHITNEY - COMMERCIAL GENERAL

BACKGROUND:

Project Description

The plans depict the vacation and abandonment of a 5 foot wide portion of Tropicana Avenue along the northern portion of the site. According to the applicant, this will allow for a detached sidewalk in conjunction with the companion applications for a single family subdivision.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1084-03	Reclassified the site to C-2 zoning for a future commercial use	Approved by BCC	August 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Suburban (up to 8 du/ac)	R-1 & R-T	Single family residential & manufactured home park
South & East	Business and Design/Research Park & Residential Suburban (up to 8 du/ac)	M-D & R-2	Office/warehouse buildings & single family residential
West	Business and Design/Research Park	M-D	Office/warehouse buildings

Related Applications

Application Number	Request
NZC-21-0062	A nonconforming zone change to reclassify the site to RUD zoning for a single family subdivision is a companion item on this agenda.
TM-21-500017	A tentative map for a single family subdivision is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

Staff has no objection to the vacation of a portion of Tropicana Avenue right-of-way to accommodate the installation of detached sidewalks.

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on May 19, 2021 at 9:00 a.m., unless otherwise announced.

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

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: LGI HOMES - NEVADA, LLC

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

DRAFT

04/20/21 PC AGENDA SHEET

TROPICANA & STEPTOE
(TITLE 30)

TROPICANA AVE/STEPTOE ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-21-500017-BORLAND, LLC:

TENTATIVE MAP consisting of 100 lots and common lots on 12.0 acres in an RUD (Residential Urban Density) Zone.

Generally located on the south side of Tropicana Avenue and the east side of Steptoe Street within Whitney. JG/jt/jd (For possible action)

RELATED INFORMATION:

APN:

161-27-101-019; 161-27-501-003

LAND USE PLAN:

WHITNEY - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 12
- Number of Lots/Units: 100
- Density (du/ac): 8.3
- Minimum/Maximum Lot Size (square feet): 2,749/4,003
- Project Type: Single family residential subdivision

The tentative map depicts a single family residential subdivision with a single entrance/exit from Steptoe Street on the west side of the site. Internal streets are 48 feet wide public streets with 5 foot wide sidewalks on both sides of the streets. Two internal streets run east/west, and 2 internal streets run north/south ending in stub streets. Pedestrian connections are provided from the stub streets in the northwest and northeast portion of the site to Tropicana Avenue. Open space includes a 16,034 square foot common lot near the entrance, a 4,873 square foot common lot in the northeast corner, and a 38,686 square foot common lot that runs along the southside of Tropicana Avenue as the road transitions into Broadbent Boulevard.

Around the perimeter of the subdivision, landscaping includes a 6 foot wide landscape strip behind an attached sidewalk along Steptoe Street and a 15 foot wide landscape planter along Tropicana Avenue, which consists of a 5 foot wide landscape strip, detached sidewalk, and 5 foot wide landscape strip. The 38,686 square foot common lot that runs along the southside of Tropicana Avenue as it transitions into Broadbent Boulevard will include a meandering path, rock groundcover, and bushes. The open space on the northeast side of the subdivision will

include a fenced dog play area and turf area. Lastly, the open space near the entrance and exit to the subdivision will include a tot lot, turf area, and a ramada. Ten foot wide landscape strips are also provided on the north and south sides of the road entering the subdivision.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1084-03	Reclassified the site to C-2 zoning for a future commercial use	Approved by BCC	August 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Suburban (up to 8 du/ac)	R-1 & R-T	Single family residential & manufactured home park
South & East	Business and Design/Research Park & Residential Suburban (up to 8 du/ac)	M-D & R-2	Office/warehouse buildings & single family residential
West	Business and Design/Research Park	M-D	Office/warehouse buildings

Related Applications

Application Number	Request
NZC-21-0062	A nonconforming zone change to reclassify the site to RUD zoning for a single family subdivision is a companion item on this agenda.
VS-21-0063	A vacation and abandonment of right-of-way is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

**Analysis
Current Planning**

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

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on May 19, 2021 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements on Steptoe Street;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for bus turnout including, a 5 foot by 25 foot bus shelter pad easement, behind the sidewalk on the south side of Tropicana Avenue, just east of Steptoe Street;
- Coordinate with Public Works - Design Division for the Tropicana Avenue/Broadbent Boulevard improvement project;
- Dedicated any right-of-way and easements necessary for the Tropicana Avenue/Broadbent Boulevard improvement project;
- Applicant shall enter into a cost participation agreement for the future Tropicana Avenue improvements.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control, 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.

Current Planning Division - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

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 #0405-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: LGI HOMES - NEVADA, LLC

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

DRAFT

04/20/21 PC AGENDA SHEET

VEHICLE MAINTENANCE
(TITLE 30)

STEPHANIE ST/EMERALD AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-21-0082-S.J. NIXON 2004 IRREVOCABLE TRUST:

WAIVER OF DEVELOPMENT STANDARDS for modified commercial driveway design standards.

DESIGN REVIEW for a vehicle maintenance development on 5.0 acres in an M-1 (Light Manufacturing) Zone.

Generally located on the south side of Emerald Avenue, approximately 1,570 feet east of Stephanie Street within Whitney. JG/sd/jd (For possible action)

RELATED INFORMATION:

APN:

161-27-403-009; 161-27-403-011

WAIVER OF DEVELOPMENT STANDARDS:

Increase driveway width to 47 feet where 40 feet is the maximum per Uniform Standard Drawing 222 (a 18% increase).

LAND USE PLAN:

WHITNEY - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 5
- Project Type: Vehicle maintenance
- Number of Stories: 1
- Building Height (feet): 24
- Square Feet: 27,304 (all buildings)
- Parking Required/Provided: 40/86

Site Plans

The plans depict a proposed limited vehicle maintenance and office use. The proposed project is located south of Emerald Avenue west of the Duck Creek channel to the east. Access to the site is from Emerald Avenue. The site plan shows 3 separate buildings on the parcel with parking along the west parcel line and throughout the parcels adjacent to each building. The buildings

have incorporated pedestrian sidewalks around each building exterior, except in front of the roll-up doors.

Landscaping

The plans depict landscaping along Emerald Avenue and along the Duck Creek channel. Parking lot landscaping is shown with finger islands as per Code. The adjacent properties to the west and south are zoned M-2 and M-1; therefore, landscaping is not required adjacent to those properties. The landscaping materials include 24 inch box trees and various groundcover materials.

Elevations

The plans depict 3 proposed buildings each 1 story, with a maximum height of up to 24 feet. The buildings show enhanced architectural elements and each building will utilize earth tone color schemes.

Floor Plans

The plans depict an open floor plan with service areas, offices, and restrooms.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant proposes the construction of 3 buildings for limited vehicle maintenance and office uses. All bay doors have been designed to face east/west, away from Emerald Street. The use is more than 200 feet away from the existing multiple family development. The driveway is skewed to accommodate the turning radius of large scale vehicles with trailers. This skew requires that the opening be 47 feet lip to lip. They are also proposing to end the off-site improvements at the end radius of the easternmost driveway.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0470-13	Communication tower	Approved by PC	October 2013
UC-0960-08	Utility structures and eliminated setbacks	Approved by PC	November 2008

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, East, & West	Industrial	M-1	Undeveloped & industrial buildings
South	Commercial General	M-1	Undeveloped

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.

Design Review

The design of the proposed facility is consistent with the architecture of similar type existing facilities in the area. The proposed building is in compliance with Urban Specific Policy 10 of the Comprehensive Master Plan which encourages site designs to be compatible with adjacent land uses. The proposed plans show all bay doors are designed to face east/west and to be screened from the street. In addition, the proposed colors will be desert colors of tan and/or brown.

Public Works - Development Review

Waiver of Development Standards

Based on the orientation of the site, a wider driveway width is needed to accommodate the minimum width for the on-site drive aisle. Therefore, staff has no objection to 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

- No vehicle repair is allowed;
- 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;

- Traffic study and compliance;
- Full off-site improvements.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: S.J. NIXON 2004 IRREVOCABLE TRUST

CONTACT: VALLEY CIVIL DESIGN GROUP, 8275 S. EASTERN AVE., SUITE 200, LAS VEGAS, NV 89123

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

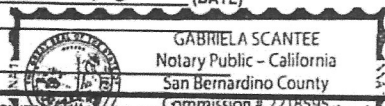
APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (Nzc) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>WS-21-0082</u> DATE FILED: <u>2/18/21</u> PLANNER ASSIGNED: <u>SWD</u> TAB/CAC: <u>Whitv</u> TAB/CAC DA: <u>4/1/21</u> PC MEETING DATE: <u>4/20/21</u> BCC MEETING DATE: _____ FEE: <u>\$ 1,150</u>
	PROPERTY OWNER NAME: <u>The S.J. Nixon 2004 Irrevocable Trust</u> ADDRESS: <u>2044 S. Vineyard Ave.</u> CITY: <u>Ontario</u> STATE: <u>CA</u> ZIP: <u>91761</u> TELEPHONE: <u>909-930-1822</u> CELL: _____ E-MAIL: <u>lnixonenixonegli.com</u>
	APPLICANT NAME: <u>James Nixon</u> ADDRESS: <u>2044 S. Vineyard Ave.</u> CITY: <u>Ontario, CA</u> STATE: <u>CA</u> ZIP: <u>91761</u> TELEPHONE: <u>909-930-1822</u> CELL: _____ E-MAIL: <u>lnixonenixonegli.com</u> REF CONTACT ID #: _____
CORRESPONDENT NAME: <u>Matt Loser</u> ADDRESS: <u>8275 S. Eastern Ave. Suite 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89123</u> TELEPHONE: <u>512.954.8883</u> CELL: <u>512.954.8883</u> E-MAIL: <u>matthew.w.loser@valley-c</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 161-27-403-009, 011
 PROPERTY ADDRESS and/or CROSS STREETS: Emerald St just west of Duck Creek
 PROJECT DESCRIPTION: Industrial buildings and

(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] SJ Nixon 2004 Irrevocable Trust, Trustee
 Property Owner (Print) James Nixon

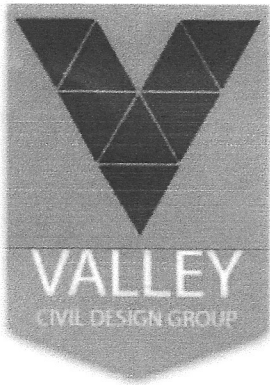
STATE OF California
 COUNTY OF San Bernardino
 SUBSCRIBED AND SWORN BEFORE ME ON 07 September 2020 (DATE)
 By James Nixon



*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.

20-100770

4



December 4, 2020

Department of Comprehensive Planning
500 S. Grand Central Pkwy.
Box 551741
Las Vegas, NV 89155-1741
702.455.4314

WS-21-0082

RE: 161-27-403-009, 011 | Conditional Use Permits

To whom it may concern,

Nixon Egli, proposes the construction of Industrial buildings with limited vehicle maintenance and vehicle repair and office uses. The proposed project is located along Emerald Street, just west of the Duck Creek Channel specifically identified as APNs 161-27-403-009, 011. The property is currently zoned M-1, Light Manufacturing.

The surrounding zoning is as follows:

North: M-1, Light Manufacturing
South: M-1, Light Manufacturing
West: M-1, Light Manufacturing
East: M-1, Light Manufacturing
Northeast: R-3, Multifamily Residential

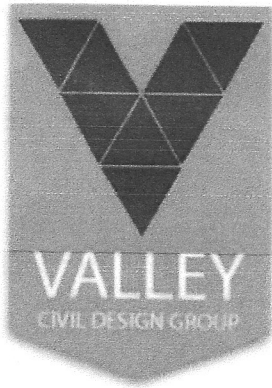
Conditional Use Requirements

Pursuant to Chapter 30.44 of the zoning code. Vehicle Repair and Vehicle Maintenance are conditional uses within an M-1 zone subject to the following (**method of compliance in bold**):

1. No Service Bay Doors shall face a street unless screened from the street by landscaping or a building. **All bay doors have been designed to face east/ west away from Emerald Street.**
2. Outside smog check is permitted, provided equipment is stored within an enclosed building. **If smog check is permitted, equipment will be stored in the buildings.**
3. Must have a minimum separation of 200' from any residential use, unless separated by a collector or arterial street or buffered from residential use by a building. **The uses are in excess of 200' way from the existing multifamily lots.**

Waiver of Development Standards:

Nixon Egli is requesting a Waiver of Development Standards for the following items.



Eastern Driveway #2 Emerald Street

Driveway #2 will require a waiver for a non-standard curb return driveway. The driveway is skewed to accommodate the turning radius of large scale vehicles with trailers. This skew requires that the opening be 47' lip to lip.

We are also proposing to end the offsite improvements at the end radius of the easternmost driveway. The fence for duck creek ends at this point.

Design Review

Architectural Design: The proposed buildings will be one (1) story with a maximum height of twenty three (23) feet, eight (8) inches. The buildings will include enhanced architectural elements and the use of a variety of materials and colors. The materials and colors will feature a range of tans and browns in the color palette, accented with the use of CMU split-face block and stone.

Landscaping: The site will be very well landscaped in an effort to visually buffer the project while maintaining the openness and continuity of existing landscaping in the area.

We appreciate your time and request your sign off on the project.

Sincerely,
Valley Civil Design Group

Matt Loser, PE, LEED AP
Managing Member
512.954.8883
Matthew.w.loser@valley-cdg.com

SENIOR APARTMENT COMPLEX
(TITLE 30)

RUSSELL RD/BOULDER HWY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ZC-21-0092-DRAKETAHOLDINGS II, LLC:

ZONE CHANGE to reclassify a 4.9 acre portion of a 10.2 acre site from an R-E (Rural Estates Residential) Zone and R-2 (Medium Density Residential) Zone to an R-5 (Apartment Residential) Zone.

USE PERMIT for a senior housing project.

WAIVER OF DEVELOPMENT STANDARDS to allow alternative street landscaping.

DESIGN REVIEWS for the following: 1) a senior housing project with associated structures; and 2) alternative parking lot landscaping.

Generally located on the north side of Russell Road, 490 feet east of Boulder Highway within Whitney (description on file). JG/rk/jd (For possible action)

RELATED INFORMATION:

APN:

161-27-801-027 ptn.

WAIVER OF DEVELOPMENT STANDARDS:

Allow alternative street landscaping (groundcover only) along portions of a public street (Russell Road) where plant material is required per Figure 30.64-17.

DESIGN REVIEWS:

1. A senior housing project with associated structures.
2. Alternative parking lot landscaping on portions of the site where landscaping fingers are required per Figure 30-64-14.

LAND USE PLAN:

WHITNEY - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 4.9 (portion)
- Number of Units: 205
- Density (du/ac): 42.0
- Project Type: Senior apartment complex

- Number of Stories: 4
- Building Height (feet): 49
- Open Space Required/Provided: 20,500/33,000
- Parking Required/Provided: 205/212

Site Plans

The plans depict a proposed senior housing facility consisting of 2 buildings located near the center of the site with parking shown around the perimeter of the buildings. There will be a total of 205 units with a density of 42.0 dwelling units per acre. Title 30 allows a maximum density of 50 dwelling units per acre for senior housing in an R-5 zone. The complex will provide 1 and 2 bedroom units. The setbacks of the building are as follows: 90 feet to the south property line (Russell Road); 87 feet to the north property line; 84 feet to the east property line; and 80 feet to the future west property line. Interior to the site, open space and landscaping are equitably distributed throughout the development. There are 2 recreational open space areas that face interior to the site surrounded by 3 sides of the building in a courtyard fashion. There will be 1 access point to the development from a private drive off Russell Road to the east. Internal circulation within the project consists of 25 foot wide drive aisles. Parking will consist of surface parking for both the visitors and residents with a majority of the spaces being covered.

Landscaping

The street landscaping is shown at 15 feet to 45 feet wide along Russell Road with an attached sidewalk. The perimeter landscaping includes 6 foot wide landscape areas along the north and east property lines with trees spaced 20 feet on center. Interior to the site, open space and landscaping are equitably distributed throughout the development and consist of active and passive open space areas, which include 2 recreational open space areas, a swimming pool and spa, dog park, and picnic areas. The recreational open space areas face interior to the site surrounded by 3 sides of the building in a courtyard fashion. The amount of passive and active open space is depicted at 33,000 square feet where 20,500 square feet is required.

A public hearing design review is needed due to the project eliminating 1 landscape finger near the southeast portion of the site and 6 landscape fingers along the western portion of the property where there will be no trees or shrubs due to the power easement (groundcover only).

Elevations

The residential buildings are 4 stories with pitched roofs consisting of concrete tile roofing material. The exterior walls have a stucco finish painted in earth tone colors. The upper floor units will have balconies with wrought iron railings. The residential buildings are designed with various pop-outs, recesses, and varying roof heights on all sides of the building. The clubhouse, leasing office, and various additional amenities are internal to the building.

Floor Plans

The plans show a mix of 1 and 2 bedroom units consisting of 125, one bedroom units and 80, two bedroom units. The residential units are between 662 square feet and 889 square feet in area. Indoor amenities will include kitchen, salon, library, computer room, great room, media room, and exercise room.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates senior housing options are necessary and compatible with the surrounding area and the proposed development will have reduced impacts on schools and traffic as compared with a multiple family development. Furthermore, the development meets most required design standards for a multiple family project and the density and intensity of the project is compatible with the existing senior housing developments to the east of this site.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Facilities; Commercial Tourist	R-E, R-2, & R-3	Duck Creek Wash; apartment complex
South	Commercial Tourist	C-2	Motel complex
East	Commercial Tourist	R-5 & C-2	Two senior housing complexes
West	Commercial Tourist	R-2, H-2 & C-2	Undeveloped

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

This request is a conforming zone boundary amendment. This request is consistent to Urban Land Use Policy 10 which encourages site designs to be compatible with adjacent land uses and off-site circulation patterns. The plans depict a use and geographic location of the project that are compliant with all applicable goals and policies contained within the Land Use Plan, specifically Goal 5 regarding multiple family residential development and all corresponding policies; therefore, staff can support the proposed zone change request.

Use Permit

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the 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.

The applicant is requesting a use permit to allow this site to be developed as a senior housing project. The use is compatible with the existing and planned developments in this area and the facility will meet or exceed most Code requirements. The location of the project, in relation to the existing senior housing developments to the east, provides for an orderly development pattern of multiple family housing and is not anticipated to negatively impact the neighborhood.

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.

There are existing utility boxes within portions of the street landscape buffer that will not have plant material. In addition, the site is encumbered by a 60 foot wide power easement that runs along the west side of the development. Due to this power easement, no trees or shrubs will be provided. However, the development will provide groundcover on a portion of the west side of the street frontage per Title 30 requirements. Staff finds that the waiver request will not adversely affect the immediate area since the landscape material provided along Russell Road has an adequate amount of plant material to meet the intent of Code.

Design Review #1

The residential building is designed with various pop-outs, recesses, and varying roof heights on all sides of the buildings to break-up the vertical and horizontal lines of the buildings. The project also complies with Urban Specific Policy 51 which states that all multiple family projects should provide several amenities such as usable open space, swimming pools, barbeque pits, and community centers. The project provides a swimming pool, spa, dog park, and picnic areas within landscaped courtyards, and various indoor amenities to residents. Finally, the overall design of the multiple family residential development is sensitive to the surrounding properties since all buildings are set back a minimum of 80 feet from property lines which ensures the site will be appropriately buffered by adequate transitional space.

Design Review #2

The plans depict the elimination of 1 landscape finger near the southeast portion of the site and 6 landscape fingers along the western portion of the property where there will be no trees or shrubs due to the power easement. However, alternatively additional trees are located along the east perimeter of the property where not required; therefore, staff supports this alternative parking lot design since the plant material is essentially distributed in other areas of the site.

Department of Aviation

The property lies just outside the AE-60 (60-65 DNL) noise contour for the 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 the 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

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that 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 waiver of development standards and design reviews must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Coordinate with Public Works - Design Division for the Traffic Signal Systems project;
- Dedicate any right-of-way and easements necessary for the Traffic Signal Systems project.

Department of Aviation

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

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 #0087-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: OVATION DEVELOPMENT CORPORATION
CONTACT: KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DR, STE 650, LAS VEGAS, NV 89135

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input checked="" type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>ZC-21-0092</u> DATE FILED: <u>2-25-21</u> PLANNER ASSIGNED: <u>RK</u> TAB/CAC: <u>Whitney</u> TAB/CAC DATE: <u>4/1/21</u> PC MEETING DATE: <u>—</u> R-2/R-E to R-5 BCC MEETING DATE: <u>4/21/21</u> CT FEE: <u>\$2,875.00</u> JG
	PROPERTY OWNER NAME: <u>Draketail Holdings II, LLC</u> ADDRESS: <u>3800 Howard Hughes Parkway, 17th Floor</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89169</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____
	APPLICANT NAME: <u>Ovation Contracting, Inc. -- Janet Goyer</u> ADDRESS: <u>6021 S. Fort Apache Road, #100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>702-990-2325</u> CELL: <u>702-580-9036</u> E-MAIL: <u>jang@ovationdev.com</u> REF CONTACT ID #: <u>187421</u>
	CORRESPONDENT NAME: <u>Kaempfer Crowell -- Jennifer Lazovich</u> ADDRESS: <u>1980 Festival Plaza Drive, #650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> CELL: _____ E-MAIL: <u>jlazovich@kcnvlaw.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 161-27-801-027 (part of)
 PROPERTY ADDRESS and/or CROSS STREETS: Boulder Highway and E. Russell Road
 PROJECT DESCRIPTION: New Construction -- Senior Affordable Apartments

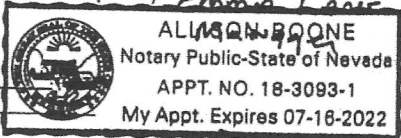
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

William L. Coulthard
 Property Owner (Signature)*

William L. Coulthard, *MANAGER*
 Property Owner (Print) Emma Lane Development

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON December 7th, 2020
 By William L. Coulthard



NOTARY PUBLIC: Alison Boone

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

KAEMPFER

CROWELL

ATTORNEYS AT LAW

LAS VEGAS OFFICE

ANTHONY J. CELESTE

aceleste@kcnvlaw.com
702.693.4215

LAS VEGAS OFFICE
1980 Festival Plaza Drive
Suite 650
Las Vegas, NV 89135
Tel: 702.792.7000
Fax: 702.796.7181

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

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

February 23, 2021

VIA HAND DELIVERY

CLARK COUNTY COMPREHENSIVE PLANNING
500 S. Grand Central Parkway, 1st Floor
Las Vegas, Nevada 89106

20-21-0092

**Re: *Ovation Contracting, Inc.
Justification Letter – Conforming Zone Change to R-5; Design Review
for Multi-Family Apartments (Senior Housing); Waiver of Development
Standards to (1) Waive Landscaping Per Title 30.64-11 Along West
Property Line, (2) Provide Attached Sidewalk Where Detached Sidewalk
is Required, and (3) Reduce Parking Landscape Islands; and Special
Use Permit to Allow Senior Housing
Portion of APN: 161-27-801-027***

To Whom It May Concern:

Please be advised our office represents Ovation Contracting, Inc. (the "Applicant") in the above-referenced matter. The proposed project is located on approximately 4.91 acres generally located at the northeast corner of Boulder Highway and Russell Road, more particularly described as a portion of APN: 161-27-801-027 (the "Site"). The Applicant is proposing a conforming zone change to develop a multi-family apartment, affordable senior housing development.

Conforming Zone Change:

The Applicant is requesting a zone change to R-5. The Site is currently zoned R-E and R-2 and master planned Commercial Tourist (CT). A zone change request to R-5 is a permitted zoning district and conforms to the Site's CT master plan designation. An R-5 zoning district allows for multi-family developments with a density of up to 50 dwelling units per acre. The Applicant is proposing to develop a multi-family development with a density of approximately 42 dwelling units per acre which falls below the allowable density within the R-5 zoning district.

The requested zone change request to R-5 is compatible with the surrounding area. Immediately adjacent to the Site on the east is a developed 4.5 acre multi-family development that is zoned R-5. Directly northeast of this Site is a developed 4.8 acre multi-family senior housing development that is zoned C-2. Additionally, there are existing R-3 and R-4 zoned multi-family developments in the surrounding area. The Site is also located at the busy intersection of Boulder Highway and Russell Road

which is conducive to dense developments.

Design Review:

The Applicant is proposing a 205 unit multi-family, affordable senior housing development. The units range in size from 662 square feet to 889 square feet and consist of 125 one-bedroom units and 80 two-bedroom units. Access to the proposed development is from Russell Road via a private drive. The Applicant is proposing a drive aisle that circulates around the entire Site. The Site is providing 215 parking spaces where 205 parking spaces are required.

The two “U” shaped multi-family buildings are four (4) stories and approximately 49’ in height. The buildings will have elevator access to living units. The site design and architecture are consistent with the surrounding area. Additionally, the Site will provide outdoor amenities such as a pool and spa, picnic area and indoor amenities such as rooms for meetings and social gatherings, media room, common area kitchen, exercise room, pool room, wellness center, computer room, library and salon.

Waiver of Development Standards:

- **Waive Landscaping Per Title 30.64-11 Along West Property Line:**

The property immediately to the west of the Site is zoned R-2 but approved for a commercial use. Even though a commercial use is approved to the west, since the property is zoned R-2, the Applicant is required to provide landscaping buffering pursuant to Title 30.64-11. However, the Applicant is unable to provide the 24” box large evergreen trees because of the existing power lines and NV Energy easement. Due to the conflict in this area, the Applicant is requesting to waive the landscaping requirement in this area.

- **Allow Attached Sidewalk Where Detached Sidewalk is Required**

Per Table 30.64-17, the Site is required to develop a detached sidewalk along Russell Road. However, this portion of Russell Road adjacent to the Site is improved and there is an existing attached sidewalk. Additionally, the attached sidewalk continues west and east of the Site. Therefore, the Applicant’s request is justified to allow the attached sidewalk to remain as it is compatible with the existing improvements.

- **Reduce Parking Landscape Islands**

Most of the site plan complies with the requirement to have a parking landscaping island for every six parking spaces. Here, the Applicant is requesting a deviation from this requirement in two areas:

- Towards the southeast portion of the Site, the Applicant is providing the parking landscaping island every 7 spaces. The reason for the request is to maintain the parking shade structures and overall parking count.
- There are no landscaping islands for the parking field along the west property line. The request to waive this area is due to the existing power lines and NV Energy easement mentioned above.

The Applicant is providing parking shade structures throughout the Site. Due to the parking shades structures, the Site cannot provide the required parking landscape island for every six parking spaces. The rest of the Site, however, does provide for the required parking landscape islands for every six parking spaces.

Special Use Permit:

The Applicant is proposing an affordable senior housing project on the Site. Pursuant to Table 30.44-1 of Title 30, a special use permit is required. A special use permit allowing for senior housing at the Site is an appropriate use. While the Applicant is requesting an R-5 zoning designation, a senior housing use makes the request for the multi-family development less intense than a standard multi-family development with less noise, traffic and overall number of residents without children.

We thank you in advance for your time and consideration. Should you have any questions, please feel free to contact us.

Sincerely,

KAEMPFER CROWELL



Anthony J. Celeste