



Whitney Town Advisory Board

Whitney Community Center

5712 Missouri Ave.

Las Vegas, NV. 89122

July 29, 2021

6:00pm

AGENDA

Note:

- Items on the agenda may be taken out of order.
- The Board/Council may combine two (2) or more agenda items for consideration.
- The Board/Council may remove an item from the agenda or delay discussion relating to an item at any time.
- No action may be taken on any matter not listed on the posted agenda.
- All planning and zoning matters heard at this meeting are forwarded to the Board of County Commissioners' Zoning Commission (BCC) or the Clark County Planning Commission (PC) for final action.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With a forty-eight (48) hour advance request, a sign language interpreter or other reasonable efforts to assist and accommodate persons with physical disabilities, may be made available by calling (702) 455-3530, TDD at (702) 385-7486, or Relay Nevada toll-free at (800) 326-6868, TD/TDD.
- Supporting material provided to Board/Council members for this meeting may be requested from Maureen Helm at 702-606-0747.
 - Supporting material is/will also available at the Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155.
- Supporting material is/will be available on the County's website <https://clarkcountynv.gov/WhitneyTAB>

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
Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

County Liaison(s): Blanca Vazquez, 702-455-8531, BVA@ClarkCountyNV.gov
Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

- I. Call to Order, Pledge of Allegiance, 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.

- III. Approval of Minutes for July 15, 2021. (For possible action)
- IV. Approval of the Agenda for July 29, 2021 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
- VI. Planning and Zoning
 - 1. **UC-21-0283-ABH VENTURES R2, LLC:**
USE PERMIT to allow a proposed food cart (taco cart/trailer) not located within an enclosed building.
DESIGN REVIEW for a food cart (taco cart/trailer) in conjunction with an existing commercial retail property on 0.8 acres in a C-2 (General Commercial) Zone. Generally located on the south side of Tropicana Avenue and the east side of Morris Street within Whitney. JG/bb/jo (For possible action) **PC 8/17/21**
 - 2. **VS-21-0342-STORYBOOK-TROPICANA, LLC:**
VACATE AND ABANDON a portion of a right-of-way being Hamilton Avenue located between Dodd Street and Los Pinos Street within Whitney (description on file). JG/al/jd (For possible action) **BCC 8/18/21**
 - 3. **WS-21-0341-STORYBOOK-TROPICANA, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) alternative yard setbacks; and 2) alternative street section.
DESIGN REVIEWS for the following: 1) a single family residential development; 2) a hammerhead design turnaround at the end of a street; and 3) finished grade for a single family residential development on 2.3 acres in an RUD (Residential Urban Density) Zone. Generally located on the east side of Dodd Street and the north and south sides of Hamilton Avenue within Whitney. JG/al/jd (For possible action) **BCC 8/18/21**
 - 4. **TM-21-500105-STORYBOOK-TROPICANA, LLC:**
TENTATIVE MAP consisting of 22 single family residential lots and common lots on 2.3 acres in an RUD (Residential Urban Density) Zone. Generally located on the east side of Dodd Street and the north and south sides of Hamilton Avenue within Whitney. JG/al/jd (For possible action) **BCC 8/18/21**

5. **ZC-21-0311-DRAKETAIL HOLDINGS II, LLC:**
ZONE CHANGE to reclassify a 5.3 acre portion of a 10.2 acre site from an R-2 (Medium Density Residential) Zone, a C-2 (General Commercial) Zone, and an H-2 (General Highway) Zone to a C-2 (General Commercial Zone).
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce parking lot landscaping; and 2) alternative driveway geometrics.
DESIGN REVIEW for a commercial center. Generally located on the north side of Russell Road, 490 feet east of Boulder Highway within Whitney (description on file). JG/sd/jd (For possible action)
BCC 8/18/21

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.

- IX. Next Meeting Date: August 12, 2021.

- X. Adjournment.

POSTING LOCATIONS: This meeting was legally noticed and posted at the following locations:
Whitney Community Center 5712 Missouri Ave.
<https://notice.nv.gov>



Whitney Town Advisory Board

July 15, 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 Introduction

Brady Bernhart; Planning

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

II. Public Comment
None

III. Approval of May 13, 2021 and April 29, 2021 Minutes

Moved by: Ramirez
Approve with changes submitted
Vote: 5-0 Unanimous

IV. Approval of Agenda for July 15, 2021

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

V. Informational Items(for discussion)
Town Hall meeting July 19, 2021 6pm-7:30pm Paradise Community Center

VI. Planning and Zoning

1. **WS-21-0286-WABASH HILLCREST TWO, LLC:**
WAIVER OF DEVELOPMENT STANDARDS to increase fence height.
DESIGN REVIEWS for the following: 1) a decorative fence; and 2) emergency access gate in conjunction with an existing motel on 14.2 acres in a C-2 (General Commercial) Zone. Generally located on the south side of Russell Road, 240 feet east of Boulder Highway within Whitney. JG/al/jo (For possible action) **PC 8/3/21**

MOVED BY-Konkin

APPROVE- Design Review #1-Subject to staff conditions

DENY- Design Review #2

APPROVE- Waiver of Standards-Subject to staff conditions

VOTE: 3-2 Ramirez & Beaulieu Opposed

- VII. General Business (for possible action)
None
- VIII. Public Comment
None
- IX. Next Meeting Date
The next regular meeting will be July 29, 2021.
- X. Adjournment
The meeting was adjourned at 6:20 p.m.

08/17/21 PC AGENDA SHEET

FOOD CART/TRAILER
(TITLE 30)

TROPICANA AVE/MORRIS ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-21-0283-ABH VENTURES R2, LLC:

USE PERMIT to allow a proposed food cart (taco cart/trailer) not located within an enclosed building.

DESIGN REVIEW for a food cart (taco cart/trailer) in conjunction with an existing commercial retail property on 0.8 acres in a C-2 (General Commercial) Zone.

Generally located on the south side of Tropicana Avenue and the east side of Morris Street within Whitney. JG/bb/jo (For possible action)

RELATED INFORMATION:

APN:
161-28-102-001

LAND USE PLAN:
WHITNEY - COMMERCIAL NEIGHBORHOOD

BACKGROUND:
Project Description
General Summary

- Site Address: 5225 Tropicana Avenue
- Site Acreage: 0.8
- Project Type: Food cart/trailer
- Structure Height (feet): 9
- Square Feet: 70
- Parking Required/Provided: 34/42

Site Plan

The site plan depicts a commercial retail property with 42 parking spaces and driveways from Tropicana Avenue and Morris Street. A 24 foot drive aisle circles the interior of the parking lot with spaces adjacent to the existing 8,378 square foot building. A smog check structure is located at the northwest corner of the parking lot. A trash enclosure is located on the northeast corner of the property. The applicant is showing the food cart/trailer along the north property line approximately 6 feet from the property line adjacent to Tropicana Avenue.

Landscaping

The plan depicts an approximately 4 foot wide existing landscape strip along Tropicana Avenue with 3 shrubs (dwarf palms).

Elevations

The food cart is a trailer with a fold up canopy on the long side with order and pickup windows and an entrance/exit on the narrow side of the trailer.

Floor Plans

The entire food trailer is approximately 70 square feet in area, including cooking and storage space.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the food cart/trailer will be located with the long side of the trailer facing Tropicana Avenue and the drive aisle of the parking lot. The proposed open-air vending will provide Mexican cuisine, including tacos, burritos, quesadillas, and other items.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|-----------------------------|----------------|-------------|
| VC-1129-98 | Outdoor smog check facility | Approved by PC | August 1998 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|--------------|---|-----------------|-----------------------------|
| North & East | Residential Urban Center (up to 32 du/ac) | R-4 | Multiple family residential |
| South | Residential Suburban (up to 5 du/ac) | R-1 | Single family residential |
| West | Schools, Churches, Public Facilities | P-F | Library |

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. The

property has more than enough parking spaces to accommodate the proposed food cart/trailer use. The proposed food cart/trailer will not be detrimental to the surrounding area if located immediately south of the smog check building. By locating the food cart/trailer in the open space immediately south of the smog check building, it will not be located closer than the minimum 10 feet required from Tropicana Avenue and will not create a burden on public facilities or services. Any obstruction of the drive aisles would create a burden on public services and fire access.

Design Review

The food cart/trailer cannot be located within the 24 foot drive aisle and cannot block potential access by emergency vehicles. Staff recommends approval with the food cart/trailer located in the open area immediately south of the smog check building. This location will remove the food cart/trailer from emergency access routes and keep it from obstructing traffic flow on the site, and protect pedestrians. There are approximately 8 additional parking spaces above the amount required to serve the retail building, so using the space south of the smog check building will be compatible with the existing layout of the property. If located in the space adjacent to the existing smog building, it would be further screened from view by the residential apartments to the east and blocked by the building and trees. Adequate pedestrian controls (cones or guides) should be used to ensure customers are not lined up into the drive aisles. Customer lines should be oriented towards the parking area, not drive aisles. It would be acceptable to use one of the existing parking spaces for pedestrian lines to access the food trailer.

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

- Food cart/trailer shall be located immediately south of the smog building with customer access not encroaching into drive aisles;
- 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

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: BENJAMIN SOTO

CONTACT: BEN SOTO, TACOS ESTEPHANIE A, 852 BETTY LN, LAS VEGAS, NV
89110

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 checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #) | STAFF APP. NUMBER: <u>UC/DR-21-0283</u> DATE FILED: <u>6-7-2021</u> PLANNER ASSIGNED: <u>BBB</u> TAB/CAC: <u>Whitney</u> TAB/CAC DATE: <u>7-29 6pm</u> PC MEETING DATE: <u>8-17-2021</u> BCC MEETING DATE: _____ FEE: <u>1175</u> C-2 |
| | PROPERTY OWNER NAME: <u>ABH Ventures R2 LLC</u> ADDRESS: <u>5225 E Tropicana Ave</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89122</u> TELEPHONE: <u>7024393113</u> CELL: <u>7024393113</u> E-MAIL: <u>albert.hamika@yahoo.com</u> |
| | APPLICANT NAME: <u>Benjamin Soto</u> ADDRESS: <u>852 Betty Ln.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89110</u> TELEPHONE: _____ CELL: <u>(725) 724-5186</u> E-MAIL: <u>Junior46soto1@gmail.co</u> REF CONTACT ID #: _____ |
| | CORRESPONDENT NAME: <u>Benjamin Soto</u> ADDRESS: <u>852 Betty Ln.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89110</u> TELEPHONE: _____ CELL: <u>(725) 724-5186</u> E-MAIL: <u>Junior46soto1@gmail.co</u> REF CONTACT ID #: _____ |

ASSESSOR'S PARCEL NUMBER(S): 161-28-102-001

PROPERTY ADDRESS and/or CROSS STREETS: 5225 E. Tropicana Ave. Las Vegas, NV 89122

PROJECT DESCRIPTION: Taco Stand

(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.

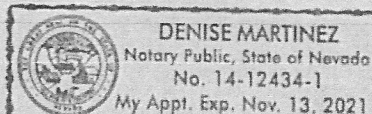
Albert B Hamika
Property Owner (Signature)*

Albert B Hamika
Property Owner (Print)

STATE OF NEVADA
COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON MAY 12, 2021 (DATE)

By ALBERT B. HAMIKA
NOTARY PUBLIC: [Signature]



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

Benjamin Soto
852 Betty Ln
Las Vegas, NV, 89110
February 15, 2021

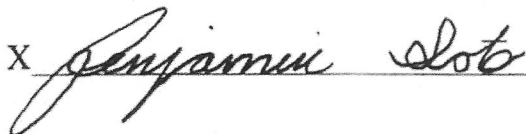
Clark County Planning Department
500 S Grand Central Pkwy., Las Vegas, NV, 89155

Land Use Justification Letter

Tacos Estephanie A would like to ask for the opportunity to open an open air vending location at 5225 E Tropicana Ave, Las Vegas, NV 89122. I believe it's a great opportunity for future business and will be providing an exceptional service to our locals, quick and easy way for locals to have a taste of our Mexican cuisine that will prompt growth between cultures, and as well provide new opportunities. We will be conducting our business from 4pm-12am. Our menu that will consist of (Tacos, Burritos, Quesadillas, and etc.) that will give locals a plethora of choices to satisfy their cravings.

Sincerely,

Benjamin Soto

X 

Cell: (725)724-5186

Email: Junior46soto1@gmail.com

uc-21-0283

PLANNER
COPY

08/18/21 BCC AGENDA SHEET

RIGHT-OF-WAY
(TITLE 30)

HAMILTON AVE/DODD ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-21-0342-STORYBOOK-TROPICANA, LLC:

VACATE AND ABANDON a portion of a right-of-way being Hamilton Avenue located between Dodd Street and Los Pinos Street within Whitney (description on file). JG/al/jd (For possible action)

RELATED INFORMATION:

APN:
161-27-303-001; 161-27-303-003; 161-27-315-010; 161-27-701-001

LAND USE PLAN:
WHITNEY - RESIDENTIAL HIGH (FROM 8 DU/AC TO 18 DU/AC)

BACKGROUND:

Project Description

The applicant is proposing to develop the site as part of a detached single family residential development. The portion of Hamilton Avenue to be vacated for this request is located on the north side of the street and was dedicated for an intersection of a future private street with Hamilton Avenue in conjunction with a proposed residential subdivision that was not developed. The current proposal for the parcel to the north of Hamilton Avenue is for 4 lots which will all take access from the adjacent public streets and the intersection for a private street is no longer necessary.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|---|-----------------|---------------|
| ZC-19-0413 | Reclassified a portion of this site to RUD zoning and included a use permit with waivers and a design review for a single family residential PUD project on this site | Approved by BCC | October 2019 |
| UC-0346-13 | Modifications and expansion of an existing PUD that included portions of this site - expired for portions of the site | Approved by PC | August 2013 |
| UC-1681-06 | Modifications to an approved PUD that included a portion of this site - expired | Approved by PC | January 2007 |
| ZC-1468-06 | Reclassified a portion of this site to RUD zoning for a single family residential development | Approved by BCC | December 2006 |

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|--|----------------|----------------|
| UC-1966-03 | Expansion of an approved single family residential PUD that included portions of this site - expired | Approved by PC | January 2003 |
| UC-1200-03 | Single family residential PUD that included portions of this site - expired | Approved by PC | September 2003 |

Surrounding Land Use

| | Planned land Use Category | Zoning District | Existing Land Use |
|-------|--|-----------------|--|
| North | Business and Design/Research Park & Residential Suburban (up to 8 du/ac) | R-2, RUD, & M-D | Single family residential & warehouse building |
| South | Residential High (from 8 to 18 du/ac) | RUD | Single family residential |
| East | Residential High (from 8 to 18 du/ac) | R-E | Single family residential |
| West | Commercial General | R-E & C-2 | Commercial development & undeveloped |

Related Applications

| Application Number | Request |
|--------------------|--|
| WS-21-0341 | A waiver of development standards and design reviews for a single family residential development is a companion item on this agenda. |
| TM-21-500105 | A tentative map for a single family residential development is a companion item on this agenda. |

STANDARDS FOR APPROVAL:

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

Public Works - Development Review

Staff has no objection to the vacation of the right-of-way for the curb return driveway on the north side of Hamilton Avenue. The current design of the site renders that driveway unnecessary.

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 30 feet for Hamilton Avenue for an overall right-of-way width of 60 feet, and associated spandrel;
- Coordinate Dodd Street dedication and improvements with 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.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: STORYBOOK-TROPICANA, LLC

CONTACT: LUCY STEWART, LAS CONSULTING, 1930 VILLAGE CENTER CIRCLE, BLDG 3 STE 577, LAS VEGAS, NV 89134



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

| | | |
|---|-----------------------|--|
| APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input checked="" type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): | DEPARTMENT USE | APP. NUMBER: <u>VS 21. 0342</u> DATE FILED: <u>6-29-21</u> |
| | | PLANNER ASSIGNED: <u>A1</u> TAB/CAC: <u>Whitney</u> TAB/CAC DATE: <u>7-29-21</u> PC MEETING DATE: <u>—</u> BCC MEETING DATE: <u>8-18-21</u> FEE: <u>\$8750</u> |

| | |
|-----------------------|---|
| PROPERTY OWNER | NAME: <u>Storybook-Tropicana, LLC</u> |
| | ADDRESS: <u>3625 S. Town Center Drive</u> |
| | CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> |
| | TELEPHONE: _____ CELL: <u>702-460-3436</u> |
| | E-MAIL: <u>jcooper@sbhnv.com</u> |

| | |
|------------------|---|
| APPLICANT | NAME: <u>same as owner</u> |
| | ADDRESS: _____ |
| | CITY: _____ STATE: _____ ZIP: _____ |
| | TELEPHONE: _____ CELL: _____ |
| | E-MAIL: _____ REF CONTACT ID #: _____ |

| | |
|----------------------|---|
| CORRESPONDENT | NAME: <u>LAS Consulting-Lucy Stewart</u> |
| | ADDRESS: <u>1930 Village Center Circle Bldg 3-577</u> |
| | CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> |
| | TELEPHONE: _____ CELL: <u>702-499-6469</u> |
| | E-MAIL: _____ REF CONTACT ID #: <u>165577</u> |

ASSESSOR'S PARCEL NUMBER(S): 161-27-303-001, 003; 315-010; and 701-001

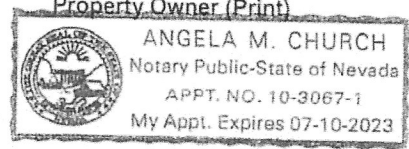
PROPERTY ADDRESS and/or CROSS STREETS: Steptoe & Hamilton

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.

Janet Love
 Property Owner (Signature)*

Janet Love
 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON February 24, 2021 (DATE)
 By Janet Love
 NOTARY PUBLIC: ANGELA M. CHURCH



*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-21-100258

2

08/18/21 BCC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL DEVELOPMENT
(TITLE 30)

HAMILTON AVE/DODD ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-21-0341-STORYBOOK-TROPICANA, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** alternative yard setbacks; and **2)** alternative street section.

DESIGN REVIEWS for the following: **1)** a single family residential development; **2)** a hammerhead design turnaround at the end of a street; and **3)** finished grade for a single family residential development on 2.3 acres in an RUD (Residential Urban Density) Zone.

Generally located on the east side of Dodd Street and the north and south sides of Hamilton Avenue within Whitney. JG/al/jd (For possible action)

RELATED INFORMATION:

APN:

161-27-303-001; 161-27-303-003; 161-27-315-010; 161-27-701-001

WAIVERS OF DEVELOPMENT STANDARDS:

1. Permit alternative yard setbacks for 2 lots within a proposed single family residential development.
2. Permit an alternative street cross section design for Dodd Street where a design per Uniform Standard Drawing 205 is required.

DESIGN REVIEWS:

1. A detached single family residential development.
2. Permit a hammerhead design for a turnaround at the end of a street where a radius cul-de-sac per Uniform Standard Drawing 212 is the preferred design for residential developments per Section 30.56.080.
3. Increase finished grade to 30 inches (2.5 feet) where a maximum of 18 inches (1.5 feet) is permitted per section 30.32.040 (a 66.7% increase).

LAND USE PLAN:

WHITNEY - RESIDENTIAL HIGH (FROM 8 DU/AC TO 18 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Acreage: 2.3 (gross)/1.9 (net)
- Number of Lots: 22 (residential)/7 (common)
- Density (du/ac): 9.6
- Minimum/Maximum Lot Size (square feet): 2,667/5,829
- Project Type: Single family residential development
- Number of Stories: 2
- Building Height (feet): 25
- Square Feet: 1,430 to 1,645
- Open Space Required/Provided: 4,400/7,337

Site Plan

This request is for a single family residential development consisting of 22 residential lots and common lots on 2.3 acres with a density of 9.6 dwelling units per acre. The site includes 4 parcels with the majority of the site located on the south side of Hamilton Avenue. The site includes 1 parcel with an area of approximately 0.3 acres located on the northeast corner of Dodd Street and Hamilton Avenue, which will contain 4 of the proposed lots. Each of these lots will have access from Dodd Street (1 lot) or Hamilton Avenue (3 lots). The remaining 18 lots on the south side of Hamilton Avenue will have access from either Hamilton Avenue (9 lots), Dodd Street (2 lots) or from a private street (7 lots) off of Hamilton Avenue. The public streets will include full off-site improvements. The plans show the private street will terminate with a hammerhead turnaround. The application is requesting a waiver to allow alternative yard setbacks. This is for 2 lots designed as lot 7 and lot 22 on the plans. The homes on these lots will be side loaded, therefore the request is to allow the front and rear yards to be treated as side yards with the side yards becoming the front and rear yards based on the placement of the homes on the lots. The request for the alternative street cross section design is for a portion of Dodd Street in order to align with existing right-of-way dedications and off-site improvements.

Landscaping

The plans depict 7 common lots with a combined area of approximately 7,337 square feet. The plans show that 5 of these common lots with an area of approximately 6,900 square feet are being used for landscaping. These landscape lots are a minimum of 5 feet in width and landscape material consists of shrubs and groundcover. These landscape areas are located in areas along the public and private streets and are not required per Title 30.

Elevations

The plans depict 2 story homes with a maximum height of 25 feet. The residences will have pitched roofs with concrete tile roof material. The exterior of the residences have stucco finishes with architectural features such as window and door fenestrations, pop-outs, wood trim, shutters, and other features.

Floor Plans

The homes will range in area from 1,430 square feet to 1,645 square feet. All of the homes will have a minimum 1 car garage. Each residence will have 2 to 4 bedrooms.

Applicant's Justification

The applicant indicates that the proposed development is consistent and compatible with existing residential developments in the area. The waiver to allow alternative yard setbacks is for 2 lots within the development that have unusual shapes due to existing right-of-way dedications. The alternative street cross section for Dodd Street will allow for a design to match with existing off-site improvements and right-of-way dedications. The use of a hammerhead design is needed because of space limitations where the use of a radius bulb cul-de-sac would require additional area reducing the area and number of lots within the proposed development making the project less cost effective. The increase in finished grade is needed in order to level out the site and provide proper drainage.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|---------------------------|---|-----------------|----------------|
| ZC-19-0413 | Reclassified a portion of this site to RUD zoning and included a use permit with waivers and a design review for a single family residential PUD project on this site | Approved by BCC | October 2019 |
| UC-0346-13 | Modifications and expansion of an existing PUD that included portions of this site - expired for portions of the site | Approved by PC | August 2013 |
| UC-1681-06 | Modifications to an approved PUD that included a portion of this site - expired | Approved by PC | January 2007 |
| ZC-1468-06 | Reclassified a portion of this site to RUD zoning for a single family residential development | Approved by BCC | December 2006 |
| UC-1966-03 | Expansion of an approved single family residential PUD that included portions of this site - expired | Approved by PC | January 2003 |
| UC-1200-03 | Single family residential PUD that included portions of this site - expired | Approved by PC | September 2003 |

Surrounding Land Use

| | Planned land Use Category | Zoning District | Existing Land Use |
|-------|--|------------------------|--|
| North | Business and Design/Research Park & Residential Suburban (up to 8 du/ac) | R-2, RUD, & M-D | Single family residential & warehouse building |
| South | Residential High (from 8 to 18 du/ac) | RUD | Single family residential |
| East | Residential High (from 8 to 18 du/ac) | R-E | Single family residential |
| West | Commercial General | R-E & C-2 | Commercial development & undeveloped |

Related Applications

| Application Number | Request |
|---------------------------|---|
| VS-21-0342 | A vacation and abandonment of a right-of-way is a companion item on this agenda. |
| TM-21-500105 | A tentative map for a single family residential development is a companion item on this agenda. |

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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 site as a whole is an odd shape due to the configuration of the exiting lots that make-up the project area. Constraints caused by existing developments and right-of-way alignments abutting this site have created unique design issues for the site. The plans depict 2 proposed lots with unique shapes where orienting a home based on standard yard setbacks would cause extreme setback reductions. By side loading the homes on these lots and allowing the alternative yard setbacks, the lots can be developed in a manner more harmonious with the surrounding area. Therefore, staff can support this request.

Design Reviews #1 & #2

The proposed homes within the development are consistent and compatible with the architectural style of existing residences in the abutting single family residential developments. The shape of the site and existing abutting developments creates design issues for this site. The radius cul-de-sac design is the preferred turnaround for the end of a street by the County. However, this site has limited area and the use of a radius bulb cul-de-sac would require more area impacting the developability of the site. Additionally, the hammerhead turnaround design has been used for other developments in this area. Due to the unique design issues for this site and the fact that hammerhead turnarounds are found in other developments in this area, staff can support the request to allow the hammerhead turnaround for this development and can support these design reviews.

Public Works - Development Review

Waiver of Development Standards #2

Staff has no objection to the alternative street section. Although Dodd Street will be dedicated to meet the overall 60 foot wide street standard, the improvements will match what is existing to the south due to the existing utility poles within the 70 foot wide Southern Nevada Power Company (NV Energy) easement adjacent to the site.

Design Review #3

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

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

- 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 4 years of approval date or it will expire.

Public Works - Development Review

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

- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Hamilton Avenue for an overall right-of-way width of 60 feet, and associated spandrel;
- Coordinate Dodd Street dedication and improvements with Public Works - Development Review.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Department of Aviation

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

Building Department - Fire Prevention

- Applicant is advised to refer to Clark County Fire Code Appendix D for proper sizes; and that Street A hammerhead appears to be too small.

Clark County Water Reclamation District (CCWRD)

- No comment.

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

APPLICANT: STORYBOOK-TROPICANA, LLC
CONTACT: LUCY STEWART, LAS CONSULTING, 1930 VILLAGE CENTER CIRCLE,
BLDG 3 STE 577, LAS VEGAS, NV 89134



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

| | | | | | |
|---|--|----------------------|---|------------------------------|--|
| APPLICATION TYPE | | STAFF | APP. NUMBER: <u>WS-21-0341</u> | DATE FILED: <u>6-29-21</u> | |
| <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) <u>475⁰⁰</u> <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <u>675⁰⁰</u> <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 #) | | | PLANNER ASSIGNED: <u>Al</u> | TAB/CAC DATE: <u>7-29-21</u> | |
| | | | PROPERTY OWNER | TAB/CAC: <u>Whitney</u> | |
| | | | | PC MEETING DATE: _____ | |
| | | APPLICANT | BCC MEETING DATE: <u>8-18-21</u> | | |
| | | | FEE: <u>\$ 1150⁰⁰</u> | | |
| | | CORRESPONDENT | NAME: <u>Storybook-Tropicana, LLC</u> | | |
| | | | ADDRESS: <u>3625 S. Town Center Drive</u> | | |
| | | | CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> | | |
| | | | TELEPHONE: _____ CELL: <u>702-460-3436</u> | | |
| | | | E-MAIL: <u>jcooper@sbhmv.com</u> | | |
| | | | NAME: <u>same as owner</u> | | |
| | | | ADDRESS: _____ | | |
| | | | CITY: _____ STATE: _____ ZIP: _____ | | |
| | | | TELEPHONE: _____ CELL: _____ | | |
| | | | E-MAIL: _____ REF CONTACT ID #: _____ | | |
| | | | NAME: <u>LAS Consulting-Lucy Stewart</u> | | |
| | | | ADDRESS: <u>1930 Village Cwenter Circle Bldg 3-577</u> | | |
| | | | CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> | | |
| | | | TELEPHONE: _____ CELL: <u>702-499-6469</u> | | |
| | | | E-MAIL: <u>stewplan@gmail.com</u> REF CONTACT ID #: <u>165577</u> | | |

ASSESSOR'S PARCEL NUMBER(S): 161-27-303-001, 003; 315-010; and 701-001

PROPERTY ADDRESS and/or CROSS STREETS: Hamilton and Steptoe

PROJECT DESCRIPTION: DR for an RUD subdivision

(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.

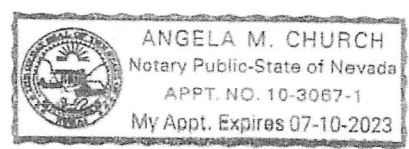
Janet Love
Property Owner (Signature)*

Janet Love
Property Owner (Print)

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON February 24, 2021 (DATE)

By Janet Love
NOTARY PUBLIC: Angela M Church



*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. 21-100258

LAS Consulting, Inc.
1930 Village Center Circle, Bldg 3, Suite 577
Las Vegas, NV 89134
(702) 499-6469-cell.
(702) 946-0857-fax

June 1, 2021

WS-21-0341

Mr. Al Laird, Principal Planner
Clark County Current Planning
500 Grand Central Parkway
Las Vegas, NV 89155

RE: Revised Justification letter, APR 21-100258

Dear Mr. Laird:

Please accept this letter as our justification for a design review and waivers of development standards. The project is as follows:

Project Description:

The subject property is four parcels and currently zoned:

Current Zoning: RUD- Residential Urban Density-up to 14 units per acre.

Planned Land Use: Whitney-RH - Residential High - From 8 to 18 du/ac

The request is 2.7 acres located at the southeast corner of Steptoe Street and Hamilton Avenue. One parcel, APN# 161-27-303-003, is separated from the others by the Hamilton Avenue right of way but is included within this request. There is a R-2 development to the northeast, R-E immediately to the east and to the RUD developments to the north and south.

Storybook Homes proposes to develop a RUD single-family residential development on the property. The development includes 22 residential lots and 11,825 square feet of open space (4400 square feet required). County code requires a minimum lot of size of 2000 square feet and the minimum shown on this request is 2613 square feet with an average of 3667 square feet. The internal roadways will consist of 37' wide private streets. All houses will be two stories in height, for a maximum of 25 feet in height. The models are 1430, 1468, 1599 and 1645 square feet in size.

Waivers:

We are requesting:

3

Waiver 1 – A waiver of Development Standards for Alternative Yard Setbacks specific to lots 7 and 22 (Per Title 30.56). These lots are intended as “side loaded” properties with driveways that wrap from the street to the front of the garage. For lot 7, the ROW frontage would be considered a side corner with a 10’ setback. The east property line would be the front of the lot (with a 20’ setback) and the west side would be the rear of the lot (15’ setback). Similarly, the street frontage for lot 22 would be treated as a side corner (10’ setback), the east side would be the front of the lot and west side would be the rear. Setbacks would be applied accordingly (see attached exhibit).

Waiver– **This waiver was requested initially, but we are going to place the single driveway/garage model on this lot and no longer need this waiver.** Lot 18-A waiver of Development Standards (Drawing # 222) that requires 12’ distance from a BCR to edge of driveway. We request to be allowed a reduction from 12’ to 8’.

Waiver 2- A waiver of development standards to allow a nonstandard street section (drawing #205.3.S1. See the Dodd Street section on the site plan. This nonstandard section is needed in order to match the existing street section of Dodd Street.

Design Reviews:

Design Review 1 – For use of a Hammerhead street configuration. The use of the hammerhead allows for full development of an irregularly shaped parcel.

Design Review 2 – Request to allow up to 2.5’ of fill for onsite development. In order to provide for positive site grading, it is anticipated that fill will need to be placed on site. The justification is in order to provide Type A drainage, the back of the lot needs to be elevated. The grade difference is internal to the development.

Design Review 3 – Request a review of the elevations and floor plans for the proposed single family detached homes.

The waivers and design reviews will allow for development of an irregular shaped, unique piece of property. We believe this request will be an asset to the community by allowing development of an irregularly shaped lot and respectfully request approval of this application.

Yours truly,

Lucy Stewart

Lucy Stewart

NOTINGHAN CROSSING
(TITLE 30)

HAMILTON AVE/DODD ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-21-500105-STORYBOOK-TROPICANA, LLC:

TENTATIVE MAP consisting of 22 single family residential lots and common lots on 2.3 acres in an RUD (Residential Urban Density) Zone.

Generally located on the east side of Dodd Street and the north and south sides of Hamilton Avenue within Whitney. JG/al/jd (For possible action)

RELATED INFORMATION:

APN:

161-27-303-001; 161-27-303-003; 161-27-315-010; 161-27-701-001

LAND USE PLAN:

WHITNEY - RESIDENTIAL HIGH (FROM 8 DU/AC TO 18 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Acreage: 2.3 (gross)/1.9 (net)
- Number of Lots: 22 (residential)/7 (common)
- Density (du/ac): 9.6
- Minimum/Maximum Lot Size (square feet): 2,667/5,829
- Project Type: Single family residential development

Site Plan

This request is for a single family residential development consisting of 22 residential lots and common lots on 2.3 acres with a density of 9.6 dwelling units per acre. The site includes 4 parcels with the majority of the site located on the south side of Hamilton Avenue. The site includes 1 parcel with an area of approximately 0.3 acres located on the northeast corner of Dodd Street and Hamilton Avenue, which will contain 4 of the proposed lots. Each of these lots will have access from Dodd Street (1 lot) or Hamilton Avenue (3 lots). The remaining 18 lots on the south side of Hamilton Avenue will have access from either Hamilton Avenue (9 lots), Dodd Street (2 lots) or from a private street (7 lots) off of Hamilton Avenue. The public streets will include full off-site improvements. The plans show the private street will terminate with a hammerhead turnaround.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|---|-----------------|----------------|
| ZC-19-0413 | Reclassified a portion of this site to RUD zoning and included a use permit with waivers and a design review for a single family residential PUD project on this site | Approved by BCC | October 2019 |
| UC-0346-13 | Modifications and expansion of an existing PUD that included portions of this site - expired for portions of the site | Approved by PC | August 2013 |
| UC-1681-06 | Modifications to an approved PUD that included a portion of this site - expired | Approved by PC | January 2007 |
| ZC-1468-06 | Reclassified a portion of this site to RUD zoning for a single family residential development | Approved by BCC | December 2006 |
| UC-1966-03 | Expansion of an approved single family residential PUD that included portions of this site - expired | Approved by PC | January 2003 |
| UC-1200-03 | Single family residential PUD that included portions of this site - expired | Approved by PC | September 2003 |

Surrounding Land Use

| | Planned land Use Category | Zoning District | Existing Land Use |
|-------|--|-----------------|--|
| North | Business and Design/Research Park & Residential Suburban (up to 8 du/ac) | R-2, RUD, & M-D | Single family residential & warehouse building |
| South | Residential High (from 8 to 18 du/ac) | RUD | Single family residential |
| East | Residential High (from 8 to 18 du/ac) | R-E | Single family residential |
| West | Commercial General | R-E & C-2 | Commercial development & undeveloped |

Related Applications

| Application Number | Request |
|--------------------|--|
| WS-21-0341 | A waiver of development standards and design reviews for a single family residential development is a companion item on this agenda. |
| VS-21-0342 | A vacation and abandonment of a right-of-way is a companion item on this agenda. |

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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

Department of Aviation

The property lies just outside the AE-60 (60-65 DNL) noise contour for the 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, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Hamilton Avenue for an overall right-of-way width of 60 feet, and associated spandrel;
- Coordinate Dodd Street dedication and improvements with Public Works - Development Review.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Current Planning Division - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided;
- Private streets shall have approved street names and suffixes;
- Street A shall have the suffix of Court.

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.

Building Department - Fire Prevention

- Applicant is advised to refer to Clark County Fire Code Appendix D for proper sizes; and that Street A hammerhead appears to be too small.

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 #0274-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: STORYBOOK-TROPICANA, LLC

CONTACT: LUCY STEWART, LAS CONSULTING, 1930 VILLAGE CENTER CIRCLE, BLDG 3 STE 577, LAS VEGAS, NV 89134



TENTATIVE MAP APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

| | | | |
|--------------------|----------------|----------------------------------|------------------------------|
| APPLICATION TYPE | DEPARTMENT USE | APP. NUMBER: <u>Im 21-50010S</u> | DATE FILED: <u>6-29-21</u> |
| | | PLANNER ASSIGNED: <u>A</u> | TAB/CAC DATE: <u>7-29-21</u> |
| TENTATIVE MAP (TM) | | TAB/CAC: <u>Whitmy</u> | |
| | | PC MEETING DATE: _____ | |
| | | BCC MEETING DATE: <u>8-18-21</u> | |
| | | FEE: <u>\$7500</u> | |

| | |
|----------------|---|
| PROPERTY OWNER | NAME: <u>Storybook-Tropicana, LLC</u> |
| | ADDRESS: <u>3625 S. Town Center Drive</u> |
| | CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> |
| | TELEPHONE: _____ CELL: <u>702-460-3436</u> |
| | E-MAIL: <u>jcooper@sbhv.com</u> |
| | |

| | |
|-----------|---------------------------------------|
| APPLICANT | NAME: <u>same as owner</u> |
| | ADDRESS: _____ |
| | CITY: _____ STATE: _____ ZIP: _____ |
| | TELEPHONE: _____ CELL: _____ |
| | E-MAIL: _____ REF CONTACT ID #: _____ |
| | |

| | |
|---------------|---|
| CORRESPONDENT | NAME: <u>LAS Consulting-Lucy Stewart</u> |
| | ADDRESS: <u>1930 Village Center Circle Bldg 3-577</u> |
| | CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> |
| | TELEPHONE: _____ CELL: <u>702-499-6469</u> |
| | E-MAIL: <u>stewplan@gmail.com</u> |
| | REF CONTACT ID #: <u>165577</u> |

ASSESSOR'S PARCEL NUMBER(S): 61-27-303-001, 003; 315-010; and 701-001

PROPERTY ADDRESS and/or CROSS STREETS: Steptoe & Hamilton

TENTATIVE MAP NAME: Nottingham Estates

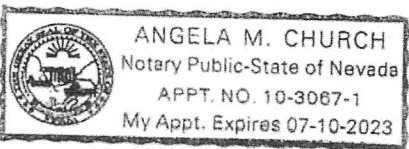
I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Janet Love Property Owner (Signature)*
Janet Love Property Owner (Print)

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON February 24, 2021 (DATE)
By Janet Love

NOTARY PUBLIC: Angela M Church



*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.

APP. 21-100258

08/18/21 BCC AGENDA SHEET

COMMERCIAL RETAIL CENTER
(TITLE 30)

RUSSELL RD/BOULDER HWY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-21-0311-DRAKETAILE HOLDINGS II, LLC:

ZONE CHANGE to reclassify a 5.3 acre portion of a 10.2 acre site from an R-2 (Medium Density Residential) Zone, a C-2 (General Commercial) Zone, and an H-2 (General Highway) Zone to a C-2 (General Commercial) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce parking lot landscaping; and 2) alternative driveway geometrics.

DESIGN REVIEW for a commercial center.

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

RELATED INFORMATION:

APN:

161-27-801-027; 161-27-896-002

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow alternative parking lot landscaping where landscaping is required per Figure 30.64-14.
2. Reduce the throat depth to 22 feet where 75 feet is the standard per Uniform Design Standards 222.1 (a 71% reduction).

LAND USE PLAN:

WHITNEY - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 5.3
- Project Type: Commercial center
- Building Height (feet): 24 (vehicle wash)/26 (convenience store)
- Square Feet: 4,400 (convenience store/vehicle wash)/2,815 (vacuum station)/3,900 (fast food)/3,000 (fast food)/950 (fast food)
- Parking Required/Provided: 107/125

Site Plans

The plans depict a proposed retail/commercial center with vehicle wash, convenience store with gasoline pumps, and fast food restaurants with drive-thru windows. The proposed commercial/retail center is located on the northeastern corner of Boulder Highway and Russell Road. Access to the site is from Boulder Highway on the eastern portion of the site and Russell Road on the southern portion of the site. Most of the development will take place within the western section and southern section, which is approximately 5.3 acres. Cross access is shown between all proposed buildings on-site. The vehicle wash tunnel is shielded from the right-of-way by landscaping along both Russell Road and Boulder Highway.

A total of 5 buildings and a gasoline canopy are depicted on the site. There are 2 fast food restaurants with drive-thru windows, convenience store, and vehicle wash are depicted along the Boulder Highway frontage. The convenience store and associated car wash will be located on the property near the corner of Russell Road and Boulder Highway with the gasoline canopy relocated to the north side of the convenience store. A third fast food restaurant is located along Russell Road. The convenience store, car wash, and gasoline canopy all have a separation of more than 200 feet from any residential use.

Landscaping

The proposed landscape area along Boulder Highway is a 15 foot to 38 foot wide area with an attached 5 foot side walk. The landscaping proposed along Russell Road is 15 foot up to 64 feet with an attached sidewalk. The landscape buffer along Russell Road is designed to include a 64 foot long finger for additional buffering of the landscape tunnel of the car wash and to reduce conflict at the driveway and provide an increase throat depth on the southern portion of the driveway.

Floor Plans & Elevations

The convenience store is 3,900 square feet and the car wash tunnel is 2,815 square feet. The height of the convenience store, car wash, and retail space building are at a height of up to 26 feet. A total of 5 vacuums are provided for the car wash. The gasoline canopy is up to 24 feet high.

The proposed 3 restaurants are as follows, 3,900 square feet, 950 square feet and 3,000 square feet and all include drive-thru lanes. Each building has a light sand stucco finish with contrasting colors with architectural features and enhancements that include a combination of the following features: parapets, architectural insets, pop-outs, reveals, decorative cladding, stone accents on the sides of the buildings, dual pane clear glazed glass doors and windows with aluminum frames. These buildings have varying heights up to a maximum of 27 feet to the top of the parapet walls.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that the zone change request complies with the Whitney Land Use Plan and most Code requirements. This application will result in 1 zoning district for the project and allow

a myriad of uses in the area. The requested uses within the center are appropriate for and compatible with the existing and planned uses in the area. The plans generally comply with Code requirements except for the waivers that are required to address design items.

The waiver for reduced parking lot landscaping is necessary for a portion of the parking area located on the northern portion of the site APN 161-27-896-002. Parking in this area is located on top of an existing covered drainage channel. This area is also within a NV Energy utility easement where landscaping is discouraged. Since landscaping is being eliminated in this area additional landscaping is provided along the street frontages and the islands adjacent to the driveway to screen the site.

The applicant is requesting a waiver for the required throat depth proposed for the driveway on Russell Road to be 22 feet. This request is justified and will not create an impact on the adjacent streets because 2 driveways are provided to the site. The design of the site allows no parking stalls located along the entry drive which eliminates direct vehicular conflict at the entry. No vehicles will be backing out of the parking stalls to impede any vehicles that are entering the site from either entry drive. The area close to the driveway is extended to include additional landscaping to eliminate conflicts in the areas at the entry driveways.

The proposed commercial/retail development and accompanying waivers will not negatively impact the site or area; are appropriate for the area and is compatible with the existing and developed uses in the immediate vicinity and entire area. The center will serve the area which consists of existing residential developments, other businesses, as well as provide needed employment in the area especially after the Pandemic. This application as proposed generally meets the intent of the Code and the goals and policies of the Whitney Land Use Plan.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|--|-----------------|---------------|
| ZC-21-0092 | Reclassified 4.9 acres from R-E & R-2 to R-5 zoning, use permit for senior housing, waiver for alternative street landscaping, design review for senior housing, and alternative parking lot landscaping | Approved by BCC | April 2021 |
| WS-0715-16 | Waiver for full off-sites | Approved by BCC | December 2016 |
| ZC-0770-15 | Reclassified 4.9 acres from R-E to C-2 zoning, use permit, and design review for senior housing | Approved by BCC | January 2016 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|---------------------------|-----------------|-----------------------------|
| North | Commercial Tourist | R-3 | Multiple family residential |
| South | Commercial Tourist | C-2 | Convenience store |
| East | Commercial Tourist | C-2 | Retail |
| West | Commercial General | C-2 | Retail shopping center |

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 that are compliant with all applicable goals and policies contained within the Land Use Plan, specifically Goal 9, which promotes in-fill development for vacant parcels that can be integrated with the surrounding development and provide opportunity for linking in-fill sites to existing or proposed transit systems. In addition, Urban Specific Policy 2, states that where infrastructure is available and transit is accessible, in-fill development is encouraged in the existing urban/suburban areas. In-fill development should be consistent with existing adjacent development. Staff can support this request.

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 #1

The applicant has provided a landscape plan that shows no trees in this location within the established drainage channel right-of-way. Within these utility easements NV Energy discourages any planting of trees. The plans depict numerous shrubs are being provided in this parking lot area. In addition, to off-set this waiver the applicant has provided additional landscaping throughout other areas of the parcel, especially along the street frontages. Due to the restrictive nature of planting of trees within an existing utility easement and providing additional landscaping along Boulder Highway and Russell Road, staff finds that elimination of requisite landscaping for the northern parking lot where an existing drainage and utility easement will not create a negative impact on the surrounding area. Staff can support this request.

Design Review #1

Staff finds that the current design does not cause an adverse effect on adjacent residential properties because most of the commercial activity and traffic flow are centered towards the western and middle portions of the parcel. The vehicle wash is more than 200 feet away from adjacent residential uses and along with the proposed drive-thru are screened with requisite landscaping to better provide screening measures. The applicant has also provided landscape buffers around the entire perimeter of the property per Title 30. Staff can support this design review for a retail/commercial center.

Public Works - Development Review

Waiver of Development Standards #2

Staff worked with the applicant on the throat depths for the Russell Road commercial driveway. The applicant removed parking spaces on the ingress side of the driveway to allow vehicles to safely exit the right-of-way avoiding immediate conflicts with those trying to access parking spaces. Therefore, staff has no objection to the reduction in the throat depths.

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 waivers of development standards and design review must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Nevada Department of Transportation approval;
- Coordinate with Public Works - Traffic Management for the Traffic Signal Systems project;
- Dedicate any right-of-way and easements necessary for the Traffic Signal Systems project.
- Applicant is advised that off-site improvement permits may be required.

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 #0337-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: DRAKETAILED HOLDINGS II, LLC

CONTACT: CASSANDRA WORRELL, 520 S. FOURTH STREET, LAS VEGAS, NV
89101

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 type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #) | STAFF APP. NUMBER: <u>2C-21-0311</u> DATE FILED: <u>6/21/21</u> PLANNER ASSIGNED: <u>SWG</u> TAB/CAC: <u>Whitney</u> TAB/CAC DATE: <u>7/29/21</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>8/18/21</u> FEE: <u>\$ 2,200</u> |
| | PROPERTY OWNER NAME: <u>DRAKETAIL HOLDINGS II LLC</u> ADDRESS: <u>840 Rancho Dr. #4-267</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89106</u> TELEPHONE: <u>702-989-9944</u> CELL: _____ E-MAIL: _____ |
| | APPLICANT NAME: <u>DRAKETAIL HOLDINGS II LLC</u> ADDRESS: <u>Same as property owner</u> CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____ CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____ |
| CORRESPONDENT NAME: <u>LR NELSON CONSULTING ENGINEERS - CLAYTON NEILSEN</u> ADDRESS: <u>6765 W RUSSELL ROAD SUITE 200</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702.798.7978</u> CELL: _____ E-MAIL: <u>CLAYTON.NEILSEN@LRNENG.COM</u> REF CONTACT ID #: _____ | |

ASSESSOR'S PARCEL NUMBER(S): 161-27-801-027

PROPERTY ADDRESS and/or CROSS STREETS: Boulder Highway and Russell Road

PROJECT DESCRIPTION: Boulder- Russell Commercial Development

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

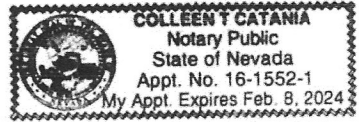
William L. Coulthard
Property Owner (Signature)*

William L. Coulthard, Manager
Emma Lane Dev. LLC, Manager for
Property Owner (Print) Draquetail Holdings II, LLC

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON March 15, 2021 (DATE)

By William L. Coulthard
NOTARY PUBLIC: Colleen Catania



*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.

LAW OFFICE

Brown, Brown & Premsrirut

JAY H. BROWN
DAVID T. BROWN
PUOY K. PREMSRIRUT

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

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

June 14, 2021

Current Planning Division
Department of Comprehensive Planning
Clark County, Nevada
500 Grand Central Pkwy
Las Vegas, Nevada 89155-1841

Re: Justification Letter – Revision 2- (Updated) Conforming Zone Change from R-E, R-2, H-2, and C-2 zones to a C-2 zone; Waivers of Development Standards to reduce parking lot landscaping, reduce throat depths; and Design Reviews for a Commercial/Retail center with a Vehicle (car) Wash, a Convenience Store with Gasoline Pumps, Fast Food Restaurants with drive-thru windows.

Parcel Numbers: 161-27-801-027 & 161-27-896-002

To Whom It May Concern:

On behalf of our clients, Draketail Holdings II LLC., please accept this justification letter for an application requesting a conforming zone from R-E, R-2, H-2, and C-2 to C-2 and other required applications for a proposed commercial/retail center consisting of a convenience store with a gasoline station, a vehicle (car) wash and three (3) fast food restaurants with drive-through windows on a total of 10.12 acres. The zone change request involves one parcel, the design, however, includes a County parcel located on the northwestern portion of the site which is a portion of drainage channel/trail and provides access from Boulder Highway to the site. Documentation is provided in the form of emails with public works to allow using the drainage channel/trails as access, etc. in conjunction with the project. The site has four different zoning categories (R-E-, R-2, H-2, and C-2) and designated Commercial Tourist in the Whitney Land Use Plan. The drainage channel/trail is zoned R-2 designated Public Facility in the Whitney Land Use Plan. The Design Review is for a 6.12 acre portion of the site. The remaining 4.0 acres of the site is designated for future development.

The proposed commercial/retail center is located on the northeastern corner of Boulder Highway and Russell Road. Access to the site is from Boulder Highway on the eastern portion of the site and Russell Road on the southern portion of the site. Cross access is provided to the undeveloped portion of the parcel via drive aisles along the western and southern portions of that area. A total of 4 buildings and a gasoline canopy are depicted on the site. Two fast food restaurants with drive-thru windows (Dutch Bros and un-named restaurant) and convenience store with an attached the vehicle (car) wash are depicted along the Boulder Highway frontage of the site. The site plan is revised to depict the convenience store and car wash at the corner of Russell Road and Boulder Highway with the gasoline canopy relocated to the north side of the convenience store. A third fast food restaurant is located along Russell Road. All typically uses items and services will be allowed and sold in the convenience store including beer and wine and alcohol (liquor-packaged only). A total of 126 parking spaces are provided where 110 spaces are required. As an additional feature parking spaces are provided on the west side of the site in close proximity to the trail to allow the general public to park and easily access the trail. Required bicycle spaces, trash enclosures and loading spaces are provided as required by Code. The convenience store, car wash and gasoline canopy all have a separation of more than 200 feet from any residential use. The shortest separation distance is the gasoline canopy which is more than 245 feet from the senior apartment to the east.

Building Elevations and Floor Plans

The two (2) proposed fast-food restaurants with drive-thru windows are located along Boulder Highway. Restaurant #1 is un-named has a drive-thru, is 4,445 square feet and at height of up to 22 feet at the highest point. Restaurant #2 is 950 square feet with an outside dining area. This building has varying heights up to a maximum of 26 feet 6 inches to the top of the parapet. The convenience store is 3,900 square feet and the attached car wash tunnel is 2,815 square feet with a 1,200 square feet of separate retail space in conjunction with the car wash. The height of the convenience store, car wash and retail space building are at a height of up to 26 feet. A total of 5 vacuums are provided for the car wash. The gasoline canopy is up to 24 feet high. Restaurant #3 is an un-named fast-food restaurant with a drive-thru and at a height of up to 26 feet. Each building has a light sand stucco finish with contrasting colors with architectural features and enhancements that include a combination of the following features: parapets, architectural insets, pop-outs, reveals, and decorative

cladding, stone accents on the sides of the buildings and dual pane clear glazed glass doors and windows with aluminum frames.

Signage is not a part of this application.

Landscaping:

The proposed landscape area along Boulder Highway is a 15 foot area up to 38 foot wide area with an attached five foot wide walk. The landscaping proposed along Russell Road is a 15 foot up to 21 and 64 feet with an attached sidewalk. The landscape buffer along Russell Road is designed to include a 64 foot long finger for additional buffering of the landscape tunnel of the car wash and to reduce conflict at the driveway and provide an increase throat depth on the southern portion of the driveway.

We respectfully request approval of the following applications for the proposed uses within the commercial center:

Zone Change:

Reclassify the parcel from existing zoning of R-E, R-2, H-2, and C-2 to C-2.

Justification:

The zone change request complies with the Whitney Land Use Plan and most Code requirements. This application will result in one zoning district for the parcel and allow a myriad of uses in the area. The requested uses within the center are appropriate for and compatible with the existing and planned uses in the area. The plans generally comply with Code requirements except for the waivers that are required to address design items. The plans also copy with Urban specific goals for the development of commercial development outlined in the Land Use Plan including but not limited to #s 59, 61, 64, 65, 66, 67, 70 & 73.

Waivers of Development Standards:

- 1) Reduce parking lot landscaping for a portion of the site located on a portion of an enclosed drainage channel and power easement.**

Justification:

This waiver is necessary for a portion of the parking area located on the northern portion of the site. The parking in this area is located on top of a covered drainage channel. This area is also within a power easement where landscaping is discouraged. Since landscaping is being eliminated in this area additional landscaping is provided along the street frontages and the islands adjacent to the driveway to screen the site.

Waivers of Development Standards:

Reduce the Throat Depth of the Driveways on Russell Road to a minimum of 22 feet where a minimum of 75 feet is required.

Justification:

Requesting a waiver of the required throat depth per CCAUSD No. 222.1 is necessary because according to requirements a 75 foot throat depth is required. The minimum throat depth proposed for the driveway on Russell Road is 22 feet. This request is justified and will not create an impact on the adjacent streets because two driveways are provided to the site. The design of the site allows no parking stalls located along the entry drive which eliminates direct vehicular conflict at the entry. No vehicles will be backing out of the parking stalls to impede any vehicles that are entering the site from either entry drive. The area close to the driveway is extended to include additional landscaping to ensure eliminate conflicts in the areas at the entry driveways.

Design Review:

For a proposed commercial/retail center.

This application as proposed meets the intent of the Code and the Goals and policies of the Whitney Land Use Plan. The proposed development is appropriate in the area and compatible with other existing and approved uses in the area. A commercial/retail development on this site will complete development on this corner of Boulder Highway and Russell Road and provided essential uses for the

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adjacent residential uses including a senior apartment development.

The proposed commercial/retail development and accompanying waivers will not negatively impact the site or area; are appropriate for the area and is compatible with the existing and developed uses in the immediate vicinity and entire area. The center will serve the area which consists of existing residential developments, other businesses, as well as provide needed employment in the area especially after the Pandemic. This application as proposed generally meets the intent of the Code and the goals and policies of the Whitney Land Use Plan.

We appreciate your consideration in the review and recommendation of approval for the application. Please call me at 702-589-1429, if you have any questions or need additional information.

Sincerely,

BROWN, BROWN & PREMSRIRUT
Lebene A. Ohene
Land Use and Development