



Whitney Town Advisory Board

Whitney Community Center

5712 Missouri Ave.

Las Vegas, NV. 89122

December 1, 2022

6:00pm

AGENDA

Note:

- Items on the agenda may be taken out of order.
- The Board/Council may combine two (2) or more agenda items for consideration.
- The Board/Council may remove an item from the agenda or delay discussion relating to an item at any time.
- No action may be taken on any matter not listed on the posted agenda.
- All planning and zoning matters heard at this meeting are forwarded to the Board of County Commissioners' Zoning Commission (BCC) or the Clark County Planning Commission (PC) for final action.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With a forty-eight (48) hour advance request, a sign language interpreter or other reasonable efforts to assist and accommodate persons with physical disabilities, may be made available by calling (702) 455-3530, TDD at (702) 385-7486, or Relay Nevada toll-free at (800) 326-6868, TD/TDD.
- Supporting material provided to Board/Council members for this meeting may be requested from Victoria Bonner at 702-335-9205.
 - Supporting material is/will also available at the Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155.
 - Supporting material is/will be available on the County's website at specific Board/Council website.

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

Secretary: Victoria Bonner, 702-335-9205, victoria.tabsecretary@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 October 13, 2022. (For possible action)
- IV. Approval of the Agenda for December 1, 2022 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
- VI. Planning and Zoning

- 1. **ET-22-400118 (UC-0670-16)-LEGACY KIMBERLY, LLC:**
USE PERMIT THIRD EXTENSION OF TIME for a congregate care facility with accessory commercial uses.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** permit a congregate care facility to be adjacent to and accessed from local streets; and **2)** reduce setbacks.
DESIGN REVIEW for a congregate care facility on 4.8 acres in an M-D (Designed Manufacturing) Zone. Generally located on the south side of Kimberly Avenue and the west side of Broadbent Boulevard within Whitney. JG/dd/syp (For possible action) 12/20/22 PC

- 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: December 15, 2022.
- 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

October 13, 2022

MINUTES

Board Members: Christopher Fobes –Chair - **PRESENT**
Greg Konkin - Vice Chair- **PRESENT**
Amy Beaulieu-**PRESENT**
Geraldine Ramirez-**PRESENT**

Secretary: Victoria Bonner 702-335-9205 victoria.tabsecretary@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

Blanca Vasquez; Town Liaison

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

II. Public Comment
None

III. Approval of September 29, 2022 Minutes
Moved by: Ramirez
Approve
Vote: 4-0 Unanimous

IV. Approval of Agenda for October 13, 2022
Moved by: Ramirez
Approve
Vote: 4-0 Unanimous

V. Informational Items (for discussion)

1. Applications are available until November 15, 2022 for appointments by the Clark County Board of County Commissioners to serve on the (Whitney TAB) for a two-year (2-year) term beginning January 2023.

2. C.F. invited the community to Trunk or Treat. This will be held October 27th from 6:00pm – 9:00 pm at the Whitney Community Center.

VI. Planning and Zoning

VII. General Business (for possible action)

1. Review previous fiscal year budget request(s) and take public input regarding suggestions for the next budget request(s). The final list will be recorded and sent to respective departments after the 10/13/22 Whitney TAB meeting.

Previous budget request

1. Improvements on Missouri and Stephanie

Suggestions for next budget request

1. Surveillance cameras for Whitney Recreation Center
2. Podium
3. Easel
4. Microphone for existing system
5. PSA's to promote homeless services in the Whitney
6. Flamingo Arroyo Bike Trail – Add Bollards on both sides of the tunnel – to stop cars from driving thru – Near Hollywood
7. Signage at Silver bowl Park – Broadbent side, No Commercial Parking – Or stall parking only (to try and prevent commercial truck parking)
8. Crosswalk at Broadbent and Cherry (families on east side of Broadbent are walking to the Wetlands and there is no crosswalk)
9. Crosswalk at Wetlands and Broadbent (families on east side of Broadbent are walking to the Wetlands and there is no crosswalk)
10. EMF fencing / Railroad fencing at Nellis and Duck Creek
11. Medians in Hacienda have gravel in the center. Can we fill in with cement or other decorative materials? Median Gravel is getting scattered throughout the street.
12. Code Enforcement officers for nights and weekends.

VIII. Public Comment

IX. Next Meeting Date

The next regular meeting will be October 27, 2022.

X. Adjournment

The meeting was adjourned at 6:29 p.m.

**ATTACHMENT A
WHITNEY TOWN ADVISORY BOARD
ZONING AGENDA
THURSDAY, 6:00 P.M., DECEMBER 1, 2022**

12/20/22 PC

1. **ET-22-400118 (UC-0670-16)-LEGACY KIMBERLY, LLC:**
USE PERMIT THIRD EXTENSION OF TIME for a congregate care facility with accessory commercial uses.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) permit a congregate care facility to be adjacent to and accessed from local streets; and 2) reduce setbacks.
DESIGN REVIEW for a congregate care facility on 4.8 acres in an M-D (Designed Manufacturing) Zone. Generally located on the south side of Kimberly Avenue and the west side of Broadbent Boulevard within Whitney. JG/dd/syp (For possible action)

CONGREGATE CARE FACILITY
(TITLE 30)

BROADBENT BLVD/KIMBERLY AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-22-400118 (UC-0670-16)-LEGACY KIMBERLY, LLC:

USE PERMIT THIRD EXTENSION OF TIME for a congregate care facility with accessory commercial uses.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** permit a congregate care facility to be adjacent to and accessed from local streets; and **2)** reduce setbacks.

DESIGN REVIEW for a congregate care facility on 4.8 acres in an M-D (Designed Manufacturing) Zone.

Generally located on the south side of Kimberly Avenue and the west side of Broadbent Boulevard within Whitney. JG/dd/syp (For possible action)

RELATED INFORMATION:

APN:

161-27-510-014

WAIVERS OF DEVELOPMENT STANDARDS:

1. Permit a congregate care facility to be adjacent to and accessed from local streets where congregate care facilities are to be adjacent to and accessed from a collector or arterial street.
2.
 - a. Reduce the rear (south) setback for a storage building to 10 feet where a minimum of 20 feet is required (a 50% reduction).
 - b. Reduce the side (west) setback for a storage building to 7 feet where a minimum of 20 feet is required (a 65% reduction).
 - c. Reduce the setback for a trash enclosure to 10 feet where a minimum of 20 feet is required (a 50% reduction).

LAND USE PLAN:

WHITNEY - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 4.8
- Project Type: Congregate care facility
- Number of Beds: 143
- Number of Stories: 1

- Building Height (feet): 34
- Square Feet: 65,446
- Parking Required/Provided: 59/83

Site Plan & History

The original congregate care facility application UC-0670-16 was approved in November 2016. The first extension of time for UC-0670-16 was granted in December, 2018. WS-0350-17 was approved in June, 2017 for alternative landscaping and alternative driveway geometrics, but expired on June 20, 2019. As a result of the expiration of WS-0350-17, the applicant is required to submit new waiver and design review requests for significant changes to the plans approved by UC-0670-16. The approved plans depict a congregate care facility consisting of 1 building located in the central portion of the parcel. Parking for the facility is located along the north, south, east, and west sides of the building. Access to the site is provided by 2 driveways, 1 from Kimberly Avenue to the north and 1 from Greyhound Lane to the south. The building is set back approximately 55 feet from the east property line, 35 feet from the west property line, and a minimum of 74 feet from each street. The building is constructed around 6 courtyard areas. The plans also depict a small storage structure located on the southwest corner of the site that is set back approximately 7 feet from the west property line but is required to be set back 10 feet from the south property line per the conditions of approval.

Landscaping

The previously approved waivers associated with WS-0350-17 depicted alternative landscape areas along Kimberly Avenue and Greyhound Lane. The modified plans related to WS-0350-17 showed a landscape area adjacent to Kimberly Avenue and Greyhound Lane, consisting of only shrubs and groundcover where trees were required. Now that WS-0350-17 has expired, if the project is redesigned from the original plan, these waivers will need to be submitted for consideration and approval.

The approved plans depict attached sidewalks adjacent to the streets with minimum 6 foot wide landscape areas adjacent to the sidewalks. The landscape areas adjacent to the streets will consist of trees, shrubs, and groundcover. The landscape area along the east property line is 6 feet wide and will consist of a single row of large Evergreen trees. The landscape area along the west property line is 10 feet in width and will consist of 2 off-set rows of large Evergreen trees. The additional landscape areas consisting of trees, shrubs, and groundcover are located adjacent to the building and within the courtyard areas.

Elevations

The building is 1 story with a maximum building height of 34 feet. The building has a pitched roof with clay tile roofing material and the roofline varies in height from approximately 22 feet to 34 feet. The exterior of the building has a stucco finish painted in earth tone colors. The main entrance of the facility faces to the east and is located in the center of the building elevation.

Floor Plans

The approved plans depict a 65,446 square foot congregate care facility consisting of 143 beds. The plans depict 84 rooms for the residents, dining facilities, therapy areas, administrative office,

storage, support, and common areas for the residents. The facility will also provide a 224 square foot beauty shop (accessory commercial use) for the residents of the facility.

Previous Conditions of Approval

Listed below are the approved conditions for ET-20-400151 (UC-0670-16):

Current Planning

- Until November 15, 2022 to commence.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for ET-18-400233 (UC-0670-16):

Current Planning

- Until November 15, 2020 to commence.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for UC-0670-16:

Current Planning

- Reduced rear (south) setback for a storage building to be 10 feet;
- Design review as a public hearing for significant changes to the plans;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works – Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 10 additional feet for Kimberly Avenue, 10 additional feet for Greyhound Lane and associated spandrels.

Building/Fire Prevention

- Applicant is advised that the turning radii within the site drive aisles are to have an inside radius of at least 28 feet and outside radius of at least 52 feet.

Signage

Signage is not a part of this request.

Applicant's Justification

Applicant states that their plans require corrections from the Building Department, and that their plan resubmittal will take extra time. The applicant also states that their architects and engineers are working on the plans now. The applicant is requesting an extension of time to ensure their plans can be approved and building can commence on a congregate care facility.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-20-400151 (UC-0670-16)	Second extension of time for a congregate care facility	Approved by PC	January 2021
ET-18-400233 (UC-0670-16)	First extension of time for a congregate care facility	Approved by PC	December 2018
WS-0350-17	Waivers for landscaping, driveway geometrics, and a design review for modifications for an approved congregate care facility - expired	Approved by PC	June 2017
UC-0670-16	Congregate care facility	Approved by PC	November 2016
TM-0144-14	39 single family residential lots - expired	Approved by PC	October 2014
WS-0704-14	Increased block wall height and waiver of conditions for the original nonconforming zone boundary amendment - expired	Approved by PC	October 2014
TM-0238-13	41 single family residential lots - expired	Approved by PC	February 2014
NZC-0196-13	Reclassified from M-D to R-2 zoning for a single family residential development - expired	Approved by BCC	July 2013
TM-0456-05	48 lot single family residential planned unit development (PUD) - expired	Approved by PC	September 2005
NZC-1447-04	Reclassified the property from M-D to RUD zoning with a use permit to establish a single family PUD - expired	Approved by BCC	December 2004
ZC-1602-98	Reclassified the site from R-E to M-D zoning for an office/warehouse complex	Approved by BCC	November 1998

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RUD & R-E	Undeveloped & single family residential

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
South & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
East	Corridor Mixed-Use	C-2	Retail center

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval.

Although the previous extension of time was approved, staff did not support the request. However, since that time the applicant has submitted a building permit which is currently under review. Staff can support this extension of time because there has been some progress made. By the end of this time period, 8 years will have elapsed since the original approval, and a new Code will be in effect. Staff will not support another extension of time and will recommend the applicant resubmit for a new land use application.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Until November 15, 2024 to commence.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Right-of-way dedication to include a portion of the property for Broadbent Boulevard, 10 feet for Kimberly Avenue, a minimum of 10 feet for Greyhound Lane, and associated spandrel;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Tropicana Avenue/Broadbent Boulevard improvement project;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for Broadbent Boulevard and Kimberly Avenue;
- 90 days to record required right-of-way dedications and any corresponding easements for Broadbent Boulevard and Kimberly Avenue;
- Compliance with previous conditions.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

**TAB/CAC:
APPROVALS:
PROTEST:**

APPLICANT: LINDA RAZO

CONTACT: LINDA RAZO, 6877 S. EASTERN AVENUE, LAS VEGAS, NV 89119



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) UC-0670-16 (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>ET-22-400118</u> DATE FILED: <u>10/17/2022</u> PLANNER ASSIGNED: <u>DD</u> TAB/CAC: <u>Whitney</u> TAB/CAC DATE: <u>12/01/2022</u> PC MEETING DATE: <u>12/20/2022</u> BCC MEETING DATE: _____ FEE: _____
	PROPERTY OWNER NAME: <u>Legacy Kimberly LLC</u> ADDRESS: <u>6877 S. Eastern Avenue</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>725-696-7777</u> CELL: <u>702-337-7770</u> E-MAIL: <u>linda.razo@nsnddevelopment.com</u>
	APPLICANT NAME: <u>Same as Property Owner</u> ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____ CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Linda Razo</u> ADDRESS: <u>6877 S. Eastern Avenue</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>725-696-7777</u> CELL: <u>702-337-7770</u> E-MAIL: <u>linda.razo@nsnddevelopment.com</u> REF CONTACT ID #: _____

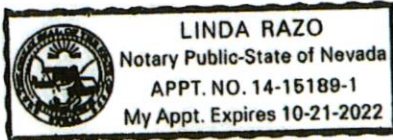
ASSESSOR'S PARCEL NUMBER(S): 161-27-510-014
 PROPERTY ADDRESS and/or CROSS STREETS: 5013 Broadbent Blvd, Las Vegas, NV 89122
 PROJECT DESCRIPTION: Congregate Care Facility

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

[Signature]
 Property Owner (Signature)*

Linda Razo
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON 10-23-2022 (DATE)
 By _____
 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.



September 29, 2022

Justification Letter – Extension of Time

Clark County
Department of Comprehensive Planning
Tabitha Kast, Planning Technician
500 S Grand Central Parkway
Las Vegas, Nevada 89155

ET-22-400118

RE: UC-0670-16
5013 South Broadbent Boulevard
Legacy Kimberly Skilled Nursing Facility

Legacy Kimberly LLC respectfully requests an extension of time on the existing approved use permit noted above due to plan review at CCBD. Plans have been submitted to the building department; We are waiting for permit approval to proceed with the build out. Plan review has begun, CCBD has reviewed the plans and we have corrections to submit. Architect and the Engineers are working on the corrections. Below is the PAC information.

Plan Check #

1. BD22-22396
2. PW21-19490
3. PW22-13301 (Approved, waiting for PW21-19490 approval)
4. FP21-07780 (Waiting for Mylars) Civil Underground

As a result of the above changes, Nevada Skilled Nursing Development (NSND) is moving forward to build this project.

Thank you for your time in this matter.

Respectfully

Linda Razo
Project Coordinator