



Enterprise Town Advisory Board

Windmill Library
7060 W. Windmill Lane
Las Vegas, NV 89113

October 9, 2019

6:00 p.m.

AGENDA

NOTE:

- Items on the agenda may be taken out of order.
- The Board/Council may combine two 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 Board of County Commissioners Zoning Commission (BCC) or 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 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 or TDD 702-385-7486 or Relay Nevada toll free 800-326-6868, TD/TDD.
- Supporting material provided to Board/Council members for this meeting may be requested from [Carmen Hayes] at [702-371-7991] and is/will be available at the County's website at www.clarkcountynv.gov.

Board Members: Jenna Waltho – Chair
Kendal Weisenmiller

Barris Kaiser – Vice Chair
David Chestnut

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

County Liaison: [Tiffany Hesser 702-455-7388 tlh@clarkcountynv.gov]

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

BOARD OF COUNTY COMMISSIONERS
MARILYN KIRKPATRICK, CHAIR - LAWRENCE WEEKLY, Vice-Chair
LARRY BROWN - JAMES GIBSON - JUSTIN JONES - MICHAEL NAFT - TICK SEGERBLOM
YOLANDA KING, County Manager

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

III. Approval of Minutes September 25, 2019 (For possible action)

IV. Approval of Agenda for October 9, 2019 and Hold, Combine or Delete Any Items (For possible action)

V. Informational Items

1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (for discussion)

- Enterprise Area Command Trunk or Treat October 24, 2019 at The Crossing, 7950 West Windmill Lane from 5:00pm – 10:00pm.

VI. Planning & Zoning

1. **UC-19-0645-AFRIDI ROMMAN KHAN:**
USE PERMITS for the following: **1)** a proposed communication tower; and **2)** reduced setbacks. **DESIGN REVIEW** for a proposed communication tower and ground equipment on a portion of 2.5 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the east side of Haven Street, 325 feet south of Eldorado Lane within Enterprise. MN/nr/jd (For possible action) **10/01/19 PC**
2. **UC-19-0398-ABC HAVEN WEST INC:**
HOLDOVER USE PERMIT to allow accessory uses (private access drive aisles with landscaping and decorative pavers) prior to the principal use.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** waive street landscaping; and **2)** waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along public streets.
DESIGN REVIEW for drive aisles and landscaping in conjunction with a multi-family development to the west on 16.5 acres in R-E (Rural Estates Residential), C-P (Office and Professional), and H-1 (Limited Resort and Apartment) Zones. Generally located on the west side of Haven Street and the south side of Mesa Verde Lane within Enterprise. MN/rk/ja (For possible action) **10/02/19 BCC**
3. **ZC-19-0692-NAZARIAN, MICHAEL & ANNA REVOCABLE TRUST ET AL & NAZARIAN, MICHAEL & ANNA TRS:**
ZONE CHANGE to reclassify 1.3 acres from R-E (Rural Estates Residential) Zone to C-2 (General Commercial) Zone.
DESIGN REVIEW for an on-premises consumption of alcohol establishment (tavern). Generally located on the east side of Valley View Boulevard and the south side of Silverado Ranch Boulevard within Enterprise (description on file). JJ/md/jd (For possible action) **10/16/19 BCC**

4. **ET-19-400121 (UC-0479-17) -A B S MOUNTAINS EDGE ENTERPRISE, LLC:**
USE PERMITS FIRST EXTENSION OF TIME for the following: 1) on-premises consumption of alcohol (tavern); 2) convenience store; 3) gasoline station; 4) vehicle wash; 5) personal services; 6) office as a principal use; 7) retail as a principal use; and 8) restaurant as a principal use in an M-D zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce the separation for a proposed convenience store to a residential use; 2) reduce the separation for a proposed vehicle wash to a residential use; and 3) a vehicle wash bay to face a public street.
DESIGN REVIEW for a shopping center on 5.0 acres in an M-D (Designed Manufacturing) Zone. Generally located on the east side of Rainbow Boulevard and the south side of Mountains Edge Parkway within Enterprise. JJ/lm/jd (For possible action) 11/05/19 PC

5. **UC-19-0723-ST ROSE PLAZA, LLC:**
USE PERMIT for increased display spaces for a vehicle rental facility in conjunction with an existing shopping center on a portion of 3.5 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Bruner Avenue and the east side of Haven Street (alignment) within Enterprise. MN/nr/jd (For possible action) 11/05/19 PC

6. **UC-19-0748-J 3 DECATUR, LLC:**
USE PERMIT for a transportation service with more than 5 vehicles.
DESIGN REVIEW for a shade structure for vehicle inspections in conjunction with a transportation service within an existing shopping center on 3.1 acres in a C-2 (General Commercial) (AE-60) Zone in the CMA Design Overlay District. Generally located on the southwest corner of Wagon Trail Avenue and Decatur Boulevard within Enterprise. MN/al/jd (For possible action) 11/05/19 PC

7. **VC-19-0715-GARCILAZO FAMILY TRUST & GARCILAZO JOE RICHARD & KAREN LORRAINE TRS:**
VARIANCE to reduce the rear yard setback for a proposed patio cover in conjunction with an existing single family residence on 0.2 acres in an R-3 (Multiple Family Residential) P-C (Planned Community Overlay District) Zone in the Southern Highlands Master Planned Community. Generally located on the north side of Isle Drive, 240 feet west of Ringrose Street within Enterprise. JJ/rk/jd (For possible action) 11/05/19 PC

8. **VS-19-0714-CENTURY COMMUNITIES NEVADA, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Grand Canyon Drive and Conquistador Street, and between Serene Avenue and Oleta Avenue within Enterprise (description on file). JJ/lm/jd (For possible action) 11/05/19 PC

9. **VS-19-0728-PROSPECTUS ENDEAVORS 4, LLC:**
VACATE AND ABANDON a portion of right-of-way being Neal Avenue located between Parvin Street (alignment) and Las Vegas Boulevard South, and a portion of right-of-way being Parvin Street located between Neal Avenue (alignment) and Loretta Lane (alignment) within Enterprise (description on file). MN/md/jd (For possible action) 11/05/19 PC

10. **DR-19-0740-BD-ARVILLE, LLC:**
DESIGN REVIEW for a fast food restaurant with a drive-thru on a portion of 1.8 acres in a C-2 (General Commercial) Zone. Generally located on the south side of Blue Diamond Road and the west side of Arville Street within Enterprise. JJ/pb/jd (For possible action) 11/06/19 BCC

11. **TM-19-500187-DEAN FAMILY TRUST ETAL & BROSSEAU SANDRA TRS:**
TENTATIVE MAP consisting of 44 single family residential lots and common lots on 5.0 acres in an RUD (Residential Urban Density) Zone. Generally located on the north side of Erie Avenue, 950 feet east of Torrey Pines Drive within Enterprise. JJ/pb/jd (For possible action) **11/06/19 BCC**

12. **TM-19-500191-BLUE SAND HOLDINGS, LLC:**
TENTATIVE MAP consisting of 18 single family residential lots and common lots on 2.5 acres in an R-2 (Medium Density Residential) Zone. Generally located on the north side of Oleta Avenue (alignment) and the east side of Quarterhorse Lane (alignment) within Enterprise. JJ/al/ja (For possible action) **11/06/19 BCC**

13. **TM-19-500193-LUCE, RONALD D. & INDIGO SERVICES:**
TENTATIVE MAP consisting of 53 single family residential lots and common lots on 5.0 acres in an R-3 (Multiple Family Residential) Zone. Generally located on the east and west sides of Ullom Drive (alignment), 320 feet north of Frias Avenue within Enterprise. JJ/al/ja (For possible action) **11/06/19 BCC**

14. **TM-19-500194-HLI, LLC:**
TENTATIVE MAP consisting of 162 single family residential lots and common lots on 59.1 acres in an R-E (Rural Estates Residential) Zone, R-2 (Medium Density Residential) Zone, and R-3 (Multiple Family Residential) Zone. Generally located on the east side of Jones Boulevard and the north and south sides of Frias Avenue (alignment) within Enterprise. JJ/al/xx (For possible action) **11/06/19 BCC**

15. **UC-19-0751-HARRISON KEMP & JONES 401 PLAN, ET AL:**
USE PERMIT to allow a marijuana establishment (retail store) in conjunction with an existing retail center on a portion of 2.0 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Cactus Avenue, 222 feet east of Valley View Boulevard within Enterprise. JJ/jor/jd (For possible action) **11/06/19 BCC**

16. **UC-19-0752-HARRISON KEMP & JONES 401 PLAN, ET AL:**
USE PERMIT to allow a marijuana establishment (retail store) in conjunction with an existing retail center on a portion of 2.0 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Cactus Avenue, 222 feet east of Valley View Boulevard within Enterprise. JJ/jor/jd (For possible action) **11/06/19 BCC**

17. **UC-19-0755-BAKOLAS HOLDINGS PLACID, LLC:**
USE PERMIT for a proposed marijuana establishment (retail store) in conjunction with a convenience store and existing commercial development on 2.0 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Warm Springs Road and the east side of Placid Street within Enterprise. MN/jvm/jd (For possible action) **11/06/19 BCC**

18. **VS-19-0719-DEAN FAMILY TRUST ETAL & BROSSEAU SANDRA TRS:**
VACATE AND ABANDON easements of interest to Clark County located between Erie Avenue and Levi Avenue, and between Torrey Pines Drive and Jones Boulevard and a portion of a right-of-way being Erie Avenue located between Torrey Pines Drive and Jones Boulevard within Enterprise (description on file). JJ/pb/jd (For possible action) **11/06/19 BCC**

19. **VS-19-0735-BLUE SAND HOLDINGS, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Oleta Avenue (alignment) and Westchester Hill Avenue, and between Quarterhorse Lane (alignment) and Whatley Street within Enterprise (description on file). JJ/al/ja (For possible action) 11/06/19 BCC
20. **VS-19-0744-HLI, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Jones Boulevard and Duneville Street (alignment), and between Cactus Avenue and Frias Avenue (alignment); and portions of a rights-of-way being Rush Avenue located between Jones Boulevard and Duneville Street (alignment), and Redwood Street located between Cactus Avenue and Frias Avenue (alignment) within Enterprise (description on file). JJ/al/xx (For possible action) 11/06/19 BCC
21. **VS-19-0756-LUCE, RONALD D. & INDIGO SERVICES:**
VACATE AND ABANDON easements of interest to Clark County located between Pyle Avenue and Frias Avenue, and between Decatur Boulevard and Cameron Street within Enterprise (description on file). JJ/al/xx (For possible action) 11/06/19 BCC
22. **WC-19-400122 (NZC-18-0915)-RAINBOW & BLUE DIAMOND SOUTHEAST:**
WAIVER OF CONDITIONS for a zone change to provide enhanced landscape buffers along the perimeters and street frontages, including detached sidewalks per plans in conjunction with a previously requested shopping center on 8.1 acres in a C-2 (General Commercial) Zone. Generally located on the south side of Blue Diamond Road and the east side of Rainbow Boulevard within Enterprise. JJ/pb/ja (For possible action) 11/06/19 BCC
23. **WC-19-400124 (ZC-18-0256)-BLUE DIAMOND DECATUR PLAZA, LLC:**
WAIVER OF CONDITIONS of a zone change for a design review as a public hearing for lighting in conjunction with a shopping center, mini-warehouse facility, and future hotel on 13.1 acres in a C-2 (General Commercial) Zone. Generally located on the south side of Blue Diamond Road and the west side of Decatur Boulevard within Enterprise. JJ/lm/jd (For possible action) 11/06/19 BCC
24. **WC-19-400126 (NZC-0925-17)-MONARCH LUXURY APARTMENTS, LLC:**
WAIVERS OF CONDITIONS of a zone change requiring the following: **1)** enhanced landscape buffers along the perimeters and street frontages, and pedestrian access gates, as shown per plans; **2)** design review as a public hearing for future signage and lighting; and **3)** northernmost gate to be egress only for an approved multiple family residential development on 2.7 acres in an R-3 (Multiple Family Residential) Zone. Generally located on the east side of Ullom Drive (alignment), 320 feet north of Frias Avenue within Enterprise (description on file). JJ/al/ja (For possible action) 11/06/19 BCC
25. **WC-19-400127 (ZC-1624-06)-HLI, LLC:**
WAIVER OF CONDITIONS of a zone change requiring right-of-way dedication to include 30 feet to 60 feet for Rush Avenue west of Duneville Street, 55 feet to back of curb for Cactus Avenue, and associated spandrels on 25.0 acres in an R-2 (Medium Density Residential) Zone. Generally located on the north side of Cactus Avenue, 300 feet east of Jones Boulevard within Enterprise. JJ/al/xx (For possible action) 11/06/19 BCC

26. **WS-19-0725-RAINBOW & BLUE DIAMOND SOUTHEAST:**
WAIVER OF DEVELOPMENT STANDARDS to allow alternative landscaping.
DESIGN REVIEW for modifications to an approved shopping center on 8.1 acres in a C-2 (General Commercial) Zone. Generally located on the south side of Blue Diamond Road and the east side of Rainbow Boulevard within Enterprise. JJ/pb/ja (For possible action) **11/06/19 BCC**
27. **ZC-19-0718-DEAN FAMILY TRUST ETAL & BROSSEAU SANDRA TRS:**
ZONE CHANGE to reclassify 5.0 acres from R-E (Rural Estates Residential) Zone to RUD (Residential Urban Density) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduced setbacks; and **2)** overlength cul-de-sac.
DESIGN REVIEWS for the following: **1)** proposed single family residential development; and **2)** increased finished grade in conjunction with a single family residential development. Generally located on the north side of Erie Avenue, 950 feet east of Torrey Pines Drive within Enterprise (description on file). JJ/pb/jd (For possible action) **11/06/19 BCC**
28. **ZC-19-0734-BLUE SAND HOLDINGS, LLC:**
ZONE CHANGE to reclassify 2.5 acres from H-2 (General Highway Frontage) Zone to R-2 (Medium Density Residential) Zone.
WAIVER OF DEVELOPMENT STANDARDS to increase wall height.
DESIGN REVIEWS of the following: **1)** a single family residential development; and **2)** increased finished grade. Generally located on the north side of Oleta Avenue (alignment) and the east side of Quarterhorse Lane (alignment) within Enterprise (description on file). JJ/al/ja (For possible action) **11/06/19 BCC**
29. **ZC-19-0741-LUCE, RONALD D. & INDIGO SERVICES:**
ZONE CHANGE to reclassify 2.5 acres from R-E (Rural Estates Residential) Zone to R-3 (Multiple Family Residential) Zone.
WAIVER OF DEVELOPMENT STANDARDS to permit alternative residential driveway geometrics.
DESIGN REVIEWS for the following: **1)** single family residential development; **2)** permit streets to terminate with hammerhead cul-de-sacs; and **3)** increased finished grade for lots within a residential development on 5.0 acres in an R-3 (Multiple Family Residential) Zone. Generally located on the east and west sides of Ullom Drive (alignment), 320 feet north of Frias Avenue within Enterprise (description on file). JJ/al/ja (For possible action) **11/06/19 BCC**
30. **ZC-19-0743-HLI, LLC:**
ZONE CHANGE to reclassify 23.0 acres from R-E (Rural Estates Residential) Zone, R-2 (Medium Density Residential) Zone, and RUD (Residential Urban Density) Zone to R-2 (Medium Density Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase building height; **2)** increase wall height; and **3)** reduce street intersection off-set.
DESIGN REVIEW for a single family residential development on 59.1 acres in an R-E (Rural Estates Residential) Zone, R-2 (Medium Density Residential) Zone, and R-3 (Multiple Family Residential) Zone. Generally located on the east side of Jones Boulevard and the north and south sides of Frias Avenue (alignment) within Enterprise (description on file). JJ/al/xx (For possible action) **11/06/19 BCC**

VII. General Business

1. Review/finalize FY 2021 budget request(s) and take public comment on the budget request(s). (For possible action)

VIII. Comments by the General Public - A period devoted to comments by the general public about matters relevant to the Board's/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 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 Chair or the Board/Council by majority vote.

IX. Next Meeting Date: October 30, 2019 at 6:00p.m.

X. Adjournment

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

Windmill Library -7060 W. Windmill Lane
Einstein Bros Bagels- 3837 Blue Diamond Rd.
Enterprise Library- 25 E. Shelbourne Ave.
Whole Foods Market- 6689 Las Vegas Blvd
<https://notice.nv.gov/>

BOARD OF COUNTY COMMISSIONERS
MARILYN KIRKPATRICK, CHAIR - LAWRENCE WEEKLY, Vice-Chair
LARRY BROWN - JAMES GIBSON - JUSTIN JONES - MICHAEL NAFT - TICK SEGERBLOM
YOLANDA KING, County Manager



Enterprise Town Advisory Board

September 25, 2019

MINUTES

Board Members: Jenna Waltho, Chair - **PRESENT** Barris Kaiser, Vice Chair **PRESENT**
Kendall Weisenmiller **EXCUSED** David Chestnut **PRESENT**

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

County Liaison: Tiffany Hesser 702-455-7388 tlh@clarkcountynv.gov

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

The meeting was called to order at 6:05 p.m.

Rob Kaminski, Current Planning

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 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 Chair or the Board/Council by majority vote.

A resident spoke regarding item 17, ZC-19-0692. He could not stay until the end of the meeting. He feels this request sets a precedent and should be denied.

III. Approval of September 11, 2019 Minutes.(For possible action)

Motion by Jenna Waltho

Action: **APPROVE** as amended.

Motion **PASSED** (3-0) / Unanimous

IV. Approval of Agenda for September 25, 2019 and Hold, Combine or Delete Any Items (For possible action)

Motion by Jenna Waltho

Action: **APPROVE** as amended.

Motion **PASSED** (3-0) / Unanimous

Applicant requested hold:

2. UC-19-0398-ABC HAVEN WEST INC: Applicant has requested a **HOLD** to the Enterprise TAB meeting on October 9, 2019.
8. DR-19-0585-32 ACRES, LLC: Applicant has requested a **HOLD** to the Enterprise TAB meeting on October 30, 2019.

Related applications:

9. TM-19-500178-CORTNEY MARY A:
12. VS-19-0686-CORTNEY, MARY A.:
16. ZC-19-0687-CORTNEY, MARY A.:

10. TM-19-500181-BLUE BRONCO, LLC:
15. WS-19-0705-BLUE BRONCO, LLC:

V. Informational Items

1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (for discussion)

- Las Vegas Metropolitan Police Department – Enterprise Area Command will host National Night out October 1, 2019, 5-8 pm at 7975 Blue Diamond Road.
- 1 October Sunrise Remembrance will occur, Tuesday, October 1, 2019, 7am at the Clark County Government Center Amphitheater. A Wellness Event will follow the remembrance on October 1, 2019, 8am-1pm at the Clark County Government Center.

VI. Planning & Zoning

1. **TM-19-500171-CCC, LLC:**
TENTATIVE MAP for a commercial subdivision on 3.6 acres in a C-1 (Local Business) Zone and a C-1 (Local Business) (AE-60) Zone. Generally located on the south side of Warm Springs Road and the east side of Haven Street within Enterprise. MN/pb/jd (For possible action) **10/01/19 PC**

Motion by Jenna Waltho
Action: **APPROVE** per staff conditions.
Motion **PASSED** (3-0) /Unanimous

2. **UC-19-0398-ABC HAVEN WEST INC:**
HOLDOVER USE PERMIT to allow accessory uses (private access drive aisles with landscaping and decorative pavers) prior to the principal use.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** waive street landscaping; and **2)** waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along public streets.

DESIGN REVIEW for drive aisles and landscaping in conjunction with a multi-family development to the west on 16.5 acres in R-E (Rural Estates Residential), C-P (Office and Professional), and H-1 (Limited Resort and Apartment) Zones. Generally located on the west side of Haven Street and the south side of Mesa Verde Lane within Enterprise. MN/rk/ja (For possible action) **10/02/19 BCC**

Applicant has requested a **HOLD** to the Enterprise TAB meeting on October 9, 2019.

3. **TM-19-500121-MKD NEVADA PROPERTIES DECATUR:**
TENTATIVE MAP for a commercial subdivision on 1.6 acres in a C-2 (General Commercial) Zone. Generally located on the northwest corner of Decatur Boulevard and Windmill Lane within Enterprise. MN/jor/ma (For possible action) **10/15/19 PC**

Motion by David Chestnut
Action: **APPROVE** per staff conditions.
Motion **PASSED** (3-0) /Unanimous

4. **UC-19-0693-BEACH CITY NEVADA CHARITY, LLC:**
USE PERMIT to reduce separation from an existing residential use to a proposed on-premises consumption of alcohol establishment (supper club) in an existing shopping center on 0.8 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Blue Diamond Road, 307 feet east of Edmond Street within Enterprise. JJ/lm/jd (For possible action) **10/15/19 PC**

Motion by David Chestnut
Action: **APPROVE** per staff conditions.
Motion **PASSED** (3-0) /Unanimous

5. **UC-19-0694-BUCK BRANDI & FOWLER TODD:**
USE PERMIT to increase the size of an accessory structure in conjunction with a single family residence on 0.5 acres in an R-E (Rural Estates Residential) Zone. Generally located on the south side of Pebble Road and the east side of Redwood Street (alignment) within Enterprise. JJ/jt/jd (For possible action) **10/15/19 PC**

Motion by Jenna Walther
Action: **APPROVE** per staff conditions.
Motion **PASSED** (3-0) /Unanimous

6. **UC-19-0697-EPIC RAINBOW, LLC:**
USE PERMIT for truck rental in conjunction with an existing mini-warehouse facility located on a portion of 3.8 acres in a C-1 (Local Business) P-C (Planned Community Overlay District) Zone. Generally located on the west side of Rainbow Boulevard and the north side of Gary Avenue within Enterprise. JJ/md/jd (For possible action) **10/15/19 PC**

Motion by David Chestnut
Action: **APPROVE** per staff conditions.
Motion **PASSED** (3-0) /Unanimous

7. **WS-19-0611-CAC-POL DEV, LLC:**

WAIVER OF DEVELOPMENT STANDARDS for alternative commercial driveway geometrics.

DESIGN REVIEWS for the following: **1)** a vehicle maintenance facility; **2)** a restaurant; and **3)** retail sales in conjunction with a proposed commercial development on 2.5 acres in a C-2 (General Commercial) Zone. Generally located on the northeast corner of Polaris Avenue and Cactus Avenue within Enterprise. JJ/nr/ja (For possible action) **10/15/19 PC**

Motion by David Chestnut

Action: **APPROVE**

ADD Current Planning conditions:

- Establish cross access with property to the north if compatible uses are developed.
- Construct a 4-foot high wall along the west and south of the drive-thru to block vehicle headlights.

Per staff conditions.

Motion **PASSED** (3-0) /Unanimous

8. **DR-19-0585-32 ACRES, LLC:**

DESIGN REVIEWS for the following: **1)** modified design for a previously approved tavern; **2)** lighting for a tavern; and **3)** signage for an approved retail center including tavern on a portion of 4.5 acres in a C-2 (General Commercial) Zone. Generally located on the east side of Las Vegas Boulevard South and the north side of Starr Avenue within Enterprise. MN/lm/jd (For possible action) **10/16/19 BCC**

Applicant has requested a **HOLD** to the Enterprise TAB meeting on October 30, 2019.

9. **TM-19-500178-CORTNEY MARY A:**

TENTATIVE MAP consisting of 18 single family residential lots and common lots on 2.5 acres in an R-2 (Medium Density Residential) Zone. Generally located on the south side of Frias Avenue (alignment), 370 feet west of Arville Street (alignment) within Enterprise. JJ/md/jd (For possible action) **10/16/19 BCC**

Motion by Barris Kaiser

Action: **APPROVE**

Per staff conditions:

Motion **PASSED** (3-0) /Unanimous

10. **TM-19-500181-BLUE BRONCO, LLC:**

TENTATIVE MAP for an industrial subdivision on 2.4 acres in M-1 (Light Manufacturing) Zone for a proposed industrial development. Generally located on the west side of Bronco Street, 300 feet south of Pebble Road within Enterprise. JJ/lm/ja (For possible action) **10/16/19 BCC**

Motion by Barris Kaiser

Action: **APPROVE**.

ADD Current Planning Condition:

- Any subdivision of the parcel must include utility and driveway easement to the subsequent subdivision.

Per staff conditions:

Motion **PASSED** (3-0) /Unanimous

11. **UC-19-0700-BOUQUET INC.:**

USE PERMIT for vehicle maintenance (smog check).

DESIGN REVIEWS for the following: **1)** modifications to an approved retail center; and **2)**

lighting for a previously approved convenience store with a gasoline station and vehicle wash on 1.6 acres in a C-1 (Local Business) Zone. Generally located on the southwest corner of Cactus Avenue and Dean Martin Drive within Enterprise. JJ/lm/jd (For possible action) 10/16/19 BCC

Motion by Barris Kaiser

Action: **APPROVE**

ADD Current Planning conditions:

- Provide cross-access if compatible uses are developed to the west

Per staff conditions

Motion **PASSED** (3-0) /Unanimous

12. **VS-19-0686-CORTNEY, MARY A.:**

VACATE AND ABANDON easements of interest to Clark County located between Cameron Street and Arville Street (alignment), and between Frias Avenue and Rush Avenue within Enterprise (description on file). JJ/jor/ja (For possible action) 10/16/19 BCC

Motion by Barris Kaiser

Action: **APPROVE** per staff conditions

Motion **PASSED** (3-0) /Unanimous

13. **WS-19-0682-S.R.M.F TOWN SQUARE OWNER, LLC:**

WAIVER OF DEVELOPMENT STANDARDS to encroach into air space.

DESIGN REVIEW for a hotel in conjunction with an existing shopping center (Town Square) on a portion of 94.5 acres in an H-1 (Limited Resort and Apartment) (AE-65 and AE-70) Zone. Generally located on the west side of Las Vegas Boulevard South and the south side of Sunset Road within Enterprise. MN/jt/jd (For possible action) 10/16/19 BCC

Motion by Jenna Walther

Action: **APPROVE** per staff conditions.

Motion **PASSED** (3-0) /Unanimous

14. **WS-19-0683-AMH DEVELOPMENT, LLC:**

WAIVER OF DEVELOPMENT STANDARDS to increase retaining wall height for a previously approved single family residential development on 4.3 acres in an R-3 (Multiple Family Residential) Zone. Generally located on the north side of Cactus Avenue, 1,270 feet west of Maryland Parkway within Enterprise. MN/lm/jd (For possible action) 10/16/19 BCC

Motion by Jenna Walther

Action: **APPROVE** per staff conditions.

Motion **PASSED** (3-0) /Unanimous

15. **WS-19-0705-BLUE BRONCO, LLC:**

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow alternative landscaping along the street frontage; 2) reduce parking lot landscaping; 3) mechanical equipment screening; and 4) allow modified driveway design standards.

DESIGN REVIEWS for the following: 1) office warehouse; and 2) alternative parking lot landscaping on a portion of 2.4 acres in an M-1 (Light Manufacturing) Zone. Generally located on the west side of Bronco Street, 300 feet south of Pebble Road within Enterprise. JJ/lm/ja (For possible action) 10/16/19 BCC

Motion by Barris Kaiser

Action:

APPROVE Waiver of Development Standards #s 1, 2, and 4.

DENY Waiver of Development Standards # 3.

APPROVE Design Reviews #s 1 and 2.

ADD Current Planning Conditions:

- Design review as a public hearing for lighting and signage
- Design review as a public hearing for any significant changes to plan
- Design review as a public hearing for any modifications to the depicted driveway to the southern subdivision.

Per staff if approved conditions.

Motion **PASSED** (3-0) /Unanimous

16. **ZC-19-0687-CORTNEY, MARY A.:**

ZONE CHANGE to reclassify 2.5 acres from R²E (Rural Estates Residential) Zone to R-2 (Medium Density Residential) Zone.

WAIVER OF DEVELOPMENT STANDARDS to increase wall height.

DESIGN REVIEWS for the following: 1) proposed single family residential development; and 2) increase finished grade on 2.5 acres. Generally located on the south side of Frias Avenue (alignment), 370 feet west of Arville Street (alignment) within Enterprise (description on file). JJ/md/jd (For possible action) **10/16/19 BCC**

Motion by Barris Kaiser

Action: **APPROVE**.

ADD Current Planning Condition:

- Provide a pathway in the electrical transmission easement.

Per staff conditions

Motion **PASSED** (3-0) /Unanimous

17. **ZC-19-0692-NAZARIAN, MICHAEL & ANNA REVOCABLE TRUST ET AL & NAZARIAN, MICHAEL & ANNA TRS:**

ZONE CHANGE to reclassify 1.3 acres from R-E (Rural Estates Residential) Zone to C-2 (General Commercial) Zone.

DESIGN REVIEW for an on-premises consumption of alcohol establishment (tavern). Generally located on the east side of Valley View Boulevard and the south side of Silverado Ranch Boulevard within Enterprise (description on file). JJ/md/jd (For possible action) **10/16/19 BCC**

Motion by Jenna Waltho

APPROVE applicant agreed to **HOLD** to the October 9, 2019 Enterprise TAB meeting to obtain information on the public use reservation on the adjacent land.

Motion **PASSED** (3-0) /Unanimous

VII. General Business:

1. Review FY 2020 budget request(s) and take public input regarding suggestions for FY 2021 budget request(s). (For possible action)

TAB members reviewed previous year's budget requests. David Chestnut provided suggested changes (see attached). Final budget requests must be recommended at the next Enterprise TAB meeting on October 9.

VIII. Public Comment:

A period devoted to comments by the general public about matters relevant to the Board's/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 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 Chair or the Board/Council by majority vote.

___A neighbor had questions regarding item # 8 on the agenda, which was held. Liaison will provide her contact info for the applicant's representative.

IX. Next Meeting Date

The next regular meeting will be October 9, 2019 at 6:00 p.m.

X. Adjournment:

Motion by Jenna Waltho
Adjourn meeting at 7:34 p.m.
Motion **PASSED** (3-0) / Unanimous

DRAFT

ENTERPRISE BUDGETS REQUEST 2019-2002

Enterprise's overall need for multiple county facilities

- *Enterprise requires multiple community centers, seniors' facilities and aquatic facilities due to significant connectivity barriers and rapidly increasing population.*
 - *There are 209,000+ citizens in Enterprise.*
 - *Enterprise population 2000 approximately 14,000*
 - *Enterprise population 2010 approximately 108,000*
 - *Enterprise covers 67 sq. miles.*
 - *Residential uses are increasing rapidly.*
- *If the BLM disposal boundary is expanded, Enterprise will have 4 to 5 additional square miles available for development.*
- *There are significant connectivity barriers within Enterprise.*
 - *Interstate 15*
 - *4 Major Projects, 3 active, one failed.*
 - *Arterial and collector roads have been removed from the transportation grid.*
 - *Enclosed subdivisions have vacated local roads for more homes.*
 - *Major projects plans have not added sufficient facilities to serve the public.*
 - *South of CC 215, only three east/west arterials are available, two are not fully built out.*
 - *UPRR tracks block arterial and collector road development.*
 - *Geographic features, 12% or greater slopes block arterial and collector road development.*
 - *Local roads are being vacated to build enclosed subdivisions.*
- *The connectivity barriers significantly increase travel time to county facilities currently planned for western Enterprise.*
 - *The planned regional park facilities in Mountain's Edge are not centrally located in Enterprise.*
 - *Individuals east of I-15 most likely will not use those facilities.*
- *BLM reservations are being released and sold, significantly decreasing land available for needed county facilities.*

Budget requests listed in funding priority

- ~~Connect Cactus Ave. from Buffalo Drive to Durango Drive A design consultant for Cactus has been selected and negotiations are underway. Project will include a traffic signal at Buffalo. Construction is estimated to begin in mid 2021.~~
 - **Currently programmed for Design 2018, Construction mid 2021**
 - **This project should be developed as rapidly as possible.**
 - **South of CC 215, there are only three roads that can provide complete east/west routes.**
 - **Currently, only one east/west road, south of CC 215 is built out**
 - **South of CC 215, significant development west of Fort Apache Rd. will require an alternate route(s) to Blue Diamond Rd for east/west traffic flow.**
- ~~Widen Warm Springs Rd. from Dean Martin Dr. to Decatur Blvd. Warm Springs is on the CIP for design start in summer 2020. The limits are Durango to Dean Martin. Attempts will be made to get an earlier design start for the section Decatur to Dean Martin.~~
 - **Warm Springs Rd. is a two-lane road from Dean Martin Dr. to Decatur Blvd.**

ENTERPRISE BUDGETS REQUEST 2019-2002

- South of CC 215, there are only three roads that can provide complete east/west routes.
- Traffic is significantly increasing on Warm Springs Rd.
- Currently, only one east/west road south of CC 215 is built out.
- South CC 215, significant development west of Fort Apache Rd. will require an alternate route(s) to Blue Diamond Rd for east/west traffic flow.
- Finish Western Trails Park by constructing a signalized horse crossing on Warm Springs Rd.
- Build S islands at Blue Diamond Rd/Torrey Pines and Blue Diamond/ Lindell Rd.
 - Per the design submitted to public work by NDOT.
 - Traffic is increasing on Blue Diamond make north/south travel and left turns on both collectors increasing dangerous.
 - Traffic lights at these intersections would slow the traffic flow along Blue Diamond and cause additional congestion.
- Enterprise Community Center ~~Mountain's Edge Recreation Center is currently on the CIP list, ranked #12 in the overall list of Regional Projects. Project is unfunded with a cost estimate of \$23,715,000. There is not currently another Recreation Center identified on the CIP list.~~
 - There are no recreational centers and/or aquatic facilities for the 209,000+ people living in Enterprise.
 - The recreational center and aquatic facility for Mountain's Edge should be moved up on the priority list and funded with a cost estimate of \$23,715,000.
 - Reserve property for a second community center in eastern Enterprise.
 - There is not currently another recreation center identified on the CIP list. Identify and add to the CIP list for a second recreation center.
- Enterprise Senior Center ~~There is currently not a Senior Center identified on the CIP list. If the Mtn's Edge Recreation Center is built, senior programming can/will be accommodated through a multi-general approach, not requiring a second building.~~
 - Mountain's Edge Regional Park is too far west in Enterprise to accommodate seniors in eastern Enterprise.
 - Lack of effective public transportation.
 - Traffic density higher than seniors desire to drive in.
 - A senior center is needed east of I-15
 - Reserve property for a senior center east of I-15.
 - Add eastern Enterprise senior center to CIP list and fund.
- Fund one neighborhood park in Park District 4 at Cactus and Torrey Pines, Le Baron and Rainbow, Pyle and Jones, or Pyle and Lindell ~~See below~~
 - Enterprise population is growing rapidly.
 - Current Enterprise population requires 495 acres of developed parks
 - Each year the ratio of park acres per 1,000 population is declining.
 - Park District 4 parks identified on the Neighborhood Parks CIP list include:
 - ~~Le Baron and Lindell – 10 acres, \$10,599,040 estimate – ranked #12. Park is funded and in design – anticipate the project being completed near end of 2021.~~
 - Valley View and Pyle – 10 acres, \$12,399,940 estimate – ranked #13 **Project is unfunded**
 - Cactus and Torrey Pines – 10 acres, \$9,079,645 estimate – ranked #21 **Project is unfunded**
 - All projects are unfunded.
 - Fund at least two parks.

ENTERPRISE BUDGETS REQUEST 2019-2002

- Aquatic Facility ~~Project is unfunded with no cost estimate assigned.~~
 - There are no aquatic facilities for the 209,000+ people living in enterprise.
 - Reserve property for one or more aquatic facilities
 - Add aquatic facilities to funding list.
 - Aquatic facilities are needed in the eastern and southwestern part of Enterprise.
 - Lack of effective public transportation.
 - Drive time too long from east of I-15 to be practical.
 - Mountain's Edge Aquatic Center project is unfunded with no cost estimate assigned. Fund this project.
 - Mountain's Edge Regional Park is too far west to accommodate individuals in eastern Enterprise.
 - There is not currently another aquatic facility identified on the CIP list. Identify and add to the CIP list for a second aquatic facility east of I-15.

- Traffic signal at Blue Diamond Rd. and Torrey Pines. *NDOT has plans to install an island on Blue Diamond to eliminate the left out from Torrey Pines. See attached.*
 - Completion of a church and a charter school on Pebble Rd. has significantly increased peak traffic at this intersection.
 - Refer to NDOT for appropriate warrants study.

- Build full off-sites for Wigwam Ave. from Rainbow Blvd to Montessori St. ~~This would be the responsibility of the property owners~~
 - This area needs to be studied to help mitigate school traffic congestion.
 - Charter school has applied to increase student enrollment.
 - Needed to accommodate the traffic flow being generated by the high school and approved charter school.
 - The current local/collector roads cannot accommodate the peak traffic.

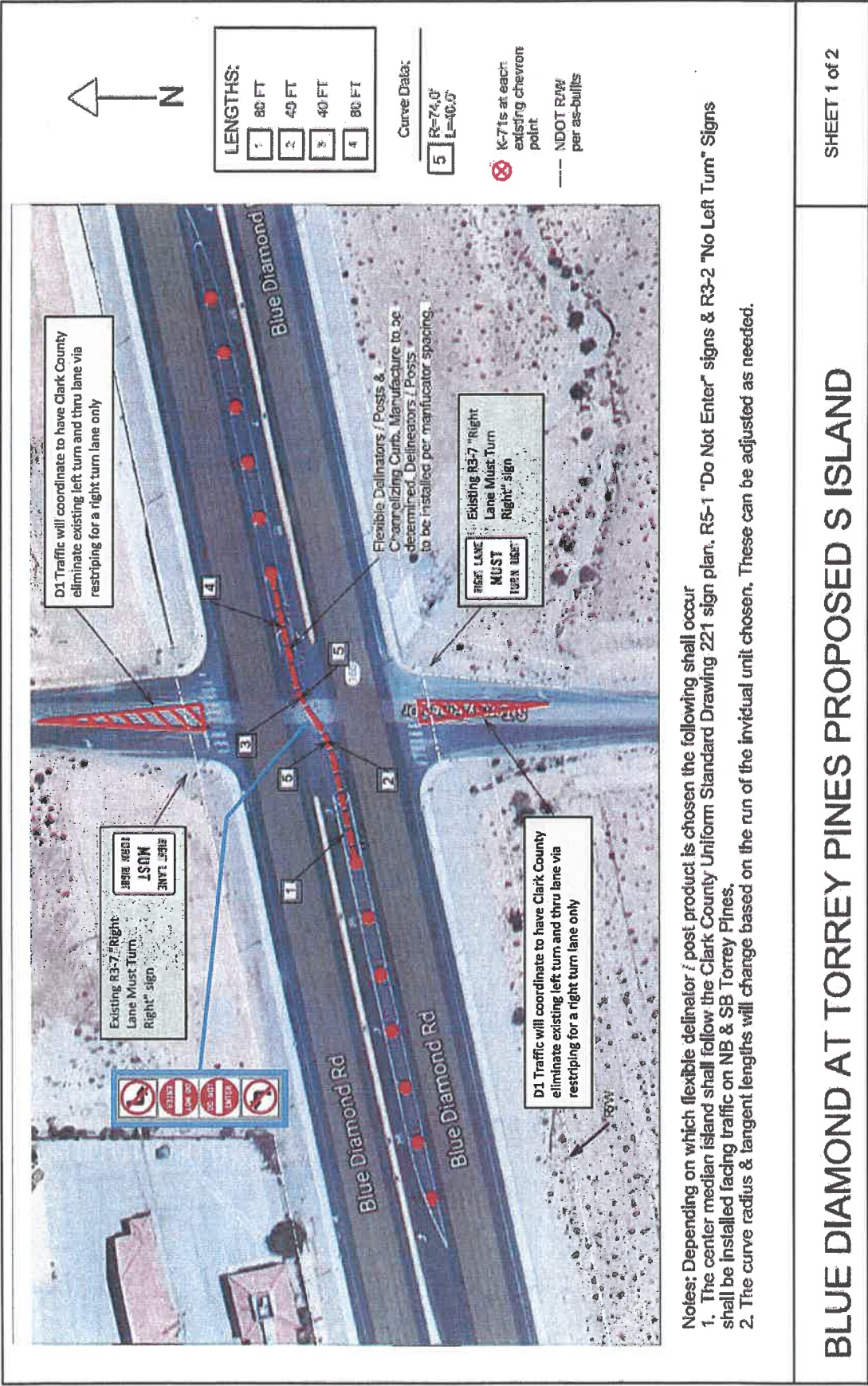
- Build full off-sites for Cougar Ave. from Rainbow Blvd to Montessori St. ~~This would be the responsibility of the property owners~~
 - This area needs to be studied to help mitigate school traffic congestion.
 - Charter school has applied to increase student enrollment.
 - Needed to accommodate the traffic flow being generated by the high school and approved charter school.
 - The current local/collector roads cannot accommodate the peak traffic.

- ~~Four way stop at Gilespie Street and Eldorado Lane design. This intersection was studied in January and did not meet warrants.~~
 - ~~Study to see if four way stop is warranted.~~

- Provide presentation system for the Enterprise TAB. ~~Microphones have been purchased and are currently in use. An effective camera/display system which will meet the constraints of TAB meetings has not been found.~~
 - The lack of presentation systems detracts from the public's ability to participate in the TAB hearings.
 - The number of individuals attending the TAB meetings is increasing.
 - ~~The public has trouble hearing the presentations and the TAB members' discussions.~~

ENTERPRISE BUDGETS REQUEST 2019-2002

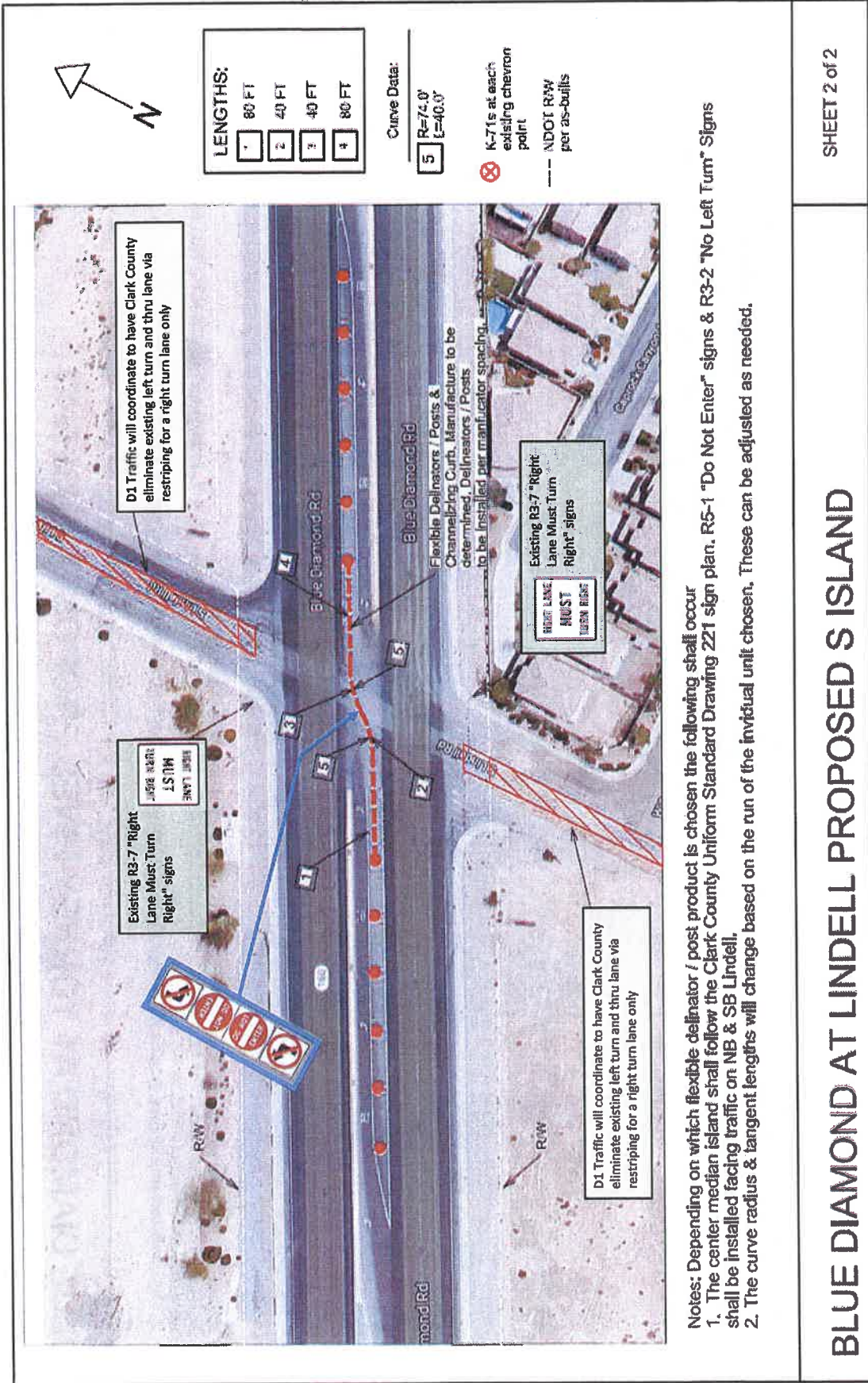
- The plans and charts presented cannot be seen by the public and ~~some~~ of the board members.



Notes: Depending on which flexible delineator / post product is chosen the following shall occur

- The center median island shall follow the Clark County Uniform Standard Drawing 221 sign plan, R5-1 "Do Not Enter" signs & R3-2 "No Left Turn" Signs shall be installed facing traffic on NB & SB Torrey Pines.
- The curve radius & tangent lengths will change based on the run of the individual unit chosen. These can be adjusted as needed.

BLUE DIAMOND AT TORREY PINES PROPOSED S ISLAND



BLUE DIAMOND AT LINDELL PROPOSED S ISLAND

10/01/19 PC AGENDA SHEET

COMMUNICATION TOWER
(TITLE 30)

HAVEN ST/ELDORADO LN

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-19-0645-AFRIDI ROMMAN KHAN:

USE PERMITS for the following: 1) a proposed communication tower; and 2) reduced setbacks.

DESIGN REVIEW for a proposed communication tower and ground equipment on a portion of 2.5 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the east side of Haven Street, 325 feet south of Eldorado Lane within Enterprise. MN/nr/jd (For possible action)

RELATED INFORMATION:

APN:

177-09-202-006 ptn

USE PERMITS:

1. A proposed communication tower.
2. Reduce the setback to residential development to 25 feet where 240 feet is required per Table 30.4-4-1 (a 90% decrease).

LAND USE PLAN:

ENTERPRISE RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.5 (portion)
- Project Type: Communication tower
- Tower Height (feet): 80

Site Plan

The site plan depicts a new communication tower in the northeast portion of the subject parcel. The ground level equipment for the communication tower will be mounted on a concrete pad platform at the base of the communication tower. The proposed tower will be 80 feet in height and will be set back 25 feet from the north property line and 25 feet from the east property line. The lease area is 2,500 square feet and enclosed by a screened security fence. The existing site is

vacant land and will be accessed by 1 proposed clean gravel road in accordance with Air Quality regulations.

Landscaping

No landscaping is required or proposed with this application.

Elevations

The plans propose a new monopole communication tower with an overall height of 80 feet. Supplementary ground equipment will be installed on a concrete pad at the base of the tower and will be screened by a 6 foot high security fence with a 12 foot wide double swing access gate. The ground equipment includes a GPS antenna, vertical generators, walk-in cabinet and an ice bridge. The proposed antennas on the tower will be located at a center line of 65 feet with room for 4 separate carriers on the tower. The tower will be galvanized metallic grey.

Applicant's Justification

The applicant indicates that the proposed tower will provide critical wireless coverage to the surrounding area. The coverage in the area is spotty and almost at maximum capacity for customers. The proposed tower is needed to meet coverage needs.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-18-1018	Vacated easements between Haven Street and Rancho Destino Road and between Eldorado Lane and Manding Avenue (alignment)	Approved by PC	February 2019
ZC-1026-05	Reclassified from R-E to R-E (RNP-I) zoning	Approved by BCC	October 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residences
South	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Undeveloped
East	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residences
West	Commercial Tourist	H-1	Shopping center

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permits

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.

Use Permit #1

Staff does not anticipate any negative impacts of the proposed communication tower with the surrounding area. The proposed communication tower will serve an imperative purpose of wireless communication. Staff finds that the new communication tower will offer the public needed telecommunication services in the surrounding region. However, since staff cannot support use permit #2, staff also cannot support use permit #1.

Use Permit #2

The proposed tower does not meet the 300% (240 feet) setback from residential, which is why a second use permit is requested. The project site is an undeveloped parcel adjacent to other existing residentially developed parcels. Setbacks and separations help to preserve the appeal and integrity of a neighborhood, as well as, to mitigate impacts and possible safety issues. The applicant has not provided adequate justification as to why the tower cannot be relocated to accommodate the setbacks from residential development. Although staff can support the use permit for the communication tower, staff cannot support the use permit for the reduced setbacks.

Design Review

The proposed ground equipment area is to be visually screened by a security fence with 1 foot of barbed wire on top. Staff finds that screening the ground equipment area reduces the visual impact of the tower's proposed ground equipment; however, since staff cannot support the reduced setbacks, staff cannot support the design review.

Department of Aviation

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

Staff Recommendation

Denial.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Applicant is advised a bond (or other guarantee per Table 30.44) is required prior to the construction of the tower; that this approval also includes all future antennas proposed in conjunction with this tower, provided all future antennas are determined to not be visually obtrusive to this area; that in order to construct this tower, building permits must be obtained for this tower prior to building permits being issued for any other communication tower within a radius of 600 feet otherwise additional land use applications may be required; 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;
- Full off-site improvements shall be required with future development as determined by Public Works - Development Review;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Right-of-way dedication to include 30 feet for Haven Street;
- Applicant is advised that the access point to this facility is temporary and this site is located within a Special Flood Hazard Area (SFHA) as designated by the Federal Emergency Management Agency (FEMA).

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.

- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: CORNELIUS WHITEHEAD

CONTACT: CORNELIUS WHITEHEAD, 3002 BLUFF STREET, SUITE 300, BOULDER,
CO 80301

DRAFT



LAND USE APPLICATION

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

1A

<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 checked="" type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF	DATE FILED: <u>8/15/19</u> PLANNER ASSIGNED: <u>NR</u> ACCEPTED BY: <u>NR</u> FEE: <u>1350</u> CHECK #: <u>1144 & 1145</u> COMMISSIONER: <u>MN</u> OVERLAY(S)? <u>RNP-1</u> PUBLIC HEARING? <input checked="" type="checkbox"/> N TRAILS? Y <input checked="" type="checkbox"/> N PFNA? Y <input checked="" type="checkbox"/> N APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>UC-19-0645</u> TAB/CAC: <u>Enterprise</u> TAB/CAC MTG DATE: <u>9/11</u> TIME: <u>6pm</u> PC MEETING DATE: <u>10/01/19 @ 9am</u> BCC MEETING DATE: _____ ZONE / AE / RNP: <u>R-E / RNP-1</u> PLANNED LAND USE: <u>RNP</u> NOTIFICATION RADIUS: <u>500</u> SIGN? Y <input checked="" type="checkbox"/> LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	PROPERTY OWNER	NAME: <u>Romman Afridi Khan</u> ADDRESS: <u>7701 W Robindale Road #236</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: <u>702-481-7700</u> CELL: _____ E-MAIL: <u>rka0@msn.com</u>	
	APPLICANT	NAME: <u>Atlas Tower I, LLC</u> ADDRESS: <u>3002 Bluff Street Suite 300</u> CITY: <u>Boulder</u> STATE: <u>CO</u> ZIP: <u>80301</u> TELEPHONE: <u>303-448-8896</u> CELL: _____ E-MAIL: <u>cwhitehead@atlastowers.com</u> REF CONTACT ID #: _____	
	CORRESPONDENT	NAME: <u>Cornelius Whitehead</u> ADDRESS: <u>3002 Bluff Street Suite 300</u> CITY: <u>Boulder</u> STATE: <u>CO</u> ZIP: <u>80301</u> TELEPHONE: <u>303-448-8896</u> CELL: _____ E-MAIL: <u>cwhitehead@atlastowers.com</u> REF CONTACT ID #: <u>193431</u>	

ASSESSOR'S PARCEL NUMBER(S): 177-09-202-006

PROPERTY ADDRESS and/or CROSS STREETS: South of E Eldorado Lane & Haven Street Las Vegas, NV

PROJECT DESCRIPTION: 80' Telecommunications Tower

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

 Property Owner (Signature)*	<u>ROMMAN KHAN AFRIDI</u> Property Owner (Print)	GURMUKH SINGH Notary Public - State of Nevada County of Clark APPT. NO. 17-2887-1 My App. Expires July 5, 2021
STATE OF <u>NEVADA</u> COUNTY OF <u>CLARK</u>		
SUBSCRIBED AND SWORN BEFORE ME ON <u>8/15/19</u> (DATE) By <u>Romman Khan Afridi</u>		
NOTARY PUBLIC:		

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

Justification Letter – “LV Outlet”

August 7th, 2019

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

To Whom It May Concern:

Atlas Tower 1, LLC is submitting a Conditional Use Application to Clark County Comprehensive Planning Department to review for a proposed telecommunications facility build on the property south of E Eldorado lane & Haven Street Las Vegas, NV. This facility will be 2,500 square feet and house a 105' monopole tower that can accommodate up to four wireless carriers. This request is made in an effort to bring quality voice and data services to an area lacking reliable coverage.

SITE DETAILS

Land Owner:

Romman Khan Afridi
7701 W Robindale Road #236
Las Vegas, NV 89113

Site Address/ Parcel ID:

177-09-202-006
South of E Eldorado lane & Haven Street Las
Vegas, NV

Applicant:

Atlas Tower 1, LLC
3002 Bluff St., Suite 300
Boulder, CO 80301

Coordinates:

36.052262° N
115.166888° W

Zoning:

Rural Estates Residential (R-E)

Lease Area:

2,500 Sq. ft.

PROPOSAL SUMMARY

The purpose of this request is to build an 80' Monopole telecommunications tower within a 2,500 sq. ft. wireless facility. This facility will provide critical wireless coverage to the surrounding area. The proposed site is an area with close proximity to high density commercial units as well as medium residential areas where there is very spotty coverage and the capacity of the existing infrastructure is reaching its limit. As the area develops further, and the users demand more data for their current and future devices, existing infrastructure will reach capacity limits and be unable to meet coverage needs. This tower and facility will be used for structural support of up to four wireless providers. Each provider will install antennas and on-the-ground base-station equipment.

WIRELESS TELECOMMUNICATION FACILITY CHARACTERISTICS

Visual Effect

We strive to design our facilities and locate parcels that create the least amount of community disturbance. The surrounding area is mostly developed commercial and residential properties of medium density. The proposed site is currently vacant and has not had any significant prior uses on the property.

Frequency Of Maintenance Work On The Proposed Facility

On average, after initial installation, a carrier or its contactors would likely visit the facility about one to four times a year for maintenance, though this number could vary depending on the specific circumstances of the facility.

The Average Number Of Vehicles Visiting The Facility

The average maintenance visit by a carrier or its contractors would likely involve one pickup truck. With an average of one to four visits a year and one truck a visit, there would likely be about one pickup truck visiting the site a month, per carrier, if at full capacity.

The Average Duration Work Visits On The Facility

For typical maintenance visits, a carrier or its contractors would only be at the site a few hours, but this number could increase depending on the work that needed to be completed at the site.

Expected Noise Levels

Telecommunications facilities are essentially silent. This would be true whether there were one or three carriers. A generator could be operated on site in the rare instance that power went out. The generator would create noise, but it would not be noticeable off of the parcel.

CLARK COUNTY DEVELOPMENT CODE 30.44-28 & 30.44-29

1. Design standards for all towers. (These conditions may be modified with the approval of the special use permit.)
 - A. Unless otherwise required as a condition of approval all towers shall be designed to accommodate more than 1 antenna array, and towers higher than 80 feet must accommodate at least 3 antenna arrays.

Response: This tower will be 80 feet in height and will be able to accommodate up to 4 national broadband mobile network carrier's antenna arrays.
 - B. If no permanent staff is assigned to the facility, development standards regarding parking, landscaping and screening (Chapters 30.60 and 30.64) are not required; however, compliance with all dust control measures required per Clark County Air Quality Regulations shall be maintained, with the exception of:

Response: No development standards regarding parking, landscaping and screening are required as no permanent staff will be assigned to this facility. Applicant will meet all compliance measures required by Clark County Air Quality for this project.

 - i. Development greater than 40,000 square feet in size shall comply with the standards for screening and landscaping.

Response: This is not applicable as this development will not exceed 40,000 square feet.
 - ii. Ground level equipment, buildings, and the tower or antenna base shall be screened to prevent visibility from streets and residential development.

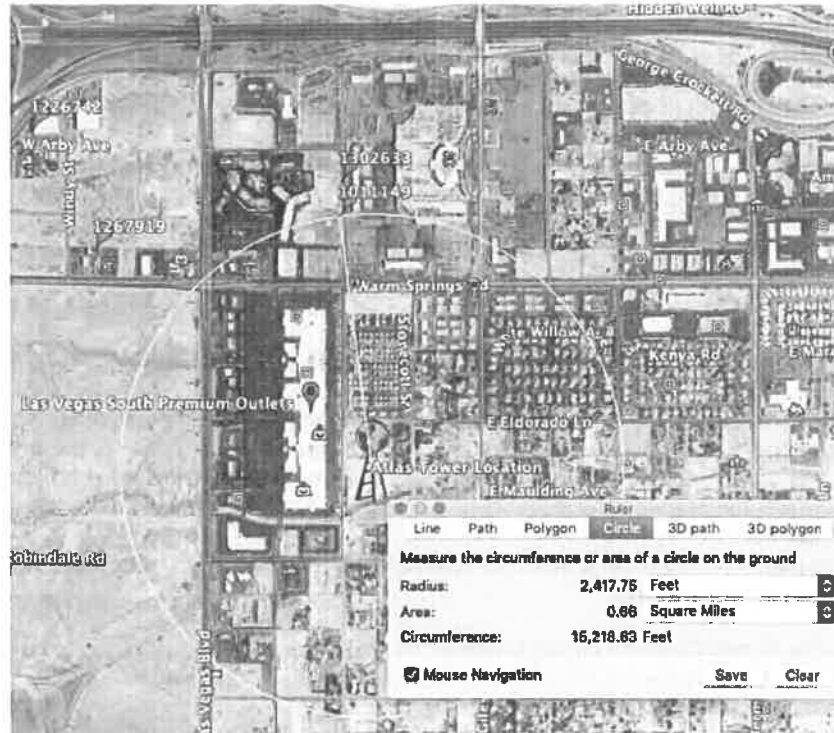
Response: All ground level equipment, buildings, and the tower base shall be screened by external fencing in order to reduce visibility from all nearby streets and residential developments.
 - C. Any communication tower may provide a security fence or wall subject to the design standards listed under Chapter 30.64 of this Title.

Response: This project meets all design standards listed under Chapter 30.64 of this Title, see Applicant's detailed responses to Chapter 30.64 below.
 - D. No signals, lights or signs shall be permitted on towers unless required by the Federal Communication Commission or Federal Aviation Administration.

Response: Applicant acknowledges and accepts this requirement. This tower will not have any signals, lights, or signs unless required by the Federal Communication Commission or Federal Aviation Administration.

- E. Design.
- i. All towers shall be designed to be architecturally compatible with the surrounding buildings and land uses in the zoning district, or otherwise integrated to blend in with existing characteristics of the site to the extent practical.
Response: The telecommunications facility antennas will be a galvanized steel, to reduce any visual impact and be designed to be of a similar color to the existing power infrastructure lines in the area.
 - ii. All towers shall be painted with a color generally matching the surroundings or background that minimizes its visibility, however, a different color may be used if required by the Federal Communication Commission or Federal Aviation Administration.
Response: The telecommunications facility tower will be a dull galvanized metallic grey of a similar color to the surrounding infrastructure in order to minimize visibility of the facility.
- F. The maximum height shall be 80 feet unless located within a public utility substation in which case the maximum height shall be 20 feet above the highest structure within the substation.
Response: This project is not located within a public utility substation and therefore the proposed height of 80' will comply with this section.
- G. The following setbacks shall be required:
- i. When located within a public utility substation, 10 feet minimum from street and 20 feet minimum from residential development.
Response: This section is not applicable as this project is not located within a public utility substation.
 - ii. For all other towers:
 - (a) From any street: minimum 40 feet.
Response: This project meets this requirement as the nearest street is approximately 300 feet from tower site.
 - (b) From residential development located on a separate property than on which the tower is located:
 - (1) If lot is 2 ½ acres or greater: minimum distance shall be at least 300% of the height of the tower.
Response: Proposed site location does not meet these setback requirements. Applicant is requesting a Waiver of Development Standards for the setback requirements. Please see additional Waiver of Development Standard Application submitted by Applicant.
 - (2) If lot is less than 2 ½ acres: minimum distance shall be at least 200% of the height of the tower.
Response: This is not applicable as the parent property is greater than 2 ½ acres.
 - (3) Exception. In no case shall the setback be a distance equal to more than 75% of the width of the lot, measured from the property line that abuts or is closest to the residential development to the property line on the opposite side of the lot.
Response: Applicant is requesting a Waiver of Development Standards for the setback requirements. Please see additional Waiver of Development Standard Application submitted by Applicant.
- H. A minimum separation of 600 feet from another communication tower unless designed and constructed in a stealth design in a cluster.

Response: This project meets this requirement, as the nearest communication tower is FCC Registration # 1011149 and is over 2,400 feet away from the proposed project location, as shown in the aerial image below.



2. A performance bond shall be required for all new towers, including relocated towers where a previous bond has not been accepted, in a form acceptable to the Department, or a cash deposit in lieu of the bond, in an amount sufficient to provide for removal, storage or disposal of the tower plus an additional 15% contingency and to restore the site including stabilization and re-vegetation as necessary. An estimate of the removal cost from a Clark County licensed company experienced in contracting for removal of standard components shall accompany the bond. Unless the tower is located on property owned by a governmental entity where a guarantee is in place for removal of the tower when no longer in use, a separate bond will be required for each tower regardless of owner(s) or location. All bonds shall provide for the County to collect the full amount of the guarantee if the applicant fails to maintain the guarantee. Any government entity or public utility company shall be exempt from this requirement.

Response: Applicant acknowledges and accepts this requirement.

3. If no bond is in place, or if the County cannot collect on a bond issued pursuant to paragraph 2 above, then the following procedure shall apply. Any abandoned or unused tower, and the associated components of the facility shall be removed within 12 months of the cessation of operations of the tower. In the event that timely removal is not performed, the County may remove or cause the removal of the tower and associated components, assess the costs of removal against the property, after notice and opportunity to be heard is provided. Before taking such action, the County must mail to the property owner a notice of the County's intent to do so. The property owner served with such notice shall have 30 days from the date the notice is mailed to respond in writing to request a hearing before the Board to show cause why the abandoned tower and associated components should not be removed from the property at the property owner's expense. The failure to request a hearing within 30 days shall be deemed a waiver of the right to be heard and the County may immediately cause the removal of the tower and any

associated components, and may assess the costs of removal, storage and disposal against the property.

Response: Applicant acknowledges and accepts this requirement.

CLARK COUNTY DEVELOPMENT CODE 30.64.020 Fences and Walls.

Perimeter fences and walls are permitted and/or required in accordance with the provisions of this section. An additional one foot of decorative embellishment is permitted on each wall.

1. When Permitted. Unless otherwise specified in Tables 30.64-1 and 30.64-2, fences and walls not required (but permitted) shall comply with this subsection (1). However, when constructed in conjunction with a retaining wall, the specified maximum wall height may be increased to include the height of the retaining wall up to a maximum of 12 feet, subject to compliance with 30.64.050(4), unless otherwise specified in the Chapter. Security fences are permitted in conjunction with Temporary Government Facilities in any zoning district, subject to the requirements for security fences in 30.08.030 and Table 30.64-2.

Response: Applicant acknowledges and accepts this subsection.

- A. Single Family Residential Development and Multi-family Buildings not within a dwelling group. Fences and walls may be up to 6 feet in height except if within 15 feet of the front property line or private street/easement (see Table 30.64-1 for front yard restrictions). Fences or walls which meet the setbacks for accessory buildings shall conform to accessory building height restrictions.

Response: This section is not applicable as this project is on vacant land within the Rural Estate (RE) zone.

- B. Multiple Family Dwelling Group Development. Fences and walls shall be a maximum of 6 feet high, shall be decorative if in the urban area, and shall be set back for landscaping along streets as required in Table 30.64-2 below.

Response: This section is not applicable as this project is on vacant land within the Rural Estate (RE) zone.

- C. Commercial and Special Development. Fences and walls over 3 feet in height are not permitted within the required zoning district setbacks along a street unless required to buffer adjacent uses as approved by the Commission or Board. Any fence or wall within the required zoning district setbacks which is along a street shall be decorative. Congregate care, independent and assisted living, school, and recreational facilities may have fences and walls within street setbacks subject to approval by the Commission or Board. Fences or walls within side and rear setbacks not adjacent to a street nor on the property line shall not exceed 6 feet in height.

Response: This project will be surrounded by a 6-foot security fence as this project is a special development that is not set within the zoning district setback requirements

- D. Industrial Development. Fences and walls, including security fences and walls, are permitted at a 10 foot maximum height around the perimeter of the development within the required setback when fence or wall is set back for required landscaping along streets. The maximum height may be increased up to 13 feet to accommodate additional height needed for retaining walls. See Table 30.64-2 for requirements for fences and walls along a street.

Response: This section is not applicable as this project is on vacant land within the Rural Estate (RE) zone.

- E. Vacant Property. Temporary fences may be constructed on vacant property, subject to the height restrictions above, in order to provide security, control access and dust, and to prevent the dumping of refuse. When located along Las Vegas Boulevard, the fence shall be a painted wood fence at least 6 feet in height up to a maximum of 10 feet. Walls within

subdivided lots may be constructed per the requirements for walls within the district. Any improvements must be maintained.

Response: This project will be surrounded by a 6-foot fence security, meeting all requirements set forth in this section.

- F. Hillside Walls. Walls within hillside developments shall comply with the following.
Response: This section is not applicable as this project is on vacant land within the Rural Estate (RE) zone and has no need for hillside walls.
2. Required. Fences and walls are only required when shown in Tables 30.64-1 and 30.64-2. A painted wood fence, a minimum of 6 feet up to a maximum of 10 feet high shall be constructed along the property line of Las Vegas Boulevard when construction of the principal use on site has been suspended for more than 180 days.
Response: This section is not applicable as there is no required Fences or Walls for this project as shown in Tables 30.64-1 and 30.64-2.
 3. Redundant Walls. This section establishes the general policy of not requiring redundant walls in close proximity to each other that could cause unsafe or unhealthful conditions, such as gaps which collect trash and/or trap animals and/or people. A redundant wall is not required when the adjacent property owner agrees that the existing wall will serve as an adequate buffer, even if the existing wall is less than 6 feet in height, subject to a notarized letter of consent. Otherwise, a 6 foot high redundant wall shall be constructed as a buffer when required. The separation between the walls shall be 4 inches or less or at least 30 inches wide. The gap at the end of any redundant walls shall be secured with a see thru, locked gate which allows for access, visibility, and maintenance. The area between the walls shall be kept free of debris and weeds.
Response: Applicant acknowledges and accepts this subsection.
 4. Measurement of Fence or Wall Height. The actual height of fences or walls must meet the minimum height requirement but may exceed the minimum height by up to 1 foot.
 - A. Where the finished grade line of a lot is above or below the finished grade line of an abutting lot or street, the finished grade shall be the point on the high side, except within the front yard of single-family residences, which shall be measured from the top of curb.
Response: Applicant acknowledges and accepts this subsection.
 - B. An additional 1 foot for lighting and/or decorative features is allowed on top of columns.
Response: Applicant acknowledges and accepts this subsection.
 5. Gated Communities. Developments with interior private streets or drives may restrict access to the development subject to the following:
Response: This section is not applicable as this project is on vacant land within the Rural Estate (RE) zone.
 6. Access Gates - Single Family Residence or Special Uses not open to the public. A single Family residence may restrict access to the development subject to the following: Access gates shall be set back a minimum of 18 feet from property line along collector or arterial streets.
Response: Applicant acknowledges and accepts this subsection. Any access gate to the facility is setback a minimum of 18 feet from property line.
 7. Access Gates – Commercial, Industrial Development or Special Uses open to the public. Commercial or industrial developments or special uses open to the public may restrict access to the property subject to the following: Access gates shall be set back from the property line a minimum of 50 feet or access gates shall be set back 18 feet only if the gates remain open during business hours. When a private street accesses the development, and gates will not remain open during business hours, the gate shall be set back a minimum of 50 feet from the property line or lip of the gutter, whichever is greater. The Director of Public Works may waive this requirement with the approval of an administrative minor deviation.

Response: This section is not applicable as this project is not a commercial, industrial, or a special use open to the public.

Table 30.16-7 WAIVER OF DEVELOPMENT STANDARDS - AUTHORITY AND CONSIDERATION TABLE

a. Initiating Authority

i. Board, public utility, property owner or leaseholder

Response: Applicant and Leaseholder is the initiating authority for the Waiver of Development Standards

b. Standards for Acceptance

Applications shall only be accepted for waivers to allow the substitution of alternative development standards for those contained within this Title, or to waive a standard, or waive a requirement of a minor subdivision (parcel map), unless specifically prohibited by any provision of this Title

1. Applications to waive or modify zoning base district standards or mixed use requirements, including density and height, for mixed use development in the C-1, C-2, or H-1 districts, except as permitted by Chapter 30.48 Part J, shall not be accepted

Response: This section is not applicable as the base district is not C-1, C-2, or H-1.

2. FAA and other additional requirements and standards are established in 30.16.210

Response: This section is not applicable as Applicant is not requesting any waiver that would affect FAA and other requirements and standards established in 30.16.210. Please see detailed response to section 30.16.210 below.

3. Applications subject to the Cooperative Management Area Deed Modification Policy shall not be accepted without confirmation from the Department of Aviation.

Response: This section is not applicable as the Waiver request is not related to or subject to the Cooperative Management Area Deed Modification Policy.

d. Application Process Public hearing per 30.16.210 unless specified in this Title that the hearing is not required to be a public hearing

Response: Applicant acknowledges and accepts this requirement. Please see detailed response to section 30.16.210 below.

e. Notice Requirements

1. For waivers of development standards listed in 30.52.120 (except paving waivers): Posted notice, entity notice, city notice

2. For deviation less than 30% of the development standard: Posted notice, entity notice, city notice, 100 foot radius notice

3. Mixed Use Development: Posted notice, entity notice, city notice, and 1,500 foot radius notice

4. All others (including paving waivers): Posted notice, entity notice, city notice, and 500 foot radius

Response: Applicant acknowledges and accepts the notification requirements.

f. Recommending Entities

Government Entities and Town Board; Department of Air Quality for waivers of on-site paving Requirements

Response: Applicant has reviewed, acknowledges and accepts the Recommending entities standards. This is not applicable as Applicant is party requesting the waiver.

g. Approval Authority Commission, except for requests to reduce the required separation for large scale retail businesses, which shall be forwarded to the Board for the following:

1. application submitted in conjunction with, or in lieu of, another application that requires Board approval
2. waivers to the CMA Area Design Overlay District standards
3. applications to modify the requirements for mixed use development as permitted by Chapter 30.48 Part J
4. waivers for paving
5. waivers to private street and access easement width per 30.52.030(b)(1)
6. waivers to "Financial Service, Specified" conditions
7. waivers to appeal a denial of extension of time for bond per 30.52.090
8. projects within the SOSA Design Overlay District (see Chapter 30.48 Part M)
9. applications to waive a communication tower bond
10. applications to waive the minimum lot size for Agricultural, Livestock - Large
11. at the discretion of the Zoning Administrator
12. applications to waive development standards within the Asian Design Overlay District Chapter 30.48 Part K
13. applications requiring a deed modification pursuant to the Cooperative Management Area Deed Modification Policy

Response: Applicant has reviewed, acknowledges and accepts the Approval Authority Commission to make waiver decisions as it pertains to this application as well as those mentioned above.

h. Appeal Authority: Board

Response: Applicant has reviewed, acknowledges and accepts that all appeal authority will lay with the Clark County Board of Commissioners.

i. Application Expiration

Two years to commence unless otherwise approved or when heard in conjunction with a zone boundary amendment under Resolution of Intent or tentative map, the expiration date shall match the corresponding application Temporary on site paving waivers of no more than one year if in compliance with Clark County Air Quality Regulation Section 94

Response: Applicant has reviewed, acknowledges and accepts the application expiration restrictions above.

j. Standards for Approval

1. The applicant for a waiver of development standards shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following:

A. The use of the area adjacent to the property included in the waiver request will not be affected in a substantially adverse manner;

Response: Applicant is requesting a waiver of the setback standards set for a telecommunications facility within Title 30 of Clark County. The reduced setbacks of the proposed telecommunications facility would not adversely affect any adjacent property, in fact, this proposal will provide an added benefit to the nearby community with additional cellular coverage and capacity.

B. The proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate neighborhood, and will not be materially detrimental to the public welfare;

Response: This request for waivers will not materially affect the health and safety of any persons residing in, working in, or visiting the immediate neighborhood and will not be a material detriment to public welfare. This proposal will meet all FAA, FCC, EPA, State, Federal, and local laws and design requirements for this project.

C. The granting of such application shall be in harmony with the general purpose, goals, objectives and standards of the Plan and of this Title, and;

Response: Applicant is requesting a waiver of the setback standards for this type of project. Otherwise, this telecommunications facility is a special use application and will provide additional coverage to cellular users in the area as the area grows and develops.

D. The proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities or services

Response: This proposal will not create any undue burden on any public improvements, facilities, or services in the area. Applicant will apply for all utilities necessary for this site.

2. Applicants for a waiver of standards shall further respond to additional standards as specified within the various chapters of this Title

Response: Applicant has reviewed and accepted this stipulation. This justification letter shall respond to every relevant piece of Clark County Code for this proposal.

3. Applications for projects approved through a nonconforming zone boundary amendment shall demonstrate with clear and convincing evidence that any proposed modification to required design and development standards, including reductions to landscaping, screening, and buffering requirements will not adversely impact neighboring properties

Response: This section is not applicable as this is not a nonconforming zone boundary amendment.

4. A waiver of off-site improvement standards constitutes a temporary postponement only and shall only be approved subject to signing deed restrictions for future improvements

Response: Applicant has reviewed and accepted this stipulation. This is not applicable as this proposal will not require any waiver off site improvements. Applicant is only requesting a waiver of the setback standards.

5. FAA and other additional requirements and standards are established in 30.16.210

Response: Applicant has reviewed and accepted this stipulation. This is not applicable as this proposal is not requesting any waiver for FAA and other standards established in section 30.16.210. Please see detailed responses to 30.16.210 below.

Clark County Zoning Code Title 30.16.210 Application Process.

When specified within this Title that such an application is required or authorized, the approval authority shall consider applications in accordance with the following procedure in addition to the requirements listed in sections 30.16.040 through 30.16.206 above for specific application types:

1. Applications. Any application, amendment, or map requiring approval shall be filed with the Zoning Administrator and shall be presented to the approval authority for review. Administrative applications shall be processed and acted upon without a formal hearing. Hearing applications shall be scheduled to a meeting before the approval authority; however, public hearing notices need not be sent to adjacent and nearby properties provided other required notice is given. Public hearing applications shall be scheduled to a meeting before the approval authority and shall be notified per the appropriate application requirement, including notice to adjacent and nearby properties.

Response: Applicant has reviewed and accepted this stipulation.

2. Pre-submittal Conference. Any application, amendment, or map requiring a pre-submittal conference shall include plans as required pursuant to this Title and/or as determined by the Zoning Administrator, and shall satisfy all pre-submittal requirements prior to the application's submittal. Multiple applications for the same project may utilize one pre-submittal conference, subject to expiration as established in Section 30.16.210(19)(G). A pre-submittal conference, including any required document submitted thereto, shall not be considered a Land Use Application submittal. A pre-submittal conference shall be required for the following (A-G) and as otherwise determined by the Zoning Administrator:

- A. uses involving hazardous chemicals, explosives, materials or wastes in amounts regulated by NRS and NAC (determination of pertinent requirements for the proposed use)
- B. planned unit development (PUD) (see Chapter 30.24)
- C. mixed use development, including mixed use development in C-1, C-2 and H-1. (see Chapter 30.48 Part J)
- D. high impact project
- E. neighborhood casinos
- F. nonconforming zone boundary amendments
- G. Resort Hotel

Response: Applicant has reviewed and accepted this pre-submittal conference stipulation.

3. Document Submittal Requirements. Land use pre-submittal forms and applications shall not be acceptable without the required documents unless the Zoning Administrator determines a listed document is not required. If circumstances warrant, the Zoning Administrator may require additional documentation necessary to evaluate a particular application.

Response: Applicant has reviewed and accepted this document submittal requirements stipulation.

4. Standards for Acceptance.

A. All parcels of land included within a single petition or application must be contiguous; however, each Marijuana Establishment requires a separate application. Except for specific applications to waive standards, all plans shall show development that complies with the standards of this Title. If such an application is accepted and later found to not be in conformance with this Title, the application shall be considered to be withdrawn and the fees shall be refunded to the applicant or owner. In addition, standards for acceptance of specific applications are as listed with each application type.

Response: Applicant has reviewed and accepted this stipulation. Parent Parcel of the project is indeed contiguous and is not an application for a Marijuana Establishment.

B. Applications, amendments, or maps to establish uses involving hazardous chemicals, explosives, materials or wastes shall not be accepted prior to submittal of the Clark County Fire Permit Survey Form to the Building Official. The owner or applicant shall also engage in a presubmittal conference with County staff to discuss hazardous materials requirements pertinent to the proposed development prior to submitting an application for a chemical and/or hazardous material use.

Response: Applicant has reviewed and accepted this stipulation. Please see attached Clark County Fire Permit Form.

C. Applications for increased density or intensity, or for exceptions to the special standards required, within any overlay district shall not be accepted unless in compliance with Chapter 30.48.

Response: Applicant has reviewed and accepted this stipulation. This is not applicable as this proposal will not require any increase in density or intensity.

D. Annexation applications shall not be accepted without the required acknowledgement from the City into which a property is proposed to be annexed (See Annexation Letter, Section 30.16.24 (13)).

Response: Applicant has reviewed and accepted this stipulation. This is not applicable as this proposal will not require any annexation.

E. Applications for waivers to defer temporarily on-site paving requirements shall not be accepted without concurrence from the Department of Air Quality. A waiver to defer on-site paving shall not be required if paving is not required by Clark County Air Quality Regulations Section 92.

Response: Applicant has reviewed and accepted this stipulation. This is not applicable as applicant is only requesting a waiver of the setback standards.

F. Applications for any land use that requires submittal of FAA Form 7460-1, Notification of Proposed Construction, per Section 30.56.070 and Chapter 30.48 Part B shall not be accepted without written evidence (from FAA) of prior submittal to the FAA.

Response: Applicant has reviewed and accepted this stipulation. Please see attached FAA FORM 7460-1 submittal attached to this application.

G. Applications for any land use that requires a pre-submittal conference shall not be accepted prior to satisfying all pre-submittal conference requirements.

Response: Applicant has reviewed and accepted this stipulation.

5. Fees. When applicable, the applicant shall pay a filing fee per Chapter 30.80 at the time of filing for a pre-submittal conference request, application, amendment, or map (fees are also listed in each application table).

Response: Applicant has reviewed and accepted this stipulation. Applicant will pay all fees when necessary.

6. Processing Time. Generally, action shall be taken approximately within the specified period as measured from the date of acceptance of the application unless appealed, extended by the County, at the request by owner, or for good cause.

Response: Applicant has reviewed and accepted this stipulation.

7. Review.

A. The Zoning Administrator may notify interested public utilities and governmental entities. The Town Board whose jurisdiction includes the area of the petition shall be notified not less than 10 days prior to the hearing unless it is an administrative application.

Response: Applicant has reviewed and accepted this stipulation.

B. If a hearing is required to be a public hearing, public notice as required shall be provided, and interested parties shall have an opportunity to be heard.

Response: Applicant has reviewed and accepted this stipulation.

C. The approval authority shall consider the submitted data and information, recommendations from public utilities, government entities including town boards, and interested parties in an endeavor to determine whether the application will help accomplish the purpose and intent of this Title.

Response: Applicant has reviewed and accepted this stipulation.

D. For an expansion of the Gaming Enterprise District, a court reporter shall record the hearing in accordance with Chapters 463 and 656 of NRS.

Response: This section is not applicable as this application is not an expansion of the Gaming Enterprise District.

8. Approval Authority. The approval authority listed in Tables 30.16-2 through 30.16-17 shall have the authority to take final action on an application, amendment, or map, except that applications for which the Commission is the approval authority may instead, when submitted in conjunction with another application, amendment, or map requiring Board action, be acted on by the Board.

Response: Applicant has reviewed and accepted this stipulation.

9. Request to Hold. The owner or applicant may request the approval authority to postpone consideration of an application, amendment, or map from the scheduled date to a future date. The approval authority may hold the application, amendment, or map as requested, may hold it to a date other than requested, or may act on it if the approval authority determines action is appropriate. Per NRS 278.050 and 278.3195, the approval authority shall not grant more than 2 continuances on the same matter unless additional circumstances are warranted by the determination of good cause shown by the applicant.

Response: Applicant has reviewed and accepted this stipulation.

10. Decision. Pursuant to Nevada Revised Statutes, the approval authority shall act upon the application with consideration to recommendations from the Town Board and other government entities, providing all applicable requirements of this Title are met.

Response: Applicant has reviewed and accepted this stipulation.

11. Conditions of Approval. As a prerequisite to approval of an application, the approval authority may impose conditions on any application, amendment, or map necessary to accomplish the objectives of this Title and to mitigate potential adverse effects of an application on adjacent properties and the community which shall be binding on property owner(s) and their successors, including but not limited to the following:

- A. All development or use of land is subject to the development standards listed in this Title unless otherwise specified.
- B. Compliance with all approved plans, conditions, restrictions and rules is required prior to permit issuance or map recordation, except that the approval authority may require revisions to plans.
- C. The approval authority may require the property owner to grant to the County right-of-way, easements, or other consideration necessary for the protection of the health and welfare of the community, including the signing of a resolution of intent in conjunction with an application for a zone boundary amendment.
- D. Any condition imposed by the Board in conflict with any requirement of this Code which is designed to mitigate the impact of an application, amendment, or map on adjacent property owners or the community shall be permitted without additional Land Use Application submittals unless the condition would create a health or safety hazard (including, without limitation, sight zone or airport environs hazards). Any condition imposed by the Commission in conflict with any requirement of this Code which is designed to mitigate the impact of an application, amendment, or map, the application shall be forwarded to the Board for final action.
- E. Any condition imposed on a previously approved application may be waived on any subsequently approved application if required notices show the waiver requested. The Commission may only waive conditions imposed by the Commission; however, the Board may waive conditions imposed by the Commission or Board.
- F. The approval authority may consider a Development Agreement for high impact projects. The agreement will address the need for the provision of adequate public facilities and/or infrastructure including but not limited to transportation, fire and police protection, flood control and drainage, parks, and open space, trails system, schools, water and sewer services, related to the proposed development, and as identified in the RISE reports submitted with special use permit application. In addition, the Development Agreement will evaluate phasing of additional facilities and services for the proposed development, and ensure existing services for established development will not be significantly affected. The approval authority may consider whether a less intense project is appropriate if the Development Agreement does not adequately address the impacts and related needs identified in the RISE reports.
- G. For projects other than high impact projects or Major Projects, the approval authority may propose a Development Agreement consistent with the needs identified by the Southwest Las Vegas Valley PFNA Report initiated and approved by the Board. Modifications to the formula for the Standard Agreement are not permitted except through a Negotiated Development Agreement.

Response: Applicant has reviewed and accepted the stipulations that may be imposed by the approval authority.

12. Standards for Approval. In addition to specific standards for approval for each application type listed in Sections 30.16.040 through 30.16.206 above, the following standards apply for the consideration of all application types:

- A. An application, amendment, or map may be approved if it meets the following criteria:
 - i. It is generally consistent with the Plan, as amended, or reflects conditions that have changed since the adoption or amendment to the Plan.

Response: Applicant has reviewed and accepted this stipulation. Once erected, the Telecommunications facility shall provide an immediate benefit to all cellular users nearby.

ii. There will be capacity to provide adequate public facilities and services, including but not limited to transportation, utility, sewer, water, police, and fire service, to accommodate development permitted under the proposal.

Response: Applicant has reviewed and accepted this stipulation. This project will provide increased data connectivity and capacity in this area, as well as provide an increased connectivity of first responders network.

iii. It complies with and forwards the capital improvement planning efforts of the County.

Response: Applicant has reviewed and accepted this stipulation

iv. It will not significantly impact the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

Response: Applicant has reviewed and accepted this stipulation

v. It will result in a logical and orderly development pattern.

Response: Applicant has reviewed and accepted this stipulation

vi. The proposal, including but not limited to the density, intensity, scale, height, and operations, is harmonious and compatible with existing and planned development on adjacent properties and in the surrounding area or neighborhood; shall not be unsightly, undesirable, or noxious; and/or includes measures that will be taken to adequately buffer or otherwise mitigate any incompatibility.

Response: Applicant has reviewed and accepted this stipulation

B. The approval of an application, amendment, or map shall constitute a finding by the approval authority that the application, amendment, or map is consistent with the standards and purposes enumerated in the Plan, this Title, and/or NRS. The approval of any application, amendment, or map will not waive building codes, fire codes, business license requirements, or any other requirement imposed by County, State, or Federal regulations or law.

Response: Applicant has reviewed and accepted this stipulation

C. Except for administrative minor deviations, special use permits, waivers, and variances to specific development standards as approved, development shall comply with all development standards as specified in this Title.

Response: Applicant has reviewed and accepted this stipulation

D. Written evidence that the FAA has determined whether a proposed structure constitutes a hazard to air navigation shall be submitted two weeks prior to final approval unless the Zoning Administrator concludes the FAA determination has been submitted early enough for action to occur, on any related Land Use Application for any proposed structure that intrudes into the Airport Airspace Overlay District that is not excepted (see Chapter 30.48 Part B); applications for which required FAA determinations have not been received shall be held or denied.

Response: Applicant has reviewed and accepted this stipulation. Applicant has submitted the initial application with the FAA and will provide the FAA determination of no air hazard once determined by the FAA.

13. Denial. The denial of an application, amendment, or map shall constitute a finding by the approval authority that the application, amendment, or map is inconsistent with the standards and purposes enumerated in the Plan, this Title, or the Nevada Revised Statutes. Unless denied without prejudice, an application, amendment, or map that is denied is subject to the re-petition period specified in this chapter.

Response: Applicant has reviewed and accepted this stipulation.

14. Finality of Decision. Except where an item has been appealed or forwarded to the Board for final action, a decision becomes final upon expiration of the appeal or reconsideration period. No permits or licenses shall be issued until the action becomes final.

A. For all administrative applications other than Administrative Temporary uses for seasonal sales, or temporary signs per Table 30.72-3, Administrative Minor Deviations to development standards within Chapters 30.32 and 30.52, and Zoning Compliance applications, the applicant shall be sent
a Notice of Administrative Decision following action on the application. Action shall be final and effective 5 working days from the date the letter was sent unless appealed to the Board. The applicant or correspondent notification must include delivery confirmation.

B. Action for Administrative Temporary Use applications for seasonal sales or temporary signs per Table 30.72-3, Administrative Minor Deviations to development standards within Chapters 30.32 and 30.52, and Zoning Compliance Applications shall be final and effective on the date of action on the application.

C. For all applications acted on by the Commission or Board, the Notice of Final Action shall be sent by first class mail following final action.

Response: Applicant has reviewed and accepted the Finality of Decision stipulations above.

15. Appeal.

A. All appeals shall be in writing, except that no appeal is required if, at the hearing on an item, staff announces that the item shall be forwarded to the Board for final action.

B. For applications acted upon by the Planning Commission, the appeal must be physically received by the Zoning Administrator by 5:00 p.m. on the fifth working day following action on the application, in which case the approval authority's decision will serve as a recommendation to the Board.

C. For Administrative Minor Deviation applications to development standards within Chapters 30.32 and 30.52, the manner of appeal is to submit a Waiver of Development Standards.

D. For Administrative Vacation and Abandonment applications, the manner of appeal is the submittal of a Vacation and Abandonment application.

E. For all other administrative applications or Zoning Administrator's decisions, the manner of appeal is to submit a written request to appeal the Zoning Administrator's decision to the Board by 5:00 p.m. of the fifth working day from when the Notice of Administrative Decision or Zoning Administrator's letter has been sent. The Zoning Administrator's decision will serve as a recommendation to the Board.

F. For applications acted upon by the Board, see Section 30.16.210 (16) (Reconsideration).

G. Once an appeal has been filed, it cannot be withdrawn.

H. Any person may appeal the Board's approval of an application to expand the Gaming Enterprise District outside the Las Vegas Boulevard Gaming Corridor or the Rural Clark County Gaming Zone, per Chapter 463 of NRS, to the review panel of the Gaming Policy Committee within 10 working days of the decision of the Board.

I. A Planning Commissioner who voted on an application may not file an appeal.

J. In the event of an appeal (does not include applications for which the manner of appeal is to submit a land use application), the application shall be scheduled for a hearing by the Board on the date announced at the Commission meeting. Administrative applications shall be scheduled for the next available zoning agenda after the appeal is processed unless continued for good cause. The Board may limit its discussion to the issues raised in the appeal.

Response: Applicant has reviewed and accepted the Appeal stipulations above.

16. Reconsideration.

A. Request. For any application, amendment, or map whereby final action is decided by the Board, any member of the Board who voted in favor of the motion which carried may request that the application, amendment, or map be reconsidered if made in writing and received by the Zoning Administrator within 5 working days of the decision, in which case the decision shall not

become final. The request for reconsideration shall thereafter be scheduled for a hearing before the Board on the second zoning agenda after the request was made.

B. Rehearing. Should the Board approve reconsideration of the decision at the hearing, the application, amendment, or map shall be scheduled for a public hearing at a subsequent meeting of the Board.

Response: Applicant has reviewed and accepted the Reconsideration stipulations above.

17. Withdrawal. An application, amendment, or map withdrawn by the property owner or applicant shall cease its consideration. Thereafter, the only consideration shall be whether the application, amendment, or map is subject to the re-petition limits. An application, amendment, or map request withdrawn by the property owner or applicant shall be subject to the re-petition limits specified in this chapter unless accepted as withdrawn without prejudice by the Commission or Board. Any administrative application, application requested to be withdrawn by the County, application requested to be withdrawn prior to public notification, or application withdrawn after approval, will be considered withdrawn without prejudice. A property owner or applicant may not withdraw any portion of an application that is initiated by a government entity.

Response: Applicant has reviewed and accepted the Withdrawal stipulations above.

18. Re-petition. Unless initiated by a governmental entity, applications, amendments, and maps are subject to the following re-petition limits:

A. Unless expressly denied or withdrawn without prejudice, the same application, amendment, or map, or a different application, amendment, or map for a more intense use or increase in density, shall not be accepted by the Zoning Administrator within 12 months of final action on the previous application, amendment, or map.

Response: Applicant has reviewed and accepted the Re-petition stipulations above.

19. Expiration.

A. Unless otherwise specified in the approval of any amendment or application, the applicant or owner shall have the time specified in Tables 30.16-2 through 30.16-17 to commence or complete the use as measured from the date of the approval.

B. The approval authority may also approve a special use permit, waiver of development standards or variance application with a review date to determine continued compatibility with adjacent properties and the community.

C. Any Land Use Application heard in conjunction with another application, amendment, or map shall have the same time limit unless otherwise specified by the approval authority.

D. If construction is commenced, work shall continue until completed. If permits for the construction expire before completion and after the commencement date, the amendment or application shall expire unless an extension of time is submitted and approved.

E. An application, amendment, or map held shall expire if more than 6 months elapse from the last scheduled meeting date without a request by the applicant for a hearing, in which case the repetition limits shall apply. An application that has been placed on hold due to insufficient funds shall expire after 3 months from the submittal date if no replacement funds have been received. Administrative applications, or any application, amendment or map not scheduled to a meeting before the approval authority shall expire if 6 months lapse from acceptance date.

F. A special use permit, waiver of standards, variance, design review, zoning compliance, or administrative design review application that establishes any use, for which construction has been completed or the use commenced, shall expire if the building is destroyed and not reconstructed, or the use is discontinued and not reestablished, within 1 year if the use or structure has not otherwise become nonconforming. A use is considered to be discontinued if the required license or permit for the use has expired. When reconstruction is required, if reconstruction is commenced within 1 year, the application shall not expire, providing construction is continuous and building permits do not expire.

G. Satisfaction of pre-submittal conference requirements, including all documents submitted thereto, shall be considered expired after 180 days from the date of the pre-submittal conference.

Response: Applicant has reviewed and accepted the Expiration stipulations above.

Clark County Development Code Title: 30.52.120 Waivers.

a. Provisions for public water and sanitary sewer services. Provisions for public water and sanitary sewage services can be administratively waived, subject to all of the following.

Response: This section is not applicable as applicant is not requesting a waiver for any provisions related to public water and sanitary sewer services

b. Director of Public Works. When an alternative design is shown to be equally serviceable in a particular instance and if the general prosperity, health, safety and welfare of the public are not adversely affected, the Director may approve an administrative minor deviation (in accordance with Table 30.16-8) for:

1. Utility Pole location which shall not be permanent and may be withdrawn by the Director of Public Works upon 30 days notice. Any change in location of any utility poles, or any guy wires, shall be made by the person or firm having ownership or control of the same, at no cost to the County.
2. Time restrictions, as set forth in Section 30.32.100 (Time Restrictions on Work in Streets) of this Title.
3. Design standards and specifications as provided for in the Clark County Supplement to Uniform Standard Drawings, per Section 30.52.050(b) of this Title or the Hydrologic Criteria and Drainage Design Manual (including finished floor elevations outside the One-hundred Year Flood Plain).
4. Right-of-way width requirements in order to accommodate special conditions such as discontinuity with existing streets or topographic conditions.
5. Time restrictions, as set forth in 30.52.090.
 - A. The extension(s) of time shall not exceed 2 years total.
 - B. The amount of the bond or cash deposit required must be recalculated if more than 1 year has elapsed since the bond has been posted.

6. For any issue of subdivision layout, location or design, an administrative minor deviation may be approved, provided that an alternative design is shown to be equally serviceable in a particular instance. In no case shall a subdivision design exception be granted under this Subsection which will allow residential lots to front upon a collector or arterial street, allow backing of vehicles onto a street, or allow a double frontage lot access to an arterial street.

Response: Applicant has reviewed and accepted the ability of the Director of Public works to approve a minor administrative deviation above.

c. Waiver of Development Standards. Waivers to the standards listed in this Chapter may be permitted in accordance with the following:

1. Waiver of Development Standards Application. All standards listed in this Chapter may be waived in accordance with the procedure stipulated in Table 30.16-7, unless otherwise specified it cannot be waived. Applications for waiver of development standards shall be presented to the Commission and need not be a public hearing, except for waivers to minimum street widths for all private streets and access easements greater than 150 feet in length that serve more than 1 dwelling unit per Section 30.52.030(b)(1) and any requirement for paving (including full width paving and minimum paved legal access) within the right-of-way, except when the existing paving has been accepted and maintained by Clark County. The Board shall consider waivers for paving in the right-of-way at a public hearing and waivers for minimum street widths for all private streets and access easements per 30.52.030(b)(1) which need not be a public hearing. When such a waiver accompanies an application to be presented to the Commission, it shall be forwarded to the Board after Commission action. Compliance with all standards of the Clark County Air Quality Regulations is required. For any proposed development within the area shown within the PM-10 Non-Attainment Area, as shown on the map adopted by the Board on June 4, 1997, and as amended, hereby incorporated by reference, the Zoning Administrator shall not accept an application to waive any paving less than a required thirty-two foot wide road unless:

- i. The proposed lots are being created by minor subdivision for the purpose of sale only and not for immediate development, and providing the smallest lot in the subdivision is not less than 2 1/2 acres in size.
- ii. The waiver of the paved access road is temporary pending the completion of a special improvement district, subject to the Director of Public Works certifying that the

improvement project will be completed within 2 years and providing the applicant signs all documents pertaining to the Special Improvement District.

iii. The paving of the access road will result in the complete replacement of the improvement within 2 years due to future improvements to be installed by any public utility or government entity.

iv. The proposed lots are to legalize parcels created between July 1, 1973 and July 20, 1993, which were not created by minor subdivision.

2. If the approval of any land use application by the Board stipulates that any required provision of this Chapter is waived, no further waiver of standards application is required, including conditions of approval for any other land use application which has been appealed to the Board.

Response: Applicant has reviewed and accepted the Waiver of Development Standards above. Please see Applicant's Responses to Table 30.16-7.

d. Dedication. Dedication for any alignment which the Director of Public Works determines is unsuitable for the establishment of a right-of-way because of extreme topographic conditions, established street patterns, areas suitable for historic or scenic purposes, or other similar condition, may be waived through the approval of a land use application, subdivision map, or an administrative minor deviation. If the alignment is shown on the Transportation Element, then an amendment must be processed prior to or concurrent with the appropriate land use application or subdivision map.

Response: This is not applicable as applicant is not requesting a waiver for the establishment of a right of way.

CONCLUSION

This justification letter represents the required and supplementary information to document the technological, economic, and social necessity and benefits of a new 80' monopole communications tower south of Haven street and El Dorado Lane Las Vegas, NV with parcel number: 177-09-202-006. The information provided highlights the advantages associated with a telecommunications facility at our proposed site as well as how this proposal meets the Title 30 of the Clark County Development code, with the exception of setback requirements, applicant is requesting a Waiver of Development Standards in conjunction with the Special Use and Design Review in order to resolve this.

Atlas Tower 1, LLC respectfully requests the approval of our Special Use Permit, Design Review, and Waiver of Development Standards Application for a communications tower facility.

Best Regards,

Cornelius Whitehead
Atlas Tower 1, LLC
3002 Bluff St., Suite 300
Boulder, CO 80301
Office (303) 448-8896

ACCESSORY USE PRIOR TO PRINCIPAL USE
(TITLE 30)

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-19-0398-ABC HAVEN WEST INC:

HOLDOVER USE PERMIT to allow accessory uses (private access drive aisles with landscaping and decorative pavers) prior to the principal use.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) waive street landscaping; and 2) waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along public streets.

DESIGN REVIEW for drive aisles and landscaping in conjunction with a multi-family development to the west on 16.5 acres in R-E (Rural Estates Residential), C-P (Office and Professional), and H-1 (Limited Resort and Apartment) Zones.

Generally located on the west side of Haven Street and the south side of Mesa Verde Lane within Enterprise. MN/rk/ja (For possible action)

RELATED INFORMATION:

APN:

177-09-401-008; 177-09-401-009; 177-09-401-011; 177-09-401-012; 177-09-401-015 through 177-09-401-017; 177-09-401-020 through 177-09-401-021; 177-09-402-002; 177-09-402-004; 177-09-402-005; 177-09-402-006

USE PERMIT:

Allow accessory uses (private access drive aisles with landscaping and decorative pavers) prior to the principal use per Table 30.44-1.

WAIVERS OF DEVELOPMENT STANDARDS:

1.
 - a. Waive street landscaping requirements where 6 foot wide landscaping is required along Haven Street and Mesa Verde Lane per Figure 30.64-13 (a 100% reduction).
 - b. Waive street landscaping requirements where a 15 foot wide landscaping with a detached sidewalk is required along Windmill Lane per Figure 30.64-17 or 30.64-18 (a 100% reduction).
2. Waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along Haven Street and Mesa Verde Lane where required per Section 30.52.050.

LAND USE PLAN:

ENTERPRISE - COMMERCIAL GENERAL

ENTERPRISE - COMMERCIAL NEIGHBORHOOD

ENTERPRISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:**Project Description**

General Summary

- Site Address: 8021 Haven Street
- Site Acreage: 16.5
- Project Type: Accessory uses prior to the principal use

History/Site Plan

Recently, 2 multi-family residential projects totaling 10 acres have been approved on the east side of Giles Street between Mesa Verde Lane and Windmill Lane. The first approval (UC-0061-17) occurred in 2017 and the second approval (UC-18-0454) occurred in 2018. The applicant has now acquired most of the land east of the multi-family sites and is requesting to add drive aisles on the east side of the project to make the development more accessible for both vehicular and pedestrian traffic.

Since the proposed drive aisles and landscaping are on portions of undeveloped land to the east, a special use permit is required in order to allow these uses prior to a principal use. These properties that are east of the approved multi-family developments are planned for commercial and medium density residential uses. More specifically, the southern portion of this site (approximately 380 feet) adjacent to Windmill Lane is planned for Commercial Neighborhood and Commercial General uses, while the remainder of the properties to the north are planned for Suburban Residential uses.

The plans depict a 25 foot wide driveway that connects to Windmill Lane and runs north behind one of the multi-family projects, then connects to a drive aisle that leads out to Giles Street to the west. There is also a second 43 foot wide driveway that connects to Mesa Verde Lane that runs south behind the other multi-family project and terminates into a cul-de-sac. Additionally, the applicant is requesting to temporarily waive (defer) street landscaping and full off-site improvements as part of this application.

Landscaping

Along both sides of the drive aisles the plans depict pedestrian plazas which include hardscape and landscaping with corresponding pedestrian furnishings. All areas consist of a combination of live landscaping and enhanced pavers. No public street landscape planters are being proposed at this time.

Applicant's Justification

The applicant indicates with acquiring most of the land east of the multi-family sites, they wish to add drive aisles at the rear (east) side of the project to provide better circulation. Also, the applicant is requesting to defer off-site improvements and landscaping along public street frontage, until a future buyer develops the remaining portion of the site.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-18-0454	Multiple family residential development and waivers for the front setback, increased height, and height/setback ratio adjacent to single family residential use on 5 acres	Approved by BCC	December 2018
VS-18-0460	Vacated and abandoned patent easements on the property and 5 feet of right-of-way for detached sidewalks	Approved by BCC	December 2018
UC-0061-17	Multiple family residential development and waivers for the front setback, corner side setback, increased height, and height/setback ratio adjacent to single family residential use on 5 acres	Approved by PC	March 2017
VS-0062-17	Vacated and abandoned a portion of a right-of-way being Santoli Avenue between Giles Street and Haven Street, a portion of a right-of-way being Giles Street between Santoli Avenue and Windmill Lane, and government patent easements	Approved by PC	March 2017

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Suburban (up to 8 du/ac) & Office Professional	H-1 & R-E	Undeveloped & single family residences
South	Office Professional	H-1 & R-E	Office building & undeveloped
East	Rural Neighborhood Preservation (up to 2 du/ac) & Commercial Neighborhood	R-E (RNP-I) & CRT	Approved place of worship, single family residences & undeveloped
West	Commercial Tourist	H-1, C-2 & C-1	Undeveloped, mini-warehouse facility & communications building

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permit & Design Review

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Staff finds by adding the drive aisles at the rear (east) side of both projects make the development more accessible for both vehicular and pedestrian traffic. Furthermore, these

additional driveways help alleviate traffic congestion from main entry points into the development. The proposed drive aisles depict pedestrian plazas which include hardscape and landscaping with corresponding pedestrian furnishings. The enhanced pedestrian realm provided along these driveways also comply with Urban Specific Policy 17 which encourages comprehensive pedestrian circulation systems that include provisions for paths in new and existing rights-of-way and/or easements. Therefore, staff can support the proposed request with the stipulation that this support does not constitute approval of any future development on the remaining eastern portions of the site.

Waivers of Development Standards

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

Waiver of Development Standards #1

Staff has no objection to temporarily waiving the landscaping requirements along the public street frontages, since there are no immediate development plans for the eastern portions of the properties. Therefore, staff recommends approval of this portion of the request.

Public Works - Development Review

Waiver of Development Standards #2

Historical events have demonstrated how important off-site improvements are for drainage control. Additionally, full width paving allows for better traffic flow and sidewalks on public streets provide safer pathways for pedestrians and for children to walk to school. Therefore, staff cannot support the waiver of development standards for full off-site improvements.

Staff Recommendation

Approval of the use permit, waiver of development standards #1, and the design review; and denial of waiver of development standards #2.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved,

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that approval of this request does not constitute approval of any future development on the remaining eastern portions of the site; that 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

- **Right-of-way dedication of 30 feet to Haven Street, 30 feet for Mesa Verde Lane, and associated spandrel;**
- Drainage study and compliance;
- Traffic study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Building Department - Fire Prevention

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; and that compliance is not indicated by the submitted drawing.

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised that there are active septic permits on APNs 177-09-401-009, 177-09-401-017, and 177-09-401-021; to connect to municipal sewer and remove or abandon the septic systems in accordance with Section 17 of the SNHD *Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management*; and to submit documentation to SNHD showing that the systems have been properly removed or abandoned.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS: 3 cards

COUNTY COMMISSION ACTION: July 3, 2019 – HELD – To 07/17/19 – per the applicant.

COUNTY COMMISSION ACTION: July 17, 2019 – HELD – To 08/07/19 – per the applicant.

COUNTY COMMISSION ACTION: August 7, 2019 – HELD – To 09/04/19 – per the applicant.

COUNTY COMMISSION ACTION: September 4, 2019 – HELD – To 10/02/19 – per the applicant.

APPLICANT: ABC PARADISE, LLC
CONTACT: TONY CELESTE, 1980 FESTIVAL PLAZA DRIVE, STE 650, LAS VEGAS,
NV 89135

DRAFT



LAND USE APPLICATION 2A

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<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 checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #) <input type="checkbox"/> DEVELOPMENT AGREEMENT (DA)	STAFF	DATE FILED: <u>5-16-19</u> PLANNER ASSIGNED: <u>RK</u> ACCEPTED BY: _____ FEE: <u>\$1,825.00</u> CHECK #: <u>PAID ON-LINE</u> COMMISSIONER: <u>MN</u> OVERLAY(S)? <u>MUD 4</u> PUBLIC HEARING? <input type="checkbox"/> N TRAILS? <input checked="" type="checkbox"/> Y <input type="checkbox"/> PFNA? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>UC-19-0398</u> TAB/CAC: <u>Enterprise</u> TAB/CAC MTG DATE: <u>6/12/19</u> TIME: <u>6:00p</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>7/3/19 9:00am</u> ZONE / AE / RNP: <u>C-P & R-E</u> PLANNED LAND USE: <u>Ent CN/CG/R</u> NOTIFICATION RADIUS: <u>500'</u> SIGN? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N LETTER DUE DATE: <u>UC-006L17</u> COMMENCE/COMPLETE: <u>UC-18.0454</u>
	PROPERTY OWNER	NAME: <u>ABC Haven West, Inc.</u> ADDRESS: <u>1210 Hinson Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89102</u> TELEPHONE: <u>n/a</u> FAX: <u>n/a</u> CELL: <u>n/a</u> E-MAIL: <u>rjordan@centuradev.com</u>	
	APPLICANT	NAME: <u>ABC Paradise, LLC</u> ADDRESS: <u>1210 Hinson Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89102</u> TELEPHONE: <u>n/a</u> FAX: <u>n/a</u> CELL: <u>n/a</u> E-MAIL: <u>rjordan@centuradev.com</u>	
	CORRESPONDENT	NAME: <u>Tony Celeste - Kaempfer Crowell</u> ADDRESS: <u>1980 Festival Plaza Drive, Suite 650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> FAX: <u>702-796-7181</u> CELL: <u>n/a</u> E-MAIL: <u>AJC@kcnvlaw.com</u>	

ASSESSOR'S PARCEL NUMBER(S): 177-09-401-009, 012, 017, 021, 17-09-402-002, 004, 005 *JAB*

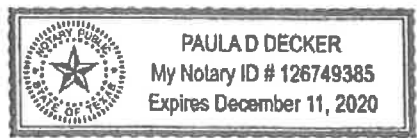
PROPERTY ADDRESS and/or CROSS STREETS: Windmill / Giles

PROJECT DESCRIPTION: Design Review, Special Use Permit, and Waivers of Standards re: Streets

(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.

Robert C. Murray Sr. Property Owner (Signature)* Robert C. Murray Sr. Property Owner (Print) *CA*

STATE OF Texas
 COUNTY OF Dallas
 SUBSCRIBED AND SWORN BEFORE ME ON April 29, 2019 (DATE)
 By Robert C. Murray Sr. Page 1 of 4
 NOTARY PUBLIC: Paula D. Decker





LAND USE APPLICATION

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<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 checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #) <input type="checkbox"/> DEVELOPMENT AGREEMENT (DA)	STAFF	DATE FILED: _____ APP. NUMBER: _____ PLANNER ASSIGNED: _____ TAB/CAC: _____ ACCEPTED BY: _____ TAB/CAC MTG DATE: _____ TIME: _____ FEE: _____ PC MEETING DATE: _____ CHECK #: _____ BCC MEETING DATE: _____ COMMISSIONER: _____ ZONE / AE / RNP: _____ OVERLAY(S)? _____ PLANNED LAND USE: _____ PUBLIC HEARING? Y / N NOTIFICATION RADIUS: _____ SIGN? Y / N TRAILS? Y / N PFNA? Y / N LETTER DUE DATE: _____ APPROVAL/DENIAL BY: _____ COMMENCE/COMPLETE: _____
	PROPERTY OWNER	NAME: <u>ABC Paradise, LLC</u> ADDRESS: <u>1210 Hinson Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89102</u> TELEPHONE: <u>n/a</u> FAX: <u>n/a</u> CELL: <u>n/a</u> E-MAIL: <u>rjordan@centuradev.com</u>
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ASSESSOR'S PARCEL NUMBER(S): 177-09-401-008, 011, 015, 020, 177-09-402-006 JAB

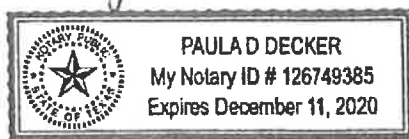
PROPERTY ADDRESS and/or CROSS STREETS: Windmill / Giles

PROJECT DESCRIPTION: Design Review, Special Use Permit, and Waivers of Standards re: Streets

(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.

Ted P. Stokely Property Owner (Signature)* Ted P. Stokely Property Owner (Print)

STATE OF Texas
 COUNTY OF Dallas
 SUBSCRIBED AND SWORN BEFORE ME, ON April 10, 2019 (DATE)
 By Ted P. Stokely
 NOTARY PUBLIC: Paula D. Decker



*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is not present at the time of filing.



LAND USE APPLICATION

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<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 checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> DEVELOPMENT AGREEMENT (DA)	STAFF	DATE FILED: _____ APP. NUMBER: _____ PLANNER ASSIGNED: _____ TAB/CAC: _____ ACCEPTED BY: _____ TAB/CAC MTG DATE: _____ TIME: _____ FEE: _____ PC MEETING DATE: _____ CHECK #: _____ BCC MEETING DATE: _____ COMMISSIONER: _____ ZONE / AE / RNP: _____ OVERLAY(S)? _____ PLANNED LAND USE: _____ PUBLIC HEARING? Y / N NOTIFICATION RADIUS: _____ SIGN? Y / N TRAILS? Y / N PFNA? Y / N LETTER DUE DATE: _____ APPROVAL/DENIAL BY: _____ COMMENCE/COMPLETE: _____	
	PROPERTY OWNER	NAME: <u>Dennis J Flesher</u> ADDRESS: <u>8065 Haven Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89123</u> TELEPHONE: <u>n/a</u> FAX: <u>n/a</u> CELL: <u>n/a</u> E-MAIL: <u>n/a</u>	
	APPLICANT	NAME: <u>ABC Paradise, LLC</u> ADDRESS: <u>1210 Hinson Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89102</u> TELEPHONE: <u>n/a</u> FAX: <u>n/a</u> CELL: <u>n/a</u> E-MAIL: <u>rjordan@centuradev.com</u>	
	CORRESPONDENT	NAME: <u>Tony Celeste - Kaempfer Crowell</u> ADDRESS: <u>1980 Festival Plaza Drive, Suite 650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> FAX: <u>702-796-7181</u> CELL: <u>n/a</u> E-MAIL: <u>AJC@kcnvlaw.com</u>	

ASSESSOR'S PARCEL NUMBER(S): 177-09-401-016 *JAB*

PROPERTY ADDRESS and/or CROSS STREETS: Windmill / Giles

PROJECT DESCRIPTION: Design Review, Special Use Permit, and Waivers of Standards re: Streets

(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.

Dennis J Flesher

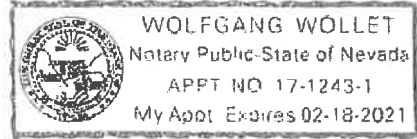
 Property Owner (Signature)*

DENNIS FLESHER

 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 5/11/2019 (DATE)
 By Dennis James Flesher
 NOTARY PUBLIC: R. Crown



*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 other legal entity.

KAEMPFER

CROWELL

ATTORNEYS AT LAW

LAS VEGAS OFFICE

ANTHONY J. CELESTE
aceleste@kcnvlaw.com
702.693.4215

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Fax: 702.799.7181

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Suite 700
Reno, NV 89501
Tel: 775.852.3900
Fax: 775.327.2011

CARSON CITY OFFICE
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Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

May 16, 2019

VIA HAND DELIVERY

CLARK COUNTY DEPARTMENT OF
COMPREHENSIVE PLANNING
500 S. Grand Central Parkway
Las Vegas, Nevada 89106

CIVIL
ENGINEERING

**Re: Justification Letter – Centura Development Co., LLC
Design Review for Driveways and Landscaping; Special Use Permit to Allow
an Accessory Use Prior to Principal Use; and Waiver of Development
Standards to Defer Off-Site Improvements Along Haven Street, and Mesa
Verde Lane.**

To Whom It May Concern:

Please be advised our office represents the Applicant. By way of background, the Applicant received entitlements for a multi-family residential development on properties east of Giles and in between Mesa Verde Lane and Windmill Lane (the "Project"). Clark County approved the Project via UC-0061-17 and UC-18-0454. The Applicant is now requesting to add drive aisles on the east side of the project to make the Project more easily accessible both for vehicular and pedestrian traffic.

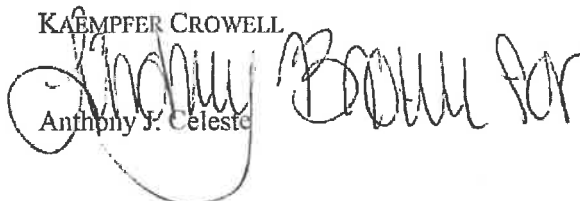
The Applicant is proposing a private driveway from Windmill Lane north to connect to the existing approved private driveway that connects going west to Giles Street. The Applicant is also requesting a second driveway from Mesa Verde Lane heading south that terminates into a cul de sac. In addition to the driveways, the Applicant is requesting landscaping along the private driveways.

Since the proposed private driveways are also on a portion of undeveloped and yet to be entitled properties immediately to the east, the Applicant is requesting a special use permit to allow an accessory use (the driveways and landscaping) prior to the principal use. Also, since there are improvements to properties fronting the undeveloped portions of Mesa Verde Lane, and Haven Street, the Applicant is requesting the off-site improvements be deferred until the principal use is approved. The waiver is appropriate as there is no access to these rights-of-ways and the design of off-sites are better suited with the design of the principal use.

We thank you in advance for your time and consideration.

Sincerely,

KAEMPFER CROWELL


Anthony J. Celeste

AJC/mao

10/16/19 BCC AGENDA SHEET

TAVERN
(TITLE 30)

VALLEY VIEW BLVD/SILVERADO RANCH BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-19-0692-NAZARIAN, MICHAEL & ANNA REVOCABLE TRUST ET AL & NAZARIAN, MICHAEL & ANNA TRS:

ZONE CHANGE to reclassify 1.3 acres from R-E (Rural Estates Residential) Zone to C-2 (General Commercial) Zone.

DESIGN REVIEW for an on-premises consumption of alcohol establishment (tavern).

Generally located on the east side of Valley View Boulevard and the south side of Silverado Ranch Boulevard within Enterprise (description on file). JJ/md/jd (For possible action)

RELATED INFORMATION:

APN:

177-29-101-001

LAND USE PLAN:

ENTERPRISE - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.3
- Project Type: Tavern
- Number of Stories: 1
- Building Height (feet): 30
- Square Feet: 3,800
- Parking Required/Provided: 38/38

Site Plan & Request:

This request is for a conforming zone change to reclassify approximately 1.3 acres from an R-E zone to a C-2 zone for a proposed on-premises consumption of alcohol establishment (tavern). The plans depict a proposed tavern consisting of 3,800 square feet that is located at the southeast corner of Silverado Ranch Boulevard and Valley View Boulevard. The building is set back a minimum of 13 feet from the north property line (Silverado Ranch Boulevard) and 29 feet from the west property line (Valley View Boulevard). Additionally, the tavern is set back zero feet from the east property line as a building setback is only required when adjacent to a residential

use. The tavern is set back 200 feet from the south property line. Access to the site is granted via a single proposed commercial driveway located along Valley View Boulevard, at the southwest corner of the project site. Four bicycle spaces are provided at the southwest corner of the building. Five foot wide detached sidewalks are proposed along Silverado Ranch Boulevard and Valley View Boulevard. A minimum 5 foot wide pedestrian walkway is provided from the detached sidewalk along Valley View Boulevard to the south entrance of the tavern. The required loading space is located immediately south of the tavern, while the required trash enclosure is located within the south portion of the site. The proposed development requires 38 parking spaces where 38 parking spaces are provided. The finished grade of the building will not be more than 18 inches higher than the existing grade on-site.

Landscaping

The plans depict a 15 foot to 16.5 foot wide landscape area that includes a 5 foot wide detached sidewalk adjacent to Valley View Boulevard. A 15 foot to 22 foot wide landscape area that includes a detached sidewalk is located along Silverado Ranch Boulevard. The street landscape areas consist of trees, shrubs, and groundcover. A landscape area containing 24 inch box trees is provided along the south property line and measures between 5 feet to 23 feet in width. A landscape area containing shrubs and groundcover is also provided along the southeast property line and measures between 2 feet to 3 feet in width. Interior parking lot landscaping is equitably distributed throughout the site.

Elevations

The plans depict a proposed tavern with a height ranging from 23 feet to 30 feet to the top of the parapet wall. Varying rooflines have been incorporated into the overall design of the building. The east elevation of the building features a stucco exterior with an aluminum storefront window system covered by a decorative metal canopy. A portion of the elevation features a decorative horizontal metal exterior, resembling a standing seam pattern. The south elevation features stucco walls and a decorative horizontal metal exterior serving as an entry feature to the tavern. The entrance to the tavern is located at the southeast corner of the building. The west elevation of the tavern, oriented towards Valley View Boulevard, depicts a stucco exterior. The north elevation, oriented towards Silverado Ranch Boulevard, features a stucco exterior with several windows. The building will consist of neutral, earth tone colors. A significant portion of the west side of the building will be painted in blue ("frozen lake").

Floor Plans

The plans depict a proposed tavern consisting of 3,800 square feet with an open shell space.

Signage

Signage is not a part of this request.

Applicant's Justification

The design of the building consists of contemporary retail architecture with exterior stucco walls, varying rooflines, and elevation pop-outs adding more variation to the elevations. The applicant states the proposed development will be an enhancement and an asset to the surrounding area providing a contemporary style of urban architecture. The development is compatible with the

surrounding neighborhood and will provide an environment of stable and desirable character consistent with the County's policies and regulations.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, & East	Public Facilities	R-E	Undeveloped
West	Commercial Neighborhood	R-E	Undeveloped

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

The C-2 zoning district is established to accommodate a full range of commercial uses, or mixed commercial and residential uses, in a manner that can be located to serve the needs of the entire community yet be buffered from having adverse impacts on any adjacent residential neighborhoods. Staff finds that the conforming zone change request is within the range of intensity allowed by the land use plan. The site is bounded on 2 sides (west and south) by a property that is zoned R-E with a planned land use of Public Facilities. Furthermore, the 7 parcels located immediately to the west of the project site, at the southwest corner of Silverado Ranch Boulevard and Valley View Boulevard, are zoned R-E with a planned land use of Commercial Neighborhood. The proposed zoning is consistent and compatible with the existing and approved land uses in the area. Therefore, staff recommends approval.

Design Review

The design of the proposed tavern features variations in building height contributing to breaking-up the mass of the commercial building. Staff finds the tavern complies with Urban Specific Policy 19 of the Comprehensive Master Plan, which encourages varying building heights and breaking-up the mass of the building. The proposed landscaping also complies with Urban Specific Policy 73, which encourages perimeter and interior parking lot trees for shade and visual relief. Future cross access is proposed to the undeveloped adjacent parcel to the east of the site. Staff finds the future cross access complies with Commercial Policy 65 that encourages commercial development design that will provide opportunities for cross access with adjoining sites to reduce or limit points of ingress and egress on arterial or collector streets to reduce on-site and off-site traffic congestion and hazards. The project complies with the requirements of Title 30 and multiple policies from the Comprehensive Master Plan. Therefore, staff can support the design review request.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- No 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 approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; 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 design review 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 45 feet to 50 feet for Valley View Boulevard, 10 additional feet for a right turn lane, 50 feet for Silverado Ranch Boulevard and associated spandrel(s);
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for bus turnout including passenger loading/shelter areas in accordance with RTC standards;
- Vacate any unnecessary easements.

Building Department - Fire Prevention

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; to show fire hydrant locations on-site and within 750 feet; that Fire protection and operational permits may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316; to contact the Building Department at (702) 455-3000 regarding a potential change in occupancy classification; and that any changes in occupancy classification may have impacts on both the site plan and construction.

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 #0509-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: ALLEN BENYAMIN

CONTACT: ALLEN BENYAMIN, 10724 WILSHIRE BLVD, SUITE 1203, LOS ANGELES, CA 90024

DRAFT



LAND USE APPLICATION 3A

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<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 type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #) <input type="checkbox"/> DEVELOPMENT AGREEMENT (DA)	STAFF	DATE FILED: <u>8/28/19</u> PLANNER ASSIGNED: <u>MNO</u> ACCEPTED BY: <u>MNO</u> FEE: <u>\$1,725.00</u> CHECK #: <u>13537</u> COMMISSIONER: <u>JONES</u> OVERLAY(S)? <u>NONE</u> PUBLIC HEARING? <input checked="" type="checkbox"/> <u>Y</u> TRAILS? <input checked="" type="checkbox"/> <u>Y</u> PFNA? <input checked="" type="checkbox"/> <u>Y</u> APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>2C-19-0692</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC MTG DATE: <u>9/25/19</u> TIME <u>6:30 AM</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>10/16/19 9:00 AM</u> ZONE / AE / RNP: <u>R-E TO C-2 / NONE</u> PLANNED LAND USE: <u>ENTCG</u> NOTIFICATION RADIUS: <u>100</u> SIGN? <input checked="" type="checkbox"/> <u>Y</u> LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	PROPERTY OWNER	NAME: <u>Allen Benjamin</u> ADDRESS: <u>10724 Wilshire Blvd #1203</u> CITY: <u>LA</u> STATE: <u>CA</u> ZIP: <u>90024</u> TELEPHONE: <u>310 265 7666</u> CELL: <u>310 777 2400</u> E-MAIL: <u>allenbenjamin@outlook.com</u>	
	APPLICANT	NAME: _____ ADDRESS: <u>same as above</u> CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____ CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____	
	CORRESPONDENT	NAME: _____ ADDRESS: <u>same as above</u> CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____ CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 17729101001
 PROPERTY ADDRESS and/or CROSS STREETS: Silverado & Valley View
 PROJECT DESCRIPTION: Conforming Rezone and a Tavern Design Review.

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

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

SEE ATTACHED CERT.

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

CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

- See Attached Document (Notary to cross out lines 1-6 below)
- See Statement Below (Lines 1-6 to be completed only by document signer[s], *not* Notary)

1. LAND USE APPLICATION CLARK COUNTY APN # 1772 9101001

2. _____

3. _____

4. _____

5. _____

6. _____

[Handwritten Signature]

Signature of Document Signer No. 1

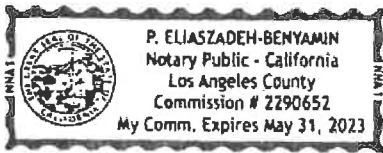
Signature of Document Signer No. 2 (if any)

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

State of California
 County of LOS ANGELES

Subscribed and sworn to (or affirmed) before me
 on this 12 day of AUGUST, 2019
 by _____
Date Month Year
 (1) ALIEN Y. BENYAMIN

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



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

Signature P. Elias
Signature of Notary Public

Seal
 Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Yihong Liu
Yihong Liu + Associates
1669 Horizon Ridge Parkway
Henderson, NV 89012

~~October 31, 2018~~ 8/28/19

Mark Donohue
Principal Planner
Comprehensive Planning Department
500 Grand Central parkway
Las Vegas, NV 89106

CIVIL
ENGINEERING

RE: APN 177-29-101-001

Dear Mr. Donohue:

Please accept this letter as our justification letter for a conforming zone change to C-2 and design review of a 3,000 SF single story tavern for property on parcel number 177-29-101-001.

8/28/19 *ln*

This project is on intersection of Silverado Ranch & Valley View which both are 100' right of way street, and have detached 5' sidewalk with trees two rolls of 40' on center with effective 20' on center staggered. The surrounding property is owned by USA and we anticipate to be commercial considering this major intersection of two major street. So we anticipate to have future cross access to the parcel next to us.

The drive way on Valley View we propose to have 187' on approach curb cut with 35' wide entrance. The throat depth for this entrance is 28' where 25' is required by code.

This project is going to be a wood frame structure with storefront glass at the entrances, with access doors along the back side of the building. The building maximum building height is 30' which is under the code required 50' of the building height for retail development.

The design of the building is contemporary retail architecture with stone finish on the corner facade, stucco wall with different colors created backdrop of the building massing, elevation pop out to add more variation on the elevations. All of these design elements created an active retail environment and will fit into the existing commercial development with improved images.

Signage will be separate application.

Total parking required: ~~36~~ spaces; Total parking provided ~~38~~ Spaces, with additional 4 bike rack spaces.

We believe this development will be an enhancement and an asset to the area and bring the area into a more contemporary style of urban architecture. We feel that the development is compatible with the surrounding neighborhood and will provide an environment of stable and desirable character consistent with the County's policies and regulations. We respectfully request approval. Please feel free to contact me with any questions you might have.

Yours truly,

A handwritten signature in black ink, appearing to read 'Yihong Liu', with a long horizontal stroke extending to the right.

Yihong Liu

Yihong Liu, Architect
President
Yihong Liu + Associates, LTD.
1669 Horizon Ridge Parkway, Suite 120
Henderson, NV 89012
Phone: 702-778-8711
Cell: 702-321-9316

11/05/19 PC AGENDA SHEET

SHOPPING CENTER
(TITLE 30)

RAINBOW BLVD/MOUNTAINS EDGE PKWY

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-19-400121 (UC-0479-17) -A B S MOUNTAINS EDGE ENTERPRISE, LLC:

USE PERMITS FIRST EXTENSION OF TIME for the following: 1) on-premises consumption of alcohol (tavern); 2) convenience store; 3) gasoline station; 4) vehicle wash; 5) personal services; 6) office as a principal use; 7) retail as a principal use; and 8) restaurant as a principal use in an M-D zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce the separation for a proposed convenience store to a residential use; 2) reduce the separation for a proposed vehicle wash to a residential use; and 3) a vehicle wash bay to face a public street.

DESIGN REVIEW for a shopping center on 5.0 acres in an M-D (Designed Manufacturing) Zone.

Generally located on the east side of Rainbow Boulevard and the south side of Mountains Edge Parkway within Enterprise. JJ/lm/jd (For possible action)

RELATED INFORMATION:

APN:

176-26-301-001

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the separation from a convenience store to a residential use to 82 feet where 200 feet is the standard per Table 30.44-1 (a 59% reduction).
2. Reduce the separation from a vehicle wash to a residential use to 60 feet where 200 feet is the standard per Table 30.44-1 (a 70% reduction).
3. Allow a carwash bay to face a public street (Pyle Avenue).

LAND USE PLAN:

ENTERPRISE - INDUSTRIAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 5.0
- Project Type: Shopping center
- Number of Stories: 1 & 2
- Building Height (feet): Up to 47
- Square Feet: 40,520

- Parking Required/Provided: 164/179 (revised per WS-18-0653 to 151/162 overall shopping center)

Site Plans

The previously approved plans depict a 40,520 square foot shopping center consisting of a convenience store with gasoline pumps, vehicle wash, tavern, and an in-line retail building that includes various restaurant and personal service uses. The convenience store, gasoline pumps, and vehicle wash are located on the northern portion of the site. The tavern is located near the center of the site along Rainbow Boulevard and the in-line retail building is located behind the tavern. The nearest residential use is directly to the east and south which currently is under construction for a single family residential subdivision. Parking spaces are distributed throughout the site and were approved with a site re-design (WS-18-0653). The site has access to both Rainbow Boulevard and Mountains Edge Parkway. The original request also included a waiver of development standards to reduce driveway approach and departure distances from the intersection of Rainbow Boulevard and Pyle Avenue which was withdrawn.

Landscaping

The previously approved plans depict a 20 foot wide landscape area with a detached sidewalk along Rainbow Boulevard and Mountains Edge Parkway which was later redesigned (WS-18-0653). A landscape area 10 foot wide with intense landscaping per Figure 30.64-12 is located along the south property line and a 10 wide landscape area with landscaping per Figure 30.64-11 is located along the east property line. Interior parking lot trees are distributed throughout the site. Landscape materials include trees, shrubs, and groundcover.

Elevations

The initial approved buildings are 1 and 2 stories, up to 47 feet high, and similar in design. Revised plans approved per WS-18-0653 show building materials consisting of painted cement plaster with decorative inserts, brick veneer accents, metal sheeting and band accents, decorative metal awnings, and aluminum window treatments. The roofs of the buildings are flat with parapet walls at various heights. The fuel canopy is 19 feet high and will have similar materials and design as the convenience store.

Floor Plans

The previously approved convenience store and vehicle wash includes the tunnel ingress/egress facing in a northwest/southeast direction. Additionally, the approved tavern and in-line shops depict typical tenant improvements.

Previous Conditions of Approval

Listed below are the approved conditions for UC-0479-17:

Current Planning

- Per revised plans submitted on July 18, 2017 (condition previously waived by WC-18-400195);
- Provide an intense landscape buffer per Figure 30.64-12 located along the south property line;
- Design review as a public hearing for signage and lighting;

- 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 55 feet to back of curb for Rainbow Boulevard, 35 feet to back of curb for Pyle Avenue and associated spandrel.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the Point of Connection (POC) request has been completed for this project; and to email sewellocation@clearwaterteam.com and reference POC Tracking #0329-2017 to obtain your POC exhibit.

Waiver of development standards #4 for driveway along Rainbow Boulevard was withdrawn.

Applicant's Justification

The applicant indicates that all of the required drainage and traffic studies have been submitted to Public Works, and that 2 additional years are needed to ensure that all of the technical studies have time to be reviewed and approved along with all subsequent permitting requirements.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-18-0653	Convenience store with gasoline sales, care wash, and tavern within an approved shopping center (the waiver was withdrawn)	Approved by PC	October 2018
UC-0479-17 (VC-18-00195)	Waive the condition of a use permit requiring development per revised plans submitted July 18, 2017	Approved by PC	October 2018
VS-18-0345	Varied easements	Approved by PC	May 2018
TM-18-500056	1 lot commercial subdivision on 5 acres	Approved by PC	May 2018

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0479-17	Shopping center with a various uses in an M-D zone (tavern, convenience store, gasoline sales, vehicle wash, personal services, offices, retail, & restaurant); waivers for reduced separation for a convenience store to a residential use, reduced separation for a vehicle wash to a residential use, allow a vehicle wash bay to face a public street, and to allow modified commercial driveway geometrics	Approved by PC	July 2017
ZC-0009-06	Reclassified this site to M-D zoning for a shopping center with various uses in an M-D zone (retail, office, restaurant, & tavern), waiver to reduce the separation from tavern to a residential use, and a car wash bay to face a public street	Approved by BCC	February 2006

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Facilities	R-E	Public facilities building for Clark County
South & East	Industrial	R-2	Single family residential subdivision
West	Commercial Neighborhood	C-1	Undeveloped

The site and the surrounding properties are located within the Public Facilities Needs Assessment (PFNA) area.

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. Since the approval of the application, the applicant has submitted for additional land use applications, the technical studies (traffic, and drainage) have been approved, and the off-site plans are in review. Additionally, the applicant has demonstrated that they are moving forward with the project and are waiting for building permits BD19-06750, BD19-06752, and BD19-36246 which are in process; therefore, staff can support approval of this application with an additional 2 years to commence.

Public Works - Development Review

There have been no significant changes in this area. Staff has no objection to this extension of time.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Until July 18, 2021 to commence;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: ALAN PERLMUTTER

CONTACT: LEBENE AIDAM-OHENE, BROWN BROWN & PREMSRIRUT, 520 SOUTH FOURTH STREET, #200, LAS VEGAS, NV 89101



LAND USE APPLICATION 4A

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) <u>UC-17-0479</u> (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) _____ (ORIGINAL APPLICATION #)	STAFF	DATE FILED: <u>9-5-19</u> PLANNER ASSIGNED: _____ ACCEPTED BY: <u>TLK</u> FEE: <u>900</u> CHECK #: <u>4624, 4623, 4625</u> COMMISSIONER: <u>JJ</u> OVERLAY(S)? _____ PUBLIC HEARING? Y/ <input checked="" type="radio"/> N TRAILS? Y/N PFNA? Y/N APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>ET19-400121</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC MTG DATE: <u>10/9</u> TIME: <u>6PM</u> PC MEETING DATE: <u>11/5</u> TIME: <u>7PM</u> BCC MEETING DATE: _____ ZONE / AE / RNP: <u>MD</u> PLANNED LAND USE: <u>ENT MD</u> NOTIFICATION RADIUS: <u>—</u> SIGN? Y/ <input checked="" type="radio"/> N LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	PROPERTY OWNER	NAME: <u>ABS Mountains Edge Enterprise, LLC</u> ADDRESS: <u>1633 Broadway</u> CITY: <u>New York</u> STATE: <u>NY</u> ZIP: <u>10019</u> TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>N/A</u>	
	APPLICANT	NAME: <u>Alan Vermutter / Eli Applebaum</u> ADDRESS: <u>6655 West Sahara Ave, B200-113</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u> TELEPHONE: <u>(702) 528-2301</u> CELL: <u>N/A</u> E-MAIL: <u>realestatedeveloper7@gmail.com</u> REF CONTACT ID #: <u>172236</u>	
	CORRESPONDENT	NAME: <u>Jay Brown / Levene Chene</u> ADDRESS: <u>520 South Fourth Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89181</u> TELEPHONE: <u>(702) 598-1429</u> CELL: <u>(702) 561-7070</u> E-MAIL: <u>Levene@braunbrown.com</u> REF CONTACT ID #: <u>173835</u>	

ASSESSOR'S PARCEL NUMBER(S): 176-26-301-001

PROPERTY ADDRESS and/or CROSS STREETS: Rainbow Blvd and Mountains Edge Pkwy

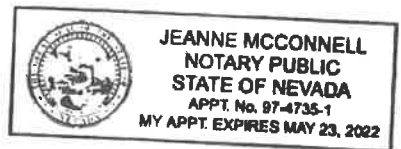
PROJECT DESCRIPTION: Extension of time on use permit application

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

Property Owner (Signature) Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON Sept. 3, 2019 (DATE)
 By Eli Applebaum
 NOTARY PUBLIC: Jeanne McConnell



*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

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS

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

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6520

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

September 5, 2019

Via Hand Delivery

City of Henderson
240 S. Water St.
Henderson, Nevada 89015

Re: *Justification Letter-Extension of Time*
Project Name – Village Pub and Commercial Center @ Mountains
Edge
Application Number: UC-17-0479,
Parcel # 176-26-301-001

To Whom It May Concern:

On behalf of our client, ABS Mountains Edge Enterprises, LLC., please accept this Justification Letter for a request for an extension of time for a previously approved commercial center consisting of a tavern, convenience store; gasoline station; vehicle wash; personal services; offices as a principal use; retail as a principal use; and restaurants as principal uses in an M-D zone. The subject application was approved on July 18, 2017. The building permits for the tavern (Village Pub) was submitted to the County and is currently under review by Staff. Outlined below is information on the status of the permit under review by Zoning Plans Check.

Permit Number: **BD19-06750**

Permit Name: **VILLAGE PUB @ MOUNTAINS EDGE**

Review Comments

PAC#BD19-06750/52 - Village Pub at Mountains Edge

Application UC-0479-17 has expired and will require an extension of time if approved to be submitted.

Since staff determined that the application has expired, we requested and received approval from the Planning Director's office to submit an extension of time to allow the permitting process to continue for the Tavern and other future commercial uses in the center. Please see the attached for the email allowing us to submit the application from the Planning Director's office.

All the required Technical Studies (Traffic and Drainage Studies) have also been submitted to the Public Works Department and are also under review by County Staff.


On behalf of the Client, we respectfully request an extension of time for two (2) years. The information provided in the letter demonstrates that the Applicant is diligently working to comply with requirements and obtain permits for the project. The request for a two (2) year extension of time is to ensure that all the technical studies are reviewed and approved; additional applications are submitted and approved; and the subsequent permitting and approval processes are completed to commence and complete construction on the project.

We appreciate your approval of the application as requested.

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

Sincerely,

BROWN, BROWN & PREMSRIRUT



Lebene Ohene

Land Use and Development

11/05/19 PC AGENDA SHEET

VEHICLE RENTAL/DISPLAY
(TITLE 30)

BRUNER AVE/HAVEN ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-19-0723-ST ROSE PLAZA, LLC:

USE PERMIT for increased display spaces for a vehicle rental facility in conjunction with an existing shopping center on a portion of 3.5 acres in a C-2 (General Commercial) Zone.

Generally located on the north side of Bruner Avenue and the east side of Haven Street (alignment) within Enterprise. MN/nr/jd (For possible action)

RELATED INFORMATION:

APN:

191-04-416-002; 191-04-416-003 ptn

USE PERMIT:

1. a. Increase display spaces where a maximum of 5 spaces is allowed with shared parking with another business per Table 30.44-M (a 67% increase).
- b. Allow outside display of vehicles visible from public streets and residential development.

LAND USE PLAN:

ENTERPRISE - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: 120 E. Bruner Avenue, Suite 110
- Site Acreage: 3.5 (portion)
- Project Type: Vehicle rental/display
- Number of Stories: 1
- Building Height (feet): 30
- Square Feet: 1,897 (lease area)/324 (wash canopy)
- Parking Required/Provided: 152/183

Site Plans

The plans show a 3.5 acre shopping center with access off of Bruner Avenue and Haven Street. The office for the vehicle rental facility is located in a lease space in building "B" on the west side of the shopping center. The plans indicate that the vehicles will be displayed in the

northwest portion of the shopping center parking lot. The display area will include a canopy in order to wash rental vehicles. The canopy will occupy 2 parking spaces. The property is accessed from Bruner Avenue and Haven Street.

Landscaping

No landscaping changes are proposed or required to the existing landscape areas with this request. Existing landscape areas are located adjacent to the streets and within portions of the parking area. An intense landscape buffer with a 6 foot high wall is located between the residential area to the north and the proposed display space area in the northwest parking lot.

Elevations

The elevations depict an existing 1 story building with earth tone stucco exterior with decorative stone accents and roof cornices and parapets to break-up the roofline. The photos show a wash canopy with a tan membrane structure supported by 8 foot high metal poles with the apex of the structure at a height of 11 feet.

Floor Plans

The plans show an 1,897 square foot leased area with offices, rental area, breakroom, and a storage area.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the new office will be to serve the southeast part of the valley. The office will bring more activity to a slower commercial strip area. The office would be open 5 days per week from 8:00 a.m. to 6:00 p.m. The applicant wants to continue to provide a great product to the customer and the local community.

Prior Land Use Requests

Application Number	Request	Action	Date
AR-17-400158 (UC-0365-16)	Review of veterinary clinic	Approved by PC	February 2018
UC-0046-17	Hookah/supper club	Approved by PC	March 2017
UC-0365-16	Veterinary clinic	Approved by PC	July 2016
TM-0122-13	St. Rose Plaza commercial tentative map	Approved by PC	September 2013
UC-0373-13	Recreation facility (mini-golf)	Approved by PC	August 2013
VS-1186-05 (ET-0385-07)	First extension of time to vacate rights of way being Bruner Avenue, Haven Street, and St. Rose Parkway	Approved by BCC	January 2008

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0653-07	Check cashing separation	Approved by PC	July 2007
ZC-1198-02 (WC-0201-05)	Waived a 10 foot high loading dock wall	Approved by BCC	October 2005
VS-1186-05	Vacated rights-of-way being Bruner Avenue, Haven Street, and St. Rose Parkway	Approved by PC	October 2005
DR-1038-05	Shopping center	Approved by BCC	October 2005
ZC-1198-02	Reclassified 3.6 acres from R-E to C-2 zoning	Approved by BCC	November 2002

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Medium	RUD	Single family residences
South	Commercial Neighborhood	C-1	Undeveloped
East	City of Henderson	City of Henderson	Undeveloped
West	Residential Suburban	R-E	Undeveloped

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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.

This site is located within an existing shopping center. Vehicle rental facilities have been found to be a compatible use with other commercial uses in shopping centers. The applicant indicates that the 15 vehicles will be kept in the northwest portion of the parking lot near the wash canopy. The established intense landscaping in this area along with the block wall will reduce any visual impacts from the proposed use. Staff finds that the proposed use is consistent and compatible with other uses in the area and will not have an adverse effect on the adjacent properties; therefore, staff can support the request.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that 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)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: ENTERPRISE RENT A CAR

CONTACT: KELLY MACNAMARA, 6855 BERMUDA RD, LAS VEGAS, NV 89119



LAND USE APPLICATION
CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT
 SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION


5A

<input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE - CONFORMING (ZC) - NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (U) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) - PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) <input type="checkbox"/> ORIGINAL APPLICATION # <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) <input type="checkbox"/> ORIGINAL APPLICATION # <input type="checkbox"/> APPLICATION REVIEW (AR) <input type="checkbox"/> ORIGINAL APPLICATION #	STAFF	DATE FILED: <u>9/10/19</u> PLANNER ASSIGNED: <u>NR</u> ACCEPTED BY: <u>NR</u> FEE: <u>\$675</u> CHECK #: <u>Debit</u> COMMISSIONER: <u>MN</u> OVERLAY(S)? <u>MUD-2</u> PUBLIC HEARING? <u>Y</u> <u>N</u> TRAILS? <u>Y</u> <u>N</u> PFNA? <u>Y</u> <u>N</u> APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>UC-19-0723</u> TAB/CAC: <u>Enterprise</u> TAB/CAC MTG DATE: <u>10/9</u> TIME: <u>6pm</u> PC MEETING DATE: <u>11/5 @ 7pm</u> BCC MEETING DATE: _____ ZONE / AE / RNP: <u>C-2</u> PLANNED LAND USE: <u>CG</u> NOTIFICATION RADIUS: <u>500</u> SIGN? <u>Y</u> <u>N</u> LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	PROPERTY OWNER	NAME: <u>ST ROSE PLAZA LLC</u> ADDRESS: <u>3100 W SAHARA #12</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89102</u> TELEPHONE: <u>702 752 6877</u> CELL: _____ E-MAIL: <u>PHILIP@LVRE.com</u>	
	APPLICANT	NAME: <u>Enterprise Leasing Company-WSI, LLC</u> ADDRESS: <u>6855 Bermuda Rd</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702 597-1600</u> CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____	
	CORRESPONDENT	NAME: <u>Kelly McMurphy</u> ADDRESS: <u>6855 Bermuda Rd</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>(702) 597-4598</u> CELL: <u>702 267 7468</u> E-MAIL: <u>kelly.k.mcmurphy@xh</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 191-04-4116-002 191-04-4116-003
 PROPERTY ADDRESS and/or CROSS STREETS: St. Rose / Bruner 110 E Bruner St. 120
 PROJECT DESCRIPTION: Enterprise Rental Branch

I, We, the undersigned swear and say that I, We, as the owner(s) of record on the Tax Rolls of the property involved in this application, or (as any other person qualified to initiate this application under Clark County Code), that the information on the attached legal description, plat and drawings attached hereto, and the statements and provisions contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application may 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 advertising the public of the proposed application.

Property Owner (Signature): Chris Rodenfels Property Owner (Print): Chris Rodenfels / Manager
 STATE OF: Nevada COUNTY OF: Clark
 SUBSCRIBED AND SWORN TO before me on: 08/20/2019 (DATE)
 By: Christopher Rodenfels
 Notary Public: Efrain Gonzalez Jr.


EFRAIN GONZALEZ JR.
 NOTARY PUBLIC
 STATE OF NEVADA
 My Commission Expires: 03-25-2020
 Certificate No: 18-2413-1

*NOTE: Corporate declaration of authority for the individual, partner or attorney-in-fact signature designated on the application must be provided by the applicant. Page 1 of 5

PLANNER
COPY

UC-19-0723

September 5, 2019

Attn: CLARK COUNTY

Re: Enterprise Rent-A-Car, 110 E Bruner Ste. 110 . Use permit for car rental.

To Whom It May Concern:

Enterprise Leasing Company-West, LLC wishes to apply for use permit for a retail store at 110 E Bruner Ste. 110 in Las Vegas, NV 89183. Enterprise Leasing Company-West, LLC, dba Enterprise Rent A Car, would like to rent vehicles out of this strip center location that will have 1710 Sq. ft. The car rental office will be open 5 days a week to rent vehicles from 8:00am-6:00pm Mon-Friday. This office will service the southeast and southern highlands communities for all their car rental needs. The office will employ 5 people on site. This location will allow our company additional opportunities for growth and help serve the Southeast part of the valley that is also seeing a tremendous amount of growth. Currently our closest rental location is at the Henderson Executive airport.

Notes about property:

1. Currently the center is very empty and we will bring activity to an otherwise slower strip center.
2. The parking allowed currently is 5 parking spaces. Enterprise would like to request an additional 15 spaces for our business.
3. The center provides 183 parking spaces and the parking required is 132.
4. Enterprise would also like to be able to install a code compliant sand/oil interceptor drain and a canopy to be able to wash vehicles efficiently.

Enterprise Rent-A-Car has been in business over 60 years and we pride ourselves on great customer service. We have been a part of the Las Vegas community for over 25 years, and we want to see the business continue to grow. We want to help increase business in the city and continue to provide a great product and deliver exceptional customer service to the local community.

Thank you for your consideration in this matter.

Kelly McNamara
Property Development and Facilities Manager
Enterprise Leasing Company-West, LLC

Allen Matkins

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law
865 South Figueroa Street, Suite 2800 | Los Angeles, CA 90017-2543
Telephone: 213.622.5555 | Facsimile: 213.620.8816
www.allenmatkins.com

Fernando Villa
E-mail: fvilla@allenmatkins.com
Direct Dial: 213.955.5647 File Number: 378423-00002/LA1173944,03

Via Email/U.S. Mail

September 12, 2019

Sami Real
Planning Manager, Current Planning
Clark County Comprehensive Planning
Department
PO Box 551744
Las Vegas, NV 89155-1744
(702) 455-3129
Sami.Real@ClarkCountyNV.gov

**Re: Justification Letter for Design Review Application for Proposed
Greenlight Hub Use at 5031 Wagon Trail Ave., Las Vegas**

Dear Ms. Real:

We represent Uber Technologies, Inc. ("Uber") which proposes to locate a Greenlight Hub ("GLH") at the existing building located at 5031 Wagon Trail Ave., Las Vegas, Nevada (the "Property"). We submit this Justification Letter in support of Uber's application for Design Review ("Application"). As shown below, Uber's GLH use fully complies with Clark County's land use regulations and Zoning Code ("Code"); produces an environment of stable and desirable character consistent with Clark County's Comprehensive Master Plan; will have minimum impact on adjacent properties; and is consistent with the standards of approval for a Design Review Application. In particular, Uber will implement a Traffic and Queuing Plan that ensures this GLH use will not negatively impact traffic or parking in the surrounding area.

I. The GLH Is Compatible With Adjacent Development And Development In The Area.

The Property is located within an existing shopping center located at the corner of Wagon Trail Avenue and S. Decatur Boulevard. The surrounding area is primarily commercial and industrial in nature, with multiple shopping centers and a large transit service located nearby. The Property is located close to the Keolis Transit transportation service, the MGM Resorts International corporate office, and the YRC Freight trucking company. The GLH is compatible with the surrounding commercial and industrial development as it is a commercial and office use that provides customer and networking services to driver partners and complements the commercial nature of the area.

Sami Real
September 12, 2019
Page 2

The shopping center in which the Property is located utilizes uniform building materials and landscaping throughout the shopping center. The GLH will be consistent with, and will not change, these uniform building or landscaping materials. Site and architectural plans detailing the Property's elevations, design characteristics and other architecture and aesthetic features are attached with this Application. The architectural and aesthetic features create and maintain an orderly and aesthetically pleasing environment. Additionally, because they are uniform throughout the shopping center, they are harmonious and compatible with development in the surrounding area.

II. The GLH Use Complies With Clark County's Zoning Regulations.

The Property is located within the General Commercial C-2 Zone, which is intended to accommodate a full range of commercial uses. Office uses are permitted within the C-2 Zone. (Code § 30.40.210.) The Code also permits Transportation Service uses in the C-2 Zone if the use is limited to five or fewer automobiles.¹ (Code § 30.44.010, Table 30.44-1.)

A GLH provides customer service to driver partners within its onsite offices and, incidental to this use, performs vehicle inspections for driver partners as required by the Nevada Transportation Authority and NRS 706A.180. These inspections form one of a handful of uses incidental to the primary customer service office use (or Transportation Service use if the GLH is classified as such), which is permitted by the Code.

The vehicle inspections will take place Monday through Friday, 8:00 a.m. through 6:00 p.m. Uber will perform three (3) vehicle inspections onsite at a time. Uber will schedule the inspections and monitor the site to ensure that no more than two additional vehicles are waiting for inspections at any time. Therefore, the GLH's vehicle inspection use will at all times be limited to five or fewer vehicles.

As the GLH is primarily office use (or a Transportation Use limited to five or fewer automobiles), the Code permits it. No vehicle maintenance or storage will take place on site; only an inspection of the vehicles will occur. Thus, the GLH use complies with Clark County's zoning designation.

¹ Per the Code's definition, the GLH is an Office use, which is a "building[]...used to conduct the business of administrative, professional or clerical operations." (Code § 30.08.030.) Consistent with the Office use, the GLH conducts key administrative and clerical components of Uber's business, including processing and onboarding new driver partners and assisting existing partners with needed services. Uber does not agree that the GLH is a Transportation Service use but nonetheless cites that use because the Development Services Department indicated on September 12, 2019 that it may consider Uber a Transportation Service use. As stated in the Reservation of Rights letter submitted with this Application, Uber reserves all its rights to pursue Design Review as an Office use and challenge its classification as a Transportation Service use.

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law

Sami Real
September 12, 2019
Page 3

III. The GLH Use Will Not Negatively Impact Neighboring Roadways or Traffic.

Uber has prepared a site plan, enclosed with this letter, outlining the vehicular access route at the Property and demonstrating that the GLH use will not negatively impact site access and circulation. The site plan and supporting information responds to the County's prior concerns regarding site access and parking. For instance, the site plan shows the planned vehicle routes for traffic entering and leaving the Property. Dimensions of parking spaces are also provided, along with a total count of vehicle spaces provided and required by Code, demonstrating that the Property has sufficient parking. Additionally, plans for the shade structure that will be utilized at the Property are also included in the Application.

The Application further includes Uber's on-site best practices for site access and circulation and traffic management. As indicated on the Traffic and Queuing Plan submitted with this Application, five automobiles (three being inspected and up to two waiting) will fit within the former drive-through area of the Property. No vehicles will queue onsite outside of the drive-through area. Uber will schedule vehicle inspections and monitor the parking area to ensure that no more than five automobiles are onsite for vehicle inspections at any time. These elements of the Application will assure smooth, efficient site access and avoid congestion or delays on nearby streets. Representatives from Uber and from the office of the undersigned met with Principal Planner Al Laird on September 10, 2019 to discuss Uber's application. Mr. Laird requested that Uber revise its Application to include a plan showing where vehicles will wait to be, and be, inspected. As described above, Uber submits the Traffic and Queuing Plan with this Application to address Mr. Laird's concerns.

Accompanying this letter are the application materials for a Design Review Application, pursuant to Code § 30.16.240. Uber looks forward to meeting with the City on September 13, 2019 to submit this Application and a mutually beneficial relationship with Clark County.

Sincerely,

Fernando Villa

FV:alb
Enclosures

11/05/19 PC AGENDA SHEET

TRANSPORTATION SERVICE
(TITLE 30)

WAGON TRAIL AVE/DECATUR BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-19-0748-J 3 DECATUR, LLC:

USE PERMIT for a transportation service with more than 5 vehicles.

DESIGN REVIEW for a shade structure for vehicle inspections in conjunction with a transportation service within an existing shopping center on 3.1 acres in a C-2 (General Commercial) (AE-60) Zone in the CMA Design Overlay District.

Generally located on the southwest corner of Wagon Trail Avenue and Decatur Boulevard within Enterprise. MN/al/jd (For possible action)

RELATED INFORMATION:

APN:

176-01-502-030

USE PERMIT:

Permit a transportation service with up to 17 vehicles on-site where a maximum of 5 vehicles are permitted per Table 30.44-1 (a 240% increase).

LAND USE PLAN:

ENTERPRISE - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:

Project Description

General Summary

- Site Address: 5301 Wagon Trail Avenue
- Site Acreage: 3.1
- Project Type: Transportation service
- Number of Stories: 1
- Building Height (feet): 24
- Square Feet: 22,976 retail center/196 shade structure
- Parking Required/Provided: 115/132

Site Plans

The plans depict an existing retail center consisting of 1 building and 2 pad sites for future development. Access to the site is provided by 2 existing driveways from Wagon Trail Avenue. The existing building is located on the southwestern portion of the site and the pad sites are

located on the northeastern portion. Parking for the site is located to the north of the existing building and between the pad sites, east of the building. The plans indicate there are 132 parking spaces on the site for the retail center and the existing building only requires 115 spaces. The easternmost pad site is intended for a future restaurant with a drive-thru service, and the drive-thru lane has been provided along the east and north sides of the pad site.

The applicant is proposing to use a portion of this site as a transportation service (Uber). Administrative functions will take place within a lease space in the existing building. Vehicles for the transportation service will be inspected at this location on the eastern portion of the retail center. Vehicles to be inspected will queue within the drive-thru lane adjacent to the easternmost pad site. The applicant indicates the inspections are by appointment and the plan is to have a maximum of 5 vehicles on the site at a time. However, there is the possibility of vehicles arriving early for the inspection or delays which will cause more than 5 vehicles for the transportation service to be on the site at one time. In case of overflow vehicles on the site the drivers will be directed to park within parking spaces located on the eastern portion of the site. The plan depicts a shade canopy on the easternmost pad site where the vehicle inspections will take place. The shade canopy is intended to provide a more comfortable area for the inspectors and people waiting for their vehicles to be inspected. The shade canopy is located approximately 25 feet south of Wagon Trail Avenue and 60 feet west of Decatur Boulevard.

Landscaping

No changes are proposed or required to existing landscape areas with the request.

Elevations

The existing building is 1 story with a flat roof behind parapet walls with a maximum height of 24 feet. No changes are proposed to the exterior of the existing building with this application. The proposed shade structure is approximately 10 feet in height and consists of a fabric cover supported by 4 posts and covers an area of approximately 196 square feet.

Floor Plans

The existing building has an area of 22,976 square feet and no changes are proposed to the area of the existing building with this request.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that the proposed use is consistent and compatible with the existing retail center and other planned and existing uses in this area. The transportation service will attempt to keep the number of vehicles on the site to less than 5 at a time by scheduling appointments for the vehicle inspections; however, the request to allow additional vehicles will cover the times when more than 5 vehicles are on-site to delays and/or people showing up early for their appointments.

Prior Land Use Requests

Application Number	Request	Action	Date
ADR-0278-15	Place of worship within an existing retail center	Approved by ZA	April 2015
WS-0812-08	Comprehensive sign plan with waivers to increase sign height and sign area	Approved by BCC	November 2008
ZC-1318-05 (WC-0195-07)	Waived conditions for right-of-way dedication requirements	Approved by BCC	August 2007
WS-1488-06	Waived non-standard street improvements	Approved by PC	March 2007
ZC-1318-05	Reclassified the site to C-2 zoning for a shopping center	Approved by BCC	September 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	C-2 & M-D	Undeveloped
South	Business and Design/Research Park & Industrial	M-D	Office complex & CC 215
East	Business and Design/Research Park	M-D	Undeveloped
West	Business and Design/Research Park	M-D	Regional Transportation Commission maintenance facility

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning Use Permit

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Staff finds that the proposed transportation service is a compatible use with the existing retail center and with other uses in this area. The applicant indicates that the business will attempt to limit the number of vehicles on-site at any one time to the maximum of 5 vehicles allowed by code; however, there will be times when the number may go over 5 vehicles. The retail center currently has 17 parking spaces over what is required by Code; therefore the site would be able to accommodate additional vehicles. However, there are currently 2 vacant pad sites, which includes the location of the shade canopy, within this retail center and when these pad sites are developed it will have an impact on parking within the center. The development of these pad sites could impact on-site traffic circulation and the queuing of vehicles to be inspected in

conjunction with the transportation service. Therefore, staff can support the use permit with a condition for a design review as a public hearing for the future development of the pad sites to address the impacts of the future development on the retail center and transportation service.

Design Review

The proposed shade canopy is small and will have limited impacts on the existing retail center or to existing developments in the area. Existing landscape areas along the streets and adjacent to the pad site will help buffer the shade canopy; therefore, staff can support the design review.

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

- Design review as a public hearing for future development of the pad sites to address parking and on-site circulation for the retail center, and the impacts of increased parking demand on queuing locations for the transportation service.
- 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

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: HEIDI BOGARD

**CONTACT: HEIDI BOGARD, UBER, 5031 WAGON TRAIL AVE, LAS VEGAS, NV
89008**



LAND USE APPLICATION

6A

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<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) <u>675</u> <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <u>675</u> <input checked="" type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF	DATE FILED: <u>9-13-19</u> PLANNER ASSIGNED: <u>AI</u> ACCEPTED BY: <u>AI</u> FEE: <u>1350</u> CHECK #: <u>211966/211967</u> COMMISSIONER: <u>MN</u> OVERLAY(S)? <u>CMA</u> PUBLIC HEARING? <input checked="" type="checkbox"/> Y / <input type="checkbox"/> N TRAILS? Y <input type="checkbox"/> N PFNA? Y <input type="checkbox"/> N APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>UC-19-0748</u> TAB/CAC: <u>Entegma</u> TAB/CAC MTG DATE: <u>10-9</u> TIME: <u>6:00p</u> PC MEETING DATE: <u>11-5</u> TIME: <u>7:00p</u> BCC MEETING DATE: _____ ZONE / AE / RNP: <u>C-2 DECO</u> PLANNED LAND USE: <u>BDRP</u> NOTIFICATION RADIUS: <u>500</u> SIGN? Y <input checked="" type="checkbox"/> N LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	PROPERTY OWNER	NAME: <u>J3 Decatur, LLC</u> ADDRESS: <u>1929 Van Ness Avenue</u> CITY: <u>San Francisco</u> STATE: <u>CA</u> ZIP: <u>94109</u> TELEPHONE: <u>415-441-6507</u> CELL: _____ E-MAIL: <u>elena@j2properties.com</u>	
	APPLICANT	NAME: <u>Uber Technologies, Inc.</u> ADDRESS: <u>5031 Wagon Trail Ave.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: _____ CELL: <u>317-519-1197</u> E-MAIL: <u>bogard@uber.com</u> REF CONTACT ID #: <u>195503</u>	
	CORRESPONDENT	NAME: <u>Same as above</u> ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____ CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 176-01-502-030.

PROPERTY ADDRESS and/or CROSS STREETS: 5031 Wagon Trail Ave., Las Vegas NV

PROJECT DESCRIPTION: General office use with vehicle inspections.

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

Property Owner (Signature) _____
 Property Owner (Print) Jocelyn Sills

STATE OF California
 COUNTY OF SAN FRANCISCO
 SUBSCRIBED AND SWORN BEFORE ME ON August 8, 2019 (DATE)
 By Elena Giacomani
 NOTARY PUBLIC Elena Giacomani



*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.

Allen Matkins

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law
865 South Figueroa Street, Suite 2800 | Los Angeles, CA 90017-2543
Telephone: 213.622.5555 | Facsimile: 213.620.8816
www.allenmatkins.com

Fernando Villa
E-mail: fvilla@allenmatkins.com
Direct Dial: 213.955.5647 File Number: 378423-00002/LA1178000.01

Via Email/U.S. Mail

September 12, 2019

Sami Real
Planning Manager, Current Planning
Clark County Comprehensive Planning
Department
PO Box 551744
Las Vegas, NV 89155-1744
(702) 455-3129
Sami.Real@ClarkCountyNV.gov

CIVIL
ENGINEERING

**Re: Justification Letter for Special Use Permit Application - Proposed
Greenlight Hub Use at 5031 Wagon Trail Ave., Las Vegas, Nevada**

Dear Ms. Real:

We represent Uber Technologies, Inc. ("Uber") which proposes to locate a Greenlight Hub ("GLH") at the existing building located at 5031 Wagon Trail Ave., Las Vegas, Nevada (the "Property"). We submit this Justification Letter in support of Uber's application for a Special Use Permit ("Application"). As shown below, Uber's GLH use will be in harmony with Clark County's Comprehensive Master Plan; will have minimum impact on adjacent properties; will be adequately served by the Property's existing facilities; and is consistent with the standards of approval for a Special Use Permit. In particular, Uber will implement a Traffic and Queuing Plan that ensures this GLH use will not negatively impact traffic or parking in the surrounding area.

I. The Proposed GLH Use

The Property is located within the General Commercial C-2 Zone, which is intended to accommodate a full range of commercial uses. The Code permits Transportation Service uses in the C-2 Zone if the use is limited to five or fewer automobiles, and permits more than five automobiles with a Special Use Permit. (Code § 30.44.010, Table 30.44-1.)

A GLH provides customer service to Uber's driver partners within its onsite offices and, incidental to this use, performs vehicle inspections for driver partners as required by the Nevada Transportation Authority and NRS 706A.180. These inspections form one of a handful of uses incidental to the Transportation Service use, which is permitted by the Code.

Sami Real
September 12, 2019
Page 2

The vehicle inspections will take place Monday through Friday, 8:00 a.m. through 6:00 p.m. Uber will perform three (3) vehicle inspections onsite at a time. As indicated on the Traffic and Queuing Plan submitted with this Application, the vehicles will be inspected in a former drive-through area onsite. No more than five additional vehicles will queue at a time behind the three vehicles being inspected. Further, no more than five additional vehicles will be permitted to wait for inspections elsewhere onsite at any time. The drivers of these additional vehicles will be required to park in a parking space until their turn to enter the drive-through queuing area. No vehicle maintenance or storage will take place onsite.

II. The GLH Is In Harmony With Clark County's Comprehensive Master Plan And Surrounding Area

The Property is located within the Enterprise Land Use Plan ("ELUP") area and designated as a Business Design Research Park land use. The Property is also within the Cooperative Management Area Overlay ("CMA"), a subset of the ELUP area.

According to the ELUP, the CMA was established to define land uses compatible with McCarran International Airport and associated aircraft operations. Because of the noise and impacts on sensitive receptors that can be caused by airports, ELUP prescribes that "much of the CMA should develop as a multi-use employment and activity center for office, light manufacturing, service, and retail uses." (ELUP, p. 21.) The ELUP further provides that the Business and Design Research Park land use category applies to properties accommodating industries such as research and development, incubator businesses, food sales and distribution, postal and data processing centers, vehicle sales and repair (inside), and general non-hazardous warehousing. (ELUP, p. 41.) The GLH, as an administrative and vehicle inspection center for Uber's broader driver partner program, fits perfectly with the other types of support and logistics centers the County has intended for this area.

In reality as well, the GLH is compatible with the surrounding uses. The Property is located within an existing shopping center located at the corner of Wagon Trail Avenue and S. Decatur Boulevard. The surrounding area is primarily commercial and industrial in nature, with multiple shopping centers and a large transit service located nearby. The Property is located close to the Keolis Transit transportation service, the MGM Resorts International corporate office, and the YRC Freight trucking company. The GLH is compatible with the surrounding commercial and industrial development as it is a commercial and office use that provides customer and networking services to driver partners and complements the commercial nature of the area.

III. The GLH Use Will Not Negatively Impact Adjacent Properties, Traffic, Or Character Of The Neighborhood

Uber has prepared a Traffic and Queuing Plan and site plan, enclosed with this Application, outlining the vehicular access route at the Property and demonstrating that the GLH use will not

Sami Real
September 12, 2019
Page 3

negatively impact site access and circulation. The plans and supporting information respond to the County's prior concerns regarding site access and parking. For instance, the site plan shows the planned vehicle routes for traffic entering and leaving the Property. Dimensions of parking spaces are also provided, along with a total count of vehicle spaces provided and required by Code, demonstrating that the Property has sufficient parking. Additionally, plans for the shade structure that will be utilized at the Property are also included in the Application.

The Application further includes Uber's on-site best practices for site access and circulation and traffic management. The vehicle inspections will take place Monday through Friday, 8:00 a.m. through 6:00 p.m. Uber performs three (3) vehicle inspections onsite at a time. As indicated on the Traffic and Queuing Plan submitted with this Application, the vehicles will be inspected in a former drive-through area onsite. There is space in the drive-through area for five additional vehicles to queue at a time behind the three vehicles being inspected. The drive-through area is ideally situated to serve this function as it is not being used by other businesses onsite, and the 8-vehicle queue will not cross or interfere with any parking spaces, loading areas, trash enclosures, or other feature requiring access. Further, Uber will schedule the inspections and monitor the site to ensure that no more than five additional vehicles are waiting for inspections elsewhere onsite at any time. No vehicles will queue onsite outside of the drive-through area. The drivers of these additional vehicles will instead be required to park in a parking space until their turn to enter the drive-through area. The parking count on prior architectural plans for the Property show that 116 spaces are needed onsite to accommodate all of the Property's uses but that 129 spaces are provided; therefore, the Property is over-parked. As such, there is more than sufficient excess parking onsite to accommodate the additional vehicles.

These elements of the Application will assure smooth, efficient site access and avoid congestion or delays on nearby streets.

In addition, the shopping center in which the Property is located utilizes uniform building materials and landscaping throughout the shopping center. The GLH will be consistent with, and will not change, these uniform building or landscaping materials. Site and architectural plans detailing the Property's elevations, design characteristics and other architecture and aesthetic features are attached with this Application. The architectural and aesthetic features create and maintain an orderly and aesthetically pleasing environment. Additionally, because they are uniform throughout the shopping center, they are harmonious and compatible with development in the surrounding area.

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law

Sami Real
September 12, 2019
Page 4

Accompanying this letter are the application materials for a Special Use Permit Application, pursuant to Code § 30.16.240. Uber looks forward to meeting with the City on September 13, 2019 to submit this Application and a mutually beneficial relationship with Clark County.

Sincerely,

A handwritten signature in black ink, appearing to read "F. Villa", written over a horizontal line.

Fernando Villa

FV:alb
Enclosures

Allen Matkins

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law
865 South Figueroa Street, Suite 2800 | Los Angeles, CA 90017-2543
Telephone: 213.622.5555 | Facsimile: 213.620.8816
www.allenmatkins.com

Fernando Villa
E-mail: fvilla@allenmatkins.com
Direct Dial: 213.955.5647 | File Number: 378423-00002/LA1177981.01

Via Email/U.S. Mail

September 12, 2019

Sami Real
Planning Manager, Current Planning
Clark County Comprehensive Planning
Department
PO Box 551744
Las Vegas, NV 89155-1744
(702) 455-3129
Sami.Real@ClarkCountyNV.gov

**Re: Reservation of Rights Letter in Support of Design Review and Special
Use Permit Applications re Proposed Greenlight Hub Use at 5031
Wagon Trail Ave., Las Vegas**

Dear Ms. Real:

We submit this additional letter in support of Uber Technologies, Inc.'s ("Uber") applications for Design Review and a Special Use Permit to explain why Uber is submitting both applications and to reserve Uber's rights related to the use classification for the Greenlight Hub ("GLH") proposed at 5031 Wagon Trail Avenue ("Property").

On September 10, 2019, Uber met with the Development Services Department Principal Planner, Al Laird, to submit its Design Review application. Uber's original Justification Letter for that application stated that the GLH is an Office use with incidental vehicle inspections. Mr. Laird informed Uber, however, that the County will now consider the GLH a Transportation Service use, and that Uber will consequently have to apply for a Special Use Permit if more than five automobiles will be on-site at a time.

Uber disagrees that the GLH is a Transportation Service use. The GLH is an Office use, which the County's Development Code ("Code") defines as a "building[]...used to conduct the business of administrative, professional or clerical operations." (Code § 30.08.030.) Consistent with the Office use definition, the GLH conducts key administrative and clerical components of Uber's business, including processing and onboarding new driver partners and assisting existing partners with needed services.

Sami Real
September 12, 2019
Page 2

The Development Services Department has also told us, however, that, if Uber wishes to apply for a Special Use Permit as a Transportation Service with more than five automobiles, it must submit its application on or before September 13, 2019 to secure the next hearing date in early November. Because Uber desires its application to be heard on the soonest available hearing date, Uber is concurrently submitting an application for Design Review and an application for a Special Use Permit, as described in more detail below, subject to the reservation of rights at the end of this letter.

In the version of the GLH proposed in the Design Review application, Uber will limit the GLH's operations to allow only five automobiles onsite at a time. With that revision, the GLH operations are permitted under the Code with Design Review approval regardless of whether the GLH is classified as an Office use or Transportation Service use.

In the second application, for a Special Use Permit, the GLH will have more than five automobiles on-site at a time. Transportation Service uses with more than five automobiles are permitted in the C-2 Zone with a Special Use Permit. (Clark County Code § 30.44.010, Table 30.44-1.)

Reservation of Rights. Notwithstanding any statement in Uber's Design Review or Special Use applications regarding the GLH's use classification, Uber reserves all its rights to pursue approvals for the proposed GLH as an Office use, and to dispute the necessity of a Special Use Permit for the GLH operations or any determination the County may make that the GLH is a Transportation Service use. By filing both applications and discussing the Transportation Service use therein, Uber does not abandon or waive any such rights or remedies arising out of the matters described in this letter.

We sincerely look forward to continuing to work with the County to resolve these issues and complete these application processes

Sincerely,



Fernando Villa

FV:mra

11/05/19 PC AGENDA SHEET

PATIO SETBACK
(TITLE 29)

ISLE DR/RINGROSE ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VC-19-0715-GARCILAZO FAMILY TRUST & GARCILAZO JOE RICHARD & KAREN LORRAINE TRS:

VARIANCE to reduce the rear yard setback for a proposed patio cover in conjunction with an existing single family residence on 0.2 acres in an R-3 (Multiple Family Residential) P-C (Planned Community Overlay District) Zone in the Southern Highlands Master Planned Community.

Generally located on the north side of Isle Drive, 240 feet west of Ringrose Street within Enterprise. JJ/rk/jd (For possible action)

RELATED INFORMATION:

APN:

191-08-412-101

VARIANCE:

Reduce the rear yard setback for a patio addition to 5 feet where a minimum of 10 feet is required per the modified development standards for Southern Highlands (a 50% reduction).

LAND USE PLAN:

ENTERPRISE - MAJOR DEVELOPMENT PROJECT (SOUTHERN HIGHLANDS) - RESIDENTIAL MEDIUM (3 DU/AC TO 14 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 3468 Isle Drive
- Site Acreage: 0.2
- Project Type: Patio cover setback
- Patio Height (feet): 10
- Square Feet: 204

Site Plans

The plans depict an existing 1 story, 2,222 square foot single family residence with a proposed attached patio cover located 5 feet from the rear property line. The setback reduction occurs along a portion of the north property line adjacent to 2 single family residences. There is an

existing block wall located along the side and rear property lines of the parcel which separates the subject property from lots to the north.

Landscaping

No changes are proposed or required to the existing landscaping.

Elevations

The plans depict a 10 foot high, solid alumawood patio cover. The support posts for the patio cover will have a stucco finish and the roof will have a tile edge.

Floor Plans

The patio cover is 17 feet by 12 feet (204 square feet).

Applicant's Justification

The applicant indicates that the request to build the patio cover is to shade an area for family outdoor use. This addition will be architecturally compatible with the house and is open on 3 sides which should have less impact on the adjacent properties to the north.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1604-99	Modified residential development standards for Southern Highlands which include, but are not limited to, amended setbacks; building heights, separations, and street sections	Approved by BCC	December 1999

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, East, & West	Southern Highlands Residential Medium	R-3	Single family homes

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 29.

Analysis

Current Planning

The applicant indicates that the request to build the patio cover is to shade an area. However, the proposed patio cover is approximately 12 feet long by 17 feet deep. If the patio cover is reduced by 5 feet in depth, the structure would meet the Southern Highlands setback standards for a patio. Staff finds that the applicant has not proven that a variance should be approved in this situation and it is incumbent upon the applicant to prove a legal hardship or practical difficulty at this time.

Staff Recommendation
Denial.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 29, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- 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

- No comment.

Clark County Water Reclamation District (CCWRB)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: JOE GARCILAZO

CONTACT: JESSICA LANE, 3310 SOUTH VALLEY VIEW BOULEVARD, LAS VEGAS, NV 89102

Garcilazo



LAND USE APPLICATION 7A
CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT
SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

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

STAFF
DATE FILED: 9-5-19
PLANNER ASSIGNED: RK
ACCEPTED BY:
FEE: \$475.00
CHECK #: 30867
COMMISSIONER: JJ.
OVERLAY(S)? P.C.
PUBLIC HEARING? [X] Y/N
TRAILS? Y/N PFNA? Y/N
APPROVAL/DENIAL BY:
APP. NUMBER: VC 19-0715
TAB/CAC: Enterprise
TAB/CAC MTG DATE: 10/9/19 TIME: 6:00 PM
PC MEETING DATE: 11/5/19
BCC MEETING DATE:
ZONE / AE / RNP: R-3
PLANNED LAND USE: Ent MDP
NOTIFICATION RADIUS: 500 FT SIGN? Y/N
LETTER DUE DATE:
COMMENCE/COMPLETE:

PROPERTY OWNER
NAME: JOE R. GARCILAZO / KAREN L. GARCILAZO
ADDRESS: 3468 ISLE DRIVE
CITY: LAS VEGAS STATE: NV ZIP: 89141
TELEPHONE: NONE CELL: (619) 301-6290
E-MAIL: 30720608@COX.NET

APPLICANT
NAME: JOE GARCILAZO / KAREN GARCILAZO
ADDRESS: 3468 ISLE DR.
CITY: LV STATE: NV ZIP: 89141
TELEPHONE: CELL: 619-301-6290
E-MAIL: 30720608@COX.NET REF CONTACT ID #:

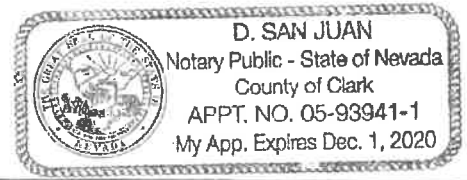
CORRESPONDENT
NAME: Jessica Lane
ADDRESS: 3310 S Valley View Blvd
CITY: Las Vegas STATE: NV ZIP: 89102
TELEPHONE: 702-254-6179 CELL:
E-MAIL: jessiclane@proficientpatios.com REF CONTACT ID #:

ASSESSOR'S PARCEL NUMBER(S): 191-08-412-101
PROPERTY ADDRESS and/or CROSS STREETS: 3468 ISLE DR. LAS VEGAS, NV. 89141
PROJECT DESCRIPTION: BACK YARD PATIO COVER

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

Property Owner (Signature)* [Signatures]
Property Owner (Print) JOE R. GARCILAZO
KAREN L. GARCILAZO

STATE OF Nevada
COUNTY OF Clark
SUBSCRIBED AND SWORN BEFORE ME ON 8/6/2019 (DATE)
by Joe R. Garcilazo & Karen L. Garcilazo
NOTARY PUBLIC: D. San Juan



*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.

Proficient Patios
& BACKYARD DESIGNS

In regards to residence at 3468 Isle Dr., we would like to ask for a variance for a reduction of 5 feet instead of 10 feet. Client would like patio cover over existing concrete for shade for when him and his family sit outside. Please consider, thank you for your time. In addition even though we are asking for a setback reduction there is no impact to the North side they are undeveloped.

Shante Chappell



EASEMENTS
(TITLE 30)

GRAND CANYON DR/SERENE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-19-0714-CENTURY COMMUNITIES NEVADA, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Grand Canyon Drive and Conquistador Street, and between Serene Avenue and Oleta Avenue within Enterprise (description on file). JJ/lm/jd (For possible action)

RELATED INFORMATION:

APN:

176-19-210-015; 176-19-210-037; 176-19-210-042; 176-19-210-065; 176-19-210-070

LAND USE PLAN:

ENTERPRISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

Project Description

The applicant requests to vacate and abandon 4 pedestrian access easements located within the site. The applicant requests to vacate and abandon a 1 foot wide easement located on the southern portion of lot 65 (APN 176-19-210-037), lot 70 (APN 176-19-210-042), lot 121 (APN 176-19-210-065), lot 126 (APN 176-19-210-070), and a 1 foot wide easement located on the eastern portion of lot 15 (APN 176-19-210-015).

The applicant states that the vacation of easements along lots 15, 65, 70, 121, and 126 in Blue Diamond West Unit 1 is needed to accommodate a site plan change that will incorporate cul-de-sacs internal to the project. The applicant indicates that new pedestrian access easements will be dedicated when the final map is amended.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-19-0382	Various pedestrian access easements within the development site (lots 60 and 116)	Approved by PC	July 2019
VS-0555-16	Various patent easements within the development site and along Serene Avenue	Approved by PC	September 2016
TM-0007-15	Single family residential development	Approved by BCC	March 2015

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0030-15	Reclassified 35.7 acres from H-2 to R-2 zoning with a design review for a single family residential development	Approved by BCC	March 2015
VS-0031-15	Various patent easements and rights-of-way being Jensen Street and Oleta Way	Approved by BCC	March 2015

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Residential Suburban (up to 8 du/ac), Commercial Neighborhood, Commercial General	R-2, & H-2	Undeveloped & single family residence
South	Residential Medium (3 to 14 du/ac), Public Facility	R-2	Undeveloped
West	Residential Suburban (up to 8 du/ac)	R-E & R-2	Undeveloped & single family residence

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that 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

- Coordinate with Public Works-Map Team to grant private pedestrian access easements;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: CENTURY COMMUNITIES NEVADA, L.L.C

CONTACT: SONIA MACIAS, THOMASON CONSULTING ENGINEERS, 7080 LA CIENEGA STREET #200, LAS VEGAS, NV 89119

DRAFT



VACATION APPLICATION 8A

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

APPLICATION TYPE <input type="checkbox"/> VACATION & ABANDONMENT (VS) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____	STAFF	DATE FILED: <u>9/5/19</u> PLANNER ASSIGNED: <u>JVM</u> ACCEPTED BY: _____ FEE: \$ <u>875.00</u> CHECK #: <u>18431</u> COMMISSIONER: <u>JJ</u> OVERLAY(S)? <u>MUD 3</u> TRAILS? <input checked="" type="checkbox"/> PFNA? <input checked="" type="checkbox"/>	APP. NUMBER: <u>VS 19-0714</u> TAB/CAC <u>Enterprise</u> TAB/CAC DATE: <u>10/9/19</u> TIME: _____ PC MEETING DATE: <u>11/5/19</u> BCC MTG DATE: _____ ZONE / AE / RNP: <u>R-2</u> PLANNED LAND USE: <u>Ent RS</u>
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PROPERTY OWNER	NAME: <u>Century Communities Nevada LLC</u> ADDRESS: <u>6345 S. Jones Blvd Ste., 400</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-873-5338</u> CELL: _____ E-MAIL: <u>Rick.Barron@centurycommunities.com</u>
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APPLICANT	NAME: <u>Century Communities Nevada LLC</u> ADDRESS: <u>6345 S. Jones Blvd Ste., 400</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-873-5338</u> CELL: _____ E-MAIL: <u>Rick.Barron@centurycommunities.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>Sonia Macias @ Thomason Consulting Engineers</u> ADDRESS: <u>7080 La Cienega St. #200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-932-6125</u> CELL: <u>702-336-4071</u> E-MAIL: <u>smacias@tce-lv.com</u> REF CONTACT ID #: <u>170701</u>
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ASSESSOR'S PARCEL NUMBER(S): 170-19-210-015, 037, 042, 045, 070

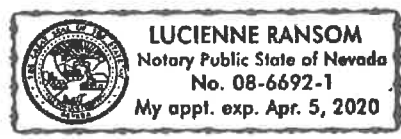
PROPERTY ADDRESS and/or CROSS STREETS: Serene Ave. / Grand Canyon Drive

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

Property Owner (Signature)*

Robert M. Beville
 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON July 25, 2019 (DATE)
 By Robert M. Beville
 NOTARY PUBLIC Lucienne Ransom



*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 4, 2019

TCE#227-18001

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

**Reference: Vacation of 1 foot wide Pedestrian Access Easement
Blue Diamond West unit 1
APN #176-19-210-015, 037, 042, 065, 070**

On behalf of Century Communities LLC, we respectfully request your consideration of the attached vacation of the 1 foot wide Pedestrian Access Easement.

Location: The parcels are generally located at Hualapai and Serene within Section 19, Township 22 South, Range 60 East.

Justification: This request to vacate the existing pedestrian access easements along lots 15, 65, 70, 121 and 126 in Blue Diamond West Unit 1 is to accommodate a site plan change that incorporates cul-de-sacs internal to the project. The existing easements extend beyond the sidewalks and into the private streets. New pedestrian access easements will be dedicated with the amended Final Map for Blue Diamond West that meet Clark County criteria and work with the revised site plan.

If you have any questions or require additional information, please feel free to contact us.

Sincerely,


Sonia Macias
Project Coordinator

11/05/19 PC AGENDA SHEET

RIGHTS-OF-WAY
(TITLE 30)

NEAL AVE/LAS VEGAS BLVD S

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-19-0728-PROSPECTUS ENDEAVORS 4, LLC:

VACATE AND ABANDON a portion of right-of-way being Neal Avenue located between Parvin Street (alignment) and Las Vegas Boulevard South, and a portion of right-of-way being Parvin Street located between Neal Avenue (alignment) and Loretta Lane (alignment) within Enterprise (description on file). MN/md/jd (For possible action)

RELATED INFORMATION:

APN:

191-05-601-022; 191-05-601-023

LAND USE PLAN:

ENTERPRISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

The plans depict the vacation and abandonment of a portion of right-of-way being Neal Avenue that was dedicated per document 0869:0828672. The portion of right-of-way being vacated measures 1,047 feet in length and is necessary to accommodate the required 5 foot wide detached (meandering) sidewalk along Neal Avenue. The second portion of right-of-way being vacated is Parvin Street that was dedicated per document number 20180608:00605. The portion of right-of-way being vacated measures 456 feet in length and is necessary to accommodate the 5 foot wide detached (meandering) sidewalk along Parvin Street. The applicant states a pedestrian access easement will be dedicated to encompass the proposed meandering sidewalk.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0922-17	High Impact Project consisting of a multiple family residential development with increased density	Approved by BCC	December 2017
RS-0146-16	Record of survey for Las Vegas Boulevard South -- recorded	Reviewed by Staff	September 2016
ZC-1500-06	Reclassified the site to H-1 zoning for future development	Approved by BCC	December 2006

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	H-1	Undeveloped
South	Commercial Tourist	R-E & H-2	Undeveloped
East	Commercial Tourist & Residential High (from 8 to 18 du/ac)	R-2 & R-3	Undeveloped & single family residences
West	Commercial Tourist	R-E	Undeveloped & single family residences

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

Staff has no objection to the vacation of right-of-way that is not necessary for site, drainage, or roadway development.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

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

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: HERITAGE SURVEYING

**CONTACT: HERITAGE SURVEYING, 5085 ATHERTON STREET, LAS VEGAS, NV
89134**

DRAFT

11/06/19 BCC AGENDA SHEET

RESTAURANT/DRIVE-THRU
(TITLE 30)

BLUE DIAMOND RD/ARVILLE ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
DR-19-0740-BD-ARVILLE, LLC:

DESIGN REVIEW for a fast food restaurant with a drive-thru on a portion of 1.8 acres in a C-2 (General Commercial) Zone.

Generally located on the south side of Blue Diamond Road and the west side of Arville Street within Enterprise. JJ/pb/jd (For possible action)

RELATED INFORMATION:

APN:
177-18-202-003 ptn

LAND USE PLAN:
ENTERPRISE - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: 4415 Blue Diamond Road
- Site Acreage: 1.8 (portion)
- Project Type: Restaurant with drive-thru
- Number of Stories: 1
- Building Height (feet): 24
- Square Feet: 2,481
- Parking Required/Provided: 26/26 (restaurant)/38/55 (total site)

Site Plans

The plans depict a proposed restaurant (Wendy's) with a drive-thru located on the western portion of a retail center with an existing convenience store and gasoline station located on the eastern portion of the site. A 13 foot wide drive-thru lane runs along the north, west, and south sides of the building. Access to the site is provided by 2 driveways with the first being on Blue Diamond Road and the other from Wigwam Avenue. An outside dining area is located on the east side of the building. Parking spaces are located to the east of the building. The plans also show a proposed trash enclosure located in an existing parking area to the southeast of the building.

Landscaping

Street landscaping consists of a 5 foot to 25 foot wide landscape area along Blue Diamond Road with an existing attached sidewalk and a minimum 5 foot wide landscape area along the southern property line. Interior parking lot trees are provided as required by Code. The landscape materials include trees, shrubs, and groundcover similar to the landscaping approved for the convenience store located on the eastern portion of the site.

Elevations

The building is between 17 feet and 24 feet high with a flat roof and parapet walls. The façade consists of cedar fiber cement panels and ledgestone bluff fiber cement panels. The drive-thru window is located on the south side of the building.

Floor Plans

The plans depict a 2,481 square foot building with a dining area, service area, cooler, storage area, and restrooms. A 173 square foot outside dining area is located on the east side of the building.

Signage

Signage is not a part of this application.

Applicant's Justification

The applicant indicates the design of the building will blend with the existing convenience store and gasoline station. The parking areas will be illuminated by new 20 foot high shielded "down light" posts to comply with Clark County regulations.

Prior Land Use Requests

Application Number	Request	Action	Date
TM-19-500036	Commercial subdivision	Approved by PC	April 2019
UC-0876-17	Reduced setback of a vehicle wash facility from residential use, waiver for reduced landscaping width, waiver of conditions of a zone change (ZC-0324-04) of landscape requirements along Blue Diamond Road, with a design review for a convenience store, gasoline station, and vehicle wash facility	Approved by BCC	December 2017
VS-0272-17	Vacated and abandoned a 5 foot wide portion of right-of-way being Arville Street and a 13 foot wide portion of right-of-way being Wigwam Avenue	Approved by PC	June 2017
DR-0207-17	Retail center with a convenience store, gasoline station, vehicle wash facility, and a restaurant with a drive-thru – expunged	Approved by BCC	May 2017
UC-0077-13	Established a convenience store, retail building, and a restaurant with a drive-thru – expired	Approved by BCC	April 2013

Prior Land Use Requests

Application Number	Request	Action	Date
VS-0707-09	Vacated and abandoned patent easements – recorded	Approved by PC	January 2010
DR-0530-09	Service station and restaurant with a drive-thru – expired	Approved by BCC	November 2009
ZC-0324-04	Reclassified the site from R-E to C-2 zoning	Approved by BCC	April 2004

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Suburban & Residential High (8 to 18 du/ac)	C-2 & R-2	Single family residential & undeveloped
South	Office professional	C-2 & H-2	Tire sales & undeveloped
East	Commercial Tourist	C-2	Undeveloped
West	Residential High (8 to 18 du/ac)	R-2	Single family residential

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Staff finds that the proposed building is being added on the last remaining portion of a retail center. The site is designed to maintain cross access and parking requirements and also utilize the existing ingress/egress, therefore, complying with Urban Land Use Policy 65 of the Comprehensive Master Plan which encourages commercial development designs that will provide opportunities for cross access with adjoining sites to reduce or limit points of ingress and egress on arterial/collector streets to reduce on-site and off-site traffic congestion and hazards. The building will be consistent with the existing building on-site in terms of architectural features, height, and style, which comply with part of Urban Land Use Policy 19 which encourages scale relationship between buildings and adjacent developments be carefully considered; therefore, staff can support this request.

Department of Aviation

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

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 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

- Compliance with Drainage Study PW17-58859;
- Traffic study and compliance.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0528-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: ROBERT DEHNER

CONTACT: SERGIO COMPARAN, SCA DESIGN, 2580 ST. ROSE PARKWAY, SUITE 305, HENDERSON, NV 89074

DRAFT



LAND USE APPLICATION 10A

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<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 checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF	DATE FILED: <u>9/12/19</u> PLANNER ASSIGNED: <u>ADP</u> ACCEPTED BY: <u>ADP</u> FEE: <u>\$850.00</u> CHECK #: <u>9862</u> COMMISSIONER: <u>JJ</u> OVERLAY(S)? <u>NA</u> PUBLIC HEARING? <u>(Y) N</u> TRAILS? <u>Y/N</u> PFNA? <u>Y/N</u> APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>DR-19-0740</u> TAB/CAC: <u>Enterprise</u> TAB/CAC MTG DATE: <u>9/10/19</u> TIME: <u>6:00</u> PG MEETING DATE: <u>9/10/19</u> BCC MEETING DATE: <u>11/6/19</u> ZONE / AE / RNP: <u>C2 WA</u> PLANNED LAND USE: <u>CB</u> NOTIFICATION RADIUS: <u>1000</u> SIGN? <u>Y/N</u> LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	PROPERTY OWNER	NAME: <u>BD & ARVILLE, LLC</u> ADDRESS: <u>6725 S. Eastern av. #2</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-868-7890</u> CELL: <u>702-612-5500</u> E-MAIL: <u>arif@activecommerciallv.com</u>	
	APPLICANT	NAME: <u>Robert Dehner</u> ADDRESS: <u>1919 S Jones Blvd Suite B</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u> TELEPHONE: <u>702-638-8547</u> CELL: <u>702-239-0289</u> E-MAIL: <u>rob@kittrelljensen.com</u> REF CONTACT ID #: _____	
	CORRESPONDENT	NAME: <u>SERGIO COMPARAN</u> ADDRESS: <u>2580 ST. ROSE PKWY. SUITE 305</u> CITY: <u>HENDERSON</u> STATE: <u>NV</u> ZIP: <u>89074</u> TELEPHONE: <u>(702) 719-2020</u> CELL: _____ E-MAIL: <u>sergio@scadesign.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 177-18-202-003

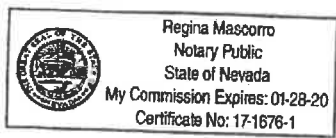
PROPERTY ADDRESS and/or CROSS STREETS: 4415 BLUE DIAMOND RD.

PROJECT DESCRIPTION: WENDY'S RESTAURANT

(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.

ABDUS ASIF
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON 8/2/19 (DATE)
 By Abdus ASIF
 NOTARY PUBLIC:



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



2580 St. Rose Parkway Suite 305
Henderson, NV 89074
Tel: (702) 719-2020 Fax: (702) 269-9675
Gary L. Carlson, Architect (License No. 1859)
Sheldon Colon, Architect (License No. 7701)

August 16, 2019

Clark County Comprehensive Planning Department
500 South Grand Central Parkway
Las Vegas, NV 89102

RE: Justification Letter for proposed Wendy's at Blue Diamond Rd. & Arville St.

Please accept this letter as justification for the proposed construction of a Wendy's located on the southwest corner of Blue Diamond Road and Arville Street (PAC: 177-18-202-003) currently zoned as General Commercial (C-2). On behalf of our client, we submit our request for a Design Review.

The building which is depicted on the site plan has a gross square footage of 2,481 square feet and stands 24 feet high. Its design intent is to harmoniously blend with the existing C-Store & Gas Station located on the same site. The building could be easily accessed from Blue Diamond Road & West Wigwam Avenue through existing driveways as well as new ADA compliant pedestrian walkways.

The required parking total of 26 spaces is provided including 1 car accessible space and 1 van accessible space. All parking can be easily accessed by customers and employees via walkways located at all building entrances. As shown on site plan, all parking is to be illuminated by new 20 foot tall shielded "down-light" posts to eliminate any light pollution outside of the site, and to comply with Clark County regulations. Additional wall mounted lighting is provided along the perimeter of the building which will help illuminate the walkways surrounding the building, making this building a safe and illuminated environment.

Adequate landscape is being provided in the form of terminal islands where parking occurs as well as diamonds. In addition, a required 15 foot minimum buffer with medium canopy size trees located 20 foot on center to meet code requirements is provided along Blue Diamond Road. All plants being used are low maintenance, low water, and native to Southern Nevada, complying with the regional SNRPC plant list.

The proposed trash enclosure is located on the south side of the site and shielded from the ROW by the proposed building. In addition, it will have an open lattice roof and splitface CMU walls to compliment the building. Landscaping will be provided surrounding the enclosure screening purpose, although still illuminated by a pole light to keep it safe for employees and away from vandalism.

We feel that this Wendy's Restaurant will attract new businesses to the area, which in return will create employment opportunities for the community. With these items in mind we respectfully ask for your approval recommendation for this project.

Thank you,

Sergio A. Comparan
SCA Design

11/06/19 BCC AGENDA SHEET

ERIE & EL CAMINO
(TITLE 30)

ERIE AVE/TORREY PINES DR

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

TM-19-500187-DEAN FAMILY TRUST ETAL & BROSSAU SANDRA TRS:

TENTATIVE MAP consisting of 44 single family residential lots and common lots on 5.0 acres in an RUD (Residential Urban Density) Zone.

Generally located on the north side of Erie Avenue, 950 feet east of Torrey Pines Drive within Enterprise. JJ/pb/jd (For possible action)

RELATED INFORMATION:

APN:

176-35-601-007; 176-35-601-008

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 5
- Number of Lots: 44
- Density (du/ac): 8.8
- Minimum/Maximum Lot Size: 2,905/3,781
- Project Type: Single family residential development

The plans depict a residential development totaling 44 single family lots and 6 common area lots on 5 acres. The density of the residential subdivision is 8.8 dwelling units per acre. The lots range in size from a minimum of 2,905 square feet to a maximum of 3,781 square feet. There are 17 lots on the eastern portion of the site which will front on and access El Camino Road while the remaining 27 lots will access Erie Avenue to the south via a 47 foot wide internal public street, which include an attached sidewalk on both sides of the street. The internal street is an overlength cul-de-sac. Also shown on plans is a common lot that is located at the northwest corner of the site constrained by a 100 foot wide NV Energy easement that is approximately 14,510 square feet in size with 10,906 square feet of usable open space. There are 5 other common element lots for a total of 20,549 square feet of open space and drainage easements.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-19-0131	Requested to reclassify the site from R-E to R-2 zoning for a proposed single family residential development	Withdrawn without prejudice by BCC	April 2019
TM-19-500039	31 single family residential lots	Withdrawn without prejudice by BCC	April 2019
UC-0497-01	Power transmission line corridor that is approximately 38.3 miles long	Approved by PC	June 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Residential High (8 du/ac to 18 du/ac)	R-E	Undeveloped
South	Residential Suburban (up to 8 du/ac)	R-2	Single family residential subdivision under construction
East	Residential Suburban (up to 8 du/ac)	R-E	Undeveloped

The subject site and the surrounding area are in the Public Facility Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
ZC-19-0718	A zone change to reclassify the site to RUD zoning for a single family residential development is a companion item on this agenda.
VS-19-0719	A vacation of patent easements and 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. Approval of this request is contingent upon approval of ZC-19-0718.

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 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 El Camino Road and associated spandrel;
- Clark County Fire Prevention approval of all over-length streets;
- Applicant shall coordinate with Public Works-Development Review to apply for a Bureau of Land Management (BLM) right-of-way grant for the El Camino Road alignment.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Current Planning Division - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided;
- Street A shall have an approved street name with the suffix of Court.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0529-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: D.R. HORTON

CONTACT: MARIA MORGAN, TRITON ENGINEERING, 6757 W. CHARLESTON BOULEVARD, SUITE B, LAS VEGAS, NV 89146



TENTATIVE MAP APPLICATION 11A

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

APPLICATION TYPE <input checked="" type="checkbox"/> TENTATIVE MAP (TM)	STAFF	DATE FILED: <u>9/6/19</u> PLANNER ASSIGNED: _____ ACCEPTED BY: <u>[Signature]</u> FEE: <u>9750.00</u> CHECK #: _____ COMMISSIONER: <u>JJ</u> OVERLAY(S)? <u>NA</u> TRAILS? Y/ <u>N</u> PFNA? <u>0</u> /N	APP. NUMBER: <u>TM-19-500187</u> TAB/CAC: <u>Enterprise</u> TAB/CAC MTG DATE: <u>10/18/19</u> TIME: <u>400</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>11/6/19</u> ZONE / AE / RNP: <u>RD/NA</u> PLANNED LAND USE: <u>AH</u> NOTES: <u>26-19-0718</u>
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PROPERTY OWNER	NAME: <u>Wizard of Oz Irrevocable Trust (Agent: David J. Cabral of AACOM Mgt., LLC.)</u> ADDRESS: <u>PO Box 400188</u> CITY: <u>Las Vegas</u> STATE: <u>NV.</u> ZIP: <u>89140</u> TELEPHONE: _____ CELL: _____ E-MAIL: <u>djc@aacomlv.com</u>
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APPLICANT	NAME: <u>DR Horton, Inc.</u> ADDRESS: <u>1081 Whitney Ranch Drive, Suite #141</u> CITY: <u>Henderson</u> STATE: <u>NV.</u> ZIP: <u>89014</u> TELEPHONE: <u>702.635.3600</u> CELL: _____ E-MAIL: <u>jrgenovese@drhorton.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>Triton Engineering</u> ADDRESS: <u>6757 W. Charleston Blvd., Suite B</u> CITY: <u>Las Vegas</u> STATE: <u>NV.</u> ZIP: <u>89146</u> TELEPHONE: <u>702.254.1480</u> CELL: _____ E-MAIL: <u>mmorgan@tritoneng.com</u> REF CONTACT ID #: _____
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ASSESSOR'S PARCEL NUMBER(S): 176-35-601-008

PROPERTY ADDRESS and/or CROSS STREETS: Erie Avenue & El Camino

TENTATIVE MAP NAME: Erie El Camino

NUMBER OF LOTS: _____ GROSS/NET ACREAGE _____ GROSS/NET DENSITY _____

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

Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON August 29, 2019 (DATE)
 By David J. Cabral

NOTARY PUBLIC: Evelyn Alexakis

EVELYN ALEXAKIS
 Notary Public State of Nevada
 No. 05-97945-1
 My Appt. Exp. June 14, 2021

*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.

Triton Engineering

September 06, 2019

Phil Blount, Principal Planner
Clark County Nevada
Department of Comprehensive Planning
500 S. Grand Central Parkway
Las Vegas, NV 89155

74-19-500187

**Subject: LETTER OF INTENT - DR HORTON, INC., - Erie El Camino
Tentative Map, Zone Changes, Design Reviews, Waivers and Vacation Submittals
APN #176-35-601-007 & 008**

As representatives of DR Horton, Inc., we respectfully request your consideration of the attached requests for Zone Change, Design Reviews, Waivers and Vacation applications to accompany our Tentative Map. The subject property is located within incorporated Clark County. The proposed site is located North of W. Erie Avenue between S. Torrey Pines Dr. and S. Jones Blvd. located within Section 35, Township 22, Range 60.

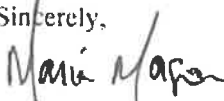
DR Horton, Inc. is proposing developing 44 single family detached residences on 5.0 acres, for a density of 8.8 per gross acres and 10.33 per net acres. The current zoning is Rural Estates Residential (RE) and Residential High (RH) Planned Land use. We are proposing a zone change to Residential Urban Density (RUD). The minimum lot size required is 2,000 square feet; our smallest lot is 2,905 square feet and our largest lot is 3,781 square feet. This will be a non-gated community with public streets. There will be an Open Space of 10,906 SF where 8,800 SF is required. This park will provide amenities such as, dog waste stations, grills, picnic tables and benches.

The production models are numbered 1735, 1835, 1935, and 2035. This development has two story homes ranging from 1,735 to 2,035 square feet containing four different elevations. These plans have 3 to 4 bedrooms with a great room or loft. All homes will include a 2-car garage. The average backyard size is anticipated to be 10' deep and will not contain patios.

Due to the limited size of the property, the projected density and being it is surrounded by BLM land, as well as NVE overhead transmission lines encumbering the Northwest corner of the property, we are requesting waivers of certain development standards on behalf of DR Horton, Inc. Concerning rear yard setbacks per Title 30.40-2, we are requesting a reduction of 5' from the required 15' setback to 10'. We are also requesting a waiver regarding the uniform standard 212.1.S1., which requires a maximum of 500' in length for a street containing a Cul-de-sac. We are requesting an overlength of a proposed cul-de-sac for one street. We are requesting an extension to 640.10'. (Please see the attached exhibit).

We are also submitting vacation request for two 33' and one 3' government BLM patent easements, as well as, a 5' Public Right of Way. The two 33' patent easements are located on the North and West side of the properties. There will be a 3' patent easement remnant on the East side of the property after El Camino is dedicated. On the North side of Erie, there is a 40' Right of Way and on the South side a 35' Right of Way. We will be matching the 35' Right of Way that will cause a 5' Public Right of Way to be vacated.

Should there be any questions or require additional information please contact me at 702.254.1480.

Sincerely,

Maria Morgan
Project Coordinator

6757 W. Charleston Blvd., Suite B • Las Vegas, Nevada 89146
Office: (702) 254-1480 • Fax: (702) 254-3062 • www.tritoneng.com

11/06/19 BCC AGENDA SHEET

QUARTERHORSE & OLETA
(TITLE 30)

QUARTERHORSE LN/OLETA AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-19-500191-BLUE SAND HOLDINGS, LLC;

TENTATIVE MAP consisting of 18 single family residential lots and common lots on 2.5 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the north side of Oleta Avenue (alignment) and the east side of Quarterhorse Lane (alignment) within Enterprise. JJ/al/ja (For possible action)

RELATED INFORMATION:

APN:
176-20-201-005

LAND USE PLAN:
ENTERPRISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:
Project Description
General Summary

- Site Address: N/A
- Site Acreage: 2.5
- Number of Lots: 18 residential/1 common
- Density (du/ac): 7.2
- Minimum/Maximum Lot Size (square feet): 3,360/5,463
- Project Type: Single family residential development

The plans depict a single family residential development consisting of 18 lots on 2.5 acres with a density of 7.2 dwelling units per acre. Access to the proposed subdivision is provided from Oleta Avenue located on the south side of the site. The plan depicts 48 foot wide public streets within the development with 5 foot wide sidewalks located on each side of the streets. The plan depicts a common lot located on the northwest corner of the site. This common lot is for an existing cell tower site.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0127-11	Increased the height of an existing communication tower	Approved by PC	May 2011

Prior Land Use Requests

Application Number	Request	Action	Date
UC-1431-00	Communication tower and related ground mounted equipment	Approved by PC	October 2000

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Residential Suburban (up to 8 du/ac)	R-2	Single family residences
South	Residential Suburban (up to 8 du/ac)	H-2	Undeveloped
West	Residential Suburban (up to 8 du/ac) & Commercial General	R-2 & H-2	Single family residences & undeveloped

This site and the surrounding area are located within the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
ZC-19-0734	A zone change to reclassify the site to an R-2 zone for a single family residential development is a companion item on the agenda.
VS-19-0735	A vacation of easements is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis**Current Planning**

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

Staff Recommendation

Approval.

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 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;
- Full off-site improvements;
- Right-of-way dedication to include the remaining portion of the knuckle for Quarterhorse Lane on the northwest corner of the site and 30 feet for Oleta Avenue;
- Apply for a BLM right-of-way grant for Oleta Avenue;
- Reconstruct the curb cut on Quarterhorse Lane with full off-site improvements;
- Coordinate driveway improvements for the existing communication tower 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;
- Oxford Blue Court shall have an approved suffix.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0599-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: ANDREW ACUNA

CONTACT: JANNA FELIPE, TANEY ENGINEERING CORP, 6030 S. JONES BOULEVARD, SUITE 100, LAS VEGAS, NV 89118



TENTATIVE MAP APPLICATION 12A

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

APPLICATION TYPE <input checked="" type="checkbox"/> TENTATIVE MAP (TM)	STAFF	DATE FILED: <u>9-12-19</u> PLANNER ASSIGNED: <u>KT</u> ACCEPTED BY: <u>AL</u> FEE: <u>250.00</u> CHECK #: <u>25763</u> COMMISSIONER: <u>TJ</u> OVERLAY(S)? <u>MUD-3</u> TRAILS? Y <input checked="" type="checkbox"/> N <input type="checkbox"/> PFNA? <input checked="" type="checkbox"/> N <input type="checkbox"/>	APP. NUMBER: <u>TM-19-500191</u> TAB/CAC: <u>Ente per</u> TAB/CAC MTG DATE: <u>10-8</u> TIME: <u>6P</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>11-6 9AM</u> ZONE / AE / RNP: <u>M-2 160A</u> PLANNED LAND USE: <u>RS</u> NOTES: _____
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PROPERTY OWNER	NAME: <u>Blue Sand Holdings, LLC</u> ADDRESS: <u>3425 cliff shadows pkwy #110</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89129</u> TELEPHONE: <u>702-365-8588</u> CELL: _____ E-MAIL: <u>andrewa@summithomesnv.com</u>
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APPLICANT	NAME: <u>Summit Homes of Nevada</u> ADDRESS: <u>3425 Cliff Shadows Pkwy, Suite 110</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89129</u> TELEPHONE: <u>(702)365-8588</u> CELL: _____ E-MAIL: <u>andrewa@summithomesnv.com</u> REF CONTACT ID #: <u>186011</u>
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CORRESPONDENT	NAME: <u>Taney Engineering, Attn: Janna Felipe</u> ADDRESS: <u>6030 S. Jones Blvd.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-362-8844</u> CELL: _____ E-MAIL: <u>jannaf@taneycorp.com</u> REF CONTACT ID #: <u>186713</u>
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ASSESSOR'S PARCEL NUMBER(S): 176-20-201-005

PROPERTY ADDRESS and/or CROSS STREETS: Quarterhorse and Oleta

TENTATIVE MAP NAME: Quarterhorse and Oleta

NUMBER OF LOTS: 18 GROSS/NET ACREAGE 2.5 GROSS/NET DENSITY 7.2

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.

<u>[Signature]</u> Property Owner (Signature)*	<u>Albert Taban, Manager of BLUE SAND HOLDINGS, LLC</u> Property Owner (Print)
STATE OF _____	
COUNTY OF _____	
SUBSCRIBED AND SWORN BEFORE ME ON _____ (DATE)	
By _____	<u>see attached</u>
NOTARY PUBLIC: _____	

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

**CALIFORNIA ALL-PURPOSE
CERTIFICATE OF ACKNOWLEDGMENT**

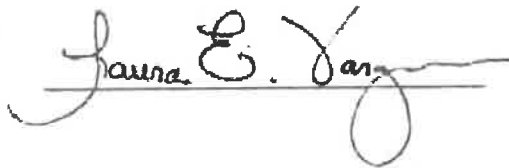
A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } S.S.

On August 28, 2019, before me, Laura E. Vargas, Notary Public, personally appeared Albert Taban, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.



(Notary Seal)



DESCRIPTION OF THE ATTACHED DOCUMENT:

Date of Document: August 27, 2019
Name of Document: Tentative Map Application
Reference: Blue Sand Holdings, LLC / 176-25-501-007



TANEY ENGINEERING

6030 S. JONES BLVD. LAS VEGAS, NV 89118
PHONE: (702) 362-8844 | FAX: (702) 362-5233
TANEYCORP.COM

September 5, 2019

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

**Re: Quarterhorse and Oleta – Tentative map hold letter
(APN: 176-20-201-005)**

Dear Planner:

Taney Engineering, on behalf of our client, Summit Homes of Nevada, realizes the tentative map will not be acted within NRS time frames. We respectfully request that the tentative map is submitted concurrently with our other land use applications (Vacation, Waiver of Standards, Conforming Zone change, and Design Review).

Respectfully,
Taney Engineering

Janna Felipe

11/06/19 BCC AGENDA SHEET

PARAGON ILLUSTRIA
(TITLE 30)

ULLOM DR/FRIAS AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-19-500193-LUCE, RONALD D. & INDIGO SERVICES:

TENTATIVE MAP consisting of 53 single family residential lots and common lots on 5.0 acres in an R-3 (Multiple Family Residential) Zone.

Generally located on the east and west sides of Ullom Drive (alignment), 320 feet north of Frias Avenue within Enterprise. JJ/al/ja (For possible action)

RELATED INFORMATION:

APN:

177-30-301-008; 177-30-301-009; 177-30-301-014

LAND USE PLAN:

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

ENTERPRISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.5 zone change/5 residential development
- Number of Lots: 53
- Density (du/ac): 10.6
- Minimum/Maximum Lot Size (square feet): 2,589/4,166
- Project Type: Single family residential development
- Open Space Required/Provided: 6,360 square feet/12,464 square feet

The plan depicts a single family residential development consisting of 53 lots with a density of 10.6 dwelling units per acre. The site is bisected by Ullom Drive with 25 lots located on the western half of the site and 28 lots on the eastern half. The plan depicts 12 lots will take direct access from Ullom Drive (6 on each side of the street) and there will be a 5 foot wide sidewalk on each side of the streets. Access for the remaining lots within the development will be provided by 42 foot wide private streets with a 4 foot wide sidewalk located on 1 side of the street. The plans depict dead-end streets on each side of the development that terminate with hammerhead cul-de-sacs rather than the County preferred radius cul-de-sac design.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-18-0518	Multiple family residential development on the eastern half of the site	Approved by BCC	September 2018
NZC-0925-17	Reclassified the eastern half of the site to R-3 zoning for a multiple family residential development	Approved by BCC	January 2018
VS-0929-17	Vacated and abandoned easements and portions of rights-of-way being Haleh Avenue & Ullom Drive	Approved by BCC	January 2018

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential High (8 to 18 du/ac) & Residential Suburban (up to 8 du/ac)	R-E	Undeveloped
South	Residential High (8 to 18 du/ac) & Commercial General	C-2 & R-E	Mini-warehouse facility & undeveloped
East	Residential Suburban (up to 8 du/ac)	R-E	Undeveloped
West	Residential High (8 to 18 du/ac)	R-E	Undeveloped

Related Applications

Application Number	Request
ZC-19-0741	A zone change to reclassify a portion of the site to an R-3 zone with design review for a single family residential development is a companion item on this agenda.
VS-19-0756	A vacation of easements is a companion item on this agenda.
WC-19-400126 (NZC-0925-17)	A waiver of conditions of a zone change (east half of site) 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. However, staff does not support the design review portion of ZC-19-0741; therefore, cannot support the tentative map.

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

Denial.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- 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 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 60 feet for Ullom Drive, 15 feet for Haleh Avenue, and associated spandrels;
- 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.

Department of Aviation

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0340-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: PARAGON LIFE, LLC

CONTACT: PETER LAAS, IMPULSE CIVIL ENGINEERING, 7485 W. AZURE DRIVE, SUITE 226, LAS VEGAS, NV 89118

DRAFT



TENTATIVE MAP APPLICATION 13A

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

APPLICATION TYPE	STAFF	DATE FILED: <u>9-12-19</u>	APP. NUMBER: <u>TM-FE-500193</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: <u>AI</u>	TAB/CAC: <u>Fahyama</u>
		ACCEPTED BY: <u>AI</u>	TAB/CAC MTG DATE: <u>10-9</u> TIME: <u>6 P.</u>
		FEE: <u>750</u>	PC MEETING DATE: _____
		CHECK #: _____	BCC MEETING DATE: <u>11-6</u> <u>9A</u>
		COMMISSIONER: <u>JJ</u>	ZONE / AE / RNP: <u>R-3</u>
		OVERLAY(S)? <u>NB</u>	PLANNED LAND USE: <u>RH RS</u>
		TRAILS? Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	PFNA? Y <input type="checkbox"/> N <input checked="" type="checkbox"/>
		NOTES: _____	

PROPERTY OWNER	NAME: <u>LUCE RONALD D. & INDIGO SERVICES</u>
	ADDRESS: <u>10368 Brighton Hill Avenue</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89129</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

APPLICANT	NAME: <u>Paragon Life, LLC</u>
	ADDRESS: <u>6402 MCLEOD DRIVE, UNIT 1</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u>
	TELEPHONE: <u>702-988-0978</u> CELL: <u>702-277-0097</u>
	E-MAIL: <u>mo.seebeck@paragon.life</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Peter Laas - Impulse Civil Engineering, LLC</u>
	ADDRESS: <u>7485 WEST AZURE DRIVE, SUITE 226</u>
	CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89130</u>
	TELEPHONE: <u>702-815-0720</u> CELL: <u>702-308-7115</u>
	E-MAIL: <u>plaas@impulsecivil.net</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-30-301-014, 177-30-301-009, & 177-30-301-008

PROPERTY ADDRESS and/or CROSS STREETS: Ullom Drive & West Frias Avenue

TENTATIVE MAP NAME: _____

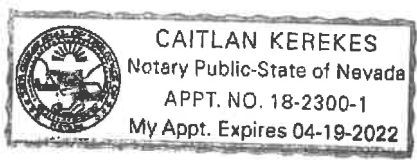
NUMBER OF LOTS: _____ GROSS/NET ACREAGE _____ GROSS/NET DENSITY _____

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)* MARGUERITE E. LUCE Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 7/12/19 (DATE)
 By Marguerite E. Luce
 NOTARY PUBLIC: [Signature]



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



TENTATIVE MAP APPLICATION

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

APPLICATION TYPE	STAFF	DATE FILED: _____	APP. NUMBER: _____
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: _____	TAB/CAC: _____
		ACCEPTED BY: _____	TAB/CAC MTG DATE: _____ TIME: _____
		FEE: _____	PC MEETING DATE: _____
		CHECK #: _____	BCC MEETING DATE: _____
		COMMISSIONER: _____	ZONE / AE / RNP: _____
		OVERLAY(S)? _____	PLANNED LAND USE: _____
		TRAILS? Y / N _____	PFNA? Y / N _____
			NOTES: _____

PROPERTY OWNER	NAME: <u>Jerry's Nugget</u>
	ADDRESS: <u>1821 Las Vegas Blvd North</u>
	CITY: <u>North Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89030</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

APPLICANT	NAME: <u>Paragon Life, LLC</u>
	ADDRESS: <u>6402 MCLEOD DRIVE, UNIT 1</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u>
	TELEPHONE: <u>702-988-0978</u> CELL: <u>702-277-0097</u>
	E-MAIL: <u>mo.seebeck@paragon.life</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Peter Laas - Impulse Civil Engineering, LLC</u>
	ADDRESS: <u>7485 WEST AZURE DRIVE, SUITE 226</u>
	CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89130</u>
	TELEPHONE: <u>702-815-0720</u> CELL: <u>702-308-7115</u>
	E-MAIL: <u>plaas@impulsecivil.net</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-30-301-014, 177-30-301-009, & 177-30-301-008

PROPERTY ADDRESS and/or CROSS STREETS: Ullom Drive & West Frias Avenue

TENTATIVE MAP NAME: _____

NUMBER OF LOTS: _____ GROSS/NET ACREAGE _____ GROSS/NET DENSITY _____

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.

<p>_____ Property Owner (Signature)*</p> <p>STATE OF <u>TEXAS</u> COUNTY OF <u>DALLAS</u></p> <p>SUBSCRIBED AND SWORN BEFORE ME ON <u>July 15th, 2019</u> (DATE) By <u>Jeremy Stamis</u></p> <p>NOTARY PUBLIC: _____</p>	<p style="text-align: center;">Jeremy Stamis</p> <p>Property Owner (Print)</p>	<div style="border: 1px solid black; padding: 5px;"> <p>LOUIS KROPF</p> <p>ID NUMBER 131965578</p> <p>COMMISSION EXPIRES APRIL 9, 2023</p> </div>
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*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.



TENTATIVE MAP APPLICATION

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

APPLICATION TYPE	STAFF	DATE FILED: _____	APP. NUMBER: _____
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: _____	TAB/CAC: _____
		ACCEPTED BY: _____	TAB/CAC MTG DATE: _____ TIME: _____
		FEE: _____	PC MEETING DATE: _____
		CHECK #: _____	BCC MEETING DATE: _____
		COMMISSIONER: _____	ZONE / AE / RNP: _____
		OVERLAY(S)? _____	PLANNED LAND USE: _____
		TRAILS? Y / N _____	PFNA? Y / N _____
			NOTES: _____

PROPERTY OWNER	NAME: <u>Monarch Luxury Apartments, LLC</u> ADDRESS: <u>16 Bent Oak</u> CITY: <u>Trabuco Canyon</u> STATE: <u>CA</u> ZIP: <u>92679</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____
-----------------------	---

APPLICANT	NAME: <u>Paragon Life, LLC</u> ADDRESS: <u>6402 MCLEOD DRIVE, UNIT 1</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u> TELEPHONE: <u>702-988-0978</u> CELL: <u>702-277-0097</u> E-MAIL: <u>mo.seebeck@paragon.life</u> REF CONTACT ID #: _____
------------------	--

CORRESPONDENT	NAME: <u>Peter Laas - Impulse Civil Engineering, LLC</u> ADDRESS: <u>7485 WEST AZURE DRIVE, SUITE 226</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89130</u> TELEPHONE: <u>702-815-0720</u> CELL: <u>702-308-7115</u> E-MAIL: <u>plaas@impulsecivil.net</u> REF CONTACT ID #: _____
----------------------	--

ASSESSOR'S PARCEL NUMBER(S): ~~177-30-301-014~~, 177-30-301-009, & ~~177-30-301-008~~

PROPERTY ADDRESS and/or CROSS STREETS: Ullom Drive & West Frias Avenue

TENTATIVE MAP NAME: _____

NUMBER OF LOTS: _____ GROSS/NET ACREAGE _____ GROSS/NET DENSITY _____

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

 Property Owner (Signature)*

 Property Owner (Print)

STATE OF _____
 COUNTY OF _____

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

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

CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

- See Attached Document (Notary to cross out lines 1-6 below)
- See Statement Below (Lines 1-6 to be completed only by document signer[s], not Notary)

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

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

State of California

County of ORANGE

Subscribed and sworn to (or affirmed) before me

on this 17 day of JULY, 2019
by Date Month Year

(1) RICK A ABELSON

(and (2) N/A),
Name(s) of Signer(s)

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

Signature [Signature]

Signature of Notary Public



Place Notary Seal and/or Stamp Above

OPTIONAL

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

Description of Attached Document

Title or Type of Document: TENTATIVE MAP APPLICATION

Document Date: N/A Number of Pages: 01

Signer(s) Other Than Named Above: N/A

Impulse

Civil Engineering & Planning

7485 West Azure Drive, Suite 226

Las Vegas, NV 89130

PHONE 702-815-0720

impulse-ce@cox.net

September 2, 2019

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

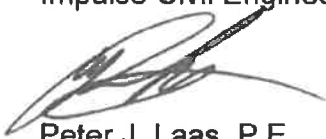
**Re: Request to Hold Illustria by Paragon
Impulse Reference Number PL1901**

To Whom it May Concern:

The proposed Illustria by Paragon project by Paragon Life is generally located at the northeast corner of Ullom Drive and Frias Avenue, in Section 30, of Township 22 South, Range 61 East, M.D.M. Clark County, Nevada. The site consists of parcel APN 177-30-301-008, 177-30-301-009, and 177-30-301-014. The purpose of this letter is to request that the tentative map be held to the same meeting dates as the companion applications of a design review, waiver of conditions, waiver of development standards, and conforming zone change. This request would ensure that all three items would be heard at the same town board and at the same Planning Commission.

If you have any questions or comments about this letter, please call me at 308-7115.

Sincerely,
Impulse Civil Engineering



Peter J. Laas, P.E.
Principal

cc: Mo Seebeck, Paragon Life Builders

$$I = \int F \cdot dt$$

11/06/19 BCC AGENDA SHEET

HIGHLANDS RANCH UNIT 28
(TITLE 30)

FRIAS AVE/JONES BLVD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

TM-19-500194-HLI, LLC:

TENTATIVE MAP consisting of 162 single family residential lots and common lots on 59.1 acres in an R-E (Rural Estates Residential) Zone, R-2 (Medium Density Residential) Zone, and R-3 (Multiple Family Residential) Zone.

Generally located on the east side of Jones Boulevard and the north and south sides of Frias Avenue (alignment) within Enterprise. JJ/al /xx (For possible action)

RELATED INFORMATION:

APN:

176-25-301-016; 176-25-301-022; 176-25-401-001; 176-25-401-003 through 176-25-401-005; 176-25-401-010; 176-25-401-015; 176-25-401-021

LAND USE PLAN:

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

ENTERPRISE - RESIDENTIAL MEDIUM (FROM 3 DU/AC TO 14 DU/AC)

ENTERPRISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 23 zone change/59.1 site
- Number of Lots: 162 residential/18 common
- Density (du/ac): 2.7 site/7.1 for R-2 portion of site
- Minimum/Maximum Lot Size (square feet): 3,428/10,425
- Project Type: Single family residential development

Site Plan

The plan depicts a single family residential development consisting of 162 residential lots and 18 common lots on a total of 59.1 acres with a density of 2.7 dwelling units per acre. The site is a mix of R-E, R-2, and R-3 zoned districts. The zone change portion of this request is to reclassify 23 acres into an R-2 zoning district and the proposed 162 residential lots will all be located within these 23 acres. The plans depict a large common lot (Common Lot A) located along the northern, eastern, and southern portions of the site that has an area of approximately 36.8 acres. This common lot consists of the portions of the site that are not being reclassified to an R-2 zone per this request and will be developed at a future date. Access to the development is provided from Cactus Avenue to the south and Frias Avenue to the north. Access within the proposed

development is provided by 42 foot wide private streets with a 4 foot wide sidewalk located on 1 side of the street. There is an existing overhead power transmission line corridor with a 100 foot wide easement located along the eastern boundary of the proposed development. The plans depict a private street and additional common lots within this easement.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1624-06	Reclassified 25 acres including portions of this site to R-2 zoning for future development	Approved by BCC	January 2007
ZC-0362-04	Reclassified 30 acres including portions of this site to RUD zoning for future residential development	Approved by BCC	May 2004
ZC-1517-03	Reclassified 90 acres including portions of this site to R-2 zoning for future residential development	Approved by BCC	October 2003
UC-0497-01	Overhead power transmission line corridor that passes through a portion of this site	Approved by PC	June 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential High (8 to 18 du/ac) & Residential Suburban (up to 8 du/ac)	R-3 & R-2	Single family residences & undeveloped
South	Major Development Project, Residential Suburban (up to 8 du/ac)	R-2	Single family residences & undeveloped
East	Residential Suburban (up to 8 du/ac)	R-E & R-2	Single family residences & undeveloped
West	Residential Suburban (up to 8 du/ac) Public Facilities & Commercial Neighborhood	R-E & R-2	Single family residences & undeveloped

This site and the surrounding area are located within the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
ZC-19-0743	A zone change to reclassify a portion of the site to an R-2 zone for a single family residential development is a companion item on this agenda.
VS-19-0744	A vacation of easements and rights-of-way is a companion item on this agenda.
WC-19-00127 (ZC-1624-06)	A waiver of conditions for right-of-way dedication 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 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.

Current Planning Division - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided;
- Bubble streets greater than 100 feet in length shall be named with the suffix of Court.

Department of Aviation

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0532-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: AMERICAN WEST DEVELOPMENT, INC.
CONTACT: SLATER HANIFAN GROUP, 5740 S. ARVILLE ST, STE 216, LAS VEGAS,
NV 89118

DRAFT



TENTATIVE MAP APPLICATION 14A

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

APPLICATION TYPE <input checked="" type="checkbox"/> TENTATIVE MAP (TM)	STAFF	DATE FILED: <u>7-13-19</u> PLANNER ASSIGNED: <u>AI</u> ACCEPTED BY: <u>AI</u> FEE: <u>750⁰⁰</u> CHECK #: <u>99584</u> COMMISSIONER: <u>JJ</u> OVERLAY(S)? <u>NA</u> TRAILS? Y/ <input checked="" type="checkbox"/> N	APP. NUMBER: <u>TA 19-500194</u> TAB/CAC: <u>Entire parcel</u> TAB/CAC MTG DATE: <u>109</u> TIME: <u>6P</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>11-6 9A</u> ZONE / AE / RNP: <u>R3R40R2RE</u> PLANNED LAND USE: <u>R4 RM RS</u> NOTES: _____
---	--------------	--	---

PROPERTY OWNER	NAME: <u>HLI, LLC</u> ADDRESS: <u>250 Pilot Road, Suite 140</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-736-6434</u> CELL: _____ E-MAIL: <u>ksaffle@americanwesthomes.com</u>
-----------------------	---

APPLICANT	NAME: <u>American West Development, Inc.</u> ADDRESS: <u>250 Pilot Road, Suite 140</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-736-6434</u> CELL: _____ E-MAIL: <u>ksaffle@americanwesthomes.com</u> REF CONTACT ID #: _____
------------------	--

CORRESPONDENT	NAME: <u>Slater Hanifan Group a Westwood Team attn: Chelsea Jensen</u> ADDRESS: <u>5740 S. Arville St # 216</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-284-5300</u> CELL: _____ E-MAIL: <u>lvproc@westwoodps.com</u> REF CONTACT ID #: _____
----------------------	---

ASSESSOR'S PARCEL NUMBER(S): 176-25-301-016, 176-25-401-003, -004, -010, -015, -022

PROPERTY ADDRESS and/or CROSS STREETS: Jones/Cactus

TENTATIVE MAP NAME: Highlands Ranch Unit 28

NUMBER OF LOTS: _____ GROSS/NET ACREAGE _____ GROSS/NET DENSITY _____

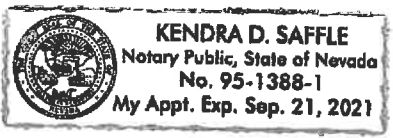
I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Lawrence D. Canarelli
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON August 28, 2019 (DATE)
 By Lawrence D. Canarelli

NOTARY PUBLIC:



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



TENTATIVE MAP APPLICATION

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

APPLICATION TYPE	STAFF	DATE FILED: _____	APP. NUMBER: _____
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: _____	TAB/CAC: _____
		ACCEPTED BY: _____	TAB/CAC MTG DATE: _____ TIME: _____
		FEE: _____	PC MEETING DATE: _____
		CHECK #: _____	BCC MEETING DATE: _____
		COMMISSIONER: _____	ZONE / AE / RNP: _____
		OVERLAY(S)? _____	PLANNED LAND USE: _____
		TRAILS? Y / N _____	PFNA? Y / N _____
			NOTES: _____

PROPERTY OWNER	NAME: <u>Gameday, LLC</u> ADDRESS: <u>250 Pilot Road, Suite 140</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-736-6434</u> CELL: _____ E-MAIL: <u>ksaffle@americanwesthomes.com</u>
-----------------------	---

APPLICANT	NAME: <u>American West Development, Inc.</u> ADDRESS: <u>250 Pilot Road, Suite 140</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-736-6434</u> CELL: _____ E-MAIL: <u>ksaffle@americanwesthomes.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>Slater Hanifan Group a Westwood Team attn: Chelsea Jensen</u> ADDRESS: <u>5740 S. Arville St # 216</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-284-5300</u> CELL: _____ E-MAIL: <u>lvproc@westwoodps.com</u> REF CONTACT ID #: _____
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ASSESSOR'S PARCEL NUMBER(S): 176-25-401-001 and 176-25-401-005

PROPERTY ADDRESS and/or CROSS STREETS: Jones/Cactus

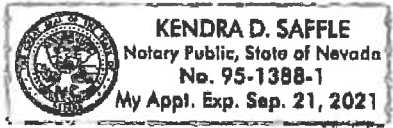
TENTATIVE MAP NAME: Highlands Ranch Unit 28

NUMBER OF LOTS: _____ **GROSS/NET ACREAGE** _____ **GROSS/NET DENSITY** _____

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.

Lawrence D. Canarelli
Property Owner (Signature)* **Property Owner (Print)**

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON August 28, 2019 (DATE)
 By Lawrence D. Canarelli
 NOTARY PUBLIC:



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



TENTATIVE MAP APPLICATION

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

APPLICATION TYPE <input checked="" type="checkbox"/> TENTATIVE MAP (TM)	STAFF	DATE FILED: _____ PLANNER ASSIGNED: _____ ACCEPTED BY: _____ FEE: _____ CHECK #: _____ COMMISSIONER: _____ OVERLAY(S)? _____ TRAILS? Y / N _____ PFNA? Y / N _____	APP. NUMBER: _____ TAB/CAC: _____ TAB/CAC MTG DATE: _____ TIME: _____ PC MEETING DATE: _____ BCC MEETING DATE: _____ ZONE / AE / RNP: _____ PLANNED LAND USE: _____ NOTES: _____
---	--------------	---	---

PROPERTY OWNER	NAME: <u>GFT Lands, LLC</u> ADDRESS: <u>250 Pilot Road, Suite 140</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-736-6434</u> CELL: _____ E-MAIL: <u>ksaffle@americanwesthomes.com</u>
-----------------------	---

APPLICANT	NAME: <u>American West Development, Inc.</u> ADDRESS: <u>250 Pilot Road, Suite 140</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-736-6434</u> CELL: _____ E-MAIL: <u>ksaffle@americanwesthomes.com</u> REF CONTACT ID #: _____
------------------	--

CORRESPONDENT	NAME: <u>Slater Hanifan Group a Westwood Team attn: Chelsea Jensen</u> ADDRESS: <u>5740 S. Arville St # 216</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-284-5300</u> CELL: _____ E-MAIL: <u>lvproc@westwoodps.com</u> REF CONTACT ID #: _____
----------------------	---

ASSESSOR'S PARCEL NUMBER(S): 176-25-301-022

PROPERTY ADDRESS and/or CROSS STREETS: Jones/Cactus

TENTATIVE MAP NAME: Highlands Ranch Unit 28

NUMBER OF LOTS: _____ GROSS/NET ACREAGE _____ GROSS/NET DENSITY _____

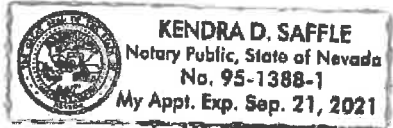
I, (We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

 Lawrence D. Canarelli
 Property Owner (Print)

Property Owner (Signature)*
 STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON August 28, 2019 (DATE)
 By Lawrence D. Canarelli

NOTARY PUBLIC:



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



AWD1905

September 13, 2019

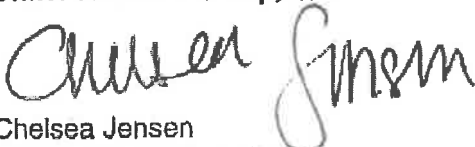
Al Laird
Clark County Comprehensive Planning
500 South Grand Central Parkway
Las Vegas, NV 89155-4000

SUBJECT: Tentative Map for Highlands Ranch Unit 28

Dear Mr. Laird

On behalf of our client American West Development we respectfully request the Tentative Map to be heard at the Board of County Commissioners meeting concurrently with the Vacation, Zone Change, Waiver and Design Review. It is our understanding per Nevada Revised Statutes that Tentative Maps are required to have Commission actions within 45 days. However, American West Development would like the applications to go concurrent since they are companion items on the same site.

Sincerely,
Slater Hanifan Group, Inc.



Chelsea Jensen
Senior Project Coordinator

11/06/19 BCC AGENDA SHEET

MARIJUANA ESTABLISHMENT
(RETAIL STORE)
(TITLE 30)

CACTUS AVE/VALLEY VIEW BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-19-0751-HARRISON KEMP & JONES 401 PLAN, ET AL:

USE PERMIT to allow a marijuana establishment (retail store) in conjunction with an existing retail center on a portion of 2.0 acres in a C-2 (General Commercial) Zone.

Generally located on the north side of Cactus Avenue, 222 feet east of Valley View Boulevard within Enterprise. JJ/jor/jd (For possible action)

RELATED INFORMATION:

APN:

177-29-404-004 ptn

LAND USE PLAN:

ENTERPRISE - COMMERCIAL NEIGHBORHOOD

BACKGROUND:

Project Description

General Summary

- Site Address: 3698 W. Cactus Avenue
- Site Acreage: 2 (portion)
- Project Type: Marijuana establishment (retail store)
- Number of Stories: 1
- Building Height (feet): 35
- Square Feet (lease spaces): 21,783 (entire retail complex)/7,355 (proposed marijuana retail store)
- Parking Required/Provided: 76/93

Site Plan

The subject property is a part of a previously approved nonconforming zone change (NZC-0637-16) for a shopping center, veterinarian office, and mini-warehouse facility, which included 4 parcels north of the subject property. Only a portion of the shopping center was developed (subject property for this application) and the design review for NZC-0637-16 has since expired. The submitted site plan depicts a retail center located on the north side of Cactus Avenue, and 222 feet east of Valley View Boulevard. There are 2 retail buildings on-site. Building A is a singular pad site centrally located in the retail center. Building B is an in-line retail building

oriented north to south along the west property line. Access to the site is provided via 2 driveways along Cactus Avenue. Ninety-three parking stalls are adjacent to both retail buildings and along the north, east, and south property lines. The applicant is proposing a marijuana establishment (retail store) on the north end of Building B, with a total area of 7,355 square feet of lease space.

Landscaping

Existing landscaping is located throughout the site and is neither required nor a part of this request.

Elevations

The plans depict exterior finishes which include terracotta colored stucco columns, cream and grey colored stucco walls, pop-outs, black aluminum glass storefront and window systems, cornices, and a parapet roof.

Floor Plans

The floor plan depicts a customer check-in area, security office, retail area, restrooms, employee offices, conference room, break room, service area, and a product vault.

Signage

Signage is not a part of this request.

Applicant's Justification

Per the submitted justification letter, the proposed use is in harmony with the purpose, goals, objectives, and standards of Title 30. The proposed location also meets all state requirements of NRS 453D. Furthermore, the subject property is more than 1,000 feet from the closest school, and more than 300 feet from a community facility as defined by NRS 453A and Section 30.08.030. The proposed marijuana retail store is located in a commercial retail area within an enclosed lease space and will only operate during authorized business hours. The proposed lease space does not have a drive-thru, and the applicant will provide ample security which will provide a safe, secure, and professional atmosphere for their employees and the customers.

Prior Land Use Requests

Application Number	Request	Action	Date
ADET-19-000254 (DR-0173-17)	Extended the time limit to commence a design review for a proposed tavern	Approved by ZA	June 2019
ET-18-400114 (WS-0130-16)	First extension of time for a comprehensive sign plan in conjunction with the subject property for this application	Approved by BCC	July 2018
DR-0173-17	Tavern (Dotty's) within the retail center – subject to a 1 year administrative review	Approved by BCC	April 2017

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-0637-16	Reclassified 9.7 acres from R-E and C-1 zoning to C-2 zoning and a design review for a proposed shopping center, veterinarian office, and mini-warehouse facility – expired (design review for veterinarian, mini-warehouse, and northern portion of the shopping center)	Approved by BCC	December 2016
NZC-0366-16	Proposed to reclassify 4.7 acres from R-E and C-1 zoning to C-2 zoning and a design review for a proposed shopping center with a lighting plan - withdrawn	Withdrawn	July 2016
WS-0130-16	Allowed an animated sign (video unit) and a design review for a comprehensive sign plan with a previously approved retail center	Approved by BCC	May 2016
DR-0787-15	Established a comprehensive lighting plan in conjunction with a previously approved retail center	Approved by BCC	January 2016
ZC-0596-14	Reclassified 2.5 acres (subject parcel related to this application) from R-E zoning to C-1 zoning for a retail center	Approved by BCC	August 2014

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North,	Commercial Neighborhood	C-2	Undeveloped
South	Residential Suburban (up to 18 du/ac)	R-3	Undeveloped
East	Commercial Neighborhood	C-1	Undeveloped
West	Commercial Neighborhood	R-E	Undeveloped

Related Applications

Application Number	Request
UC-19-0752	A use permit for a marijuana establishment (retail store) 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

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 separation survey shows that all required separations are being met. The applicant submitted the required security and transportation plans. Additionally, the crime report indicates that within a 1 mile radius, 18 crime reports were filed by Metro in the 60 days prior to the application submittal. The submitted location analysis indicates there are no dispensaries or retail sales of marijuana in the immediate vicinity. Building elevations indicate that a professional appearance will be maintained.

Staff Recommendation

No recommendation.

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

If approved:

- 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

- Traffic study and compliance.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: CHEYENNE MEDICAL, LLC

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

15A



MARIJUANA ESTABLISHMENT APPLICATION

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS ON REVERSE FOR MORE INFORMATION

APPLICATION TYPE		STAFF	DATE FILED: <u>9/17/2019</u>	APP. NUMBER: <u>UC-19-0751</u>
<input checked="" type="checkbox"/> USE PERMIT <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW <input type="checkbox"/> EXTENSION OF TIME (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION FOR REVIEW (ORIGINAL APPLICATION #) MARIJUANA ESTABLISHMENT <input type="checkbox"/> CULTIVATION FACILITY <input type="checkbox"/> DISPENSARY <input type="checkbox"/> INDEPENDENT TESTING LABORATORY <input type="checkbox"/> PRODUCTION FACILITY <input checked="" type="checkbox"/> RETAIL MARIJUANA STORE			PLANNER ASSIGNED: <u>JOR</u>	TAB/CAC: <u>Enterprise</u>
		PROPERTY OWNER	ACCEPTED BY: _____	TAB/CAC MTG DATE: <u>10/9</u> TIME: <u>6PM</u>
			FEE: <u>5,175</u>	BCC MEETING DATE: <u>11/6/19</u>
			CHECK #: <u>1580</u>	ZONE / AE: <u>C-2</u>
			COMMISSIONER: <u>J</u>	PLANNED LAND USE: <u>CR</u>
			OVERLAY(S)? <u>NONE</u>	PUBLIC HEARING? <input checked="" type="checkbox"/> Y / <input type="checkbox"/> N
			TRAILS? Y / <input checked="" type="checkbox"/> N PFNA? Y / <input checked="" type="checkbox"/> N	NOTIFICATION RADIUS: <u>500</u>
			APPROVAL/DENIAL BY: _____	LETTER DUE DATE: _____
			NAME: <u>HARRISON KEMP & JONES 401 PLAN</u>	
			ADDRESS: <u>820 RANCH LN STE 85</u>	
			CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89106</u>	
			TELEPHONE: _____ CELL: <u>702-</u>	
			E-MAIL: <u>jmichaels@cornerstonecre.com</u>	

APPLICANT	NAME: <u>COMMERCE PARK MEDICAL, LLC/CPCM HOLDINGS, LLC</u>
	ADDRESS: <u>P.O. BOX 777547</u> CITY: <u>HENDERSON,</u> STATE: <u>NV</u> ZIP: <u>89077</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: <u>DBROWN@LDALV.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>LAS CONSULTING-LUCY STEWART</u>
	ADDRESS: <u>1930 VILLAGE CENTER CIRCLE</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): 177-29-404-004

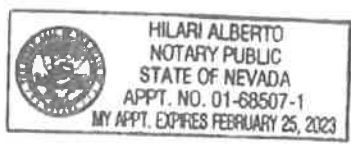
PROPERTY ADDRESS and/or CROSS STREETS: 3698 CACTUS SUITE 107-109

PROJECT DESCRIPTION: RETAIL STORE

(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 Kemp Property Owner (Signature)* Tracy HICK Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON 9/13/19 (DATE)
 By William Kemp
 NOTARY PUBLIC: Hilari Alberto



*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.

UC-19-0751

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

PLANNER
COPY

September 16, 2019

Ms. Jillee Opiniano-Rowland, Senior Planner
Current Planning, Comprehensive Planning
500 Gran Central Pkwy, 1st floor
Las Vegas, NV 89155

RE: Commerce Park Medical LLC, Retail Dispensary, 3698 W. Cactus Suites 107-109
RD329

Dear Ms. Opiniano-Rowland:

Please accept this letter as our request to locate our new retail marijuana dispensary (RD329) at 3698 W. Cactus. Commerce Park Medical LLC was approved for a retail dispensary last December when the state of Nevada issued several new licenses. The state required all new licenses to be operating by December of 2019, however there has been a lawsuit that prevented applicants from filing sooner. This company has been released from the lawsuit, however, in order to be open by December, they need to co-locate within an existing retail building.

-The proposed use shall be in harmony with the purpose, goals, objectives and standards of the plan and title. This proposed location meets all state requirements of NRS 453D and Clark County Title 30-44. It is zoned and is more than 1,000 feet from the closest school. It is also more than 300 feet from a community facility as defined in NRS 453A and Clark County Title 30.08.030.

-The proposed marijuana facility will be located in a retail area. It will be within an enclosed building and will acquire marijuana from licensed cultivation and production facilities within the State of Nevada. The proposed marijuana store will operate during authorized hours and does not have a drive through window.

-The proposed use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right of way, or other matters affecting the public health, safety, and general welfare.

The proposed dispensary will have a significant security system. This will not only provide a safe, secure, professional atmosphere for their patients and customers, but also provide a professional, safe addition to the neighborhood by providing enhanced security for the building/area.

We respectfully request approval of these use permits.

Yours truly,

Lucy Stewart

Lucy Stewart

11/06/19 BCC AGENDA SHEET

MARIJUANA ESTABLISHMENT
(RETAIL STORE)
(TITLE 30)

CACTUS AVE/VALLEY VIEW BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-19-0752-HARRISON KEMP & JONES 401 PLAN, ET AL:

USE PERMIT to allow a marijuana establishment (retail store) in conjunction with an existing retail center on a portion of 2.0 acres in a C-2 (General Commercial) Zone.

Generally located on the north side of Cactus Avenue, 222 feet east of Valley View Boulevard within Enterprise. JJ/jor/jd (For possible action)

RELATED INFORMATION:

APN:

177-29-404-004 ptn

LAND USE PLAN:

ENTERPRISE - COMMERCIAL NEIGHBORHOOD

BACKGROUND:

Project Description

General Summary

- Site Address: 3698 W. Cactus Avenue
- Site Acreage: 2 (portion)
- Project Type: Marijuana establishment (retail store)
- Number of Stories: 1
- Building Height (feet): 35
- Square Feet (lease spaces): 21,783 (entire retail complex)/7,355 (proposed marijuana retail store)
- Parking Required/Provided: 76/93

Site Plan

The subject property is a part of a previously approved nonconforming zone change (NZA-0637-16) for a shopping center, veterinarian office, and mini-warehouse facility, which included 4 parcels north of the subject property. Only a portion of the shopping center was developed (subject property for this application) and the design review for NZA-0637-16 has since expired. The submitted site plan depicts a retail center located on the north side of Cactus Avenue, and 222 feet east of Valley View Boulevard. There are 2 retail buildings on-site. Building A is a singular pad site centrally located in the retail center. Building B is an in-line retail building oriented north to south along the west property line. Access to the site is provided via 2

driveways along Cactus Avenue. Ninety-three parking stalls are adjacent to both retail buildings and along the north, east, and south property lines. The applicant is proposing a marijuana establishment (retail store) on the north end of Building B, with a total area of 7,355 square feet of lease space.

Landscaping

Existing landscape is located throughout the site and is neither required nor a part of this request.

Elevations

The plans depict exterior finishes which include terracotta colored stucco columns, cream and grey colored stucco walls, pop-outs, black aluminum glass storefront and window systems, cornices, and a parapet roof.

Floor Plans

The floor plan depicts a customer check-in area, security office, retail area, restrooms, employee offices, conference room, break room, service area, and a product vault.

Signage

Signage is not a part of this request.

Applicant's Justification

Per the submitted justification letter, the proposed use is in harmony with the purpose, goals, objectives, and standards of Title 30. The proposed location also meets all state requirements of NRS 453D. Furthermore, the subject property is more than 1,000 feet from the closest school, and more than 300 feet from a community facility as defined by NRS 453A and Section 30.08.030. The proposed marijuana retail store is located in a commercial retail area within an enclosed lease space and will only operate during authorized business hours. The proposed lease space does not have a drive-thru, and the applicant will provide ample security which will provide a safe, secure, and professional atmosphere for their employees and the customers.

Prior Land Use Requests

Application Number	Request	Action	Date
ADET-19-900234 (DR-0173-17)	Extended the time limit to commence a design review for a proposed tavern	Approved by ZA	June 2019
ET-18-400114 (WS-0130-16)	First extension of time for a comprehensive sign plan in conjunction with the subject property for this application	Approved by BCC	July 2018
DR-0173-17	Tavern (Dotty's) within the retail center – subject to a 1 year administrative review	Approved by BCC	April 2017

Prior Land Use Requests

Application Number	Request	Action	Date
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NZC-0366-16	Proposed to reclassify 4.7 acres from R-E and C-1 zoning to C-2 zoning and a design review for a proposed shopping center with a lighting plan - withdrawn	Withdrawn	July 2016
WS-0130-16	Allowed an animated sign (video unit) and a design review for a comprehensive sign plan with a previously approved retail center	Approved by BCC	May 2016
DR-0787-15	Established a comprehensive lighting plan in conjunction with a previously approved retail center	Approved by BCC	January 2016
ZC-0596-14	Reclassified 2.5 acres (subject parcel related to this application) from R-E zoning to C-1 zoning for a retail center	Approved by BCC	August 2014

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Neighborhood	C-2	Undeveloped
South	Residential Suburban (up to 18 du/ac)	R-3	Undeveloped
East	Commercial Neighborhood	C-1	Undeveloped
West	Commercial Neighborhood	R-E	Undeveloped

Related Applications:

Application Number	Request
UC-19-0751	A use permit for a marijuana establishment (retail store) 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

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 separation survey shows that all required separations are being met. The applicant submitted the required security and transportation plans. Additionally, the crime report indicates that within a 1 mile radius, 18 crime reports were filed by Metro in the 60 days prior to application submittal. The submitted location analysis indicates there are no dispensaries or retail sales of marijuana in the immediate vicinity. Building elevations indicate that a professional appearance will be maintained.

Staff Recommendation

No recommendation.

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

If approved:

- 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

- Traffic study and compliance.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: CHEYENNE MEDICAL, LLC

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



MARIJUANA ESTABLISHMENT APPLICATION

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS ON REVERSE FOR MORE INFORMATION

APPLICATION TYPE		DATE FILED: <u>9/17/2019</u>	APP. NUMBER: <u>UC-19-0752</u>
<input checked="" type="checkbox"/> USE PERMIT <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW <input type="checkbox"/> EXTENSION OF TIME (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION FOR REVIEW (ORIGINAL APPLICATION #) MARIJUANA ESTABLISHMENT <input type="checkbox"/> CULTIVATION FACILITY <input type="checkbox"/> DISPENSARY <input type="checkbox"/> INDEPENDENT TESTING LABORATORY <input type="checkbox"/> PRODUCTION FACILITY <input checked="" type="checkbox"/> RETAIL MARIJUANA STORE	STAFF	PLANNER ASSIGNED: <u>JR</u>	TAB/CAC: <u>ENTERPRISE</u>
		ACCEPTED BY: _____ FEE: <u>5,175</u> CHECK #: <u>1581</u> COMMISSIONER: <u>JJ</u> OVERLAY(S)? <u>NONE</u> TRAILS? Y/ <input checked="" type="checkbox"/> N PFNA? Y/ <input checked="" type="checkbox"/> N APPROVAL/DENIAL BY: _____	TAB/CAC MTG DATE: <u>10/9</u> TIME: <u>6pm</u> BCC MEETING DATE: <u>11/6/19</u> ZONE / AE: <u>C-2</u> PLANNED LAND USE: <u>CN</u> PUBLIC HEARING? _____ NOTIFICATION RADIUS: <u>500</u> <input checked="" type="checkbox"/> N LETTER DUE DATE: _____
PROPERTY OWNER		NAME: <u>HARRISON KEMP & JONES 401 PLAN</u> ADDRESS: <u>820 RANCH LN STE 85</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89106</u> TELEPHONE: _____ CELL: <u>702-218-6634</u> E-MAIL: <u>jmichaels@cornerstonecre.com</u>	

APPLICANT	NAME: <u>CHEYENNE MEDICAL, LLC/CPCM HOLDINGS, LLC</u> ADDRESS: <u>P.O. BOX 777547</u> CITY: <u>HENDERSON,</u> STATE: <u>NV</u> ZIP: <u>89077</u> TELEPHONE: <u>702.643.4940</u> CELL: _____ E-MAIL: <u>DBROWN@LDALV.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>LAS CONSULTING-LUCY STEWART</u> ADDRESS: <u>1930 VILLAGE CENTER CIRCLE</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>
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ASSESSOR'S PARCEL NUMBER(S): 177-29-404-004

PROPERTY ADDRESS and/or CROSS STREETS: 3698 CACTUS SUITE 107-109

PROJECT DESCRIPTION: RETAIL STORE

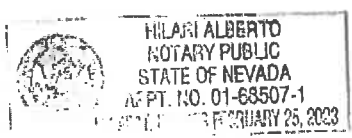
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 9/12/19 (DATE)

By Hilari Alberto
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.

UC-19-0752

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

September 16, 2019

Ms. Jillee Opiniano-Rowland, Senior Planner
Current Planning, Comprehensive Planning
500 Gran Central Pkwy, 1st floor
Las Vegas, NV 89155

RE: Cheyenne Medical LLC, Retail Dispensary, 3698 W. Cactus Suites 107-109
RD263

Dear Ms. Opiniano-Rowland:

Please accept this letter as our request to locate our new retail marijuana dispensary (RD263) at 3698 W. Cactus. Cheyenne Medical LLC was approved for a retail dispensary last December when the state of Nevada issued several new licenses. The state required all new licenses to be operating by December of 2019, however there has been a lawsuit that prevented applicants from filing sooner. This company has been released from the lawsuit, however, in order to be open by December, they need to co-locate within an existing retail building.

-The proposed use shall be in harmony with the purpose, goals, objectives and standards of the plan and title. This proposed location meets all state requirements of NRS 453D and Clark County Title 30-44. It is zoned and is more than 1,000 feet from the closest school. It is also more than 300 feet from a community facility as defined in NRS 453A and Clark County Title 30.08.030.

-The proposed marijuana facility will be located in a retail area. It will be within an enclosed building and will acquire marijuana from licensed cultivation and

-The proposed marijuana facility will be located in a retail area. It will be within an enclosed building and will acquire marijuana from licensed cultivation and production facilities within the State of Nevada. The proposed marijuana store will operate during authorized hours and does not have a drive through window.

-The proposed use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right of way, or other matters affecting the public health, safety, and general welfare.

The proposed dispensary, will have a significant security system. This will not only provide a safe, secure, professional atmosphere for their patients and customers, but also provide a professional, safe addition to the neighborhood by providing enhanced security for the building/area.

We respectfully request approval of these use permits.

Yours truly,

Lucy Stewart

Lucy Stewart

11/06/19 BCC AGENDA SHEET

MARIJUANA ESTABLISHMENT
(RETAIL STORE)
(TITLE 30)

WARM SPRINGS RD/PLACID ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-19-0755-BAKOLAS HOLDINGS PLACID, LLC:

USE PERMIT for a proposed marijuana establishment (retail store) in conjunction with a convenience store and existing commercial development on 2.0 acres in a C-2 (General Commercial) Zone.

Generally located on the north side of Warm Springs Road and the east side of Placid Street within Enterprise. MN/jvm/jd (For possible action)

RELATED INFORMATION:

APN:
177-04-812-008

LAND USE PLAN:
ENTERPRISE - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:
Project Description
General Summary

- Site Address: 300 E. Warm Springs Road
- Site Acreage: 2
- Project Type: Marijuana establishment (retail store)
- Number of Stories: 1
- Square Feet: 2,180 (lease space)
- Parking Required/Provided: 96/99

Site Plan

The submitted plan depicts an in-line retail building located along the rear property line and a convenience store with fuel canopy located to the south of the retail building. Both properties share cross access and parking as well as ingress/egress. Driveways are located along both Placid Street and Warm Springs Road. The retail marijuana store will occupy a 2,180 square foot lease space in the in-line retail building.

Landscaping

All landscaping is existing and no new landscaping is provided or required with this application.

Elevations

The submitted photos depict a 1 story structure with a flat roof behind parapet walls of varying height. The exterior finish is stucco painted in earth tone colors with store front windows and doors.

Floor Plan

The floor plan depicts a 2,180 square foot tenant space composed of a lobby, sales area, office, 2 restrooms, and a secure storage area.

Applicant's Justification

The applicant is requesting that this location be approved as a temporary site for the retail marijuana store as they are under a restricted time frame in which to procure a site, the permanent location of the store is elsewhere. The applicant indicates they meet all required separations.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-1845-05	Live entertainment in conjunction with a restaurant	Approved by PC	January 2006
ZC-0230-88	Reclassified the site to C-2 zoning	Approved by BCC	October 1988

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	M-D	Office & warehouse
South	Commercial Neighborhood and Commercial General	C-P	Office
East	Business and Design/Research Park	C-2	Office
West	Business and Design/Research Park	C-P	Undeveloped

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

The applicant submitted the required security and transportation plans. The security plan addresses the need for interior and exterior security of the facility, and the transportation plan discusses the security of delivery services. Building elevations indicate that a professional appearance will be maintained.

The applicant has submitted the State of Nevada Retail Marijuana Establishment Registration Certificate. Additionally, the separation survey shows that all of the required separations contained within Title 30 are being met. The submitted location analysis did not include the necessary information to determine if the retail marijuana store is adequately separated from other retail marijuana stores to prevent a high concentration of stores within close proximity. The crime report indicates that within a 1 mile radius, 185 crime reports were filed by Metro in the 60 days prior to the application submittal.

Staff Recommendation

No Recommendation.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Applicant is advised 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

- Traffic study and compliance.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

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

APPLICANT: CLEAR RIVER, LLC

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



MARIJUANA ESTABLISHMENT APPLICATION

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS ON REVERSE FOR MORE INFORMATION

APPLICATION TYPE <input checked="" type="checkbox"/> USE PERMIT <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW <input type="checkbox"/> EXTENSION OF TIME (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION FOR REVIEW (ORIGINAL APPLICATION #) MARIJUANA ESTABLISHMENT <input type="checkbox"/> CULTIVATION FACILITY <input type="checkbox"/> DISPENSARY <input type="checkbox"/> INDEPENDENT TESTING LABORATORY <input type="checkbox"/> PRODUCTION FACILITY <input type="checkbox"/> RETAIL MARIJUANA STORE	STAFF	DATE FILED: <u>9/18/2019</u> PLANNER ASSIGNED: <u>LMN</u> ACCEPTED BY: <u>LMN</u> FEE: <u>\$ 5175</u> CHECK #: <u>11178</u> COMMISSIONER: <u>MN</u> OVERLAY(S)? <u>-</u> TRAILS? <u>YIN</u> PFNA? <u>YIN</u> APPROVAL/DENIAL BY: <u>-</u>	APP. NUMBER: <u>UC-19-0755</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC MTG DATE: <u>10/9/19</u> TIME: <u>6pm</u> BCC MEETING DATE: <u>11/6/2019</u> ZONE / AE: <u>C-2</u> PLANNED LAND USE: <u>ENT-BDRP</u> PUBLIC HEARING? <input checked="" type="checkbox"/> <u>IN</u> NOTIFICATION RADIUS: <u>500'</u> LETTER DUE DATE: <u>-</u>
		PROPERTY OWNER	NAME: <u>Bakalos Holdings Placid, LLC</u> ADDRESS: <u>5960 S. Jones Blvd</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>n/a</u>

APPLICANT	NAME: <u>Clear River, LLC</u> ADDRESS: <u>10777 W. Twain Avenue #300</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>n/a</u> REF CONTACT ID #: <u>n/a</u>
------------------	--

CORRESPONDENT	NAME: <u>Kaempfer Crowell - Liz Delk</u> ADDRESS: <u>1980 Festival Plaza Dr. #650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>edelk@kcnvlaw.com</u> REF CONTACT ID #: <u>166096</u>
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ASSESSOR'S PARCEL NUMBER(S): 177-04-812-~~007~~ 008

PROPERTY ADDRESS and/or CROSS STREETS: Warm Springs and Placid

PROJECT DESCRIPTION: Marijuana Dispensary

(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 of <u>John K. Bakolas</u> Property Owner (Signature)*	Signature of <u>Margarita G. Bakolas</u> Property Owner (Print)
STATE OF <u>Nevada</u> COUNTY OF <u>Clark</u>	ANDREA KING Notary Public, State of Nevada Appointment No. 04-88256-1 My Appt. Expires Feb. 5, 2020
SUBSCRIBED AND SWORN BEFORE ME ON <u>9/16/19</u> (DATE) By <u>Andrea King</u> NOTARY PUBLIC: <u>Andrea King</u>	

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

KAEMPFER

CROWELL

ATTORNEYS AT LAW

LAS VEGAS OFFICE

ELISABETH E. DELK
edelk@kcnylaw.com
702.792.7000

LAS VEGAS OFFICE
1980 Festival Plaza Drive
Suite 650
Las Vegas, NV 89135
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RENO OFFICE
50 West Liberty Street
Suite 700
Reno, NV 89501
Tel: 775.852.3800
Fax: 775.327.2011

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

September 17, 2019

Mr. Phil Blount
COMPREHENSIVE PLANNING DEPARTMENT
333 N. Rancho Drive
Third Floor
Las Vegas, Nevada 89106

*Re: Justification Letter – Special Use Permit and ~~Design Review~~^{Ass}
Clear River, LLC
Warm Springs and Placid
APN: 177-04-812-008*

Dear Mr. Blount:

This firm represents Clear River, LLC (the “Applicant”) in the above referenced matter. The property is located on approximately 1.06 acres on the northeast corner of Warm Springs Road and Placid Street within an existing commercial shopping center (the “Property”). The Property is more particularly described as Assessor’s Parcel Number 177-04-812-008. The Property is zoned General Commercial (C-2).

The Applicant is requesting a special use permit and ~~design review~~^{Ass} to allow for a marijuana dispensary temporarily on the Property. Due to time constraints and requirements attached to the dispensary license, the Applicant’s marijuana dispensary must be open and operating within a certain time period. The proposed permanent location for the dispensary is located just west of the Property at the southeast corner of Warm Springs and Haven (portion of APN 177-09-102-002). A tentative map application (TM-19-500171) for this location has been submitted and is set to be heard at the upcoming Town Board and Board of County Commissioner hearings.

Marijuana dispensaries are permitted within C-2 zoned districts upon the approval of a special use permit. The proposed dispensary would occupy a 2,180 square foot tenant space of an existing commercial building on the Property. No alterations (apart from updating the signage) to the outside of the building, landscaping or off-sites are proposed. An initial survey has been conducted and the Property meets all proximity criteria, being over 300 feet from any community facility, and 1,000 feet from any school.

The proposed hours of operation will be 24 hours a day. Public access will be limited to one door in the front of the building. Product deliveries and service entry would be granted through a secured back entrance, ensuring that public access is well regulated and monitored.

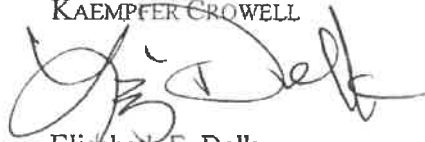
**CIVIL
ENGINEERING**

The Property is located on Warm Springs Road, a heavily travelled 100-foot right of way. To the north are existing M-D businesses. To the east are existing C-2 developments. West and south of the Property are existing and vacant C-P and C-1 developments. The surrounding uses, coupled with the high traffic frontage road, the Property is an ideal location for the proposed use.

Thank you in advance for your consideration. Please do not hesitate to let me know if you have any questions or concerns.

Sincerely,

KAEMPFER CROWELL



Elisabeth E. Delk

LEGAL DESCRIPTION

That portion of "Thrifty Airport Center" Commercial Subdivision, per Book 64 Page 25 of Plats, being a portion of the South one-half (S ½) of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of Section 4, T22S, R61E, M.D.M., Clark County, Nevada.

A portion of land located in the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of Section 4, Township 22, South, Range 61 East, M.D.M., Clark County, Nevada, more particularly described as follows:

COMMENCING at the Southwest Corner of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of said Section 4;
thence North 00°32'28" West a distance of 222.17 feet;
thence North 89°27'32" East a distance of 30.00 feet to the POINT OF BEGINNING;
thence North 00 32'28" West a distance of 106.01 feet;
thence North 89°44'38" East a distance of 308.54 feet;
thence South 00°35'52" East a distance of 278.79 feet;
thence South 89°49'17" West a distance of 77.53 feet;
thence North 00 49'17" West a distance of 172.68 feet;
thence South 89 44'32" West a distance of 231.12 feet to the POINT OF BEGINNING

This map is for assessment use only and does NOT represent a survey.
 No liability is assumed for the accuracy of the data delineated herein.
 Information on roads and other non-assessed parcels may be obtained from the Road Document Listing in the Assessor's Office.
 This map is compiled from official records, including surveys and deeds, but only contains the information required for assessment. See the recorded documents for more detailed legal information.
 USE THIS SCALE FEET WHEN MAP REDUCED FROM 1:100 ORIGINAL


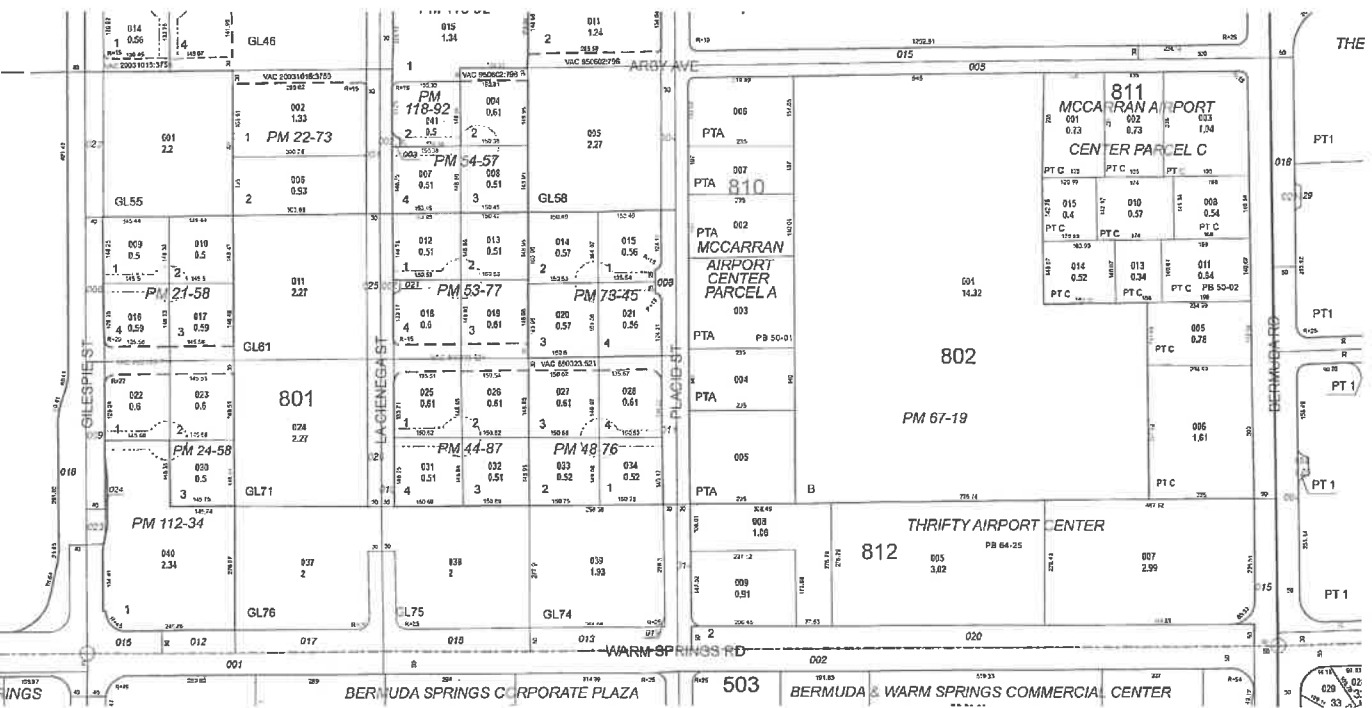
ASSESSOR'S PARCELS - CLARK COUNTY, NV.
 Briana Johnson - Assessor

MAP LEGEND

- PARCEL BOUNDARY
- SUB BOUNDARY
- PM/LD BOUNDARY
- ROAD BASEMENT
- MATCH / LEADER LINE
- HISTORIC LOT LINE
- HISTORIC SUB BOUNDARY
- HISTORIC PM/LD BOUNDARY
- SECTION LINE
- CONDOMINIUM UNIT
- AIR SPACE PCL
- RIGHT OF WAY PCL
- SUB-SURFACE PCL
- 001 ROAD PARCEL NUMBER
- 001 PARCEL NUMBER
- 1.00 ACREAGE
- 202 PARCEL SUB/SEQ NUMBER
- PB 24-45 PLAT RECORDING NUMBER
- 5 BLOCK NUMBER
- 1 LOT NUMBER
- 015 GOV. LOT NUMBER

T225 R61E **4** **S 2 SE 4** **177-04-8**

Scale: 1" = 200' Rev: 1/8/2019

11/06/19 BCC AGENDA SHEET

EASEMENTS/RIGHT-OF-WAY
(TITLE 30)

ERIE AVE/TORREY PINES DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-19-0719-DEAN FAMILY TRUST ETAL & BROSSEAU SANDRA TRS:

VACATE AND ABANDON easements of interest to Clark County located between Erie Avenue and Levi Avenue, and between Torrey Pines Drive and Jones Boulevard and a portion of a right-of-way being Erie Avenue located between Torrey Pines Drive and Jones Boulevard within Enterprise (description on file). JJ/pb/jd (For possible action)

RELATED INFORMATION:

APN:

176-35-601-007; 176-35-601-008

LAND USE PLAN:

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

BACKGROUND:

Project Description

The plans show the vacation of 33 foot wide government patent easements along the northern, and western boundaries and a 3 foot wide portion of the government patent easements along the eastern boundary of the northern parcel (176-35-601-007); and 33 foot wide government patent easements along the western boundary and a 3 foot wide portion of the government patent easements along the eastern boundary of the southern parcel (176-35-601-008). The plans also show the vacation of a 5 foot wide portion of Erie Avenue extending west from El Camino Road (alignment) along the eastern boundary of the site. The applicant indicates that the easements and portions of the right-of-way are no longer required and approval of this application will allow development of the parcels.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-19-0131	Requested to reclassify the site from R-E to R-2 zoning for a proposed single family residential development	Withdrawn without prejudice by BCC	April 2019
TM-19-500039	31 single family residential lots	Withdrawn without prejudice by BCC	April 2019

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0497-01	Power transmission line corridor that is approximately 38.3 miles long	Approved by PC	June 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Residential High (8 du/ac to 18 du/ac)	R-E	Undeveloped
South	Residential Suburban (up to 8 du/ac)	R-2	Single family residential subdivision under construction
East	Residential Suburban (up to 8 du/ac)	R-E	Undeveloped

The subject site and the surrounding area are in the Public Facility Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
ZC-19-0718	A zone change to reclassify the site to RUD zoning for a single family residential development is a companion item on this agenda.
TM-19-500187	A tentative map to subdivide this site into 44 single family residential lots on 5 acres is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that 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 El Camino Road and associated spandrel;
- Applicant shall coordinate with Public Works-Development Review to apply for a Bureau of Land Management (BLM) right-of-way grant for the El Camino Road alignment;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording;
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: D.R. HORTON

CONTACT: MARIA MORGAN, TRITON ENGINEERING, 6757 W. CHARLESTON BOULEVARD, SUITE B, LAS VEGAS, NV 89146



VACATION APPLICATION 18A

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (VS) <input checked="" type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	STAFF	DATE FILED: <u>9/6/19</u> PLANNER ASSIGNED: <u>PH</u> ACCEPTED BY: _____ FEE: <u>5875.00</u> CHECK #: <u>827722</u> COMMISSIONER: <u>JJ</u> OVERLAY(S)? <u>NA</u> TRAILS? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N PFNA? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	APP. NUMBER: <u>V5-19-0719</u> TAB/CAC <u>Enterprise</u> TAB/CAC DATE: <u>10/9</u> TIME: <u>6:00</u> PC MEETING DATE: _____ BCC MTG DATE: <u>11/6/19</u> ZONE / AE / RNP: <u>REINA</u> PLANNED LAND USE: <u>RH</u>
---	-------	--	--

PROPERTY OWNER	NAME: <u>Wizard of Oz Irrevocable Trust (Agent: David J. Cabral of AACOM Mgt., LLC.)</u> ADDRESS: <u>PO Box 400188</u> CITY: <u>Las Vegas</u> STATE: <u>NV.</u> ZIP: <u>89140</u> TELEPHONE: _____ CELL: _____ E-MAIL: <u>djc@aacomlv.com</u>
----------------	---

APPLICANT	NAME: <u>DR Horton, Inc.</u> ADDRESS: <u>1081 Whitney Ranch Drive, Suite #141</u> CITY: <u>Henderson</u> STATE: <u>NV.</u> ZIP: <u>89014</u> TELEPHONE: <u>702-635-3600</u> CELL: _____ E-MAIL: <u>jrgenovese@drhorton.com</u> REF CONTACT ID #: _____
-----------	--

CORRESPONDENT	NAME: <u>Triton Engineering</u> ADDRESS: <u>6757 W. Charleston Blvd., Suite B</u> CITY: <u>Las Vegas</u> STATE: <u>NV.</u> ZIP: <u>89146</u> TELEPHONE: <u>702-254-1480</u> CELL: _____ E-MAIL: <u>mmorgan@tritoneng.com</u> REF CONTACT ID #: _____
---------------	--

ASSESSOR'S PARCEL NUMBER(S): 176-35-601-008

PROPERTY ADDRESS and/or CROSS STREETS: Erie Avenue & El Camino

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

Property Owner (Signature)*

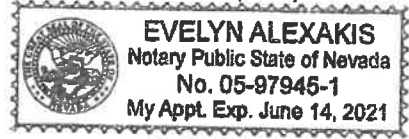
WIZARD OF OZ IRREVOCABLE
 BUSINESS TRUST
 AACOM MANAGEMENT LLC, TRUSTEE
 DAVID J. CABRAL, MANAGER

Property Owner (Print)

STATE OF NEVADA Clark
 COUNTY OF _____

SUBSCRIBED AND SWORN BEFORE ME ON August 29, 2019 (DATE)
 By David J. Cabral

NOTARY PUBLIC: Evelyn Alexakis



*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.



VACATION APPLICATION

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (VS) <input checked="" type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____	STAFF	DATE FILED: _____ PLANNER ASSIGNED: _____ ACCEPTED BY: _____ FEE: _____ CHECK #: _____ COMMISSIONER: _____ OVERLAY(S)? _____ TRAILS? Y/N _____ PFNA? Y/N _____	APP. NUMBER: _____ TAB/CAC _____ TAB/CAC DATE: _____ TIME: _____ PC MEETING DATE: _____ BCC MTG DATE: _____ ZONE / AE / RNP: _____ PLANNED LAND USE: _____
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PROPERTY OWNER	NAME: <u>Jagged Edge Limited Partnership</u> ADDRESS: <u>3075 Rosanna Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV.</u> ZIP: <u>89117</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____
-----------------------	--

APPLICANT	NAME: <u>DR Horton, Inc.</u> ADDRESS: <u>1081 Whitney Ranch Drive, Suite #141</u> CITY: <u>Henderson</u> STATE: <u>NV.</u> ZIP: <u>89014</u> TELEPHONE: <u>702-635-3600</u> CELL: _____ E-MAIL: <u>jrgenovese@drhorton.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>Triton Engineering</u> ADDRESS: <u>6757 W. Charleston Blvd., Suite B</u> CITY: <u>Las Vegas</u> STATE: <u>NV.</u> ZIP: <u>89146</u> TELEPHONE: <u>702-254-1480</u> CELL: _____ E-MAIL: <u>mmorgan@tritoneng.com</u> REF CONTACT ID #: _____
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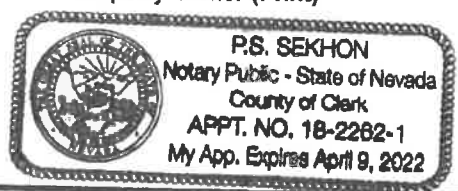
ASSESSOR'S PARCEL NUMBER(S): 176-35-601-007

PROPERTY ADDRESS and/or CROSS STREETS: Erie Avenue & El Camino

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.

Ronald C Mick'l General Partner Ronald C Mick'l
 Property Owner (Signature)* Property Owner (Print)

STATE OF NEVADA
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON 29th August 2019 (DATE)
 By Ronald Charles Mick'l
 NOTARY PUBLIC: P. Sekhon



*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.

Triton Engineering

September 06, 2019

Phil Blount, Principal Planner
Clark County Nevada
Department of Comprehensive Planning
500 S. Grand Central Parkway
Las Vegas, NV 89155

**Subject: LETTER OF INTENT - DR HORTON, INC., - Erie El Camino
Tentative Map, Zone Changes, Design Reviews, Waivers and Vacation Submittals
APN #176-35-601-007 & 008**

As representatives of DR Horton, Inc., we respectfully request your consideration of the attached requests for Zone Change, Design Reviews, Waivers and Vacation applications to accompany our Tentative Map. The subject property is located within incorporated Clark County. The proposed site is located North of W. Erie Avenue between S. Torrey Pines Dr. and S. Jones Blvd. located within Section 35, Township 22, Range 60.

DR Horton, Inc. is proposing developing 44 single family detached residences on 5.0 acres, for a density of 8.8 per gross acres and 10.33 per net acres. The current zoning is Rural Estates Residential (RE) and Residential High (RH) Planned Land use. We are proposing a zone change to Residential Urban Density (RUD). The minimum lot size required is 2,000 square feet; our smallest lot is 2,905 square feet and our largest lot is 3,781 square feet. This will be a non-gated community with public streets. There will be an Open Space of 10,906 SF where 8,800 SF is required. This park will provide amenities such as, dog waste stations, grills, picnic tables and benches.

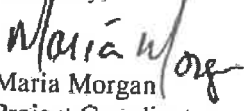
The production models are numbered 1735, 1835, 1935, and 2035. This development has two story homes ranging from 1,735 to 2,035 square feet containing four different elevations. These plans have 3 to 4 bedrooms with a great room or loft. All homes will include a 2-car garage. The average backyard size is anticipated to be 10' deep and will not contain patios.

Due to the limited size of the property, the projected density and being it is surrounded by BLM land, as well as NVE overhead transmission lines encumbering the Northwest corner of the property, we are requesting waivers of certain development standards on behalf of DR Horton, Inc. Concerning rear yard setbacks per Title 30.40-2, we are requesting a reduction of 5' from the required 15' setback to 10'. We are also requesting a waiver regarding the uniform standard 212.1.S1., which requires a maximum of 500' in length for a street containing a Cul-de-sac. We are requesting an overlength of a proposed cul-de-sac for one street. We are requesting an extension to 640.10'. (Please see the attached exhibit).

We are also submitting vacation request for two 33' and one 3' government BLM patent easements, as well as, a 5' Public Right of Way. The two 33' patent easements are located on the North and West side of the properties. There will be a 3' patent easement remnant on the East side of the property after El Camino is dedicated. On the North side of Erie, there is a 40' Right of Way and on the South side a 35' Right of Way. We will be matching the 35' Right of Way that will cause a 5' Public Right of Way to be vacated.

Should there be any questions or require additional information please contact me at 702.254.1480.

Sincerely,


Maria Morgan
Project Coordinator

6757 W. Charleston Blvd., Suite B • Las Vegas, Nevada 89146
Office: (702) 254-1480 • Fax: (702) 254-3062 • www.tritoneng.com

11/06/19 BCC AGENDA SHEET

EASEMENTS
(TITLE 30)

QUARTERHORSE LN/OLETA AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-19-0735-BLUE SAND HOLDINGS, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Oleta Avenue (alignment) and Westchester Hill Avenue, and between Quarterhorse Lane (alignment) and Whatley Street within Enterprise (description on file). JJ/al/ja (For possible action)

RELATED INFORMATION:

APN:
176-20-201-005

LAND USE PLAN:
ENTERPRISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

Project Description

The applicant is proposing to develop the site as a single family residential subdivision. The request is to vacate 33 foot wide government patent easements located along the north, south, east and west sides of the parcel. The applicant indicates these easements are not necessary for development in this area.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0127-11	Increased the height of an existing communication tower	Approved by PC	May 2011
UC-1431-00	Communication tower and related ground mounted equipment	Approved by PC	October 2000

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Residential Suburban (up to 8 du/ac)	R-2	Single family residences
South	Residential Suburban (up to 8 du/ac)	H-2	Undeveloped
West	Residential Suburban (up to 8 du/ac) & Commercial General	R-2 & H-2	Single family residences & undeveloped

This site and the surrounding area are located within the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
ZC-19-0734	A zone change to reclassify the site to an R-2 zone for a single family residential development is a companion item on the agenda.
TM-19-500191	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

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

- Right-of-way dedication to include the remaining portion of the knuckle for Quarterhorse Lane on the northwest corner of the site and 30 feet for Oleta Avenue;
- Apply for a BLM right-of-way grant for Oleta Avenue;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: ANDREW ACUNA

CONTACT: JANNA FELIPE, TANEY ENGINEERING CORP, 6050 S. JONES
BOULEVARD, SUITE 100, LAS VEGAS, NV 89118

DRAFT



VACATION APPLICATION 19A

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

APPLICATION TYPE	STAFF	DATE FILED: <u>9-12-19</u>	APP. NUMBER: <u>VS-19-0735</u>
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (VS) <input checked="" type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):		PLANNER ASSIGNED: <u> </u> ACCEPTED BY: <u> </u> FEE: <u>875.00</u> CHECK #: <u>35713</u> COMMISSIONER: <u>JJ</u> OVERLAY(S)? <u>M40-3</u> TRAILS? <input checked="" type="checkbox"/> PFNAT? <input checked="" type="checkbox"/>	TAB/CAC <u>Falvarre</u> TAB/CAC DATE: <u>10-9</u> TIME: <u>6 PM</u> PC MEETING DATE: <u> </u> BCC MTG DATE: <u>11-6 TH</u> ZONE / AE / RNP: <u>H-2 N/A</u> PLANNED LAND USE: <u>RS</u>

PROPERTY OWNER	NAME: <u>Blue Sand Holdings, LLC</u> ADDRESS: <u>3425 Cliff Shadows Pkwy #110</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89129</u> TELEPHONE: <u>702-365-8584</u> CELL: <u> </u> E-MAIL: <u>andrewa@summithomesnv.com</u>
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APPLICANT	NAME: <u>Summit Homes of Nevada</u> ADDRESS: <u>3425 Cliff Shadows Pkwy, Suite 110</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89129</u> TELEPHONE: <u>(702)365-8588</u> CELL: <u> </u> E-MAIL: <u>andrewa@summithomesnv.com</u> REF CONTACT ID #: <u>186011</u>
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CORRESPONDENT	NAME: <u>Taney Engineering, Attn: Janna Felipe</u> ADDRESS: <u>6030 S. Jones Blvd.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-362-8844</u> CELL: <u> </u> E-MAIL: <u>jannaf@taneycorp.com</u> REF CONTACT ID #: <u>132585 186713</u>
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ASSESSOR'S PARCEL NUMBER(S): 176-20-201-005

PROPERTY ADDRESS and/or CROSS STREETS: Quarterhorse and Oleta

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.



Albert Taban, *manager of*
BIVE SAND HOLDINGS, LLC

Property Owner (Signature)*

Property Owner (Print)

STATE OF NEVADA
 COUNTY OF _____

SUBSCRIBED AND SWORN BEFORE ME ON _____ (DATE)

By _____
 NOTARY PUBLIC: _____

See attached

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

**CALIFORNIA ALL-PURPOSE
CERTIFICATE OF ACKNOWLEDGMENT**

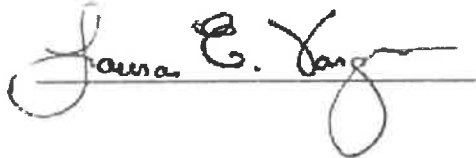
A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } S.S.

On August 28, 2019, before me, Laura E. Vargas, Notary Public, personally appeared Albert Taban, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she~~/they executed the same in his/~~her~~/their authorized capacity(ies), and that by his/~~her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.





(Notary Seal)

DESCRIPTION OF THE ATTACHED DOCUMENT:

Date of Document: August 27, 2019
Name of Document: Vacation Application
Reference: Blue Sand Holdings, LLC / 176-25-501-007



TANEY ENGINEERING

6030 S. JONES BLVD. LAS VEGAS, NV 89118
PHONE: (702) 362-8844 | FAX: (702) 362-5233
TANEYCORP.COM

September 5, 2019

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

**Re: Quarterhorse and Oleta – Vacation of Patent Easement
(APN: 176-20-201-005)**

Dear Planner:

On behalf of our client, Summit Homes of Nevada LLC, Taney Engineering is respectfully submitting a project description letter for a Patent Easement Vacation. With our concurrent submittal of a Tentative Map, Design Review, Waiver of Development Standards and a Conforming Zone Change for a residential subdivision, a patent easement will no longer be required.

Patent Easement Vacation:

The purpose is to vacate a portion of the patent easements, Patent Number 1185425.

A legal description, exhibit and supporting documents have been provided, as part of this package, for your review.

Please let us know if you have any questions or require any additional information.

Respectfully,

Janna Felipe
Project Coordinator

EASEMENTS & RIGHTS-OF-WAY
(TITLE 30)

FRIAS AVE/JONES BLVD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-19-0744-HLI, LLC:

VACATE AND ABANDON easements of interest to Clark County; located between Jones Boulevard and Duneville Street (alignment), and between Cactus Avenue and Frias Avenue (alignment); and portions of a rights-of-way being Rush Avenue located between Jones Boulevard and Duneville Street (alignment), and Redwood Street located between Cactus Avenue and Frias Avenue (alignment) within Enterprise (description on file). JJ/al/xx (For possible action)

RELATED INFORMATION:

APN:
176-25-301-016; 176-25-301-022; 176-25-401-001, 176-25-401-002 through 176-25-401-005; 176-25-401-010; 176-25-401-015; 176-25-401-022

LAND USE PLAN:
ENTERPRISE - RESIDENTIAL HIGH (FROM 8 DU/AC TO 18 DU/AC)
ENTERPRISE - RESIDENTIAL LOW (UP TO 3.5 DU/AC)
ENTERPRISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:
Project Description

The applicant is proposing to develop a portion of the site as a single family residential subdivision. The request is to vacate easements and rights-of-way that the applicant indicates are not needed for the development of this area. All required easements and rights-of-way will be provided with the recording of a future subdivision map.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1624-06	Reclassified 25 acres including portions of this site to R-2 zoning for future development	Approved by BCC	January 2007
ZC-0362-04	Reclassified 30 acres including portions of this site to RUD zoning for future residential development	Approved by BCC	May 2004
ZC-1517-03	Reclassified 90 acres including portions of this site to R-2 zoning for future residential development	Approved by BCC	October 2003
UC-0497-01	Overhead power transmission line corridor that passes through a portion of this site	Approved by PC	June 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential High (8 to 18 du/ac) & Residential Suburban (up to 8 du/ac)	R-3 & R-2	Single family residences & undeveloped
South	Major Development Project, Residential Suburban (up to 8 du/ac)	R-2	Single family residences & undeveloped
East	Residential Suburban (up to 8 du/ac)	R-E & R-2	Single family residences & undeveloped
West	Residential Suburban (up to 8 du/ac) Public Facilities & Commercial Neighborhood	R-E & R-2	Single family residences & undeveloped

This site and the surrounding area are located within the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
ZC-19-0743	A request to reclassify a portion of the site to an R-2 zone for a single family residential development is a companion item on this agenda.
WC-19-400127 (ZC-1624-06)	A waiver of conditions for right-of-way dedication is a companion item on this agenda.
TM-19-500194	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

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 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.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: AMERICAN WEST DEVELOPMENT, INC.

CONTACT: CHELSEA JENSEN, WESTWOOD PROFESSIONAL SERVICE, 5740 S. ARVILLE STREET, SUITE 216, LAS VEGAS, NV 89118

DRAFT



VACATION APPLICATION 20A

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (VS) <input checked="" type="checkbox"/> EASEMENT(S) <input checked="" type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____	STAFF	DATE FILED: <u>9-13-19</u> PLANNER ASSIGNED: <u>BT</u> ACCEPTED BY: <u>AT</u> FEE: <u>875</u> CHECK #: <u>99535</u> COMMISSIONER: <u>JT</u> OVERLAY(S)? <u>NA</u> TRAILS? Y/N _____ PFNA? Y/N _____	APP. NUMBER: <u>VS-19-2744</u> TAB/CAC <u>Entire parcel</u> TAB/CAC DATE: <u>10-9</u> TIME: <u>6 P</u> PC MEETING DATE: _____ BCC MTG DATE: <u>11-6-2019</u> ZONE / AE / RNP: <u>RE RUD R3R2</u> PLANNED LAND USE: <u>RM RSRH</u>
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PROPERTY OWNER	NAME: <u>HLI, LLC</u> ADDRESS: <u>250 Pilot Road, Suite 140</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-736-6434</u> CELL: _____ E-MAIL: <u>ksaffle@americanwesthomes.com</u>
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APPLICANT	NAME: <u>American West Development, Inc.</u> ADDRESS: <u>250 Pilot Road, Suite 140</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-736-6434</u> CELL: _____ E-MAIL: <u>ksaffle@americanwesthomes.com</u> ACA CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>Slater Hanifan Group a Westwood Team attn: Chelsea Jensen</u> ADDRESS: <u>5740 S. Arville St. # 216</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-284-5300</u> CELL: _____ E-MAIL: <u>lvproc@westwoodps.com</u> ACA CONTACT ID #: _____
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ASSESSOR'S PARCEL NUMBER(S): 176-25-301-016, 176-25-401-003, -004, -010, -015, -022
Jones/Cactus 176-25-401-001, 005; 176-25-301-022

PROPERTY ADDRESS and/or CROSS STREETS: 176-25-301-016, 176-25-401-003, -004, -010, -015, -022
Jones/Cactus

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

 Property Owner (Signature)* STATE OF NEVADA COUNTY OF <u>Clark</u> SUBSCRIBED AND SWORN BEFORE ME ON <u>August 28, 2019</u> (DATE) By <u>Lawrence D. Canarelli</u> NOTARY PUBLIC:	Lawrence D. Canarelli Property Owner (Print)
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*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.



VACATION APPLICATION

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (VS) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____	STAFF	DATE FILED: _____ APP. NUMBER: _____ PLANNER ASSIGNED: _____ TAB/CAC _____ ACCEPTED BY: _____ TAB/CAC DATE: _____ TIME: _____ FEE: _____ CHECK #: _____ PC MEETING DATE: _____ COMMISSIONER: _____ BCC MTG DATE: _____ OVERLAY(S)? _____ ZONE / AE / RNP: _____ TRAILS? Y/N _____ PFNA? Y/N _____ PLANNED LAND USE: _____
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PROPERTY OWNER	NAME: <u>CFT Lands, LLC</u> ADDRESS: <u>250 Pilot Road, Suite 140</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-736-6434</u> CELL: _____ E-MAIL: <u>ksaffle@americanwesthomes.com</u>
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APPLICANT	NAME: <u>American West Development, Inc.</u> ADDRESS: <u>250 Pilot Road, Suite 140</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-736-6434</u> CELL: _____ E-MAIL: <u>ksaffle@americanwesthomes.com</u> ACA CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>Slater Hanifan Group a Westwood Team attn: Chelsea Jensen</u> ADDRESS: <u>5740 S. Arville St. # 216</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-284-5300</u> CELL: _____ E-MAIL: <u>lvproc@westwoodps.com</u> ACA CONTACT ID #: _____
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ASSESSOR'S PARCEL NUMBER(S): 176-25-301-022
Jones/Cactus

PROPERTY ADDRESS and/or CROSS STREETS: 176-25-301-022
Jones/Cactus

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.

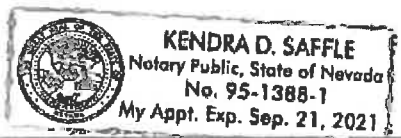
[Handwritten Signature]

 Property Owner (Signature)*

Lawrence D. Canarelli

 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON August 28, 2019 (DATE)
 By Lawrence D. Canarelli
 NOTARY PUBLIC: *[Handwritten 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



VACATION APPLICATION

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (VS) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____	STAFF	DATE FILED: _____ PLANNER ASSIGNED: _____ ACCEPTED BY: _____ FEE: _____ CHECK #: _____ COMMISSIONER: _____ OVERLAY(S)? _____ TRAILS? Y/N _____ PFNA? Y/N _____	APP. NUMBER: _____ TAB/CAC _____ TAB/CAC DATE: _____ TIME: _____ PC MEETING DATE: _____ BCC MTG DATE: _____ ZONE / AE / RNP: _____ PLANNED LAND USE: _____
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PROPERTY OWNER	NAME: <u>Gameday, LLC</u> ADDRESS: <u>250 Pilot Road, Suite 140</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-736-6434</u> CELL: _____ E-MAIL: <u>ksaffle@americanwesthomes.com</u>
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APPLICANT	NAME: <u>American West Development, Inc.</u> ADDRESS: <u>250 Pilot Road, Suite 140</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-736-6434</u> CELL: _____ E-MAIL: <u>ksaffle@americanwesthomes.com</u> ACA CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>Slater Hanifan Group a Westwood Team attn: Chelsea Jensen</u> ADDRESS: <u>5740 S. Arville St. # 216</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-284-5300</u> CELL: _____ E-MAIL: <u>lvproc@westwoodps.com</u> ACA CONTACT ID #: _____
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ASSESSOR'S PARCEL NUMBER(S): 176-25-401-001 and 176-25-401-005
Jones/Cactus

PROPERTY ADDRESS and/or CROSS STREETS: 176-25-401-001 and 176-25-401-005
Jones/Cactus

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

Property Owner (Signature)*
 STATE OF NEVADA
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON August 28, 2019 (DATE)
 By Lawrence D. Canarelli
 NOTARY PUBLIC:

Lawrence D. Canarelli

Property Owner (Print)

KENDRA D. SAFFLE
 Notary Public, State of Nevada
 No. 95-1388-1
 My Appt. Exp. Sep. 21, 2021

*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 6, 2019

Current Planning Division
500 South Grand Central Parkway
Las Vegas, NV 89155-4000

**RE: Highlands Ranch Unit 28
SHG Project No. AWD1905-000
Justification Letter for Patent Easement and Right of Way Vacation**

Slater Hanifan Group, on behalf of our client, American West Development, respectfully submits this justification letter with an application for Vacation and Abandonment of Patent Easements.

The project sites associated with the subject application are approximately 19.55± gross acres and covers APN 176-25-301-016, -022, 176-25-401-001, -003, -004, -005, -010, -015, and -022. This development is located in a portion of Section 25, Township 22 South, Range 60 East, M.D.M., Clark County, Nevada. This proposed community will be a single-family subdivision with 162 lots with a gross density of 2.74 dwelling units per acre.

The applicant is vacating Patent Easements and Right of Ways that are in conflict with the proposed site plan for the subject residential development. These easements were originally dedicated as part of the requirements associated with the recorded parcel map. This request will be in compliance with the conditions of the Tentative Map submitted for Highlands Ranch Unit 28 accompanying this application.

Thank you for the opportunity to submit this application for your review. Please contact me at (702) 284-5300 if you have any questions regarding this application.

Sincerely,

Slater Hanifan Group, Inc.

Corey Lieber, PE

Project Manager

Cc: Kendra Saffle, American West Development;
Chelsea Jensen, SHG

EASEMENTS
(TITLE 30)

ULLOM DR/FRIAS AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-19-0756-LUCE, RONALD D. & INDIGO SERVICES:

VACATE AND ABANDON easements of interest to Clark County located between Pyle Avenue and Frias Avenue, and between Decatur Boulevard and Cameron Street within Enterprise (description on file). JJ/al/xx (For possible action)

RELATED INFORMATION:

APN:

177-30-301-008; 177-30-301-009; 177-30-301-014

LAND USE PLAN:

ENTERPRISE - RESIDENTIAL HIGH (FROM 8 DU/AC TO 18 DU/AC)
ENTERPRISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

Project Description

The applicant is proposing to develop the site as a single family residential development. The request is to vacate government patent easements that the applicant states are not needed for the development of the area. Any required rights-of-way or easements will be provided with a future subdivision map for the development.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-18-0518	Multiple family residential development on the eastern half of the site	Approved by BCC	September 2018
NZC-0925-17	Reclassified the eastern half of the site to R-3 zoning for a multiple family residential development	Approved by BCC	January 2018
VS-0929-17	Vacated and abandoned easements and portions of rights-of-way being Haleh Avenue & Ullom Drive	Approved by BCC	January 2018

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential High (8 to 18 du/ac) & Residential Suburban (up to 8 du/ac)	R-E	Undeveloped
South	Residential High (8 to 18 du/ac) & Commercial General	C-2 & R-E	Mini-warehouse facility & undeveloped
East	Residential Suburban (up to 8 du/ac)	R-E	Undeveloped
West	Residential High (8 to 18 du/ac)	R-E	Undeveloped

Related Applications

Application Number	Request
ZC-19-0741	A zone change to reclassify a portion of the site to an R-3 zone with design review for a single family residential development is a companion item on this agenda.
WC-19-400126 (NZC-0925-17)	A waiver of conditions of a zone change (east half of site) is a companion item on this agenda.
TM-19-500193	A tentative map for a single family residential subdivision is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

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 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.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: PARAGON LIFE, LLC
CONTACT: IMPULSE CIVIL ENGINEERING, 7485 W. AZURE AVE, STE 226, LAS VEGAS, NV 89130

DRAFT



VACATION APPLICATION

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

21A

APPLICATION TYPE	STAFF	DATE FILED: <u>9-19-19</u>	APP. NUMBER: <u>VS-19-0756</u>
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (VS) <input checked="" type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____		PLANNER ASSIGNED: <u>AL</u>	TAB/CAC <u>Enter price</u>
		ACCEPTED BY: _____	TAB/CAC DATE: <u>10-8-19</u> (TIME: <u>6:00pm</u>)
		FEE: <u>\$1,350</u> CHECK #: <u>2580/2581</u>	PC MEETING DATE: _____
		COMMISSIONER: <u>JJ</u>	BCC MTG DATE: <u>11-6-19 9:00AM</u>
		OVERLAY(S)? <u>—</u>	ZONE / AE / RNP: <u>R-2</u>
		TRAILS? <input checked="" type="checkbox"/> PFNA? <input checked="" type="checkbox"/>	PLANNED LAND USE: <u>ENT RH</u>

PROPERTY OWNER	NAME: <u>Marguerite E. Luce ETAL</u>
	ADDRESS: <u>10368 Brighton Hill Avenue</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89129</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

APPLICANT	NAME: <u>Paragon Life, LLC</u>
	ADDRESS: <u>6402 MCLEOD DRIVE, UNIT 1</u>
	CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89120</u>
	TELEPHONE: <u>702-988-0978</u> CELL: <u>702-277-0097</u>
	E-MAIL: <u>mo.seebeck@paragon.life</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Peter Laas - Impulse Civil Engineering, LLC</u>
	ADDRESS: <u>7485 WEST AZURE DRIVE, SUITE 226</u>
	CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89130</u>
	TELEPHONE: <u>702-815-0720</u> CELL: <u>702-308-7115</u>
	E-MAIL: _____ REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-30-301-014, 177-30-301-009, & 177-30-301-008

PROPERTY ADDRESS and/or CROSS STREETS: Ullom Drive & West Frias Avenue

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.

[Handwritten Signature]

Property Owner (Signature)*

STATE OF NEVADA
COUNTY OF Clark

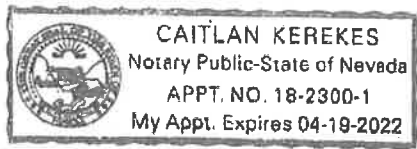
SUBSCRIBED AND SWORN BEFORE ME ON 7/12/19 (DATE)

By Marguerite E. Luce

NOTARY PUBLIC: *[Handwritten Signature]*

[Handwritten Name]

Property Owner (Print)



[Handwritten Initials]

*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.



VACATION APPLICATION

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

APPLICATION TYPE	STAFF	DATE FILED: _____	APP. NUMBER: _____
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (VS) <input checked="" type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____		PLANNER ASSIGNED: _____ ACCEPTED BY: _____ FEE: _____ CHECK #: _____ COMMISSIONER: _____ OVERLAY(S)? _____ TRAILS? Y/N _____ PFNA? Y/N _____	TAB/CAC _____ TAB/CAC DATE: _____ TIME: _____ PC MEETING DATE: _____ BCC MTG DATE: _____ ZONE / AE / RNP: _____ PLANNED LAND USE: _____

PROPERTY OWNER	NAME: <u>Jerry's Nugget</u> ADDRESS: <u>1821 Las Vegas Blvd North</u> CITY: <u>North Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89030</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____
-----------------------	--

APPLICANT	NAME: <u>Paragon Life, LLC</u> ADDRESS: <u>6402 MCLEOD DRIVE, UNIT 1</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u> TELEPHONE: <u>702-988-0978</u> CELL: <u>702-277-0097</u> E-MAIL: <u>mo.seebeck@paragon.life</u> REF CONTACT ID #: _____
------------------	--

CORRESPONDENT	NAME: <u>Peter Laas - Impulse Civil Engineering, LLC</u> ADDRESS: <u>7485 WEST AZURE DRIVE, SUITE 226</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89130</u> TELEPHONE: <u>702-815-0720</u> CELL: <u>702-308-7115</u> E-MAIL: <u>plaas@impulsecivil.net</u> REF CONTACT ID #: _____
----------------------	--

ASSESSOR'S PARCEL NUMBER(S): 177-30-301-014, 177-30-301-009, & 177-30-301-008

PROPERTY ADDRESS and/or CROSS STREETS: Ullom Drive & West Frias Avenue

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.

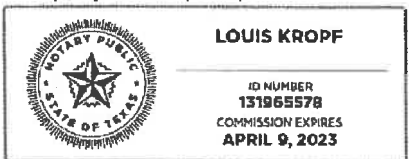
Jeremy Stamis

 Property Owner (Signature)*

Jeremy Stamis

 Property Owner (Print)

STATE OF TEXAS
 COUNTY OF DALLAS
 SUBSCRIBED AND SWORN BEFORE ME ON July 15th, 2019 (DATE)
 By Jeremy Stamis
 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.

Notarized online using audio-video communication



VACATION APPLICATION

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

APPLICATION TYPE	STAFF	DATE FILED: _____	APP. NUMBER: _____
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input checked="" type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____		PLANNER ASSIGNED: _____	TAB/CAC _____
		ACCEPTED BY: _____	TAB/CAC DATE: _____ TIME: _____
		FEE: _____ CHECK #: _____	PC MEETING DATE: _____
		COMMISSIONER: _____	BCC MTG DATE: _____
		OVERLAY(S)? _____	ZONE / AE / RNP: _____
		TRAILS? Y/N _____ PFNA? Y/N _____	PLANNED LAND USE: _____

PROPERTY OWNER	NAME: <u>Monarch Luxury Apartments, LLC</u>
	ADDRESS: <u>16 Bent Oak</u>
	CITY: <u>Trabuco Canyon</u> STATE: <u>CA</u> ZIP: <u>92679</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

APPLICANT	NAME: <u>Paragon Life, LLC</u>
	ADDRESS: <u>6402 MCLEOD DRIVE, UNIT 1</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u>
	TELEPHONE: <u>702-988-0978</u> CELL: <u>702-277-0097</u>
	E-MAIL: <u>mo.seebeck@paragon.life</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Peter Laas - Impulse Civil Engineering, LLC</u>
	ADDRESS: <u>7485 WEST AZURE DRIVE, SUITE 226</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89130</u>
	TELEPHONE: <u>702-815-0720</u> CELL: <u>702-308-7115</u>
	E-MAIL: <u>plaas@impulsecivil.net</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-30-301-014, 177-30-301-009, & 177-30-301-008

PROPERTY ADDRESS and/or CROSS STREETS: Ullom Drive & West Frias Avenue

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

Property Owner (Signature)*

Rick Abelson

Property Owner (Print)

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

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

September 18, 2019

Clark County Current Planning
500 Grand Central Parkway
Las Vegas, NV 89106

CIVIL
ENGINEERING

RE: **PARAGON ILLUSTRIA**
Vacation of Patent Easement #1211295
Project Description & Justification Letter
APN: 177-30-301-014, 177-30-301-009, & 177-30-301-008

Dear Mr. Laird:

Please accept this letter as our project description and justification for a vacation of an existing patent easement, #1211295. The project description is as follows:

PROJECT DESCRIPTION

This walkable community of 53 compact single-family lots is being proposed on 5.23 gross-acres with R-3 zoning. There are three existing parcels that comprise the property: A.P.N. 177-30-301-008, A.P.N. 177-30-301-009, and A.P.N. 177-30-301-014. Access to the proposed community will be provided via an existing sixty foot (60') wide right-of-way for Ullom Drive.

JUSTIFICATION

Vacation of Patent Easement - The developer requests a vacation of the existing thirty-three foot (33') patent easement #1211295 on 2.50 acres, which encompasses parcels 177-30-301-008 and 177-30-301-014, specifically Lot 33 of section 30, and grants right of way for roadway and public utilities. Thirty feet (30') of the existing patent easement would not be vacated along Ullom Drive to provide public right-of-way and develop Ullom Drive into the sixty foot (60') right-of-way, while vacating three feet (3') for the sidewalk along the east portion of the site. The full thirty-three feet (33') would be vacated along the south, west, and north portions of the site, as public right of way and utilities are not being developed around these boundaries of the site. Please refer to the attached legal and exhibits for clarity on the proposed vacation.

Approval of this vacation request will allow the site to be developed as proposed. Your consideration of this proposal is greatly appreciated. If you require any additional information or if you have any questions regarding the materials that have been provided, please feel free to contact me at my office (702-815-0720) or via email at SLass@ImpulseCivil.net.

Sincerely,
Impulse Civil Engineering



Samantha Major
Project Coordinator

$$I = \int F \cdot dt$$

SHOPPING CENTER
(TITLE 30)

BLUE DIAMOND RD/RAINBOW BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-19-400122 (NZC-18-0915)-RAINBOW & BLUE DIAMOND SOUTHEAST:

WAIVER OF CONDITIONS for a zone change to provide enhanced landscape buffers along the perimeters and street frontages, including detached sidewalks per plans in conjunction with a previously requested shopping center on 8.1 acres in a C-2 (General Commercial) Zone.

Generally located on the south side of Blue Diamond Road and the east side of Rainbow Boulevard within Enterprise. JJ/pb/ja (For possible action)

RELATED INFORMATION:

APN:

176-23-201-010; 176-23-201-015; 176-23-201-018

LAND USE PLAN:

ENTERPRISE - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 8.1
- Project Type: Shopping center
- Number of Stories: 1
- Building Height (feet): Up to 30
- Square Feet: 44,100
- Parking Required/Provided: 221/314

Site Plans

The original plans depict a proposed shopping center consisting of 7 buildings for a total of 44,100 square feet on 8.1 acres. Two retail buildings will be constructed upon approval while the remaining buildings are reserved for future development. The 2 retail buildings are located on the southeastern portion of the site and both have drive-thru service lanes. The drive-thru lane around Building 1 is located on the eastern side of the building with the entrance at the southeastern end of the building and the exit at the northwestern end of the building adjacent to the main drive aisle leading to the driveway on Santa Margarita Street. The drive-thru lane for Building 2 is located on the southern and eastern sides of the building with the entrance at the southwestern end of the building and the exit on the northeastern end of the building. A

convenience store with gasoline pumps is located on the northwestern portion of the site, 2 retail/restaurant buildings with drive-thru service are located on the northeastern portion of the site, another retail/restaurant building with drive-thru service is located on the southwestern portion of the site, and a restaurant building is located on the western portion of the site south of the convenience store. Parking areas are distributed throughout the site. The site will have access from Rainbow Boulevard, Santa Margarita Street, and Serene Avenue. The plans depict that 4 of the entrance driveways do not comply with Uniform Standard Drawing 222, K regarding throat depth for parking lots greater than 200 parking spaces. The departure distance for the southern driveway on Rainbow Boulevard is 128 feet from Serene Avenue to the south.

Landscaping

The plans submitted with the companion item depict a 15 foot wide landscape area adjacent to an attached sidewalk along Serene Avenue on the southeastern portion of the site, a 25 foot to 50 foot wide landscape area with a detached sidewalk along Serene Avenue on the southwestern portion of the site, a 30 foot wide landscape area with a detached sidewalk along Rainbow Boulevard, and a 20 foot wide landscape area adjacent to an attached sidewalk along Santa Margarita Street where the previously approved plans depicted wider landscape areas. The original plans depict a landscape area with detached sidewalk ranging from 15 feet wide to 47 feet wide along Rainbow Boulevard, Blue Diamond Road, and Serene Avenue; and a minimum 20 foot wide landscape area along an attached sidewalk is located adjacent to Santa Margarita Street. Parking lot landscaping is equitably distributed throughout the site in accordance with Title 30 standards. Additional landscaping is located adjacent to Buildings 1 and 2.

Elevations

Buildings 1 and 2 are single story buildings similar in design with a maximum height of 30 feet. The building materials consist of painted stucco with a sand finish, stone veneer and metal band accents, decorative metal canopies, and aluminum window treatments. The roofs of the buildings are flat with parapet walls at various heights. Building 1 has a drive-thru window on the north side and Building 2 has a drive-thru window on the east side. No elevations have been provided for the other buildings.

Floor Plans

The plans depict a total building area of 44,100 square feet. The plans indicate that Buildings 1 and 2 will be constructed with an open floor plan with areas that will be modified to meet the needs of the future tenants. Building 1 is 15,000 square feet and building 2 is 12,000 square feet. The other buildings range in size from 2,500 square feet to 5,100 square feet. No floor plans have been provided for the other buildings.

Signage

Signage was not a part of this request.

Previous Conditions of Approval

Listed below are the approved conditions for NZC-18-0915:

Current Planning

- Resolution of Intent to complete in 3 years;
- Redesign the drive-thru facilities so the entrances and exits do not conflict with on-coming traffic;
- Any speaker on Rainbow Boulevard to be oriented away from the residences;
- On-site pedestrian circulation and bicycle parking;
- No trash enclosures within 100 feet of Rainbow Boulevard right-of-way;
- Buildings to be 1 story maximum height, 30 feet for the building, and up to 35 feet for architectural features;
- Design review as a public hearing on final plans and any significant changes to plans;
- Design review as a public hearing on signage and lighting;
- Enhanced landscape buffers along the perimeters and street frontages, including detached sidewalks per plans;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that 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

- Only 1 driveway on Rainbow Boulevard;
- Coordinate with NDOT and/or Clark County Public Works for any additional driveway to the site;
- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Dedication and/or vacation of Rainbow Boulevard to be coordinated with Public Works - Design Division;
- Off-site improvements along Blue Diamond Road to be coordinated with Nevada Department of Transportation (NDOT), and applicant to provide an approved NDOT encroachment permit to Public Works Development Review Division;
- Per correspondence from the Regional Transportation Commission, dedicate a 5 foot by 25 foot easement for a future bus pad on Rainbow Boulevard north of Serene Avenue, and construct a combination right turn lane/bus pullout with a future driveway on Blue Diamond Road upon approval by the Nevada Department of Transportation.
- Applicant is advised that improvement plans and bonds may be required for Rainbow Boulevard, depending on the status of the County project; that rights-of-way, patent easements, right-of-way grants, and any other unnecessary easements will need to be vacated; that NDOT easements may exist south of the existing Blue Diamond Road right-

of-way that may interfere with the proposed development; that throat depth is measured from the point of curvature at the back of curb radius on the driveways to the first point of conflict and some of the dimensions for throat depth on the plans are incorrect in that the throats for 3 of the driveways are actually shown as being longer than what the measurement on the plan shows; that sidewalks must return to the back of curb at the point of tangent for all driveways; that the property line radius at the intersection of Rainbow Boulevard and Serene Avenue must be a minimum of 54 feet; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

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@cleanwatercam.com and reference POC Tracking #0536-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Applicant's Justification

The applicant indicates the landscape areas adjacent to the streets still meet most Code requirements.

Prior Land Use Requests

Application Number	Request	Action	Date
TA-19-0158	Removed the MUD-3 Mixed Use Overlay District from the subject site	Approved by BCC	June 2019
NZC-18-0915	Reclassified the site from R-E and H-2 zoning to C-2 zoning to allow a shopping center with waivers to allow modified driveway design standards	Approved by BCC	June 2019

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-2 & H-2	Undeveloped
South	Business and Design/Research Park	C-2	Undeveloped
East	Business and Design/Research Park	C-1, M-D, & M-1	Outside storage & undeveloped
West	Commercial General	C-2 & H-2	Retail uses

The subject site and the surrounding area are in the Public Facility Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
WS-19-0725	A waiver of development standards for a detached sidewalk along Serene Avenue and a design review for modifications to the approved shopping center 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

Staff finds there have been no changes in the surrounding area and the condition is still valid. Although the plans submitted with the companion item depict changes in the landscape areas adjacent to the streets, the proposed changes still meet or exceed Code requirements with the exception of the attached sidewalk adjacent to Serene Avenue. Therefore, staff finds the proposed landscape areas still meet the intent of the previous condition of approval with the exception of the attached sidewalk along Serene Avenue. Staff can support the reduced width of the landscape areas but cannot support the attached sidewalk along Serene Avenue. Staff can support the request if a detached sidewalk is provided along Serene Avenue.

Staff Recommendation

Approval.

Approval of the waiver of conditions request constitutes a finding by the Commission/Board that the condition will no longer fulfill its intended purpose.

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

- Provide a detached sidewalk along Serene Avenue.
- 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

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: RAINBOW & BLUE DIAMOND SOUTHEAST
CONTACT: LUCY STEWART, LAS CONSULTING, 1930 VILLAGE CENTER CIRCLE,
BLD 3 STE 577, LAS VEGAS, NV 89134

DRAFT



LAND USE APPLICATION 22A

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<input checked="" type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) <u>NZC 18-0915</u> (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	DATE FILED: <u>9/10/19</u> PLANNER ASSIGNED: <u>POH</u> ACCEPTED BY: <u>POH</u> FEE: <u>1800.00</u> CHECK #: _____ COMMISSIONER: <u>JJ</u> OVERLAY(S)? <u>M403</u> PUBLIC HEARING? <input checked="" type="checkbox"/> N TRAILS? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N PFNA? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>WL-19-406123</u> TAB/CAC: <u>Enterprise</u> TAB/CAC MTG DATE: <u>10/19</u> TIME: <u>4:00</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>11/6/19</u> ZONE / AE / RNP: <u>C-2/NO</u> PLANNED LAND USE: <u>BSR1</u> NOTIFICATION RADIUS: <u>500</u> SIGN? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	PROPERTY OWNER	NAME: <u>Rainbow & Blue Diamond Southeast</u> ADDRESS: <u>5055 W. Patrick</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118-2840</u> TELEPHONE: <u>702-604-8159</u> CELL: _____ E-MAIL: <u>mstone@capwestdev.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: _____ CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: <u>702-499-6469</u> CELL: <u>702-499-6469</u> E-MAIL: <u>stewplan@gmail.com</u> REF CONTACT ID #: <u>165577</u>	

ASSESSOR'S PARCEL NUMBER(S): 176-23-201-010, 015 & 018

PROPERTY ADDRESS and/or CROSS STREETS: SEC Blue Diamond & Rainbow

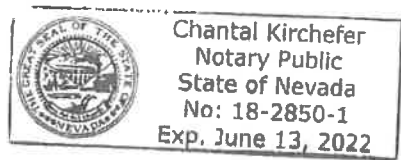
PROJECT DESCRIPTION: Waive requirement for detached sidewalk and deisgn review for building #3

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

Property Owner (Signature)

Michael Dean
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON September 3, 2019 (DATE)
 By Michael J. Dean
 NOTARY PUBLIC: Chantal Kirchefer



*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.

LAS Consulting
1930 Village Center Circle-Bldg 3, #577
Las Vegas, NV 89134
702-499-6469

September 10, 2019

Phil Blount, Principal Planner
Clark County Current Planning
500 Grand Central Parkway
Las Vegas, NV 89106

RE: SEC Blue Diamond Rd & Rainbow Blvd, NZC 18- 0915

Dear Mr. Blount:

Please accept this letter as our request for a waiver of conditions for NZC 18-0915. The site is located on the SEC corner of Rainbow Blvd and Blue Diamond Road. A non-conforming zone change was approved for C-2 and a Design Review on an 8.09-acre site. An application for a design review and waiver of development standards is a companion item to this request. The companion waiver of development standards is to allow an attached detached sidewalk at the northeast corner along South Rainbow Blvd. and West Serene Avenue will remain. One of the conditions of approval for the zone change stated, "Enhanced landscape buffers along the perimeters and street frontages, including detached sidewalks per plans." This condition was placed upon the zoning because the plans showed the sidewalk and landscaping in that condition.

The detached sidewalk changes per the attached drawing only applies at the southeast corner of West Serene Avenue.

We respectfully request your approval of this request.

Yours truly,

Lucy Stewart

Lucy Stewart

11/06/19 BCC AGENDA SHEET

LIGHTING
(TITLE 30)

BLUE DIAMOND RD/DECATUR BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-19-400124 (ZC-18-0256)-BLUE DIAMOND DECATUR PLAZA, LLC:

WAIVER OF CONDITIONS of a zone change for a design review as a public hearing for lighting in conjunction with a shopping center, mini-warehouse facility, and future hotel on 13.1 acres in a C-2 (General Commercial) Zone.

Generally located on the south side of Blue Diamond Road and the west side of Decatur Boulevard within Enterprise. JJ/lm/jd (For possible action)

RELATED INFORMATION:

APN:

176-13-701-024; 176-13-801-016; 176-13-801-025

LAND USE PLAN:

ENTERPRISE - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: 1945 Blue Diamond Road
- Site Acreage: 13.1
- Project Type: Shopping center and mini-warehouse facility with a future hotel

Site Plans & History

The previously approved site plans depict a shopping center with 2 pad sites for a future development, mini-warehouse facility, and a future hotel site. The pad sites for a future development, vehicle repair facility, and an in-line retail building with a drive-thru service are located on the western portion of the site. The plans indicate the drive-thru service will be available for the pad sites. The mini-warehouse facility, the future hotel site, and a medical office building are depicted on the central portion of the site. A health club, an in-line retail building, convenience store with gasoline sales, and a Starbucks with drive-thru service are located on the eastern portion of the site. All approved and future buildings are set back a minimum of 39 feet from the south (rear) property line, 22 feet from Decatur Boulevard, 20 feet from Blue Diamond Road, and 24 feet from Edmond Street. The off-highway vehicle, recreational vehicle, and watercraft storage will be in conjunction with the mini-warehouse facility and is located along the rear property line on the central portion of the site.

The prior approval for the shopping center required a design review as a public hearing for signage and lighting. The approved light poles are 20 feet high with down shielded lighting in order to be Title 30 compliant. The proposed lighting on the approved buildings within the center are also down shielded.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-18-0256:

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Design review as a public hearing for significant changes to the plans;
- Design review as a public hearing for signage and lighting;
- Provide cross access to APN's 176-13-801-002 and 005, respectively, if compatible uses are developed;
- 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;
- The driveways shown on Blue Diamond Road on the submitted plans are subject to NDOT approval;
- Driveway(s) on Blue Diamond Road shall be approved by Public Works;
- Traffic study and compliance;
- Full off-site improvements;
- Coordinate Decatur Boulevard off-site improvements with Public Works - Design Division;
- Off-site improvements along Blue Diamond Road to be coordinated with Nevada Department of Transportation (NDOT), and applicant to provide an approved NDOT encroachment permit to Public Works Development Review Division;
- Right-of-way dedication to include the corner spandrels at the intersections of Edmond Street and Blue Diamond Road and Decatur Boulevard and Blue Diamond Road, if deemed necessary by Clark County or NDOT.
- Applicant is advised that the installation of detached sidewalks may require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to e-mail sewerlocation@cleanwaterteam.com and reference POC Tracking #0169-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Applicant's Justification

The applicant indicates that a review of the parking lot and building lighting (DR-19-0334) was previously approved by the Board of County Commissioner's for the first 5 buildings on the site. The justification letter also states that a review of the 6 future buildings is not needed as those buildings are located either along Blue Diamond Road or previously approved buildings with lighting are located closer to the residential properties to the south than the future pad sites.

Prior Land Use Requests

Application Number	Request	Action	Date
ADR-19-900608	Redesigned drive-thru for an approved restaurant (Burger King)	Approved by ZA	September 2019
DR-19-0462	Signage	Approved by BCC	August 2019
DR-19-0334	Parking lot and building lighting	Approved by BCC	June 2019
VS-18-0854	Vacated and abandoned easements for detached sidewalks	Approved by PC	December 2018

Prior Land Use Requests

Application Number	Request	Action	Date
TM-18-500169	1 lot commercial subdivision	Approved by PC	October 2018
VS-18-0279	Vacated and abandoned government patent easements	Approved by BCC	May 2018
ZC-18-0256	Reclassified the subject property to C-2 zoning	Approved by BCC	May 2018
NZC-18-0065	Reclassified a 9 acre portion of the site to R-4 zoning for a multiple family residential development	Withdrawn at PC	March 2018

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General & Residential Suburban (up to 8 du/ac)	H-2, C-2 & M-D	Retail development & undeveloped
South	Commercial General, Residential Medium (3 to 14 du/ac) & Residential High (8 to 18 du/ac)	R-E, H-2 & C-2	Hospital & undeveloped parcels
East	Residential Suburban (up to 8 du/ac) & Residential Medium (3 to 14 du/ac)	R-E, R-2 & H-2	Single family residential development & undeveloped
West	Residential Suburban (up to 8 du/ac) & Commercial Neighborhood	R-2	Undeveloped & single family residential development

The immediate area is within the Public Facilities Needs Assessment (PFNA) area.

STANDARDS FOR APPROVAL:

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

**Analysis
Current Planning**

The condition for a design review of site lighting was conditioned so that lighting doesn't intrude onto surrounding properties (particularly on the residential properties to the south). Additionally, final building plans have not been submitted on the future in-line retail pads along the south portion of the shopping center, adjacent to the residential development. Additionally, Urban Specific Policy 15 of the Comprehensive Master Plan indicates that lighting design should be sensitive to off-site residential uses, and without design plans submitted for review, there is no reasonable way to determine the impact of site lighting. Therefore, staff cannot support this request.

Staff Recommendation

Denial.

Approval of the waiver of conditions request constitutes a finding by the Commission/Board that the condition will no longer fulfill its intended purpose.

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 50, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Lighting to be shielded for elevations facing the south property line, unless buffered by an existing building.
- Applicant is advised that a development agreement has been previously required (ZC-18-0256).

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: BLUE DIAMOND DECATURE PLAZA, LLC

CONTACT: KAEMPKER CROWELL, 1980 FESTIVAL PLAZA DR, STE 650, LAS VEGAS, NV 89135



LAND USE APPLICATION 23A

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input checked="" type="checkbox"/> WAIVER OF CONDITIONS (WC) ZC-18-0256 (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 #) <input type="checkbox"/> DEVELOPMENT AGREEMENT (DA)	STAFF	DATE FILED: <u>9/11/19</u> PLANNER ASSIGNED: <u>J.M</u> ACCEPTED BY: <u>SWD</u> FEE: <u>\$475</u> CHECK #: <u>Invoice</u> COMMISSIONER: <u>J.J</u> OVERLAY(S)? <u>muD-3</u> PUBLIC HEARING? <u>Y/N</u> TRAILS? <u>Y(N)</u> PFNA? <u>Y(N)</u> APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>WR-19-400124</u> TAB/CAC: <u>Enterprise</u> TAB/CAC MTG DATE: <u>10/9</u> TIME: <u>6PM</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>11/6/19</u> ZONE / AE / RNP: <u>C-2</u> PLANNED LAND USE: <u>C-6</u> NOTIFICATION RADIUS: <u>50</u> SIGN? <u>Y/N</u> LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	PROPERTY OWNER	NAME: <u>Blue Diamond Deactur Plaza, LLC</u> ADDRESS: <u>8350 W. Sahara Avenue, Suite 210</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89117</u> TELEPHONE: <u>n/a</u> FAX: <u>n/a</u> CELL: <u>n/a</u> E-MAIL: <u>n/a</u>	
	APPLICANT	NAME: <u>Blue Diamond Decatur Plaza, LLC</u> ADDRESS: <u>8350 W. Sahara Avenue, Suite 210</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89117</u> TELEPHONE: <u>n/a</u> FAX: <u>n/a</u> CELL: <u>n/a</u> E-MAIL: <u>n/a</u>	
	CORRESPONDENT	NAME: <u>Tony Celeste - Kaempfer Crowell</u> <u>164820</u> ADDRESS: <u>1980 Festival Plaza Drive, Suite 650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> FAX: <u>702-796-7181</u> CELL: <u>n/a</u> E-MAIL: <u>ajc@kcnvlaw.com</u>	

ASSESSOR'S PARCEL NUMBER(S): 176-13-801-016, 025, 176-13-701-024
 PROPERTY ADDRESS and/or CROSS STREETS: Blue Diamond and Decatur
 PROJECT DESCRIPTION: Waiver of conditions re: lighting for ZC-18-0256

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

Property Owner (Signature) _____
 Property Owner (Print) Hackel Inv. Triangle Trading, Ltd., Its Manager
 STATE OF California
 COUNTY OF Los Angeles
 SUBSCRIBED AND SWORN BEFORE ME ON August 29, 2019 (DATE)
 By Vito Teruna, Notary Public
 NOTARY PUBLIC: _____



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

KAEMPFER

CROWELL

ATTORNEYS AT LAW

LAS VEGAS OFFICE

ANTHONY J. CELESTE

aceleste@kcnvlaw.com
702 693 4215

LAS VEGAS OFFICE
1980 Festival Plaza Drive
Suite 650
Las Vegas, NV 89135
Tel 702 792 7000
Fax 702 796 7181

RENO OFFICE
50 West Liberty Street
Suite 700
Reno, NV 89501
Tel 775 852 3900
Fax 775 327 2011

CARSON CITY OFFICE
510 West Fourth Street
Carson City, NV 89703
Tel 775 884 8300
Fax 775 882 0257

September 10, 2019

VIA HAND DELIVERY

CLARK COUNTY DEPARTMENT OF
COMPREHENSIVE PLANNING
500 S. Grand Central Parkway
Las Vegas, Nevada 89106

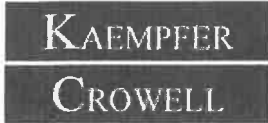
**Re: *Justification Letter – Great American Capital
Waiver of Conditions
APNs: 176-13-801-025; 176-13-701-024; and 176-13-801-016***

To Whom It May Concern:

Please be advised our office represents Great American Capital (the “Applicant”). The Applicant is the owner of real property located at the southwest corner of Blue Diamond Road and Decatur Boulevard, more particularly described as APNs: 176-13-801-025; 176-13-701-024; and 176-13-801-016 (collectively the “Site”). By way of background, on May 16, 2018 the Board of County Commissioners approved, via ZC-18-0256, a zone change reclassifying the Site to C-2 and a design review with associated special use permits and waivers of developments standards allowing for the development of a shopping center, mini-storage, auto repair, convenience store with gas pumps, health club (gym), and medical office.

Condition four (4) of the above approval requires a “Design review as a public hearing for signage and lighting”. On August 7, 2019, the Board of County Commissioners approved a design review for signage on the property therefore meeting that condition of approval. On June 19, 2019 the Board of County Commissioners approved, via DR-19-0334, a design review for parking lot and building lighting. Building lighting was applied for and approved for the auto shop, EOS Fitness, shops A, shops B, and the C-Store. The remaining six (6) buildings were marked as “future” as shown on the attached Site Electrical Plan. We respectfully request to waive the condition of submitting a design review as a public hearing for lighting on the remaining six buildings and ask that this condition be deemed met. The reason the Applicant is requesting the waiver of the lighting is as follows:

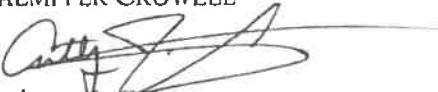
1. The remaining buildings are located along Blue Diamond Highway. Blue Diamond Highway is a busy commercial corridor. Any additional lighting from the Site will not impact the existing illumination along Blue Diamond Highway.
2. The lighting approved via DR-19-0334 is for buildings located generally along the south property line closer the residential uses. As such, the Applicant believes the intent of the condition has been met since the most sensitive areas have gone through the public hearing process.



We thank you in advance for your time and consideration.

Sincerely,

KAEMPFER CROWELL



Anthony V. Celeste

AJC/lab

11/06/19 BCC AGENDA SHEET

RESIDENTIAL DEVELOPMENT
(TITLE 30)

ULLOM DR/FRIAS AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-19-400126 (NZN-0925-17)-MONARCH LUXURY APARTMENTS, LLC:

WAIVERS OF CONDITIONS of a zone change requiring the following: 1) enhanced landscape buffers along the perimeters and street frontages, and pedestrian access gates, as shown per plans; 2) design review as a public hearing for future signage and lighting; and 3) northernmost gate to be egress only for an approved multiple family residential development on 2.7 acres in an R-3 (Multiple Family Residential) Zone.

Generally located on the east side of Ullom Drive (alignment), 320 feet north of Frias Avenue within Enterprise (description on file). JJ/al/ja (For possible action)

RELATED INFORMATION:

APN:

177-30-301-009

LAND USE PLAN:

ENTERPRISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.7
- Number of Units: 44
- Density (du/ac): 15.9
- Project Type: Multiple family residential development
- Number of Stories: 3 (multiple family buildings)/1 (office & pool house)
- Building Height (feet): 43 (multiple family buildings)/18 (office & pool house)
- Open Space Required/Provided: 8,800 square feet/37,903 square feet
- Parking Required/Provided: 80/88

Request

The applicant is proposing to develop this site with 2.5 acres located on the west side of Ullom Drive as a single family residential development in an R-3 zone consisting of compact lots. This site was reclassified to an R-3 zoning district for a proposed multiple family residential development, which the applicant indicates will no longer be developed. This application was

filed to request that conditions of approval for the original zone change and multiple family development that are not applicable to the proposed single family development be waived.

Site Plans

The approved plans depicted a multiple family (apartment) development consisting of 44 units distributed among 2 buildings on 2.7 acres for a density of 15.9 dwelling unit per acre. The 2 buildings are connected to visually form one "L" shaped building with 1 portion perpendicular to Ullom Drive and the other portion parallel to the street. The buildings are arranged around a courtyard which creates a pocket of common open space. There are 2 larger useable common areas with a pool and a centrally located clubhouse with office. The plans depict 1 main gated access from Ullom Drive and 1 exit gate also on Ullom Drive.

Previous Conditions of Approval

Listed below are the approved conditions for NZC-0925-17:

Current Planning

- A resolution of intent to complete in 3 years;
- Enhanced landscape buffers along the perimeters and street frontages, and pedestrian access gates, as shown per plans;
- Design review as a public hearing for significant changes to plans;
- Design review as a public hearing for future signage and lighting;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time; and that this application must be completed within the time specified 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;
- Northernmost gate to be egress only;
- Traffic study and compliance;
- Full off-site improvements.
- 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; the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way; and that meandering sidewalks are a non-standard improvement that the County will not maintain.

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; and that the Federal Aviation Administration will no

longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a prior Point of Connection (POC) request has been completed for this project; email sewerlocation@cleanwaterteam.com and reference POC Tracking #0581-2017 to obtain your POC exhibit; and that if wastewater flow rates exceed CCWRD estimates, a new POC request may be required.

Applicant's Justification

The applicant indicates that the request is to waive 3 specific conditions of approval for NZC-0925-17 that do not apply to the current development proposed for this site (ZC-19-0741), which is a single family development. The proposed project will be designed to comply with Code standards for landscaping, will not have signage, and lighting will be consistent for single family residential development.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-18-0518	Multiple family residential development	Approved by BCC	September 2018
NZC-0925-17	Reclassified the site to R-3 zoning for a multiple family residential development	Approved by BCC	January 2018
VS-0929-17	Vacated and abandoned easements and portions of rights-of-way being Haleh Avenue & Ullom Drive	Approved by BCC	January 2018

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Residential Suburban (up to 8 du/ac)	R-E	Undeveloped
South & West	Residential High (8 to 18 du/ac) & Commercial General	R-E & C-2	Undeveloped & mini-storage facility

Related Applications

Application Number	Request
ZC-19-0741	A zone change to reclassify a portion of the site to an R-3 zone with design review for a single family residential development is a companion item on this agenda.
VS-19-0756	A vacation of easements is a companion item on this agenda.
TM-19-500193	A tentative map for a single family residential subdivision is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

The conditions that the applicant is requesting to waive were intended for a multiple family residential development which will no longer be moving forward. The current proposal for development on this site is for a single family residential development on compact lots, and these conditions are not typically placed on this type of development. Should this developer, or a future developer desire to again change the site to a multiple family residential development the zone change would require a new design review for a significant change to the plan. If that were to happen these conditions could then be placed back on future applications to increase density or intensity on this site. Since the site is no longer being developed as a multiple family residential development staff can support the waivers of conditions.

Public Works - Development Review

Waiver of Conditions #3

Staff has no objection to the request to waive the gate requirement. The conditions from the original non-conforming zone change will be replaced by conditions on the new zone change submitted in conjunction with this application. Since no gates are proposed with the new development, the condition regarding gates would not be enforced. Additionally, pursuant to Chapter 30.16 of Clark County Code, the original non-conforming zone change will be void once the new zone change is approved.

Staff Recommendation

Approval.

Approval of the waiver of conditions request constitutes a finding by the Commission/Board that the conditions will no longer fulfill its intended purpose.

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:

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 #0340-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: PARAGON LIFE, LLC
CONTACT: PETER LAAS, IMPULSE CIVIL ENGINEERING, 7485 W. AZURE DRIVE,
SUITE 226, LAS VEGAS, NV 89118

DRAFT



LAND USE APPLICATION 24A

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (Nzc) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input checked="" type="checkbox"/> WAIVER OF CONDITIONS (WC) <u>Nzc-0925-17</u> (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	DATE FILED: <u>9-12-19</u> PLANNER ASSIGNED: <u>PI</u> ACCEPTED BY: <u>PI</u> FEE: <u>\$800.00</u> CHECK #: _____ COMMISSIONER: <u>JJ</u> OVERLAY(S)? <u>NA</u> PUBLIC HEARING? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N TRAILS? Y <input checked="" type="checkbox"/> N PFNA? Y <input checked="" type="checkbox"/> N APPROVAL/DENIAL BY: _____
	PROPERTY OWNER	APP. NUMBER: <u>WC-19-400126</u> TAB/CAC: <u>Enterprise</u> TAB/CAC MTG DATE: <u>10-9</u> TIME: <u>6P</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>11-6 9AM</u> ZONE / AE / RNP: <u>R-5 No A12</u> PLANNED LAND USE: <u>RS</u> NOTIFICATION RADIUS: <u>1500</u> SIGN? Y <input checked="" type="checkbox"/> N <input type="checkbox"/> LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	APPLICANT	NAME: <u>Paragon Life, LLC</u> ADDRESS: <u>6402 MCLEOD DRIVE, UNIT 1</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89120</u> TELEPHONE: <u>702-988-0978</u> CELL: <u>702-277-0097</u> E-MAIL: <u>mo.seebeck@paragon.life</u> REF CONTACT ID #: _____
	CORRESPONDENT	NAME: <u>Peter Laas - Impulse Civil Engineering, LLC</u> ADDRESS: <u>7485 WEST AZURE DRIVE, SUITE 226</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89130</u> TELEPHONE: <u>702-815-0720</u> CELL: <u>702-308-7115</u> E-MAIL: <u>plaas@impulsecivil.net</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-30-301-014, 177-30-301-009, & 177-30-301-008

PROPERTY ADDRESS and/or CROSS STREETS: Ullom Drive & West Frias Avenue

PROJECT DESCRIPTION: A Compact Single Family Residential on 4.56 acres

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

Property Owner (Signature)* Rick Abelson
Property Owner (Print)

STATE OF _____
 COUNTY OF _____

SUBSCRIBED AND SWORN BEFORE ME ON _____ (DATE)
 By _____
 NOTARY PUBLIC: see

*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.

Need Just Let

CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

- See Attached Document (Notary to cross out lines 1-6 below)
- See Statement Below (Lines 1-6 to be completed only by document signer(s), not Notary)

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

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

State of California

County of ORANGE

Subscribed and sworn to (or affirmed) before me

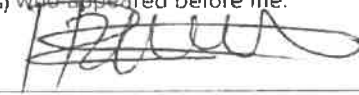
on this 17 day of JULY, 2019.
by *Date Month Year*

(1) RICK A ABELSON

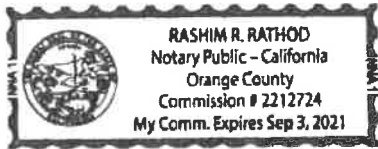
(and (2) N/A).

Name(s) of Signer(s)

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

Signature 

Signature of Notary Public



Place Notary Seal and/or Stamp Above

OPTIONAL

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

Description of Attached Document

Title or Type of Document: LAND USE APPLICATION

Document Date: N/A Number of Pages: 01

Signer(s) Other Than Named Above: N/A

September 9, 2019

Clark County Current Planning
500 Grand Central Parkway
Las Vegas, NV 89106

RE: **PARAGON ILLUSTRIA**
Waiver of Conditions
Project Description & Justification Letter
APN: 177-30-301-009

Dear Mr. Laird:

Please accept this letter as our project description and justification for a Waiver of Conditions. The project description is as follows:

PROJECT DESCRIPTION

This walkable community of 53 compact single-family lots is being proposed on 5.23 gross-acres with R-3 zoning. There are three existing parcels that comprise the property: A.P.N. 177-30-301-008, A.P.N. 177-30-301-009, and A.P.N. 177-30-301-014. Two of these parcels are planned for Residential High ("RH") land use, and the third parcel is planned for Residential Suburban ("RS") land use, but this third parcel is currently approved for R-3 zoning with a Resolution of Intent (NZC-0925-17). This application package includes a Conforming Zone Change to R-3 for the parcels that are planned for RH, and a Waiver of Conditions for the parcel that was previously approved for R-3. Together, these applications are intended for the development of an R-3 community of compact single-family lots and homes that conform to the requirements of an R.U.D. style development as it is defined within Title 30. As proposed the site would yield a density of 10.1 units per gross acre where R-3 zoning supports 18 units per gross acre. An approval will result in a less-dense and less-intense product than could otherwise have been proposed, and would permit the developer to construct smaller homes on lots that still have full front, side, and rear yards, and offer a home product to consumers at lower, more affordable prices than a larger-lot community would otherwise require.

Surrounding the subject the property –

North of A.P.N. 177-30-301-008 & -014: an undeveloped parcel designated with a Residential High land use and owned by Clark County (Aviation).

North of A.P.N. 177-30-301-009: an undeveloped parcel designated with a Residential Suburban land use and owned by Clark County (Aviation).

South of A.P.N. 177-30-301-008 & -014: an existing C-2 zoned parcel that has been developed with a mini-storage facility and fast food business (Taco Bell) that faces both South Decatur Boulevard and West Frias Avenue.

South of A.P.N. 177-30-301-009: an undeveloped parcel designated with a Residential High land use and owned by Clark County (Aviation).

East: an undeveloped parcel designated with a Residential Suburban land use and owned by Clark County (Aviation).

West: an undeveloped parcel designated with a Residential High land use and owned by Clark County (Aviation) that faces South Decatur Boulevard.

Access to the proposed community will be provided via an existing 60-foot wide right-of-way for Ullom Drive which separates the west and east halves of the proposed community and is classified as a collector street. There will also be 42' wide onsite private streets with sidewalks on at least one side of every street.

The 53 compact single-family lots will have an average lot size of 2,827 square feet where 2,000 square foot lots are required. The smallest proposed lot is 2,589 square feet, and the largest proposed lot in the community is 4,168 square feet in size.

The developer is proposing to build three different home plans, each with at least two different elevations. These plans will range in size from approximately 1,527 square feet to 1,874 square feet and they will include three to four bedrooms depending on the home. The homes will not exceed 35-feet in height and will have concrete tile roofs, earth-toned stucco exteriors, two-car garages, and will include xeriscape front yards.

Additionally, the developer intends to develop landscaped walking corridors with direct access to many of the lots, streetscapes, and a small park area for open play and family activities, where designated parking is has also been proposed.

JUSTIFICATION

The developer requests the following waivers of the Conditions of Approval for A.P.N. 177-30-301-009 that accompanies NZC-0925-17, which was approved on January 3, 2018:

Condition: *Enhanced landscape buffers along the perimeters and street frontages, and pedestrian access gates, as shown per plans.*

Justification: The new site plan does not include the installation specified perimeter buffers. However, where buildings are proposed there will be minimum building setbacks from perimeters that comply with the requirements of Table 30.40-2 for an RUD development. Additionally, the developer has proposed open space areas that total 12,464 square feet where only 6,360 square feet is required. These open spaces include landscaped walking corridors and an open play area. Note that streetscapes are also proposed, but in locations where lots are fronting roadways, front yards will be installed by the developer. These yards are not less than 18-feet deep and include xeriscape landscaping and driveway access to the proposed buildings. Finally, the site plan does not include access gates, as these are not a requirement for single-family use.

Condition: *Design review as a public hearing for future signage and lighting.*

Justification: The community has been proposed for compact single-family residential use; signage and lighting, other than street lighting, are not being considered for the proposed development.

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Condition: *Northernmost gate to be egress only.*

Justification: The developer does not intend to gate any of the proposed roadways.

CONCLUSION

The developer has proposed a compact single-family community that easily satisfies the requirements of an RUD development. In fact, the development will exceed the requirements for minimum lot size (2,589 SF versus 2,000 SF minimum), density (10.1 units per acre versus 18 maximum), and open space (12,464 SF versus 6,360 SF minimum) per the standards for a traditional RUD community. And for the subject parcels, RUD is a less intense land use than could have been otherwise proposed.

Finally, it is the developer's opinion that the proposed community and land use will serve as an excellent buffer between the existing commercial uses that exist to the south, and future single-family product that will likely be proposed to the north and east.

Your consideration of this proposal is greatly appreciated. If you require any additional information or if you have any questions regarding the materials that have been provided, please feel free to contact me at my office (702-815-0720) or via email at SLass@ImpulseCivil.net.

Sincerely,
Impulse Civil Engineering



Samantha Major
Project Coordinator

$$I = \int F \cdot dt$$

11/06/19 BCC AGENDA SHEET

RESIDENTIAL DEVELOPMENT
(TITLE 30)

CACTUS AVE/JONES BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-19-400127 (ZC-1624-06)-HLI, LLC:

WAIVER OF CONDITIONS of a zone change requiring right-of-way dedication to include 30 feet to 60 feet for Rush Avenue west of Duneville Street, 55 feet to back of curb for Cactus Avenue, and associated spandrels on 25.0 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the north side of Cactus Avenue, 200 feet east of Jones Boulevard within Enterprise. JJ/al/xx (For possible action)

RELATED INFORMATION:

APN:

176-25-401-006; 176-25-401-010; 176-25-401-011; 176-25-401-015 through 176-25-401-018;
176-25-401-022

LAND USE PLAN:

ENTERPRISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 10380 Duneville Street & 6015 W. Rush Avenue
- Site Acreage: 25
- Project Type: Future residential development

Request

The original application was approved to reclassify 25 acres from an R-E zone to an R-2 zone for future development. No building plans or site plan were submitted with this zone change. This request is to waive a condition for right-of-way dedication for Rush Avenue and to reduce the required right-of-way dedication for Cactus Avenue to 45 feet. The applicant is requesting to develop a portion of this site and adjacent parcels to the north as a single family residential development (ZC-19-0743). The plans submitted for ZC-19-0743 do not depict right-of-way dedication for Rush Avenue and depict Cactus Avenue with a 45 foot wide dedication to allow for detached sidewalks.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-1624-06:

Current Planning

- No resolution of intent and staff to prepare an ordinance to adopt the zoning;
- Design review as a public hearing on future plans;
- Existing structure to be demolished within 60 days;
- All applicable standard conditions for this application type.

Civil Engineering

- Right-of-way dedication to include 30 feet to 60 feet for Rush Avenue west of Duneville Street, 55 feet to back of curb for Cactus Avenue, and associated spandrels;
- Any alternate right-of-way dedication to be approved by Clark County Civil Engineering;
- Apply for and have approved a vacation of Red Rock Street;
- Drainage study and compliance;
- Traffic study and compliance;
- Traffic study to also address the dedication and construction for bus turnouts including passenger loading/shelter areas in accordance with Regional Transportation Commission standards;
- Construct full off-sites;
- If the sidewalk is detached, dedication to be to back of curb and grant necessary pedestrian access, streetlight, and traffic control easements, which may require a vacation of excess right-of-way.

Applicant's Justification

The applicant indicates that there are plans to develop a portion of this site as a single family residential subdivision. The plans for that project do not include right-of-way dedication for Rush Avenue. Rush Avenue does not continue to the east or west of this site and access within the proposed subdivision, or any future development of the remainder of this site can be accomplished without the need for the development of Rush Avenue. The requested reduction for the right-of-way dedication of Cactus Avenue is to provide detached sidewalks per current County Standards, which requires less right-of-way dedication.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1624-06	Reclassified 25 acres including portions of this site to R-2 zoning for future development	Approved by BCC	January 2007
ZC-1517-03	Reclassified 90 acres including portions of this site to R-2 zoning for future residential development	Approved by BCC	October 2003
UC-0497-01	Overhead power transmission line corridor that passes through a portion of this site	Approved by PC	June 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Medium (3 to 14 du/ac) & Residential Suburban (up to 8 du/ac)	RUD & R-E	Undeveloped
South	Major Development Project	R-2	Single family residences
East	Residential Suburban (up to 8 du/ac)	R-2	Single family residences
West	Commercial Neighborhood	R-E	Undeveloped

This site and the surrounding area are located within the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
ZC-19-0743	A zone change to reclassify a portion of the site to an R-2 zone for a single family residential development is a companion item on this agenda.
VS-19-0744	A vacation of easements and rights-of-way is a companion item on this agenda.
TM-19-500194	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

Staff Recommendation Approval.

Approval of the waiver of conditions request constitutes a finding by the Commission/Board that the condition will no longer fulfill its intended purpose.

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:

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0532-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTEST:

APPLICANT: AMERICAN WEST DEVELOPMENT, INC.
CONTACT: CHELSEA JENSEN, WESTWOOD PROFESSIONAL SERVICE, 5740 S.
ARVILLE STREET, SUITE 216, LAS VEGAS, NV 89118

DRAFT



LAND USE APPLICATION 25A

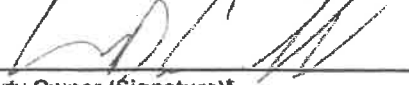
CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

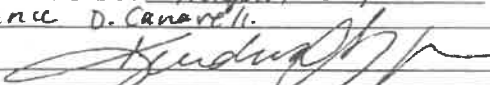
SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

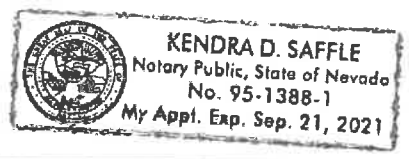
<input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input checked="" type="checkbox"/> WAIVER OF CONDITIONS (WC) <u>2C 1624-06</u> (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	DATE FILED: <u>9-13-19</u> APP. NUMBER: <u>WC-19-400127</u> PLANNER ASSIGNED: <u>AI</u> TAB/CAC: <u>Portigoni</u> ACCEPTED BY: <u>AI</u> TAB/CAC MTG DATE: <u>10-7</u> TIME: <u>6</u> FEE: <u>650</u> PC MEETING DATE: _____ CHECK #: <u>99661</u> BCC MEETING DATE: <u>11-6 9A</u> COMMISSIONER: <u>JJ</u> ZONE / AE / RNP: <u>R-2</u> OVERLAY(S)? <u>LU</u> PLANNED LAND USE: <u>RS</u> PUBLIC HEARING? <u>YIN</u> NOTIFICATION RADIUS: <u>1000</u> SIGN? <u>YIN</u> TRAILS? <u>YIN</u> PFNA? <u>YIN</u> LETTER DUE DATE: _____ APPROVAL/DENIAL BY: _____ COMMENCE/COMPLETE: _____
	PROPERTY OWNER	NAME: <u>HLI LLC</u> ADDRESS: <u>250 Pilot Road, Suite 140</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-736-6434</u> CELL: _____ E-MAIL: <u>ksaffle@americanwesthomes.com</u>
	APPLICANT	NAME: <u>American West Development, Inc.</u> ADDRESS: <u>250 Pilot Road, Suite 140</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-736-6434</u> CELL: _____ E-MAIL: <u>ksaffle@americanwesthomes.com</u> REF CONTACT ID #: _____
	CORRESPONDENT	NAME: <u>Slater Hanifan Group a Westwood Team attn: Chelsea Jensen</u> ADDRESS: <u>5740 S. Arville St # 216</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-284-5300</u> CELL: _____ E-MAIL: <u>lvproc@westwoodps.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-25-401 +.010, .015, .022' 016, 017 018, 006 011
 PROPERTY ADDRESS and/or CROSS STREETS: Jones/Cactus
 PROJECT DESCRIPTION: Residential 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


 Property Owner (Signature)* Lawrence D. Canarelli
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON August 28, 2019 (DATE)
 By Lawrence D. Canarelli
 NOTARY PUBLIC: 



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



September 6, 2019
Current Planning Division
500 South Grand Central Parkway
Las Vegas, NV 89155-4000

**RE: Highlands Ranch Unit 28 (162 lot Subdivision)
Change Letter for a Waiver of Conditions
SHG Project No. AWD1905-000**

Slater Hanifan Group, on behalf of our client, American West Development, respectfully submits this description change letter to the Waiver of Development Standards and Design Review exhibits.

The project sites associated with the subject application are approximately 19.55+ gross acres and covers APN 176-25-301-016, -022, 176-25-401-001, -003, -004, -005, -010, -015, and -022. This development is located in a portion of Section 25, Township 22 South, Range 60 East, M.D.M., Clark County, Nevada. This proposed community will be a single-family subdivision with 162 lots with a gross density of 2.74 dwelling units per acre. The site currently has APN's zoned R-E, R-2 and RUD.

In this development, American West will offer 5 different house plans with 3 separate elevations per plan. Of these 5 house plans, three plans are 2-stories tall while the remaining plans are 3-stories tall. House sizes ranges from 1,798 s.f. to 3,072 s.f., with the target buyer being young families and second home buyers.

The proposed community has been designed to complement the surrounding Highlands Ranch subdivisions. AWD feels that the proposed project will blend nicely with the single-family subdivisions to the north, west and south of this site.

Waiver of Conditions

Though the original approved Carter Burgess project was never developed, several conditions per ZC-1624-06 were applied to the parcel. Most of these conditions are acceptable for the new development, however, the following condition is no longer appropriate for this development.

Condition: "Right of Way dedication to include 30 feet to 60 feet for Rush Avenue west of Duneville Street, 55 feet to back of curb for Cactus Avenue, and associated spandrels"

Request: Allow the vacation of Duneville Street & Rush Avenue right of ways and allow a 45 foot right of way dedication to back of curb for Cactus Avenue.



Justification: The proposed project spans from Frias Avenue to Cactus Avenue, and from Jones Boulevard to the existing Cactus Hills South (PW 06-18974) development. With both Duneville Street and Rush Avenue right of way segments falling inside of this projects boundary, and not continuing beyond their current location, it seems unnecessary to keep both in place. Also, under the new development standards, this project proposes Cactus Avenue with a 45 foot right of way to back of curb, with a 15 foot landscape area and detached 5 foot sidewalk. This proposed layout for Cactus Avenue is also comparable with the design of the existing Ansedonia at Southern Highlands (PW 03-15528) development on the south side of Cactus Avenue.

Thank you for the opportunity to submit this application for your review. Please contact me at (702) 284-5300 if you have any questions regarding this application.

Sincerely,

Slater Hanifan Group, Inc.

Corey Lieber, PE Project Manager

Cc: Kendra Saffle, American West Development;
Chelsea Jensen, SHG

11/06/19 BCC AGENDA SHEET

SHOPPING CENTER
(TITLE 30)

BLUE DIAMOND RD/RAINBOW BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-19-0725-RAINBOW & BLUE DIAMOND SOUTHEAST:

WAIVER OF DEVELOPMENT STANDARDS to allow alternative landscaping **DESIGN REVIEW** for modifications to an approved shopping center on 8.1 acres in a C-2 (General Commercial) Zone.

Generally located on the south side of Blue Diamond Road and the east side of Rainbow Boulevard within Enterprise. JJ/pb/ja (For possible action)

RELATED INFORMATION:

APN:

176-23-201-010; 176-23-201-015; 176-23-201-018

WAIVER OF DEVELOPMENT STANDARDS:

Allow a 15 foot wide landscaping area adjacent to a proposed attached sidewalk along Serene Avenue where a 15 foot wide landscape area with a detached sidewalk is required per Figure 30.64-17.

LAND USE PLAN:

ENTERPRISE - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 8.1
- Project Type: Shopping center
- Number of Stories: 1
- Building Height (feet): Up to 30
- Square Feet: 43,906
- Parking Required/Provided: 223/290

Site Plan

The applicant is requesting modifications to the approved shopping center which includes modifications to the approved landscape areas, the 2 previously approved retail buildings, and relocating a restaurant building and converting it to a retail building. The plans depict a proposed shopping center consisting of 7 buildings for a total of 43,906 square feet on 8.1 acres.

Three retail buildings will be constructed upon approval while the remaining buildings are reserved for future development. The 2 previously approved retail buildings are located on the southeastern portion of the site and both have drive-thru service lanes. The drive-thru lane around Building 1 is located on the eastern side of the building with the entrance at the southeastern end of the building and the exit at the northwestern end of the building adjacent to the main drive aisle leading to the driveway on Santa Margarita Street. The width of the drive-thru lane has been increased from 12 feet wide to 24 feet wide with a corresponding reduction in landscaping. The drive-thru lane for Building 2 is located on the southern and eastern side of the building with the entrance at the southwestern end of the building and the exit on the northeastern end of the building. The width of the drive-thru lane has been increased from 12 feet wide to 22 feet wide with a corresponding reduction in landscaping. Retail Building 3 is located on the western portion of the site adjacent to Rainbow Boulevard. The setback from the back of the detached sidewalk is 20 feet where a 27 foot wide landscape area was previously approved. A convenience store with gasoline pumps is located on the northwestern portion of the site, 2 retail/restaurant buildings with drive-thru service are located on the northeastern portion of the site, and another retail/restaurant building with drive-thru service is located on the southwestern portion of the site. Parking areas are distributed throughout the site. The site will have access from Rainbow Boulevard, Santa Margarita Street, and Serene Avenue. The 3 driveway entrances depicted on the plan do not comply with Uniform Standard Drawing 222.1 regarding throat depth for parking lots greater than 200 parking spaces. The throat depths range from 90 feet to 102 feet and were approved with the previous request.

Landscaping

The plans submitted with the companion item depict a 15 foot wide landscape area adjacent to an attached sidewalk along Serene Avenue on the southeastern portion of the site, a 25 foot to 50 foot wide landscape area with a detached sidewalk along Serene Avenue on the southwestern portion of the site, a 30 foot wide landscape area with a detached sidewalk along Rainbow Boulevard, and a 20 foot wide landscape area adjacent to an attached sidewalk along Santa Margarita Street where the previously approved plans depicted wider landscape areas. The original plans depict a landscape area with detached sidewalk ranging from 15 feet wide to 47 feet wide along Rainbow Boulevard, Blue Diamond Road, and Serene Avenue. A minimum 20 foot wide landscape area along with an attached sidewalk is located adjacent to Santa Margarita Street. Parking lot landscaping is equitably distributed throughout the site in accordance with Title 30 standards. Additional landscaping is located adjacent to Buildings 1 and 2.

Elevations

Buildings 1, 2, and 3 are single story buildings similar in design with a maximum height of 30 feet. The building materials consist of painted stucco with a sand finish, stone veneer and metal band accents, decorative metal canopies, and aluminum window treatments. The roofs of the buildings are flat with parapet walls at various heights. Building 1 has a drive-thru window on the north side and Building 2 has a drive-thru window on the east side. No elevations have been provided for the other buildings.

Floor Plans

The plans depict a total building area of 43,906 square feet. The plans indicate that Buildings 1, 2, and 3 will be constructed with an open floor plan with areas that will be modified to meet the

needs of the future tenants. Building 1 is 13,326 square feet, building 2 is 12,070 square feet, and building 3 is 7,100 square feet. The other buildings range in size from 2,500 square feet to 3,500 square feet. No floor plans have been provided for the other buildings.

Signage

Signage was not a part of this request.

Applicant's Justification

The applicant indicates a 7,100 square foot building is being added to Phase I of the project with modifications to the 2 previously approved buildings, access driveways, parking lot, drive aisles, and landscape areas. The waiver of development standards only applies to the southeastern portion of the site.

Prior Land Use Requests

Application Number	Request	Action	Date
TA-19-0158	Removed the MUD-3 Mixed Use Overlay District from the subject site	Approved by BCC	June 2019
NZC-18-0915	Reclassified the site from R-E and H-2 zoning to C-2 zoning to allow a shopping center with waivers to allow modified driveway design standards	Approved by BCC	June 2019

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-2 & H-2	Undeveloped
South	Business and Design/Research Park	C-2	Undeveloped
East	Business and Design/Research Park	C-1, M-D, & M-1	Outside storage & undeveloped
West	Commercial General	C-2 & H-2	Retail uses

The subject site and the surrounding area are in the Public Facility Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
WC-19-400122 (NZC-18-0915)	A waiver of conditions for a zone change to provide enhanced landscape buffers along the perimeters and street frontages, including detached sidewalks per plans in conjunction with a previously requested shopping center 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

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.

Serene Avenue is a collector street which requires a 15 foot wide landscape area with a detached sidewalk. The plans submitted with this application depict detached sidewalks along the western portion of the site adjacent to Serene Avenue and Rainbow Boulevard. Staff finds the request for an attached sidewalk is not compatible with the proposed development on the remaining portion of the site. Furthermore, there is adequate room in the landscape area to provide the detached sidewalk. Therefore, staff cannot support this portion of the request.

Design Review

The design of the building, with varying heights and pop-outs complies with Urban Specific Policy 19 of the Comprehensive Master Plan, which encourages varying building heights and breaking-up the mass of a building. Although the plans submitted depict changes in the landscape areas adjacent to the streets, the proposed changes still meet or exceed Code requirements with the exception of the attached sidewalk adjacent to Serene Avenue. Therefore, staff finds the proposed landscape areas still meet the intent of the previous condition of approval with the exception of the attached sidewalk along Serene Avenue. Staff can support the reduced width of the landscape areas but cannot support the attached sidewalk along Serene Avenue. Staff can support the request if a detached sidewalk is provided along Serene Avenue. Approval of the design review is contingent upon approval of the waiver of conditions.

Staff Recommendation

Approval of the design review; denial of the waiver of development standards.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- 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

- Only 1 driveway on Rainbow Boulevard;
- Coordinate with NDOT and/or Clark County Public Works for any additional driveway to the site;
- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Dedication and/or vacation of Rainbow Boulevard to be coordinated with Public Works - Design Division;
- Off-site improvements along Blue Diamond Road to be coordinated with Nevada Department of Transportation (NDOT), and applicant to provide an approved NDOT encroachment permit to Public Works Development Review Division;
- Per correspondence from the Regional Transportation Commission, dedicate a 5 foot by 25 foot easement for a future bus pad on Rainbow Boulevard north of Serene Avenue, and construct a combination right turn lane/bus pullout with a future driveway on Blue Diamond Road upon approval by the Nevada Department of Transportation.
- Applicant is advised that improvement plans and bonds may be required for Rainbow Boulevard, depending on the status of the County project; that rights-of-way, patent easements, right-of-way grants, and any other unnecessary easements will need to be vacated; that NDOT easements may exist south of the existing Blue Diamond Road right-of-way that may interfere with the proposed development; that throat depth is measured from the point of curvature at the back of curb radius on the driveways to the first point of conflict and some of the dimensions for throat depth on the plans are incorrect in that the throats for 3 of the driveways are actually shown as being longer than what the measurement on the plan shows; that sidewalks must return to the back of curb at the point of tangent for all driveways; that the property line radius at the intersection of Rainbow Boulevard and Serene Avenue must be a minimum of 54 feet; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0530-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: RAINBOW & BLUE DIAMOND SOUTHEAST
CONTACT: LUCY STEWART, LAS CONSULTING, 1930 VILLAGE CENTER CIRCLE,
BLD 3 STE 577, LAS VEGAS, NV 89134

DRAFT



LAND USE APPLICATION 26A

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<input checked="" type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (Nzc) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input checked="" 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	DATE FILED: <u>9/10/19</u> PLANNER ASSIGNED: <u>PHD</u> ACCEPTED BY: _____ FEE: <u>12275.475</u> CHECK #: _____ COMMISSIONER: <u>JS</u> OVERLAY(S)? <u>MUS3</u> PUBLIC HEARING? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N TRAILS? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N PFNA? <input checked="" type="checkbox"/> N APPROVAL/DENIAL BY: _____
	PROPERTY OWNER	NAME: <u>Rainbow & Blue Diamond Southeast</u> ADDRESS: <u>5055 W. Patrick</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118-2840</u> TELEPHONE: <u>702-604-8159</u> CELL: _____ E-MAIL: <u>mstone@capwestdev.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: _____ CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: <u>702-499-6469</u> CELL: <u>702-499-6469</u> E-MAIL: <u>stewplan@gmail.com</u> REF CONTACT ID #: <u>165577</u>

ASSESSOR'S PARCEL NUMBER(S): 176-23-201-010, 015 & 018

PROPERTY ADDRESS and/or CROSS STREETS: SEC Blue Diamond & Rainbow

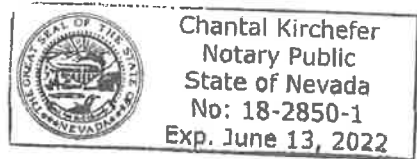
PROJECT DESCRIPTION: Waive requirement for detached sidewalk and deisgn review for building #3

(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.

Michael Dean
 Property Owner (Signature) Michael Dean
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON September 3, 2019 (DATE)
 By Michael J. Dean
 NOTARY PUBLIC: Chantal Kirchefer



*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.

LAS Consulting
1930 Village Center Circle-Bldg 3, #577
Las Vegas, NV 89134
702-499-6469

September 9, 2019

Phil Blount, Principal Planner
Clark County Current Planning
500 Grand Central Parkway
Las Vegas, NV 89106

RE: SEC Blue Diamond Rd & Rainbow Blvd, APN: 176-23-201-010, 015, & 018

Dear Mr. Blount:

Please accept this letter as our request for the design review as a public hearing on final plans. The site is located on the SEC corner of Rainbow Blvd and Blue Diamond Road. A non-conforming zone change was approved for C-2 and a Design Review on an 8.09-acre site.

The plans were previously revised after approval of the zone change, approved and placed in the file. These revisions included- removal of the entry off Rainbow Blvd, changes to some of the drive lanes throughout the site, building number one decreased square footage, and building number two increased square footage. This design review is to cover the following:

- Remove detached sidewalk on Serene Avenue
- Added an additional building to phase I (7,100 SF Future Retail Building #3).

The proposed retail buildings are contemporary consisting of a combination of stone, stucco, metal and glass exterior façade. Future buildings will be encouraged to maintain elements of the retail buildings but will be allowed to brand the buildings to their corporate design standards.

In addition, we are requesting a waiver of development standards. The detached sidewalk at the northeast corner along South Rainbow Blvd. and West Serene Avenue will remain, therefore we need a waiver to allow

The detached sidewalk changes per the attached drawing only applies at the southeast corner of West Serene Avenue.

We respectfully request your approval of this request.

Yours truly,

Lucy Stewart

Lucy Stewart

11/06/19 BCC AGENDA SHEET

SINGLE FAMILY DEVELOPMENT
(TITLE 30)

ERIE AVE/TORREY PINES DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-19-0718-DEAN FAMILY TRUST ETAL & BROSSAU SANDRA TRS:

ZONE CHANGE to reclassify 5.0 acres from R-E (Rural Estates Residential) Zone to RUD (Residential Urban Density) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced setbacks; and 2) overlength cul-de-sac.

DESIGN REVIEWS for the following: 1) proposed single family residential development; and 2) increased finished grade in conjunction with a single family residential development.

Generally located on the north side of Erie Avenue, 950 feet east of Torrey Pines Drive within Enterprise (description on file). JJ/pb/jd (For possible action)

RELATED INFORMATION:

APN:

176-35-601-007; 176-35-601-008

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the rear setback to 8 feet where 15 feet is required per Table 30.40-2 (a 46.7% reduction).
2. Increase the length of a cul-de-sac to 604 feet where a maximum of 500 feet is permitted per Section 30.52.052 (a 20.8% increase).

DESIGN REVIEWS:

1. Single family residential development.
2. Increase the finished grade for a single family residential development up to 36 inches (3 feet) where a maximum of 18 inches is the standard (a 100% increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 5
- Number of Lots: 44
- Density (du/ac): 8.8

- Minimum/Maximum Lot Size: 2,905/3,781
- Project Type: Single family residential development
- Number of Stories: 2
- Building Height (feet): Up to 28
- Square Feet: 1,735 to 2,035
- Open Space Required/Provided: 8,800 square feet/10,906

Site Plans

The plans depict a residential development totaling 44 single family lots and 6 common area lots on 5 acres. The density of the residential subdivision is 8.8 dwelling units per acre. The lots range in size from a minimum of 2,905 square feet to a maximum of 3,781 square feet. The lots will have a rear yard setback of 10 feet from the base of the first floor of the dwellings and 8 feet from the edge of the second floor which has a cantilevered design. There are 17 lots on the eastern portion of the site which will front on and access El Camino Road while the remaining 27 lots will access Erie Avenue to the south via a 47 foot wide internal public street, which includes an attached sidewalk on both sides of the street. The internal street is an overlength cul-de-sac. Also shown on plans is a common lot that is located at the northwest corner of the site constrained by a 100 foot wide NV Energy easement that is approximately 14,510 square feet in size with 10,906 square feet of usable open space. There are 5 other common element lots for a total of 20,549 square feet of open space and drainage easements. The plans also depict that the finished grade of the site will be increased up to 3 feet across the entire site.

Landscaping

The plans depict a 15 foot wide landscape area with a detached sidewalk along the south property line adjacent to Erie Avenue. A 10,906 square foot open space area with amenities such as dog waste stations, grills, picnic tables, and benches is located on the northwestern portion of the site.

Elevations

The plans depict 4 different models with each model having potential variations including covered porches, building pop-outs, etc. All elevations depict fenestration on windows, doors, and enhanced architectural elements. The buildings range in height from 25 feet to 28 feet.

Floor Plans

The plans depict 4 different models comprised of 2 story floor plans that have a 2 car garage (front loaded) and range between 1,735 square feet to 2,035 square feet with available options.

Applicant's Justification

The applicant indicates the proposed zoning conforms to the land use plan and the design of the project is compatible with the existing and approved land uses in the area. Useable open space with amenities will be provided. Due to the limited size of the property, the projected density, and being that the site is surrounded by BLM land, as well as an NV Energy overhead transmission line that encumbers the northwest portion of the property, the waivers of development standards are needed. The differential on the cross section of the entire site will not exceed 3 feet and will not cause more than a 3 foot retaining wall.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-19-0131	Requested to reclassify the site from R-E to R-2 zoning for a proposed single family residential development	Withdrawn without prejudice by BCC	April 2019
TM-19-500039	31 single family residential lots	Withdrawn without prejudice by BCC	April 2019
UC-0497-01	Power transmission line corridor that is approximately 38.3 miles long	Approved by PC	June 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Residential High (8 du/ac to 18 du/ac)	R-E	Undeveloped
South	Residential Suburban (up to 8 du/ac)	R-2	Single family residential subdivision under construction
East	Residential Suburban (up to 8 du/ac)	R-E	Undeveloped

The subject site and the surrounding area are in the Public Facility Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
VS-19-0719	A vacation of patent easements and right-of-way is a companion item on this agenda.
TM-19-500187	A tentative map to subdivide this site into 44 single family residential lots on 5 acres is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis
Current Planning
Zone Change

This request for a zone boundary amendment conforms to the Enterprise Land Use Plan which designates this site as Residential High. The development is consistent and compatible with the proposed and approved land uses in the area. Therefore, staff supports the zone change.

Waivers of Development Standards

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

Waiver of Development Standards #1

Staff finds this request is a self-imposed hardship since the setback reduction is only necessary due to the design and size of the proposed home models. The applicant has not provided any information to show unique issues on the lots such as easements or topographic features that would justify the setback reduction. The home models as designed are too big to fit on the lots within current Code requirements. The applicant has not proposed any mitigation for the reduced setback. The request does not comply with Urban Specific Policy 39 of the Comprehensive Master Plan which encourages appropriate buffers and setbacks with single family residential developments. Therefore, staff cannot support this request.

Design Review #1

The design of the subdivision is consistent and compatible with approved and planned land uses in the area and complies with Urban Specific Policy 10 of the Comprehensive Master Plan which encourages site designs to be compatible with adjacent land uses and off-site circulation patterns. The design of the elevations and floor plans comply with Urban Specific Policy 43 by providing a variety of elevations with articulated building facades. Therefore, staff can support the request.

Public Works - Development Review Waiver of Development Standards #2

Staff has no objection to waiver of development standards #2; however, the applicant must obtain approval from Fire Prevention.

Design Review #2

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

Staff Recommendation

Approval of the zone change, waiver of development standards #2, and the design reviews; denial of waiver of development standards #1.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that 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 reviews must commence within 4 years of approval date or they 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 El Camino Road and associated spandrel;
- Clark County Fire Prevention approval of all over-length streets;
- Applicant shall coordinate with Public Works-Development Review to apply for a Bureau of Land Management (BLM) right-of-way grant for the El Camino Road alignment.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0317-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: D.R. HORTON

CONTACT: MARIA MORGAN, TRITON ENGINEERING, 6757 W. CHARLESTON BOULEVARD, SUITE B, LAS VEGAS, NV 89146

DRAFT



LAND USE APPLICATION 27A

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<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"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) _____ (ORIGINAL APPLICATION #)	STAFF	DATE FILED: <u>9/16/19</u> PLANNER ASSIGNED: <u>PH</u> ACCEPTED BY: _____ FEE: <u>\$2200.00</u> CHECK #: _____ COMMISSIONER: <u>JJ</u> OVERLAY(S)? <u>N/A</u> PUBLIC HEARING? <u>Y/N</u> TRAILS? <u>Y/N</u> PFNA? <u>Y/N</u> APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>CC-19-0718</u> TAB/CAC: <u>Enterprise</u> TAB/CAC MTG DATE: <u>10/9</u> TIME: <u>6:00</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>11/6/19</u> ZONE / AE / RNP: <u>BE IN</u> PLANNED LAND USE: <u>AD</u> NOTIFICATION RADIUS: <u>1000</u> SIGN? <u>Y</u> LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	PROPERTY OWNER	NAME: <u>Jagged Edge Limited Partnership</u> ADDRESS: <u>3075 Rosanna Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV.</u> ZIP: <u>89117</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____	
	APPLICANT	NAME: <u>DR Horton, Inc.</u> ADDRESS: <u>1081 Whitney Ranch Drive, Suite #141</u> CITY: <u>Henderson</u> STATE: <u>NV.</u> ZIP: <u>89014</u> TELEPHONE: <u>702.635.3600</u> CELL: _____ E-MAIL: <u>jrgenovese@drhorton.co</u> REF CONTACT ID #: _____	
	CORRESPONDENT	NAME: <u>Triton Engineering</u> ADDRESS: <u>6757 W. Charleston Blvd., Suite B</u> CITY: <u>Las Vegas</u> STATE: <u>NV.</u> ZIP: <u>89146</u> TELEPHONE: <u>702.254.1480</u> CELL: _____ E-MAIL: <u>mmorgan@tritoneng.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 176-35-601-007

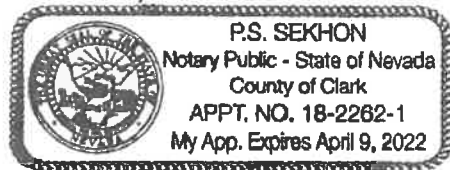
PROPERTY ADDRESS and/or CROSS STREETS: Erie & El Camino

PROJECT DESCRIPTION: Single Family Residential

(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.

Shad C Mich'l Ronald C Mich'l General Partner
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON 29th August 2019 (DATE)
 By Ronald Charles Mich'l
 NOTARY PUBLIC: P.S. Sekhon



*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 9, 2019

Phil Blount, Principal Planner
Clark County Nevada
Department of Comprehensive Planning
500 S. Grand Central Parkway
Las Vegas, NV 89155

20-19-0718

**Subject: LETTER OF INTENT - DR HORTON, INC., - Erie El Camino
Tentative Map, Zone Changes, Design Reviews, Waivers and Vacation Submittals
APN #176-35-601-007 & 008**

As representatives of DR Horton, Inc., we respectfully request your consideration of the attached requests for Zone Change, Design Reviews, Waivers and Vacation applications to accompany our Tentative Map. The subject property is located within incorporated Clark County. The proposed site is located North of W. Erie Avenue between S. Torrey Pines Dr. and S. Jones Blvd. located within Section 35, Township 22, Range 60.

DR Horton, Inc. is proposing developing 44 single family detached residences on 5.0 acres, for a density of 8.8 per gross acres and 10.33 per net acres. The current zoning is Rural Estates Residential (RE) and Residential High (RH) Planned Land use. We are proposing a zone change to Residential Urban Density (RUD). The minimum lot size required is 2,000 square feet; our smallest lot is 2,905 square feet and our largest lot is 3,781 square feet. This will be a non-gated community with public streets. There will be an Open Space of 10,906 SF where 8,800 SF is required. This park will provide amenities such as, dog waste stations, grills, picnic tables and benches.

The production models are numbered 1735, 1835, 1935, and 2035. This development has two story homes ranging from 1,735 to 2,035 square feet containing four different elevations. These plans have 3 to 4 bedrooms with a great room or loft. All homes will include a 2-car garage. The average backyard size is anticipated to be 10' deep and will not contain patios.

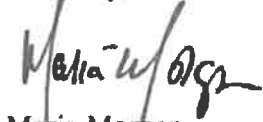
Due to the limited size of the property, the projected density and being it is surrounded by BLM land, as well as NVE overhead transmission lines encumbering the Northwest corner of the property, we are requesting waivers of certain development standards on behalf of DR Horton, Inc. Concerning rear yard setbacks per Title 30.40-2, we are requesting a reduction of 5' from the required 15' setback to 10' for Models 1735, 1835, 1935 and 2035. We are requesting a 10' setback for the first floor; however, due the second story being cantilevered an 8' setback will be necessary. We are also requesting a waiver regarding the uniform standard 212.1.S1., which requires a maximum of 500' in length for a street containing a Cul-de-sac. We are requesting an overlength of a proposed cul-de-sac for one street. We are requesting an extension to 604'. (Please see the attached exhibit).

We are also submitting vacation request for two 33' and one 3' government BLM patent easements, as well as, a 5' Public Right of Way. The two 33' patent easements are located on the North and West side of the properties. There will be a 3' patent easement remnant on the East side of the property after El Camino is dedicated. On the North side of Erie, there is an existing 40' Right of Way and on the South side a 35' Right of Way. We will be matching the 35' Right of Way that will cause a 5' Public Right of Way to be vacated.

We are also requesting a Design Review via a public hearing to be considered by the Board so we may increase the finished grade over the 18 inches as is required by Clark County Code, Title 30.32.4. The differential on the cross section over the entire site will not exceed the 3' and will not cause more than a 3' retaining wall.

Should there be any questions or require additional information please contact me at 702.254.1480.

Sincerely,

A handwritten signature in black ink, appearing to read "Maria Morgan".

Maria Morgan
Project Coordinator

11/06/19 BCC AGENDA SHEET

RESIDENTIAL DEVELOPMENT
(TITLE 30)

QUARTERHORSE LN/OLETA AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-19-0734-BLUE SAND HOLDINGS, LLC:

ZONE CHANGE to reclassify 2.5 acres from H-2 (General Highway Frontage) Zone to R-2 (Medium Density Residential) Zone.

WAIVER OF DEVELOPMENT STANDARDS to increase wall height.

DESIGN REVIEWS of the following: 1) a single family residential development; and 2) increased finished grade.

Generally located on the north side of Oleta Avenue (alignment) and the east side of Quarterhorse Lane (alignment) within Enterprise (description on file). JJ/al/ja (For possible action)

RELATED INFORMATION:

APN:

176-20-201-005

WAIVER OF DEVELOPMENT STANDARDS:

Increase block wall height to 11 feet (up to 5 foot retaining with 6 foot screen wall) where a maximum of 9 feet (6 foot retaining with 3 foot screen wall) is permitted per Section 30.64.050 (a 22.2% increase).

DESIGN REVIEWS:

1. A proposed single family residential development.
2. Increase finished grade for a proposed single family residential development to 60 inches (5 feet) where a maximum of 18 inches (1.5 feet) is the standard per Section 30.32.040 (a 233.3% increase).

LAND USE PLAN:

ENTERPRISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.5
- Number of Lots: 18 residential/1 common
- Density (du/ac): 7.2

- Minimum/Maximum Lot Size (square feet): 3,360/5,463
- Project Type: Single family residential development
- Number of Stories: 2
- Building Height (feet): 30
- Square Feet: 1,908 to 2,358

Site Plans

The plans depict a single family residential development consisting of 18 lots on 2.5 acres with a density of 7.2 dwelling units per acre. Access to the proposed subdivision is provided from Oleta Avenue located on the south side of the site. The plan depicts 48 foot wide public streets within the development with 5 foot wide sidewalks located on each side of the streets. The plan depicts a common lot located on the northwest corner of the site. This common lot is for an existing cell tower site.

Landscaping

The plan depicts 6 foot wide landscape areas consisting trees, shrubs, and groundcover located along the north side of Oleta Avenue and along Quarterhorse Lane.

Elevations

Plans were submitted for 4 different home models. Each home model is 2 stories and will not exceed 30 feet in height. All of the home models have pitched roofs with concrete tile for roofing material. The exterior of the homes will have a stucco finish. Architectural enhancements include stone veneer, window fenestrations, and various recesses and pop-outs to break-up the vertical and horizontal surfaces of the structures.

Floor Plans

The 4 home models range from 1,908 square feet to 2,358 square feet in area. Each home model will have a 2 car garage and the home will have options for 3 to 5 bedrooms.

Applicant's Justification

The applicant indicates that the proposed development is consistent and compatible with existing and planned developments on the abutting parcels. The increase to the finished grade for portions of the site is necessary due to sewer design constraints and the natural topography of the site in order to provide sewer service and proper drainage. The increase in the finished grade will require the increase in the heights of retaining walls for the proposed development.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0127-11	Increased the height of an existing communication tower	Approved by PC	May 2011
UC-1431-00	Communication tower and related ground mounted equipment	Approved by PC	October 2000

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Residential Suburban (up to 8 du/ac)	R-2	Single family residences
South	Residential Suburban (up to 8 du/ac)	H-2	Undeveloped
West	Residential Suburban (up to 8 du/ac) & Commercial General	R-2 & H-2	Single family residences & undeveloped

This site and the surrounding area are located within the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
VS-19-0735	A vacation of easements is a companion item on this agenda.
TM-19-500191	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

Zone Change

This request conforms to the Enterprise Land Use Plan. The proposed development complies with Goal 7 of the Comprehensive Master Plan to provide housing alternatives to meet a range of lifestyle choices, ages, and affordability levels. The project complies with Urban Specific Policy 4 to preserve existing residential neighborhoods by encouraging vacant lots within this area to develop at similar densities as the existing area. Therefore, staff supports the zone change.

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.

The applicant states that the increase in retaining wall height is necessary to retain the amount of fill that is needed to increase the finished grade of portions of the site to allow for sewer service and for proper drainage. The existing topography of the site can be a unique or special circumstance to warrant approval of the request to increase the height of the retaining walls. Plus, the existing development abutting this site can affect how drainage is provided for this site, which could require the increase in the retaining wall height. Similar waivers of development

standards have been approved for other residential developments in the County. Given these factors, staff can support the increase in wall height.

Design Review #1

The proposed use of the property is consistent and compatible with existing and planned land uses on the abutting properties. The architectural design of the residences is consistent with existing single family homes in the area; therefore, staff supports the design review.

Public Works - Development Review

Design Review #2

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

Staff Recommendation

Approval.

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;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area.
- 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 the waiver of development standards and design reviews must commence within 4 years of approval date or they 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;
- Full off-site improvements;
- Right-of-way dedication to include the remaining portion of the knuckle for Quarterhorse Lane on the northwest corner of the site and 30 feet for Oleta Avenue;
- Apply for a BLM right-of-way grant for Oleta Avenue;
- Reconstruct the curb cut on Quarterhorse Lane with full off-site improvements;

- Coordinate driveway improvements for the existing communication tower 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.

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 #0599-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

APPLICANT: ANDREW ACUNA

CONTACT: JANNA FELIPE, TANEY ENGINEERING CORP, 6030 S. JONES BOULEVARD, SUITE 100, LAS VEGAS, NV 89118

DRAFT



LAND USE APPLICATION 28A

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

- TEXT AMENDMENT (TA)
- ZONE CHANGE
 - CONFORMING (ZC) / 0504
 - NONCONFORMING (NZC)
- USE PERMIT (UC)
- VARIANCE (VC)
- WAIVER OF DEVELOPMENT STANDARDS (WS) 47500
- DESIGN REVIEW (DR) 67500
- PUBLIC HEARING
- ADMINISTRATIVE DESIGN REVIEW (ADR)
- STREET NAME / NUMBERING CHANGE (SC)
- WAIVER OF CONDITIONS (WC)

(ORIGINAL APPLICATION #)
- ANNEXATION REQUEST (ANX)
- EXTENSION OF TIME (ET)

(ORIGINAL APPLICATION #)
- APPLICATION REVIEW (AR)

(ORIGINAL APPLICATION #)

STAFF	DATE FILED: <u>9-12-18</u> PLANNER ASSIGNED: <u>AI</u> ACCEPTED BY: <u>AI</u> FEE: <u>2200.00</u> CHECK #: <u>25 713 / 180374</u> COMMISSIONER: <u>JT</u> OVERLAY(S)? <u>M403</u> PUBLIC HEARING? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N TRAILS? Y <input checked="" type="checkbox"/> N PFNA? Y <input checked="" type="checkbox"/> N APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>2C-19-0734</u> TAB/CAC: <u>Entegone</u> TAB/CAC MTG DATE: <u>10-9</u> TIME: <u>6:45</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>11-6</u> ZONE / AE / RNP: <u>1-2 NBRK</u> PLANNED LAND USE: <u>RS</u> NOTIFICATION RADIUS: <u>422</u> SIGN? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
PROPERTY OWNER	NAME: <u>Blue Sand Holdings, LLC</u> ADDRESS: <u>3425 Cliff Shadows Pkwy #110</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89129</u> TELEPHONE: <u>702-365-9588</u> CELL: _____ E-MAIL: <u>andrew.a@summithomesnv.com</u>	
APPLICANT	NAME: <u>Summit Homes of Nevada</u> ADDRESS: <u>3425 Cliff Shadows Pkwy, Suite 110</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89129</u> TELEPHONE: <u>(702)365-8588</u> CELL: _____ E-MAIL: <u>andrewa@summithomes</u> REF CONTACT ID #: <u>186011</u>	
CORRESPONDENT	NAME: <u>Taney Engineering, Attn: Janna Felipe</u> ADDRESS: <u>6030 S. Jones Blvd.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-362-8844</u> CELL: _____ E-MAIL: <u>jannaf@taneycorp.com</u> REF CONTACT ID #: <u>132565 186713</u>	

ASSESSOR'S PARCEL NUMBER(S): 176-20-201-005

PROPERTY ADDRESS and/or CROSS STREETS: Quarterhorse and Oleta

PROJECT DESCRIPTION: residential 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.

8/27/19
Albert Taban, Manager of
BLUE SAND HOLDINGS, LLC
 Property Owner (Signature)* Property Owner (Print)

STATE OF _____
 COUNTY OF _____

SUBSCRIBED AND SWORN BEFORE ME ON _____ (DATE) see attached

By _____
 NOTARY PUBLIC: _____

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

**CALIFORNIA ALL-PURPOSE
CERTIFICATE OF ACKNOWLEDGMENT**

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

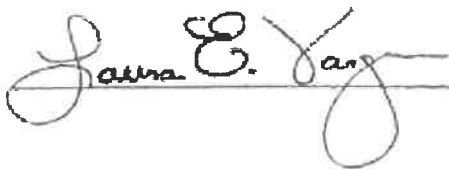
STATE OF CALIFORNIA }

COUNTY OF LOS ANGELES } S.S.

On August 28, 2019, before me, Laura E. Vargas, Notary Public, personally appeared Albert Taban, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.



(Notary Seal)



DESCRIPTION OF THE ATTACHED DOCUMENT:

Date of Document: August 27, 2019
Name of Document: Land Use Application
Reference: Blue Sand Holdings, LLC / 176-25-501-007



TANEY ENGINEERING

6030 S. JONES BLVD. LAS VEGAS, NV 89118
PHONE: (702) 362-8844 | FAX: (702) 362-5233
TANEYCORP.COM

September 9, 2019

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

Re: Quarterhorse and Oleta – Justification Letter – Conforming Zone Change, Tentative Map (APN: 176-20-201-005)

Dear Planner:

On behalf of our client, Summit Homes of Nevada, LLC, Taney Engineering is respectfully submitting a project description letter for a Conforming Zone Change, Tentative Map, and Vacation of Patent Easement for a proposed 2.5-acre, 18 lot residential subdivision.

Project Description:

The project consists of a 2.5-acre, 18 lot residential subdivision with 7.2 lots per acre located along Oleta Avenue east of Quarterhorse Lane. Currently the site is zoned H-2 – General Highway Frontage, with a planned land use RS – Residential Suburban. We are requesting the site to be zoned R-2.

Our project will consist of entry level, affordable housing by current market conditions. For pedestrian safety we will provide sidewalks on one side of the street. In addition to stylish exteriors, the homes will include full length 20' paver driveways with 2-car garages.

The subdivision will have access to the site from Oleta Avenue. There will be 2-car garages provided for each unit for a total of 36 parking spaces. Perimeter landscaping is being provided along Oleta Avenue.

The houses will range in size from approximately 1,908 square feet to 2,358 square feet and will consist of two story homes (height of two story homes will not exceed 29'-6").

Conforming Zone Change – H-2 to R-2

The project site is bound by properties with planned land use and zoning as follows:

- South: H-2 General Highway Frontage (0.5 or 8 units/acre); RS – Residential Suburban
- West R-2 Medium Density Residential (8 units/acre); RS – Residential Suburban
- North: R-2 Medium Density Residential (8 units/acre); RS – Residential Suburban
- East: R-2 Medium Density Residential (8 units/acre); RS – Residential Suburban

On behalf of our client we like to request a zone change from H-2 to R-2. Since the project is bounded on 3 sides by R-2 zoning and on all sides by RS land use, we believe the zone change will have no adverse effect on the established zoning intent for the surrounding area.

Design Review

We would like to apply for a design review for the excess fill at our edge conditions along portions of the west, north, and east boundaries. Due to sewer design constraints and the natural topography of the site, lots 4 and 5 along the east boundary, lots 5 through 11 along the north boundary, and lot 12 along the west boundary will experience increased fill up to 5 feet from the existing ground.

Waiver of Standards – Wall Height

On behalf of our client, we would like to request waiver of standards for the need of retaining walls up to 5 feet of retention with a 6 foot screen wall on top of the retaining for a total wall height range not to exceed 11 feet. As mentioned under the Design Review, due to sewer design constraints and the natural topography of the site, lots 5 through 12 will experience increased fill along the western, northern, and eastern boundaries, up to 5 feet in order to establish finished floors for those lots. To accommodate the fill, increased retaining walls up to 5 feet will be required. The walls will not have an adverse impact on the surrounding area adjacent to the site.

We are hopeful that this letter clearly describes the project and the intent of the proposed development. If you have any questions or require any additional information please call 702-362-8844.

Respectfully,
Taney Engineering

11/06/19 BCC AGENDA SHEET

RESIDENTIAL DEVELOPMENT
(TITLE 30)

ULLOM DR/FRIAS AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ZC-19-0741-LUCE, RONALD D. & INDIGO SERVICES:

ZONE CHANGE to reclassify 2.5 acres from R-E (Rural Estates Residential) Zone to R-3 (Multiple Family Residential) Zone.

WAIVER OF DEVELOPMENT STANDARDS to permit alternative residential driveway geometrics.

DESIGN REVIEWS for the following: 1) single family residential development; 2) permit streets to terminate with hammerhead cul-de-sacs; and 3) increased finished grade for lots within a residential development on 5.0 acres in an R-3 (Multiple Family Residential) Zone.

Generally located on the east and west sides of Ullom Drive (alignment), 320 feet north of Frias Avenue within Enterprise (description on file). JJ/al/ja (for possible action)

RELATED INFORMATION:

APN:
177-30-301-008; 177-30-301-009; 177-30-301-014

WAIVER OF DEVELOPMENT STANDARDS:

1. a. Reduce the separation from a residential driveway to the point of curvature of a spandrel at a street intersection to 7 feet where a minimum of 12 feet is required per Uniform Standard Drawing 222 (41.7% reduction).
- b. Reduce the separation from a residential driveway to a property line to 5 feet where a minimum of 6 feet is permitted per Uniform Standard Drawing 222 (a 16.7% reduction).

DESIGN REVIEWS:

1. A proposed single family residential development.
2. Permit cul-de-sacs terminating in a hammerhead design turnaround where radius cul-de-sac turnarounds are the preferred standard per Section 30.56.080.
3. Increase finished grade for a proposed single family residential development to 60 inches (5 feet) where a maximum of 18 inches (1.5 feet) is the standard per Section 30.32.040 (a 233.3% increase).

LAND USE PLAN:

ENTERPRISE - RESIDENTIAL HIGH (FROM 8 DU/AC TO 18 DU/AC)
ENTERPRISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.5 zone change/5 residential development
- Number of Lots: 53
- Density (du/ac): 10.6
- Minimum/Maximum Lot Size (square feet): 2,589/4,166
- Project Type: Single family residential development
- Number of Stories: 2
- Building Height (feet): 30
- Square Feet: 1,527 to 1,847
- Open Space Required/Provided: 6,360 square feet/12,464 square feet

Request & Site Plan

The eastern half of this site (approximately 2.5 acres) was reclassified to an R-3 zone by NZC-0925-17 in January 2018 for a multiple family residential development. The applicant is proposing to reclassify the western 2.5 acre portion of the site to an R-3 zone and develop the 5 acre site as a single family residential development with compact lots.

The plan depicts a single family residential development consisting of 53 lots with a density of 10.6 dwelling units per acre. The site is bisected by Ullom Drive with 25 lots located on the western half of the site and 28 lots on the eastern half. The plan depicts 12 lots will take direct access from Ullom Drive (6 on each side of the street) and there will be a 5 foot wide sidewalk on each side of the street. Access for the remaining lots within the development will be provided by 42 foot wide private streets with a 4 foot wide sidewalk located on one side of the streets. The plans also depict dead-end streets on each side of the development that terminate with hammerhead cul-de-sacs rather than the County preferred radius cul-de-sac design. The application includes a request to allow alternative residential driveway geometrics for corner lots within the subdivision. The street frontage of the corner lots are too narrow to provide the required separations to the spandrels at the intersections and the property lines.

Landscaping

The plan depicts 6 common lots to provide a total of 12,464 square feet of open space for the development. These common lots are between 382 square feet to 6,411 square feet in area and are used primarily to provide walkways throughout the development. Portions of these common lots are also located along the side streets of corner lots within the development and are used to provide minimum 6 foot wide landscape areas consisting of trees, shrubs, and groundcover.

Elevations

The homes are 2 stories with a height of 30 feet. Each home has a pitched roof with concrete tile roofing material. The exterior of the homes have a stucco finish painted in earth tone colors. Architectural enhancements include stone veneer, various window fenestrations, pop-outs, and recesses to break-up the vertical and horizontal surfaces of the structures.

Floor Plans

The plans depict single family homes that are between 1,527 square feet and 1,847 square feet in area. Each home has a 2 car garage and 3 bedrooms.

Applicant's Justification

The applicant indicates that the proposed reclassification of the western half of the property is in conformance with the Enterprise Land Use Plan. The proposed density and intensity of the proposed project is less than permitted by the current zoning of the eastern half of the site and the planned land use for the western half. Other jurisdictions allow a 6 foot separation from a residential driveway to the spandrel of a street intersection with no indication of a reduction in safety. The hammerhead cul-de-sacs are necessary due to space limitations for the site. The hammerhead cul-de-sac design takes up less space than the radius cul-de-sac design.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-18-0518	Multiple family residential development on the eastern half of the site	Approved by BCC	September 2018
NZC-0925-17	Reclassified the eastern half of the site to an R-3 zoning for a multiple family residential development	Approved by BCC	January 2018
VS-0929-17	Vacated and abandoned easements and portions of rights-of-way being Haleh Avenue & Ullom Drive	Approved by BCC	January 2018

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential High (8 to 18 du/ac) & Residential Suburban (up to 8 du/ac)	R-E	Undeveloped
South	Residential High (8 to 18 du/ac) & Commercial General	C-2 & R-E	Mini-warehouse facility & undeveloped
East	Residential Suburban (up to 8 du/ac)	R-E	Undeveloped
West	Residential High (8 to 18 du/ac)	R-E	Undeveloped

Related Applications

Application Number	Request
VS-19-0756	A vacation of easements is a companion item on this agenda.
WC-19-400126 (NZC-0925-17)	A waiver of conditions of a zone change (east half of site) is a companion item on this agenda.
TM-19-500193	A tentative map for a single family residential subdivision is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

The proposed development is in conformance with the Enterprise Land Use Plan. The proposed density and intensity of the project are compatible with planned land uses in this area. The project has less density than what was previously approved for the eastern half of the site, and what is planned for the western half of the site. The proposed development complies with Goal 7 of the Comprehensive Master Plan to provide housing alternatives to meet a range of lifestyle choices, ages and affordability levels. Therefore, staff supports the zone change.

Waiver of Development Standards

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

Design Reviews #1 & #2

The applicant is requesting to be allowed to use cul-de-sacs which terminate in a hammerhead design rather than the County preferred radius cul-de-sac design. The applicant indicates that the radius cul-de-sac design would require additional area, which would reduce the number of lots within the proposed development, which is currently less than permitted by the current zoning (east half) and planned land use (west half) for the site. However, the proposed area of the lots within the development is also larger than the minimum required by the R-3 zoning district. Staff believes that it may be possible to redesign the project to provide the preferred cul-de-sac design. Therefore, staff does not support the use of the hammerhead cul-de-sacs and cannot support the design of the proposed development.

Public Works - Development Review

Waiver of Development Standards #1

Staff cannot support the request to reduce the distances from the point of tangency to the driveways on 4 of the lots within the subdivision nor the request to allow a driveway closer than 6 feet to a property line. While the applicant states that all other jurisdictions allow driveways to be 6 feet from the point of tangency instead of the 12 feet that Clark County requires, County engineers have determined that for public safety, 12 feet is the minimum standard the County will accept.

Design Review #3

This design review represents the maximum grade difference along the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application.

Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval.

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 of the zone change, and design review #3; denial of waiver of development standards, and design reviews #1 and #2.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning.
- 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 the waiver of development standards and design reviews must commence within 4 years of approval date or they 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 60 feet for Ullom Drive, 15 feet for Haleh Avenue, and associated spandrels.
- 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.

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 #0340-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: PARAGON LIFE, LLC

CONTACT: PETER LAAS, IMPULSE CIVIL ENGINEERING, 7485 W. AZURE DRIVE, SUITE 226, LAS VEGAS, NV 89118

DRAFT

11/06/19 BCC AGENDA SHEET

RESIDENTIAL DEVELOPMENT
(TITLE 30)

FRIAS AVE/JONES BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-19-0743-HLI, LLC:

ZONE CHANGE to reclassify 23.0 acres from R-E (Rural Estates Residential) Zone, R-2 (Medium Density Residential) Zone, and RUD (Residential Urban Density) Zone to R-2 (Medium Density Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase building height; **2)** increase wall height; and **3)** reduce street intersection off-set.

DESIGN REVIEW for a single family residential development on 59.1 acres in an R-E (Rural Estates Residential) Zone, R-2 (Medium Density Residential) Zone, and R-3 (Multiple Family Residential) Zone.

Generally located on the east side of Jones Boulevard and the north and south sides of Frias Avenue (alignment) within Enterprise (description on file). **11/16/19** (For possible action)

RELATED INFORMATION:

APN:

176-25-301-016; 176-25-301-022; 176-25-401-001; 176-25-401-003 through 176-25-401-005; 176-25-401-010; 176-25-401-015; 176-25-401-022

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase principal structure height to 38 feet where a maximum of 35 feet is permitted per Table 30.40-2 (an 8.6% increase).
2. Increase wall height to a maximum of 7 feet where a maximum of 6 feet is permitted per Section 30.64.020 (a 16.7% increase).
3. Reduce street intersection off-set to 123 feet where a minimum of 125 feet is required per Section 30.52.052 (a 1.6% reduction).

LAND USE PLAN:

ENTERPRISE - RESIDENTIAL HIGH (FROM 8 DU/AC TO 18 DU/AC)
ENTERPRISE - RESIDENTIAL MEDIUM (FROM 3 DU/AC TO 14 DU/AC)
ENTERPRISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 23 zone change/59.1 site

- Number of Lots: 162 residential/18 common
- Density (du/ac): 2.7 site/7.1 for R-2 portion of site
- Minimum/Maximum Lot Size (square feet): 3,428/10,425
- Project Type: Single family residential development
- Number of Stories: 2 & 3
- Building Height (feet): Up to 38
- Square Feet: 1,798 to 3,072

Site Plan

The plan depicts a single family residential development consisting of 162 residential lots and 18 common lots on a total of 59.1 acres with a density of 2.7 dwelling units per acre. The site is currently a mix of R-E, R-2, and R-3 zoned districts. The zone change portion of this request is to reclassify 23 acres into an R-2 zoning district and the proposed 162 residential lots will all be located within these 23 acres. The plans depict a large common lot (Common Lot A) located along the northern, eastern, and southern portions of the site that has an area of approximately 36.8 acres. This common lot consists of the portions of the site that are not being reclassified to an R-2 zone per this request and will be developed at a future date. Access to the development is provided from Cactus Avenue to the south and Frias Avenue to the north. Access within the proposed development is provided by 42 foot wide private streets with a 4 foot wide sidewalk located on 1 side of the street. There is an existing overhead power transmission line corridor with a 100 foot wide easement located along the eastern boundary of the proposed development. The plans depict a private street and additional common lots within this easement.

Landscaping

The plan depicts 15 foot wide landscape areas consisting of trees, shrubs, and groundcover adjacent to Cactus Avenue and Jones Boulevard with detached sidewalks. Along the side street of corner lots adjacent to Frias Avenue the plan depicts minimum 10 foot wide landscape area consisting of trees, shrubs, and groundcover with attached sidewalks. Within the proposed development the plans depict 6 foot wide landscape areas along the side street of corner lots consisting of trees, shrubs, and groundcover.

Elevations

Plans were submitted for 5 different home models with 3 separate elevations for each home model. Of these different home models, 3 of the plans are for 2 story homes and 2 are for 3 story homes. All of the homes will have pitched roofs with concrete tile roofing material. The 2 story homes will have a maximum height of 26 feet and the 3 story homes 38 feet. The exterior of the homes will have a stucco finish painted in earth tone colors. Architectural enhancements include brick, stone veneer, various window fenestrations, pop-outs, and recesses to break-up the vertical and horizontal surfaces of the homes.

Floor Plans

The plans indicate that the proposed home models will be between 1,798 square feet to 3,072 square feet in area. Each home has a 2 car garage and options for 3 to 5 bedrooms.

Applicant's Justification

The applicant indicates that the proposed development is in conformance with the land use plan. Portions of the site have been approved for higher density and intensity residential development; therefore, the proposed development will have less impact on the community than developments that would be allowed by the current R-3 and RUD zoning in place for portions of the site. Requests to increase building heights and wall heights have been approved for other projects by this developer within the County.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1624-06	Reclassified 25 acres including portions of this site to R-2 zoning for future development	Approved by BCC	January 2007
ZC-0362-04	Reclassified 30 acres including portions of this site to RUD zoning for future residential development	Approved by BCC	May 2004
ZC-1517-03	Reclassified 90 acres including portions of this site to R-2 zoning for future residential development	Approved by BCC	October 2003
UC-0497-01	Overhead power transmission line corridor that passes through a portion of this site	Approved by PC	June 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential High (8 to 18 du/ac) & Residential Suburban (up to 8 du/ac)	R-3 & R-2	Single family residences & undeveloped
South	Major Development Project, Residential Suburban (up to 8 du/ac)	R-2	Single family residences & undeveloped
East	Residential Suburban (up to 8 du/ac)	R-F & R-2	Single family residences & undeveloped
West	Residential Suburban (up to 8 du/ac) Public Facilities & Commercial Neighborhood	R-E & R-2	Single family residences & undeveloped

This site and the surrounding area are located within the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
VS-19-0744	A vacation of easements and rights-of-way is a companion item on this agenda.
WC-19-400127 (ZC-1624-06)	A waiver of conditions for right-of-way dedication is a companion item on this agenda.
TM-19-500194	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

Zone Change

This request conforms to the Enterprise Land Use Plan. The proposed development complies with Goal 7 of the Comprehensive Master Plan to provide housing alternatives to meet a range of lifestyle choices, ages, and affordability levels. The majority of the existing residential developments in the surrounding area consist of single family homes in R-2 zoned districts. Therefore, the project complies with Urban Specific Policy 4 to preserve existing residential neighborhoods by encouraging vacant lots within this area to develop at similar densities as the existing area. Therefore, staff supports the zone change.

Waivers of Development Standards

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

Waiver of Development Standards #1

Staff can support the waiver to increase the building height. A majority of the models do not exceed 35 feet; however, some of the models have 3 stories and the roof is at a height of 38 feet. The request is less than a 10% deviation from the standard height and similar requests have been approved for other residential developments within Enterprise.

Waiver of Development Standards #2

Similar requests to increase wall height have been approved for existing developments in this area. The proposed increase in wall height is minimal and will not have an adverse impact on the abutting properties. Therefore, staff does not object to this request.

Design Review

The proposed use of the property is consistent and compatible with existing and planned land uses on the abutting properties. The architectural design of the residences is consistent with existing single family homes in the area; therefore, staff supports the design review.

Waiver of Development Standards #3

Public Works

Department of Aviation

The property lies just outside the AE-60 (60-65 DNL) noise contour for the McCarran International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to

continue to upgrade the McCarran International Airport facilities to meet future air traffic demand.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that 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 4 years of approval date or they will expire.

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.

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised that there is an active septic permit on APN 176-25-401-010; to connect to municipal sewer and remove the septic system in accordance with Section 17 of the SNHD Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management; and to submit documentation to SNHD showing that the system has been properly removed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0532-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: AMERICAN WEST DEVELOPMENT, INC.

CONTACT: SLATER HANIFAN GROUP, 5740 S. ARVILLE ST, STE 216, LAS VEGAS, NV 89118

DRAFT



LAND USE APPLICATION 30A

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <u>1050</u> <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) <u>475</u> <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <u>675</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 #)	STAFF	DATE FILED: <u>9-13-19</u> PLANNER ASSIGNED: <u>AI</u> ACCEPTED BY: <u>AI</u> FEE: <u>2200</u> CHECK #: <u>99586, 99587</u> COMMISSIONER: <u>JT 99583</u> OVERLAY(S)? <u>NA</u> PUBLIC HEARING? <u>Y/N</u> TRAILS? <u>Y/N</u> PFNA? <u>Y/N</u> APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>ZC-19-0743</u> TAB/CAC: <u>Endorsement</u> TAB/CAC MTG DATE: <u>10/7</u> TIME: <u>6 P</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>11-6-19</u> ZONE / AE / RNP: <u>R3, RUD, RR, RE</u> PLANNED LAND USE: <u>RH, RM, RS</u> NOTIFICATION RADIUS / <u>1000</u> SIGN? <u>Y/N</u> LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	PROPERTY OWNER	NAME: <u>HLI, LLC</u> ADDRESS: <u>250 Pilot Road, Suite 140</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-736-6434</u> CELL: _____ E-MAIL: <u>ksaffle@americanwesthomes.com</u>	
	APPLICANT	NAME: <u>American West Development, Inc.</u> ADDRESS: <u>250 Pilot Road, Suite 140</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-736-6434</u> CELL: _____ E-MAIL: <u>ksaffle@americanwesthomes.com</u> REF CONTACT ID #: _____	
	CORRESPONDENT	NAME: <u>Slater Hanifan Group a Westwood Team attn: Chelsea Jensen</u> ADDRESS: <u>5740 S. Arville St # 216</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-284-5300</u> CELL: _____ E-MAIL: <u>lvproc@westwoodps.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 176-25-301-016, 176-25-401-003, -004, -010, -015, -022, 176-25-301-022

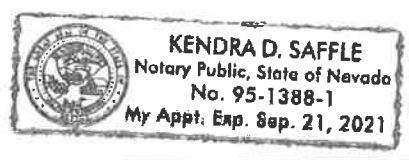
PROPERTY ADDRESS and/or CROSS STREETS: Jones/Cactus 176-25-401-001, 005

PROJECT DESCRIPTION: Residential 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.

Lawrence D. Canarelli
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON August 28, 2019 (DATE)
 By Lawrence D. Canarelli
 NOTARY PUBLIC:



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



September 12, 2019

Current Planning Division
500 South Grand Central Parkway
Las Vegas, NV 89155-4000

20-19-0743

**RE: Highlands Ranch Unit 28 (162 lot Subdivision)
Change Letter for a Zone Change, Waiver of Standards & Design Review
SHG Project No. AWD1905-000**

Slater Hanifan Group, on behalf of our client, American West Development, respectfully submits this description change letter to the Waiver of Development Standards and Design Review exhibits.

The project site associated with the subject application is approximately 59.0± gross acres and covers APN 176-25-301-016, -022, 176-25-401-001, -003, -004, -005, -010, -015, and -022. This development is located in a portion of Section 25, Township 22 South, Range 60 East, M.D.M., Clark County, Nevada. This proposed community will be a single-family subdivision with 162 lots and 18 Common Lots with a gross density of 2.74 dwelling units per acre.

The Highlands Ranch Unit 28 development will be developed as a 22.9± acre development, while the remaining area will be mapped as large lots for future development. The development site currently has APN's zoned R-E, R-2 and RUD and the 22.9± acres are being requested to be zoned R-2 and will yield a density of 7.07 dwelling units per acre. The remaining area will be zoned with the development of that area.

In this development, American West will offer 5 different house plans with 3 separate elevations per plan. Of these 5 house plans, three plans are 2-stories tall while the remaining plans are 3-stories tall. House sizes ranges from 1,798 s.f. to 3,072 s.f., with the target buyer being young families and second home buyers.

The proposed community has been designed to complement the surrounding Highlands Ranch subdivisions. AWD feels that the proposed project will blend nicely with the single-family subdivisions to the north, west and south of this site.

Waiver of Standards

The project is being processed as a Single Family Detached Residential development in accordance with Title 30. This request is to define waivers of Title 30 and CCAUSD for the project needed to develop the site and anticipated product.

1. Section 30.64.020 – Fences and Walls

- Waiver: 6-foot Walls.
- Request: Allow 6-foot 8-inch rear screen wall between lots and along the perimeter of the development.
- Justification: This is a standard waiver that American West Development requests with all of their subdivisions to provide additional privacy to the potential home buyers throughout the development.

2. Section 30.40-2 – Suburban and Compact Single-Family Residential Districts

Waiver: Principal Structure Height – 35 Feet

Request: Allow 38-foot Height

Justification: This additional height will allow American West Development to provide a 9-foot ceiling height in all levels of their 3-story product. Similar to the over-height wall request, this is a standard waiver that American West Development requests for their subdivisions. This request is less than a 10% increase in height and will allow them to provide more options for potential buyers with additional products.

3. Section 30.52.052C. – Street Configuration in Residential Subdivisions

Waiver: 125- feet offset measured from right-of-way to right-of-way.

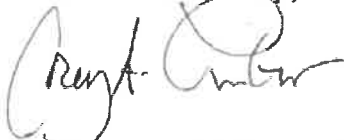
Request: 123.5-feet offset at Jones Boulevard and Dallington Street

Justification: This request is to allow the offset to be reduced to approximately 123.5-feet from the existing Jones Boulevard to proposed Dallington Street. Jones Boulevard is a 100-foot wide public right-of-way while Dallington Street is a 42-foot private street (38 feet back of curb to back of curb) inside the proposed development. The land use and lot size are in conformance with the development code and the adjacent properties; therefore this request seems reasonable.

Thank you for the opportunity to submit this application for your review. Please contact me at (702) 284-5300 if you have any questions regarding this application.

Sincerely,

Slater Hanifan Group, Inc.



Corey Lieber, PE, Project Manager

Cc: Kendra Saffle, American West Development;
Chelsea Jensen, SHG

