



ENTERPRISE TOWN ADVISORY BOARD

Clark County Commission Chambers
500 South Grand Central Parkway
Las Vegas, NV 89155

June 30, 2021

6:00pm

AGENDA

Note:

- Items on the agenda may be taken out of order.
- The Board/Council may combine two (2) or more agenda items for consideration.
- The Board/Council may remove an item from the agenda or delay discussion relating to an item at any time.
- No action may be taken on any matter not listed on the posted agenda.
- All planning and zoning matters heard at this meeting are forwarded to the Board of County Commissioners' Zoning Commission (BCC) or the Clark County Planning Commission (PC) for final action.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With a forty-eight (48) hour advance request, a sign language interpreter or other reasonable efforts to assist and accommodate persons with physical disabilities, may be made available by calling (702) 455-3530, TDD at (702) 385-7486, or Relay Nevada toll-free at (800) 326-6868, TD/TDD.
- Supporting material provided to Board/Council members for this meeting may be requested from Carmen Hayes at (702) 371-7991 or chayes@yahoo.com
 - Supporting material is/will also available at the Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155.
 - Supporting material is/will be available on the County's website at:
https://www.clarkcountynv.gov/government/departments/administrative_services/town_liaison_services/enterprise_tab.php

Board/Council Members: David Chestnut - Chair
Tanya Behm
Joseph Throneberry

Barris Kaiser – Vice Chair
Crystal Bomar

Secretary: Carmen Hayes (702) 371-7911 chayes@yahoo.com
Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

County Liaison(s): Tiffany Hesser (702) 455-7388 TLH@clarkcountynv.gov
Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

I. Call to Order, Pledge of Allegiance, Roll Call, and County Staff Introductions

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

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

- III. Approval of Minutes for June 9, 2021. (For possible action)
- IV. Approval of the Agenda for June 30, 2021 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
 - 1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (For discussion only)
- VI. Planning and Zoning
 - 1. **NZC-21-0209-LEXILAND, LLC, ETAL & ROOHANI KHUSROW FAMILY TRUST:**
ZONE CHANGE to reclassify 13.7 acres from a C-2 (General Commercial) Zone to an R-4 (Multiple Family Residential - High Density) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) building height; and 2) parking.
DESIGN REVIEWS for the following: 1) multiple family residential development; and 2) finished grade in the CMA Design Overlay District. Generally located on the north side of Warm Springs Road, the west side of Redwood Street, and the south side of Capovilla Avenue within Enterprise (description on file). MN/jt/jd (For possible action) **07/06/21 PC**
 - 2. **VS-21-0210-LEXILAND, LLC ETAL & ROOHANI KHUSROW FAMILY TRUST:**
VACATE AND ABANDON easements of interest to Clark County located between Capovilla Avenue (alignment) and Warm Springs Road, and between Redwood Street and Rainbow Boulevard, and a portion of a right-of-way being Warm Springs Road located between Redwood Street and Rainbow Boulevard within Enterprise (description on file). MN/jt/jd (For possible action) **07/06/21 PC**
 - 3. **TM-21-500063-BARTSAS MARY 10, LLC:**
TENTATIVE MAP consisting of a 1 lot commercial subdivision on 5.1 acres in a C-2 (General Commercial) zone. Generally located on the south side of Cactus Avenue and the east side of Las Vegas Boulevard South within Enterprise. MN/jvm/jd (For possible action) **07/06/21 PC**
 - 4. **DR-21-0225-RAINBOW & BLUE DIAMOND SE, LLC:**
DESIGN REVIEW for a site lighting plan in conjunction with a previously approved shopping center and convenience store with gasoline pumps on 8.1 acres in a C-2 (General Commercial) Zone. Generally located on the east side of Rainbow Boulevard and the south side of Blue Diamond Road within Enterprise. JJ/rk/jd (For possible action) **07/07/21 BCC**

5. **DR-21-0241-BDA NORTH, LLC:**
DESIGN REVIEWS for the following: 1) comprehensive sign plan; and 2) lighting plan in conjunction with a convenience store and gasoline station currently under development on 3.1 acres in a C-2 (General Commercial) Zone and a C-2 (General Commercial) (AE-60) Zone. Generally located on the southeast corner of Blue Diamond Road and Arville Street within Enterprise. JJ/al/jd (For possible action) **07/07/21 BCC**

6. **NZC-21-0123-BADSM PARTNERS, LLC:**
AMENDED HOLDOVER ZONE CHANGE to reclassify 7.4 acres from an R-E (Rural Estates Residential) (RNP-I) Zone to an R-D (Suburban Estates Residential) Zone and R-2 (Medium Density Residential) Zone (previously not notified).
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; 2) waive perimeter landscaping along a local street; and 3) waive full off-site improvements (partial paving, curb, gutter, sidewalk, and streetlights).
DESIGN REVIEWS for the following: 1) proposed single family residential development; and 2) finished grade. Generally located on the south side of Chartan Avenue and the east side of Placid Street within Enterprise (description on file). MN/rk/jd (For possible action) **07/20/21 PC**

7. **VS-21-0124-BADSM PARTNERS, LLC:**
HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Chartan Avenue and Terrill Avenue, and between Placid Street and Bermuda Road within Enterprise (description on file). MN/rk/jd (For possible action) **07/20/21 PC**

8. **TM-21-500032-BADSM PARTNERS, LLC:**
AMENDED HOLDOVER TENTATIVE MAP consisting of 24 (previously notified as 22) single family residential lots and common lots on 7.4 acres in an R-D (Suburban Estates Residential) Zone and R-2 (Medium Density Residential) Zone. Generally located on the south side of Chartan Avenue and the east side of Placid Street within Enterprise. MN/rk/jd (For possible action) **07/20/21 PC**

9. **UC-21-0269-NEEDHAM, HOWARD J. & CHRISTINE S.:**
USE PERMIT to allow a stealth communication tower (monoelm).
DESIGN REVIEW for a stealth communication tower (monoelm) and ground equipment on a portion of 2.3 acres in an H-2 (General Highway Frontage) Zone. Generally located on the north side of Blue Diamond Road and the west side of Pioneer Way within Enterprise. JJ/jor/jo (For possible action) **07/20/21 PC**

10. **VS-21-0264-TRAJAN HOLDINGS LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Rainbow Boulevard and Redwood Street, and between Serene Avenue and Richmar Avenue (alignment) within Enterprise (description on file). JJ/al/jd (For possible action) **07/20/21 PC**

11. **ET-21-400094 (VS-0133-17)-SACKLEY FAMILY TRUST & SACKLEY, STUART TRS:**
VACATE AND ABANDON SECOND EXTENSION OF TIME for a portion of right-of-way being Rainbow Boulevard located between Capovilla Avenue and Arby Avenue (alignment) within Enterprise (description on file). MN/sd/jo (For possible action) **07/21/21 BCC**

12. **ET-21-400095 (WS-19-0185)-SACKLEY FAMILY TRUST & SACKLEY, STUART TRS:**
WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for the following: 1) allow alternative landscaping adjacent to a drive-thru lane along a public right-of-way (Rainbow Boulevard); and 2) modified street standards.
DESIGN REVIEW for modifications to an approved shopping center on 9.1 acres in a C-2 (General Commercial) Zone in the CMA Design Overlay District. Generally located on the east side of Rainbow Boulevard and the north side of Capovilla Avenue within Enterprise. MN/sd/jo (For possible action) 07/21/21 BCC
13. **TM-21-500085-SACKLEY FAMILY TRUST & SACKLEY, STUART TRS:**
TENTATIVE MAP for a commercial subdivision on 9.3 acres in a C-2 (General Commercial) Zone. Generally located on the east side of Rainbow Boulevard and the north side of Capovilla Avenue within Enterprise. MN/jgh/xx (For possible action) 07/21/21 BCC
14. **WC-21-400091 (ZC-0606-01)-JONES 215, LLC:**
WAIVER OF CONDITIONS of a zone change requiring recording a reciprocal, perpetual cross access, ingress/egress, and parking agreements if dealerships are individually owned and operated in conjunction with a previously approved zone change to reclassify 24.7 acres from an R-E (Rural Estates Residential) (AE-65) Zone to a C-2 (General Commercial) (AE-65) Zone for 2 automobile dealerships, future, and associated accessory service uses, and a use permit for automobile paint and body shops in the CMA Design Overlay District. Generally located on the south side of Roy Horn Way, 460 feet east of Torrey Pines Drive within Enterprise (description on file). MN/md/jo (For possible action) 07/21/21 BCC
15. **UC-21-0261-JONES 215, LLC:**
USE PERMIT for a vehicle repair facility.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate parking lot landscaping; 2) eliminate cross access; 3) modified CMA Design Overlay District Standards; 4) eliminate the requirement for pedestrian walkways; 5) increase wall height; and 6) allow modified driveway design standards.
DESIGN REVIEWS for the following: 1) vehicle maintenance facility; 2) parking lot; and 3) finished grade on 4.5 acres of a 14.1 acre site in a C-2 (General Commercial) Zone and a C-2 (General Commercial) (AE-60) Zone in the CMA Design Overlay District. Generally located on the south side of Roy Horn Way, 460 feet east of Torrey Pines Drive within Enterprise. MN/md/jo (For possible action) 07/21/21 BCC
16. **VS-21-0268-FRIAS, PHYLLIS M. MANAGEMENT TRUST & FRIAS, PHYLLIS M. TRS:**
VACATE AND ABANDON easements of interest to Clark County located between Haleh Avenue and Frias Avenue (alignment), and between Schirls Street (alignment) and Valley View Boulevard within Enterprise (description on file). JJ/jgh/jd (For possible action) 07/21/21 BCC

17. **ZC-21-0262-DONEL DEVELOPMENT, LLC:**
ZONE CHANGE to reclassify 1.2 acres from an R-E (Rural Estates Residential) Zone to an M-D (Designed Manufacturing) Zone.
WAIVER OF DEVELOPMENT STANDARDS to allow modified driveway design standards.
DESIGN REVIEWS for the following: **1)** proposed office/warehouse building; **2)** alternative parking lot landscaping; and **3)** finished grade. Generally located on the south side of Meranto Avenue (alignment), 660 feet west of Hinson Street (alignment) within Enterprise (description on file). JJ/rk/jd (For possible action) **07/21/21 BCC**

VII. General Business

None

- VIII. Comments by the General Public- A period devoted to comments by the general public about matters relevant to the Board/Council's jurisdiction will be held. No vote may be taken on a matter not listed on the posted agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

- IX. Next Meeting Date: July 14, 2021 at 6:00 pm.

- X. Adjournment.

POSTING LOCATIONS: This meeting was legally noticed and posted at the following locations:
Windmill Library – 7060 W. Windmill Lane
Clark County Government Center – 500 S. Grand Central Pkwy
<https://notice.nv.gov>



Enterprise Town Advisory Board

June 9, 2021

MINUTES

Board Members	David Chestnut, Chair PRESENT Tanya Behm PRESENT Joseph Throneberry EXCUSED	Barris Kaiser, Vice Chair PRESENT Gabriela Everett PRESENT
Secretary:	Carmen Hayes 702-371-7991 chayes70@yahoo.com PRESENT	
County Liaison:	Tiffany Hesser 702-455-7388 TLH@clarkcountynv.com PRESENT	

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

The meeting was called to order at 6:00 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.

- Citizen concerned that residents are not receiving TAB meeting notices in a timely manner for the TAB meetings. One to three days prior to the TAB meeting is common. In some case the meeting notice is delivered after the TAB meeting.

III. Approval of May 26, 2021 Minutes (For possible action)

Motion by David Chestnut

Action: **APPROVE** Minutes as revised for May 26, 2021.

Motion **PASSED** (4-0) /Unanimous

IV. Approval of Agenda for June 9, 2021 and Hold, Combine or Delete Any Items (For possible action)

Motion by David Chestnut

Action: **APPROVE** as amended.

Motion **PASSED** (4-0) /Unanimous

Applicant requested holds:

2. NZC-21-0209-LEXILAND, LLC, ETAL & ROOHANI KHUSROW FAMILY TRUST:
Applicant has requested a **HOLD** to the Enterprise TAB meeting on June 30, 2021.
3. VS-21-0210-LEXILAND, LLC ETAL & ROOHANI KHUSROW FAMILY TRUST
Applicant has requested a **HOLD** to the Enterprise TAB meeting on June 30, 2021.

Related applications to be heard together:

4. NZC-21-0222-JCLH, LLC:
5. VS-21-0223-JCLH, LLC:
6. TM-21-500055-JCLH, LLC:

V. Informational Items

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

- **LVMPD ENTERPRISE FIRST TUESDAY**

Summer Safety: Come meet our new Captain Josh Martinez and Lt. Ailee Burnett.

Windmill Library

7060 W. Windmill Lane

6 July, 2021 at 6pm

- Enterprise TAB meetings will return to the Windmill Library in August.

VI. Planning & Zoning

1. **VS-21-0224-KB HOME LV DURHAM WEST, LLC:**

VACATE AND ABANDON easements of interest to Clark County located between Serene Avenue and Meranto Avenue, and between Grand Canyon Drive and Conquistador Street within Enterprise (description on file). JJ/jt/jd (For possible action) **06/15/21 PC**

Motion by David Chestnut

Action: **APPROVE** per staff conditions.

Motion **PASSED** (4-0) /Unanimous

2. **NZC-21-0209-LEXILAND, LLC, ETAL & ROOHANI KHUSROW FAMILY TRUST:**

ZONE CHANGE to reclassify 13.7 acres from a C-2 (General Commercial) Zone to an R-4 (Multiple Family Residential - High Density) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) building height; and 2) parking.

DESIGN REVIEWS for the following: 1) multiple family residential development; and 2) finished grade in the CMA Design Overlay District. Generally located on the north side of Warm Springs Road, the west side of Redwood Street, and the south side of Capovilla Avenue within Enterprise (description on file). MN/jt/jd (For possible action) **07/06/21 PC**

The applicant requested a **HOLD** to the Enterprise TAB meeting on June 30, 2021.

3. **VS-21-0210-LEXILAND, LLC ETAL & ROOHANI KHUSROW FAMILY TRUST:**

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

VACATE AND ABANDON easements of interest to Clark County located between Capovilla Avenue (alignment) and Warm Springs Road, and between Redwood Street and Rainbow Boulevard, and a portion of a right-of-way being Warm Springs Road located between Redwood Street and Rainbow Boulevard within Enterprise (description on file). MN/jt/jd (For possible action) **07/06/21 PC**

The applicant requested a **HOLD** to the Enterprise TAB meeting on June 30, 2021.

4. **NZC-21-0222-JCLH, LLC:**

ZONE CHANGE to reclassify 20.0 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase wall height; and **2)** waive off-site improvements (partial paving, curb, gutter, sidewalks, and streetlights).

DESIGN REVIEWS for the following: **1)** single family residential subdivision; and **2)** finished grade. Generally located on the west side of Edmond Street, south side of Richmar Avenue, and the east side of Lindell Road within Enterprise (description on file). JJ/jt/jd (For possible action) **07/06/21 PC**

Motion by David Chestnut

Action:

APPROVE Zone Change with a reduction to R-D on the northern half and R-2 on the southern half.

APPROVE Waiver of Development Standards.

DENY Design Reviews.

ADD Current Planning Conditions:

- Single story homes abutting existing single-story homes.
- In the R-2 portion, every two driveways to be adjacent.

Per staff if approved conditions.

Motion **PASSED** (4-0) /Unanimous

5. **VS-21-0223-JCLH, LLC:**

VACATE AND ABANDON easements of interest to Clark County located between Richmar Avenue and Gary Avenue (alignment), and between Edmond Street and Lindell Road within Enterprise (description on file). JJ/jt/jd (For possible action) **07/06/21 PC**

Motion by David Chestnut

Action: **APPROVE** per staff conditions.

Motion **PASSED** (4-0) /Unanimous

6. **TM-21-500055-JCLH, LLC:**

TENTATIVE MAP consisting of 143 residential lots and common lots on 20.0 acres in an R-2 (Medium Density Residential) Zone. Generally located on the west side of Edmond Street, south side of Richmar Avenue, and the east side of Lindell Road within Enterprise. JJ/jt/jd (For possible action) **07/06/21 PC**

Motion by David Chestnut

Action: **DENY**

Motion **PASSED** (4-0) /Unanimous

7. **UC-21-0240-ROCK RIDGE ON DEAN MARTIN, LLC:**

USE PERMIT for personal services (beauty salon) in conjunction with an existing office complex

on 1.8 acres in a C-P (Office and Professional) (AE-60) Zone. Generally located on the northwest corner of Warm Springs Road and Dean Martin Drive within Enterprise. MN/al/jo (For possible action) **07/06/21 PC**

Motion by Tanya Behm
Action: **APPROVE** per staff conditions.
Motion **PASSED** (4-0) /Unanimous

8. **UC-21-0253-MEH RETAIL, LLC:**
USE PERMITS for the following: **1)** on-premises consumption of alcohol (service bar); and **2)** alcohol sales, liquor – packaged (liquor store) not in conjunction with a grocery store on 1.3 acres in an H-1 (Limited Resort and Apartment) Zone and H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the south side of Blue Diamond Road, between I-15 and Dean Martin Drive within Enterprise. JJ/bb/jo (For possible action) **07/06/21 PC**

Motion by David Chestnut
Action: **APPROVE** per staff conditions.
Motion **PASSED** (4-0) /Unanimous

9. **VS-21-0228-SCRIMA PAUL & LORI:**
VACATE AND ABANDON easements of interest to Clark County located between Cameron Street and Ullom Drive, and between Agate Avenue (alignment) and Raven Avenue (alignment) within Enterprise (description on file). JJ/lm/jd (For possible action) **07/06/21 PC**

Motion by David Chestnut
Action: **APPROVE** per staff conditions.
Motion **PASSED** (4-0) /Unanimous

10. **DR-21-0225-RAINBOW & BLUE DIAMOND SE, LLC:**
DESIGN REVIEW for a site lighting plan in conjunction with a previously approved shopping center and convenience store with gasoline pumps on 8.1 acres in a C-2 (General Commercial) Zone. Generally located on the east side of Rainbow Boulevard and the south side of Blue Diamond Road within Enterprise. JJ/rk/jd (For possible action) **07/07/21 BCC**

Motion by David Chestnut
Action: **HOLD** to the Enterprise TAB meeting on June 30, 2021, due to applicant no show.
Motion **PASSED** (4-0) /Unanimous

11. **DR-21-0241-BDA NORTH, LLC:**
DESIGN REVIEWS for the following: **1)** comprehensive sign plan; and **2)** lighting plan in conjunction with a convenience store and gasoline station currently under development on 3.1 acres in a C-2 (General Commercial) Zone and a C-2 (General Commercial) (AE-60) Zone. Generally located on the southeast corner of Blue Diamond Road and Arville Street within Enterprise. JJ/al/jd (For possible action) **07/07/21 BCC**

Motion by David Chestnut
Action:
HOLD to the Enterprise TAB meeting on June 30, 2021, due to applicant no show.

Motion **PASSED** (4-0) /Unanimous

VII. General Business:

1. Discuss topics for a meeting with Public Works including street project updates and new RTC designs for RNP roads. (for Discussion Only)

The TAB members were presented with the following:

- A select set of Comprehensive Master Plan Transportation policies.
- The result of the last Enterprise TAB meeting with Public Works.
- The RTC diagrams now use in the Lone Mountain area.

The TAB members were asked to review the materials presented and present their ideas in future TAB meetings.

It was suggested that the road project status be separated from the Public Works meeting. Two or three topics should be selected for an actual meeting discussion. The TAB can only have two-members present at the meeting. It was suggested that one experienced member and one new member represent the TAB.

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.

- None

IX. Next Meeting Date

The next regular meeting will be June 30, 2021 at 6:00 p.m.

X. Adjournment:

Motion by David Chestnut
ADJOURN meeting at 7:50 p.m.
Motion **PASSED** (4-0) /Unanimous



Enterprise First Tuesday

Join us July 6th at 6pm

Summer Safety

Come Meet our new Captain Josh
Martinez and Lt. Ailee Burnett

Windmill Library
7060 W. Windmill Lane



Comprehensive Master Plan Transportation Element 2019

Arterial Roadways/ Limited Access Arterials/Collector Streets/Local Street

Policy 1 Design arterials, collectors, and local streets to accommodate various modal options (keeping pedestrian and bicycle use as a high priority) identified in adopted alternative mode plans. The design should support adjacent land uses and be consistent with adopted street design standards.

Designing the Transportation System

Policy 1 Support street connectivity within and between neighborhoods for all types of non-motorized traffic.

Policy 2 Discourage vacating rights-of-way that forces movements onto local streets or a limited number of arterial roadways.

Policy 3 Prevent early right-of-way vacations before the neighborhood transportation network is determined.

Policy 4 Require development projects to design local street systems that complement planned land uses and reduce dependence on arterial streets for local circulation.

Implementing the Transportation System

Policy 6 Prevent early right-of-way vacations before the neighborhood transportation network is determined.

RESULTS OF ETAB MEETING WITH PUBLIC WORKS AUGUST 2019

The Enterprise TAB requests two board members to meet with Public Works.

*Barry Kaiser and David Chestnut met with the assistant director and several Public Works' managers on July 29, 2019. The comments below summarize the conversation at the meeting. The comments **do not** represent the official position of the Enterprise TAB or Clark County Public Works.*

The initial statement to the TAB members:

- *The director of Public Works does not want to not move forward with roundabouts on any future planned developments.*

What is the status of improvement plans for arterials?

- Decatur Blvd south of Warm Springs
 - *Design process is over 60% complete.*
 - *Additional right-of way must be obtained.*
 - *Some of the early dedications for Decatur Blvd were for 40 ft., 50 ft. is now required*
- Jones Blvd south of Blue Diamond Rd.
 - *Phase one is complete*
 - *Oleta Rd. has been reconnected to Jones Blvd.*
 - *Phase two, south of Pyle Rd., is under design with est. construction 2020.*
- The northbound Jones bridge at Blue Diamond Rd.
 - *Negotiating with UPRR, no date for UPRR signoff.*
 - *Must obtain 22 ground and aerial right-of-way easements.*
 - *Previous UPRR preapproval may help the timeline.*
 - *Design 100% complete.*
- Buffalo south of Warm Springs to Blue Diamond Rd.
 - *Improvements scheduled for 2021/2022.*
 - *Roundabouts to be removed.*
- Durango Dr./Blue Diamond Rd. intersection
 - *Work to start August 2019*
 - *Blue Diamond Rd. to Windmill has started.*
 - *Will provide 2 lanes in each direction, expected completion April 2020.*
- Cactus Ave. adjacent to regional park.
 - *Design in progress.*
 - *Signal package at Cactus and Buffalo being broken out for earlier install date.*
 - *Construction is estimated to begin in mid-2021.*
- Valley View Blvd. north of Blue Diamond Rd.
 - *Not in the 5-year plan.*
 - *Study review showed revision not warranted at this time.*
 - *Future study planned to reassess*
- Warm Springs Rd. between Decatur Blvd. to Dean Martin Dr.
 - *Warm Springs is on the CIP for design to start in summer 2020.*
 - *The limits are Durango to Dean Martin.*
 - *Attempts will be made to get an earlier design start for the Decatur to Dean Martin section.*
 - *Improvements scheduled for 2021/2022.*
- Dean Martin Dr. south of Blue Diamond Rd.
 - *Not in the 5-year plan.*

What is the status of the following?

- Installation of LED streetlights.
 - *Outlying areas and new construction using LED streetlights.*
 - *Maintenance cost is approximately 2/3 lower.*
 - *LED Lighting being designed with cool temperature 5400 k bulbs to highlight the intersections.*
 - *A reduced color temperature 4000 k bulbs along roadways.*
- The installation of solar powered streetlights.
 - *Requires too much maintenance, supporting batteries are not cost effective.*
- RTC report on RNP-1 local roads.
 - *Completed.*
- New Standards for RNP-1 local roads.
 - *Being tried in the northwest.*
 - *Northwest being reviewed for impact and analysis to be forthcoming.*
 - *Enterprise should wait until the analysis is done.*

Discussion items:

- **Traffic**
 - Speed limits that are not consistent along arterials or collectors.
 - Dean Martin Dr. north (35 in an industrial area) and south (45 in a residential area) of Blue Diamond Rd.
 - Single lane sections of arterial/collectors are a significant traffic impediment with rapidly increasing traffic volume.
 - What are traffic mitigation measures recommended by Public Works that can be employed in the RNP-1 areas?
 - What is the process to have them installed?
 - How to mitigate potential traffic problems due to charter schools and church traffic within or adjacent to RNP-1.
- **Local road vacations.**
 - See below:
- **Grading**
 - See below:

LOCAL ROAD VACATIONS

What are the criteria for the vacation of local roads?

- *Public Works will usually preserve section (arterials) and ½ section line (collector) roads.*
- *Quarter section line roads are next on the list for preservation.*
- *TAB representatives requested evaluations to be more explanatory if the right-of-way/alignment is recommended to be vacated.*
- *Public works now meets with other county and regional agencies to help determine what roads/access will be needed.*

Is County Comprehensive Transportation policy being followed?

TAB Comments:

The TAB has observed the effects below due to local road alignment/ right-of-way vacations.

- Drives changes to established land use plan
- Loss of sites reserved for public use due to reduced access
- Future projects limited due to poor traffic flow patterns
- Limited connectivity creates longer drives.
- The inability to handle future traffic loads.

- Increased traffic in some neighborhoods, not others

In some cases, the TAB does not receive sufficient staff analysis to justify the street alignment removal. Instead, the TAB is presented with the two conditions:

Public Works

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

Fire Department

“This department has no objection to vacating streets/roads and/or easements that are not needed for fire/emergency vehicle access.”

These 2 conditions provide very little, if any guidance for the TAB recommendations:

In many applications reviewed by the TAB:

- The area is not sufficiently developed to determine which street alignments are required.
 - Emergency access is limited
 - Traffic flow is hindered
 - Access to future public facilities is reduced.
- The local road alignments are vacated simply to give the developer a few more houses.
- The applicant will argue that Public Works does not require the local road dedication.
- There is little, or no, guidance/support provided for the local streets as required by the county or regional agencies policies.
 - The government reservation or plan requires access by local streets or alignments for a facility.
 - Reduced opportunity for change, we are running out of plans where public facilities can be located.
 - Enterprise lacks public facilities.
 - The applicant’s justification letter has few if any reasons for right-of-way/alignment vacations.

In some cases, there are valid reasons to vacate a local road alignment. One example is the cul-de-sac installed on Chartan Ave. west of Bermuda Ave. The TAB recommended this to prevent cut through traffic from Liberty High School in the RNP-1.

Local road alignments should not be vacated until a thorough analysis determines the effects on the neighborhoods, the area economic development and compliance with Comprehensive Policies.

GRADING

Preliminary drainage/grading studies do not provide adequate information for a Town Board to reach an informed recommendation. The current handling of grading plans is essentially no different than previous methods.

Better explanation of grading and preliminary technical studies requested. Public Works sited that the commission in the past has not wanted to pursue further technical studies prior to application approval.

The grading plan is examined by Public Works to determine if its engineering is correct. Only corrections to the applicant's design are made. Better grading solutions are not determined/recommended by Public Works. There may be engineering solutions to reduce the grading required, however, it is up to the applicant to submit them.

- Enterprise has a significant slope that must be considered when planning a project.
- Grading Design Reviews do not provide the TAB with enough information.
- There is limited opportunity for public input.
- Little or no Public Works' feedback on final decisions.
- May drive significant changes to a project.

The paragraph, noted below, significantly reduces the public conversation/input for grading and flooding.

"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 the 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 approvals."

- The grading information is so vague that TAB/public do not have enough information to meaningfully discuss the grading.
- The numbers presented are the maximum worst-case scenario.
- Some developers do not ask for the grading waiver until the project is approved.
- The lack of public discourse discourages alternate designs.
- The project's grading may affect decisions on the Design Review.

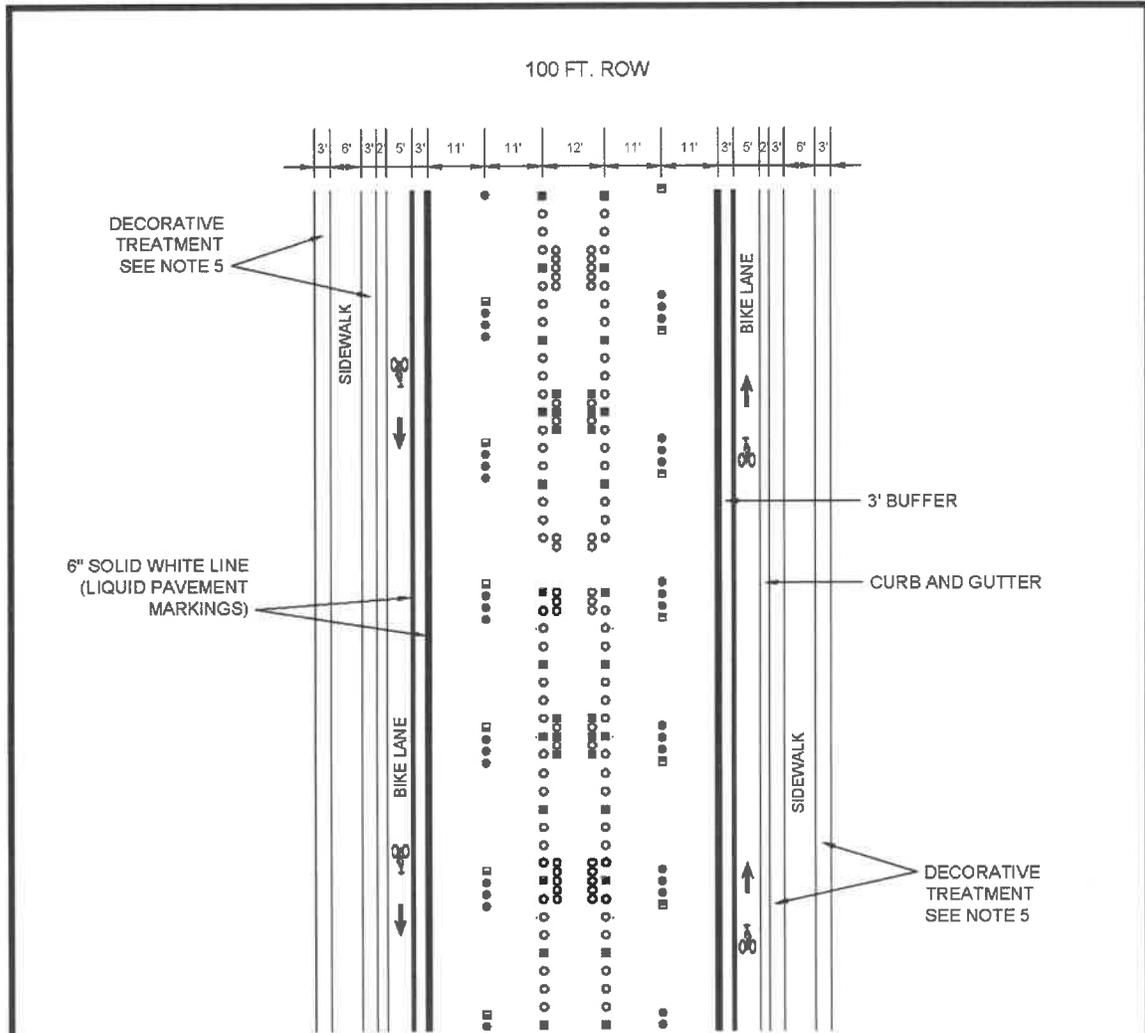
If Public Works' staff finds an alternate design for grading:

- How many project's grading plans have required alternate designs after BCC approval?
- What public notice or the opportunity for public input is provided?
- Is the alternate grading plan considered a significant plan change?
- Does the alternative grading plan trigger the Current Planning design review condition for a significant change of plan?

Does Public Works take into consideration the following?

- Finished grade for new developments next to established residential/commercial.
 - Redundant walls
 - Retaining wall that is over code limits.
 - Effects on existing homeowners.
- Terracing of walls over 9 ft.
- Grade of existing property when analyzing new development?
- What criteria does Public Works utilize when analyzing a new development adjacent to established residential or commercial property?
- Are the aesthetics of an application ever considered?

RTC Road diagrams for Lone Mountain

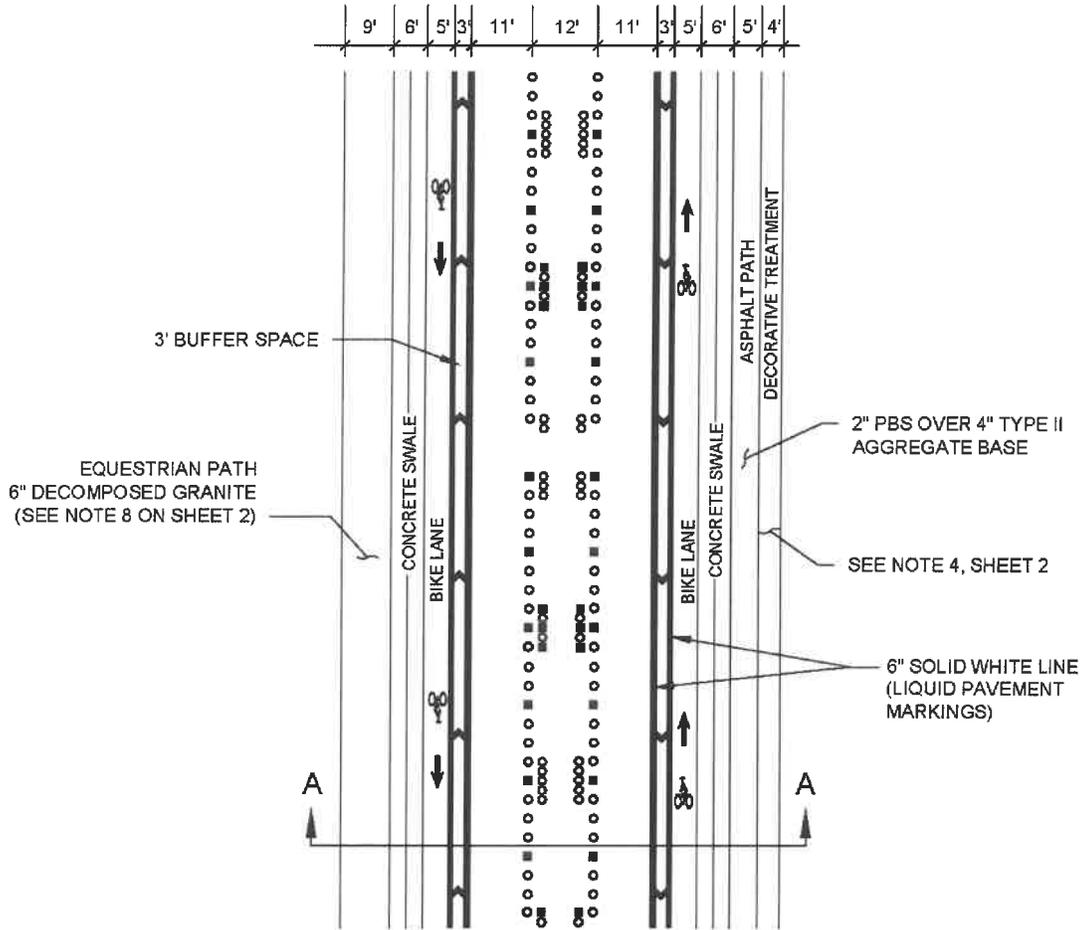


NOTES:

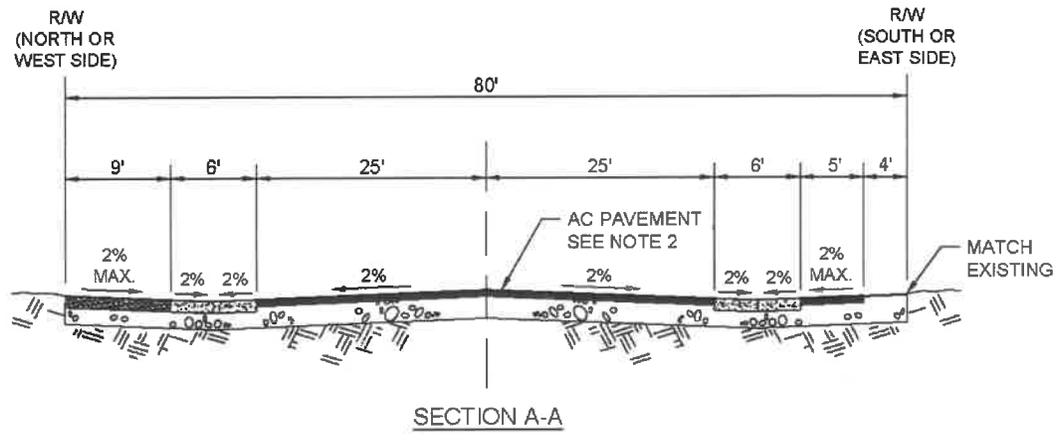
1. DRAWING IS ONLY APPLICABLE TO THE UNINCORPORATED AREA OF CLARK COUNTY, IN THE AREA BOUNDED BY CLARK COUNTY 215 BRUCE WOODBURY BELTWAY ON THE WEST AND NORTH, ALEXANDER ROAD ON THE SOUTH, AND DURANGO DRIVE ON THE EAST.
2. LANE LINE DELINEATION SHALL COMPLY WITH STANDARD DRAWINGS 244 AND 244.1.
3. MINIMUM PAVEMENT STRUCTURE AND DESIGN SHALL CONFORM WITH STANDARD DRAWING 200.
4. RAISED LANDSCAPE MEDIAN MAY BE REQUIRED BY CLARK COUNTY.
5. TREATMENT SHALL CONFORM WITH CLARK COUNTY DEPARTMENT OF AIR QUALITY AND NEVADA DIVISION OF ENVIRONMENTAL PROTECTION REGULATIONS.

		AGENCY APPROVED	C	L			
SPECIFICATION REFERENCE		UNIFORM STANDARD DRAWINGS CLARK COUNTY AREA					
		TYPICAL CONFIGURATION FOR RURAL ROADWAYS 100 FT. RIGHT-OF-WAY					
		DATE 09-12-19	DWG. NO. 244.12				

80 FT. ROW



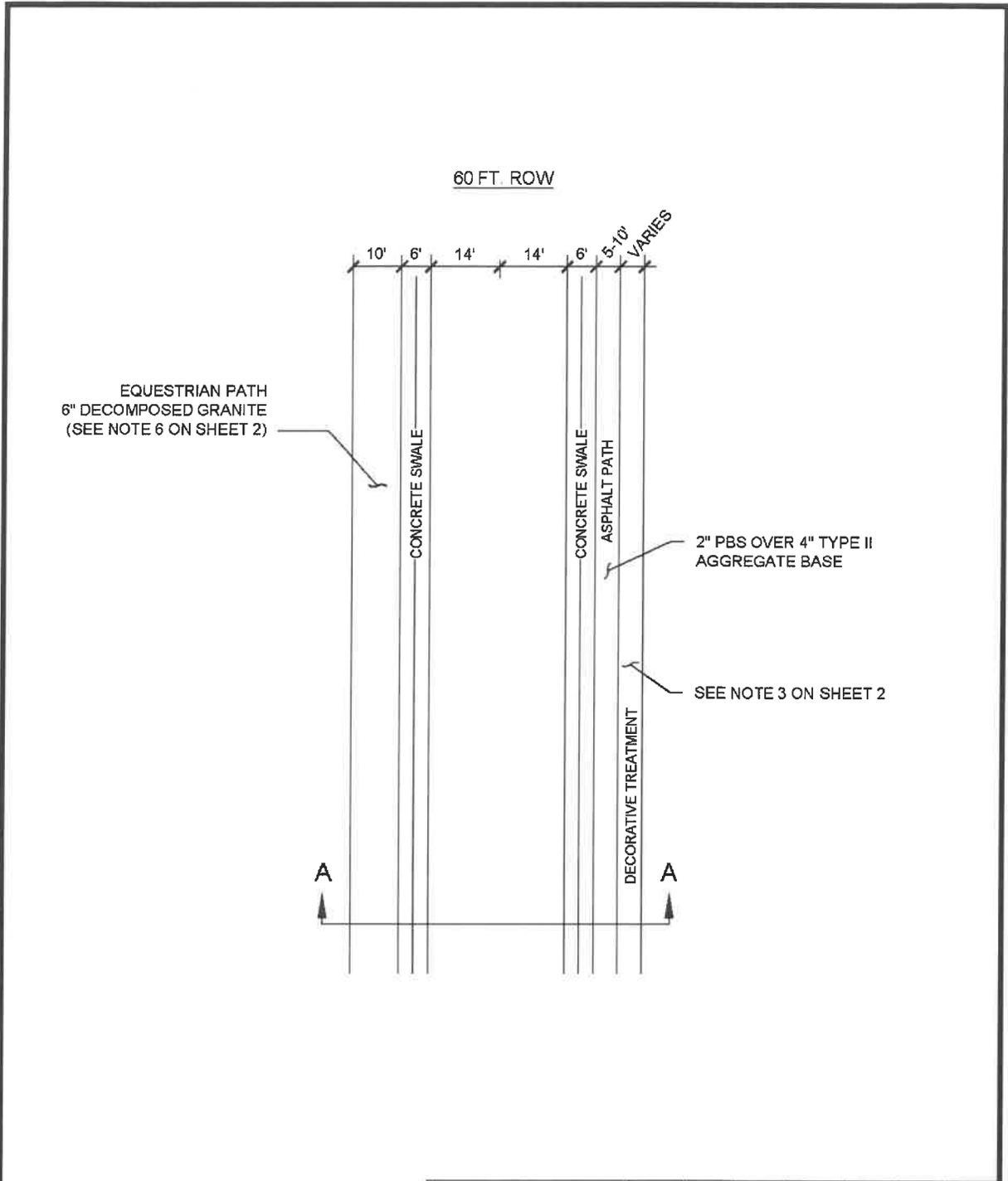
	AGENCY APPROVED	C	L		
SPECIFICATION REFERENCE	UNIFORM STANDARD DRAWINGS CLARK COUNTY AREA				
	TYPICAL TWO LANE CONFIGURATION FOR RURAL ROADWAYS 80 FT. RIGHT-OF-WAY				
	DATE 12-12-19	DWG. NO. 244.11	SHEET 1 OF 2		



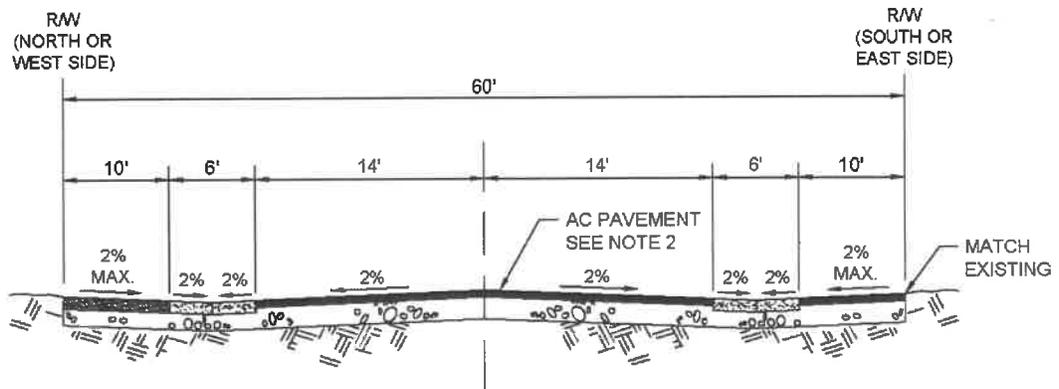
NOTES

1. DRAWING IS ONLY APPLICABLE TO THE CITY OF LAS VEGAS AND UNINCORPORATED AREA OF CLARK COUNTY, IN THE AREA BOUNDED BY CLARK COUNTY 215 BRUCE WOODBURY BELTWAY ON THE WEST AND NORTH, ALEXANDER ROAD ON THE SOUTH, AND DURANGO DRIVE ON THE EAST, OR IN OTHER AREAS APPROVED BY THE AGENCY.
2. LANE LINE DELINEATION SHALL COMPLY WITH STANDARD DRAWINGS 244 AND 244.1.
3. MINIMUM PAVEMENT STRUCTURE AND DESIGN SHALL CONFORM WITH STANDARD DRAWING 200.
4. TREATMENT SHALL CONFORM WITH CLARK COUNTY DEPARTMENT OF AIR QUALITY AND NEVADA DIVISION OF ENVIRONMENTAL PROTECTION REGULATIONS.
5. THE CONCRETE SWALE SHALL BE 6' WIDE AND 6" THICK WITH MINIMAL STEEL REQUIRED PER ACI. WHEN VEHICULAR TRAFFIC IS REQUIRED TO CROSS THE SWALE, IT SHALL BE CONSTRUCTED IN ACCORDANCE WITH STANDARD DRAWING 228.
6. THE STREET SECTION IS NOT ANTICIPATED TO MEET CCRFCD DRAINAGE REQUIREMENTS AND MAY REQUIRE A STORM DRAINAGE SYSTEM AS DETERMINED BY THE APPROVED TECHNICAL DRAINAGE STUDY.
7. RAISED LANDSCAPE MEDIAN MAY BE REQUIRED BY CLARK COUNTY.
8. IT IS RECOMMENDED THAT THE EQUESTRIAN TRAIL BE LOCATED ON THE NORTH SIDE OF EAST-WEST ROADWAYS OR THE WEST SIDE OF NORTH-SOUTH ROADWAYS.
9. STREET LIGHTS REQUIRED ON ONE SIDE OF THE STREET AND AT INTERSECTIONS.
10. UTILITY PLACEMENT MUST BE APPROVED BY THE APPROVING AGENCY.

		AGENCY APPROVED	C	L		
SPECIFICATION REFERENCE		UNIFORM STANDARD DRAWINGS CLARK COUNTY AREA				
		TYPICAL TWO LANE CONFIGURATION FOR RURAL ROADWAYS 80 FT. RIGHT-OF-WAY				
		DATE 12-12-19	DWG. NO. 244.11	SHEET 2 OF 2		



	AGENCY APPROVED	C	L			
SPECIFICATION REFERENCE	UNIFORM STANDARD DRAWINGS CLARK COUNTY AREA					
	TYPICAL CONFIGURATION FOR RURAL ROADWAYS 60 FT. RIGHT-OF-WAY					
	DATE 12-12-19	DWG. NO. 244.10			SHEET 1 OF 2	



SECTION A-A

NOTES

1. DRAWING IS ONLY APPLICABLE TO THE CITY OF LAS VEGAS AND UNINCORPORATED AREA OF CLARK COUNTY, IN THE AREA BOUNDED BY CLARK COUNTY 215 BRUCE WOODBURY BELTWAY ON THE WEST AND NORTH, ALEXANDER ROAD ON THE SOUTH AND DURANGO DRIVE ON THE EAST, OR IN OTHER AREAS APPROVED BY THE AGENCY.
2. MINIMUM PAVEMENT STRUCTURE AND DESIGN SHALL CONFORM WITH STANDARD DRAWING 200.1.
3. TREATMENT SHALL CONFORM WITH CLARK COUNTY DEPARTMENT OF AIR QUALITY AND NEVADA DIVISION OF ENVIRONMENTAL PROTECTION REGULATIONS.
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6. IT IS RECOMMENDED THAT THE EQUESTRIAN TRAIL BE LOCATED ON THE NORTH SIDE OF EAST-WEST ROADWAYS OR THE WEST SIDE OF NORTH-SOUTH ROADWAYS.
7. STREET LIGHTS REQUIRED ONLY AT INTERSECTIONS.
8. UTILITY PLACEMENT MUST BE APPROVED BY THE APPROVING AGENCY.

		AGENCY APPROVED	C	L		
SPECIFICATION REFERENCE		UNIFORM STANDARD DRAWINGS CLARK COUNTY AREA				
		TYPICAL CONFIGURATION FOR RURAL ROADWAYS 60 FT. RIGHT-OF-WAY				
		DATE 12-12-19	DWG. NO. 244.10	SHEET 2 OF 2		

07/06/21 PC AGENDA SHEET

MULTIPLE FAMILY RESIDENTIAL
(TITLE 30)

WARM SPRINGS RD/REDWOOD ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-21-0209-LEXILAND, LLC, ETAL & ROOHANI KHUSROW FAMILY TRUST:

ZONE CHANGE to reclassify 13.7 acres from a C-2 (General Commercial) Zone to an R-4 (Multiple Family Residential - High Density) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) building height; and 2) parking.

DESIGN REVIEWS for the following: 1) multiple family residential development; and 2) finished grade in the CMA Design Overlay District.

Generally located on the north side of Warm Springs Road, the west side of Redwood Street, and the south side of Capovilla Avenue within Enterprise (description on file). MN/jt/jd (For possible action)

RELATED INFORMATION:

APN:

176-02-401-022

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase building height to 37 feet where 35 feet is the maximum allowed per Table 30.40-3 (a 6% increase).
2. Reduce parking to 586 spaces where 627 spaces are required per Table 30.60-1 (a 7% reduction).

DESIGN REVIEWS:

1. Multiple family residential development.
2. Increase finished grade to 88 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 389% increase).

LAND USE PLAN:

ENTERPRISE - BUSINESS AND DESIGN/RESEARCH PARK
ENTERPRISE - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 13.7

- Number of Units: 330
- Density (du/ac): 21.4
- Project Type: Multiple family residential development
- Number of Stories: 3
- Building Height (feet): 37
- Open Space Required/Provided: 33,000/118,616
- Parking Required/Provided: 627/586

Neighborhood Meeting Summary

The required notices were mailed to a 1,500 foot radius from the project site notifying property owners of a neighborhood meeting, which was held virtually on March 4, 2021 at 5:30 p.m. One person attended the meeting, and the attendee was in support of the project.

Site Plan

The site plan depicts a multiple family residential development with a gated entrance/exit provided from Warm Springs Road along the south side of the site. A secondary exit-only driveway is provided in the northeast portion of the site onto Redwood Street. Pedestrian access gates are provided to the Capovilla Avenue cul-de-sac to the north and Redwood Street to the east. Twenty separate multiple family residential buildings are located throughout the site, and overall setbacks include 70 feet to the northern property line, 20 feet to the eastern property line along Redwood Street, 30 feet to the southern property line along Warm Springs Road, and 15 feet to the western property line. The need for increased grade is due to topography as the site is lower towards the center.

Internal drive aisles provide access to parking spaces throughout the site, which include open parking spaces, parking spaces covered by carports, and garages. A waiver of development standards is necessary to reduce parking to 586 spaces where 627 spaces are required. The reduction in parking spaces mostly consists of the additional parking requirement due to enclosed spaces. Since 200 parking spaces are provided in garages, an additional 40 parking spaces are required. The applicant is proposing to reduce parking by 41 spaces.

An amenity area is centrally located on the site, which includes a recreation building, fitness building, and pool with shade structures. Over 118,000 square feet of open space is provided where 33,000 square feet is required.

Landscaping

Perimeter landscaping meets Title 30 standards. East of the Capovilla Avenue cul-de-sac, perimeter landscaping along the northern property line includes a 10 foot wide landscape strip. Adjacent to Capovilla Avenue and behind an attached sidewalk, landscaping includes a 6 foot wide landscape strip, a wrought iron fence, and a 10 foot wide landscape strip. Along Redwood Street and behind an attached sidewalk, landscaping includes a 10 foot wide landscape strip and a wrought iron fence. Along the south property line adjacent to Warm Springs Road, landscaping includes a 5 foot wide landscape strip, a detached sidewalk, and a 5 foot wide landscape strip. A wrought iron fence is located behind the landscaping. Along the west property line, landscaping includes a 10 foot wide landscaping strip.

Internal to the site, landscaping is provided throughout the parking lot, between buildings, and within the amenity areas.

Elevations

The 3 story multiple family residential buildings extend up to 37 feet in height, which requires a waiver of development standards. Exterior materials include painted stucco with a cool gray palette, stone veneer, railing around balconies, and metal awnings. Additionally, the apparent mass of the building is reduced by off-set surface planes and parapet walls along the roofline at different heights.

Floor Plans

Overall, the project includes 115, one bedroom units and 215, two bedroom units. A recreation building near the center of the site, which includes a clubhouse, leasing center, and restrooms is 4,500 square feet. A separate fitness studio, pool equipment, and maintenance building is 2,443 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

According to the applicant, the project is appropriate at this location, consistent with the goals and policies in the Comprehensive Master Plan, and compliant with the intent of Title 30. In addition, the applicant states that the alternative design standards are appropriate. For example, the increased finished grade is due to the topography of the site and to maintain proper drainage. Additionally, the reduction in parking is less than 10%, and the increase in building height will accommodate higher ceiling heights and supplementary architectural features along the roofline to enhance the visual appeal.

Prior Land Use Requests

Application Number	Request	Action	Date
LUP-20-700005	Request to redesignate the land use category to RUC (Residential Urban Center) - process cancelled	N/A	N/A
ZC-1929-05 (ET-0002-09)	First extension of time to reclassify the site to U-V zoning for a mixed-use development - expired	Approved by BCC	April 2009
WS-0296-07	Allow construction noise during non-daytime hours - expired	Approved by PC	May 2007
DR-1554-06	Signage, lighting, and parking - expired	Approved by BCC	December 2006
TM-0227-06	479 residential condominium units - expired	Approved by PC	July 2006
ZC-1929-05	Reclassified the site to U-V zoning for a mixed-use development - expired	Approved by BCC	January 2006

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1607-03	Reclassified the western portion of the site to C-2 zoning	Approved by BCC	November 2003
ZC-0850-03	Reclassified the central portion of the site to C-2 zoning	Approved by BCC	July 2003
ZC-1623-02	Reclassified the eastern portion of the site to C-2 zoning	Approved by BCC	December 2002

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General & Business and Design/Research Park	C-2 & U-V	Undeveloped
South	Residential High (8 du/ac to 18 du/ac) & Commercial General	R-3 & C-2	Single family subdivision & shopping center
East	Residential High (8 du/ac to 18 du/ac)	R-3	Multiple family residential
West	Commercial General	C-2	Shopping center

Related Applications

Application Number	Request
VS-21-0210	A vacation and abandonment of 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
Zone Change**

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

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

Since the 2014 adoption of the Enterprise Land Use Plan, substantial commercial and employment development have been approved in the area. For example, Rainbow Boulevard is

an arterial street that is predominately planned for commercial uses. With this additional commercial development, the demand for housing has increased. This constitutes a change in trends since the previous adoption of the Enterprise Land Use Plan that would make the proposed R-4 zoning appropriate.

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

The area northwest of this site is planned for Commercial General uses, and the area northeast of the site was approved for a mixed-use development with a density of 27 dwelling units per acre and a height of 42 feet. East of the site across Redwood Street is an R-3 zoned multiple family residential development with 360 units and a density of 17.7 dwelling units per acre. South of the site across Warm Springs Road is a single family residential development with 7.6 dwelling units per acre and a shopping center, which includes a grocery store. Directly west of the site is an additional shopping center. Therefore, the proposed R-4 zoning is compatible with the density and intensity of existing and planned land uses in the area, and it will provide an appropriate transition from the R-3 zoned multiple family development to the east and the R-3 zoned single family development to the south to the more intense commercial development to the west.

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

There has been no indication from the utility purveyors that the proposed nonconforming zone boundary amendment would create an adverse effect on public facilities and services. However, the Clark County School District indicates that Canarelli Middle School and Sierra Vista High School were over capacity for the 2020-2021 school year.

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

The proposed nonconforming zone boundary amendment conforms to several goals and policies in the Comprehensive Master Plan. For example, Goal 2 encourages, in part, providing opportunities to mix uses such as commercial, office, and multiple family residential near one another. In addition, Goal 10 promotes higher intensity activity centers with multiple uses such as business, commercial, and multiple family residential. Lastly, Growth Management, Community Design Policy 6 encourages the adjacency of living and employment opportunities; therefore, the location of the proposed R-4 residential zoning district is appropriate adjacent to the existing and planned commercial development.

Summary

Zone Change

A substantial increase in commercial development in the area since the last adoption of the Enterprise Land Use Plan has contributed to an increased demand for housing. In addition, the proposed R-4 zoning is compatible with the density and intensity of the surrounding development and planned uses. Lastly, the utility purveyors have not indicated that the zoning would negatively impact public facilities and services, and the proposed zoning complies with goals and policies in the Comprehensive Master Plan; therefore, staff can support the nonconforming zone boundary amendment to R-4 zoning.

Waivers of Development Standards

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

Waiver of Development Standards #1

The location of the proposed development is adjacent to existing commercial development to the west, which includes buildings up to 34 feet high, and planned commercial development to the northwest, which could allow buildings up to 50 feet high. In addition, the adjacent mixed-use project to the northeast was approved at a height of 42 feet. Lastly, the abutting existing residential development is separated from the site by Redwood Street and Warm Springs Road; therefore, the increase in height is appropriate for the area, and it will not create any negative visual impacts. In fact, the additional height will add architectural interest to the roofline by helping to break-up the visual mass of the buildings.

Waiver of Development Standards #2

Land Use Goal 3 encourages, in part, opportunities to reduce automobile dependence, and Goal 4 encourages, in part, pedestrian connections between all development types. The location of the development and surrounding pedestrian access gates will encourage residents to walk to the adjacent and abutting commercial development, including the grocery store to the southwest. This will help reduce automobile dependence, reduce air pollution, and reduce the demand for parking spaces. As a result, staff does not anticipate any negative impacts from the overall reduction in parking spaces, which is less than 10%.

Design Review #1

The proposed multiple family residential development complies with several Urban Specific Policies in the Comprehensive Master Plan. For example, Policy 51 encourages several amenities such as usable open space, swimming pools, and community centers; Policy 54 encourages multiple family buildings to be oriented in varying directions to avoid the monotony of a linear pattern; and Policy 55 encourages design alternatives to reduce the visual mass of buildings. With this development, the project provides several amenities including open space, a swimming pool, clubhouse, and fitness center. In addition, the buildings are oriented at different directions throughout the site, and the buildings include off-set surface plans, a pleasing color

palette, and parapet walls along the roofline at various heights; therefore, the development complies with policies in the Comprehensive Master Plan, and staff can support the request.

Public Works - Development Review

Design Review #2

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

Department of Aviation

The 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. This item will be forwarded to the Board of County Commissioners' meeting for final action on August 4, 2021 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Resolution of Intent to complete in 3 years;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

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

- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 5 feet for Redwood Street, and a portion of a cul-de-sac for Capovilla Avenue as determined by Public Works - Development Review;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements;
- 90 days to record required right-of-way dedications and any corresponding easements;
- Vacate the right-of-way for the elbow on Capovilla Avenue as determined by Public Works - Development Review;
- If required by the Regional Transportation Commission (RTC), vacate the existing bus turnout right-of-way and related easements and dedicate right-of-way and new easements and construct a combination bus turnout/right turn lane at the entrance to the site on Warm Springs Road, including 5 foot by 25 foot passenger loading/shelter area in accordance with RTC standards.
- 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; 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.

Department of Aviation

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

Building Department - Fire Prevention

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions; and that fire/emergency access must comply with the Fire Code.

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 #0024-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

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

APPLICANT: WARMINGTON GROUP

**CONTACT: THE WLB GROUP, 3663 EAST SUNSET ROAD, SUITE 204, LAS VEGAS,
NV 89120**

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING 1A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE

- TEXT AMENDMENT (TA)
- ZONE CHANGE
 - CONFORMING (ZC)
 - NONCONFORMING (NZC)
- USE PERMIT (UC)
- VARIANCE (VC)
- WAIVER OF DEVELOPMENT STANDARDS (WS)
- DESIGN REVIEW (DR)
 - PUBLIC HEARING
- ADMINISTRATIVE DESIGN REVIEW (ADR)
- STREET NAME / NUMBERING CHANGE (SC)
- WAIVER OF CONDITIONS (WC)

(ORIGINAL APPLICATION #)
- ANNEXATION REQUEST (ANX)

(ORIGINAL APPLICATION #)
- EXTENSION OF TIME (ET)

(ORIGINAL APPLICATION #)
- APPLICATION REVIEW (AR)

(ORIGINAL APPLICATION #)

STAFF

APP. NUMBER: NZC-21-0222 DATE FILED: 5/4/21
 PLANNER ASSIGNED: JCT
 TAB/CAC: ENTERPRISG TAB/CAC DATE: 6/9/21
 PC MEETING DATE: 7/6/21
 BCC MEETING DATE: 8/4/21
 FEE: 4,050

PROPERTY OWNER

NAME: JCLH, LLC
 ADDRESS: 10801 W. Charleston Blvd., Suite 170
 CITY: Las Vegas STATE: NV ZIP: 89135
 TELEPHONE: 702-736-6434 CELL: _____
 E-MAIL: Kendra.Saffie@PulteGroup.com

APPLICANT

NAME: JCLH, LLC
 ADDRESS: 10801 W. Charleston Blvd., Suite 170
 CITY: Las Vegas STATE: NV ZIP: 89135
 TELEPHONE: 702-736-6434 CELL: _____
 E-MAIL: Kendra.Saffie@PulteGroup.com REF CONTACT ID #: _____

CORRESPONDENT

NAME: Westwood Professional Services
 ADDRESS: 5740 S. Arville St., Suite 216
 CITY: Las Vegas STATE: NV ZIP: 89118
 TELEPHONE: 702-284-5300 CELL: _____
 E-MAIL: lvproc@westwoodps.com REF CONTACT ID #: 131791

ASSESSOR'S PARCEL NUMBER(S): 176-24-801-030

PROPERTY ADDRESS and/or CROSS STREETS: Lindell/Richmar

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 Clerk 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 Clerk 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)*

[Handwritten Signature]

Property Owner (Print)

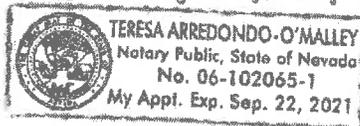
Jeffrey L. Canarelli, Sr. V.P.
Investment Manager Inc., Manager

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON January 26, 2021 (DATE)

By Jeffrey L. Canarelli, Sr. V.P.

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.

April 9, 2021

Current Planning Division
500 South Grand Central Parkway
Las Vegas, NV 89155-4000

NZC-21-0220

**Re: Richmar & Lindell, a 143-lot single family, detached residential subdivision
Justification Letter for Design Review, Waiver of Development Standards and Non-
conforming Zone Change.**

To Whom It May Concern,

Westwood Professional Services, on behalf of our client, PN II INC, respectfully submits this application for a Design Review, Waiver of Development Standards and Non-Conforming Zone Change.

The project site associated with proposed development is approximately 20.0± gross acres and is APN 176-24-801-030. It is located at the northwest quarter (NW ¼) of the southwest quarter (SW ¼) of the southeast quarter (SE ¼) of Section 24, Township 22 South, Range 60 East.

Design Review #1

The proposed community is a residential subdivision with 143 single family homes on approximately 20.0± gross acres. The gross density will be approximately 7.2 dwelling units per acre. This proposed Non-Conforming Zone change (NZC) would modify the zoning designation from R-E to R-2, while the Land Use is designated Residential Low (RL) and Public Facilities (PF). PN II, Inc. believes this subdivision will complement the existing subdivisions to the south and west of this proposed development, as well as serve as a good transition from the higher density residential to the south to the existing RNP to the north.

To the east of the subject property is a vacant parcel, APN 176-24-801-029, which is currently zoned Rural Estates Residential (R-E) and has a Land Use designation of Residential Suburban (RS). To the south of the proposed development is the Highlands Ranch Unit 21 development, PW #15-44568, which is zoned Medium Density Residential (R-2) and the Highlands Ranch Unit 12 Phase 2 development, PW #14-10814, which is also zoned Medium Density Residential (R-2). To the west of the proposed community is Cactus Hills Estates II, PW #05-4487, which is zoned Suburban Estates Residential (R-D) and a 4-lot rural subdivision which is currently zoned Rural Estates Residential (R-E). To the north of this parcel are existing rural residential properties, and a vacant parcel APN 176-24-702-001, which are all zoned Rural Estates Residential (R-E). PN II INC believes this proposed subdivision will be complementary to the subdivision on the west and south of this

proposed community while offering larger lots along the border of rural lots along Richmar Avenue and Lindell Road to pair well with the existing homes to the north and west of this project.

In this development, PN II Inc. will offer 2 different home products. The larger 3500 Series is made up of 3 models consisting of 1 single story plan and 2 two story plans, with house sizes ranging from 3,181 s.f. to 3,894 s.f. Each model will offer 3 different elevation options. These larger homes will be constructed along the north and west boundary, adjacent to the existing rural homes. The 2500 Series is made up of 4 models consisting of all two-story plans, with house sizes ranging from 2,162 s.f. to 2,523 s.f. Each model will offer 3 different elevation options. These homes will be constructed internally to the subdivision and adjacent to the typical subdivisions.

Design Review #2

Per Section 30.32.040, paragraph #9 it is stated that the finished grade for the construction within 100 feet of the property line of a residential use shall not be established in excess of the standard 18 inches above the grade of any lot or parcel adjacent. The topography of the subject property falls from the west to east. Westwood Professional Services shall coordinate throughout the final design of the subject property to make the elevation difference along the property boundary as minimal as possible. In areas where existing washes are filled (the deepest being approximately 2.1 feet) the elevation difference will be minimized.

Compelling Justification

The following is a detailed response to the requirements specified for a "Compelling Justification":

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

Response: Within Chapter 2 – Issues and Opportunities of the Enterprise Land Use Plan, it states "the entire Las Vegas Valley and Enterprise has seen a large demand for housing", and "is one of the fastest growing Planning Area's in unincorporated Clark County". Currently, there is a Las Vegas Metropolitan Police Department substation, Ries Elementary School, Tarkanian Middle school and Desert Oasis High school along with Southern Highlands Dog Park, Johnson Rose Garden, Somerset Hills Park, Goett Family Park, Olympia Sports Park, Great Basin Institute, Exploration Peak Park & Mountains Edge Regional Park all within roughly 4 miles of the proposed project site. With all that public development, it is appropriate to develop a higher density residential neighborhood within the parcel to support the fast-growing housing demand.

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

Response: The proposed development requires a zone change from R-E to R-2. There is an existing R-2 neighborhood to the south, the parcel to the east is zoned R-E and the existing two neighborhoods to the west are zoned R-D. This 7.2 du/ac proposal would blend well with these neighborhoods by providing a diverse development with the surrounding land. The Richmar Lindell community will provide a good complementary neighborhood with the adjacent existing communities in the area.

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

Response: A technical analysis will be done for the drainage and water facilities before the Civil Improvement Plans are submitted and approved. The Police Department, School District and Fire Department that service this area will be contacted for the preparation of the reports which are required for the non-conforming zone change. According to page 24 of the Enterprise Land Use Plan under "Sustainability", "participation in sustainable practices by everyone in Clark County will make things better for the community". The zone change will also provide the communities with an opportunity have a greater positive impact on sustainable practices while decreasing adverse effects on public facilities and services.

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

Response: On Page 24 under "Sustainability" of the Enterprise Land Use Plan, it states the goal of "educating and encouraging broad involvement in practices that will help sustain the community". The proposed development will provide the proposed and surrounding communities with opportunities to promote sustainable practices that will further increase the quality of the neighborhood. In addition, on Page 31 under "Uses adjacent to Residential Neighborhood Preservation (RNP) areas", it states that direction is no longer to buffer the RNP areas with OP land and "should incorporate more dense residential development." With the adjacent south parcel having RNP land use, we believe the proposed R-2 development will provide the balance from lower to higher density surrounding the area.

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 to provide additional privacy to the potential home buyers throughout the development.

2. Section 30.52.040 – Improvement Requirements

Waiver: To provide grading, curbs, gutters, paving of streets and streetlights.

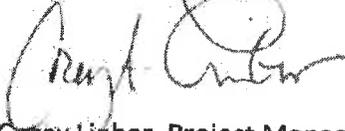
Request: Allow Rural Offsite Improvements (no streetlights, curb & gutter, sidewalk) for Richmar Avenue

Justification: This project is at the edge of the existing rural neighborhood along the 60-foot wide Richmar Avenue, therefore in an effort to maintain the rural nature of the existing neighborhood along the boundary, a less intense improvement is being proposed.

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,

WESTWOOD PROFESSIONAL SERVICES



Corey Lieber, Project Manager

Cc: Chelsea Jensen, Westwood Professional Services

07/06/21 PC AGENDA SHEET

EASEMENTS & RIGHT-OF-WAY
(TITLE 30)

WARM SPRINGS RD/REDWOOD ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-21-0210-LEXILAND, LLC ETAL & ROOHANI KHUSROW FAMILY TRUST:

VACATE AND ABANDON easements of interest to Clark County located between Capovilla Avenue (alignment) and Warm Springs Road, and between Redwood Street and Rainbow Boulevard, and a portion of a right-of-way being Warm Springs Road located between Redwood Street and Rainbow Boulevard within Enterprise (description on file). MN/jt/jd (For possible action)

RELATED INFORMATION:

APN:

176-02-401-022

LAND USE PLAN:

ENTERPRISE - COMMERCIAL GENERAL

BACKGROUND:

Project Description

The plans depict the vacation and abandonment of both easements and right-of-way. Along the east side of the site, adjacent to Redwood Street, easements to be vacated include a 5 foot wide streetlight and utility easement and a pedestrian access easement that is mostly 10 feet wide, but also extends into the driveway and bulbs out near the intersection of Redwood Street and Warm Springs Road. Along the south side of the site, adjacent to Warm Springs Road, easements to be vacated include a pedestrian access, roadway, utility easement, and a 30 foot by 3 foot bus pad easement. Right-of-way to be vacated includes a portion of Warm Springs Road, which was previously dedicated for a bus turnout. On the north side of the site, adjacent to Capovilla Avenue, easements to be vacated include a pedestrian access easement, a 5 foot wide streetlight and utility easement, and driveway access easements.

The applicant states that these easements and right-of-way were dedicated for a mixed-use project that was previously approved on the site. The easements are no longer needed, and the bus turnout and bus pad easement will be relocated farther west to align with the entry for a proposed multiple family residential development. Additional easements and right-of-way will be dedicated as needed.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1929-05 (ET-0002-09)	First extension of time to reclassify the site to U-V zoning for a mixed-use development - expired	Approved by BCC	April 2009
WS-0296-07	Allow construction noise during non-daytime hours - expired	Approved by PC	May 2007
DR-1554-06	Signage, lighting, and parking - expired	Approved by BCC	December 2006
TM-0227-06	479 residential condominium units - expired	Approved by PC	July 2006
ZC-1929-05	Reclassified the site to U-V zoning for a mixed-use development - expired	Approved by BCC	January 2006
ZC-1607-03	Reclassified the western portion of the site to C-2 zoning	Approved by BCC	November 2003
ZC-0850-03	Reclassified the central portion of the site to C-2 zoning	Approved by BCC	July 2003
ZC-1623-02	Reclassified the eastern portion of the site to C-2 zoning	Approved by BCC	December 2002

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General & Business and Design/Research Park	C-2 & U-V	Undeveloped
South	Residential High (8 du/ac to 18 du/ac) & Commercial General	R-3 & C-2	Single family residential & shopping center
East	Residential High (8 du/ac to 18 du/ac)	R-3	Multiple family residential
West	Commercial General	C-2	Shopping center

Related Applications

Application Number	Request
NZC-21-0209	A nonconforming zone boundary amendment to reclassify the site to R-4 zoning for a multiple 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 and right-of-way that are not necessary for site, drainage, or roadway development.

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on August 4, 2021 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- Right-of-way dedication to include 5 feet for Redwood Street, and a portion of a cul-de-sac for Capovilla Avenue as determined by Public Works - Development Review;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements;
- 90 days to record required right-of-way dedications and any corresponding easements;
- Vacate the right-of-way for the elbow on Capovilla Avenue as determined by Public Works - Development Review;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: WARMINGTON GROUP

CONTACT: THE WLB GROUP, 3663 EAST SUNSET ROAD, SUITE 204, LAS VEGAS,
NV 89120

DRAFT

07/06/21 PC AGENDA SHEET

LAS VEGAS BLVD AND CACTUS COMMERCIAL CACTUS AVE/LAS VEGAS BLVD S
(TITLE 30)

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-21-500063-BARTSAS MARY 10, LLC:

TENTATIVE MAP consisting of a 1 lot commercial subdivision on 5.1 acres in a C-2 (General Commercial) zone.

Generally located on the south side of Cactus Avenue and the east side of Las Vegas Boulevard South within Enterprise. MN/jvm/jd (For possible action)

RELATED INFORMATION:

APN:
177-33-101-016

LAND USE PLAN:
ENTERPRISE - COMMERCIAL TOURIST

BACKGROUND:
Project Description
General Summary

- Site Address: 47 Cactus Avenue
- Site Acreage: 5.1
- Number of Lots/Units: 1
- Project Type: Commercial subdivision

This request is for a 1 lot commercial subdivision on a 5.1 acre parcel that is currently zoned C-2. Access to the site is provided by 2 commercial curb return driveways from both Cactus Avenue and Las Vegas Boulevard South. Cross access to the parcel south of the subject site has been provided. Landscaping is provided along both street frontages and adjacent to the east and south property lines.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0803-17	Reduced setback for a vehicle wash	Approved by PC	December 2017
ZC-0708-16	Reclassified from H-1 and H-2 to C-2 zoning for a shopping center	Approved by BCC	January 2017
UC-0552-14	Shopping center with retail, restaurants and tavern - expired	Approved by BCC	August 2014

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	C-2	Undeveloped & substation
South	Commercial General	H-2	Undeveloped
East	Commercial Neighborhood	R-E	Undeveloped
West	Commercial Tourist	H-1	Undeveloped

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

Public Works - Development Review

- No comment.

Current Planning Division - Addressing

- No comment.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the CCWRD is unable to verify sewer capacity based on this zoning application; you may find instruction for submitting a Point of Connection (POC) request on the CCWRD website; and that a CCWRD approved POC must be included when submitting civil improvement plans.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: MARY BARTSAS 10 LLC

CONTACT: RIETZ CONSULTING, 3203 E. WARM SPRINGS RD, STE 400, LAS VEGAS, NV 89120

DRAFT



TENTATIVE MAP APPLICATION 3A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>TM-21-500063</u>	DATE FILED: <u>5/11/21</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: <u>JVM</u>	TAB/CAC DATE: <u>6/30/21</u>
		TAB/CAC: <u>ENTERPRISE</u>	
		PC MEETING DATE: <u>7/6/21</u>	
		BCC MEETING DATE: <u>-</u>	
		FEE: <u>\$750⁰⁰</u>	

PROPERTY OWNER	NAME: <u>Mary Bartsas 10 LLC</u>
	ADDRESS: <u>601 S. Rancho Dr # C23</u>
	CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89109</u>
	TELEPHONE: <u>702-366-0103</u> CELL: _____
	E-MAIL: <u>sprusse@bartsasenterprises.org</u>

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

CORRESPONDENT	NAME: <u>Eric Rietz</u>
	ADDRESS: <u>3203 E Warm Springs Rd</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u>
	TELEPHONE: _____ CELL: <u>702-521-3355</u>
	E-MAIL: <u>eric.rietz@rietzconsulting.com</u> REF CONTACT ID #: <u>136579</u> <u>190844</u>

ASSESSOR'S PARCEL NUMBER(S): 177-33-101-016

PROPERTY ADDRESS and/or CROSS STREETS: Cactus and Las Vegas Blvd.

TENTATIVE MAP NAME: Las Vegas Blvd. and Cactus Commercial

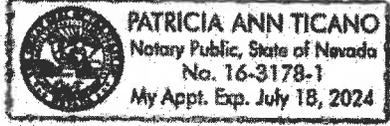
I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and 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>MARY BARTSAS 10, LLC</u> <u>Sharon Prusse</u> Property Owner (Signature)*	<u>MARY BARTSAS 10, LLC</u> <u>SHARRON PRUSSE</u> Property Owner (Print)
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STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON February 22, 2021 (DATE)
 By Sharon Prusse

NOTARY PUBLIC: Patricia Ann Ticano



***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.

07/07/21 BCC AGENDA SHEET

SITE LIGHTING
(TITLE 30)

RAINBOW BLVD/BLUE DIAMOND RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

DR-21-0225-RAINBOW & BLUE DIAMOND SE, LLC:

DESIGN REVIEW for a site lighting plan in conjunction with a previously approved shopping center and convenience store with gasoline pumps on 8.1 acres in a C-2 (General Commercial) Zone.

Generally located on the east side of Rainbow Boulevard and the south side of Blue Diamond Road within Enterprise. JJ/rk/jd (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: Site lighting plan
- Light Pole Height (feet): Up to 25

History & Site Plans

The plans depict a proposed shopping center consisting of 7 buildings with 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. 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 property, and another retail/restaurant building with drive-thru service is located on the southwestern portion of the site. Parking areas are distributed throughout the shopping center. The site will have access from Rainbow Boulevard, Santa Margarita Street, and Serene Avenue. This request is for a design review for the site lighting as part of the conditions of approval under the original zone change (NZA-18-0915).

Lighting

The plans depict the type of lighting, approximate heights of lighting fixtures, and a photometric plan demonstrating compliance with the Development Code. The height at which the lighting fixtures are installed on the exterior walls, as depicted on the elevations, ranges between 12 feet to 19 feet. All exterior building light fixtures are full cut-off and similar in terms of design, materials, finish, color, and color of light. The proposed freestanding luminaries (light poles) have a maximum height of 25 feet, where a maximum height of 25 feet is permitted by Code.

Applicant's Justification

The applicant indicates light fixtures will be provided around the building to help illuminate walkways and create a safe and illuminated environment for employees and customers. The single headed pole mounted light fixtures are distributed throughout the property to illuminate the parking area. All light fixtures will have shielding to defer light from adjacent lots conforming to Clark County regulations, and will have no impact to the surrounding area outside the project site.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-20-0428	Comprehensive sign plan with waivers for reduced separation between freestanding signs, reduced sign setbacks, and allowed roof signs	Approved by PC	January 2021
VS-20-0161	Vacated and abandoned right-of-way being Rainbow Boulevard between Serene Avenue (alignment) and Blue Diamond Road	Approved by BCC	April 2020
TM-20-500047	1 lot commercial subdivision for a previously approved shopping center	Approved by BCC	April 2020
WS-19-0725	Waiver to allow alternative landscaping, design review for modifications to an approved shopping center	Approved by BCC	November 2019
NZC-18-0915	Reclassified from R-E and H-2 to C-2 zoning for a shopping center, waivers for modified driveway and separation, design review for shopping center	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	M-D, M-1, & C-1	Warehouse & undeveloped
West	Commercial General	H-2	Retail shopping center

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

The plans indicate that all the lighting fixtures will be shielded and/or directed away from the abutting residential uses. The photometric calculations submitted for the lighting indicate the on-site lighting will not have a negative impact on the abutting developments. Staff finds the lighting plan complies with Urban Specific Policy 15 of the Comprehensive Master Plan which states that lighting design should be sensitive to off-site residential uses. This policy also encourages all light sources to be shielded to direct light away from residential uses. Therefore, staff can support this request.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

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

APPLICANT: KRISTEN KENT

CONTACT: MORIAH CURRAN, PGAL, 3379 W. OQUENDO RD., LAS VEGAS, NV 89118



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 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>5.10.21</u> PLANNER ASSIGNED: <u>RK</u> ACCEPTED BY: _____ FEE: <u>\$1,000.00</u> CHECK #: <u>On-line Payment</u> COMMISSIONER: <u>JJ</u> OVERLAY(S)? _____ PUBLIC HEARING? <input checked="" type="checkbox"/> N TRAILS? <input checked="" type="checkbox"/> PFNA? <input checked="" type="checkbox"/> N APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>DR-21-0225</u> TAB/CAC: <u>Enterprise</u> TAB/CAC MTG DATE: <u>6.9.21</u> TIME: <u>6:00pm</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>7.7.21</u> ZONE / AE / RNP: <u>C-2</u> PLANNED LAND USE: <u>Ext BDRP</u> NOTIFICATION RADIUS: <u>1500</u> SIGN? <input checked="" type="checkbox"/> Y / @ LETTER DUE DATE: <u>11.20.21</u> COMMENCE/COMPLETE: <u>NZC 18-0915</u>	
	PROPERTY OWNER NAME: <u>Rainbow and Blue Diamond Southeast, LLC</u> ADDRESS: <u>5055 West Patrick Lane #Ste. 102</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____	APPLICANT NAME: <u>Capital West Development</u> Attn: <u>Matt Stone</u> ADDRESS: <u>5954 Edmond Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-221-5634</u> CELL: <u>702-221-5635</u> E-MAIL: <u>mstone@capwestdev.co</u> REF CONTACT ID #: _____	CORRESPONDENT NAME: <u>PGAL, LLC</u> Attn: <u>Ben Girardin</u> ADDRESS: <u>7373 Peak Drive Ste#170</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89128</u> TELEPHONE: <u>702-435-4448</u> CELL: _____ E-MAIL: <u>mcurran@pgal.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-23-201-010, 015 & 018

PROPERTY ADDRESS and/or CROSS STREETS: NWC of W. Rainbow Blvd & Blue Diamond Road

PROJECT DESCRIPTION: conditions of the original zone change (NZC-18-0915), a "design review for lighting"

(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.

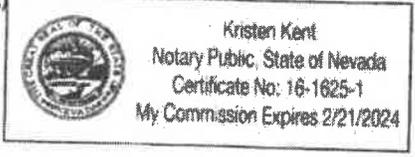
[Signature]
 Property Owner (Signature)

MICHAEL J. DEAN
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 3/23/2021 (DATE)
 By MICHAEL J. DEAN

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.



March 23, 2021

Clark County
Department of Comprehensive Planning
500 S Grand Central Parkway #1
Las Vegas, NV 89155

RE: Site Lighting Design Review
APN # 176-23-201-010, 015, and 018.

ALEXANDRIA
ATLANTA
AUSTIN
BOCA RATON
CHICAGO
DALLAS/FORT WORTH
DENVER
HOBOKEN
HOUSTON
LAS VEGAS
LOS ANGELES
SALT LAKE CITY
SAN DIEGO

To Whom This May Concern:

Rainbow and Blue Diamond Southeast, LLC is proposing a Design Review for the site lighting as part of the conditions of approval under the original zone change (N2C-18-0915). The site is located on the SWC corner of Rainbow Blvd and Blue Diamond Road and currently zoned H2, which conforms to the land use map for this area.

We have included the site lighting package with plans and an overall site plan depicting the layout of all of the site lighting and locations. The signage has already been approved under WS-20-0428.

We feel that this is an appropriate use for the land and will be a welcomed addition to the surrounding area. We are requesting the support of staff, Town Advisory Board, Planning Commission, and Board of County Commission on this application.

Please contact me for any additional information or if you have any questions.

Respectfully Submitted,

Benjamin Girardin, AIA, NCARB, LEED AP, Principal Architect

PGAL, LLC
7373 Peak Dr., Suite 170
Las Vegas, NV 89128

t 702.435.4446
f 702.435.4470

Jeffrey P. Gerber, AIA | Ken Brown, AIA | David L. Andrews, AIA | Paul D. Blinnette, AIA | Jefferson D. Bulla III, AIA | Dennis M. Comiskey, PE
Matthew Ellis, AIA | Samuel J. Ferreri, AIA | Beth Funk | Cheryl Gajdoske, AIA | Costas Georgiadiou, PE | Benjamin J. Girardin, AIA
Ryan Josephovsky, PE | Sharon Lang | Michael H. Lloyd, AIA | David E. Moss, AIA | Greg Mullin, AIA | Ian A. Nestler, AIA | Ivan Rizo, AIA
Cris Ruebush, AIA | Derron S. Vinick, PE | Jeffrey A. Wynn, AIA

07/07/21 BCC AGENDA SHEEO,.T

LIGHTING & SIGNAGE
(TITLE 30)

BLUE DIAMOND RD/ARVILLE ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
DR-21-0241-BDA NORTH, LLC:

DESIGN REVIEWS for the following: 1) comprehensive sign plan, and 2) lighting plan in conjunction with a convenience store and gasoline station currently under development on 3.1 acres in a C-2 (General Commercial) Zone and a C-2 (General Commercial) (AE-60) Zone.

Generally located on the southeast corner of Blue Diamond Road and Arville Street within Enterprise. JJ/al/jd (For possible action)

RELATED INFORMATION:

APN:
177-18-612-001

LAND USE PLAN:
ENTERPRISE - COMMERCIAL TOURIST

BACKGROUND:
Project Description
General Summary

- Site Address: 8430 Arville Street
- Site Acreage: 3.1
- Project Type: Comprehensive sign plan and lighting in conjunction with a convenience store with gasoline sales
- Number of Stories: 1
- Building Height (feet): 24 (convenience store)/21 (gasoline station canopy)
- Parking Required/Provided: 68/91

Site Plan

The site is currently being developed as a convenience store with gasoline sales. The plans depict a 5,187 square foot convenience store and 5,117 square foot gasoline station canopy along the northern portion of the site and oriented towards Blue Diamond Road. A future 10,950 square foot retail/commercial building is proposed along the southern portion of the site. The parking is equitably distributed throughout the site and 2 future cross access points are depicted along the east property line. All required parking for the proposed uses including the future retail/commercial building will comply with Title 30. The site will have 3 access points with driveways along Blue Diamond Road, Arville Street, and Wigwam Avenue. This request is for lighting and signage for the convenience store and gasoline station canopy. No changes are

proposed to the site layout, the floor plan for the building, or the architectural design of the building.

Landscaping

No changes are proposed or required to site landscaping with this request.

Lighting

The plans depict lighting for the project consisting of pole mounted fixtures within parking areas and along drive aisles, wall mounted fixtures, and lighting for the gasoline station canopy. The plans indicate all lighting fixtures will be shielded to mitigate any light pollution leaving the site. The pole mounted fixtures will be a maximum of 23 feet in height.

Signage

The plans depict a total of 8 signs for the convenience store and gasoline canopy, which include 1 freestanding sign, 1 monument sign, and 6 wall signs. The monument sign is 10 feet in height with an area of 60 square feet and is located on the southwestern portion of the site on the north side of the driveway entrance from Arville Street. The monument sign will have a cultured stone base with an internally illuminated sign cabinet consisting of the store logo and fuel prices. The freestanding sign is located on the northeastern portion of the site to the west of the driveway entrance from Blue Diamond Road. The freestanding sign is 39 feet tall with an area of approximately 197 square feet, which will include the store logo and 6 future tenant spaces for the future retail building. The plans show that 2 of the wall signs will be placed on the fuel canopy and the remaining 4 wall signs will be placed on the convenience store building. The wall signs will be between 15 square feet and 64 square feet in area. The wall signs on the fuel canopy will consist of the store name and logo and will be located on the north and west sides of the canopy. In addition, 2 of the wall signs on the building will be advertising displays located on the west side of the building at the northwest and southwest corners. The 2 remaining wall signs consist of the store name and logo with 1 being located on the northside of the building at the northwest corner and the other on the west side over the entrance to the building.

Applicant's Justification

The applicant indicates that the signage and lighting plans are being submitted to satisfy the conditions of approval for the project. The proposed signage will be in conformance to Title 30 requirements and will not have an adverse impact on adjacent properties. Lighting for the project will be shielded to mitigate any light pollution and will comply with County Codes.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-18-0513	Reclassified the site to C-2 zoning for a convenience store and gasoline station	Approved by BCC	September 2018
TM-18-500123	1 lot commercial subdivision	Approved by BCC	September 2018

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-2	Shopping center
South	Office Professional	H-2	Undeveloped
East	Commercial Tourist	H-2	Undeveloped
West	Commercial General	C-2	Convenience store with gasoline sales

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Design Review #1

The proposed signage complies with the requirements of Code and is consistent with signage provided with other similar developments in the County. Since the signage complies with Code and is consistent with other similar projects in the County, staff finds the signage complies with the intent of Urban Specific Policy 20 of the Comprehensive Master Plan, which encourages signage to be compatible with surrounding development. Therefore, staff can support this design review.

Design Review #2

The plans indicate that all of the lighting fixtures will be shielded and/or directed away from the adjacent properties uses. Staff finds the lighting plan complies in part with Urban Specific Policy 15 of the Comprehensive Master Plan, which states that lighting design should be sensitive to off-site uses. Therefore, staff can support this design review.

Department of Aviation

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for

conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

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)

- No comment.

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

APPLICANT: LAND DEVELOPMENT CONSULTANTS, LLC
CONTACT: LAND DEVELOPMENT CONSULTANTS, LLC, 11811 N. TATUM BLVD.,
SUITE 1051, PHOENIX, AZ 85028



LAND USE APPLICATION

5A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>DR-21-0241</u> DATE FILED: <u>5-12-21</u> PLANNER ASSIGNED: <u>AI</u> TAB/CAC: <u>Entourage</u> TAB/CAC DATE: <u>6-9-21</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>7-7-21</u> FEE: <u>675⁰⁰</u>
	PROPERTY OWNER NAME: <u>BDA North, LLC</u> ADDRESS: <u>2774 Athens Ridge Dr</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89052</u> TELEPHONE: <u>702-451-3315</u> CELL: <u>702-525-5743</u> E-MAIL: <u>kimchiLV@aol.com</u>
	APPLICANT NAME: <u>Circle K Stores, Inc</u> ADDRESS: <u>1120 W Warner Road</u> CITY: <u>Tempe</u> STATE: <u>AZ</u> ZIP: <u>85284</u> TELEPHONE: <u>602-728-8000</u> CELL: _____ E-MAIL: <u>rmojaded@circlek.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Jodi Hamill</u> ADDRESS: <u>11811 N Tatum Blvd, Suite 1051</u> CITY: <u>Phoenix</u> STATE: <u>AZ</u> ZIP: <u>85028</u> TELEPHONE: <u>602-549-9125</u> CELL: _____ E-MAIL: <u>jodi@ldcaz.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-18-602-026 & 177-18-602-023

PROPERTY ADDRESS and/or CROSS STREETS: 8430 Arville Street / SEC Blue Diamond & Arville

PROJECT DESCRIPTION: Design Review for Lighting associated with construction of a new Circle K convenience store & gas station

(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)*

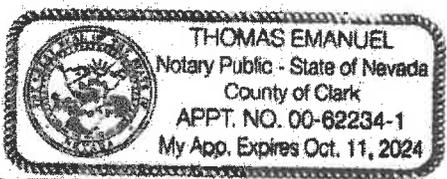
TODD W FERRELLON / CHINSUK KIM
Property Owner (Print)

STATE OF NEVADA
COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON MAY 10, 2021 (DATE)

By TODD FERRELLON AND CHINSUK KIM

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.

APR. 21-100436



LAND DEVELOPMENT
CONSULTANTS, LLC

DR-21-0241

Justification Letter
Design Review on Lighting and Signage
Circle K Store
SEC Blue Diamond Road and Arville Street
North Las Vegas, Nevada

Circle K Stores Inc. proposes the construction of a new 5,187 square foot retail convenience store and a 5,117 square foot fuel canopy over 8 fuel dispensing pumps. The project is located at the SEC of Blue Diamond and Arville and more specifically identified as APN #177-18-602-026 and #177-18-602-023 (the "Property"). The Property is currently zoned C-2, General Commercial. The project is shown in the aerial photo below.



The proposed Circle K facility will be operated 24 hours a day, 7 days a week. The Property has existing commercial property to the north and west, and vacant land zoned H-2 directly east and south. These uses, along with being located on a major arterial street, makes this location ideal for a convenience store with gas pumps.

Circle K Stores Inc. requests to process a Design Review as a Public Hearing on Lighting and Signage as a condition of Notice of Final Action for Case Number ZC-18-0513.

Design Review:

Circle K Stores Inc. proposes to develop a 5,187 square foot retail convenience store with a 5,117 square foot fuel canopy over 8 fuel dispensing pumps. The proposed development will be on a leased parcel located on the southeast corner of Blue Diamond Road and Arville Street in Las Vegas. The parcels are zoned C-2 and the property to the north and west is commercial and zoned C-2. The property to the east and south is also commercial and zoned H-2. A future commercial pad for an 11,950 square foot commercial building is proposed along the southern boundary of the property.

Site Lighting: The Site Lighting will conform to the requirements of Clark County and will be located in strategic locations throughout and along the perimeter of the project to provide sufficient illumination while not impacting any of the adjoining properties. Six (6) site lights will be installed using the XSP LED Street/Area Luminaire with provided shielding as appropriate and will be mounted on a steel pole. The height of the pole will not exceed 23 feet.

Exterior Lighting - Convenience Store: The proposed store will be one (1) story with a maximum height of twenty-three (23) feet, eight (8) inches. The store will include enhanced architectural elements and use a variety of materials and colors. The building façade will provide security lighting with three (3) wall-mounted LED fixtures on the rear of the building (east elevation) and one wall-mounted fixture on the south elevation. These wall mounted light fixtures are low profile and are downward directed light to prevent light spillage. Each entrance will have a wall pack LED light fixture which will be mounted to provide downlighting for safety and security and prevent light trespassing beyond the entrance. The front entrance of the store will be well lit with 11 recessed LED light fixtures to provide downlighting for safety and security at the store's main entrance.

Lighting - Fuel Canopy: The proposed fuel canopy with eight (8) fuel dispensing pumps will be constructed with architectural elements that are cohesive with the store using the same materials and colors. The under-canopy area will be well lit for safety and security. Under canopy lighting will be provided by 24 flush-mounted LED soffit fixtures. These light fixtures have a slim, low profile design and are specifically designed for downlighting under fuel canopies.

Signage: Circle K branded signs are proposed for this project and the Sign Package has been reviewed and approved by Building Safety and Zoning under BD20-45644.

- A 10-foot high, double-faced monument sign is proposed along the Arville Street frontage and will have illuminated signage.
- A 40-foot double-faced pylon sign is proposed along the Blue Diamond Road frontage and will have illuminated signs.
- The fuel canopy will have three (3) single-faced, internally illuminated signs. These signs will be located on the north, west and south elevations of the canopy.
- The convenience store will have one (1) single-faced, internally illuminated sign above the main entrance door. The front of the store will have two locations on each end of the store front for a non-illuminated ad display. On one cornice of each of the north and south elevations will be a smaller, single-faced, internally illuminated sign.

07/20/21 PC AGENDA SHEET

6

SINGLE FAMILY DEVELOPMENT
(TITLE 30)

UPDATE
CHARTAN AVE/PLACID ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
NZC-21-0123-BADSM PARTNERS, LLC:

AMENDED HOLDOVER ZONE CHANGE to reclassify 7.4 acres from an R-E (Rural Estates Residential) (RNP-1) Zone to an R-D (Suburban Estates Residential) Zone and R-2 (Medium Density Residential) Zone (previously not notified).

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; 2) waive perimeter landscaping along a local street; and 3) waive full off-site improvements (partial paving, curb, gutter, sidewalk, and streetlights).

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

Generally located on the south side of Chartan Avenue and the east side of Placid Street within Enterprise (description on file). MN/rk/jd. (For possible action)

RELATED INFORMATION:

APN:

177-33-801-012; 177-33-801-028

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Increase interior and perimeter wall height to 6 feet, 8 inches where a maximum of 6 feet is permitted per Section 30.64.020 and Table 30.64-1 (an 11% increase).
- b. Increase combined screen wall and retaining wall height to 12 feet (6 foot retaining wall and 6 foot screen wall) where a maximum of 9 feet (3 foot retaining wall and 6 foot screen wall) is permitted per Section 30.64.050 (a 33% increase).
2. Waive perimeter landscaping along a local street (Chartan Avenue) where per Figure 30-64-5 or 64-6 is required.
3. Waive full off-site improvements including streetlights, sidewalk, curb, gutter, and partial paving width along Chartan Avenue and Placid Street where required per Section 30.52.050.

DESIGN REVIEWS:

1. Single family residential development.
2. Increase finished grade to **108 inches (9 feet)** (previously notified as 48 inches (4 feet)) where 18 inches is the standard per Section 30.32.030 (a 500% increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 11185 Fairfield Avenue
- Site Acreage: **6.88 overall acreage; R-D: 6.03 net acres; R-2: 0.85 net acres**
- Number of Lots: **24**
- Density (du/ac): **R-D: 2.9; R-2: 7.0**
- Minimum/Maximum Lot Size (square feet): **R-D: 11,200/18,018 (gross)/9,066/14,394 (net); R-2: 6,016/6,802 (gross)/6,016/6,125 (net)**
- Project Type: Single family residential development
- Number of Stories: **1 & 2**
- Building Height (feet): Up to 35
- Square Feet: **R-D: 2,668/3,150; R-2: 2,940/3,072**

Neighborhood Meeting Summary

The applicant conducted a neighborhood meeting on January 21, 2021, as required by the nonconforming amendment process, prior to formal filing of this application. All owners within 1,500 feet of the project site were notified about the meeting. There were 20 attendees present at the virtual (Zoom) meeting for this item. The attendees had questions on the design and layout of the project. Further issues that were discussed were related to overall density, the request for 3 story homes, traffic, and access.

Site Plans

The plans depict a proposed 24 lot single family residential development on 6.88 acres. **The revised plans now show a portion of the development located near the southeast portion of the site, adjacent to an existing R-2 single family development as R-2 zoning (a total of 6 lots). The remainder of the site (total of 18 lots) is proposed for R-D zoning.** The density of the residential subdivision is **2.9 dwelling units per acre for the R-D portion of the development, and 7.0 dwelling units per acre for the R-2 portion of the development.** The lots range in size from a minimum of 6,016 square feet to a maximum of 18,018 square feet. The design of the subdivision also includes a drainage easement along the western portion of the site. The lots within the subdivision will be served by 42 foot wide internal private streets, which include an attached sidewalk on 1 side of the street. Access to the development will be available from the proposed residential subdivisions (Silverado Court VII and VIII) to the south. The private street extends to the north from the access point, with a cul-de-sac extending to the west. No access is shown from Chartan Avenue or Placid Street. These public roads will be constructed to rural standards with 32 feet of pavement instead of the full pavement, and without curb, gutter, sidewalk, and streetlights normally required for a public street under 60 feet in width. The plans also depict that the finished grade of the site will be increased up to 4 feet along the north and west portions of the development in order to properly drain the site due to an existing wash. These areas of the site are also where the over height retaining walls are located.

Landscaping

There is no street landscaping proposed with this request. Internal to the development are additional street landscape buffers along the corner side lots.

Elevations

All the models for the R-D product will be 1 story in height, while the models for the R-2 product will be 2 stories. Three different house plans with 4 separate elevations per plan are offered by the developer with an option for a rooftop deck. All the products have similar building materials consisting of stucco exteriors, decorative stone veneer accents, tile roofing, and 4 sided architecture around windows and doors.

Floor Plans

The models range in size from 2,668 square feet to 3,150 square feet for the R-D product and the size of the R-2 product is 2,940 square feet to 3,072 square feet with options that include multiple bedrooms, 2 to 3 car garages, and options for bonus rooms and game rooms.

Applicant's Justification

The applicant indicates a great deal of thought and planning have resulted in this submittal request, while respecting the existing development. Since the opening of the Starr Avenue interchange at I-15, and the future development to the south across St. Rose Parkway, this area has seen significant change. The proposed R-D zoning will serve as a buffer from the more intense uses while providing transitional lot sizes between the R-1, R-2, and R-E zoned lots. This proposed community will continue the alignment of Twisty Ridge Street from the Silverado Court VIII project (TM-18-500009) to the south, with ultimate access to Starr Avenue. There has been significant and substantial changes since the last amendment to the Enterprise Land Use Plan with the approvals of adjacent R-1 zoned and R-2 zoned subdivisions, and the changed traffic circulation patterns (as a result of the opening of the Starr Interchange, along with development of the West Henderson Business Park). Furthermore, according to the applicant this project will not adversely impact public facilities, and will in fact, solve a long-standing drainage issue that causes flooding in the area.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-19-0144	Waivers to allow modifications for off-site improvements with a design review for a single family residential development	Approved by BCC	April 2019
VS-19-0145	Vacated and abandoned a 6 foot wide, 630 foot long, portion of Chartan Avenue and a 3 foot wide streetlight and traffic control easement along Chartan Avenue - expired	Approved by BCC	April 2019
TM-19-500047	8 single family residential lots on 4.9 acres	Approved by BCC	April 2019

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residential & undeveloped
South	Rural Neighborhood Preservation (up to 2 du/ac) & Residential Low (up to 3.5 du/ac)	R-E (RNP-I) & R-1	Single family residential & undeveloped
East	Rural Neighborhood Preservation (up to 2 du/ac) & Residential Suburban (up to 8 du/ac)	R-E (RNP-I) & R-2	Single family residential

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

Related Applications

Application Number	Request
VS-21-0124	A vacation of government patent easements along the boundary of APN 177-33-801-012 is a companion item on this agenda.
TM-21-500032	A tentative map for 24 single family residential lots on 6.88 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**

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

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

The applicant indicates that the proposed development will serve as a buffer from the more intense uses while providing transitional lot sizes between the R-1, R-2, and R-E zoned lots. There has also been changes since the last amendment to the Enterprise Land Use Plan with the approvals of adjacent R-1 zoned and R-2 zoned subdivisions, and the changed traffic circulation patterns (as a result of the opening of the Starr Interchange, along with development of the West Henderson Business Park). Furthermore, according to the applicant this project will not adversely impact public facilities, and will in fact, solve a long standing drainage issue that causes flooding in the area.

Although there is existing and approved suburban residential development in the area, those developments are essentially on the south side of Terrill Avenue (alignment) which makes this development fully within the Rural Neighborhood Preservation (RNP) area. As a result, Terrill Avenue should act as a border between the more intense uses and the R-E/RNP-I to the north of that street.

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

The applicant indicates that the project will provide a single family residential development that is 2.9 dwelling units per acre between the existing RNP areas to the north and west and the more intense residential uses to the south and east. In addition, as shown on the plans, all of the lots adjacent to the existing RNP homes are a minimum of 10,000 square feet.

This request for lots that are less than half acre in area in a neighborhood that is contiguous to R-E/RNP-I to the north and west is out of character with development in the immediate area. The intent of a balanced Land Use Plan is to encourage an orderly development pattern with an appropriate spatial distribution of land uses that complement each other. Therefore, staff finds the proposed project is not compatible with the density of the existing and planned land uses in the RNP neighborhoods to the north and south.

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

The applicant indicates technical studies will be prepared to address any impacts from the proposed residential development; therefore, public infrastructure facilities will not be adversely impacted.

Various Clark County service departments have reviewed this development proposal and found adequate services available or have specified the type of improvements that are needed for this development. Sufficient public services may not exist in the immediate area and because the site is in the Public Facilities Needs Assessment (PFNA) area, a standard development agreement will be necessary prior to issuance of any building permits to mitigate any short falls in needed public facilities. Based on information received from the Clark County School District, the elementary school and high school located within the corresponding school zone was over capacity for the 2020-2021 school year. Staff is concerned that the cumulative impact from the individual student yield of this project and future projects in the immediate area may further exacerbate the existing capacity situations, especially since this area was not planned to accommodate the number of additional residential units and no new schools are planned in the future.

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

The applicant states that the proposed development satisfies County goals by providing housing alternatives to meet a range of lifestyle choices, ages, and affordability levels.

This request is a nonconforming zone change and conflicts with Urban Specific Policy 8 of the Comprehensive Master Plan which discourages nonconforming zone changes. It is County policy to preserve the rural lifestyle of property within the existing RNP-I Overlay. The request does not comply with Land Use Goals 5 of the Comprehensive Master Plan which encourages providing opportunities for developing low density residential areas as a lifestyle choice.

Summary

Zone Change & Design Review #1

Staff is concerned with the potential incompatibility between this development and existing land uses immediately adjacent to the site. Approval of this project will allow more dense zoning to intrude into an existing R-E (RNP-I) area; therefore, based on the criteria listed above, staff finds the applicant has not satisfied the requirements for a compelling justification to warrant approval of this application and cannot support these requests.

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

Although staff has supported similar waivers to increase screen and retaining wall heights, approval of this request is contingent upon approval of the zone change and design reviews which staff cannot support.

Waiver of Development Standards #2

Although staff has supported similar street landscape waivers in rural areas, approval of this request is contingent upon approval of the zone change and design reviews which staff cannot support.

Public Works - Development Review

Waiver of Development Standards #3

Staff has no objection to not install full off-site improvements on Chartan Avenue and Placid Street. The parcels along both streets are in the RNP-I overlay district, resulting in the existing non-urban standards for the roadways. However, since Planning is recommending denial of the application, staff cannot support this request.

Design Review #2

This design review represents the maximum grade difference along the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application.

Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval. However, since Planning is recommending denial of the application, staff cannot support this design review.

Department of Aviation

The property lies just outside the AE-60 (60 - 65 DNL) noise contour for the Henderson Executive airport, and is subject to potentially significant aircraft noise and continuing over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade the Airport to meet future air traffic demand.

Staff Recommendation

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on **August 18, 2021** at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Resolution of Intent to complete in 4 years;
- **Only 1 story homes within the R-D portion of the development;**
- No 3 story homes within the development;
- Design review as a public hearing on any significant changes to 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.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

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

- Applicant is advised that this site is located within a Special Flood Hazard Area (SFHA) as designated by the Federal Emergency Management Agency (FEMA); 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.

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; 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 homes purchased or soundproofed.

Building Department - Fire Prevention

- No comment.

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised that there is an active septic permit on APN 177-33-801-012; 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 #0042-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

TAB/CAC: Enterprise - denial.

APPROVALS:

PROTESTS: 16 cards, 37 letters

PLANNING COMMISSION ACTION: May 4, 2021 – HELD – To 06/01/21 – per the applicant.

PLANNING COMMISSION ACTION: June 1, 2021 – HELD – To 07/20/21 – per the applicant to rewrite/re-notify and to return to the Enterprise Town Board.

CHRIS ARMSTRONG C/O GOOLD PATTERSON

CONTACT: WESTWOOD PROFESSIONAL SERVICES, 5740 S. ARVILLE STREET, SUITE 216, LAS VEGAS, NV 89118



LAND USE APPLICATION

6A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input checked="" type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>NZC 21-0123</u> DATE FILED: <u>3/16/21</u> PLANNER ASSIGNED: <u>RK</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>4/14/21</u> PC MEETING DATE: <u>5/4/21</u> R-E/RNPI to R-D BCC MEETING DATE: <u>6/2/21</u> RNP FEE: <u>\$2,925.00</u> MN WS 19.0144
	PROPERTY OWNER NAME: <u>BADSM Partners, LLC</u> ADDRESS: <u>1975 Village Center Ste 40</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____
	APPLICANT NAME: <u>Chris Armstrong c/o Goold Patterson</u> ADDRESS: <u>1975 Village Center Ste 140</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: _____ CELL: <u>702-204-9989</u> E-MAIL: <u>chrisvarmstrong@gmail.com</u> REF CONTACT ID #: _____
CORRESPONDENT NAME: <u>Westwood Professional Services</u> ADDRESS: <u>5740 S. Arville St., Suite 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): 177-33-801-028

PROPERTY ADDRESS and/or CROSS STREETS: Chartan/Placid

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.

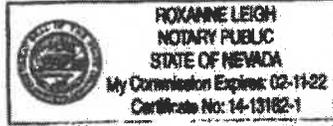

 Property Owner (Signature)*

Jerry Slater
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 12/30/20 (DATE)

By Jerry Slater
 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.

March 4, 2021

Rob Kaminski
Current Planning Division
500 South Grand Central Parkway
Las Vegas, NV 89155-4000

NZC-21-0123

**RE: Chartan Placid, a 22-lot Single Family Residential subdivision
Revised Justification Letter for Design Review and Non-conforming Zone Change**

Dear Mr. Kaminski:

Westwood Professional Services respectfully submits this compelling justification letter with an application for a non-conforming zone change (NZC) and Design Review for this proposed community.

Project Description

The project site associated with the subject is approximately 7.5+ gross acres and covers APN 177-33-801-012 and 177-33-801-028. It is located in a portion of Section 33, Township 22 South, Range 61 East, M.D.M., Clark County, Nevada.

Design Review

Please accept this letter and required attached documentation to support our application for a zone change from R-E to R-D for twenty-two (22) single family lots ranging in size from 10,409 to 21,341 gross square feet on 7.45 gross, and 6.60 net acres generally located on the southeast corner of Placid Street and Chartan Avenue. The project will have a gross density of 2.95 du/ac and a net density of 3.33 du/ac.

The property is presently zoned R-E and there is a mix of developed and undeveloped R-E zoned property adjacent to the property. There is also approved R-1 and R-2 zoned property to the immediate south and east of the property that is both presently under development and developed with resident. The immediately adjacent lots to APN: 012 are approximately 4,600 SF and have a mix of two- and three-story homes. The property to the south (177-33-801-019) fronts Starr Avenue, which is a 110' ROW and has an interchange with I-15. Bermuda Road is further to the east and is a 100' ROW. Starr Avenue connects to Raiders Way and provides access to the Raiders Corporate Headquarters/Practice Facility, and ultimately to a 190' wide ROW for Via Inspirada. Additionally, to the south across St. Rose Parkway is the West Henderson Business and Industrial Park and home to numerous warehouse and distribution centers including Amazon, Kroger, etc. The character of the area, and specifically the traffic and circulation patterns are considerably different since the opening of the Starr Avenue Interchange.

There is a large existing wash that bifurcates the property in a north-south direction and provides a significant encumbrance and hardship on this property, as well as properties to the south and west. There is an approved drainage study on the northerly parcel with a drainage solution that removes the Flood Zone designation. When combined with the parcel to the south, there is the potential to provide a solution and mitigate drainage issues for the other immediately adjacent neighboring properties (Specifically APNs: 177-33-801-007, 011). As shown on the site plan, the drainage channel/pipe would create a 30' wide buffer for APNs 177-33-801-007, 011. It is my understanding that 007, which is owned by the Meyer's has significant drainage flows on the property during rain events. The improvement on these properties and the property to the south would capture these flows and remove them from existing the residences, thereby completely removing potential future flood damage. The proposed R-D zoning would provide a transitional zoning for the R-1 zoning to the south and R-2 zoning to the east with the surrounding R-E zoning to the west and north.

Three different model will be offered for sale and will range in size from 4,500 to 5,000 square feet and will be a mix of two- and three-story product. Each model will have four separate elevation styles. The internal streets will be private, 42-foot wide roadways with a 4-foot-wide sidewalk along one side, with 5' X 5' ADA passing zones placed as needed. Access will be available from both Starr Avenue via the proposed Silverado Court VIII project (TM-18-500009) and via Bermuda Road through the existing Silverado Court VII (PW #17-36074) subdivision.

Per Section 30.32.040, paragraph #9 it is stated that the finished grade for the construction within 100 feet of the property line of a residential use shall not be established in excess of the standard 18 inches above the grade of any lot or parcel adjacent. The topography of the subject property falls from the south to north and upon review of the grading and drainage for this site, there is a grade difference along a portion the north boundary of 3 feet and a wash area up to a maximum 3.7 feet, near proposed lot 14. With the final design of the subject property, Westwood Professional Services shall coordinate throughout the development process to make the elevation difference along the property boundary as well as where any existing washes are filled will be as minimal as possible.

PREVIOUS LAND USE ACTIONS

The northerly five acres has an approved tentative map (TM-19-47), waiver (WS-19-144), and vacation (VS-19-145). The TM was for an eight-lot subdivision. The waiver request was for rural standard street sections designed to meet rural standards on Chartan Avenue and Placid Street, and to permit a 54' wide street section for Chartan Ave. It waived streetlights, curb, gutter, sidewalks, and excess paving. Given the limited traffic, and the developed R-E surrounding areas, the request was deemed to be consistent and harmonious the neighborhood. The vacation was for a Streetlight and Traffic Control Easement along Chartan Avenue (OR: 20170814:00671), portion of ROW at the turnaround/bulb of Chartan Avenue (OR:20110809:00797), southerly 6' of Chartan Avenue (OR:20170222:00978), and southerly 6' of BLM Grant N-76131. These same waivers are being requested with the current application.

A great deal of thought and planning has resulted in the attached plan, while respecting the existing development, and with the design to accommodate and address the significant drainage hardship. Since the opening of the Starr Avenue interchange at I-15, and the future development to the south across St. Rose, this area has seen significant change and will continue to change. The rural character that once was common in this area has been altered and the proposed R-D will serve as a buffer from the more intense

uses while providing lot sizes in between the R-1 and R-E lots. The costs to improve the drainage hardship are significant and the 22 lots help to spread the cost of these improvements and solve the drainage problem not only for these lots but for the two adjacent R-E lots, and in particular the Meyer parcel. This proposed community will continue the alignment of Twisty Ridge Street north from the Silverado Court VIII project (TM-18-500009) to the south, with ultimate access to Starr Avenue.

There has been significant and substantial changes since the last amendment to the Enterprise LUP in adjacent land use densities with the approval of adjacent R-1 & R-2 zoning, and the change traffic circulation patterns (as a result of the opening of the Starr Interchange, along with development of the West Henderson Business Park). The proposed R-D is a natural transition zoning district from the R-1 and R-2 to the developed and undeveloped R-E zoned property. This project will not adversely impact public facilities, and will in fact, solve a long-standing drainage issue that causes flooding in the area.

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 30.64.050 a. – 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 typical waiver that is requested with several subdivisions in the valley to provide additional privacy to the potential home buyers throughout the development.

2. Section 30.64.050 a. – Fences and Walls

Waiver: 12-foot Walls (6 foot wall plus 6 foot retaining wall)

Request: Allow 6-foot 8-inch rear screen wall to be constructed in conjunction with a 6-foot retaining wall between lots and along the perimeter of the development

Justification: This request is in compliance with the development code with respect to the retaining walls, it is just required with the above requested 6-foot 8-inch screen walls.

3. Section 30.52.040 – Improvement Requirements

Waiver: To provide grading, curbs, gutters, paving of streets and streetlights.

Request: Allow Rural Offsite Improvements (no streetlights, curb & gutter, sidewalk) Chartan Avenue and Placid Street.

Justification: This project is at the edge of the existing RNP along the 54-foot wide Chartan Avenue and 60-foot wide Placid Street, so in an effort to maintain the rural nature of the existing neighborhood at the boundary, a less intense improvement is being proposed.

The following is a detailed response to the requirements specified for a "Compelling Justification":

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

Response: Within Chapter 2 – Issues and Opportunities of the Enterprise Land Use Plan, it states "the entire Las Vegas Valley and Enterprise has seen a large demand for housing", and "is one of the fastest growing Planning Area's in unincorporated Clark County". Currently, there is Bass Elementary School, Schorr Elementary School and Liberty High School, Avellino Park, Lion Habitat Ranch Henderson Executive airport, Raiders Headquarters, and multiple churches of varying faiths within roughly 1 mile of the proposed project site. With all that public development, we feel it is an appropriate residential development to support the fast-growing housing demand.

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

Response: The proposed development requires a zone change from R-E to R-D. There is an existing R-2 neighborhood to the east as well as another parcel to the east that is zoned R-E and the existing neighborhoods and residential parcels to the north and west are zoned R-E. The parcel to the south is currently zoned a combination of R-D and R-1. This 6.8 du/ac proposal would blend well with these neighborhoods by providing a diverse development with the surrounding land. The Chartan Placid community will provide a good transition neighborhood with 10,000 square foot lots adjacent to existing houses.

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

Response: A technical analysis will be done for the drainage and water facilities before the Civil Improvement Plans are submitted and approved. The Police Department, School District and Fire Department that service this area will be contacted for the preparation of the reports which are required for the non-conforming zone change. According to page 24 of the Enterprise Land Use Plan under "Sustainability", "participation in sustainable practices by everyone in Clark County will make things better for the community". The zone change will also provide the communities with an opportunity have a greater positive impact on sustainable practices while decreasing adverse effects on public facilities and services.

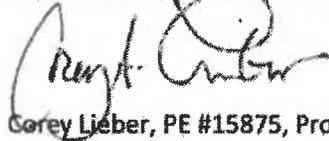
4. The proposed non-conforming zoning conforms to other applicable adopted plans, goals, and policies.

Response: On Page 24 under "Sustainability" of the Enterprise Land Use Plan, it states the goal of "educating and encouraging broad involvement in practices that will help sustain the community". The proposed development will provide the proposed and surrounding communities with opportunities to promote sustainable practices that will further increase the quality of the neighborhood. In addition, on Page 31 under "Uses adjacent to Residential Neighborhood Preservation (RNP) areas", it states that direction is no longer to buffer the RNP areas with OP land and "should incorporate more dense residential development." With the adjacent south parcel having RNP land use, we believe the proposed R-D development will provide the balance amongst the surrounding the area. The request also conforms to several goals and policies in the Comprehensive Master Plan. Land Use Goal 7 encourages a variety of housing alternatives, and there are few 10,000 square foot lot product options with RV parking provided in the Las Vegas Valley. In addition, Growth Management Policy 1 encourages development of vacant parcels in serviced areas, of which this development acts as infill and adjacent to developed and developing parcels. Urban Policy 7 encourages complimentary land uses, and the proposed R-D zoning allows for an appropriate transitional density between the R-1/R-2 adjacent to this project.

Please contact me if you have any questions.

Sincerely,

WESTWOOD PROFESSIONAL SERVICES



Corey Lieber, PE #15875, Project Manager

07/20/21 PC AGENDA SHEET

EASEMENTS
(TITLE 30)

UPDATE
CHARTAN AVE/PLACID ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-21-0124-BADSM PARTNERS, LLC:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Chartan Avenue and Terrill Avenue, and between Placid Street and Bermuda Road within Enterprise (description on file). MN/rk/jd (For possible action)

RELATED INFORMATION:

APN:
177-33-801-012; 177-33-801-028

LAND USE PLAN:
ENTERPRISE - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

BACKGROUND:

Project Description

This application is a request to vacate and abandon patent easements on this site. The plans depict the vacation and abandonment of 33 foot wide and 3 foot wide government patent easements along the boundary of APN 177-33-801-012, excepting out the 30 feet for Terrill Avenue which is needed for the dedication of a public right-of-way. A previous vacation submittal (VS-19-0145) is still current for APN 177-33-801-028 regarding vacations along Chartan Avenue roadway and streetlight and traffic control easement.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-19-0144	Waivers to allow modifications for off-site improvements with a design review for a single family residential development	Approved by BCC	April 2019
VS-19-0145	Vacated and abandoned a 6 foot wide, 630 foot long, portion of Chartan Avenue and a 3 foot wide streetlight and traffic control easement along Chartan Avenue - expired	Approved by BCC	April 2019
TM-19-500047	8 single family residential lots on 4.9 acres	Approved by BCC	April 2019

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residential & undeveloped
South	Rural Neighborhood Preservation (up to 2 du/ac) & Residential Low (up to 3.5 du/ac)	R-E (RNP-I) & R-1	Single family residential & undeveloped
East	Rural Neighborhood Preservation (up to 2 du/ac) & Residential Suburban (up to 8 du/ac)	R-E (RNP-I) & R-2	Single family residential

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

Related Applications

Application Number	Request
NZC-21-0123	A nonconforming zone change to reclassify this site to R-D and R-2 zoning is a companion item on this agenda.
TM-21-500032	A tentative map for 24 single family residential lots on 6.88 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 patent easements that are not necessary for site, drainage, or roadway development.

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on **August 18, 2021** at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change

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

Public Works - Development Review

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

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC: Enterprise - denial.

APPROVALS:

PROTESTS: 7 cards, 11 letters

PLANNING COMMISSION ACTION: May 4, 2021 - HELD - To 06/01/21 - per the applicant.

PLANNING COMMISSION ACTION: June 1, 2021 - HELD - To 07/20/21 - per the applicant to rewrite/renotify and to return to the Enterprise Town Board.

APPLICANT: CHRIS ARMSTRONG C/O GOOLD PATTERSON

CONTACT: WESTWOOD PROFESSIONAL SERVICES, 5740 S. ARVILLE STREET, SUITE 216, LAS VEGAS, NV 89118



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

7A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

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 #):	DEPARTMENT USE	APP. NUMBER: <u>VS-21-0124</u>	DATE FILED: <u>3/16/21</u>
		PLANNER ASSIGNED: <u>RK</u>	TAB/CAC DATE: <u>4/14/21</u>
		TAB/CAC: <u>Enterprise</u>	R.E/RNPT to R.D
		PC MEETING DATE: <u>5/4/21</u>	RNP
		BCC MEETING DATE: <u>6/2/21</u>	MN WS 19-0144
		FEE: <u>\$ 875.00</u>	

PROPERTY OWNER	NAME: <u>BADSM Partners, LLC</u>
	ADDRESS: <u>1975 Village Center Ste 40</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

APPLICANT	NAME: <u>Chris Armstrong c/o Goold Patterson</u>
	ADDRESS: <u>1975 Village Center Ste 140</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u>
	TELEPHONE: _____ CELL: <u>702-204-9989</u>
	E-MAIL: <u>chrismarmstrong@gmail.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Westwood Professional Services</u>
	ADDRESS: <u>5740 S. Arville St., Suite 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): 177-33-801-028

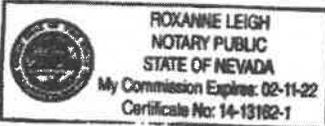
PROPERTY ADDRESS and/or CROSS STREETS: Chartan/Placid

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.

[Signature]
 Property Owner (Signature)*

Jerry Slater
 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON 12/30/20 (DATE)
 By Jerry Slater
 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.



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

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 #): _____	DEPARTMENT USE	APP. NUMBER: _____ DATE FILED: _____ PLANNER ASSIGNED: _____ TAB/CAC: _____ TAB/CAC DATE: _____ PC MEETING DATE: _____ BCC MEETING DATE: _____ FEE: _____
---	----------------	--

PROPERTY OWNER	NAME: <u>2150 Lighthouse LLC</u> ADDRESS: <u>7840 SUN LEMON CT</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89123</u> TELEPHONE: <u>702-260-7113</u> CELL: _____ E-MAIL: <u>lvnvac@gmail.com</u>
----------------	---

APPLICANT	NAME: <u>Chris Armstrong c/o Goold Patterson</u> ADDRESS: <u>1975 Village Center Ste 140</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: _____ CELL: <u>702-204-9989</u> E-MAIL: <u>carmstrong@olympiacompanies.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>Westwood Professional Services</u> ADDRESS: <u>5740 S. Arville St., Suite 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): 177-33-801-012

PROPERTY ADDRESS and/or CROSS STREETS: Chartan/Placid

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)*

Peter Anello

Property Owner (Print)

STATE OF NEVADA CALIFORNIA
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON 12.22.2020 (DATE)

By Peter Anello
 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.

February 12, 2021

Current Planning Division
500 South Grand Central Parkway
Las Vegas, NV 89155-4000

RE: **Chartan Placid**
Justification Letter for Patent Easement Vacation

To whom it may concern:

Westwood Professional Services, on behalf of our client, 2150 Lighthouse LLC, respectfully submits this justification letter with an application for Vacation and Abandonment of Patent Easements.

Project Description: The project site associated with this vacation request is approximately 7.5+ gross acres and covers APN 177-33-801-012 and 177-33-801-028. It is located in a portion of Section 33, Township 22 South, Range 61 East, M.D.M., Clark County, Nevada. This development will consist of 22 lots with a gross density of 3.0 dwelling units/acre.

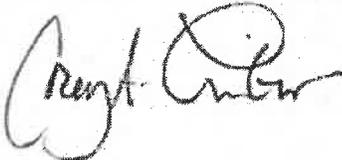
The applicant is vacating Easements that are in conflict with the proposed site plan for the subject residential development. These easements were granted in support of the individual parcels but are no longer required for the proposed development. The vacation includes a 33.0' patent easement along the boundary of parcel 177-33-801-012 for roadway and public utilities. A previous vacation submittal (VS-19-0145) is still current for APN 177-33-801-028 in regards to vacations along Chartan Avenue roadway and streetlight & traffic control easement. This request will be in compliance with the conditions of the Tentative Map submitted for Chartan Placid that is 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,

WESTWOOD PROFESSIONAL SERVICES



Corey Lieber, PE #15875, Project Manager

Cc: Chelsea Jensen, Westwood Professional Services
2150 Lighthouse LLC

CHARTAN PLACID
(TITLE 30)

UPDATE
CHARTAN AVE/PLACID ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-21-500032-BADSM PARTNERS, LLC:

AMENDED HOLDOVER TENTATIVE MAP consisting of 24 (previously notified as 22) single family residential lots and common lots on 7.4 acres in an R-D (Suburban Estates Residential) Zone and R-2 (Medium Density Residential) Zone.

Generally located on the south side of Chartan Avenue and the east side of Placid Street within Enterprise. MN/rk/jd (For possible action)

RELATED INFORMATION:

APN:
177-33-801-012; 177-33-801-028

LAND USE PLAN:
ENTERPRISE - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 11185 Fairfield Avenue
- Site Acreage: **6.88 overall acreage; R-D: 6.03 net acres; R-2: 0.85 net acres**
- Number of Lots: **24**
- Density (du/ac): **R-D: 2.9; R-2: 7.0**
- Minimum/Maximum Lot Size (square feet): **R-D: 11,200/18,018 (gross)/9,066/14,394 (net); R-2: 6,016/6,802 (gross)/6,016/6,125 (net)**
- Project Type: Single family residential development

The plans depict a proposed 24 lot single family residential development on 6.88 acres. **The revised plans now show a portion of the development located near the southeast portion of the site, adjacent to an existing R-2 single family development as R-2 zoning (a total of 6 lots). The remainder of the site (total of 18 lots) is proposed for R-D zoning.** The density of the residential subdivision is **2.9 dwelling units per acre for the R-D portion of the development, and 7.0 dwelling units per acre for the R-2 portion of the development.** The lots range in size from a minimum of 6,016 square feet to a maximum of 18,018 square feet. The design of the map also includes a drainage easement along the western portion of the site. The lots within the subdivision will be served by 42 foot wide internal private streets, which include an attached sidewalk on 1 side of the street. Access to the development will be available from the proposed residential subdivisions (Silverado Court VII and VIII) to the south. The private street extends to the north from the access point, with a cul-de-sac extending to the west. No access is shown from Chartan Avenue or Placid Street. However, the project does include the

dedication of Chartan Avenue or Placid Street as part of the design of this project. All public streets will be developed to non-urban street standards.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-19-0144	Waivers to allow modifications for off-site improvements with a design review for a single family residential development	Approved by BCC	April 2019
VS-19-0145	Vacated and abandoned a 6 foot wide, 630 foot long, portion of Chartan Avenue and a 3 foot wide streetlight and traffic control easement along Chartan Avenue - expired	Approved by BCC	April 2019
TM-19-500047	8 single family residential lots on 4.9 acres	Approved by BCC	April 2019

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residential & undeveloped
South	Rural Neighborhood Preservation (up to 2 du/ac) & Residential Low (up to 3.5 du/ac)	R-E (RNP-I) & R-1	Single family residential & undeveloped
East	Rural Neighborhood Preservation (up to 2 du/ac) & Residential Suburban (up to 8 du/ac)	R-E (RNP-I) & R-2	Single family residential

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

Related Applications

Application Number	Request
NZC-21-0123	A nonconforming zone change to reclassify this site to R-D and R-2 zoning is a companion item on this agenda.
VS-21-0124	A vacation of government patent easements along the boundary of APN 177-33-801-012 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, since staff is not supporting the nonconforming zone change and design review, staff cannot support the tentative map.

Department of Aviation

The property lies just outside the AE-60 (60 - 65 DNL) noise contour for the Henderson Executive airport, and is subject to potentially significant aircraft noise and continuing over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade the airport to meet future air traffic demand.

Staff Recommendation

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on **August 18, 2021** at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Expunge TM-19-500047;
- 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 the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- Applicant is advised that this site is located within a Special Flood Hazard Area (SFHA) as designated by the Federal Emergency Management Agency (FEMA); 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;
- Private streets shall have approved street names and suffixes.

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; 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 homes purchased or soundproofed.

Building Department - Fire Prevention

- Applicant is advised to show on-site fire lane, turning radius, and turnarounds.

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 #0042-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

TAB/CAC: Enterprise - denial.

APPROVALS:

PROTESTS: 10 letters

PLANNING COMMISSION ACTION: May 4, 2021 – HELD – To 06/01/21 – per the applicant.

PLANNING COMMISSION ACTION: June 1, 2021 – HELD – To 07/20/21 – per the applicant to rewrite/renotify and to return to the Enterprise Town Board.

APPLICANT: CHRIS ARMSTRONG C/O GOOLD PATTERSON

CONTACT: WESTWOOD PROFESSIONAL SERVICE, 5740 S. ARVILLE STREET, SUITE 216, LAS VEGAS, NV 89118



TENTATIVE MAP APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

8A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>TM-21-500032</u>	DATE FILED: <u>3/16/21</u>
		PLANNER ASSIGNED: <u>RK</u>	TAB/CAC DATE: <u>4/14/21</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		TAB/CAC: <u>Enterprise</u>	R.E/RNPI to R-D
		PC MEETING DATE: <u>5/4/21</u>	RNP
		BCC MEETING DATE: <u>6/2/21</u>	MN WS 19.0144
		FEE: <u>\$ 750.00</u>	

PROPERTY OWNER	NAME: <u>BADSM Partners, LLC</u>
	ADDRESS: <u>1975 Village Center Ste 40</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

APPLICANT	NAME: <u>Chris Armstrong c/o Goold Patterson</u>
	ADDRESS: <u>1975 Village Center Ste 140</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u>
	TELEPHONE: _____ CELL: <u>702-204-9989</u>
	E-MAIL: <u>chrismarmstrong@gmail.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Westwood Professional Services</u>
	ADDRESS: <u>5740 S. Arville St., Suite 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): 177-33-801-028

PROPERTY ADDRESS and/or CROSS STREETS: Chartan/Placid

TENTATIVE MAP NAME: _____

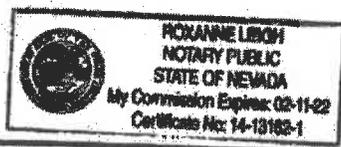
I, (We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Jerry Slater
 Property Owner (Print)

SUBSCRIBED AND SWORN BEFORE ME ON 12/30/20 (DATE)
 By Jerry Slater

NOTARY PUBLIC: Roxanne Liboff



*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

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: _____	DATE FILED: _____
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: _____	TAB/CAC DATE: _____
		TAB/CAC: _____	PC MEETING DATE: _____
		BCC MEETING DATE: _____	FEE: _____

PROPERTY OWNER	NAME: <u>2150 Lighthouse, LLC</u>
	ADDRESS: <u>7840 SUN LEMON CT</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89123</u>
	TELEPHONE: <u>702-260-7113</u> CELL: _____
	E-MAIL: <u>lvnvac@gmail.com</u>

APPLICANT	NAME: <u>Chris Armstrong c/o Gould Patterson</u>
	ADDRESS: <u>1975 Village Center Ste 140</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u>
	TELEPHONE: _____ CELL: <u>702-204-9989</u>
	E-MAIL: <u>chrisvarmstrong@gmail.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Westwood Professional Services</u>
	ADDRESS: <u>5740 S. Arville St., Suite 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): 177-33-801-012

PROPERTY ADDRESS and/or CROSS STREETS: Chartan/Placid

TENTATIVE MAP NAME: _____

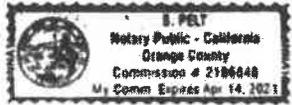
I, (We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

STATE OF California
 COUNTY OF Orange

SUBSCRIBED AND SWORN BEFORE ME ON 12.22.2020 (DATE)
 by Peter Anello

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

07/20/21 PC AGENDA SHEET

COMMUNICATION TOWER
(TITLE 30)

PIONEER WY/BLUE DIAMOND RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-21-0269-NEEDHAM, HOWARD J. & CHRISTINE S.:

USE PERMIT to allow a stealth communication tower (monoelm).

DESIGN REVIEW for a stealth communication tower (monoelm) and ground equipment on a portion of 2.3 acres in an H-2 (General Highway Frontage) Zone.

Generally located on the north side of Blue Diamond Road and the west side of Pioneer Way within Enterprise. JJ/jor/jo (For possible action)

RELATED INFORMATION:

APN:

176-22-201-015 ptn

LAND USE PLAN:

ENTERPRISE - COMMERCIAL NEIGHBORHOOD

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.3 (portion)
- Project Type: Communication Tower
- Communication Tower Height (feet): 80
- Square Feet: 800 (lease area)

Site Plan

The site plan depicts a proposed stealth communication tower (monoelm) lease space along the east property line, adjacent to Pioneer Way, to be constructed towards the southern half of the parcel. The applicant is proposing to construct and install an 80 foot high monoelm communication tower with antennas on the west side of the screened lease space with the supplemental ground equipment centered within the lease area. Access to the proposed communication tower is via a 12 foot wide access easement along the east property line, which leads to an access gate for the lease area. The communication tower is set back 160 feet from the nearest residential development to the north where 160 feet is required per Title 30. In addition the communication tower is set back 244 feet from the nearest residential to the west where 160 feet is required per Title 30, and the communication tower is also set back 105 feet from the

south property line (Blue Diamond Road), and 40 feet from the east property line (Pioneer Way), where 40 feet is required per Title 30.

Landscaping

Landscaping is neither required nor a part of this request.

Elevation

Per the plans, the stealth communication tower has an overall height of 80 feet. The ground level equipment is screened from the right-of-way to the east (Pioneer Way) and to the south (Blue Diamond Road) with an 8 foot high CMU block wall in a neutral color to match existing screening to the north and west.

Floor Plan

The floor plan depicts an 800 square foot lease area with ground equipment to support the communication tower. Cabinets for supplemental equipment are located in the center of the lease area. Furthermore, the communication tower is located on the west side of the lease area, and a meter panel and entry gates are located on the east side of the lease area.

Applicant's Justification

Per the justification letter, the site will not have any adverse impacts on the surrounding properties. The proposed facility is located a substantial distance from the adjacent properties and meets the minimum required setbacks from the rights-of-way and nearest residential developments to the north and west. The ground level equipment will be screened from the right-of-way and the nearest residential development to the north and west via an 8 foot high screen wall painted to match the existing screening in the area. The proposed facility provides concealment and aesthetic considerations based on requirements identified within Clark County's Development Code.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-0360-12 (ET-0005-15)	First extension of time for a vacation and abandonment of patent easements and portions of rights-of-way being Jerlyn Street and Oleta Avenue	Approved by BCC	March 2015
VS-0360-12	Vacated patent easements and portions of rights-of-way being Jerlyn Street and Oleta Avenue - recorded	Approved by BCC	January 2013

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Commercial Neighborhood	U-V	Multiple family residential complex (a part of an existing mixed-use development)

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
South	Public Facilities & Major Projects Planned Community - Mountains Edge	H-2	Undeveloped
East	Commercial Neighborhood	H-2	Undeveloped

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 does not anticipate any negative impacts of the proposed communication tower and the ground equipment to the surrounding residential neighborhood and neighboring commercial parcels. The proposed communication tower is needed to serve the community with essential wireless telecommunication services in the surrounding region. Staff is in support of this request.

Design Review

The applicant is proposing to paint the new communication tower, antenna arrays, and screen wall to match the surrounding area. Staff finds that architectural compatibility encourages the proposed communication tower and equipment to have less of a visual impact. Staff has no objection to the applicant's design review request and recommends 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

- Applicant is advised that a bond (or other guarantee per Table 30.44) is required prior to the construction of a new 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; the County is currently rewriting Title 30 and future land

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

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: AMY TOLLEFSON

CONTACT: AMY TOLLEFSON, YOUNG DESIGN CORP, 10245 EAST VÍA LINDA,
SCOTTSDALE, AZ 85258

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

PLANNER
9A
COPY

APPLICATION TYPE

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

STAFF

APP. NUMBER: UC-21-0269 DATE FILED: 5/25/21
 PLANNER ASSIGNED: JK
 TAB/CAC: Enterprise TAB/CAC DATE: 6/30/21
 PC MEETING DATE: 7/20/21
 BCC MEETING DATE: _____
 FEE: \$675 & \$675

PROPERTY OWNER

NAME: Howard J. & Christine S. Needham
 ADDRESS: 3216 W. Charleston Blvd #D
 CITY: Las Vegas STATE: NV ZIP: 89102
 TELEPHONE: _____ CELL: (702) 505-2535
 E-MAIL: howardjneedham@yahoo.com

APPLICANT

NAME: Sun State Towers
 ADDRESS: 1426 North Marvin Street #101
 CITY: Gilbert STATE: AZ ZIP: 85238
 TELEPHONE: (888) 426-9204 CELL: _____
 E-MAIL: chad.ward@pinnacleco.net REF CONTACT ID #: NV01-131 Toto

CORRESPONDENT

NAME: Amy Tollefson - Young Design Corp
 ADDRESS: 10245 E Via Linda Suite 211
 CITY: Scottsdale STATE: AZ ZIP: 85258
 TELEPHONE: (480) 451-9609 CELL: (702) 638-0744
 E-MAIL: amy.tollefson@ydcoffice.com REF CONTACT ID #: NV01-131 Toto

ASSESSOR'S PARCEL NUMBER(S): 176-22-201-015
 PROPERTY ADDRESS and/or CROSS STREETS: Unaddressed parcel on NW corner of S. Pioneer Way & Blue Diamond Road
 PROJECT DESCRIPTION: Sun State Towers to build an 80' stealth wireless communications tower in a 20' x 40' fenced compound.

(I, We) the undersigned owner 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 drawing 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.

Howard J. Needham 03/11/2021 HOWARD J. NEEDHAM
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON March 11, 2021 (DATE)
 BY Melanie Magno
 NOTARY PUBLIC: Melanie Magno



*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-21-0269

PLANNER
COPY

May 21, 2021

RE: Justification Letter for Use Permit for 80' communication tower
Design Review and Use Permit for the tower and lease space.
Sun State Towers NV01-131 Toto
APN: 176-22-201-015



Proposed Use:

Sunstate Towers requests to construct a wireless communication facility located on APN: 176-22-201-015, NE Corner of Blue Diamond Rd and S Pioneer Way Las Vegas, NV 89113. The proposed facility would allow for other collocations and thus reduce the number of towers in the area. We are applying for the following: A Use Permit to allow an 80-foot-high communications tower and a Design Review Permit for the tower and lease space.

Site Description:

The overall subject site is approximately 1.97 acres. The parcel is currently zoned H-2, General Highway Frontage and is owned by Howard J. Needham. The proposed facility would be located approximately 40 feet from the eastern property line, 160 feet from the northern property line, 180 feet from the southern property line, and 273 feet from the western property line.

Facility Description:

The proposed facility would house 3 sets of antenna arrays on a new monoelm stealth design communication tower. The proposed monoelm has an overall height of 80 feet including the pole, all antennae, and branches. The proposed wireless facility is set back a substantial distance from adjacent property lines. The areas surround the subject parcel are U-V Urban Village to the north and east and H-2 General Highway Frontage to the south and west of the parcel.

Collocation Capability:

The proposed facility is necessary to accommodate capacity and fill coverage gaps within the immediate area of the subject site, as well as the result of no existing collocatable facilities. The proposed monoelm allows for three (3) wireless communication carriers to install on the facility.

No Adverse Effects on Adjacent Properties:

The site will not have any adverse impact on the surrounding properties. The proposed facility is located a substantial distance from the adjacent properties and meet minimum setback requirements.

The noise generated from this site will be extremely limited and well below that of the surrounding properties. No noise from the proposed facility will be able to be heard from the property boundaries. Any noise generated will be well below the requirements of the County zoning ordinance.

Ground Equipment:

All ground equipment will be located within the equipment enclosure shown on sheet A-3 of the attached site plan. The equipment enclosure is approximately 800 square feet. The enclosure contains an 8 foot CMU block wall that will be painted to blend into the surrounding block walls. The access gate will be new tube steel gates with solid metal backing. The block wall and gate will completely screen all equipment housed within the enclosure.

Landscaping and Grading:

The proposed location of the wireless facility (pole as well as equipment enclosure) will not impact existing landscaping on site. A grading plan is not required for this development.

Separation:

There are currently no existing towers within a 0.5-mile radius of the proposed wireless facility, well beyond the 600-foot rule in Clark County Title 30 land use code.

Parking and Traffic Impact Analysis:

The proposed wireless facility will not require parking nor a parking or traffic impact analysis.

Residential Impact Statement:

The proposed wireless facility will not require a residential impact statement. Additionally, there are existing NV Energy Transmission poles and lines on the southern end of the parcel, spanning east-west along Blue Diamond Rd.

RISE Report:

A RISE report is not required on the proposed project.

List & Quantities of Hazardous Materials:

The proposed facility will not house hazardous materials nor be available to the public.

Applicable Regulations:

The proposed facility will comply with all local, state, and federal regulations for such facilities and will be maintained in accordance with applicable standards. This compliance includes but is not limited to FCC radio frequency emission standards and FAA registration.

Conclusion:

The proposed facility provides concealment and aesthetic considerations based on the requirements identified within Clark County's Title 30 Development Code for communication towers and antenna. The proposed facility will improve coverage for the area without being visually intrusive to the subject property or surrounding properties. The facility will allow for collocation for up to three (3) wireless carriers and help with the population expansion in southwest Clark County.

07/20/21 PC AGENDA SHEET

EASEMENTS
(TITLE 30)

RAINBOW BLVD/RICHMAR AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-21-0264-TRAJAN HOLDINGS LLC:

VACATE AND ABANDON easements of interest to Clark County located between Rainbow Boulevard and Redwood Street, and between Serene Avenue and Richmar Avenue (alignment) within Enterprise (description on file). JJ/al/jd (For possible action)

RELATED INFORMATION:

APN:
176-23-301-007; 176-23-301-020

LAND USE PLAN:
ENTERPRISE - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:

Project Description

This application is a request to vacate and abandon public road and patent easements on APNs 176-23-301-007 & 176-23-301-020. This vacation is for a 33 foot wide patent easement around the perimeter of APN 176-23-301-007 and for 30 foot wide and 15 foot wide public road easements within APN 176-23-301-020. This is requested because the roadways for the Santa Margarita Street and Meranto Avenue alignments are no longer needed at this location. In addition, a 15 foot wide easement for Rainbow Boulevard along the western edge of APN 176-23-301-020 is being requested to be vacated as this is excess area not needed for right-of-way dedication once the required right-of-way dedication is provided for Rainbow Boulevard. A similar request was approved by VS-0756-17, which has since expired.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-20-400107 (NZA-0312-17)	First extension of time to reclassify 6.5 acres from R-E to M-1 zoning for a truck parking and storage facility	Approved by BCC	November 2020
NZA-19-0835	Reclassified a 7.4 acre portion of a 25 acre parcel from R-E to M-1 zoning to expand an approved truck parking and storage facility (NZA-0312-17)	Approved by BCC	January 2020

Prior Land Use Requests

Application Number	Request	Action	Date
VS-0756-17	Vacated easements of interest to Clark County located between Rainbow Boulevard and Redwood Street, and between Serene Avenue and Richmar Avenue alignment - expired	Approved by PC	October 2017
NZC-0312-17	Reclassified 6.5 acres from R-E to M-1 zoning for a truck parking and storage facility	Approved by BCC	July 2017

Surrounding Land Use

	Planned land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	R-E, C-2, & M-1	Undeveloped
South	Business and Design/Research Park & Industrial	R-E & M-1	Undeveloped & storage yard
East	Industrial	M-1	Storage yards & warehouse building
West	Business and Design/Research Park, Major Development Project, & Office Professional	R-E & C-1	Undeveloped

STANDARDS FOR APPROVAL:

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

**Analysis
Public Works - Development Review**

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

**Staff Recommendation
Approval.**

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- Right-of-way dedication to include 60 feet for Rainbow Boulevard, 30 feet for Richmar Avenue, 30 feet for Redwood Street, and associated spandrel;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the final map;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Public Works - Development Review

- Right-of-way dedication to include 60 feet for Rainbow Boulevard, 30 feet for Richmar Avenue, 30 feet for Redwood Street, and associated spandrel;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements;
- 90 days to record required right-of-way dedications and any corresponding 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: TRAJAN HOLDINGS LLC

CONTACT: CIVILWORKS INC, 4945 WEST PATRICK LANE, LAS VEGAS, NV 89118



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

10A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>VS-21-0264</u>	DATE FILED: <u>5-24-21</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>AI</u>	TAB/CAC DATE: <u>6-30-21</u>
		TAB/CAC: <u>Enterprise</u>	
		PC MEETING DATE: <u>7-20-21</u>	
		BCC MEETING DATE: _____	
		FEE: <u>\$ 875.00</u>	

PROPERTY OWNER	NAME: <u>Trajan Holdings, LLC</u>
	ADDRESS: <u>9390 Redwood Street</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89139</u>
	TELEPHONE: <u>702-362-7495</u> CELL: _____
	E-MAIL: <u>P Truman@trulinecorp.com</u>

APPLICANT	NAME: <u>Truline Corporation</u>
	ADDRESS: <u>9390 Redwood Street</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89139</u>
	TELEPHONE: <u>702-362-7495</u> CELL: _____
	E-MAIL: <u>P Truman@trulinecorp.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Civilworks - Brandon Potts</u>
	ADDRESS: <u>4945 W Patrick Lane</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702-534-7555</u> CELL: <u>702-279-3576</u>
	E-MAIL: <u>bap@civilworksonline.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-23-301-020, 007

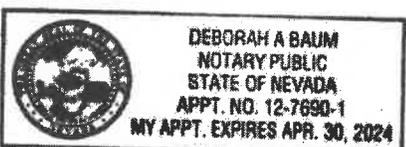
PROPERTY ADDRESS and/or CROSS STREETS: Redwood and Richmar

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.

Paul A. Truman
 Property Owner (Signature)*

PAUL A. TRUMAN
 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF CLARK
 SUBSCRIBED AND SWORN BEFORE ME ON 11/4/2020 (DATE)
 By PAUL A. TRUMAN
 NOTARY PUBLIC: DEBORAH A. BAUM



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

APR-20-100768

February 2, 2021

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

**SUBJECT: Application to Vacate Patent Easements and BLM Right-of-Way Grants
APN's 176-32-301-020 & 176-23-301-007**

To Whom It May Concern;

Please consider this application to vacate BLM right-of-way grants and patent easements for the property located near Redwood Street and Richmar Avenue.

The Clark County Board of the County Commissioners originally approved VS-0756-17 on October 17th, 2019.

We have a current active bond with Clark County Public Works under PW17-54100-CMF and we anticipate starting the construction within the next year. Also, we are currently revising the on-site civil engineering drawings according the approved NZC-17-0312. We have submitted the civil plans and are addressing Clark County Public Works comments. We anticipate plan approvals in the next 60 days. We anticipate construction to commence following plan approval and permit issuance. Unfortunately, we have been negatively affected on this project with our office being shut down and re-opening and shut down again due to COVID-19 since March of last year.

Please let me know if you have any questions or require any additional information.

Thank you for your consideration.

Respectfully,



Brandon A Potts, P.E.
Principal

CivilWorksInc

"Sensible" solutions tailored to your "specific" needs
Page 2 of 2
4945 West Patrick Lane • Las Vegas, NV 89118-2858
Office: 702.534.7555 • Email: info@civilworksonline.com

07/21/21 BCC AGENDA SHEET

RIGHT-OF-WAY
(TITLE 30)

RAINBOW BLVD/CAPOVILLA AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-21-400094 (VS-0133-17)-SACKLEY FAMILY TRUST & SACKLEY, STUART TRS:

VACATE AND ABANDON SECOND EXTENSION OF TIME for a portion of right-of-way being Rainbow Boulevard located between Capovilla Avenue and Arby Avenue (alignment) within Enterprise (description on file). MN/sd/jo (For possible action)

RELATED INFORMATION:

APN:

176-02-401-001; 176-02-401-002

LAND USE PLAN:

ENTERPRISE - COMMERCIAL GENERAL

BACKGROUND:

Project Description

The application (VS-0133-17) approved a request to vacate and abandon a portion of right-of-way associated with a commercial development. The application included a request to vacate a 5 foot wide approximately 587 foot long section of Rainbow Boulevard running along the west property line. The applicant stated that the vacation is being requested to accommodate a detached sidewalk in association with a proposed commercial development.

Previous Conditions of Approval

Listed below are the approved conditions for ET-19-4000147 (VS-0133-17)

Current Planning

- April 30, 2021 to record
- 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 re-approval by the utility companies is required.

Public Works / Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for VS-0133-17:

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

- Drainage study and compliance;
- Right-of-way dedication to include 30 feet for Arby Avenue, 30 feet for Capovilla Avenue with a portion of a cul-de-sac at the propose east end and associated spandrels;
- 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 sidewalk will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Applicant's Justification

Although this application was approved several years ago the applicant has been in the process of moving forward with the commercial/retail development. The project's related off-site improvement plans were permitted by Public Works (PW-19-14708) and are almost complete. The project's related on-site improvements have been permitted through the Building Department and are also under construction at this time.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-19-400147 (VS-0133-17)	First extension of time for a portion of right-of-way being Rainbow Boulevard located between Capovilla Avenue and Arby Avenue (alignment)	Approved by BCC	January 2020
VS-19-0490	Vacated and abandoned easements	Approved by PC	August 2019
WS-19-0185	Waived alternative landscaping adjacent to a drive-thru lane, modified street standards, and design review to modify an approved shopping center	Approved by BCC	May 2019
ADET-19-900237 (ZC-0132-17)	Administrative extension of time for the zone change from R-E to C-2 zoning	Approved by ZA	May 2019
VS-0133-17	Vacated and abandoned right-of-way	Approved by BCC	April 2017
TM-0025-17	1 lot commercial subdivision - expired	Approved by BCC	April 2017

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0132-17	Reclassified 4.2 acres from R-E to C-2 zoning for a retail center with a waiver for increased wall height and design review for a retail center with a grocery store and restaurant and increased finished grade	Approved by BCC	April 2017
ZC-0871-03	Reclassified the east half of the site from R-E to C-2 zoning for future development	Approved by BCC	July 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	C-2	Shopping center & undeveloped
South	Commercial General	C-2	Commercial center & undeveloped
East	Commercial General	U-V	Undeveloped
West	Business and Design/Research Park	C-2	Office building

Related Applications

Application Number	Request
TM-21-500085	A tentative map for a 1 lot commercial subdivision is a companion item on this agenda.
ET-21-400095 (WS-19-0185)	An extension of time for a shopping center with waivers of development standards for alternative landscaping and modified street standards 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**

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.

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

- April 30, 2023 to record.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; 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 re-approval by the utility companies is required.

Public Works - Development Review

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: SACKLEY FAMILY TRUST & SACKLEY, STUART TRS

CONTACT: CIVIL 360 PLANNING & ENGINEERING, 6490 W. DESERT INN RD., LAS VEGAS, NV 89146



LAND USE APPLICATION

11A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) VS-17-0133 (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>Et-21-400094</u> DATE FILED: <u>5/26/21</u> PLANNER ASSIGNED: <u>SWD</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>6/30/21</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>7/21/21</u> FEE: <u>\$ 300 ⁰⁰/a</u>
	PROPERTY OWNER NAME: <u>Avalon Retail Partners - Sackley Family Trust</u> ADDRESS: <u>4108 The Strand</u> CITY: <u>Manhattan Beach</u> STATE: <u>CA</u> ZIP: <u>90266</u> TELEPHONE: <u>323-963-4040</u> CELL: _____ E-MAIL: <u>psdevelopment@msn.com</u>
	APPLICANT NAME: <u>Avalon Retail Partners - Sackley Family Trust</u> ADDRESS: <u>4108 The Strand</u> CITY: <u>Manhattan Beach</u> STATE: <u>CA</u> ZIP: <u>90266</u> TELEPHONE: <u>323-963-4040</u> CELL: _____ E-MAIL: <u>psdevelopment@msn.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>John Martinez - Civil 360 Planning & Engineering</u> ADDRESS: <u>6490 W Desert Inn Road</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>702-899-6088</u> CELL: <u>702-250-5744</u> E-MAIL: <u>jmartinez@civil360tv.com</u> REF CONTACT ID #: <u>197034</u>

ASSESSOR'S PARCEL NUMBER(S): 176-02-401-001 and 178-02-401-002

PROPERTY ADDRESS and/or CROSS STREETS: Rainbow Blvd and Arby Ave

PROJECT DESCRIPTION: Commercial Retail Center

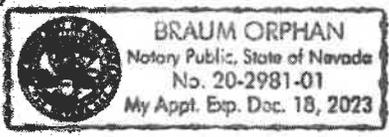
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

R Kent Barry Kent Barry
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON April 27th, 2021 (DATE)
 By Kent Barry

NOTARY PUBLIC: Braun Orphan



*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.



April 27, 2021

Clark County Comprehensive Planning Department
500 S. Grand Central Parkway
P.O. Box 551744
Las Vegas, NV 89155-1744

ET-21-400094

Subject: Extension of Time Request for VS-17-0133

To Whom It May Concern:

On behalf of the applicant, we would like to request an Extension of Time for the application associated with VS-17-0133

Unfortunately due to unexpected setbacks from the past year's pandemic-related delays we were delayed in getting final signatures on the final map along with VS-17-0133 Recorded, and are therefore requesting an extension of time on this VS application.

Although this application was approved several years ago please note that the applicant has been in the process of moving forward with the commercial/retail development. The project's related off-site improvement plans were permitted by CCPW (PW-19-14708) and are almost complete. The project's related on-site civil improvements have been permitted through CCBD (BD-19-18228) and are also under construction at this time.

Thank you for your time regarding this extension request and please feel free to contact me directly should you have any questions.

Respectfully Submitted,

Jennifer Escobedo, P.E.
Principal

07/21/21 BCC AGENDA SHEET

SHOPPING CENTER
(TITLE 30)

RAINBOW BLVD/CAPOVILLA AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-21-400095 (WS-19-0185)-SACKLEY FAMILY TRUST & SACKLEY, STUART TRS:

WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for the following: 1) allow alternative landscaping adjacent to a drive-thru lane along a public right-of-way (Rainbow Boulevard); and 2) modified street standards.

DESIGN REVIEW for modifications to an approved shopping center on 9.1 acres in a C-2 (General Commercial) Zone in the CMA Design Overlay District.

Generally located on the east side of Rainbow Boulevard and the north side of Capovilla Avenue within Enterprise. MN/sd/jo (For possible action)

RELATED INFORMATION:

APN:

176-02-401-001; 176-02-401-002

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow alternative landscaping adjacent to a drive-thru lane along a public right-of-way (Rainbow Boulevard) where an intense landscape buffer per Figure 30.64-12 is required per Section 30.48.660.
2.
 - a. Reduce the throat depth to 20 feet where a minimum of 75 feet is required per Uniform Standard Drawing 222.1 (a 73.3% reduction).
 - b. Reduce the departure distance of a driveway along Arby Avenue from an intersection to 171 feet where a minimum of 190 feet is required per Uniform Standard Drawing 222.1 (a 10% reduction).

LAND USE PLAN:

ENTERPRISE - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 9.1
- Project Type: Shopping center
- Number of Stories: 1
- Building Height (feet): Up to 29.5
- Square Feet: 62,800 (overall center)

- Parking Required/Provided: 252/339

Site Plans

The approved plans show modifications to a previously approved 67,739 square foot shopping center (ZC-0132-17). The plans now depict a 62,800 square foot shopping center consisting of 5 buildings. The 5 buildings consist of an in-line retail/grocery store building, 2 fast food restaurants with drive-thru, and 2 sit down restaurants. The in-line retail/grocery store building is located along and set back approximately 41 feet from the east property line. A loading space is located at the rear of the building. Sit down restaurant #1 is located approximately 30 feet from the north property line and 150 feet from the west property line. Fast food restaurant #1 is located approximately 42 feet from the west property line, with a drive-thru lane along the west, south, and east sides of the building. Sit down restaurant #2 is located approximately 11 feet from the south property line and 34 feet from the west property line. A loading space is located to the east of the building. Fast food restaurant #2 is located 43 feet from the south property line, with a drive-thru lane along the west and south sides of the building. A 5 foot wide pedestrian walkway connects all the buildings within the shopping center. Access to the site is from a driveway off Rainbow Boulevard, 2 driveways from Arby Avenue, and 2 driveways off Capovilla Avenue. A total of 339 parking spaces are provided where a minimum of 252 parking spaces are required.

The rear driveways along both Arby Avenue and Capovilla Avenue do not meet the minimum required throat depths of 75 feet. The throat depth for the rear driveway along Arby Avenue is 20 feet and the throat depth for the rear driveway along Capovilla Avenue is 24 feet. Furthermore, 1 of the driveways along Arby Avenue is 171 feet from the intersection of Arby Avenue and Rainbow Boulevard and does not meet the minimum departure distance of 190 feet. Therefore, waivers of development standards are requested.

Landscaping:

The plans show a 15 foot wide landscape area with a detached sidewalk along Rainbow Boulevard, a 10 foot wide landscape area with an attached sidewalk along Capovilla Avenue, and a 6 foot to 15 foot wide landscape area with an attached sidewalk along Arby Avenue. Additional landscaping is provided adjacent to the loading space located to the east of sit down restaurant #2 in order to screen the loading space from Capovilla Avenue. An intense landscape buffer per Figure 30.64-12 is provided along Capovilla Avenue, adjacent to the drive-thru lane of fast food restaurant #2, as required per CMA Design Overlay District requirements. However, a waiver of development standards is requested to waive the requirement of an intense landscape buffer along Rainbow Boulevard, adjacent to the drive-thru lane for fast food restaurant #1.

Elevations

The plans depict a 1 story, 29.5 foot high in-line retail/grocery store building. Fast food restaurants #1 and #2 are both 1 story, 18 foot high buildings. Sit down restaurant #1 and #2 are both 1 story, 23 foot high buildings. Building materials consist of stucco finish, stone veneer, wood veneer, aluminum storefront systems, wood lattices, metal canopies, and awnings. A consistent architectural design is incorporated into all of the buildings on the site. The roofs are flat with parapet walls at varying heights, although an architectural tower is also shown for sit down restaurant #1.

Floor Plans

The plans show a 42,800 square foot in-line retail/grocery store building consisting of 32,000 square feet of grocery store area and 10,800 square feet of retail area. The retail area is located to the north and south of the grocery store space. Fast food restaurants #1 and #2 are both 2,500 square feet. Sit down restaurant #1 is 5,000 square feet and sit down restaurant #2 is 10,000 square feet.

Previous Conditions of Approval

Listed below are the approved conditions for WS-19-0185:

Current Planning

- Provide a decorative low profile masonry wall (no higher than 3 feet) adjacent to the drive-thru lane along Rainbow Boulevard to prevent vehicle headlights shining onto northbound traffic on Rainbow Boulevard;
- 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

- Update drainage study to reflect current project plans;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Arby Avenue, 30 feet for Capovilla Avenue, the necessary portion of the cul-de-sac for Capovilla Avenue, and associated spandrels.
- Applicant is advised that the plans do not comply with Uniform Standard Drawing 222.1; that easements exist that will interfere with the proposed development; that changes to the plans will be necessary, which may result in the need for additional land use applications; 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@cleanwaterteam.com and reference POC Tracking #0110-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that due to unexpected setbacks with this past year's pandemic, delays prevented the project moving forward. The project's related off-site improvement plans were permitted by Public Works (PW-19-14708) and are almost complete. The project's related on-site improvements have been permitted through the Building Department and are also under construction at this time.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-19-400147 (VS-0133-17)	First extension of time for a portion of right-of-way being Rainbow Boulevard located between Capovilla Avenue and Arby Avenue (alignment)	Approved by BCC	January 2020
VS-19-0490	Vacated and abandoned easements	Approved by PC	August 2019
WS-19-0185	Waiver for alternative landscaping & modified street standard, and design review for shopping center	Approved by BCC	May 2019
ADET-19-900237 (ZC-0132-17)	Administrative extension of time for the zone change from R-E to C-2 zoning	Approved by ZA	May 2019
ZC-0132-17	Reclassified the west half of the site from R-E to C-2 zoning and increased wall height with a design review for a shopping center and increased finished grade	Approved by BCC	April 2017
TM-0025-17	1 lot commercial subdivision - expired	Approved by BCC	April 2017
VS-0133-17	Vacated and abandoned a 5 foot wide portion of right-of-way being Rainbow Boulevard	Approved by BCC	April 2017
ZC-0871-03	Reclassified the east half of the site from R-E to C-2 zoning for future development	Approved by BCC	July 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	C-2	Shopping center & undeveloped
South	Commercial General	C-2	Commercial center & undeveloped
East	Commercial General	U-V	Undeveloped
West	Business and Design/Research Park	C-2	Office building

Related Applications

Application Number	Request
TM-21-500085	A tentative map for a 1 lot commercial subdivision is a companion item on this agenda.

Related Applications

Application Number	Request
ET-21-400094 (VS-0133-17)	A second extension of time for a vacation and abandonment of a portion of Rainbow Boulevard is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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 approval the applicant has submitted requisite permits (PW-19-14708) related to off-site improvements and are almost complete. In addition, building permits for grading and utilities have been issued and the shell building is in plan review. Staff can support an extension of time for 2 years to complete the project.

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 May 8, 2023 to commence.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: SACKLEY FAMILY TRUST & SACKLEY, STUART TRS

CONTACT: CIVIL 360 PLANNING & ENGINEERING, 6490 W. DESERT INN RD., LAS VEGAS, NV 89146

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

12A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input checked="" type="checkbox"/> EXTENSION OF TIME (ET) WS-19-0185 _____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p>_____ (ORIGINAL APPLICATION #)</p>	STAFF	<p>APP. NUMBER: <u>Et-21-400095</u> DATE FILED: <u>5/26/21</u></p> <p>PLANNER ASSIGNED: <u>SWD</u></p> <p>TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>6/30/21</u></p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: <u>5/21/21</u></p> <p>FEE: <u>\$600</u></p>
	PROPERTY OWNER	<p>NAME: <u>Avalon Retail Partners - Sackley Family Trust</u></p> <p>ADDRESS: <u>4108 The Strand</u></p> <p>CITY: <u>Manhattan Beach</u> STATE: <u>CA</u> ZIP: <u>90266</u></p> <p>TELEPHONE: <u>323-963-4040</u> CELL: _____</p> <p>E-MAIL: <u>psdevelopment@msn.com</u></p>
	APPLICANT	<p>NAME: <u>Avalon Retail Partners - Sackley Family Trust</u></p> <p>ADDRESS: <u>4108 The Strand</u></p> <p>CITY: <u>Manhattan Beach</u> STATE: <u>CA</u> ZIP: <u>90266</u></p> <p>TELEPHONE: <u>323-963-4040</u> CELL: _____</p> <p>E-MAIL: <u>psdevelopment@msn.com</u> REF CONTACT ID #: _____</p>
	CORRESPONDENT	<p>NAME: <u>John Martinez - Civil 360 Planning & Engineering</u></p> <p>ADDRESS: <u>6490 W Desert Inn Road</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u></p> <p>TELEPHONE: <u>702-899-6068</u> CELL: <u>702-250-5744</u></p> <p>E-MAIL: <u>jmartinez@civil360lv.com</u> REF CONTACT ID #: <u>197034</u></p>

ASSESSOR'S PARCEL NUMBER(S): 176-02-401-001 and 178-02-401-002

PROPERTY ADDRESS and/or CROSS STREETS: Rainbow Blvd and Arby Ave

PROJECT DESCRIPTION: Commercial Retail Center

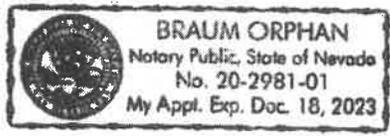
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code, that the information on the attached legal description, all plans, and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

Kent Barry Kent Barry
 Property Owner (Signature) Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON April 27th, 2021 (DATE)
 By Kent Barry

NOTARY PUBLIC: Braum Orphan



***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.



CIVIL 360
Planning & Engineering

April 27, 2021

Clark County Comprehensive Planning Department
500 S. Grand Central Parkway
P.O. Box 551744
Las Vegas, NV 89155-1744

Subject: Extension of Time Request for WS-19-0185

ET-21-400095

To Whom It May Concern:

On behalf of the applicant, we would like to request an Extension of Time for the application associated with WS-19-0185

Unfortunately due to unexpected setbacks from the past year's pandemic-related delays we were delayed in getting final signatures on the final map along with WS-19-0185, and are therefore requesting an extension of time on this WS application.

Although this application was approved several years ago please note that the applicant has been in the process of moving forward with the commercial/retail development. The project's related off-site improvement plans were permitted by CCPW (PW-19-14708) and are almost complete. The project's related on-site civil improvements have been permitted through CCBD (BD-19-18228) and are also under construction at this time.

Thank you for your time regarding this extension request and please feel free to contact me directly should you have any questions.

Respectfully Submitted,

Jennifer Escobedo, P.E.
Principal

07/21/21 BCC AGENDA SHEET

RAINBOW & ARBY RETAIL CENTER
(TITLE 30)

RAINBOW BLVD/CAPOVILLA AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

TM-21-500085-SACKLEY FAMILY TRUST & SACKLEY, STUART TRS:

TENTATIVE MAP for a commercial subdivision on 9.3 acres in a C-2 (General Commercial) Zone.

Generally located on the east side of Rainbow Boulevard and the north side of Capovilla Avenue within Enterprise. MN/jgh/xx (For possible action)

RELATED INFORMATION:

APN:

176-02-401-001; 176-02-401-002

LAND USE PLAN:

ENTERPRISE - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 9.3
- Number of Lots: 1
- Project Type: Commercial subdivision

The plan depicts a 1 lot commercial subdivision on a 9.3 acre site. Access to the site is provided by 1 driveway on Rainbow Boulevard, 2 driveways on Capovilla Avenue, and 1 driveway to Arby Avenue with 2 points of cross access along the east property line.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-19-400147 (VS-0133-17)	First extension of time for a portion of right-of-way being Rainbow Boulevard located between Capovilla Avenue and Arby Avenue (alignment)	Approved by BCC	January 2020
VS-19-0490	Vacated and abandoned easements located between Arby Avenue and Capovilla Avenue within Enterprise	Approved by PC	August 2019
WS-19-0185	Waiver to allow alternative landscaping adjacent to a drive-thru lane along a public right-of-way Rainbow Boulevard and modified street standards	Approved by BCC	May 2019

Prior Land Use Requests

Application Number	Request	Action	Date
ADET-19-900237 (ZC-0132-17)	Administrative extension of time for the zone change from R-E to C-2 zoning	Approved by ZA	May 2019
VS-0133-17	Vacated and abandoned right-of-way	Approved by BCC	April 2017
ZC-0132-17	Reclassified 4.2 acres from R-E to C-2 zoning for a retail center with a waiver for increased wall height and design review for a retail center with a grocery store and restaurant and increased finished grade	Approved by BCC	April 2017
TM-0025-17	Commercial subdivision on 9.3 acres in C-2 zoning - expired	Approved by BCC	April 2017
ZC-0871-03	Reclassified the east 5 acres from R-E to C-2 zoning for future development	Approved by BCC	July 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	C-2	Shopping center & undeveloped
South	Commercial General	C-2	Commercial center & undeveloped
East	Commercial General	U-V	Undeveloped
West	Business and Design/Research Park	C-2	Office buildings

Related Applications

Application Number	Request
ET-21-400094 (VS-0133-17)	A second extension of time for the vacation and abandonment of a portion of Rainbow Boulevard is a companion item on this agenda.
ET-21-400095 (WS-19-0185)	An extension of time for a shopping center with waivers of development standards for alternative landscaping and modified street standards 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 the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

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 #0039-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: SACKLEY FAMILY TRUST & SACKLEY, STUART TRS
CONTACT: CIVIL 360 PLANNING & ENGINEERING, 6490 W. DESERT INN RD., LAS VEGAS, NV 89146

**CLARK COUNTY
COMPREHENSIVE PLANNING LAND USE APPLICATIONS
LAND USE APPLICATION ANALYSIS/CONDITIONS**

APPLICATION NUMBER/OWNER

TM-21-500085/SACKLEY FAMILY TRUST & SACKLEY STUART TRS

The following has been entered to Accela for the above referenced land use application for **Public Works - Development Review**.

Preliminary Conditions

- Compliance with approved drainage study PW19-14705;
- Compliance with approved traffic study PW19-16797;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Arby Avenue, 30 feet for Capovilla Avenue, the necessary portion of the cul-de-sac for Capovilla Avenue, and associated spandrels.
- 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. /jd

Applied by: JaWaan Dodson

Date entered: 6/21/2021

APN(s):

176-02-401-001 through 176-02-401-002

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**CLARK COUNTY
COMPREHENSIVE PLANNING LAND USE APPLICATIONS
LAND USE APPLICATION ANALYSIS/CONDITIONS**

APPLICATION NUMBER/OWNER

TM-21-500085/SACKLEY FAMILY TRUST & SACKLEY STUART TRS

The following has been entered to Accela for the above referenced land use application for **Public Works - Development Review**.

Preliminary Conditions

- Compliance with approved drainage study PW19-14705;
- Compliance with approved traffic study PW19-16797;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Arby Avenue, 30 feet for Capovilla Avenue, the necessary portion of the cul-de-sac for Capovilla Avenue, and associated spandrels.
- 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. /jd

Applied by: JaWaan Dodson

Date entered: 6/21/2021

APN(s):

176-02-401-001 through 176-02-401-002



May 21, 2021

**PLANNER
COPY**

TM-21-500085

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

**RE: Justification Letter for a Tentative Map for the Rainbow & Arby Retail Center One Lot
Commercial Subdivision; APNs: 176-02-401-001 & 002**

To Whom It May Concern:

This letter is being provided to explain and give some background regarding this Tentative Map application. There was a previously approved Tentative Map for this project TM-0025-17 which has since expired, and due to state law regarding extensions of time cannot be extended, leaving our Final Map unable to be recorded.

The current project, Rainbow & Arby Retail Center, is located at the southeast corner of Rainbow Boulevard and Arby Avenue. This project has been under construction since September 2020. The Final Map was approved to mylar and in the process of final signatures when it was brought to our attention that the previous Tentative Map was going to expire before it could be recorded; and we would be required to submit a new TM application and go back through the entitlement process.

Unfortunately, the time delay to complete the Final Map process was in most part due to events caused by and/or a result of the pandemic (ie. loss of tenant leases, changes to processes at the local agencies, etc.). This Tentative Map application being submitted is the exact same map that was previously approved; and the Final Map for this project was previously approved to mylar ready for County acceptance and recordation.

Based on these circumstances, we respectfully request your assistance with this application and are asking for an expeditious review to get this application filed and through the entitlement process as quickly as possible. This development has been under construction for months with the off-site improvements nearing completion, and the on-site improvements in progress.

We appreciate the County's assistance with this review request. If there are any questions regarding the revision or the presentation of the revision, please contact me direct at (702) 940-6942 or via email at jescobedo@civil360lv.com.

Respectfully Submitted,

CIVIL 360 LLC

Jennifer L. Escobedo, P.E.
Principal

07/21/21 BCC AGENDA SHEET

VEHICLE REPAIR FACILITY
(TITLE 30)

TORREY PINES DR/MAULE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-21-400091 (ZC-0606-01)-JONES 215, LLC:

WAIVER OF CONDITIONS of a zone change requiring recording a reciprocal, perpetual cross access, ingress/egress, and parking agreements if dealerships are individually owned and operated in conjunction with a previously approved zone change to reclassify 24.7 acres from an R-E (Rural Estates Residential) (AE-65) Zone to a C-2 (General Commercial) (AE-65) Zone for 2 automobile dealerships, future, and associated accessory service uses, and a use permit for automobile paint and body shops in the CMA Design Overlay District.

Generally located on the south side of Roy Horn Way, 460 feet east of Torrey Pines Drive within Enterprise (description on file). MN/md/jo (For possible action)

RELATED INFORMATION:

APN:

176-02-601-022 ptn

LAND USE PLAN:

ENTERPRISE - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:

Project Description

General Summary

- Site Address: 6425 Roy Horn Way
- Site Acreage: 4.5 (project site)/24.7 (original zone change)
- Project Type: Vehicle repair facility & parking lot
- Number of Stories: 2
- Building Height (feet): 32
- Square Feet: 24,742
- Parking Required/Provided: 136/449

Site History & Request

ZC-0606-01 was previously approved by the Board of County Commissioners in June 2001 for 2 vehicle sales facilities located on the east and west sides of Torrey Pines Drive. The larger site was located on the east side of Torrey Pines Drive and consisted of 17.3 acres while the smaller site was located on the west side of Torrey Pines Drive that consisted of 7.4 acres. The current project site is located on a portion of the original site approval, necessitating the waiver of conditions request for cross access which is a companion item associated with this application.

A vehicle sales (automobile) facility was approved on the northern 4 acre portion of this project site via WS-20-0079 by the Zoning Administrator in March 2020 due to the state of emergency related to the COVID-19 pandemic. A waiver of conditions, WC-20-400014, was approved in conjunction with WS-20-0079 eliminating cross access between the project site and the adjacent parcels to the east and west. The applicant is now requesting a use permit for a vehicle repair facility located on the 4.5 acre southern portion of the project site. A waiver of conditions is a companion item on this agenda requesting to eliminate cross access between the southern portion of the project site and the adjacent parcels to the east and west.

Site Plans

The plans depict a vehicle repair facility, including a parking lot for excess vehicle inventory. The repair facility is located at the southwest portion of the site and set back as follows: 1) 39 feet from the south property line adjacent to Maule Avenue; 2) 59 feet from the southwest (future) property line; 3) 43 feet from the north (future) property line; and 4) 370 feet from the east (future) property line. Employee parking is located to the north and west of the building. A waiver of development standards is required as a pedestrian sidewalk will not be provided along the north, south, and west sides of the building adjacent to parking spaces and drive aisles. Furthermore, a pedestrian walkway connecting the principal entrance to the building to the future sidewalk along Maule Avenue is not provided, necessitating a waiver of development standards request. Two standard size loading zones are located at the southwest corner of the repair facility. An enclosed trash compactor is located to the northeast of the building. To the east and northeast of the building are 42 staging parking spaces for vehicles awaiting repair.

The eastern portion of the project site features a parking lot consisting of 289 parking spaces for excess vehicle inventory. Code requires the parking spaces located within the parking lot to be separated into clusters; therefore, a waiver of development standards is necessary to eliminate the cluster design. A waiver of development standards is required for cross access to the parcels located to the east and west of the subject property. Cross access will be provided along the north (future) property line to the previously approved vehicle sales facility; however, a 6 foot tall rolling gate will separate the 2 sites. An 8 foot high decorative CMU block wall is proposed along the east and west property lines of the site, and will be located behind the 10.5 foot wide landscape area along Maule Avenue. The height of the block wall requires a waiver of development standards. A 5 foot wide attached sidewalk is required and provided along Maule Avenue. A new commercial driveway will be constructed along Maule Avenue, and features a 6 foot high rolling gate that will be set back 51 feet from the property line. However, a waiver of development standards is required to reduce the throat depth of the commercial driveway to 50 feet where a minimum depth of 100 feet is required. The vehicle repair facility requires 136 parking spaces where 449 parking spaces are provided. A design review to increase finished grade is requested and is primarily concentrated at the northern portion of the building.

Landscaping

The plans depict a street landscape area measuring 10.5 feet in width adjacent to Maule Avenue, including a 5 foot wide attached sidewalk. Large, 24 inch box trees are planted 20 feet on center within the street landscape area, including shrubs and groundcover. An 8 foot high decorative block wall is located behind the landscape area adjacent to Maule Avenue. No parking lot

landscaping is provided within the interior of the project site, necessitating a waiver of development standards.

Elevations

The plans depict a vehicle repair facility with a maximum height of 32 feet to the top of the parapet roof. All rooftop mounted equipment will be screened from public view and the right-of-way by the parapet wall system. The exterior materials of the building consist of tilt up concrete paneling, decorative reveals in the tilt-up paneling, and aluminum framed windows. An 18 foot high steel canopy measuring 220 feet in length extends 16 feet from the east side of the building. Four overhead roll-up doors are located on the west side of the building while 12 overhead doors are featured on the east side of the building. All doors are oriented towards the interior of the site and do not face the public street, Maule Avenue. The building will be painted with an off-white neutral color.

Floor Plans

The plans depict a vehicle repair facility measuring 24,742 square feet consisting of 2 stories. The first floor consists of 12 vehicle repair bay areas, restroom facilities, breakroom, men's locker area, offices, special tools area, electrical room, parts counter, parts warehouse, and miscellaneous other rooms. The second floor features a parts warehouse which includes an IT server room.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-0606-01:

Current Planning

- Subject to no resolution of intent and staff preparing an ordinance to adopt the zoning;
- Recording a reciprocal, perpetual cross access, ingress/egress, and parking agreements if dealerships are individually owned and operated.
- Applicant is advised that more detailed landscape plans are required when submitting building permits.

Public Works - Development Review

- Right-of-way dedication of 80 feet for Torrey Pines Drive, 30 feet for Maule Avenue, a third travel lane along the beltway and bus turnouts as required by Regional Transportation Commission;
- Dedicate 30 feet for Mann Street from the beltway to Pama Lane and 30 feet for Pama Lane from Mann Street to Torrey Pines Drive or apply for and have approved a vacation of Mann Street and Pama Lane;
- All vacations to be recordable prior to permits or mapping;
- Drainage and traffic studies and compliance;
- Full off-sites to include paved legal access to all entrances.

Department of Aviation

- Filing Federal Aviation Administration (FAA) Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, and as required by Section 30.48.120 of the Clark County Unified Development Code, receive either a permit from the Director of

Aviation or a variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction;

- No building permits will be released for the project prior to the Department of Aviation notifying Zoning Plan Check that the applicant has received all necessary airspace approvals;
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee the Director's permit or an AHABA variance will be approved; and that a standard condition of approval for a Director's permit or an AHABA variance is the granting of an aviation easement; and all applicable standard conditions for this application type.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the request to remove the reciprocal, perpetual cross access, ingress/egress and parking agreements that were established via ZC-0606-01 is consistent with the approvals for other vehicle dealerships in the surrounding area.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-20-0079	Vehicle (automobile) dealership with waivers to the CMA Design Overlay District, parking lot landscaping, cross access and throat depth	Approved by ZA	March 2020
WC-20-400014 (ZC-0606-01)	Waiver of conditions for recording a reciprocal, perpetual cross access, ingress/egress, and parking agreements if dealerships are individually owned and operated	Approved by ZA	March 2020
ADR-19-900634	Storage building in conjunction with an existing vehicle sales facility	Approved by ZA	October 2019
WS-18-0519	Increased height of a proposed freestanding sign and design review for a freestanding sign in conjunction with an existing vehicle sales on the western portion of the site	Approved by BCC	September 2018
VS-1073-17	Vacated and abandoned various easements on this site - recorded	Approved by PC	February 2018
ZC-0215-17	Reclassified a portion of this site to M-D zoning for a vehicle sales facility on the western portion of this site	Approved by BCC	May 2017
VS-0237-16	Vacated and abandoned right-of-way on a portion of the overall development site for a detached sidewalk - recorded	Approved by PC	June 2016
ZC-0606-01	Reclassified a portion of this site to C-2 zoning for 2 vehicle sales facilities	Approved by BCC	June 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	M-D	Office building with a production studio (UNC)
East	Business and Design/Research Park	C-2	Undeveloped
South	Business and Design/Research Park	C-2	Surface overflow parking lot
West	Business and Design/Research Park	M-D & C-2	Vehicle sales facility (Kindlay Subaru)

Related Applications

Application Number	Request
UC-21-0261	A use permit, waivers of development standards, and a design review for a vehicle repair facility is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis**Current Planning**

The project site and adjacent properties are large, consisting of multiple acres; therefore, do not necessitate the shared parking and access to the properties to the east and west. Typically, staff does not support requests to waive cross access to adjacent properties with similar land uses and parking requirements. However, several requests to waive the cross access requirement have previously been approved for the existing sites to the west and northwest. The request to waive cross access should not have any impact on the surrounding land uses and properties. Therefore, staff recommends approval.

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:**Public Works - Development Review**

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: ROGER CAMPERI

CONTACT: ROGER CAMPERI, 310 N. GIBSON ROAD, HENDERSON, NV 89014

DRAFT



LAND USE APPLICATION 14A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p style="padding-left: 20px;">DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input checked="" type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p style="padding-left: 20px;"><u>zc-0606-01</u> (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p>	STAFF	<p>APP. NUMBER: <u>WC-21-400091</u> DATE FILED: <u>5/20/21</u></p> <p>PLANNER ASSIGNED: <u>MND</u></p> <p>TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>6/30/21 @ 6:00</u></p> <p>PC MEETING DATE: <u>-</u></p> <p>BCC MEETING DATE: <u>7/21/21 @ 9:00 A.M.</u></p> <p>FEE: <u>\$ 500</u> <u>750' RADIUS</u></p>
	PROPERTY OWNER	<p>NAME: <u>JONES 215 LLC</u></p> <p>ADDRESS: <u>310 N. Gibson Road</u></p> <p>CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89014</u></p> <p>TELEPHONE: <u>702-558-8822</u> CELL: <u>702-558-8822</u></p> <p>E-MAIL: <u>tcorder@findlayauto.com</u></p>
	APPLICANT	<p>NAME: <u>JONES 215 LLC</u></p> <p>ADDRESS: <u>310 N. Gibson Road</u></p> <p>CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89014</u></p> <p>TELEPHONE: <u>702-457-0321</u> CELL: <u>702-239-2725</u></p> <p>E-MAIL: <u>rcamperi@findlayauto.com</u> REF CONTACT ID #: _____</p>
	CORRESPONDENT	<p>NAME: <u>Roger Camperi</u></p> <p>ADDRESS: <u>310 N. Gibson Road</u></p> <p>CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89014</u></p> <p>TELEPHONE: <u>702-457-0321</u> CELL: <u>702-239-2725</u></p> <p>E-MAIL: <u>rcamperi@findlayauto.com</u> REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 176-02-601-022 (a portion of)
A vacant parcel of land on the north side of W. Maulo Ave. just east of S. Torrey Pines Drive.

PROPERTY ADDRESS and/or CROSS STREETS: _____

PROJECT DESCRIPTION: Waivers of Conditions for On-Site Landscape, Perimeter Site Walls & to remove the reciprocal, perpetual cross access, ingress/egress & parking agreements that were established in ZC-0606-01.

(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.

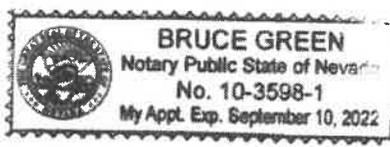
[Signature]
Property Owner (Signature)*

Tyler Cooner, manager
Property Owner (Print)

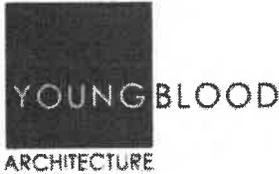
STATE OF NEVADA
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON April 21, 2021 (DATE)

By Tyler Cooner
 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.



WC-21-400091

April 16, 2021

PLANNER
COPY

Clark County
Department of Comprehensive Planning
Current Planning Division
500 S. Grand Central Parkway
Las Vegas, Nevada 89155

Re: Justification Letter for a Waiver of Conditions Application APR-21-100232
Findlay Chevrolet Commercial Service Center
APN: 176-02-601-022

In reference to the above-mentioned project, we wish to provide this Justification Letter to accompany our application.

Issues

We are also requesting the following Waivers of Development Standards:

We are also requesting several Waivers of Development Standards. In addition to this waiver request, we have issued a separate design review application and justification letter under APR-21-100232. The following is a list of our Waivers of Development Standards:

- Waive the parking lot landscaping as required in Figure 30.64-14. This building and the related parking lot is concealed from public view by perimeter site walls. Therefore, any landscape provided in this area of the site will not be visible to any R-O-W or adjacent property. This request is similar to the walled service parking at the adjacent Jaguar Land Rover, Subaru of Las Vegas, Gaudin Ford, Porsche Las Vegas and the ABC Hyundai Dealerships.
- Waive the CMA site design standard for the shared cross access to the adjacent parcels. This will allow us to be consistent with the other dealerships in the surrounding area. This request is similar to what was approved at the adjacent Jaguar Land Rover, Subaru of Las Vegas, Gaudin Ford, Porsche Las Vegas and the ABC Hyundai Dealerships.
- Waiver of development standards to reduce the required 100'-0" driveway throat depth (per Uniform Standard Drawing 222.1).
- To reduce the number of "parking clusters" to a single field of parking similar to what was approved at the adjacent Jaguar Land Rover, Subaru of Las Vegas, Gaudin Ford, Porsche Las Vegas and the ABC Hyundai Dealerships

- To allow a 7'-4" tall decorative CMU wall along the Maule right-of-way.
- We are requesting a Waiver of Conditions to remove the reciprocal, perpetual cross access, ingress/egress & parking agreements that were established in ZC-0606-01. This waiver will allow us to be consistent with the other dealerships in the surrounding area. This request is similar to what was approved at the adjacent Jaguar Land Rover, Subaru of Las Vegas, Gaudin Ford, Porsche Las Vegas and the ABC Hyundai Dealerships.

Findings

This building will share (a portion of) the same parcel as an existing Jaguar Land Rover Dealership and the Findlay Volvo Dealership which is currently under construction. This site is part of an existing commercial subdivision. The Entitlement documents for the existing Jaguar Land Rover Dealership can be found in ZC-0215-17. The Entitlement documents for the existing Findlay Volvo Dealership can be found in WC-20-400014 (zc-0600-01) and WS-20-0079.

Justification for the reduced driveway throat depth - Unlike restaurant, retail, office and other commercial uses, car dealerships have very low traffic counts and have very few employees on staff at any one time. Additionally traffic flows in and out of the site are consistent throughout business hours and there are no spikes in traffic flows for lunch traffic or morning / evening shift changes. Employees at car dealerships typically have schedules that are flexible therefore, there is not an in or out-rush of employees at shift changes.

This project is compatible with the adjacent businesses and meets the purpose of the CMA Overlay by providing high-quality, non-residential development while fostering a positive physical image and identity. This area has become the new car dealership corridor which strengthens the economic viability and stability of the area in conformance with the goals of the CMA. This project will conform with Clark County policies and standards. There will be no negative impact to neighborhood traffic or adjacent roadways. Building and landscape materials are consistent with adjacent businesses. Design characteristics will be harmonious with the surrounding developments and generally in conformance with the CMA criteria by providing visual interest along the streetscape. The following CMA architectural guidelines have been met in conformance with Title 30.48.

- The color and façade surfaces are subdued and compatible with the surrounding landscape.
- The scale of the proposed building is consistent and compatible with the surrounding area.
- The freestanding building has architectural detailing and design elements consistent with the CMA requirements including, but not limited to metal paneling.

- The building has a number of windows, variations in color, texture and material to minimize the visual impact from the right-of-way.
- There is ample perimeter landscaping and screening along the rights-of-way with detached sidewalks along Maule Avenue.
- The lighting on the property shall be unobtrusive, energy efficient and shielded so that the glare is confined to the boundaries of the property.
- The lighting fixtures are compatible with the architectural theme of the project.
- The signage will be compatible with the existing signage in the area and will contribute to a positive visual image in the area. The signage is simple, clean and consistent with other Volvo dealerships throughout the country.

All measures have been taken to ensure the public health, safety and welfare will be met by this new facility. The Waivers of Development Standards requested above are similar to the waivers granted at the adjacent Jaguar Land Rover, Subaru of Las Vegas, Gaudin Ford, Porsche Las Vegas and the ABC Hyundai Dealerships.

Please contact me with any further clarifications you may require.

Respectfully Submitted,



Richard Youngblood, A.I.A.
President

07/21/21 BCC AGENDA SHEET

VEHICLE REPAIR FACILITY
(TITLE 30)

TORREY PINES DR/MAULE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-21-0261-JONES 215, LLC:

USE PERMIT for a vehicle repair facility.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate parking lot landscaping; 2) eliminate cross access; 3) modified CMA Design Overlay District Standards; 4) eliminate the requirement for pedestrian walkways; 5) increase wall height; and 6) allow modified driveway design standards.

DESIGN REVIEWS for the following: 1) vehicle maintenance facility; 2) parking lot; and 3) finished grade on 4.5 acres of a 14.1 acre site in a C-2 (General Commercial) Zone and a C-2 (General Commercial) (AE-60) Zone in the CMA Design Overlay District.

Generally located on the south side of Roy Horn Way, 460 feet east of Torrey Pines Drive within Enterprise. MN/md/jo (For possible action)

RELATED INFORMATION:

APN:

176-02-601-022 ptn

WAIVERS OF DEVELOPMENT STANDARDS:

1. Eliminate parking lot landscaping where required per Figure 30.64-14.
2. Eliminate the requirement for cross access and shared parking with the properties to the east and west per Table 30.56-2.
3. Permit parking areas with 100 or more spaces where large parking areas of 100 spaces or more shall be designed as a series of smaller, connected parking courts or lots that are dispersed throughout the site per Section 30.48.660.
4.
 - a. Eliminate the pedestrian walkway from the adjacent public sidewalk to the principal building entrance where a 5 foot wide walkway is required to connect the adjacent public sidewalk to the principal building entrance where required per Section 30.60.050.
 - b. Eliminate the 5 foot wide sidewalk requirement to separate buildings from pavement for parking aisles or spaces where required per Section 30.60.050.
5. Increase wall height to 8 feet where a maximum height of 6 feet is permitted per Section 30.64.020 (a 33% increase).
6. Reduce throat depth to 30 feet where a minimum depth of 100 feet is required per Uniform Standard Drawing 222.1 (a 70% reduction).

DESIGN REVIEWS:

1. Vehicle maintenance facility.
2. Parking lot.
3. Increase finished grade to 48 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 167% increase).

LAND USE PLAN:

ENTERPRISE - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:

Project Description

General Summary

- Site Address: 6425 Roy Horn Way
- Site Acreage: 4.5 (project site)/14.1 (overall)
- Project Type: Vehicle repair facility & parking lot
- Number of Stories: 2
- Building Height (feet): 32
- Square Feet: 24,742
- Parking Required/Provided: 136/449

Site History & Request

ZC-0606-01 was previously approved by the Board of County Commissioners in June 2001 for 2 vehicle sales facilities located on the east and west sides of Torrey Pines Drive. The larger site was located on the east side of Torrey Pines Drive and consisted of 17.3 acres while the smaller site was located on the west side of Torrey Pines Drive that consisted of 7.4 acres. The current project site is located on a portion of the original site approval, necessitating the waiver of conditions request for cross access which is a companion item associated with this application. A vehicle sales (automobile) facility was approved on the northern 4 acre portion of this project site via WS-20-0079 by the Zoning Administrator in March 2020 due to the state of emergency related to the COVID-19 pandemic. The applicant is now requesting a use permit for a vehicle repair facility located on the 4.5 acre southern portion of the project site.

Site Plans

The plans depict a vehicle repair facility, including a parking lot for excess vehicle inventory. The repair facility is located at the southwest portion of the site and set back as follows: 1) 39 feet from the south property line adjacent to Maule Avenue; 2) 59 feet from the southwest (future) property line; 3) 43 feet from the north (future) property line; and 4) 370 feet from the east (future) property line. Employee parking is located to the north and west of the building. A waiver of development standards is required as a pedestrian sidewalk will not be provided along the north, south, and west sides of the building adjacent to parking spaces and drive aisles. Furthermore, a pedestrian walkway connecting the principal entrance to the building to the future sidewalk along Maule Avenue is not provided, necessitating a waiver of development standards request. Two standard size loading zones are located at the southwest corner of the repair facility. An enclosed trash compactor is located to the northeast of the building. To the east and northeast of the building are 42 staging spaces for vehicles awaiting repair. The eastern portion

of the project site features a parking lot consisting of 289 parking spaces for excess vehicle inventory. Code requires the parking spaces located within the parking lot to be separated into clusters; therefore, a waiver of development standards is necessary to eliminate the cluster design. A waiver of development standards is required for cross access to the parcels located to the east and west of the subject property. Cross access will be provided along the north (future) property line to the previously approved vehicle sales facility; however, a 6 foot tall rolling gate will separate the 2 sites. An 8 foot high decorative CMU block wall is proposed along the east and west property lines of the site, and will be located behind the 10.5 foot wide landscape area along Maule Avenue. The height of the block wall requires a waiver of development standards. A 5 foot wide attached sidewalk is required and provided along Maule Avenue. A new commercial driveway will be constructed along Maule Avenue, and features a 6 foot high rolling gate that will be set back 51 feet from the property line. However, a waiver of development standards is required to reduce the throat depth of the commercial driveway to 50 feet where a minimum depth of 100 feet is required. The vehicle repair facility requires 136 parking spaces where 449 parking spaces are provided. A design review to increase finished grade is requested and is primarily concentrated at the northern portion of the building.

Landscaping

The plans depict a street landscape area measuring 10.5 feet in width adjacent to Maule Avenue, including a 5 foot wide attached sidewalk. Large, 24 inch box trees are planted 20 feet on center within the street landscape area, including shrubs and groundcover. An 8 foot high decorative block wall is located behind the landscape area adjacent to Maule Avenue. No parking lot landscaping is provided within the interior of the project site, necessitating a waiver of development standards.

Elevations

The plans depict a vehicle repair facility with a maximum height of 32 feet to the top of the parapet roof. All rooftop mounted equipment will be screened from public view and the right-of-way by the parapet wall system. The exterior materials of the building consist of tilt-up concrete paneling, decorative reveals in the tilt-up paneling, and aluminum framed windows. An 18 foot high steel canopy measuring 220 feet in length extends 16 feet from the east side of the building. Four overhead roll-up doors are located on the west side of the building while 12 overhead doors are featured on the east side of the building. All doors are oriented towards the interior of the site and do not face the public street, Maule Avenue. The building will be painted with an off-white neutral color.

Floor Plans

The plans depict a vehicle repair facility measuring 24,742 square feet consisting of 2 stories. The first floor consists of 12 vehicle repair bay areas, restroom facilities, breakroom, men's locker area, offices, special tools area, electrical room, parts counter, parts warehouse, and miscellaneous other rooms. The second floor features a parts warehouse which includes an IT server room.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states this project is compatible with the adjacent businesses and meets the purpose of the CMA Overlay by providing high quality, non-residential development while fostering a positive physical image and identity. This area has become the new car dealership corridor which strengthens the economic viability and stability of the area in conformance with the goals of the CMA.

The applicant requests a reduced throat depth for the commercial driveway as unlike restaurant, retail, office and other commercial uses, car dealerships have very low traffic counts and have very few employees on staff at any one time. Additionally, traffic flows in and out of the site are consistent throughout business hours and there are no spikes in traffic flows for lunch traffic or morning and evening shift changes. Employees at car dealerships typically have schedules that are flexible; therefore, there is not an in or out rush of employees at shift changes. The request to eliminate parking lot landscaping is for the parking lot that will be concealed from public view by perimeter site walls. Therefore, any landscape provided in this area of the site will not be visible from any right-of-way or adjacent property. The request to waive the required cross access will allow the facility to be consistent with the other dealerships in the surrounding area. The waiver request to eliminate the parking space cluster requirement to a single field of parking is similar to what has been approved for the surrounding vehicle dealerships.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-20-0079	Vehicle (automobile) dealership with waivers to the CMA Design Overlay District, parking lot landscaping, cross access, and throat depth	Approved by ZA	March 2020
WC-20-400014 (ZC-0606-01)	Waiver of conditions for recording a reciprocal, perpetual cross access, ingress/egress, and parking agreements if dealerships are individually owned and operated	Approved by ZA	March 2020
ADR-19-900634	Storage building in conjunction with an existing vehicle sales facility	Approved by ZA	October 2019
WS-18-0519	Increased height of a proposed freestanding sign and design review for a freestanding sign in conjunction with an existing vehicle sales on the western portion of the site	Approved by BCC	September 2018
VS-1073-17	Vacated and abandoned various easements on this site - recorded	Approved by PC	February 2018
ZC-0215-17	Reclassified a portion of this site to M-D zoning for a vehicle sales facility on the western portion of this site	Approved by BCC	May 2017
VS-0237-16	Vacated and abandoned right-of-way on a portion of the overall development site for a detached sidewalk - recorded	Approved by PC	June 2016
ZC-0606-01	Reclassified a portion of this site to C-2 zoning for 2 vehicle sales facilities	Approved by BCC	June 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	M-D	Office building with a production studio (UFC)
East	Business and Design/Research Park	M-D	Undeveloped
South	Business and Design/Research Park	C-2	Surface overflow parking lot
West	Business and Design/Research Park	M-D & C-2	Vehicle sales facility (Findlay Subaru)

Related Applications

Application Number	Request
WC-21-400091 (ZC-0606-01)	A waiver of conditions for recording a reciprocal, perpetual cross access, ingress/egress, and parking agreements if dealerships are individually owned and operated is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permit

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

Staff finds the vehicle repair facility is an appropriate and compatible use with the surrounding vehicle sales facilities and parking lots. The nearest residential development is located 750 feet to the south of the facility, separated by an existing vehicle dealership parking lot and a collector street, Badura Avenue. The purpose of the vehicle repair facility is to service dealership and customer vehicles; however, the facility will not be open to the general public. Staff does not anticipate the facility will have a negative impact on the surrounding land uses and properties; therefore, recommends approval.

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.

Waivers of Development Standards #1 & #3

The intent of parking lot landscaping is to provide climate adaptable plant materials that improve the visual appearance of the project site, enhance environmental conditions by providing shade and reducing storm water run-off, and to provide buffer areas between land uses of varying intensity. While staff typically does not support requests to parking lot landscaping, the vehicle repair facility and parking lot will not be open to the general public. Furthermore, the facility and parking lot will be screened from the public right-of-way, Maule Avenue, by a decorative 7.5 foot high block wall. Similar vehicle sales facilities and parking lots abutting the subject property have been designed with the absence of parking lot clusters. The lack of individual parking lot clusters within the interior of the project site will not impact the surrounding land uses and properties. Therefore, staff can support these requests.

Waiver of Development Standards #2

The project site and adjacent properties are large, consisting of multiple acres; therefore, do not necessitate the shared parking and access to the properties to the east and west. Typically, staff does not support requests to waive cross access to adjacent properties with similar land uses and parking requirements. However, several requests to waive the cross access requirement have previously been approved for the existing sites to the west and northwest. The request to waive cross access should not have any impact on the surrounding land uses and properties. Therefore, staff recommends approval.

Waiver of Development Standards #4

Staff typically does not support requests to eliminate the pedestrian connection from a sidewalk to the principal entrance to a building. However, since the vehicle repair facility will not be open to the general public, and will not generate any pedestrian traffic from outside of the facility, staff can support this request. The 5 foot wide sidewalk requirement separating the facility from paving for parking aisles or spaces is required along the north, south, and west portions of the repair facility. The west side of the building features 4 overhead roll-up doors, and the installation of a pedestrian sidewalk along the west side of the building would not be practical and conflicts with safe pedestrian travel (i.e. staff does not want to encourage pedestrians to walk directly in front of the entrances and exits to the repair bays). Staff finds the sidewalk requirement along the north and south sides of the building is impractical and should not impact pedestrian travel within the interior of the site. Therefore, staff recommends approval.

Waiver of Development Standards #5

The increased wall height is necessary to provide security for the inventory of dealership vehicles within the parking lot and for the vehicle repair facility. A 10.5 foot wide street landscape area is provided, where a minimum landscape area of 6 feet is required along Maule Avenue. Staff finds the decorative block wall, in conjunction with the increased street landscape area, provides mitigation to the increased block wall height. Furthermore, staff finds the increased block wall height along the east and west property lines should not impact the adjacent properties and land uses; therefore, recommends approval.

Design Reviews #1 & #2

The CMA Design Overlay District was established to encourage and promote a high level of quality development that will produce a stable environment in harmony with existing and future

development and protect the use of neighboring properties. The plans depict a use, design, and geographic location that are compliant with Urban Land Use Policy 10 of the Comprehensive Master Plan which encourages site designs that are compatible with adjacent land uses and off-site circulation patterns. Finally, staff finds the intended use is consistent with the purpose and intent of the Business and Design/Research Park land use designation which applies to areas where commercial, professional or manufacturing developments are designed to assure minimal impact on surrounding areas. The proposed vehicle repair facility is a functional extension for the existing developments to the adjacent properties and integrated as a seamless automobile sales corridor. Therefore, staff recommends approval of these requests.

Public Works - Development Review

Waiver of Development Standards #6

Staff has no objection to the reduction in the throat depth for the commercial driveway on Maule Avenue. Staff does not anticipate any traffic related issues since the majority of the parking stalls adjacent to the commercial entrance will be occupied by display cars.

Design Review #3

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

Department of Aviation

The 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

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

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- 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;
- Coordinate with Public Works - Directors office for the Beltway, Frontage Road improvement project;
- Dedicate any right-of-way and easements necessary for the Beltway, Frontage Road improvement project.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Department of Aviation

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

CONTACT: ROGER CAMPERI, 310 N. GIBSON ROAD, HENDERSON, NV 89014

DRAFT



LAND USE APPLICATION 15A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input checked="" type="checkbox"/> USE PERMIT (UC)</p> <p><input checked="" type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p>_____ (ORIGINAL APPLICATION #)</p>	STAFF	<p>APP. NUMBER: <u>06-21-0261</u> DATE FILED: <u>5/20/21</u></p> <p>PLANNER ASSIGNED: <u>MAG</u></p> <p>TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>6/30/21 @ 6:00</u></p> <p>PC MEETING DATE: <u>-</u></p> <p>BCC MEETING DATE: <u>7/21/21 @ 9:00AM</u></p> <p>FEE: <u>\$1,825.00</u></p>
	PROPERTY OWNER	<p>NAME: <u>JONES 215 LLC</u></p> <p>ADDRESS: <u>310 N. Gibson Road</u></p> <p>CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89014</u></p> <p>TELEPHONE: <u>702-558-8822</u> CELL: <u>702-558-8822</u></p> <p>E-MAIL: <u>tcorder@findlayauto.com</u></p>
	APPLICANT	<p>NAME: <u>JONES 215 LLC</u></p> <p>ADDRESS: <u>310 N. Gibson Road</u></p> <p>CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89014</u></p> <p>TELEPHONE: <u>702-457-0321</u> CELL: <u>702-239-2725</u></p> <p>E-MAIL: <u>rcamperi@findlayauto.com</u> REF CONTACT ID #: _____</p>
	CORRESPONDENT	<p>NAME: <u>Roger Camperi</u></p> <p>ADDRESS: <u>310 N. Gibson Road</u></p> <p>CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89014</u></p> <p>TELEPHONE: <u>702-457-0321</u> CELL: <u>702-239-2725</u></p> <p>E-MAIL: <u>rcamperi@findlayauto.com</u> REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 176-02-601-022 (a portion of)

A vacant parcel of land on the north side of W. Maulo Ave, just east of S. Torrey Pines Drive.

PROPERTY ADDRESS and/or CROSS STREETS: _____

PROJECT DESCRIPTION: A Design Review for a new building and related site development and for more than 18" of fill on the site.

(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)*

Tyler Corder, Manager
Property Owner (Print)

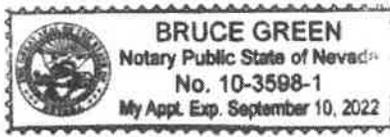
STATE OF NEVADA

COUNTY OF CLARK

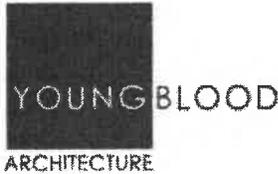
SUBSCRIBED AND SWORN BEFORE ME ON APRIL 31, 2021 (DATE)

By Tyler Corder

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.



VC-21-0261

April 16, 2021

PLANNER
COPY

Clark County
Department of Comprehensive Planning
Current Planning Division
500 S. Grand Central Parkway
Las Vegas, Nevada 89155

Re: Justification Letter for a Design Review & Related Applications APR-21-100232
Findlay Chevrolet Commercial Service Center
APN: 176-02-601-022

In reference to the above-mentioned project, we wish to provide this Justification Letter to accompany our application.

Issues

We are requesting a Design Review to construct and maintain a new commercial service center for Findlay Chevrolet. The project sits on a 4.42 acre portion of the 14.02 acre site listed above.

We are requesting a Design Review for Fill as the site will require more than 18" of fill. This is needed to ensure that the building is set high enough above the existing surrounding grades and provide positive drainage away from the building. As part of the Design Review, cross sections have been provided and the maximum fill is anticipated to be 3.63' which is an increase over the 18" of 2.13'.

We are requesting a Special Use Permit to allow a vehicle repair facility in a C-2 Zone.

We are also requesting several Waivers of Development Standards. We have made a separate application and we have issued a separate justification letter for these waivers under APR-21-100232. The following is a list of our Waivers of Development Standards:

- Waive the parking lot landscaping as required in Figure 30.64-14. This building and the related parking lot is concealed from public view by perimeter site walls. Therefore, any landscape provided in this area of the site will not be visible to any R-O-W or adjacent property. This request is similar to the walled service parking at the adjacent Jaguar Land Rover, Subaru of Las Vegas, Gaudin Ford, Porsche Las Vegas and the ABC Hyundai Dealerships.

- Waive the CMA site design standard for the shared cross access to the adjacent parcels. This will allow us to be consistent with the other dealerships in the surrounding area. This request is similar to what was approved at the adjacent Jaguar Land Rover, Subaru of Las Vegas, Gaudin Ford, Porsche Las Vegas and the ABC Hyundai Dealerships.
- Waiver of development standards to reduce the required 100'-0" driveway throat depth (per Uniform Standard Drawing 222.1).
- To reduce the number of "parking clusters" to a single field of parking similar to what was approved at the adjacent Jaguar Land Rover, Subaru of Las Vegas, Gaudin Ford, Porsche Las Vegas and the ABC Hyundai Dealerships
- To allow a 7'-4" tall decorative CMU wall along the Maule right-of-way.
- We are requesting a Waiver of Conditions to remove the reciprocal, perpetual cross access, ingress/egress & parking agreements that were established in ZC-0606-01. This waiver will allow us to be consistent with the other dealerships in the surrounding area. This request is similar to what was approved at the adjacent Jaguar Land Rover, Subaru of Las Vegas, Gaudin Ford, Porsche Las Vegas and the ABC Hyundai Dealerships.

Findings

This building will share (a portion of) the same parcel as an existing Jaguar Land Rover Dealership and the Findlay Volvo Dealership which is currently under construction. This site is part of an existing commercial subdivision. The Entitlement documents for the existing Jaguar Land Rover Dealership can be found in ZC-0215-17. The Entitlement documents for the existing Findlay Volvo Dealership can be found in WC-20-400014 (zc-0600-01) and WS-20-0079.

Justification for the reduced driveway throat depth - Unlike restaurant, retail, office and other commercial uses, car dealerships have very low traffic counts and have very few employees on staff at any one time. Additionally traffic flows in and out of the site are consistent throughout business hours and there are no spikes in traffic flows for lunch traffic or morning / evening shift changes. Employees at car dealerships typically have schedules that are flexible therefore, there is not an in or out-rush of employees at shift changes.

This project is compatible with the adjacent businesses and meets the purpose of the CMA Overlay by providing high-quality, non-residential development while fostering a positive physical image and identity. This area has become the new car dealership corridor which strengthens the economic viability and stability of the area in conformance with the goals of the CMA. This project will conform with Clark County policies and standards. There will be no negative impact to neighborhood traffic or adjacent roadways. Building and landscape materials are consistent with adjacent businesses. Design characteristics will be harmonious with the surrounding

developments and generally in conformance with the CMA criteria by providing visual interest along the streetscape. The following CMA architectural guidelines have been met in conformance with Title 30.48.

- The color and façade surfaces are subdued and compatible with the surrounding landscape.
- The scale of the proposed building is consistent and compatible with the surrounding area.
- The freestanding building has architectural detailing and design elements consistent with the CMA requirements including, but not limited to metal paneling.
- The building has a number of windows, variations in color, texture and material to minimize the visual impact from the right-of-way.
- There is ample perimeter landscaping and screening along the rights-of-way with detached sidewalks along Maule Avenue.
- The lighting on the property shall be unobtrusive, energy efficient and shielded so that the glare is confined to the boundaries of the property.
- The lighting fixtures are compatible with the architectural theme of the project.
- The signage will be compatible with the existing signage in the area and will contribute to a positive visual image in the area. The signage is simple, clean and consistent with other Volvo dealerships throughout the country.

All measures have been taken to ensure the public health, safety and welfare will be met by this new facility. The Waivers of Development Standards requested above are similar to the waivers granted at the adjacent Jaguar Land Rover, Subaru of Las Vegas, Gaudin Ford, Porsche Las Vegas and the ABC Hyundai Dealerships.

Please contact me with any further clarifications you may require.

Respectfully Submitted,



Richard Youngblood, A.I.A.
President

07/21/21 BCC AGENDA SHEET

EASEMENTS
(TITLE 30)

FRIAS AVE/VALLEY VIEW BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-21-0268-FRIAS, PHYLLIS M. MANAGEMENT TRUST & FRIAS, PHYLLIS M. TRS:

VACATE AND ABANDON easements of interest to Clark County located between Haleh Avenue and Frias Avenue (alignment), and between Schirlls Street (alignment) and Valley View Boulevard within Enterprise (description on file). JJ/jgh/jd (For possible action)

RELATED INFORMATION:

APN:

177-30-701-016

LAND USE PLAN:

ENTERPRISE - RESIDENTIAL LOW (UP TO 3.5 DU/AC)

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

BACKGROUND:

Project Description

The subject parcels, within Enterprise, are located at the northwest corner of Frias Avenue and Valley View Boulevard intersection. The applicant indicates this request will facilitate the construction of a proposed residential subdivision. The proposed subdivision will be approximately 33.7 gross acres with 185 single family residential dwelling units. This application proposes to vacate easements that conflict with the proposed lots. The plans indicate 2 drainage easements are being vacated for this request.

Prior Land Use Requests

Application Number	Request	Action	Date
NXC-20-0555	Reclassified 33.8 acres from R-E (RNP-I) to R-2 zoning	Approved by BCC	March 2021
VS-20-0556	Vacated and abandoned easements located between Pyle Avenue and Rush Avenue located between Haleh Avenue and Frias Avenue	Approved by BCC	March 2021
TM-20-500195	185 single family residential lots and common lots on 33.8 acres	Approved by BCC	March 2021
ZC-1026-05	Established an RNP-I Overlay District on 3,800 parcels within the Enterprise Planning Area, which included a portion of this site	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-1)	Single family residential & undeveloped
South & East	Rural Neighborhood Preservation (up to 2 du/ac)	R-2	Undeveloped
West	Rural Neighborhood Preservation (up to 2 du/ac)	R-2	Single family residential & undeveloped

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

Public Works - Development Review

- Drainage study and compliance;
- Revise legal description, if necessary, prior to recording.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: RICHMOND AMERICAN HOMES OF NEVADA, INC
CONTACT: WESTWOOD PROFESSIONAL SERVICE, 5725 W. BADURA AVE., STE 100,
LAS VEGAS, NV 89118

DRAFT



VACATION APPLICATION

16A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE		DEPARTMENT USE	APP. NUMBER: <u>VS-21-0268</u>	DATE FILED: <u>5/25/21</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>JGH</u>	TAB/CAC DATE: <u>6/30/21</u>
			TAB/CAC: <u>Enterprise</u>	
			PC MEETING DATE: _____	
			BCC MEETING DATE: <u>7/21/21</u>	
			FEE: <u>\$875</u>	

PROPERTY OWNER	NAME: <u>Phylis M. Frias Management Trust</u>
	ADDRESS: <u>P.O. Box 1660</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89125</u>
	TELEPHONE: <u>702-408-3410</u> CELL: <u>702-683-4444</u>
	E-MAIL: <u>jmowbray@spencerfane.com</u>

APPLICANT	NAME: <u>Richmond American Homes of Nevada, Inc.</u>
	ADDRESS: <u>7770 S. Dean Martin Drive, Suite 308</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89139</u>
	TELEPHONE: <u>702-617-8464</u> CELL: _____
	E-MAIL: <u>angela.pinley@mdch.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Westwood Professional Services</u>
	ADDRESS: <u>5740 S. Arville St., Suite 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 #: <u>132024</u>

ASSESSOR'S PARCEL NUMBER(S): 177-30-701-016

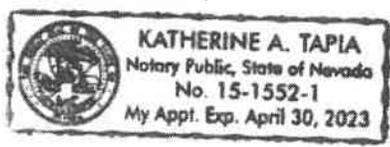
PROPERTY ADDRESS and/or CROSS STREETS: Frias/Valley View

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.

John H. Mowbray
 Property Owner (Signature)*

John H. Mowbray, Trustee
 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF CLARK
 SUBSCRIBED AND SWORN BEFORE ME ON July 31, 2021 (DATE)
 By John H. Mowbray
 NOTARY PUBLIC: Katherine A. Tapia



*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.

VS-21-0268

RAH2010

April 6th, 2020

PLANNER COPY

Clark County Comprehensive Planning
500 South Grand Central Parkway
Las Vegas, NV 89155-4000

RE: Justification Letter in Support of Multiple Vacations for the Monarch Valley Project
185 lots; 33.7+/- acres
Private APNs north of Frias: 177-30-701-035, 177-30-701-033, 177-30-701-023, 177-30-701-016, 177-30-701-018, 177-30-701-024, 177-30-701-017, 177-30-701-025
Private APNs south of Frias: 177-30-801-001, 177-30-801-025; 177-30-801-002
Public APNs: 177-30-799-009, 177-30-799-008, 177-30-799-003, & 177-30-799-005.

Westwood Professional Services, on behalf of the applicant, Richmond American Homes respectfully submits this justification letter in support of Multiple Vacations (VS). The subject parcels, within the Enterprise Jurisdiction, are located at the northwest corner of the West Frias Avenue and Valley View Boulevard intersection. The proposed residential subdivision is approximately 33.7 gross acres with 185 single family residential dwelling units.

Vacation of Easements

This application proposes to vacate easements that conflict with the proposed lots. These easements are no longer needed to provide a reservation for drainage and flood control. An exhibit has been provided showing the proposed vacations along with supporting legal descriptions and exhibits.

Thank you for considering this application request. Please contact me at (702) 284-5300 if you have any questions.

Sincerely,

WESTWOOD PROFESSIONAL SERVICES



Kevin Bross, PE
Project Manager II

CC:
Roxanne Leigh, Westwood

07/21/21 BCC AGENDA SHEET

OFFICE/WAREHOUSE
(TITLE 30)

MERANTO AVE/HINSON ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-21-0262-DONEL DEVELOPMENT, LLC:

ZONE CHANGE to reclassify 1.2 acres from an R-E (Rural Estates Residential) Zone to an M-D (Designed Manufacturing) Zone.

WAIVER OF DEVELOPMENT STANDARDS to allow modified driveway design standards.

DESIGN REVIEWS for the following: **1)** proposed office/warehouse building; **2)** alternative parking lot landscaping; and **3)** finished grade.

Generally located on the south side of Meranto Avenue (alignment), 660 feet west of Hinson Street (alignment) within Enterprise (description on file). JJK/jd (For possible action)

RELATED INFORMATION:

APN:

177-19-701-015

WAIVER OF DEVELOPMENT STANDARDS:

Reduce throat depth for a driveway on Meranto Avenue to 15 feet where a minimum of 25 feet is the standard per Uniform Standard Drawing 222.1 (a 40% reduction).

DESIGN REVIEWS:

1. For a proposed office/warehouse building.
2. Alternative parking lot landscaping.
3. Increase finished grade up to 72 inches (6 feet) where a maximum of 18 inches (1.5 feet) is the standard per Section 30.32.040 (a 300% increase).

LAND USE PLAN:

ENTERPRISE - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.2
- Project Type: Office/warehouse building
- Building Height (feet): 34
- Square Feet: 20,000

- Parking Required/Provided: 32/32

Site Plan

The applicant is requesting a conforming zone change from R-E to M-D zoning for a warehouse/office building. The plans depict a 1 story, 20,000 square foot office/warehouse building located near the southern portion of the site. This property is surrounded by R-E parcels that are planned for light industrial uses. The proposed building is oriented in a north/south direction, with 2 future tenant spaces shown on plans. Each tenant will have a storefront entrance and a grade level overhead roll-up door. One overhead roll-up door is located along the west side of the building and the other door is located on the north side of the building. The overhead roll-up door that is located on the north side of the building is screened with a wing wall and landscaping adjacent to Meranto Avenue. Parking for the facility is located on north and west sides of the property. The building is set back 104 feet from Meranto Avenue, 53 feet from the west property line, 10 feet from the east property line, and 4 feet from the south property line. Access to the project site will be provided by 1 commercial driveway proposed along Meranto Avenue. Future cross access is shown on plans if adjacent properties to the east and west are development with similar uses. The office/warehouse building requires 32 parking spaces where 32 parking spaces are provided.

Landscaping

Street landscaping consists of a 10.5 foot wide landscape area behind an attached sidewalk along Meranto Avenue. Interior to the site, landscaping is distributed throughout the parking lot and around the front portions of the building footprint.

Elevations

The plans for office/warehouse building depict a maximum height of 34 feet to the top of the parapet wall. The height of the building varies slightly and has been designed to break-up the roofline and enhance the overall look of the building. The overhead roll-up doors will be located on the north and west sides of the building. The overhead roll-up door that is located on the north side of the building is screened with a wing wall and landscaping adjacent to Meranto Avenue. The materials will consist of concrete tilt-up paneling with horizontal banding, metal canopies, and will be painted with neutral earth tone colors. Portions of the north and west elevations include aluminum storefront doors and window systems.

Floor Plan

The office/warehouse building has a total area of 20,000 square feet and will be constructed with an open floor plan for 2 future tenants.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that this is a request for a conforming zone change on a site which has been designated for business and design/research use in the Enterprise Land Use Plan. The site has been designed to be compatible with the surrounding area. In fact, the area is currently

undeveloped and are also zoned R-E with a planned land use of Business and Design/Research Park

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, East, & West	Business and Design/Research Park	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

This request conforms to the Spring Valley Land Use Plan and complies with all applicable goals and policies for this type of development. The proposed zoning district is within the allowable range of intensity designated on the Land Use Plan. Furthermore, most of the area is planned for light industrial uses and will be developed with similar uses which makes this site harmonious with the future development in the area. Therefore, staff can support the zone change request.

Waiver of Development Standards

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

Design Reviews #1 & #2

Staff finds the project complies with Urban Land Use Policy 78 of the Comprehensive Master Plan, which encourages architectural treatments on all building sides to eliminate blank building elevations. Within portions of the parking lot the site is not meeting Code by having landscape fingers every 6 spaces. To mitigate the elimination of a couple of landscape fingers, the applicant is proposing additional trees along the street landscape buffer on Meranto Avenue. Therefore, staff can support design reviews #1 and #2.

Public Works - Development Review

Waiver of Development Standards #3

Staff has no objection to the reduction in the throat depth for the commercial driveway on Meranto Avenue. The applicant has provided landscape buffers adjacent to the commercial driveway to help improve visibility and allow vehicles to safely exit the right-of-way avoiding immediate conflicts with those trying the access the parking stalls.

Design Review #3

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.52.040(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 Meranto Avenue;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements;
- 90 days to record required right-of-way dedications and any corresponding easements;
- Provide paved legal access;
- Demonstrate legal access.
- 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 #0233-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

APPLICANT: VISIONARY 2, LLC

CONTACT: LARRY MONKARSH, 7115 BERMUDA RD., LAS VEGAS, NV 89119

DRAFT



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WWW.LMCONSTRUCTIONCO.COM

Justification Letter

April 14, 2021

Clark County Comprehensive Planning
500 S. Grand Central Pkwy
Las Vegas, NV 89106

**Subject: Zone Change, Design Review and Waiver of Development Standards
Located North of Richmar – East of Arville on Meranto
APN: 177-19-701-015**

To whom it may concern:

APN: 177-19-701-015 is located north of Richmar Road and east of Arville Street on Meranto Ave. and is currently a vacant, undeveloped parcel. LMCC is proposing to construct a 20,000 sq/ft office/warehouse, two tenant, concrete-tilt-up building. The building height will be approximately 32'-0" – 35'-0" above the finished floor with an interior clear height of 24'-0". The building will have two (2) storefront entrances and two (2) grade level overhead doors, one for each tenant space. There will also be a common dock on the north side of the building screened by an eight-foot-high decorative CMU wall. Currently there is water in Arville and sewer in Richmar.

The current zoning classification for this APN is Rural Estates Residential (RE) and it has a 'Planned Landuse' BDRP – Business and Design/ Research Park. LMCC is proposing a conforming zone change from RE to MD, designed manufacturing. The MD zoning district is included in the BDRP category per the Enterprise Land Use Plan 2014.

The following Waivers of Development Standards are being requested:

1. Throat depth of the driveway from the required 25' to 15'. As a property with only one dock and adequate parking, we do not believe the standard is necessary on this project in relation to "stacking" issues.
2. Reduced Setbacks: South (rear) setback required to be 20'-0", shown at 4'-0". East (side) setback required to be 20'-0", shown at 10'-1".
3. Eliminate Landscape buffers adjacent to R-E zoning (Per Figure 30.64.11) – as we believe the adjacent parcels are also in the BDRP planned land use and believe this area is headed in that direction, where such landscape buffer would not be required.

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C4 License # 0047156 – Limit \$900,000.00



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4. **Public Hearing Design Review** (see 30.64.14 and 30.32.40(4) allowing these to be handled through Design Review). Allow Alternative Parking Lot Landscaping, landscape fingers (with trees) every 6 stalls will not be met throughout the site parking, per current site plan. However, the site will have the required number of 24" box trees for parking stalls provided.
5. **Public Hearing Design Review:** Site requires 6' of fill (see cross sections) to handle existing storm water flows across the property and to obtain a 4' dock condition. This takes place where the natural flows enter the property on the west side and exits the property on the east side. The 6' of fill is required to lift the entire building above these flows and still allow for proper drainage away from the new structure.

LMCC does not believe the proposed development creates additional stress on the community and will enable others who wish to develop their smaller parcels in the same manner and avenue with which to do so.

The area is currently a series of vacant properties also zoned RE with the BDRP land use with much of this area's vacant land being held by Clark County Aviation. On the west side of Arville is the Army Training Facility. This project will provide the required parking stalls and be designed and constructed in accordance with Title 30 requirements. We feel this use is very compatible for the area and compatible with the existing industrial businesses as well. We hereby request the conforming Zone Change, Waivers of Development Standards and Design Review be approved.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Monkarsh", with a long horizontal flourish extending to the right.

Larry Monkarsh
LM construction Co., LLC

B-2 License # 0042596A - Unlimited
C4 License # 0047156 - Limit \$900,000.00

