

IV. Approval of the Agenda for September 29, 2021 and Hold, Combine, or Delete any Items. (For possible action)

V. Informational Items

1. Receive a report from Las Vegas Valley Water District regarding the current well levels, status of the Blue Diamond Water System and other related concerns (for discussion only)
2. Receive a report from Metro regarding activity and statistics during the past month and other area policing concerns (for discussion only)
3. Receive a report from BLM regarding current and upcoming projects, updates on the Red Rock Legacy bike trail, information about the Red Rock National Conservation Area, and other updates about Public Lands in the area (for discussion only)
4. Receive a report from Clark County Administrative Services regarding updates County maintenance requests and any other updates from Clark County (for discussion only)

VI. Planning and Zoning

1. **NZC-21-0421-MILAN T TRUST & TIBERTI RENALDO TRS:**
ZONE CHANGE to reclassify 0.3 acres from an R-U (Rural Open Land) Zone, an R-E (Rural Estates Residential) Zone, and an R-1 (Single Family Residential) Zone to an R-1 (Single Family Residential) Zone for future residential development.
WAIVER OF DEVELOPMENT STANDARDS to reduce setbacks.
DESIGN REVIEW to modify setbacks for an existing single family residence and accessory structure on a 0.2 acre portion of 15.4 acres in an R-1 (Single Family Residential) Zone. Generally located on the west side of Castalia Street and the north side of Cottonwood Drive within Northwest County (description on file). JJ/jt/jd (For possible action)

VII. General Business

1. Take public input and finalize requests for the next fiscal year budget (For possible action)
2. Nominate a representative and a possible alternate to serve on the 2021-2020 Community Development Advisory Committee (CDAC) (For possible action)

VIII. Comments by the General Public- A period devoted to comments by the general public about matters relevant to the 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 Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Council by majority vote.

IX. Next Meeting Date: October 27, 2021.

X. Adjournment.

POSTING LOCATIONS: This meeting was legally noticed and posted at the following locations:
Blue Diamond Library, 14 Cottonwood Dr, Blue Diamond, NV 89004
<https://notice.nv.gov>

**ATTACHMENT A
RED ROCK CITIZENS ADVISORY COUNCIL
ZONING AGENDA
WEDNESDAY, 7:00 P.M., SEPTEMBER 29, 2021**

10/05/21 PC

1. **NZC-21-0421-MILAN T TRUST & TIBERTI RENALDO TRS:**
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FUTURE RESIDENTIAL DEVELOPMENT
(TITLE 30)

CASTALIA ST/COTTONWOOD DR
(REDROCK)

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-21-0421-MILAN T TRUST & TIBERTI RENALDO TRS:

ZONE CHANGE to reclassify 0.3 acres from an R-U (Rural Open Land) Zone, an R-E (Rural Estates Residential) Zone, and an R-1 (Single Family Residential) Zone to an R-1 (Single Family Residential) Zone for future residential development.

WAIVER OF DEVELOPMENT STANDARDS to reduce setbacks.

DESIGN REVIEW to modify setbacks for an existing single family residence and accessory structure on a 0.2 acre portion of 15.4 acres in an R-1 (Single Family Residential) Zone.

Generally located on the west side of Castalia Street and the north side of Cottonwood Drive within Northwest County (description on file). JJ/jt/jd (For possible action)

RELATED INFORMATION:

APN:

175-07-601-008; 175-07-701-005; 175-07-711-082 ptn

WAIVER OF DEVELOPMENT STANDARDS:

1. a. Reduce the rear setback for an existing single family residence to 5 feet where 20 feet is the minimum per Table 30.40-2 (a 75% reduction).
- b. Reduce the side setback for an existing single family residence to 1 foot where 5 feet is the minimum per Table 30.40-2 (an 80% reduction).
- c. Reduce the rear setback for an accessory structure to 1 foot where 5 feet is the minimum (an 80% reduction).

LAND USE PLAN:

NORTHWEST COUNTY (REDROCK) - RESIDENTIAL AGRICULTURE (UP TO 1 DU/AC)
NORTHWEST COUNTY (REDROCK) - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 3 Castalia Street
- Site Acreage
 - Remnant Lot: 14.8
 - Modified Lot with Single Family Residence: 0.2
 - New Lot: 0.3
- Number of Lots: 3

- Density (du/ac): 4.4 (new lot and lot with existing single family residence)
- Minimum/Maximum Lot Size (square feet): 8,000/646,430
- Project Type: Rezoning for future single family residence

Neighborhood Meeting Summary

Notices were mailed to property owners within 1,500 feet of the site notifying them of a neighborhood meeting on March 21, 2021. Twenty-six neighbors attended the meeting; however, there was no opposition or concerns about the proposed project.

Site Plan & Request

This application is a request to rezone a reconfigured parcel, consisting of an existing parcel and portions of 2 other parcels, to R-1 zoning for a future residence. A reconfigured 11,444 square foot parcel will be created along Cottonwood Drive, which consists of APN 175-07-701-005, a portion of APN 175-07-711-082, and a portion of 175-07-601-008. The remnant portion of APN 175-07-601-008 will be 646,430 square feet, and the remnant portion of APN 175-07-711-082, which includes a single family residence and accessory structure, will be 8,000 square feet. Waivers of development standards are necessary to reduce the setbacks on APN 175-07-711-082 for the single family residence and the accessory structure to the existing and new proposed lot lines.

Several structures, including construction storage containers, a recreational vehicle, and fencing, are located on the new reconfigured lot. However, the containers, recreational vehicle, and fencing will all be removed.

Landscaping

No landscaping is proposed for the reconfigured lot at this time. Existing landscaping on APN 175-07-711-082, which includes a single family residence and accessory structure, will remain.

Elevations

The existing single family residence on APN 175-07-711-082 consists of painted stucco siding with a pitched asphalt shingle roof, and the accessory structure includes wood siding painted to match the single family residence and a pitched asphalt shingle roof.

Floor Plans

The existing single family residence is 2,085 square feet, and the accessory structure, which is used as an artists studio, is 156 square feet.

Applicant's Justification

According to the applicant, the reduced setbacks for the proposed lot lines are appropriate. All 3 parcels, portions of which are being reconfigured to create a new lot along Cottonwood Drive, are under the same ownership. Therefore, the reduced setbacks are only impacting the current owner. Also, the owner would like to keep the reconfigured lot as large as possible, which would help maintain the character of the Blue Diamond community.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-2036-96	Reclassified a portion of the site to R-E zoning for an 18 unit single family residential planned unit development	Approved by BCC	May 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Facilities	R-U	Undeveloped
South	Residential Suburban (up to 8 du/ac)	R-1 & R-D	Single family residential
East	Public Facilities & Institutional	P-F & C-1	Park, place of worship, retail building & library
West	Public Facilities	P-F & R-U	Fire station & undeveloped

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

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

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

A trend since the most recent adoption of the Northwest County Land Use Plan is the increased demand for housing. Reclassifying portions of the subject parcels will create the opportunity for a new single family residence within the existing Blue Diamond community.

- 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 proposed density of the reconfigured parcels and R-1 zoning will be consistent with the surrounding residences. Adjacent parcels to the east and abutting parcels to the south across Cottonwood Drive are also zoned R-1.

- 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 public utility purveyors that the proposed nonconforming zone change will negatively impact existing facilities and infrastructure.

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

Growth Management Policy 7 in the Comprehensive Master Plan encourages the intensification of in-fill sites to be balanced with a strong sensitivity to protecting existing neighborhoods. Urban Specific Policy 2 encourages the maximization of in-fill and redevelopment, and Urban Specific Policy 4 encourages vacant lots within existing neighborhoods to develop at similar densities as the existing area. Here, the nonconforming zone change will allow an existing parcel and portions of 2 other parcels to be utilized as a single family residence. The zoning reclassification of this in-fill site will be consistent with the existing neighborhood.

Summary

Zone Change

There has been a trend for increased demand for housing since the most recent adoption of the Northwest County Land Use Plan, and the proposed density associated with an R-1 zone is consistent with the surrounding neighborhood. Furthermore, the request will not negatively impact infrastructure and services. Lastly, the nonconforming zone change request conforms to policies in the Comprehensive Master Plan.

Waivers of Development Standards & Design Review

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

The proposed reduction to the rear setback for the accessory structure and single family residence will not create any negative visual impacts for the area. An existing fence is already located along the proposed lot line, and photographs indicate the rear yard of the existing single family residence is not negatively impacted, and the reduced setbacks will only impact the adjacent reconfigured lot, which is under the same ownership. Also, the reduced side setback for the single family residence is existing; nevertheless, the waiver of development standards is included with this application as a precaution. Staff can support the waivers of development standards; however, the applicant is advised that the reduced setbacks may require additional fire rating improvements to the buildings.

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on November 3, 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;
- Applicant is advised that the reduced setbacks may require additional fire rating improvements for the existing buildings; 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 shall be required with future development as determined by Public Works - Development Review;
- Traffic study shall be required with future development as determined by Public Works - Development Review.
- Applicant is advised that this site is located within a Special Flood Hazard Area (SFHA) as designated by the Federal Emergency Management Agency (FEMA).

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: BENGOCHEA FAMILY LIMITED PARTNERSHIP

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



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input 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 checked="" type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) _____ (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>NZC-21-0421</u> DATE FILED: <u>8/9/21</u> PLANNER ASSIGNED: <u>JR</u> TAB/CAC: <u>RED ROCK</u> TAB/CAC DATE: <u>9/29/21</u> PC MEETING DATE: <u>10/5/21</u> BCC MEETING DATE: <u>11/3/21</u> FEE: <u>\$3,816.50</u>
	PROPERTY OWNER NAME: <u>Bengochea Family Limited Partnership</u> ADDRESS: <u>7641 West Post Road</u> CITY: <u>Las Vegas</u> STATE: <u>Nevada</u> ZIP: <u>89113</u> TELEPHONE: <u>702-366-1605</u> CELL: _____ E-MAIL: _____
	APPLICANT NAME: <u>Bengochea Family Limited Partnership</u> ADDRESS: <u>7641 West Post Road</u> CITY: <u>Las Vegas</u> STATE: <u>Nevada</u> ZIP: <u>89113</u> TELEPHONE: <u>702-366-1605</u> CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____
CORRESPONDENT NAME: <u>The WLB Group, Inc. (Mark Bangan)</u> ADDRESS: <u>3663 E. Sunset Road, Suite 204</u> CITY: <u>Las Vegas</u> STATE: <u>Nevada</u> ZIP: <u>89120</u> TELEPHONE: <u>702-458-2551</u> CELL: _____ E-MAIL: <u>mbangan@wlbgroup.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 175-07-711-082 & 175-07-701-005

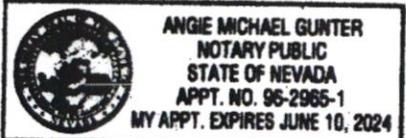
PROPERTY ADDRESS and/or CROSS STREETS: Northwest side of Castalia Street and north of Cottonwood Drive

PROJECT DESCRIPTION: to combine three parcel into one parcel for the construction of a SF residence.

(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] Amador Bengochea
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON September 10, 2020 (DATE)
 By Amador Bengochea
 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.



July 5, 2021

Clark County Comprehensive Planning
500 South Grand Central Parkway
P.O. Box 551744
Las Vegas, NV 89155

NZC-21-0421

**RE: NCZC/Design Review/Waiver – Justification Letter
(APN's: 175-07-701-005, 175-07-711-082 & a ptn of 175-07-601-008)**

Dear Mr. Tasko,

On behalf of Milan T Trust and the Bengochea Family Limited Partnership, The WLB Group respectfully submits the attached Non-Conforming Zone Change, Design Review and Waiver of Development Standards for Assessor Parcels listed above located at the Northwest Corner of Castalia Street and Cottonwood Drive in Blue Diamond.

Non-Conforming Zone Change:

We respectfully request to change the zoning for parcels 175-07-701-005 & a portion of 175-07-601-008 from R-U & R-E respectively to R-1 to allow the creation and combination of three parcels into one parcel for a future detached single-family homesite. Our client is looking to subdivide parcels 175-17-601-008 & 175-07-711-082 into two parcels each, then combine them with 175-07-701-005 to create an 11,444 s.f. single-family lot zoned that will be zoned R-1.

Design Review

We are requesting one (1) design review which is listed below:

1. A proposed detached single-family home

We are proposing to leave the detached single-family home on parcel 175-07-711-082 as is, since the structure is completely constructed and occupied. The entire home and lot have been finished with landscaping and patio covers, including an artist's studio in the back yard. The design review for the parcel that is being created by this application and the forthcoming parcel map will submit a separate design review to handle the proposed detached single-family home.

Waiver of Development Standards

The proposed development will require the approval of one (1) waiver of development standards which is listed below:

1. To reduce the rear setback to five (5) feet where twenty (20) feet is required by Title 30 Code (Table 30.40-2)

This reduction in the rear setback is to address the existing house placement in relationship to the proposed property line. In the existing condition the house meets all the requirements for an R-1 zoned property, however with the proposed



creation of the single-family lot to the west of this property, this waiver is now required.

2. To reduce the setback to an accessory structure to one foot–six inches (1.5) feet where three (3) feet is required by Title 30 Code (Table 30.40-2)

This reduction is again based on the existing Artist's Studio existing location in reference to the proposed property line. In the existing condition, this accessory structure meets all the requirements of an R-1 zoned property, however with the creation of the single-family lot to the west of this property this waiver is now required.

We are fully aware these are self-imposed hardships, and that the two lots could possibly be reconfigured to meet the setback requirements for each lot, by reducing the lot size of the proposed lot. However, our client feels it is important to keep the proposed lot size as large as possible for the benefit of the overall community. Our client owns the existing lot and will own the proposed lot, prior to any future development, so even though these are self-imposed hardships, they are only imposing on themselves.

NCZC Compelling Justification:

Item #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; and

This nonconforming zone change has already been mapped as a single-family development back in 1996. The owners are simply taking remnant parcels that the surrounding landowners cannot use and creating a lot for a single-family detached home.

Item #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; and

This nonconforming zone change will not detrimentally affect the density or intensity of the surrounding uses. This parcel will be constructed as a single-family detached home. This will fit in perfectly with the surrounding homes in the neighborhood.

Item #3 – there will not be a substantial adverse effect on public facilities and services, such as roads, access, schools, parks, fire, as a result of the uses allowed by the nonconforming zoning; and

This nonconforming zone change would not adversely affect the health safety and welfare of the surrounding residents or the public facilities and services.

Item #4 – The proposed nonconforming zoning conforms to other applicable adopted plans, goals, and policies; and

This nonconforming zone change would not adversely affect any of the applicable adopted plans, goals and policies.



We are hopeful the information provided herewith will meet with your favorable consideration. Should you have any questions or need any further information, please feel to contact me at (702) 458-2551.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark Bangan". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Mark Bangan
Planning Department Manager