



## Spring Valley Town Advisory Board

Desert Breeze Community Center

8275 W. Spring Mountain Rd

Las Vegas, NV 89117

April 29, 2025

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 [chayes70@yahoo.com](mailto:chayes70@yahoo.com).
  - Supporting material is/will also be 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://clarkcountynv.gov/SpringValleyTAB>.

Board/Council Members: John Getter  
Dr. Juana Leia Jordan-Vice Chair  
Carol Lee White

Randal Okamura-Chair  
Matthew Tramp

Secretary: Carmen Hayes (702) 371-7991 [chayes70@yahoo.com](mailto:chayes70@yahoo.com)  
Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

County Liaison(s): Mike Shannon (702)-455-8338 [mds@clarkcountynv.gov](mailto:mds@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, and Roll Call

- 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.

BOARD OF COUNTY COMMISSIONERS  
TICK SEGERBLOM, Chair – WILLIAM MCCURDY II, Vice-Chair  
JAMES B. GIBSON – JUSTIN C. JONES – MARILYN KIRKPATRICK – APRIL BECKER – MICHAEL NAFT  
KEVIN SCHILLER, County Manager

- III. Approval of Minutes for April 8, 2025. (For possible action)
- IV. Approval of the Agenda for April 29, 2025, 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. **DR-25-0277-DURANGO POST PARTNERS, LLC:**  
**DESIGN REVIEW** for a new restaurant with outdoor dining in conjunction with an existing shopping center on a portion of 4.37 acre in a CG (Commercial General) Zone. Generally located on the west side of Durango Drive and the north side of Post Road within Spring Valley. JJ/sd/kh (For possible action) **05/20/25 PC**
2. **PA-25-700020-COUNTY OF CLARK(AVIATION):**  
**PLAN AMENDMENT** to redesignate the existing land use category from Mid-Intensity Suburban Neighborhood (MN) to Compact Neighborhood (CN) on 8.26 acres. Generally located on the north side of Russell Road, 300 feet west of Torrey Pines Drive within Spring Valley. MN/gc (For possible action) **05/20/25 PC**
3. **ZC-25-0258-COUNTY OF CLARK(AVIATION):**  
**ZONE CHANGE** to reclassify 8.26 acres from an RS20 (Residential Single-Family 20) Zone to an RM18 (Residential Multi-Family 18) Zone. Generally located on the north side of Russell Road, 300 feet west of Torrey Pines Drive within Spring Valley (description on file). MN/gc (For possible action) **05/20/25 PC**
4. **VS-25-0257-COUNTY OF CLARK(AVIATION):**  
**VACATE AND ABANDON** easements of interest to Clark County located between Russell Road and Dewey Drive (alignment) and between Redwood Street and Torrey Pines Drive; a portion of a right-of-way being Russell Road located between Redwood Street and Torrey Pines Drive; and a portion of the Tropicana/Flamingo Wash Flood Control Channel located between Redwood Street and Torrey Pines Drive within Spring Valley (description on file). MN/hw/cv (For possible action) **05/20/25 PC**
5. **WS-25-0259-COUNTY OF CLARK(AVIATION):**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce the separation from the property line to a residential driveway; 2) reduce back of curb radius; and 3) increase the number of dwelling units on private stub streets in conjunction with a proposed single-family attached residential development on 8.26 acres in an RM18 (Residential Multi-Family 18) Zone. Generally located on the north side of Russell Road, 285 feet west of Torrey Pines Drive within Spring Valley. MN/hw/cv (For possible action) **05/20/25 PC**

6. **PUD-25-0260-COUNTY OF CLARK(AVIATION):**  
**PLANNED UNIT DEVELOPMENT** for a 108 lot single-family attached residential development with modified development standards on 8.26 acres in an RM18 (Residential Multi-Family 18) Zone. Generally located on the north side of Russell Road, 285 feet west of Torrey Pines Drive within Spring Valley. MN/hw/cv (For possible action) **05/20/25 PC**
7. **TM-25-500065-COUNTY OF CLARK(AVIATION):**  
**TENTATIVE MAP** consisting of 108 single-family attached residential lots and common lots on 8.26 acres in an RM18 (Residential Multi-Family 18) Zone. Generally located on the north side of Russell Road, 285 feet west of Torrey Pines Drive within Spring Valley. MN/hw/cv (For possible action) **05/20/25 PC**
8. **PA-25-700021-MADISON MOHAWK, LLC:**  
**PLAN AMENDMENT** to redesignate the existing land use category from Ranch Estate Neighborhood (RN) to Business Employment (BE) on 2.45 acres. Generally located on the southwest corner of Post Road and Mohawk Street (alignment) within Spring Valley. MN/gc (For possible action) **05/20/25 PC**
9. **ZC-25-0262-MADISON MOHAWK, LLC:**  
**ZONE CHANGES** for the following: **1)** reclassify 2.45 acres from an RS20 (Residential Single-Family 20) Zone to an IP (Industrial Park) Zone; and **2)** remove the Neighborhood Protection (RNP) Overlay within the Airport Environs (AE-65) Overlay. Generally located on the southwest corner of Post Road and Mohawk Street (alignment) within Spring Valley (description on file). MN/gc (For possible action) **05/20/25 PC**
10. **VS-25-0261-MADISON MOHAWK, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Post Road and Teco Avenue (alignment) and between Lindell Road and Mohawk Street; and a portion of right-of-way being Post Road located between Lindell Road and Mohawk Street within Spring Valley (description on file). MN/hw/cv (For possible action) **05/20/25 PC**
11. **WS-25-0263-MADISON MOHAWK, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** eliminate buffering and screening; **2)** modified residential adjacency standards; and **3)** waive street dedication requirements.  
**DESIGN REVIEW** for a proposed office/warehouse facility on 2.28 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-65) Overlay. Generally located on the south side of Post Road and the west side of Mohawk Street (alignment) within Spring Valley. MN/hw/cv (For possible action) **05/20/25 PC**

12. **ET-25-400037 (WS-23-0333)-UNCOMMONS LIVING BLDG 1, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME** for the following: 1) approach distance; 2) throat depth; 3) curb return; and 4) driveway width. **DESIGN REVIEWS** for the following: 1) modifications to a previously approved High Impact Project and mixed-use project; and 2) finished grade on an 8.4 acre portion of 32.5 acres in a U-V (Urban Village - Mixed-Use) Zone in the CMA Design Overlay District. Generally located on the southeast corner of Durango Drive and the CC 215 within Spring Valley. MN/my/kh (For possible action) **05/21/25 BCC**
13. **ET-25-400038 (WS-20-0099)-UNCOMMONS LIVING BLDG 1, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS SECOND EXTENSION OF TIME** for the following: 1) landscaping; and 2) alternative parking lot design. **DESIGN REVIEW** for a temporary parking lot in conjunction with an approved High Impact Project and Mixed-Use Project on 32.5 acres in a U-V (Urban Village - Mixed-Use) Zone in the CMA Design Overlay District. Generally located on the east side of Durango Drive and the south side of the CC 215 within Spring Valley. MN/rp/kh (For possible action) **05/21/25 BCC**
14. **ET-25-400039 (WS-23-0211)-MCM TOWER, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME** for the following: 1) increase building height; 2) increase the height of exterior fixtures (luminaries) mounted on buildings; and 3) allow modified driveway design standards. **DESIGN REVIEWS** for the following: 1) office building; 2) parking garage with restaurants; and 3) finished grade on 4.2 acres in a CG (Commercial General) Zone. Generally located on the north side of Sunset Road and the east side of Riley Street within Spring Valley. JJ/rp/cv (For possible action) **05/21/25 BCC**
15. **ET-25-400041 (DR-20-0098)-UNCOMMONS LIVING BLDG 2, LLC:**  
**DESIGN REVIEWS SECOND EXTENSION OF TIME** for the following: 1) outdoor theater; and 2) modifications to a previously approved High Impact Project and Mixed-Use Project on 32.5 acres in a U-V (Urban Village - Mixed-Use) Zone in the CMA Design Overlay District. Generally located on the east side of Durango Drive and the south side of the CC 215 within Spring Valley. MN/nai/kh (For possible action) **05/21/25 BCC**
16. **ET-25-400042 (WS-23-0718)-UNCOMMONS LIVING BLDG 1, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME** for signage. **DESIGN REVIEW** for modifications to comprehensive sign package in conjunction with an approved mixed-use project on 32.5 acres in a U-V (Urban Village – Mixed-Use) Zone in the CMA Design Overlay District. Generally located on the east side of Durango Drive and the south side of the CC 215 within Spring Valley. MN/nai/kh (For possible action) **05/21/25 BCC**



17. **ET-25-400043 (ZC-19-0343)-UNCOMMONS LIVING BLDG 1, LLC:**  
**ZONE CHANGE SECOND EXTENSION OF TIME** to reclassify 32.23 acres from an R-E (Rural Estates Residential) Zone and a C-2 (General Commercial) Zone to a U-V (Urban Village-Mixed Use) Zone in the CMA Design Overlay District.  
**USE PERMITS** for the following: 1) High Impact Project; 2) modified pedestrian realm; 3) reduce separation from alcohol, on-premises consumption to a residential use; 4) childcare institution; 5) college or university; 6) farmer's market; 7) food cart/booth not within an enclosed building; 8) kennel; 9) live entertainment; 10) outside dining, drinking, and cooking; 11) public/quasi-public buildings and facilities; 12) temporary outdoor commercial events; 13) training facility (major); and 14) training facility (minor).  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce separation from outdoor live entertainment to a residential use; 2) reduce setback to a right-of-way; 3) reduce throat depths; and 4) allow non-standard improvements in the right-of-way.  
**DESIGN REVIEW** for a High Impact Project and mixed-use project. Generally located on the east side of Durango Drive and the south side of the CC 215 within Spring Valley. MN/tpd/kh (For possible action) **05/21/25 BCC**
18. **ET-25-400044 (UC-23-0604)-UNCOMMONS LIVING BLDG 1, LLC:**  
**USE PERMITS FIRST EXTENSION OF TIME** for the following: 1) modification to pedestrian realm; and 2) allow alternative design for pedestrian realm in conjunction with a previously approved mixed-use project on an 8.4 acres portion of 32.23 acres in a U-V (Urban Village-Mixed Use) Zone in the CMA Design Overlay District. Generally located on the east side of Durango Drive and the south side of the CC 215 within Spring Valley. MN/tpd/kh (For possible action) **05/21/25 BCC**
19. **WC-25-400048 (WS-24-0498)-ZHANG JIANWEI ETAL & YANG ZONGQI & RUI:**  
**WAIVER OF CONDITIONS** for waivers of development standards requiring per revised plan submitted on 10/30/24 for a proposed office/warehouse on 2.5 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-60) Overlay. Generally located on the northeast corner of Santa Margarita Street and Post Road within Spring Valley. MN/rr/kh (For possible action) **05/21/25 BCC**
20. **WS-25-0288-ZHANG JIANWEI ETAL & YANG ZONGQI & RUI:25-**  
**WAIVER OF DEVELOPMENT STANDARDS** to eliminate street landscaping.  
**DESIGN REVIEW** for a proposed office/warehouse on 2.5 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-60) Overlay. Generally located on the northeast corner of Santa Margarita Street and Post Road within Spring Valley. MN/rr/kh (For possible action) **05/21/25 BCC**
21. **WS-25-0251-DECATUR POST, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** for alternative driveway geometrics.  
**DESIGN REVIEW** for modifications to a previously approved retail complex on 2.83 acres in a CG (Commercial General) Zone within the Airport Environs (AE-65) Overlay. Generally located on the west side of Decatur Boulevard and the south side of Post Road within Spring Valley. MN/hw/kh (For possible action) **05/21/25 BCC**

VII. General Business

1. 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 discussion, action, or vote may be taken on this agenda item. 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: May 13, 2025.

X. Adjournment.

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

Desert Breeze Community Center, 8275 W. Spring Mountain Rd.

<https://notice.nv.gov>

05/20/25 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**DR-25-0277-DURANGO POST PARTNERS, LLC:**

**DESIGN REVIEW** for a new restaurant with outdoor dining in conjunction with an existing shopping center on a portion of 4.37 acre in a CG (Commercial General) Zone.

Generally located on the west side of Durango Drive and the north side of Post Road within Spring Valley. JJ/sd/kh (For possible action)

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RELATED INFORMATION:

**APN:**

163-32-723-003 through 163-32-723-006

**LAND USE PLAN:**

SPRING VALLEY - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 6225 S. Durango Drive
- Site Acreage: 0.62 (pad site)/4.37 (shopping center)
- Building Height (feet): 29
- Square Feet: 900 (restaurant)/27,901 (shopping center)
- Parking Required/Provided: 83/152 (shopping center)
- Sustainability Required/Provided: 7/6.5

**Site Plan**

The plans show an existing 27,901 square foot shopping center with an 18,000 square foot in-line retail building along the west property line, 3,400 square foot commercial building on the north half of the property and a 5,600 square foot convenience store with gas pumps and vehicle (automobile) wash on the southern portion of the property. Currently, there is a vacant pad site along Durango Drive that is being proposed as a new restaurant with outdoor dining and drive-thru lanes. The proposed restaurant will be 900 square feet with a 350 square foot outdoor dining area. The entrance to the drive-thru lane is located on the south exterior and vehicles drive north to the order box and then exit to the east by another drive-thru lane. Access is from 2 existing driveways along Durango Drive.

**Landscaping**

The plans depict landscaping along the perimeter of the drive-thru lanes along the eastern property lines and along a landscape planting strip along the western property line. Shrubs are shown along the exterior of the restaurant within building footprint. Along Durango Drive there

is an existing utility easement that prevents the applicant from planting trees within the landscape strip.

#### Elevations

The plans depict a new 29 foot high (900 square foot) restaurant building. The exterior will consist of stucco finish, metal canopies, decorative wood accent, decorative CMU accent wall and dual clear glazing glass with aluminum frames. The design incorporates a varied roofline and pop-outs. The plans depict the color scheme for the exterior. The proposed restaurant will be constructed with decorative materials and have parapet walls at varying heights to break-up the horizontal roofline.

#### Floor Plans

The plans depict a 900 square foot restaurant with a wash area, restroom, kitchen, and storage. The floor plan shows a window for drive-thru services and another one for walk-up orders. There is a 350 square foot outdoor dining area.

#### Applicant's Justification

The applicant states the proposed retail building has been designed to be architecturally compatible with the existing buildings within the existing shopping center. The residential homes to the west will be buffered by the existing retail pads that fall in between the proposed Shook Shakery and residential homes.

#### Prior Land Use Requests

Application Number	Request	Action	Date
TM-18-500199	1 lot commercial subdivision on 5.3 acres in a C-2 zone - expired	Approved by PC	December 2018
WS-18-0396	Increased height for a freestanding sign	Approved by BCC	July 2018
UC-0920-16	Use permit for residential separation for convenience store, reduce residential setbacks to gasoline/fuel canopy, reduce residential setback to vehicle wash; design review for shopping center, convenience store, gasoline/fuel canopy, vehicle wash and vehicle smog check	Approved by BCC	February 2017
VS-0612-16	Vacated a 10 foot wide pedestrian access, utility, streetlight and traffic control device easement running along the east property line together with a 15 foot wide pedestrian access, utility, street light, and traffic control device easement along the south property line	Approved by PC	October 2016
VS-0521-16	Vacated a 5 foot wide portion of right-of-way being Durango Drive	Approved by PC	September 2016
DR-0656-15	An in-line retail building and site design for a shopping center - expired	Approved by BCC	November 2015

### Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (8 du/ac)	RS3.3	Single-family residential subdivision
South	Urban Neighborhood (greater than 18 du/ac)	RM32	Retail/multi-family residential
East	Business Employment	IP	Undeveloped
West	Mid-Intensity Suburban Neighborhood (8 du/ac)	RM18	Single-family residential subdivision

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

### STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

#### Analysis

##### Comprehensive Planning

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

The proposed restaurant building within the shopping center will be arranged in a way to allow for better circulation and functional relationship of the other retail buildings within the shopping center, pedestrian areas, and internal vehicular circulation. The proposed design of the restaurant is consistent with the rest of the shopping center and has similar materials, colors, and architectural style. In addition, there is sufficient onsite parking throughout the shopping center and the applicant is providing landscaping improvements to the site. Staff can support this design review.

#### Staff Recommendation Approval.

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

### PRELIMINARY STAFF CONDITIONS:

#### Comprehensive 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 approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- Drainage study and compliance;
- Traffic study and compliance.

**Fire Prevention Bureau**

- No comment.

**Clark County Water Reclamation District (CCWRD)**

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0138-2025 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: CIVILWORKS, INC.**

**CONTACT: CIVILWORKS INC, 4945 W. PATRICK LANE, LAS VEGAS, NV 89118**



# Department of Comprehensive Planning Application Form

ASSESSOR PARCEL #(s): 163-32-723-004, 005, 006, & 003

PROPERTY ADDRESS/ CROSS STREETS: 6225 S Durango Dr

## DETAILED SUMMARY PROJECT DESCRIPTION

(1) 900sqft commercial retail pad

## PROPERTY OWNER INFORMATION

NAME: TRIPP FAMILY INVESTMENTS L L C

ADDRESS: 53 Crested Cloud Way

CITY: Las Vegas

STATE: NV

ZIP CODE: 89135

TELEPHONE: \_\_\_\_\_ CELL \_\_\_\_\_ EMAIL: \_\_\_\_\_

## APPLICANT INFORMATION (must match online record)

NAME: Dena Tripp

ADDRESS: 53 Crested Cloud Way

CITY: Las Vegas

STATE: NV

ZIP CODE: 89118

REF CONTACT ID # \_\_\_\_\_

TELEPHONE: \_\_\_\_\_ CELL \_\_\_\_\_ EMAIL: \_\_\_\_\_

## CORRESPONDENT INFORMATION (must match online record)

NAME: Gabriela J. Perez

ADDRESS: 4945 W Patrick Ln

CITY: Las Vegas

STATE: NV

ZIP CODE: 89118

REF CONTACT ID # \_\_\_\_\_

TELEPHONE: \_\_\_\_\_ CELL 702-281-1799 EMAIL: gjp@civilworksonline.com

\*Correspondent will receive all communication on submitted application(s).

(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 and understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

Property Owner (Signature) \*

Property Owner (Print)

Date

## DEPARTMENT USE ONLY

☐ AC

☐ AR

☐ ET

☐ PUDD

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☐ UC

☐ WS

☐ ADR

☐ AV

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☐ VS

☐ ZC

☐ AG

☐ DR

☐ PUD

☐ SDR

☐ TM

☐ WC

OTHER \_\_\_\_\_

APPLICATION # (s) DR-26-0277

PC MEETING DATE 5/20/25

BCC MEETING DATE \_\_\_\_\_

TAB/CAC LOCATION Spring Valley

DATE 4/29/25

ACCEPTED BY [Signature]

DATE

FEES

3/31/25  
\$1,000



February 24, 2025

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

RE: APR-25-100040 Shook Shakery – Design Review Justification Letter

To Whom It May Concern;

Please accept our request for a Design Review of our Shook Shakery project which consist of a new 900sqft retail building with a drive-thru on an existing pad within an existing retail center APN 163-32-723-004 located at 6225 S Durango Dr on behalf of the owner, Tripp Family Investments LLC. There are active planning and zoning application for this retail center identified as ZC-0156-08 and UC-0920-16.

The proposed retail building has been designed to be architecturally compatible with the existing buildings by providing clear glass, stucco finish, accent lights, and metal canopies to match the center. We will also match the existing landscape, have positioned the building to provide maximum view to the center behind it, and have chosen a complimentary wood accent to complement their existing stone accent. The residential homes to the west will be buffered by the existing retail pads that fall in between the proposed Shook Shakery and residential homes.

There are two additional parking stalls proposed; one being accessible. There are also two proposed trees at these parking stalls to meet landscaping requirements; one being Mulga and the other being a Willow Acacia. In the entire site however, there will be three existing trees that will be removed and replaced with new Mulga Acacia's; all other existing landscape to be protected in place. Additional landscaping along Durango Dr is unavailable due to the existing utility boxes but we've maximized landscaping available.

If you have any questions or need any additional information, please do not hesitate to call me at (702)279-3576 or email me at [bap@civilworksonline.com](mailto:bap@civilworksonline.com). Should it be an urgent matter and I am not available, please contact Gabriela J. Perez at (702)281-1799 or email [gjp@civilworksonline.com](mailto:gjp@civilworksonline.com).

Thank you for your consideration.

Respectfully,



Brandon A. Potts  
Principal Engineer



4945 W. Patrick Lane, Las Vegas, NV 89118  
Office: 702.876.3474 • Facsimile: 702.876.1323



February 24, 2025

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

RE: APR-25-100040 Shook Shakery – Design Review Justification Letter

To Whom It May Concern;

Please accept our request for a Design Review of our Shook Shakery project which consist of a new 900sqft retail building with a drive-thru on an existing pad within an existing retail center APN 163-32-723-004 located at 6225 S Durango Dr on behalf of the owner, Tripp Family Investments LLC. There are active planning and zoning application for this retail center identified as ZC-0156-08 and UC-0920-16.

The proposed retail building has been designed to be architecturally compatible with the existing buildings by providing clear glass, stucco finish, accent lights, and metal canopies to match the center. We will also match the existing landscape, have positioned the building to provide maximum view to the center behind it, and have chosen a complimentary wood accent to complement their existing stone accent. The residential homes to the west will be buffered by the existing retail pads that fall in between the proposed Shook Shakery and residential homes.

There are two additional parking stalls proposed; one being accessible. There are also two proposed trees at these parking stalls to meet landscaping requirements; one being Mulga and the other being a Willow Acacia. In the entire site however, there will be three existing trees that will be removed and replaced with new Mulga Acacia's; all other existing landscape to be protected in place. Additional landscaping along Durango Dr is unavailable due to the existing utility boxes but we've maximized landscaping available.

If you have any questions or need any additional information, please do not hesitate to call me at (702)279-3576 or email me at [bap@civilworksonline.com](mailto:bap@civilworksonline.com). Should it be an urgent matter and I am not available, please contact Gabriela J. Perez at (702)281-1799 or email [gjp@civilworksonline.com](mailto:gjp@civilworksonline.com).

Thank you for your consideration.

Respectfully,



Brandon A. Potts  
Principal Engineer

**CivilWorks** LLC  
Engineering with "sensible" solutions tailored to your "specific" needs.

4945 W. Patrick Lane, Las Vegas, NV 89118  
Office: 702.876.3474 • Facsimile: 702.876.1323



05/20/25 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**PA-25-700020-COUNTY OF CLARK(AVIATION):**

**PLAN AMENDMENT** to redesignate the existing land use category from Mid-Intensity Suburban Neighborhood (MN) to Compact Neighborhood (CN) on 8.26 acres.

Generally located on the north side of Russell Road, 300 feet west of Torrey Pines Drive within Spring Valley. MN/gc (For possible action)

RELATED INFORMATION:

**APN:**

163-26-407-003

**EXISTING LAND USE PLAN:**

SPRING VALLEY - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

**PROPOSED LAND USE PLAN:**

SPRING VALLEY - COMPACT NEIGHBORHOOD (UP TO 18 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 8.26
- Existing Land Use: Undeveloped

**Applicant's Justification**

The applicant states that the proposed Compact Neighborhood (CN) land use category is appropriate for the area since it will allow for more diverse housing types in the area while also allowing for infill development.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Public Use	RS20 & PF	Flood channel, single-family residential, & Grant Sawyer Middle School
South	Neighborhood Commercial & Public Use	RS20	Single-family residential & undeveloped
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family residential townhomes

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family residential

**Related Applications**

Application Number	Request
ZC-25-0258	A zone change to reclassify the site from RS20 to RM18 is a companion item on this agenda.
PUD-25-0260	A planned unit development for single-family residential townhomes is a companion item on this agenda.
WS-25-0259	A waivers of development standards for a single-family residential development is a companion item on this agenda.
TM-25-500065	A tentative map for 108 single-family residential lots is a companion item on this agenda.
VS-25-0257	A vacation and abandonment for portions of right-of-way, easements, and a flood control channel is a companion item on this agenda.

**STANDARDS FOR ADOPTION:**

The applicant shall demonstrate the proposed request is consistent with the Master Plan and is in compliance with Title 30.

**Analysis****Comprehensive Planning**

The applicant shall establish the request is consistent with the overall intent of the Master Plan by demonstrating the proposed amendment 1) is based on changed conditions or further studies; 2) is compatible with the surrounding area; 3) will not have a negative effect on adjacent properties or on transportation services and facilities; 4) will have a minimal effect on service provision or is compatible with existing and planned service provision and future development of the area; 5) will not cause a detriment to the public health, safety, and general welfare of the people of Clark County; and 6) adherence to the current goals and policies of the Master Plan would result in a situation neither intended by nor in keeping with other core values, goals, and policies.

The applicant requests a change from Mid-Intensity Suburban Neighborhood (MN) to Compact Neighborhood (CN). Intended primary land uses in the proposed Compact Neighborhood land use category include single-family attached and detached homes, duplexes, triplexes, fourplexes, and townhomes. Supporting land uses include accessory dwelling units, multi-family dwellings, and neighborhood-serving public facilities, such as parks, trails, open space, places of assembly, schools, libraries, and other complementary uses.

The request for Compact Neighborhood (CN) is compatible with the surrounding area. The area has seen an increase in density beyond what is allowed for Mid-Intensity Suburban Neighborhood (MN). A property approximately 350 feet to the west, although planned for Mid-

Intensity Suburban Neighborhood (MN), was recently approved for R-4 zoning per NZC-22-0068 for senior housing at a density of 32.7 du/ac which is even more dense than what Compact Neighborhood (CN) allows. Furthermore, the adjacent RS3.3 zoned single-family residential development to the east was developed as a planned unit development (PUD) at a density of 10 du/ac where under the current code the request would have required the land use category to be changed to Compact Neighborhood (CN). Additionally, arterial streets, such as Russell Road, are appropriate locations for higher density development. The request complies with Policy 1.1.1 of the Master Plan which encourages the provision of diverse housing types at varied densities and in numerous locations in order to provide opportunities to expand "middle" housing options. For these reasons, staff finds the request for the Compact Neighborhood (CN) land use category is appropriate for this location.

#### **Staff Recommendation**

Adopt and direct the Chair to sign a resolution adopting the amendment. This item will be forwarded to the Board of County Commissioners' meeting for final action on June 18, 2025 at 9:00 a.m., unless otherwise announced.

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

#### **STAFF ADVISORIES:**

##### **Fire Prevention Bureau**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised to show on-site fire lane, turning radius, and turnarounds; and that fire/emergency access must comply with the Fire Code as amended.

##### **Clark County Water Reclamation District (CCWRD)**

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

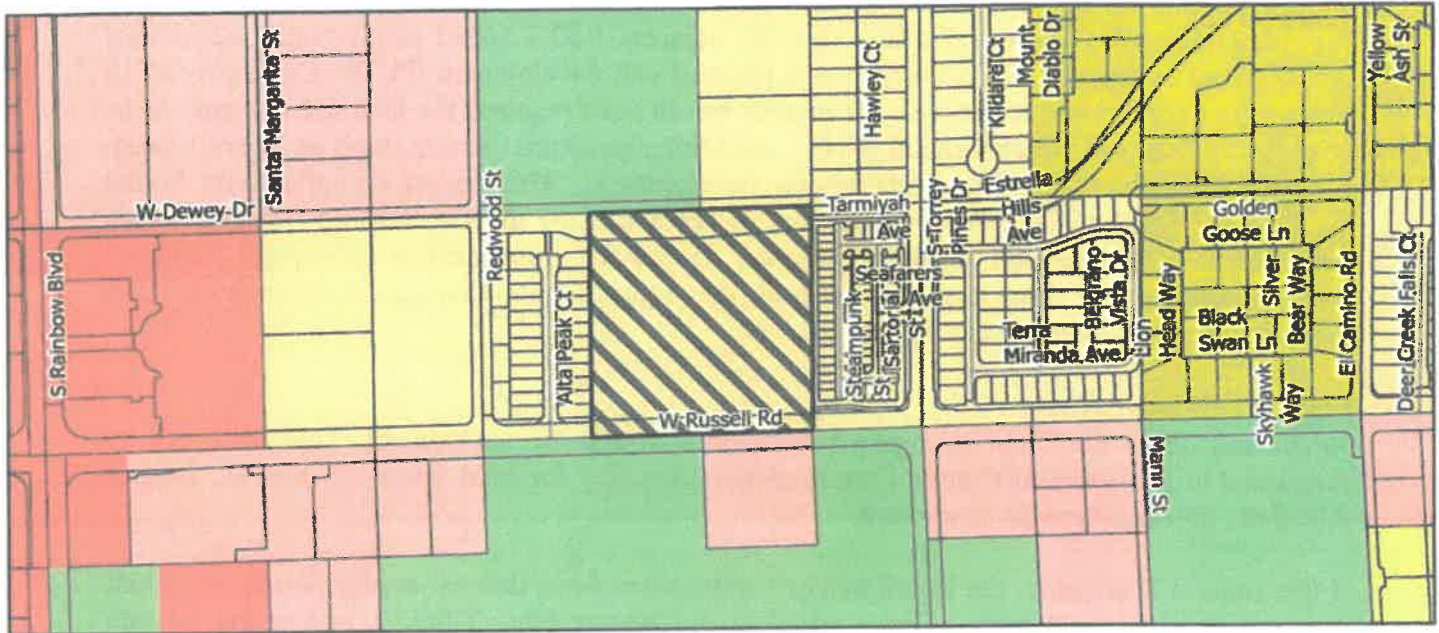
**APPLICANT:** BEAZER HOMES HOLDINGS, LLC

**CONTACT:** DARRYL LATTIMORE, ACTUS, 3283 E. WARM SPRINGS ROAD, SUITE 300, LAS VEGAS, NV 89120

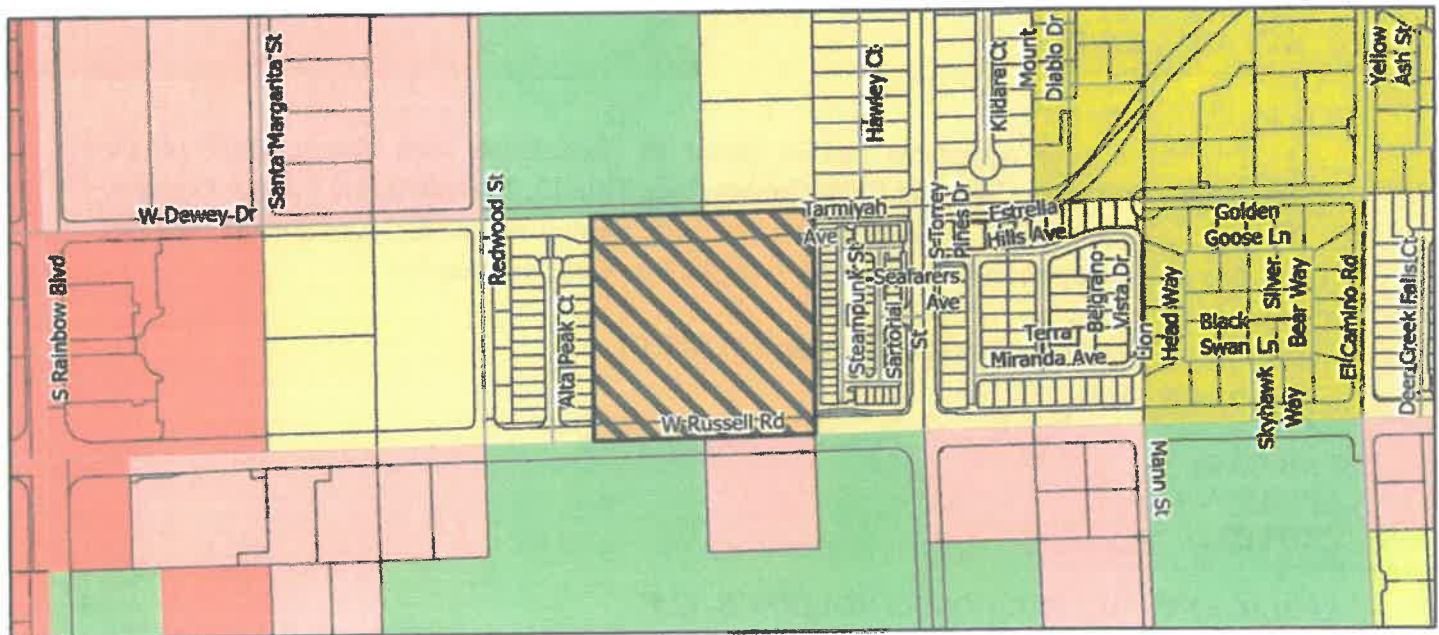


# Planned Land Use Amendment PA-25-700020

**DRAFT**



**Current**



**Requested**

## Neighborhoods

- Outlying Neighborhood (ON)
- Edge Neighborhood (EN)
- Ranch Estate Neighborhood (RN)
- Low-Intensity Suburban Neighborhood (LN)
- Mid-Intensity Suburban Neighborhood (MN)
- Compact Neighborhood (CN)
- Urban Neighborhood (UN)

## Employment

- Business Employment (BE)
- Industrial Employment (IE)

## Commercial and Mixed Use

- Neighborhood Commercial (NC)
- Corridor Mixed-Use (CM)
- Entertainment Mixed-Use (EM)

## Other

- Agriculture (AG)
- Open Lands (OL)
- Public Use (PU)
- Major Projects (MP)

Planning Areas

Requested Area To Change

## Spring Valley Clark County, Nevada

*Note: Categories denoted in the legend may not apply to the presented area.*



# Department of Comprehensive Planning Application Form

2

ASSESSOR PARCEL #(s): 163-26-407-003

PROPERTY ADDRESS/ CROSS STREETS: Torrey Pines Drive and Russell Road

## DETAILED SUMMARY PROJECT DESCRIPTION

Proposed 107 townhome unit community on 8 acres within a proposed PUD requiring a PA/ZC.

## PROPERTY OWNER INFORMATION

NAME: Clark County (Aviation)

ADDRESS: PO Box 11005

CITY: Las Vegas

STATE: NV

ZIP CODE: 89111

TELEPHONE: 702-261-5104

CELL

EMAIL:

## APPLICANT INFORMATION (must match online record)

NAME: Beazer Homes Holdings LLC

ADDRESS: 2490 Paseo Verde Parkway, Suite 120

CITY: Henderson

STATE: NV

ZIP CODE: 89-74

REF CONTACT ID #

TELEPHONE: 702-340-7810

CELL 702-340-7810

EMAIL: eddie.duenas@beazer.com

## CORRESPONDENT INFORMATION (must match online record)

NAME: Actus

ADDRESS: 3283 E. Warm Springs Road Suite 300

CITY: Las Vegas

STATE: NV

ZIP CODE: 89120

REF CONTACT ID #

TELEPHONE: 702-586-9296

CELL 702-403-4174

EMAIL: darryl.lattimore@actus-nv.com

\*Correspondent will receive all communication on submitted application(s).

(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)\*

Shauna Bradley, Director, Clark County RPM

Property Owner (Print)

Date

2/11/2025

<input type="checkbox"/> AC	<input type="checkbox"/> AR	<input type="checkbox"/> AS	<input type="checkbox"/> SN	<input type="checkbox"/> WS
<input type="checkbox"/> ADR	<input type="checkbox"/> AV	<input checked="" type="checkbox"/> FU	<input type="checkbox"/> TL	<input type="checkbox"/> ZC
<input type="checkbox"/>	<input type="checkbox"/> DR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> OTHER

PAID FOR

PA-25-700020

MEETING DATE

5/20/25

MEETING TIME

6:18 PM

TAB/CAC LOCATION

Spring Valley

DATE

410

3/27/25

\$3,200

February 19, 2025



3283 E. Warm Springs Rd. Suite 300  
Las Vegas, NV 89120  
(702) 586-9296

Clark County Comprehensive Planning  
500 South Grand Central Parkway  
Box 551744  
Las Vegas, NV 89155-1744

**Re.: Aster Point  
Land Use Justification Letter  
in support of a Master Plan Amendment  
APN: 163-26-407-003**

**Planner  
Copy**

Dear Staff,

On behalf of our client, Beazer Homes, we are requesting review and approval of a Master Plan Amendment application for the subject property. The applicant will also be applying for a Waiver of Standards, Planned Unit Development, Re-Zone, Tentative Map and Vacation as companion items. Aster Point will consist of one hundred eight (108) single-family attached (townhouse) residential lots and four (4) common lots encompassing the entire 8.26 acre site for a density of 13.08 residential lots per acre. A summation of the requests is stated below and are presented in detail after the summation.

#### **Project Description**

The project consists entirely of 8.26 acres (after 5-foot vacation of ROW and a portion of the northern flood control channel) and is generally located 330 feet west of the intersection of Russell Road and Torrey Pines Way. The project site is located in a portion of the South Half (S ½) of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section 26, Township 21 South, Range 60 East, MDB&M, Nevada commonly known as APN: 163-26-407-003.

The project site is currently zoned as Residential Single Family (RS20) with a land use designation of Mid-Intensity Suburban Neighborhood (MN). The project site is bounded to the North across an existing flood control channel by the existing Sawyer Middle School zoned as Public Facility (PF) with a land use designation of Public Use (PU) and an undeveloped property zoned as RS20 with a land use designation of MN, to the West by an existing residential subdivision zoned as Residential Single Family (RS3.3) with a land use designation of MN, to the South across the Russell Road 100-foot right-of-way by one developed home zoned as RS20 with a land use of Neighborhood Commercial (NC) and undeveloped land zoned as RS20 with a land use designation of PU, and to the East by an existing townhome subdivision zoned as RS3.3 with a land use designation of MN.



## Master Plan Amendment

The applicant is respectfully requesting a Master Plan Amendment from Mid-Intensity Suburban Neighborhood (MN) to Compact Neighborhood (CN) for the subject parcel in support of the proposed residential development. Please note a separate Re-Zone will be processed concurrently to change the existing zoning designation from RS20 to RM18 to allow for development of the currently proposed townhome community.

Several Clark County Land Use Policies within the Clark County Master Development Plan are met with the proposal of this project:

Goal 1.1 Policy 1.1.1: Mix of Housing Types: *Encourage the provision of diverse housing types at varied densities and in numerous locations.*

Said policy specifically encourages development of townhomes as a fulfillment of this policy. The proposed townhomes will range in livable square footage from 1,235 square feet to 2,050 square feet. The project will offer homes for first time buyers and will provide an alternative to traditional single family detached product.

Goal 1.4 Policy 1.4.4: Infill and Redevelopment: *Encourage infill development and redevelopment in established neighborhoods through flexible standards and other regulatory incentives, while promoting compatibility with the scan and intensity of the surrounding area.*

Development of the proposed townhomes will help reduce the number of infill parcels within this neighborhood.

Enterprise Goal EN-2 Policy EN-2.1: Public Facilities Needs Assessment: *Require new development to contribute proportionally towards the provision of necessary public infrastructure in accordance with the PFNA.*

The current Re-zone request will most likely be assessed a PFNA fee.

## Conclusion

We are hopeful that this letter clearly describes the project and the intent of the proposed development. If you have any questions or need any additional information, please feel free to call our office at (702) 586-9296.

Sincerely,



Darryl C. Lattimore, PE  
President



05/20/25 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-25-0258-COUNTY OF CLARK(AVIATION):**

**ZONE CHANGE** to reclassify 8.26 acres from an RS20 (Residential Single-Family 20) Zone to an RM18 (Residential Multi-Family 18) Zone.

Generally located on the north side of Russell Road, 300 feet west of Torrey Pines Drive within Spring Valley (description on file). MN/gc (For possible action)

RELATED INFORMATION:

**APN:**

163-26-407-003

**PROPOSED LAND USE PLAN:**

SPRING VALLEY - COMPACT NEIGHBORHOOD (UP TO 18 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 8.26
- Existing Land Use: Undeveloped

**Applicant's Justification**

The applicant states that the proposed RM18 zoning is more compatible with the surrounding area than the existing zoning on the site since there are townhomes located to the east of the site.

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Public Use	RS20 & PF	Flood channel, single-family residential, & Grant Sawyer Middle School
South	Neighborhood Commercial & Public Use	RS20	Single-family residential & undeveloped
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family residential townhomes
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family residential

### Related Applications

Application Number	Request
PA-25-700020	A plan amendment to redesignate the site from Mid-Intensity Suburban Neighborhood (MN) to Compact Neighborhood (CN) is a companion item on this agenda.
PUD-25-0260	A planned unit development for single-family residential townhomes is a companion item on this agenda.
WS-25-0259	A waivers of development standards for a single-family residential development is a companion item on this agenda.
TM-25-500065	A tentative map for 108 single-family residential lots is a companion item on this agenda.
VS-25-0257	A vacation and abandonment for portions of right-of-way, easements, and a flood control channel is a companion item on this agenda.

### STANDARDS FOR APPROVAL:

The applicant shall demonstrate the proposed request is consistent with the Master Plan and is in compliance with Title 30.

### Analysis

#### Comprehensive Planning

In addition to the standards for approval, the applicant must demonstrate the zoning district is compatible with the surrounding area. The request for RM18 zoning is compatible with the surrounding area. The area has seen an increase in density along with smaller lot sizes. A property approximately 350 feet to the west was recently approved for R-4 zoning per NZC-22-0068 for senior housing at a density of 32.7 du/ac. R-4 zoning is considered more intense than the proposed RM18 zoning. Furthermore, the adjacent RS3.3 zoned single-family residential development to the east was developed as a planned unit development (PUD) at a density of 10 du/ac and an average lot size of 1,202 square feet. Additionally, arterial streets, such as Russell Road, are appropriate locations for more intense or higher density developments. The request complies with Policy 1.1.1 of the Master Plan which encourages the provision of diverse housing types at varied densities and in numerous locations in order to provide opportunities to expand "middle" housing options. For these reasons, staff finds the request for RS3.3 zoning is appropriate for this location.

#### Department of Aviation

The development will penetrate the 100:1 notification airspace surface for Harry Reid International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.02.26B.3(ii) of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

The property lies just outside the AE-60 (60-65 DNL) noise contour for the Harry Reid 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 Harry Reid 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 June 18, 2025 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

### **PRELIMINARY STAFF CONDITIONS:**

#### **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 30.02.26B of the Clark County Unified Development Code. Applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- 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; 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 at [landuse@lasairport.com](mailto:landuse@lasairport.com) 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.

#### **Fire Prevention Bureau**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised to show on-site fire lane, turning radius, and turnarounds; and that fire/emergency access must comply with the Fire Code as amended.

**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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0013-2025 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** BEAZER HOMES HOLDINGS, LLC

**CONTACT:** DARRYL LATTIMORE, ACTUS, 3283 E. WARM SPRINGS ROAD, SUITE 300,  
LAS VEGAS, NV 89120



# Department of Comprehensive Planning Application Form

3

ASSESSOR PARCEL #(s): 163-26-407-003

PROPERTY ADDRESS/ CROSS STREETS: Torrey Pines Drive and Russell Road

## DETAILED SUMMARY PROJECT DESCRIPTION

Proposed 107 townhome unit community on 8 acres within a proposed PUD requiring a PA/ZC.

## PROPERTY OWNER INFORMATION

NAME: Clark County (Aviation)

ADDRESS: PO Box 11005

CITY: Las Vegas

STATE: NV

ZIP CODE: 89111

TELEPHONE: 702-261-5104

CELL

EMAIL:

## APPLICANT INFORMATION (must match online record)

NAME: Beazer Homes Holdings LLC

ADDRESS: 2490 Paseo Verde Parkway, Suite 120

CITY: Henderson

STATE: NV

ZIP CODE: 89124

REF CONTACT ID #

TELEPHONE: 702-340-7810

CELL 702-340-7810

EMAIL: eddie.duenas@beazer.com

## CORRESPONDENT INFORMATION (must match online record)

NAME: Actus

ADDRESS: 3283 E. Warm Springs Road Suite 300

CITY: Las Vegas

STATE: NV

ZIP CODE: 89120

REF CONTACT ID #

TELEPHONE: 702-586-9296

CELL 702-403-4174

EMAIL: darryl.lattimores@actus-nv.com

\*Correspondent will receive all communication on submitted application(s).

(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)\*

Shauna Bradley, Director, Clark County RPM

Property Owner (Print)

Date

2/11/2025

USE ONLY ONE



AC

USE ONLY ONE



AR

USE ONLY ONE



AV

USE ONLY ONE



DR

USE ONLY ONE



FU

USE ONLY ONE



SC

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SN

USE ONLY ONE



TC

USE ONLY ONE



VS

USE ONLY ONE



WV



WS



ZC



OTHER

APPLICATION

ZC-25-0258

FILED DATE

5/20/25

FILED DATE

6/18/25

TAB/CAC LOCATION

Spring Valley

DATE 4/29/25

February 19, 2025



3283 E. Warm Springs Rd. Suite 300  
Las Vegas, NV 89120  
(702) 586-9296

Clark County Comprehensive Planning  
500 South Grand Central Parkway  
Box 551744  
Las Vegas, NV 89155-1744

**Re: Aster Point  
Land Use Justification Letter  
in support of a Re-Zone  
APN: 163-26-407-003**

**Planner  
Copy**

Dear Staff,

On behalf of our client, Beazer Homes, we are requesting review and approval of a Re-zone application for the subject property. The applicant will also be applying for a Waiver of Standards, Planned Unit Development, Master Plan Amendment, Tentative Map and Vacation as companion items. Aster Point will consist of one hundred eight (108) single-family attached (townhouse) residential lots and four (4) common lots encompassing the entire 8.26 acre site for a density of 13.08 residential lots per acre. A summation of the requests is stated below and are presented in detail after the summation.

#### **Project Description**

The project consists entirely of 8.26 acres (after 5-foot vacation of ROW and a portion of the northern flood control channel) and is generally located 330 feet west of the intersection of Russell Road and Torrey Pines Way. The project site is located in a portion of the South Half (S ½) of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section 26, Township 21 South, Range 60 East, MDB&M, Nevada commonly known as APN: 163-26-407-003.

The project site is currently zoned as Residential Single Family (RS20) with a land use designation of Mid-Intensity Suburban Neighborhood (MN). The project site is bounded to the North across an existing flood control channel by the existing Sawyer Middle School zoned as Public Facility (PF) with a land use designation of Public Use (PU) and an undeveloped property zoned as RS20 with a land use designation of MN, to the West by an existing residential subdivision zoned as Residential Single Family (RS3.3) with a land use designation of MN, to the South across the Russell Road 100-foot right-of-way by one developed home zoned as RS20 with a land use of Neighborhood Commercial (NC) and undeveloped land zoned as RS20 with a land use designation of PU, and to the East by an existing townhome subdivision zoned as RS3.3 with a land use designation of MN.



### Zone Change

The applicant is respectfully requesting a zone change from RS20 to RM18 for the subject parcels in support of the proposed residential development. The proposed RM18 zoning classification appears more compatible within the current zoning within proximity of the site including the existing townhome projects zoned as RS3.3 to the east of the project site. Please note a separate Master Plan Amendment will be processed concurrently to change the existing land use of Mid-Intensity Suburban Neighborhood (MN) to Compact Neighborhood (CN) in support of said proposed zone change.

### Conclusion

We are hopeful that this letter clearly describes the project and the intent of the proposed development. If you have any questions or need any additional information, please feel free to call our office at (702) 586-9296.

Sincerely,

A handwritten signature in blue ink, appearing to read "Darryl C. Lattimore", with a horizontal line extending from the end of the signature.

Darryl C. Lattimore, PE  
President



4

**PUBLIC HEARING**

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**

**VS-25-0257-COUNTY OF CLARK(AVIATION):**

**VACATE AND ABANDON** easements of interest to Clark County located between Russell Road and Dewey Drive (alignment) and between Redwood Street and Torrey Pines Drive; a portion of a right-of-way being Russell Road located between Redwood Street and Torrey Pines Drive; and a portion of the Tropicana/Flamingo Wash Flood Control Channel located between Redwood Street and Torrey Pines Drive within Spring Valley (description on file). MN/hw/cv (For possible action)

**RELATED INFORMATION:**

**APN:**

163-26-407-003

**PROPOSED LAND USE PLAN:**

**SPRING VALLEY - COMPACT NEIGHBORHOOD (UP TO 18 DU/AC)**

**BACKGROUND:**

**Project Description**

The plans depict the vacation and abandonment of a flood control channel, a resolution relative to acquisition of right-of-way easement, and a portion of Russell Road. The portion of the Tropicana/Flamingo Wash flood control channel to be vacated is along the north property line of the subject site and runs the length of the north property line. The portion of the flood control channel to be vacated will be between 8 and 27 feet wide. The resolution relative to acquisition of right-of-way easement to be vacated is shown running north to south through the central portion of the site. This easement runs the entire length of the site and is 60 feet wide. Finally, the portion of Russell Road to be vacated is located along the southern portion of the site and will vacate the northern 5 feet of Russell Road. The easement and flood control channel are no longer needed and will not affect the surrounding area, and the vacation of Russell Road is needed for the development of detached sidewalks.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Public Use	RS20 & PF	Single-family residential development & Sawyer Middle School
South	Public Use & Neighborhood Commercial	RS20 (AE-60)	Undeveloped & single-family residential development

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family attached residential development
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family detached residential development

The Flamingo/Tropicana Wash Flood Control Channel is directly north of the site.

**Related Applications**

Application Number	Request
PA-25-700020	A plan amendment to redesignate the site from Mid-Intensity Suburban Neighborhood (MN) to Compact Neighborhood (CN) is a companion item on this agenda.
ZC-25-0258	A zone change to reclassify the site from RS20 to RM18 is a companion item on this agenda.
WS-25-0259	A waivers of development standards for a single-family residential development is a companion item on this agenda.
PUD-25-0260	A planned unit development for an 108 lot single-family attached residential development is a companion item on this agenda.
TM-25-500065	A tentative map for 108 single-family residential lots is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis****Public Works - Development Review**

Staff has no objection to the vacation of easements that are not necessary for the site development and right-of-way for detached sidewalks.

**Staff Recommendation**

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on June 18, 2025 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

**PRELIMINARY STAFF CONDITIONS:****Comprehensive Planning**

- Satisfy utility companies' requirements.

- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

#### **Public Works - Development Review**

- The installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

#### **Building Department - Addressing**

- No comment.

#### **Fire Prevention Bureau**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised to show on-site fire lane, turning radius, and turnarounds; and that fire/emergency access must comply with the Fire Code as amended.

#### **Clark County Water Reclamation District (CCWRD)**

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** BEAZER HOMES HOLDINGS, LLC

**CONTACT:** DARRYL LATTIMORE, ACTUS, 3283 E. WARM SPRINGS ROAD, SUITE 300, LAS VEGAS, NV 89120





# Department of Comprehensive Planning Application Form

4

ASSESSOR PARCEL #(s): 163-26-407-003

PROPERTY ADDRESS/ CROSS STREETS: Torrey Pines Drive and Russell Road

## DETAILED SUMMARY PROJECT DESCRIPTION

Proposed 107 townhome unit community on 8 acres within a proposed PUD requiring a PA/ZC.

## PROPERTY OWNER INFORMATION

NAME: Clark County (Aviation)

ADDRESS: PO Box 11005

CITY: Las Vegas

STATE: NV

ZIP CODE: 89111

TELEPHONE: 702-261-5104

CELL

EMAIL:

## APPLICANT INFORMATION (must match online record)

NAME: Beazer Homes Holdings LLC

ADDRESS: 2490 Paseo Verde Parkway, Suite 120

CITY: Henderson

STATE: NV

ZIP CODE: 89124

REF CONTACT ID #

TELEPHONE: 702-340-7810

CELL 702-340-7810

EMAIL: eddie.duenas@beazer.com

## CORRESPONDENT INFORMATION (must match online record)

NAME: Actus

ADDRESS: 3283 E. Warm Springs Road Suite 300

CITY: Las Vegas

STATE: NV

ZIP CODE: 89120

REF CONTACT ID #

TELEPHONE: 702-586-9296

CELL 702-403-4174

EMAIL: darryl.lattimore@actus-nv.com

\*Correspondent will receive all communication on submitted application(s).

(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)\*

Shauna Bradley, Director, Clark County RPM

Property Owner (Print)

Date

<input type="checkbox"/> AC	<input type="checkbox"/> AR	<input type="checkbox"/>	<input type="checkbox"/> SN	<input type="checkbox"/> WS
<input type="checkbox"/> ADR	<input type="checkbox"/> AV	<input type="checkbox"/> SC	<input type="checkbox"/> TC	<input type="checkbox"/> ZC
<input type="checkbox"/>	<input type="checkbox"/> DR	<input type="checkbox"/> PU	<input type="checkbox"/>	<input checked="" type="checkbox"/> VS
				<input type="checkbox"/> WCL
				<input type="checkbox"/> OTHER

APPLICATION VS-25-0257

RECEIVED DATE 5/20/25

MEETING DATE 6/18/25

TAB/LAC LOCATION Spring Valley

DATE 4/29/25

460

3/27/25

\$1,700

February 19, 2025



3283 E. Warm Springs Rd. Suite 300  
Las Vegas, NV 89120  
(702) 586-9296

Clark County Comprehensive Planning  
500 South Grand Central Parkway  
Box 551744  
Las Vegas, NV 89155-1744

**Re.: Aster Point  
Vacation and Abandonment Justification Letter  
APN: 163-26-407-003**

Dear Staff,

On behalf of our client, Beazer Homes, we are requesting review and approval of a Vacation & Abandonment application. Beazer Homes is proposing to develop a single-family attached townhome residential subdivision on 8.26 acres (after 5-foot vacation of ROW and a portion of the northern flood control channel) located 330 north of the intersection of Russell Road and Torrey Pines Way.

The application is requesting abandonment of the existing onsite Resolution Relative to the Acquisition of right-of-way easement, 5-feet of right-of-way in Russell Road and an unused portion of the existing flood control channel on the northern boundary of the site (see attached Vacation Site Map).

We are hopeful that this letter clearly describes the project and the intent of the proposed development. If you have any questions or need any additional information, please feel free to call our office at (702) 586-9296.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Darryl C. Lattimore'. The signature is fluid and cursive, with a long horizontal stroke at the end.

Darryl C. Lattimore, PE  
President

Planner  
Copy



05/20/25 PC AGENDA SHEET

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**  
**WS-25-0259-COUNTY OF CLARK(AVIATION):**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce the separation from the property line to a residential driveway; **2)** reduce back of curb radius; and **3)** increase the number of dwelling units on private stub streets in conjunction with a proposed single-family attached residential development on 8.26 acres in an RM18 (Residential Multi-Family 18) Zone.

Generally located on the north side of Russell Road, 285 feet west of Torrey Pines Drive within Spring Valley. MN/hw/cv (For possible action)

**RELATED INFORMATION:**

**APN:**  
163-26-407-003

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the separation from the property line to a residential driveway to 3 feet where a minimum of 6 feet is required per Uniform Standard Drawing 222 (a 50% reduction).
2. Reduce the back of curb radius to 10 feet where a minimum radius of 20 feet is required per Uniform Standard Drawing 201 (a 50% reduction).
3. Allow 8 dwelling units on a private stub street where a maximum of 6 dwelling units are permitted per Section 30.04.08E (a 67% increase).

**PROPOSED LAND USE PLAN:**

**SPRING VALLEY - COMPACT NEIGHBORHOOD (UP TO 18 DU/AC)**

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 8.26
- Project Type: Single-Family Attached Residential Development (Townhomes)
- Number of Lots: 108
- Density (du/ac): 13.08
- Minimum/Maximum Lot Size (square feet): 1,210/2,133
- Number of Stories: 2 to 3
- Building Height (feet): 38
- Square Feet: 1,783 (Unit Minimum)/3,240 (Unit Maximum)/7,557 (Building Minimum) / 10,856 (Building Maximum)
- Open Space Required/Provided: 12,960/13,366
- Parking Required/Provided: 238/265

### Site Plan

The plans provided show a proposed single-family attached townhome subdivision that will be located on an 8.26 acre site located on the north side of Russell Road approximately 285 feet west of Torrey Pines Drive. The site will be subdivided into a total of 108 lots with a density of 13.08 dwelling units per acre and will be accessed solely from Russell Road in the south through a 38 foot wide private street. This street will then run south to north and will extend the length of the proposed subdivision and will connect with a secondary 37 foot wide private street that will run east to west along the length of the north property line and will terminate in 30 foot stubs. From this east-west private street, two other 38 foot wide secondary north-south streets will extend off and run south for the length of the development parallel to the main entry street. The eastern north-south street will have 4 smaller stub street extending off it approximately every 125 feet. These small stub streets will run west to east and will be 30 feet wide and 127 feet long. The smaller stub street will serve 8 lots with 4 lots on each side. For most lots, the distance between the edge of the driveway and the property line is 3 feet, especially for those units that will be in the middle of buildings. The internal street minimum back of curb radii is 10 feet adjacent to the proposed stub streets.

### Applicant's Justification

The wet utility and dry utility designs for this type of product vary from typical single-family detached product and 6 feet isn't necessary to provide all necessary facilities to the buildings. Reduction of this separation is a typical pattern with single-family attached products. The reduced radii are only being requested adjacent to proposed stub streets (less than 150 feet in length) and that fire access/turning movements are not hindered by this request as fire trucks do not drive down stub streets less than 150 feet in depth. The proposed 30 foot wide stub streets do not allow for on-street parking and will have minimal pedestrian traffic as this rear loaded townhome provides sidewalk at the rear of the home. Stub streets can be 25 feet in width, therefore the additional street width and no on-street parking requirement should adequately support the additional 4 units on the proposed stub streets.

### Surrounding Land Use

	Planned Land Use Category		Zoning District (Overlay)	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Public Use		RS20 & PF	Single-family residential development & Sawyer Middle School
South	Public Use & Commercial	Neighborhood	RS20 (AE-60)	Undeveloped & single-family residential development
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)		RS3.3	Single-family attached residential development
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)		RS3.3	Single-family detached residential development

The Flamingo/Tropicana Wash Flood Control Channel is directly north of the site.

### Related Applications

Application Number	Request
PA-25-700020	A plan amendment to redesignate the site from Mid-Intensity Suburban Neighborhood (MN) to Compact Neighborhood (CN) is a companion item on this agenda.
ZC-25-0258	A zone change to reclassify the site from RS20 to RM18 is a companion item on this agenda.
PUD-25-0260	A planned unit development for an 108 lot single-family attached residential development is a companion item on this agenda.
TM-25-500065	A tentative map for 108 single-family residential lots is a companion item on this agenda.
VS-25-0257	A vacation and abandonment for portions of right-of-way, easements, and a flood control channel is a companion item on this agenda.

### STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

### Analysis

#### Comprehensive Planning

##### Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

#### Public Works - Development Review

##### Waiver of Development Standards #1

Staff has no objection to the reduction in the distance from the driveway to the property line. The applicant provided open space to act as a buffer between each of the unit blocks to minimize hazards for drivers traveling through the site and exiting their garages.

##### Waiver of Development Standards #2

Staff has no objection to the request to reduce the back of curb radius on the private streets. The streets should see a lower volume of traffic helping to mitigate potential impacts from the reduction.

##### Waiver of Development Standards #3

Staff cannot support the request to allow for 8 units on a stub street. The increase in the number of units on a stub street will create challenges for large vehicles such as fire trucks, delivery vehicles and trash trucks as they will need to back out the increased distance. The added lots will

increase the chance of pedestrian and vehicle collisions with those traveling along the stub street. A maximum of 6 units is set by Title 30 to prevent such instances from occurring.

#### **Department of Aviation**

The development will penetrate the 100:1 notification airspace surface for Harry Reid International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.02.26B.3(ii) of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

The property lies just outside the AE-60 (60-65 DNL) noise contour for the Harry Reid 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 Harry Reid 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 June 18, 2025 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

#### **PRELIMINARY STAFF CONDITIONS:**

##### **Comprehensive Planning**

- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

##### **Public Works - Development Review**

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- The installation of detached sidewalks will require the vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

#### **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 30.02.26B of the Clark County Unified Development Code. Applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- 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; 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 at [landuse@lasairport.com](mailto:landuse@lasairport.com) 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.

#### **Fire Prevention Bureau**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised to show on-site fire lane, turning radius, and turnarounds; and that fire/emergency access must comply with the Fire Code as amended.

#### **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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0013-2025 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** BEAZER HOMES HOLDINGS, LLC

**CONTACT:** DARRYL LATTIMORE, ACTUS, 3283 E. WARM SPRINGS ROAD, SUITE  
300, LAS VEGAS, NV 89120

DRAFT





# Department of Comprehensive Planning Application Form

5

ASSESSOR PARCEL #(s): 163-26-407-003

PROPERTY ADDRESS/ CROSS STREETS: Torrey Pines Drive and Russell Road

## DETAILED SUMMARY PROJECT DESCRIPTION

Proposed 107 townhome unit community on 8 acres within a proposed PUD requiring a PA/ZC.

## PROPERTY OWNER INFORMATION

NAME: Clark County (Aviation)

ADDRESS: PO Box 11005

CITY: Las Vegas

STATE: NV

ZIP CODE: 89111

TELEPHONE: 702-261-5104

CELL

EMAIL:

## APPLICANT INFORMATION (must match online record)

NAME: Beazer Homes Holdings LLC

ADDRESS: 2490 Paseo Verde Parkway, Suite 120

CITY: Henderson

STATE: NV

ZIP CODE: 89-74

REF CONTACT ID #

TELEPHONE: 702-340-7810

CELL 702-340-7810

EMAIL: eddie.duenas@beazer.com

## CORRESPONDENT INFORMATION (must match online record)

NAME: Actus

ADDRESS: 3283 E. Warm Springs Road Suite 300

CITY: Las Vegas

STATE: NV

ZIP CODE: 89120

REF CONTACT ID #

TELEPHONE: 702-586-9296

CELL 702-403-4174

EMAIL: darryl.lattimore@actus-nv.com

\*Correspondent will receive all communication on submitted application(s).

(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)\*

Shauna Bradley, Director, Clark County RPM

Property Owner (Print)

Date

<input type="checkbox"/> AC	<input type="checkbox"/> AR	<input type="checkbox"/>	<input type="checkbox"/> SC	<input type="checkbox"/> SN	<input type="checkbox"/>	<input checked="" type="checkbox"/> WS
<input type="checkbox"/> ADR	<input type="checkbox"/> AV	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> TL	<input type="checkbox"/> VS	<input type="checkbox"/> ZC
<input type="checkbox"/>	<input type="checkbox"/> DR	<input type="checkbox"/> FU	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> WCL	<input type="checkbox"/> OTHER

FILED DATE

WS-25-0259

FILED DATE

5/20/25

FILED DATE

6/18/25

TAB/EAC LOCATION

Spring Valley

DATE 4/29/25

February 19, 2025



3283 E. Warm Springs Rd. Suite 300  
Las Vegas, NV 89120  
(702) 586-9296

Clark County Comprehensive Planning  
500 South Grand Central Parkway  
Box 551744  
Las Vegas, NV 89155-1744

**Re.: Aster Point  
Land Use Justification Letter  
in support of a Waiver of Standards  
APN: 163-26-407-003**

Planner  
Copy

Dear Staff,

On behalf of our client, Beazer Homes, we are requesting review and approval of a Waiver of Standards for the subject property. The applicant will also be applying for a Rezone, Master Plan Amendment, Tentative Map, Planned Unit Development and Vacation as companion items. Aster Point will consist of one hundred eight (108) single-family attached (townhouse) residential lots and four (4) common lots encompassing the entire 8.26 acre site (after 5-foot vacation of ROW and a portion of the northern flood control channel) for a density of 13.08 residential lots per acre. A summation of the requests is stated below and are presented in detail after the summation.

**Summary of Requests:**

Re-Zone: RS20 to RM18 (Per separate application)

Master Plan

Amendment: MN to CN (Per separate application)

Vacation: ROW (Per separate application)

PUD (per separate application):

1. Modified Setbacks from RM18 (RS2) requirements. See **Setbacks/Separations below**
2. Decrease Minimum Lot Size from 1,800 sf to 1,210 square feet.
3. Increase Building Height for three story option to 38 feet where 35 feet is required per *Title 30.02.09.B* (8.6% increase). See ***Floor Plans and Elevations Section for Justification.***
4. Reduced 15-foot Perimeter Landscape Buffer adjacent to end of stub streets to 10 feet.
5. Modify the Residential Adjacency requirement of maximum fill adjacent to another residential property (30.06.F)

6. Allow 6-foot wall (decorative CMU screen or wrought iron fence) where an 8-foot decorative screen wall is required *Title 30.04.02.C.1.i*

**Waiver of Standards (Public Works):**

1. Reduce distance from property line to driveway to 3 feet where 6 feet is required per *Uniform Standard Drawing 222* (50% reduction)
2. Reduce the internal street back of curb radii to 10 feet where 20 feet is required per *Uniform Standard Drawing 201* (50% reduction)
3. Allow 8 units in a 150-foot stub street where a maximum of 6 units is allowed 30.04.08.E.3.i (67% increase)

**Project Description**

The project consists entirely of 8.26 acres (after 5-foot vacation of ROW and a portion of the northern flood control channel) and is generally located 330 feet west of the intersection of Russell Road and Torrey Pines Way. The project site is located in a portion of the South Half (S ½) of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section 26, Township 21 South, Range 60 East, MDB&M, Nevada commonly known as APN: 163-26-407-003.

The project site is currently zoned as Residential Single Family (RS20) with a land use designation of Mid-Intensity Suburban Neighborhood (MN). The project site is bounded to the North across an existing flood control channel by the existing Sawyer Middle School zoned as Public Facility (PF) with a land use designation of Public Use (PU) and an undeveloped property zoned as RS20 with a land use designation of MN, to the West by an existing residential subdivision zoned as Residential Single Family (RS3.3) with a land use designation of MN, to the South across the Russell Road 100-foot right-of-way by one developed home zoned as RS20 with a land use of Neighborhood Commercial (NC) and undeveloped land zoned as RS20 with a land use designation of PU, and to the East by an existing townhome subdivision zoned as RS3.3 with a land use designation of MN.

**Waiver of Standards**

Aster Point will consist of one hundred eight (108) single-family attached (townhouse) residential lots and four (4) common lots encompassing the entire 8.26 acre site for a density of 13.08 residential lots per acre. The project site will utilize a 38-foot wide and 37-foot wide private streets, as well as 30-foot wide stub streets.

The distance from property line to driveway is being requested to be reduced from 6 feet to 3 feet (**PW Waiver of Development Standards #1**). The wet utility and dry utility designs for this type of product vary from typical single family detached product and 6 feet isn't necessary to provide all necessary facilities to the buildings. Reduction of this separation is a typical pattern with single family attached products. The developer is requesting a reduction in the internal street minimum back of curb radii in UDS 201 from 20 feet to 10 feet (**PW Waiver of Development Standards #2**). Please note that the reduced radii are only being requested adjacent to proposed stub streets (less than 150 feet in length) and that fire access/turning movements are not hindered by this request as fire trucks do not drive down stub streets less than 150 feet in depth. The applicant is requesting that 8 townhomes units be

allowed to reside on a 150-foot stub street where a maximum of 6 townhome units are allowed (**PW Waiver of Development Standards #3**) for Lots 85 to 108. The proposed 30-foot wide stub streets do not allow for on-street parking and will have minimal pedestrian traffic as this rear loaded townhome provides sidewalk at the rear of the home. Stub streets can be 25-feet in width, therefore the additional street width and no on-street parking requirement should adequately support the additional 4 units on the proposed stub streets.

### **Conclusion**

We are hopeful that this letter clearly describes the project and the intent of the proposed development. If you have any questions or need any additional information, please feel free to call our office at (702) 586-9296.

Sincerely,

A handwritten signature in blue ink, appearing to read "Darryl C. Lattimore".

Darryl C. Lattimore, PE  
President

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**PUD-25-0260-COUNTY OF CLARK(AVIATION):**

**PLANNED UNIT DEVELOPMENT** for a 108 lot single-family attached residential development with modified development standards on 8.26 acres in an RM18 (Residential Multi-Family 18) Zone.

Generally located on the north side of Russell Road, 285 feet west of Torrey Pines Drive within Spring Valley. MN/hw/cv (For possible action)

RELATED INFORMATION:

**APN:**

163-26-407-003

**PROPOSED LAND USE PLAN:**

SPRING VALLEY - COMPACT NEIGHBORHOOD (UP TO 18 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 8.26
- Project Type: Single-Family Attached Residential Development (Townhomes)
- Number of Lots: 108
- Density (du/ac): 13.08
- Minimum/Maximum Lot Size (square feet): 1,210/2,133
- Number of Stories: 2 to 3
- Building Height (feet): 38
- Square Feet: 1,783 (Unit Minimum)/3,240 (Unit Maximum)/7,557 (Building Minimum) / 10,856 (Building Maximum)
- Open Space Required/Provided: 12,960/13,366
- Parking Required/Provided: 238/265

**Site Plans**

The plans provided show a proposed single-family attached townhome subdivision that will be located on an 8.26 acre site located on the north side of Russell Road approximately 285 feet west of Torrey Pines Drive. The site will be subdivided into a total of 108 lots with a density of 13.08 dwelling units per acre and will be accessed solely from Russell Road in the south through a 38 foot wide private street. This main private street will run south to north and will extend the length of the proposed subdivision. This street will then connect with a secondary 37 foot wide private street that will run east to west along the length of the north property line and will terminate in 30

foot stubs. From this east-west private street, two other 38 foot wide secondary north-south streets will extend off and run south for the length of the development parallel to the main entry street. One of the second north-south streets will be 155 feet west of the main entry street and the other will be 155 feet to the east of the main entry street. The western north-south street will terminate in a cul-de-sac while the eastern north-south street will terminate in a stub. The eastern north-south street will have 4 smaller stub street extending off it approximately every 125 feet. These small stub streets will run west to east and will be 30 feet wide and 127 feet long. There will be rows of 14 to 18 lots on each side of the main and western private street with 17 lots located along the west side of the eastern private street. The smaller stub street will serve 8 lots with 4 lots on each side. All lots will front the streets but will access, in the rear, a system of pedestrian walkways and open spaces. The pedestrian walkways will connect to all lots and open space areas as well as Russell Road. The lots will range in size from 1,210 square feet up to 2,133 square feet. The lots shown are generally split into lots with a 20 foot driveway and lots with a 5 foot driveway. The lots with 5 foot driveways will all access the smaller stubs along the eastern portion of the site (Lots 85 to 108) while the lots with 20 foot driveway will access the main or secondary north-south streets (Lots 1 to 84). Parking is provided by the 2 car garages that each lot will be provided as well as by 49 off-street parking stalls located on the south side of the east-west private street and on the east side of the eastern north-south private street. A total of 236 parking spaces are required for the site with 265 parking spaces provided. As part of this PUD request, the applicant is requesting modified development standards which include the following:

Proposed Setbacks	RM18 Standards	Lots 1-84	Lots 84-108
Front (Garage)	20	20	5
Front (Living)	20	20	5 1 <sup>st</sup> story 4 2 <sup>nd</sup> story
Rear (Living)	15	4	4
Rear (Leading Edge of Patio/Porch)	5	0	0
Side Interior (Attached Units)	0	0	0
Side Interior (Side Not Attached)	5	5	5
Side Street	10	10	10

Other Proposed Modifications	Title Standards	30	Proposed Standards	Percent Change
Minimum Lot Size (Square Feet)	1,800		1,210	33% Reduction
Building Height (Feet)	35		38	8.5% Increase
Screening Buffer Width (Feet)	15		10	50% Reduction
Screening Buffer Wall Height (Feet)	8		6	33% Reduction
Fill Height within 5 Feet of a Shared Residential Property Line (Feet)	3		4	33% Increase

#### Landscaping

Along Russell Road, a 15 foot wide landscape area is proposed consisting of a 5 foot wide landscaping strip along the street followed by a 5 foot wide detached sidewalk, and then another 5



foot wide landscaping strip. Within these landscaping areas, Shoestring Acacia (*Acacia Stenophylla*) trees are provided every 30 feet on center and staggered on each side of the provided detached sidewalk. In total, there are 18 trees provided along Russell Road where 18 large trees are required. The applicant is proposing a screening buffer along the east and west property lines. These buffer areas are 19 to 20 feet wide along the west property line and 15 to 20 feet along the east property line. A double row of evergreen trees spaces every 10 feet on center is provided within these buffering areas. The trees provided are an alternating mix of Shoestring Acacia and Mulga (*Acacia Aneura*) trees. A 6 foot tall wall is associated with this landscape buffer. Within the interior of the site, 3 common open spaces are being proposed. These 3 areas range in size from 2,075 square feet up to 5,686 square feet and are located in the northeast and southwest corners of the site along with the south-central portion of the site. All 3 areas will contain a mix of amenities, including BBQ grills, shade structures, dog relief areas, trails, and picnic areas. A total of 13,366 square feet of open space is being provided where 12,960 square feet is required. Additionally, parking lot landscaping is being provided every 3 to 6 spaces within required finger islands.

#### Elevations

The elevations provided show the exterior design of the homes within the development will have a similar and unified design between each building. All buildings are either 2 or 3 stories tall and range in height from 27.2 feet to 36.2 feet. All residences are shown to consist of neutral painted stucco, gabled and offset roofs with concrete tile shingles, window accents and recessing, variations in roofline, and building pop-outs and extensions. All models are shown with a covered entry area and upper level balcony, stone veneer accents, awnings, and significant fenestration.

#### Floor Plan

Each unit will range in size from 1,783 square feet up to 3,240 square feet, including garage space, spread across 2 to 3 stories. Each model is shown to have 3 to 4 bedrooms with options that include walk-in closets, ensuite bathrooms, large living and dining spaces, game rooms, and gourmet kitchens. All homes have garage space for 2 cars. Each building will contain between 4 and 6 units and will range in size from 7,557 square feet up to 10,856 square feet.

#### Applicant's Justification

The PUD will not adversely affect the surrounding property. Development of this infill parcel is compatible and harmonious with adjacent uses as there is an existing townhome community zoned RS3.3 to the east of the project site, as well as an existing residential subdivision zoned RS3.3 to the west. The building heights and material of the proposed buildings are compatible with the surrounding communities. This community will propose alternative setbacks and development waivers conducive with a townhome development. All the setbacks are internal to the project site while the perimeter setbacks are maintained to not negatively impact surrounding communities. The project site will have like transitioning by maintaining appropriate buffering and similar building heights. Three story options will not be offered along future homes on the west side of the project (Lots 1 to 14) against the existing single-family detached homes. The 4-plex units are currently two story townhomes and are adjacent to both existing two story and three-story townhomes to the east of the project. The existing development to the west and east of the proposed development have existing retaining walls ranging from 3 feet to 8 feet in height as was deemed necessary for development of those sites. The current project site has similar design constraints

and must fill in approximately 4 feet on the western boundary of the site. The eastern boundary of the site can maintain the required fill.

#### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Public Use	RS20 & PF	Single-family residential development & Sawyer Middle School
South	Public Use & Neighborhood Commercial	RS20 (AE-60)	Undeveloped & single-family residential development
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family attached residential development
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family detached residential development

The Flamingo/Tropicana Wash Flood Control Channel is directly north of the site.

#### **Related Applications**

<b>Application Number</b>	<b>Request</b>
PA-25-700020	A plan amendment to redesignate the site from Mid-Intensity Suburban Neighborhood (MN) to Compact Neighborhood (CN) is a companion item on this agenda.
ZC-25-0258	A zone change to reclassify the site from RS20 to RM18 is a companion item on this agenda.
WS-25-0259	A waivers of development standards for a single-family residential development is a companion item on this agenda.
TM-25-500065	A tentative map for 108 single-family residential lots is a companion item on this agenda.
VS-25-0257	A vacation and abandonment for portions of right-of-way, easements, and a flood control channel is a companion item on this agenda.

#### **STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

#### **Analysis**

##### **Comprehensive Planning**

##### **Planned Unit Development**

A Planned Unit Development (PUD) shall comply with Title 30, except where modifications are requested through the PUD plan. Additionally, the PUD shall address a unique situation, provide substantial benefit to the County, or incorporate a greater level of building design quality, community amenities, and connectivity than would be required if the project were not being developed in a PUD, and be adequately served by public facilities such as schools, fire protection, law enforcement, water, wastewater, streets, public services, and parks. In the case of proposed

residential development, the applicant shall also demonstrate buildings and uses are compatible with the character of the surrounding area.

The proposed residential development is similar in character to other developments within the area. There is a similar townhome development to the east of the site and a smaller medium density single-family detached residential community to the west. In addition, the proposed development will help to activate a long-term unused area and act as an in-fill development in the area. It will also help to create a mixed-income area by incorporating the development's housing product into an area with established neighborhoods that consist of a mix of small and large lot housing communities increasing the number of housing options within the area. In terms of the design of the proposed residential development, the proposed architecture and garage styles are like the residential development to the east and is consistent with newer townhouse development designs. The proposed design of the lots is orderly with there being a clear distinction in the location of the lots with large driveways and the lots with small driveway along corresponding streets. The street system also allows for ease of access to the community spaces, but also to Russell Road. The location of the site along Russell Road is between both Rainbow Boulevard and Torrey Pines Drive which allows for access to both the local and regional area, while also providing access to high frequency rapid transit along Rainbow Boulevard and the commercial areas along Rainbow Boulevard. The surrounding neighborhood has access to several schools as well. Staff finds that the development's use of open space and open area exceeds what is required for such a development. The open space being provided allows for access to programmed open space for community activities and active and passive recreation. The non-programmed buffering and screening areas will also allow for a reduction to the urban heat island effect, increase the privacy of the community, and add to the overall beautification of the area. The proposed internal network of pedestrian walkways through landscaped common elements helps to create a sense of community and allows for a more pleasant connection to the street and the other portions of the community. Additionally, the separation of pedestrian and car spaces also helps increase safety. Parking is well supplied within the community through garage spaces and off-street parking stalls and the roads sufficiently wide to prevent potential circulation issues. Overall, staff finds the proposed development will comply with Master Plan Policies 1.1.1, 1.1.2, 1.3.2, 1.4.4, and Spring Valley-specific Policy SV-1.1, which encourage in-fill development, a mix of housing types, and the location of housing near major transit corridors. For these reasons, staff can support this request.

#### **Department of Aviation**

The development will penetrate the 100:1 notification airspace surface for Harry Reid International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.02.26B.3(ii) of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

The property lies just outside the AE-60 (60-65 DNL) noise contour for the Harry Reid 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 Harry Reid 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 June 18, 2025 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

### **PRELIMINARY STAFF CONDITIONS:**

#### **Comprehensive Planning**

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

#### **Public Works - Development Review**

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- The installation of detached sidewalks will require the vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

#### **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 30.02.26B of the Clark County Unified Development Code. Applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- 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; 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 at [landuse@lasairport.com](mailto:landuse@lasairport.com) 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.

#### **Fire Prevention Bureau**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised to show on-site fire lane, turning radius, and turnarounds; and that fire/emergency access must comply with the Fire Code as amended.

#### **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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0013-2025 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT:** BEAZER HOMES HOLDINGS, LLC  
**CONTACT:** DARRYL LATTIMORE, ACTUS, 3283 E. WARM SPRINGS ROAD, SUITE 300,  
LAS VEGAS, NV 89120





# Department of Comprehensive Planning Application Form

6

ASSESSOR PARCEL #(s): 163-26-407-003

PROPERTY ADDRESS/ CROSS STREETS: Torrey Pines Drive and Russell Road

## DETAILED SUMMARY PROJECT DESCRIPTION

Proposed 107 townhome unit community on 8 acres within a proposed PUD requiring a PA/ZC.

## PROPERTY OWNER INFORMATION

NAME: Clark County (Aviation)

ADDRESS: PO Box 11005

CITY: Las Vegas

STATE: NV

ZIP CODE: 89111

TELEPHONE: 702-261-5104

CELL

EMAIL:

## APPLICANT INFORMATION (must match online record)

NAME: Beazer Homes Holdings LLC

ADDRESS: 2490 Paseo Verde Parkway, Suite 120

CITY: Henderson

STATE: NV

ZIP CODE: 89-74

REF CONTACT ID #

TELEPHONE: 702-340-7810

CELL 702-340-7810

EMAIL: eddie.duenas@beazer.com

## CORRESPONDENT INFORMATION (must match online record)

NAME: Actus

ADDRESS: 3283 E. Warm Springs Road Suite 300

CITY: Las Vegas

STATE: NV

ZIP CODE: 89120

REF CONTACT ID #

TELEPHONE: 702-586-9296

CELL 702-403-4174

EMAIL: darryl.lattimore@actus-nv.com

\*Correspondent will receive all communication on submitted application(s).

(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)

Shauna Bradley, Director, Clark County RPM

Property Owner (Print)

Date

<input type="checkbox"/> AC	<input type="checkbox"/> AR	<input type="checkbox"/>	<input type="checkbox"/> SN	<input type="checkbox"/> WS
<input type="checkbox"/> ADR	<input type="checkbox"/> AV	<input type="checkbox"/> SC	<input type="checkbox"/> TC	<input type="checkbox"/> ZC
<input type="checkbox"/>	<input type="checkbox"/> DR	<input checked="" type="checkbox"/> PU	<input type="checkbox"/>	<input type="checkbox"/> WCL
				<input type="checkbox"/> OTHER

PROJECT ID

PUD-25-0260

APPLICANT DATE

5/20/25

APPLICANT DATE

6/18/25

FEES

3671.25

LL

\$2,000

TAB/CAC LOCATION

Spring Valley

DATE 4/29/25



February 19, 2025



3283 E. Warm Springs Rd. Suite 300  
Las Vegas, NV 89120  
(702) 586-9296

Clark County Comprehensive Planning  
500 South Grand Central Parkway  
Box 551744  
Las Vegas, NV 89155-1744

**Re.: Aster Point  
Land Use Justification Letter  
in support of a Planned Unit Development  
APN: 163-26-407-003**

Planner  
Copy

Dear Staff,

On behalf of our client, Beazer Homes, we are requesting review and approval of a Planned Unit Development for the subject property. The applicant will also be applying for a Rezone, Master Plan Amendment, Tentative Map, Waiver of Standards (Public Works) and Vacation as companion items. Aster Point will consist of one hundred eight (108) single-family attached (townhouse) residential lots and four (4) common lots encompassing the entire 8.26 acre site (after 5-foot vacation of ROW and a portion of the northern flood control channel) for a density of 13.08 residential lots per acre. A summation of the requests is stated below and are presented in detail after the summation.

**Summary of Requests:**

Re-Zone: RS20 to RM18 (Per separate application)

Master Plan

Amendment: MN to CN (Per separate application)

Vacation: ROW (Per separate application)

PUD:

1. Modified Setbacks from RM18 (RS2) requirements. See **Setbacks/Separations below**
2. Decrease Minimum Lot Size from 1,800 sf to 1,210 square feet.
3. Increase Building Height for three story option to 38 feet where 35 feet is required per *Title 30.02.09.B* (8.6% increase). See ***Floor Plans and Elevations Section for Justification.***
4. Reduced 15-foot Perimeter Landscape Buffer adjacent to end of stub streets to 10 feet.
5. Modify the Residential Adjacency requirement of maximum fill adjacent to another residential property (30.06.F)

6. Allow 6-foot wall (decorative CMU screen or wrought iron fence) where an 8-foot decorative screen wall is required *Title 30.04.02.C.1.i*

Waiver of Standards (Public Works per separate application):

1. Reduce distance from property line to driveway to 3 feet where 6 feet is required per *Uniform Standard Drawing 222* (50% reduction)
2. Reduce the internal street back of curb radii to 10 feet where 20 feet is required per *Uniform Standard Drawing 201* (50% reduction)
3. Allow 8 units in a 150-foot stub street where a maximum of 6 units is allowed *30.04.08.E.3.i* (67% increase)

### **Project Description**

The project consists entirely of 8.26 acres (after 5-foot vacation of ROW and a portion of the northern flood control channel) and is generally located 330 feet west of the intersection of Russell Road and Torrey Pines Way. The project site is located in a portion of the South Half (S ½) of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section 26, Township 21 South, Range 60 East, MDB&M, Nevada commonly known as APN: 163-26-407-003.

The project site is currently zoned as Residential Single Family (RS20) with a land use designation of Mid-Intensity Suburban Neighborhood (MN). The project site is bounded to the North across an existing flood control channel by the existing Sawyer Middle School zoned as Public Facility (PF) with a land use designation of Public Use (PU) and an undeveloped property zoned as RS20 with a land use designation of MN, to the West by an existing residential subdivision zoned as Residential Single Family (RS3.3) with a land use designation of MN, to the South across the Russell Road 100-foot right-of-way by one developed home zoned as RS20 with a land use of Neighborhood Commercial (NC) and undeveloped land zoned as RS20 with a land use designation of PU, and to the East by an existing townhome subdivision zoned as RS3.3 with a land use designation of MN.

### **Planned Unit Development**

Aster Point will consist of one hundred eight (108) single-family attached (townhouse) residential lots and four (4) common lots encompassing the entire 8.26 acre site for a density of 13.08 residential lots per acre. Said density will not exceed the maximum density of 18 units per acre allowed within the proposed RM18 zoning within *Clark County Title 30.02.09*.

The PUD will not adversely affect the surrounding property. Development of this infill parcel is compatible and harmonious with adjacent uses as there is an existing townhome community (zoned R3.3) to east of the project site, as well as an existing residential subdivision zoned as RS3.3 to the west. The building heights and material of the proposed buildings are compatible with the surrounding communities. This community will propose alternative setbacks and development waivers conducive with a townhome development. The project site will have like transitioning by maintaining appropriate buffering and similar building heights. Lots within the project site range in size from 1,210 gross square feet to 2,133 square feet with an average lot size of 1,632 square feet. One PUD request (PUD

Standard #2) is to allow a minimum of 1,210 square feet in lieu of the minimum 1,800 square feet is being requested at this time.

### Setbacks/Separations

The applicant is requesting the following modified setbacks (not including architectural encroachments) with the PUD (PUD Standard #1). :

- Front Garage Setback: 5 foot driveway to private street (Lots 85 to Lot 108)
- Front (Living) Setback: 4 feet from living area to private street (Lot 85 to Lot 108)
- Rear Living Setback: 4 feet to Common Element
- Rear Porch/Patio Setback: 0 feet to Common Element (leading edge)
- Side Setback: 0 feet between units
- Corner Setback: 10 feet to private street

The setbacks required are conducive within a townhome development. All of the setbacks are internal to the project site while the perimeter setbacks are maintained to not negatively impact surrounding communities. Please note that Lots 1 to 84 will utilize a 20-foot garage setback.

### Parking Analysis

The required parking for this development as follows:

Spaces per Unit: 216 garage spaces (2 spaces per each of the proposed 108 Units)  
Visitor Parking: 22 spaces (1 space per every 5 Units)  
Cumulative Spaces: 238 spaces

The current project site provides 216 garage spaces and 49 off-street parking spaces for a cumulative 265 spaces to meet the necessary parking requirement for the project site. Please note that Lots 1 to 84 have 20-foot driveways and can accommodate additional guest parking.

### Open Space and Pedestrian Circulation

The landscape plan provided depicts three amenity areas within Common Element C along the southwest, southeast and northeast portions of the project site. Each rear elevation will face a minimum 15-foot wide common element. All of landscaping within Aster Point (both in the common elements and the yard areas) will be maintained by the homeowner's association so that the community will remain cohesively and properly maintained. Pedestrian circulation is maintained via proposed four-foot wide sidewalks throughout the community. The 15-foot perimeter landscape buffer is being requested to be reduced from 15 feet to 10 feet at the ends of 30-foot wide stub Street B, C, and D (PUD Standard #4). Please note that trees will still be planted within this area for buffering purposes. The minimum open space required for the project is 12,960 square feet. There is a total of 75,363 square feet of total landscaped interior common element within the site (Common Element C). There is 13,366 square feet of useable open space as depicted as "Useable OS" on the Site Plan. The perimeter buffer to the east and west is 15 feet in width per Code with the correct spacing and amount of buffering trees. The eastern and western perimeter boundaries have existing retaining walls varying from 3 to 8 feet in

height in conjunction with a 6-foot screen wall hence creating the required 8-foot high buffering element between the adjacent properties.

### Floor Plans and Elevations

The developer is proposing five (5) different townhome buildings: two 6-Plexes, two 5-Plexes and one 4-Plex. The proposed two-story homes will range in livable square footage from 1,235 square feet to 2,050 square feet. Each unit will have a widened two-car garage. Each unit will take access to the building via the rear of lot, so the front door of every unit will face a landscaped common element. The elevation materials consist of stucco finished walls and concrete tile roofs. The developer will provide four (4) different architectural elevation styles to each building to provide variety within the community. The elevations meet *Title 30.04.05.E.2* by providing the two of the listed design features: decks/patio and porch/patios.

Building Type 3 has a third story option which raises the height of two units of the five unit to 36 feet 2 inches plus foundation (rounded up to 38 feet for the purposes of the waiver request) at the top of the roofline (PUD Standard #3). The developer is requesting an additional 12-inches for use of this option within all lots. The third story option provides additional building variation and articulation within the site and the building height is only an 8.6% increase of code for 40% (2 of 5 units) of the building elevation. **Please note that three-story options will not be offered along future homes on the west side of the project (Lots 1 to 14) against the existing single family detached homes.** The 4-plex units are currently two-story townhomes and are adjacent to both existing two-story and three-story townhomes to the east of the project.

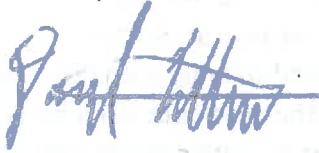
### Residential Adjacency

Cross sections provided with the submittal illustrate the elevations along the project perimeters to the adjacent properties. The applicant is asking to modify the following Residential Adjacency Maximum fill adjacent to another residential property (30.06.F) (PUD Standard #5). The existing development to the west and east of Aster Point have existing retaining walls ranging from 3 feet to 8 feet in height as was deemed necessary for development of those sites. The current project site has similar design constraints and must fill in approximately 4 feet on the western boundary of the site. The eastern boundary of the site can maintain the required fill. In addition, the developer is asking that the wall height adjacent to be allowed to be 6 feet in height (PUD Standard #6). The eastern and western boundaries have existing screen walls with retaining walls as mentioned above. The southern buffer adjacent to Russell Road resides several feet above the proposed finished floor elevations of adjacent building. The buffer will also have a minimum 2' retaining wall under the proposed 6-foot screen wall adjacent to Russell Road. The north boundary is adjacent to an existing flood control channel and closest existing building to northeast is approximately 120 feet from the proposed wall. In addition, the proposed shade structure south of lot 14 on the west side of the property is considered a "high activity area" per Title 30.04.06.g.1.i. Said area requires a minimum 15-foot landscape buffer with 20-foot trees on center Title 30.04.03.C.2. This buffer has been provided on the enclosed landscape plans.

## Conclusion

We are hopeful that this letter clearly describes the project and the intent of the proposed development. If you have any questions or need any additional information, please feel free to call our office at (702) 586-9296.

Sincerely,

A handwritten signature in blue ink, appearing to read "Darryl C. Lattimore".

Darryl C. Lattimore, PE  
President

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**TM-25-500065-COUNTY OF CLARK(AVIATION):**

**TENTATIVE MAP** consisting of 108 single-family attached residential lots and common lots on 8.26 acres in an RM18 (Residential Multi-Family 18) Zone.

Generally located on the north side of Russell Road, 285 feet west of Torrey Pines Drive within Spring Valley. MN/hw/cv (For possible action)

**RELATED INFORMATION:**

**APN:**

163-26-407-003

**PROPOSED LAND USE PLAN:**

SPRING VALLEY - COMPACT NEIGHBORHOOD (UP TO 18 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 8.26
- Project Type: Single-Family Attached Residential Development (Townhomes)
- Number of Lots: 108
- Density (du/ac): 13.08
- Minimum/Maximum Lot Size (square feet): 1,210/2,133

The plans provided show a proposed single-family attached townhome subdivision that will be located on an 8.26 acre site located on the north side of Russell Road approximately 285 feet west of Torrey Pines Drive. The site will be subdivided into a total of 108 lots with a density of 13.08 dwelling units per acre and will be accessed solely from Russell Road in the south through a 38 foot wide private street. This main private street will run south to north and will extend the length of the proposed subdivision. This street will then connect with a secondary 37 foot wide private street that will run east to west along the length of the north property line and will terminate in 30 foot stubs. From this east-west private street, two other 38 foot wide secondary north-south streets will extend off and run south for the length of the development parallel to the main entry street. One of the second north-south streets will be 155 feet west of the main entry street and the other will be 155 feet to the east of the main entry street. The western north-south street will terminate in a cul-de-sac while the eastern north-south street will terminate in a stub. The eastern north-south street will have 4 smaller stub street extending off it approximately every 125 feet. These small stub streets will run west to east and will be 30 feet wide and 127 feet long. There will be rows of 14 to 18 lots on each side of the main and western private street with 17 lots located along the west side of the eastern private street. The smaller stub street will serve 8 lots with 4 lots on each side. All lots will front the streets but will access, in the rear, a system of pedestrian walkways and open spaces. The pedestrian walkways will connect to all



lots and open space areas as well as Russell Road. The lots will range in size from 1,210 square feet up to 2,133 square feet. The lots shown are generally split into lots with a 20 foot driveway and lots with a 5 foot driveway. The lots with 5 foot driveways will all access the smaller stubs along the eastern portion of the site (Lots 85 to 108) while the lots with 20 foot driveway will access the main or secondary north-south streets (Lots 1 to 84).

#### Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Public Use	RS20 & PF	Single-family residential development & Sawyer Middle School
South	Public Use & Neighborhood Commercial	RS20 (AE-60)	Undeveloped & single-family residential development
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family attached residential development
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family detached residential development

The Flamingo/Tropicana Wash Flood Control Channel is directly north of the site.

#### Related Applications

Application Number	Request
PA-25-700020	A plan amendment to redesignate the site from Mid-Intensity Suburban Neighborhood (MN) to Compact Neighborhood (CN) is a companion item on this agenda.
ZC-25-0258	A zone change to reclassify the site from RS20 to RM18 is a companion item on this agenda.
PUD-25-0260	A planned unit development for a 108 lot single-family attached residential development is a companion item on this agenda.
WS-25-0259	A waivers of development standards for a single-family residential development is a companion item on this agenda.
VS-25-0257	A vacation and abandonment for portions of right-of-way, easements, and a flood control channel is a companion item on this agenda.

#### STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

#### Analysis

##### Comprehensive Planning

The proposed street network allows access to an arterial street. The lots are only accessible from internal private streets with rows of lots on each side of the street, or external local streets. There are no double frontage lots, as common lots are used to separate lots from secondary frontages. The lot sizes and density of the subdivision are compliant with the underlying Master Plan land use category and proposed development standard modifications. The proposed map complies with the tentative map requirements and standards for approval as outlined in Title 30 and



matches with the associated planned unit development request. For these reasons, staff can support this request.

#### **Department of Aviation**

The property lies just outside the AE-60 (60-65 DNL) noise contour for the Harry Reid 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 Harry Reid 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 June 18, 2025 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

#### **PRELIMINARY STAFF CONDITIONS:**

##### **Comprehensive Planning**

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; 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 there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

##### **Public Works - Development Review**

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- The installation of detached sidewalks will require the vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

##### **Building Department - Addressing**

- Approved street name list from the Combined Fire Communications Center shall be provided;
- All 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 at [landuse@lasairport.com](mailto:landuse@lasairport.com) is strongly encouraged; that the Federal Aviation

Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

**Clark County Water Reclamation District (CCWRD)**

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0013-2025 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** BEAZER HOMES HOLDINGS, LLC

**CONTACT:** DARRYL LATTIMORE, ACTUS, 3283 E. WARM SPRINGS ROAD, SUITE 300, LAS VEGAS, NV 89120



# Department of Comprehensive Planning Application Form

9

ASSESSOR PARCEL #(s): 163-26-407-003

PROPERTY ADDRESS/ CROSS STREETS: Torrey Pines Drive and Russell Road

## DETAILED SUMMARY PROJECT DESCRIPTION

Proposed 107 townhome unit community on 8 acres within a proposed PUD requiring a PA/ZC.

## PROPERTY OWNER INFORMATION

NAME: Clark County (Aviation)

ADDRESS: PO Box 11005

CITY: Las Vegas

STATE: NV

ZIP CODE: 89111

TELEPHONE: 702-261-5104

CELL

EMAIL:

## APPLICANT INFORMATION (must match online record)

NAME: Beazer Homes Holdings LLC

ADDRESS: 2490 Paseo Verde Parkway, Suite 120

CITY: Henderson

STATE: NV

ZIP CODE: 89-74

REF CONTACT ID #

TELEPHONE: 702-340-7810

CELL 702-340-7810

EMAIL: eddie.duenas@beazer.com

## CORRESPONDENT INFORMATION (must match online record)

NAME: Actus

ADDRESS: 3283 E. Warm Springs Road Suite 300

CITY: Las Vegas

STATE: NV

ZIP CODE: 89120

REF CONTACT ID #

TELEPHONE: 702-586-9296

CELL 702-403-4174

EMAIL: darryl.lattimore@actus-nv.com

\*Correspondent will receive all communication on submitted application(s).

(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 and 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)\*

Shauna Bradley, Director, Clark County RPM

Property Owner (Print)

Date

2/11/2025

<input type="checkbox"/> AC	<input type="checkbox"/> AR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> SN	<input type="checkbox"/>	<input type="checkbox"/> WS
<input type="checkbox"/> ADDR	<input type="checkbox"/> AV	<input type="checkbox"/>	<input type="checkbox"/> SC	<input type="checkbox"/> TC	<input type="checkbox"/> VS	<input type="checkbox"/> ZC
<input type="checkbox"/>	<input type="checkbox"/> DR	<input type="checkbox"/> PU	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> WCL	<input type="checkbox"/> OTHER

SECTION

TM-25-500065

RECEIVED DATE

5/20/25

FILED DATE

6/18/25

TAB/CAC LOCATION

Spring Valley

DATE 4/29/25

BLD

3/27/25

LL

\$750

February 10, 2025



3283 E. Warm Springs Rd. Suite 300  
Las Vegas, NV 89120  
(702) 586-9296

Clark County Comprehensive Planning  
500 South Grand Central Parkway  
Box 551744  
Las Vegas, NV 89155-1744

**Re.: Aster Point  
Tentative Map Justification Letter  
in support of companion items  
APN: 163-26-407-003**

Dear Staff,

On behalf of our client, Beazer Homes, we are requesting review and approval of a Tentative Map for the subject property. The applicant will also be applying for a Rezone, Master Plan Amendment, Waiver of Standards, Planned Unit Development and Vacation as companion items. Aster Point will consist of one hundred eight (108) single-family attached (townhouse) residential lots and four (4) common lots encompassing the entire 8.26 acre site (after 5-foot vacation of ROW and a portion of the northern flood control channel) for a density of 13.08 residential lots per acre. All waivers to Title 30 have been requested and described within the Waiver of Standards justification letter that is a companion item to this tentative map application.

**Conclusion**

We are hopeful that this letter clearly describes the project and the intent of the proposed development. If you have any questions or need any additional information, please feel free to call our office at (702) 586-9296.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Darryl C. Lattimore', is written over a horizontal line.

Darryl C. Lattimore, PE  
President

Planner  
Copy

8

05/20/25 PC AGENDA SHEET

**PUBLIC HEARING**

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**

**PA-25-700021-MADISON MOHAWK, LLC:**

**PLAN AMENDMENT** to redesignate the existing land use category from Ranch Estate Neighborhood (RN) to Business Employment (BE) on 2.45 acres.

Generally located on the southwest corner of Post Road and Mohawk Street (alignment) within Spring Valley. MN/gc (For possible action)

**RELATED INFORMATION:**

**APN:**

163-36-801-002

**EXISTING LAND USE PLAN:**

SPRING VALLEY - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

**PROPOSED LAND USE PLAN:**

SPRING VALLEY - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 2.45
- Existing Land Use: Undeveloped

**Applicant's Justification**

The applicant states that the request for Business Employment (BE) is appropriate since the properties to the north are already planned BE, industrial uses are more suitable for the site than residential uses since the site is located in the Airport Environs (AE-65) Overlay, and immediately west of the site is a Clark County owned property planned for Public Use (PU). Generally, there is a trend of properties in the area transitioning to non-residential uses. The proposed plan amendment will not result in any additional impacts on surrounding infrastructure not already contemplated in the area.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-1111-08	Established the RNP-I overlay in Spring Valley	Approved by BCC	February 2009

### Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Business Employment	RS20 (NPO-RNP & AE-65)	Single family residential
South	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP & AE-65)	Undeveloped
East	Neighborhood Commercial	RS20 (AE-65)	Undeveloped
West	Public Use	RS20 (NPO-RNP & AE-65)	Undeveloped

### Related Applications

Application Number	Request
ZC-25-0262	A zone change to reclassify the site from RS20 (NPO-RNP) to IP is a companion item on this agenda.
WS-25-0263	A waiver of development standards and design review for a warehouse building is a companion item on this agenda.
VS-25-0261	A vacation and abandonment for government patent easements and a portion of right-of-way being Post Road is a companion item on this agenda.

### STANDARDS FOR ADOPTION:

The applicant shall demonstrate the proposed request is consistent with the Master Plan and is in compliance with Title 30.

### Analysis

#### Comprehensive Planning

The applicant shall establish the request is consistent with the overall intent of the Master Plan by demonstrating the proposed amendment 1) is based on changed conditions or further studies; 2) is compatible with the surrounding area; 3) will not have a negative effect on adjacent properties or on transportation services and facilities; 4) will have a minimal effect on service provision or is compatible with existing and planned service provision and future development of the area; 5) will not cause a detriment to the public health, safety, and general welfare of the people of Clark County; and 6) adherence to the current goals and policies of the Master Plan would result in a situation neither intended by nor in keeping with other core values, goals, and policies.

The applicant requests a change from Ranch Estate Neighborhood (RN) to Business Employment (BE). Intended primary land uses in the proposed BE land use category include office, distribution centers, warehouse/flex space, technology, and light industry. Supporting land uses include small scale commercial services, such as restaurants, athletic clubs, service commercial, and other similar uses.

Staff finds that the request for the Business Employment (BE) land use category is compatible with the surrounding area. Properties in the area have been transitioning to industrial uses. Although the adjacent properties to the north are developed with single-family residences, those

property owners requested a plan amendment to Business Employment (BE) which was approved in March 2024 per PA-23-700052. The properties to the south, east, and west are currently undeveloped. The adjacent property to the west is planned Public Use (PU) and owned by the Department of Aviation (DOA) and will provide a buffer or transition from the proposed BE planned property to the RN planned properties west of Lindell Road. The request complies with Policy 5.5.1 of the Master Plan which promotes designating and supporting the development of industrial and employment uses in areas that are proximate to major air, rail, and highway facilities. For these reasons, staff finds the request for the Business Employment (BE) land use category is appropriate for this location.

#### **Staff Recommendation**

Adopt and direct the Chair to sign a resolution adopting the amendment. This item will be forwarded to the Board of County Commissioners' meeting for final action on June 18, 2025 at 9:00 a.m., unless otherwise announced.

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

#### **STAFF ADVISORIES:**

##### **Fire Prevention Bureau**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

##### **Clark County Water Reclamation District (CCWRD)**

- No comment.

##### **TAB/CAC:**

##### **APPROVALS:**

##### **PROTEST:**

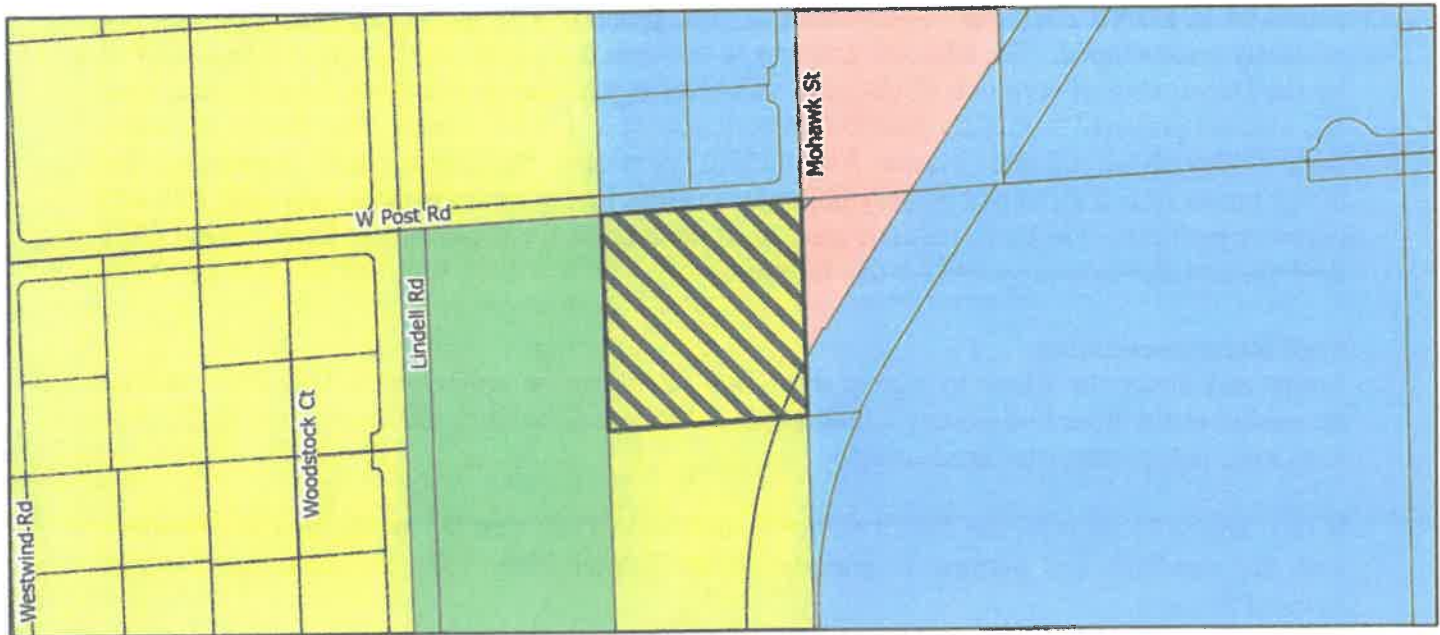
**APPLICANT:** PETERSEN MANAGEMENT, LLC

**CONTACT:** DC PETERSEN PROFESSIONAL CONSULTANTS, LLC, 5052 S. JONES BOULEVARD, SUITE 165, LAS VEGAS, NV 89118

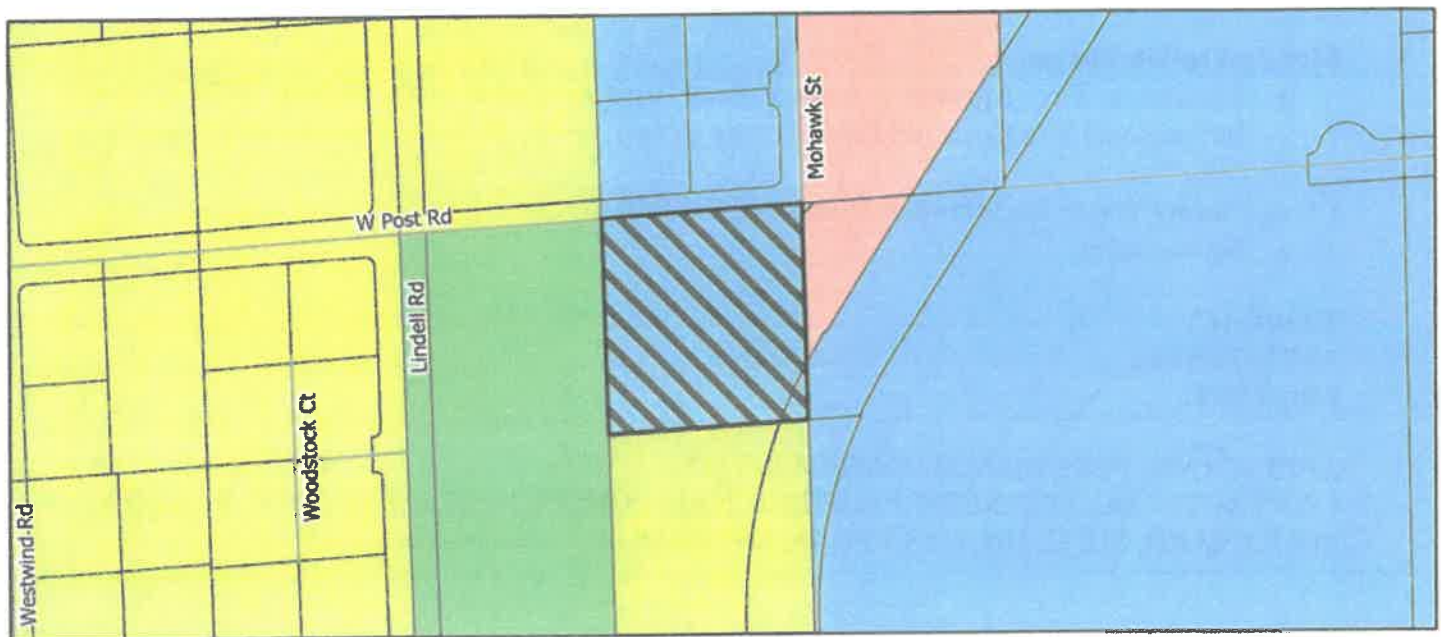


# Planned Land Use Amendment PA-25-700021

**DRAFT**



**Current**



**Requested**

## Neighborhoods

- Outlying Neighborhood (ON)
- Edge Neighborhood (EN)
- Ranch Estate Neighborhood (RN)
- Low-Intensity Suburban Neighborhood (LN)
- Mid-Intensity Suburban Neighborhood (MN)
- Compact Neighborhood (CN)
- Urban Neighborhood (UN)

## Employment

- Business Employment (BE)
- Industrial Employment (IE)

## Commercial and Mixed Use

- Neighborhood Commercial (NC)
- Corridor Mixed-Use (CM)
- Entertainment Mixed-Use (EM)

## Other

- Agriculture (AG)
- Open Lands (OL)
- Public Use (PU)
- Major Projects (MP)

Planning Areas

Requested Area To Change

## Spring Valley Clark County, Nevada

*Note: Categories denoted in the legend may not apply to the presented area.*



0 150 300 Feet

Map created on April 07, 2025

*This information is for display purposes only. No liability is assumed as to the accuracy of the data delineated hereon.*





# Department of Comprehensive Planning Application Form

8

ASSESSOR PARCEL #(s): 163-36-801-002

PROPERTY ADDRESS/ CROSS STREETS: South of Post Road and west of Mohawk Street

## DETAILED SUMMARY PROJECT DESCRIPTION

Plan Amendment from RN to BE.

## PROPERTY OWNER INFORMATION

NAME: Madison Mohawk LLC c/o Petersen Management LLC

ADDRESS: 5052 S. Jones Blvd. Suite 165

CITY: Las Vegas STATE: NV ZIP CODE: 89118

TELEPHONE: 702-734-9393 CELL 702-768-1861 EMAIL: dpetersen@visiconlv.com

## APPLICANT INFORMATION (must match online record)

NAME: Petersen Management LLC - Darren C. Petersen, Manager

ADDRESS: 5052 S. Jones Blvd. Suite 165

CITY: Las Vegas STATE: NV ZIP CODE: 89118 REF CONTACT ID #

TELEPHONE: 702-734-9393 CELL 702-768-1861 EMAIL: rgallegos@visiconlv.com

## CORRESPONDENT INFORMATION (must match online record)

NAME: Richard C. Gallegos - D C Petersen Professional Consultants

ADDRESS: 5052 S Jones Blvd. Suite 165

CITY: Las Vegas STATE: NV ZIP CODE: 89118 REF CONTACT ID # 168799

TELEPHONE: 702-524-0054 CELL 702-524-0054 EMAIL: rgallegos@visiconlv.com

\*Correspondent will receive all communication on submitted application(s).

(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)\*

Darren C. Petersen  
Property Owner (Print)

06-20-24  
Date

## DEPARTMENT USE ONLY:

<input type="checkbox"/> AC	<input type="checkbox"/> AR	<input type="checkbox"/> ET	<input type="checkbox"/> PUDD	<input type="checkbox"/> SN	<input type="checkbox"/> UC	<input type="checkbox"/> WS
<input type="checkbox"/> ADR	<input type="checkbox"/> AV	<input checked="" type="checkbox"/> PA	<input type="checkbox"/> SC	<input type="checkbox"/> TC	<input type="checkbox"/> VS	<input type="checkbox"/> ZC
<input type="checkbox"/> AG	<input type="checkbox"/> DR	<input type="checkbox"/> PUD	<input type="checkbox"/> SDR	<input type="checkbox"/> TM	<input type="checkbox"/> WC	OTHER <u></u>

APPLICATION # (s) PA-25-700021

ACCEPTED BY BLW

PC MEETING DATE 5/20/25

DATE 3/27/25

BCC MEETING DATE 6/18/25

FEES \$3,200

TAB/CAC LOCATION Spring Valley

DATE 4/29/25

March 20, 2025

**VIA EMAIL**

CLARK COUNTY COMPREHENSIVE PLANNING  
500 S. Grand Central Parkway, 1<sup>st</sup> Floor  
Las Vegas, NV 89106

**Re: Justification Letter – Master Plan Amendment  
Mohawk Street/Post Road  
APN: 163-36-801-002**

Planner  
Copy

To Whom It May Concern:

Please be advised this office represents the Applicant in the above-referenced matter. The proposed project is located on approximately 2.28 acres and is located on the southwest corner of Mohawk Street and Post Road. The property is more particularly described as APN: 163-36-801-002 (the "Site"). The Applicant is proposing to develop a 37,000 SF warehouse facility. As such, the Applicant is seeking a master plan amendment from Ranch Estate Neighborhood (RN) to Business Employment (BE). Corresponding applications for a zone change to Industrial Park (IP) and design review are submitted concurrently with this request.

The Site's current master plan designation is RN. The request to a master plan amendment to BE for the Site is appropriate and consistent with the overall intent of the master plan. The Site is located just south and west of hundreds of acres' master planned BE. BE is appropriate on the north side of Post Road for the following reasons:

- Immediately north of the Site, although currently a residential development, is master planned BE.
- Immediately west of the Site (APN: 163-36-801-001) is Clark County owned property that is master planned Public Use (PU).
- The Site is located in the AE-65 overlay. Residential uses are less compatible with the overlay district. Rather, nonresidential uses, like a warehouse facility, are more compatible with the AE-65 overlay district.
- Also, north of the Site is Clark County owned property (APN: 163-36-701-001) master planned PU.
- The property immediately to the east (APN: 163-36-701-022) is planned Neighborhood Commercial (CN) as are many other properties east of Lindell Road.



- East of the Site is an existing drainage channel.

Therefore, the area is undergoing a transition or change in trend to nonresidential uses including to BE. In addition to the trends towards increased light industrial and commercial uses, a BE designation is an appropriate continued transition from the I-215.

A change of the land use plan to BE satisfies the requirements set forth in Table 30.12-3(h):

**1. The proposed amendment is consistent with the overall intent of the Master Plan:**

The Site is planned RN which generally supports a low-density residential developments. Here, the Applicant is requesting an amendment to BE, which supports a light warehousing and offices uses. As discussed above, the proposed amendment is appropriate for the Site and consistent with the overall intent of the Master Plan with the current light industrial and commercial master plan designations in the area. Immediately north and west of the Site are hundreds of acres planned and developed for warehousing uses. Additionally, the Site is within the AE-65 Overlay and is in close proximity to the I-215 is desirable for a warehouse/office use.

**2. The proposed amendment is required based on changed conditions or further studies:**

The proposed master plan amendment to BE meets the adopted Transform Clark County Master Plan Countywide Goals and Policies.

- SV-5 encourage minimizing conflicts with more intensive uses in and adjacent to Spring Valley. Here, the Site is located within the AE-65 overlay. The AE overlay district discourages residential uses. A master plan amendment to BE will promote non-residential development which is more harmonious to the AE-65 overlay district.

**3. The proposed amendment is compatible with the surrounding area:**

The Site is located near other zoned properties planned BE including:

- There are hundreds of acres master planned BE immediately north and west of the Site.
- Additional properties east of Lindell Road, including property immediately to the east of the Site, are planned for commercial uses.
- The Site is located in the AE-65 overlay. Residential uses are less compatible with the overlay district. Rather, nonresidential uses, like a warehouse facility, are more compatible with the AE-65 overlay district.

4. **Strict adherence to the current goals and policies of the Master Plan would result in a situation neither intended by nor in keeping with the other core values, goals and policies:**

The proposed plan amendment meets several County wide goals and policies listed in the Master Plan, including but not limited to the following:

- Policy 3.6.5 encourages the use of drought tolerant and desert appropriate landscaping to maximize water use efficiency. Here, the landscaping will include drought tolerant and desert appropriate landscaping.
- Policy 5.1.3 of the Countywide goals and policies emphasizes efforts to expand new economic opportunities like manufacturing. Here, the development of a warehouse project expands economic opportunities.

5. **The proposed amendment will not have a negative effect on the adjacent properties or on transportation services and facilities:**

The proposed master plan amendment to BE will not have a negative effect on adjacent properties, transportation, or facilities. The majority of the area north and west south of the Site is planned for light industrial and commercial uses. In fact, the properties immediately adjacent to the Site are planned BE to north, PU to the west, and CN to the east. Also, east of the Site is an existing drainage channel.

6. **The proposed amendment will have a minimal effect on service provisions or is compatible with existing and planned service provisions and further development of the area:**

The proposed plan amendment will not result in any additional impacts on surrounding infrastructure not already contemplated in the area. The Site is near other warehouse developments and areas planned BE. Therefore, the proposed use will not create a negative impact to service in the area.

7. **The proposed amendment will not cause a detriment to the public health, safety, and general welfare of the people of Clark County:**

The proposed amendment will not cause any detriment to public health, safety or general welfare to the people of Clark County. This project will be a benefit, not a detriment, to the community. Fire services and police services similarly will not be substantially affected by the development of the Site.

Based on the above information, a master plan amendment to BE is appropriate, and the Applicant has satisfied the standard for approval. Thank you for your consideration of this request. Please let me know if you have any questions.

Sincerely,

KAEMPFER CROWELL



Jennifer Lazovich

JL/ajc





## 05/20/25 PC AGENDA SHEET

## PUBLIC HEARING

## APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-25-0262-MADISON MOHAWK, LLC:**

**ZONE CHANGES** for the following: 1) reclassify 2.45 acres from an RS20 (Residential Single-Family 20) Zone to an IP (Industrial Park) Zone; and 2) remove the Neighborhood Protection (RNP) Overlay within the Airport Environs (AE-65) Overlay.

Generally located on the southwest corner of Post Road and Mohawk Street (alignment) within Spring Valley (description on file). MN/gc (For possible action)

## RELATED INFORMATION:

**APN:**

163-36-801-002

**PROPOSED LAND USE PLAN:**

SPRING VALLEY - BUSINESS EMPLOYMENT

**BACKGROUND:****Project Description****General Summary**

- Site Address: N/A
- Site Acreage: 2.45
- Existing Land Use: Undeveloped

**Applicant's Justification**

The applicant states that the request for IP zoning is appropriate since the properties to the north are planned Business Employment (BE), industrial uses are more suitable for the site than residential uses since the site is located in the Airport Environs (AE-65) Overlay, and immediately west of the site is a Clark County owned property planned for Public Use (PU). Generally, there is a trend of properties in the area transitioning to non-residential uses.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-1111-08	Established the RNP-I overlay in Spring Valley	Approved by BCC	February 2009

### Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Business Employment	RS20 (NPO-RNP & AE-65)	Single-family residential
South	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP & AE-65)	Undeveloped
East	Neighborhood Commercial	RS20 (AE-65)	Undeveloped
West	Public Use	RS20 (NPO-RNP & AE-65)	Undeveloped

### Related Applications

Application Number	Request
PA-25-700021	A plan amendment to redesignate the site from Ranch Estate Neighborhood (RN) to Business Employment (BE) is a companion item on this agenda.
WS-25-0263	A waiver of development standards and design review for a warehouse building is a companion item on this agenda.
VS-25-0261	A vacation and abandonment for government patent easements and a portion of right-of-way being Post Road is a companion item on this agenda.

### STANDARDS FOR APPROVAL:

The applicant shall demonstrate the proposed request is consistent with the Master Plan and is in compliance with Title 30.

### Analysis

#### Comprehensive Planning

In addition to the standards for approval, the applicant must demonstrate the zoning district is compatible with the surrounding area. Staff finds that the site is no longer a viable Neighborhood Protection (RNP) Overlay area. The area has been transitioning to industrial uses. The request for IP zoning will not adversely impact the surrounding area. Although the adjacent properties to the north are developed with single-family residences and zoned RS20 (NPO-RNP), those property owners requested a plan amendment to Business Employment (BE) which was approved in March 2024 per PA-23-700052. The properties to the south, east, and west are currently undeveloped. The adjacent property to the west is owned by the Department of Aviation, and therefore, will be deed restricted to not allow residential uses if auctioned for private ownership. The request complies with Policy 5.5.1 of the Master Plan which promotes designating and supporting the development of industrial and employment uses in areas that are proximate to major air, rail, and highway facilities. For these reasons, staff finds the request for IP zoning is appropriate for this location.

#### Department of Aviation

The development will penetrate the 100:1 notification airspace surface for Harry Reid International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.02.26B.3(ii) of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

The property lies within the AE- 65 (65 - 70 DNL) noise contour for Harry Reid 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 Harry Reid 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 June 18, 2025 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

### **PRELIMINARY STAFF CONDITIONS:**

#### **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 30.02.26B of the Clark County Unified Development Code. Applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- 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.
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- 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; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; 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 owners wish to have their buildings purchased or soundproofed.

**Fire Prevention Bureau**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

**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 #0360-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** PETERSEN MANAGEMENT, LLC

**CONTACT:** DC PETERSEN PROFESSIONAL CONSULTANTS, LLC, 5052 S. JONES BOULEVARD, SUITE 165, LAS VEGAS, NV 89118



# Department of Comprehensive Planning Application Form

9

ASSESSOR PARCEL #(s): 163-36-801-002

PROPERTY ADDRESS/ CROSS STREETS: South of Post Road and west of Mohawk St

## DETAILED SUMMARY PROJECT DESCRIPTION

Zone Change from RS20 to IP. Remove NPO-RNP overlay.

## PROPERTY OWNER INFORMATION

NAME: Madison Mohawk LLC c/o Petersen Management LLC

ADDRESS: 5052 S. Jones Blvd # 165

CITY: Las Vegas STATE: NV ZIP CODE: 89118

TELEPHONE: 702-734-9393 CELL 702-768-1861 EMAIL: kpruett@visiconlv.com

## APPLICANT INFORMATION (must match online record)

NAME: Petersen Management LLC - Darren C. Petersen , Manager

ADDRESS: 5052 S. Jones Blvd # 165

CITY: Las Vegas STATE: NV ZIP CODE: 89118 REF CONTACT ID # \_\_\_\_\_

TELEPHONE: 702-734-9393 CELL 702-524-0054 EMAIL: rgallegos@visiconlv.com

## CORRESPONDENT INFORMATION (must match online record)

NAME: Richard C. Gallegos - D.C. Petersen Professional Consultants

ADDRESS: 5052 S. Jones Blvd # 165

CITY: Las Vegas STATE: NV ZIP CODE: 89118 REF CONTACT ID # 168799

TELEPHONE: 702-734-9393 CELL 702-524-0054 EMAIL: rgallegos@visiconlv.com

\*Correspondent will receive all communication on submitted application(s).

(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 and 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)\*

Darren C. Petersen  
Property Owner (Print)

3/24/25  
Date

## DEPARTMENT USE ONLY:

<input type="checkbox"/> AC	<input type="checkbox"/> AR	<input type="checkbox"/> ET	<input type="checkbox"/> PUDD	<input type="checkbox"/> SN	<input type="checkbox"/> UC	<input type="checkbox"/> WS
<input type="checkbox"/> ADR	<input type="checkbox"/> AV	<input type="checkbox"/> PA	<input type="checkbox"/> SC	<input type="checkbox"/> TC	<input type="checkbox"/> VS	<input checked="" type="checkbox"/> ZC
<input type="checkbox"/> AG	<input type="checkbox"/> DR	<input type="checkbox"/> PUD	<input type="checkbox"/> SDR	<input type="checkbox"/> TM	<input type="checkbox"/> WC	OTHER _____

APPLICATION # (s) ZC-25-0262

PC MEETING DATE 5/20/25

BCC MEETING DATE 6/18/25

TAB/CAC LOCATION Spring Valley

ACCEPTED BY [Signature]

DATE 3/27/25

FEES \$

DATE 4/29/25

LAS VEGAS OFFICE  
1980 Festival Plaza Drive, Suite 650  
Las Vegas, NV 89135  
T: 702.792.7000  
F: 702.796.7181

KAEMPFER

CROWELL

JENNIFER LAZOVICH  
[jlazovich@kcnvlaw.com](mailto:jlazovich@kcnvlaw.com)  
D: 702.792.7050

March 25, 2025

**VIA EMAIL**

CLARK COUNTY COMPREHENSIVE PLANNING  
500 S. Grand Central Parkway, 1<sup>st</sup> Floor  
Las Vegas, NV 89106

**Re: Justification Letter – Zone Change  
Mohawk Street/Post Road  
APN: 163-36-801-002**

Planner  
Copy

To Whom It May Concern:

Please be advised this office represents the Applicant in the above-referenced matter. The proposed project is located on approximately 2.28 acres and is located on the southwest corner of Mohawk Street and Post Road. The property is more particularly described as APN: 163-36-801-002 (the "Site"). The Applicant is proposing to develop a 37,000 SF warehouse facility. As such, the Applicant is seeking a zone change from Residential Single-Family 20 and RNP-I (RS20/RNP-I) to Industrial Park (IP). Corresponding applications for a master plan amendment to Business Employment (BE) and design review are submitted concurrently with this request. This request will also include removal of the parcel from the NPO-RNP overlay.

The Site's current zoning is RS20/RNP-I. The request to rezone the Site to IP is appropriate and consistent with the overall intent of the area. The Site is located just south and east of hundreds of acres' zoned IP. An IP zoning district is appropriate for the following reasons:

- Immediately north of the Site, although currently a residential development, is master planned BE.
- Immediately west of the Site (APN: 163-36-801-001) is Clark County owned property that is master planned Public Use (PU).
- The Site is located in the AE-65 overlay. Residential uses are less compatible with the overlay district. Rather, nonresidential uses, like a warehouse facility, are more compatible with the AE-65 overlay district.
- Also, north of the Site is Clark County owned property (APN: 163-36-701-001) master planned PU.
- The property immediately to the east (APN: 163-36-701-022) is planned Neighborhood Commercial (CN) as are many other properties east of Lindell Road.

CLARK COUNTY COMPREHENSIVE PLANNING  
March 25, 2025  
Page 2

KAEMPFER

CROWELL

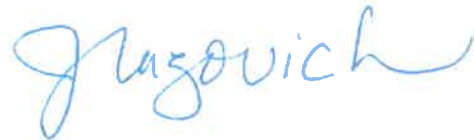
- East of the Site is an existing drainage channel.

Therefore, the area is undergoing a transition or change in trend to IP. In addition to the trends towards increased light industrial uses, an IP zoning district is an appropriate continued transition from the I-215.

Thank you for your consideration of this request. Please let me know if you have any questions.

Sincerely,

KAEMPFER CROWELL



Jennifer Lazovich

JL/ajc





05/20/25 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VS-25-0261-MADISON MOHAWK, LLC:**

**VACATE AND ABANDON** easements of interest to Clark County located between Post Road and Teco Avenue (alignment) and between Lindell Road and Mohawk Street; and a portion of right-of-way being Post Road located between Lindell Road and Mohawk Street within Spring Valley (description on file). MN/hw/cv (For possible action)

RELATED INFORMATION:

**APN:**

163-36-701-020; 163-36-701-027; 163-36-701-028; 163-36-801-001; 163-36-801-002

**PROPOSED LAND USE PLAN:**

SPRING VALLEY - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

The plans show the vacation and abandonment of government patent easements and a portion of right-of-way. The government patent easements to be vacated are located along all four sides of the subject parcel and are generally 33 feet wide, except for in the northeast where the future cul-de-sac will be dedicated and in the southeast where the flood channel intersects with the parcel. The government patent easements are no longer needed for the development of the site and the surrounding area.

The portion of right-of-way to be vacated is the northern 30 feet of Post Road and will be vacated starting at the west side of Lindell Road and running east until the proposed Mohawk Street cul-de-sac in the northeast corner of the subject site. The vacation of Post Road is to prevent traffic entering neighborhoods west of Lindell Road. Additionally, the vacation of this portion of Post Road will not impact the area or the subject site, as Post Road dead-ends at the flood control channel, the vacation of the road will not cut off access to any surrounding parcels, and Mohawk Street is being developed to access Patrick Lane.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-1111-08	Reclassified the site from R-E (AE-65) to R-E (AE-65) (RNP-I)	Approved by BCC	February 2009

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Business Employment	RS20 (AE-65 & NPO-RNP)	Single-family residential
South	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (AE-65 & NPO-RNP)	Undeveloped
East	Neighborhood Commercial & Business Employment	RS20 & IP (AE-65)	Undeveloped & office/warehouse w/ outside storage
West	Public Use	RS20 (AE-65 & NPO-RNP)	Undeveloped

\* The subject site is within the Public Facilities Needs Assessment (PFNA) area.

\*\*The Tropicana Wash Flood Control Channel is directly to the southeast of the site.

**Related Applications**

Application Number	Request
PA-25-700021	A plan amendment to reclassify the subject parcel from Ranch Estate Neighborhood (RN) to Business Employment (BE) is a companion item on this agenda.
ZC-25-0262	A zone change to reclassify the site from RS20 (NPO-RNP) to IP is a companion item on this agenda.
WS-25-0263	A waiver of development standards and design review for a warehouse building 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 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 June 18, 2025, 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

## **PRELIMINARY STAFF CONDITIONS:**

### **Comprehensive Planning**

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

### **Public Works - Development Review**

- Right-of-way dedication to include a cul-de-sac for Mohawk Street;
- Coordinate with Public Works - Development Review for cul-de-sac configuration;
- Execute a private access and maintenance agreement for property owners adjacent to Post Road;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

### **Building Department - Addressing**

- No comment.

### **Fire Prevention Bureau**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

### **Clark County Water Reclamation District (CCWRD)**

- No objection.

### **TAB/CAC:**

### **APPROVALS:**

### **PROTESTS:**

**APPLICANT:** PETERSEN MANAGEMENT, LLC

**CONTACT:** DC PETERSEN PROFESSIONAL CONSULTANTS, LLC, 5052 S. JONES BOULEVARD, SUITE 165, LAS VEGAS, NV 89118





# Department of Comprehensive Planning Application Form

10

ASSESSOR PARCEL #(s): 163-36-801-002, 163-36-799-001 and 163-36-799-002

PROPERTY ADDRESS/ CROSS STREETS: South of Post Road and west of Mohawk Street

## DETAILED SUMMARY PROJECT DESCRIPTION

Vacate 33 foot wide Government Patent Easement along the north, south, east, and west property lines and Public Right-of-Way being Post Road.

## PROPERTY OWNER INFORMATION

NAME: Madison Mohawk LLC c/o Petersen Management LLC

ADDRESS: 5052 S. Jones Blvd # 165

CITY: Las Vegas

STATE: NV

ZIP CODE: 89118

TELEPHONE: 702-734-9393

CELL 702-768-1861

EMAIL: kpruett@visiconlv.com

## APPLICANT INFORMATION (must match online record)

NAME: Petersen Management LLC - Darren C. Petersen, Manager

ADDRESS: 5052 S. Jones Blvd # 165

CITY: Las Vegas

STATE: NV

ZIP CODE: 89118

REF CONTACT ID # 204561

TELEPHONE: 702-734-9393

CELL 702-768-1861

EMAIL: rgallegos@visiconlv.com

## CORRESPONDENT INFORMATION (must match online record)

NAME: Richard C. Gallegos - D.C. Petersen Professional Consultants

ADDRESS: 5052 S. Jones Blvd # 165

CITY: Las Vegas

STATE: NV

ZIP CODE: 89118

REF CONTACT ID # 168799

TELEPHONE: 702-734-9393

CELL 702-524-0054

EMAIL: rgallegos@visiconlv.com

\*Correspondent will receive all communication on submitted application(s).

(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 and 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)\*

Darren C. Petersen  
Property Owner (Print)

2/18/2025  
Date

## DEPARTMENT USE ONLY:

<input type="checkbox"/> AC	<input type="checkbox"/> AR	<input type="checkbox"/> ET	<input type="checkbox"/> PUDD	<input type="checkbox"/> SN	<input type="checkbox"/> UC	<input type="checkbox"/> WS
<input type="checkbox"/> ADR	<input type="checkbox"/> AV	<input type="checkbox"/> PA	<input type="checkbox"/> SC	<input type="checkbox"/> TC	<input checked="" type="checkbox"/> VS	<input type="checkbox"/> ZC
<input type="checkbox"/> AG	<input type="checkbox"/> DR	<input type="checkbox"/> PUD	<input type="checkbox"/> SDR	<input type="checkbox"/> TM	<input type="checkbox"/> WC	OTHER _____

APPLICATION # (s) VS-25-00261

ACCEPTED BY [Signature]

PC MEETING DATE 5/20/25

DATE 3/27/25

BCC MEETING DATE 6/18/25

FEES \$1,200

TAB/CAC LOCATION Spring Valley

DATE 4/29/25

LAS VEGAS OFFICE  
1980 Festival Plaza Drive, Suite 650  
Las Vegas, NV 89135  
T: 702.792.7000  
F: 702.796.7181

KAEMPFER

CROWELL

JENNIFER LAZOVICH  
[jazovich@kcnvlaw.com](mailto:jazovich@kcnvlaw.com)  
D: 702.792.7050

March 17, 2025

**VIA EMAIL**

CLARK COUNTY COMPREHENSIVE PLANNING  
500 S. Grand Central Parkway, 1<sup>st</sup> Floor  
Las Vegas, NV 89106

**Re:     *Justification Letter –Vacation and Abandonment of Patent Easements and Portions of  
Right-of-Way  
Mohawk Street/Post Road  
APN: 163-36-801-002***

To Whom It May Concern:

Please be advised this office represents the Applicant in the above-referenced matter. The proposed project is located on approximately 2.28 acres and is located on the southwest corner of Mohawk Street and Post Road. The property is more particularly described as APN: 163-36-801-002 (the "Site"). The Applicant is proposing to develop a 37,000 SF warehouse facility. In addition to the design review, the Applicant is also submitting a request to vacate and abandonment patent easements portions of right-of-way that are no longer required.

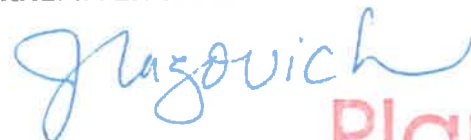
There are 33-foot wide patent easements that exist on the Site. The patent easements are no longer required as the Site is accessible from a public right-of-way. Therefore, vacating and abandoning the patent easements is justified.

The request is also to vacate and abandon the north 30-foot wide portion of Post Road from Mohawk Street to Lindell. The south 30-foot wide portion of Post Road has not been dedicated and the Applicant is not dedicating the south 30-feet of Post Road. Post Road currently dead ends at the drainage channel. The vacation and abandonment of Post Road does not land lock any properties. All surrounding properties and the Site will still have access to public right-of-ways. Therefore, this portion of Post Road can be vacated and abandoned.

We thank you in advance for your time and consideration. Should you have any further questions, please feel free to contact me.

Sincerely,

KAEMPFER CROWELL



Jennifer Lazovich

**Planner  
Copy**

JL/ajc



05/20/25 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-25-0263-MADISON MOHAWK, LLC:

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) eliminate buffering and screening; 2) modified residential adjacency standards; and 3) waive street dedication requirements.

**DESIGN REVIEW** for a proposed office/warehouse facility on 2.28 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-65) Overlay.

Generally located on the south side of Post Road and the west side of Mohawk Street (alignment) within Spring Valley. MN/hw/cv (For possible action)

---

RELATED INFORMATION:

APN:

163-36-801-002

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Eliminate buffering and screening along the north and east property lines where buffering and screening is required by Section 30.04.02B.
2.
  - a. Allow high activity areas (parking and drive aisles) adjacent to a residential use without buffering and screening where not permitted by Section 30.04.06G.
  - b. Increase the height of a structure adjacent to an NPO-RNP property to 37 feet where 35 feet is the maximum height permitted by Section 30.04.06G (a 6% increase).
  - c. Reduce the rear setback adjacent to an NPO-RNP property to 21 feet where 30 feet is required per Section 30.04.06G (a 30% reduction).
  - d. Allow a parking area to not be screened when within 30 feet of an adjacent property within a residential district as required by Section 30.04.06L (a 20% reduction).
  - e. Reduce the separation between a loading area and an adjacent residential use to the south to 17 feet where 50 feet is required by Section 30.04.06N (a 66% reduction).
  - f. Reduce the separation between a loading dock and the residential uses to the north to 136 feet where 150 feet is required per Section 30.04.06N (an 8% reduction).
  - g. Reduce the separation between a loading dock and the residential uses to the south to 116 feet where 150 feet is required per Section 30.04.06N (an 8% reduction).
  - h. Allow loading areas not to be screened by a landscape buffering strip from the residential uses to the north where required by Section 30.04.06N.
3. Eliminate the requirement to dedicate the southern portion of Post Road where required by Section 30.04.08D.

**LAND USE PLAN:**  
**SPRING VALLEY - BUSINESS EMPLOYMENT**

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 2.28
- Project Type: Office/warehouse facility
- Number of Stories: 1
- Building Height (feet): 37
- Square Feet: 37,000
- Parking Required/Provided: 37/45
- Sustainability Required/Provided: 7/7.5

**Site Plan**

The plans depict a proposed office/warehouse facility located at the southwest corner of Mohawk Street and Post Road. The proposed office/warehouse building will be 37,000 square feet and square shaped and will be placed in the southwest corner of the site. The building will be setback 112 feet from the north property line, 123 feet from the east property line, 46 feet from the flood channel, 17 feet from the south property line, and 15 feet from the west property line. Additionally, the warehouse building will be setback 21 feet from the southwest corner of the site. The proposed office/warehouse is also proposing a 6 door loading dock area that will be placed on the eastern side of the building with a 2 door grade level loading area directly to the south of the loading dock. The proposed loading dock will be separated from the residential uses to the north by 136 feet and 116 feet from the residential property to the south. In terms of the at-grade loading area, it will be separated from the residential property to the south by 17 feet. Access to the loading dock and area will be restricted by an 8 foot tilt up wall that will extend from the northeast corner of the building to the east property and an 8 foot tall CMU screening block wall will encircle the loading area/dock along the east property line and just south of the at-grade loading area. 15 foot wide gates will access the loading area/dock, approximately 35 feet south of the main driveway to the site. Another 8 foot wall will enclose the site along the south and west property lines and up to the main driveway along the north property line. Access to the site will be provided by a 35 foot wide commercial driveway along the terminating cul-de-sac of Mohawk Street. This terminating cul-de-sac is being proposed as the Post Road right-of-way is proposed to be vacated between Mohawk Street and Lindell Road to force industrial traffic north to Patrick Lane. The existing right-of-way of Post Road that is proposed to be vacated will become part of the existing residential properties to the north with this area remaining a utility easement will be gated off for security. These gates are not part of this request. This driveway will provide access to a parking lot located north of the office/warehouse building. The parking lot will consist of a central double row of parking stall surrounded by 24 foot wide drive aisles with additional rows provided just north of the building and along the west property line. The location of the drive aisle along the northern property line requires a residential adjacency waiver of development standards. An additional 4 spaces are also provided in a row just north of the loading dock inside the secure loading yard. A total of 37 spaces are

required with 45 spaces provided, but the site is not overparked due to their provision of 2 ADA spaces.

#### Landscaping

Landscaping will be provided along the street, as a screening buffer, and within the parking lot. The street landscaping consists of two 35 to 50 foot wide landscaping areas located on each side of the entry driveway. These landscaping areas will each contain 1 Indian Rosewood (*Dalbergia Sissoo*) and 1 Willow Acacia (*Acacia Salicina*) trees with several shrubs. Overall, a total of 4 street trees are provided where 2 large trees are required.

In terms of parking lot landscaping, landscape finger islands are provided every 6 spaces with 1 Willow Acacia within these finger islands for each row of parking. The additional row within the loading yard has no finger islands but 1 Willow Acacia is placed centrally in front of the spaces. A total of 16 parking lot trees are provided where 13 trees are required.

Finally, the screening buffers are provided only along the south and west property lines. These buffers consist of 15 to 17 foot wide landscape strips in front of an 8 foot tall CMU block wall. The strips contain 2 staggered rows of Indian Rosewood trees generally spaced every 10 feet on center. Waivers of development standards are required for screening buffers along the north and east property line, as the vacation of Post Road will result in the residential properties to the north being adjacent to the subject site. Additionally, the property to the east, while vacant, is planned for commercial uses and would require a screening buffer adjacent to an industrial use.

#### Elevations

The proposed building will be 37 feet tall to the highest parapet. The exterior will mostly be composed of painted concrete tilt-up panels on all 4 facades. The panels will be painted varying shades of white and grey with the colors varying between panel levels and roof articulations to break up the facades. The roof is generally flat with tilt-up panels used to create articulations. Additionally, textured metal panels are provided at regular intervals on all 4 facades to facilitate architectural enhancements. Access to the building is provided by an aluminum commercial window door system located on the western portion of the northern façade. Additional access is provided by hollow metal doors on the ends of the remaining facades. Lastly, 8 metal roll-up doors are provided on the eastern façade with 6 bay doors provided within a sloping loading dock area.

#### Floor Plans

The proposed building will be a 37,000 square foot office/warehouse with a shell layout. The building will contain a 3,000 square foot general office space located within the northwest portion of the building with the remainder of the building consisting of warehouse space. An electrical equipment area is provided in the central portion of the northern portion of the building. The building is provided with 8 loading bays with 6 dock bays and 2 at grade doors. A possible demising wall will be used to separate the building into suites.

#### Applicant's Justification

The proposed site will be used as an office/warehouse with possible suite construction. The waivers for screening and buffering and residential adjacency are justified as the existing

residential homes to the north are master planned Business Employment (BE). Therefore, the anticipated use is not residential but rather light industrial. Additionally, the residential homes on the property to the south are within the AE-65 overlay reinforcing the fact a future nonresidential use is more likely than a residential use. The property to the west is Department of Aviation (DOA) property. The DOA property is likely deed restricted from residential development since it is located within the AE-65 overlay.

#### Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1111-08	Reclassified the site from R-E (AE-65) to R-E (AE-65) (RNP-I)	Approved by BCC	February 2009

#### Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Business Employment	RS20 (AE-65 & NPO-RNP)	Single-family residential
South	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (AE-65 & NPO-RNP)	Undeveloped
East	Neighborhood Commercial & Business Employment	RS20 & IP (AE-65)	Undeveloped & office/warehouse w/ outside storage
West	Public Use	RS20 (AE-65 & NPO-RNP)	Undeveloped

\* The subject site is within the Public Facilities Needs Assessment (PFNA) area.

\*\*The Tropicana Wash Flood Control Channel is directly to the southeast of the site.

#### Related Applications

Application Number	Request
PA-25-700021	A plan amendment to reclassify the subject parcel from Ranch Estate Neighborhood (RN) to Business Employment (BE) is a companion item on this agenda.
ZC-25-0262	A zone change to reclassify the site from RS20 (NPO-RNP) to IP is a companion item on this agenda.
VS-25-0261	A vacation and abandonment for government patent easements and a portion of right-of-way being Post Road is a companion item on this agenda.

#### STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

## **Analysis**

### **Comprehensive Planning**

#### Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

#### Waivers of Development Standards #1 & #2

The purpose reviewing waivers for screening and buffering and residential adjacency is to assure the reduction, or the elimination of these standards, are properly mitigated and will not negatively impact the surrounding area, particularly those residential uses. In this case, the area surrounding the subject site is either planned for industrial uses through the Business Employment land use designation or it is land owned by the Department of Aviation that is unlikely to be developed as a residential use due to deed restrictions. Additionally, the general area between the Tropicana Wash and Lindell Road has already seen several new industrial projects spring up and the area is in transition away from residential use to lower intensity industrial uses, like office/warehouses. As a result, the use of screening buffers for the adjacent properties to the north and east may not be needed as the properties appear to be headed towards being developed as similar office/warehouse facilities given the trend of the area. The trend of the surrounding area to industrial uses would also make the strict application of residential adjacency standards not the most practical use of the standards. For these reasons, staff can support these requests.

#### Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

Overall, the development as proposed provides for an office/warehouse facility that is compatible with the surrounding development and contributes to an area that is in relative transition towards more industrial uses. In addition, the exterior of the building is attractive and would be an enhancement to the neighborhood. Furthermore, landscaping provided within the interior of the site should help to provide the necessary shading and reduce the heat caused by large swaths of pavement, while considering the constraints of such a use. The site landscaping has also been designed to screen the more unsightly portions of the use from both the residential areas to the west. The building is sited appropriately, and the scale of the building is like other industrial buildings in the area. Additionally, staff finds that the channeling of traffic north along Mohawk Street to Patrick Lane will help reduce the impacts to the residential areas that are west of Lindell Road and will be a benefit to both the existing and future industrial developments in the area by limiting traffic impacts. Overall, staff finds that both the use and design of the site

should be an enhancement to the area, and accounts, as much as possible, for any negative impacts to the surrounding area. Finally, staff finds the proposed development will support Clark County Master Plan Policy 5.5.3 and Spring Valley Specific Policy SV-1.1, which encourage the development of compatible industrial development in designated areas and areas that limit impact on less intense uses. For these reasons, staff can support these requests.

**Public Works - Development Review**  
**Waiver of Development Standards #3**

Staff has no objection to the non-dedication of the Post Road alignment as it not necessary for access through this development. Additionally, there will be no further developments to the east due to the drainage channel.

**Department of Aviation**

The development will penetrate the 100:1 notification airspace surface for Harry Reid International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.02.26B.3(ii) of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

The property lies within the AE- 65 (65 - 70 DNL) noise contour for Harry Reid 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 Harry Reid 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 June 18, 2025, 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive 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 approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and

the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

#### **Public Works - Development Review**

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include a cul-de-sac for Mohawk Street;
- Coordinate with Public Works - Development Review for cul-de-sac configuration;
- Execute a private access and maintenance agreement for property owners adjacent to Post Road;
- Coordinate with Traffic Management to return any County assets to Public Works.

#### **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 30.02.26B of the Clark County Unified Development Code. Applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- 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.
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- 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; 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 owners wish to have their buildings purchased or soundproofed.



**Fire Prevention Bureau**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

**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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0360-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** PETERSEN MANAGEMENT, LLC

**CONTACT:** DC PETERSEN PROFESSIONAL CONSULTANTS, LLC, 5052 S. JONES BOULEVARD, SUITE 165, LAS VEGAS, NV 89118



## Department of Comprehensive Planning Application Form

ASSESSOR PARCEL #(s): 163-36-801-002

PROPERTY ADDRESS/ CROSS STREETS: South of Post Road and west of Mohawk Street

### DETAILED SUMMARY PROJECT DESCRIPTION

Design Review for a single story 37 000 Sq Ft office /warehouse building on 2, 28 acres, and Waivers of Development Standards.

### PROPERTY OWNER INFORMATION

NAME: Madison Mohawk LLC c/o Petersen Management LLC

ADDRESS: 5052 S. Jones Blvd # 165

CITY: Las Vegas

STATE: NV

ZIP CODE: 89118

TELEPHONE: 702-734-9393

CELL 702-768-1861

EMAIL: rgallegos@visiconlv.com

### APPLICANT INFORMATION (must match online record)

NAME: Petersen Management LLC - Darren C. Petersen , Manager

ADDRESS: 5052 S. Jones Blvd # 165

CITY: Las Vegas

STATE: NV

ZIP CODE: 89118

REF CONTACT ID # \_\_\_\_\_

TELEPHONE: 702-734-9393

CELL 702-768-1861

EMAIL: rgallegos@visiconlv.com

### CORRESPONDENT INFORMATION (must match online record)

NAME: Richard C. Gallegos - D.C. Petersen Professional Consultants

ADDRESS: 5052 S. Jones Blvd # 165

CITY: Las Vegas

STATE: NV

ZIP CODE: 89118

REF CONTACT ID # 168799

TELEPHONE: 702-734-9393

CELL 702-524-0054

EMAIL: rgallegos@visiconlv.com

\*Correspondent will receive all communication on submitted application(s).

(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)\*

Darren C. Petersen  
Property Owner (Print)

6-20-2024  
Date

### DEPARTMENT USE ONLY:

☐ AC  
☐ ADR  
☐ AG

☐ AR  
☐ AV  
☒ DR

☐ ET  
☐ PA  
☐ PUD

☐ PUDD  
☐ SC  
☐ SDR

☐ SN  
☐ TC  
☐ TM

☐ UC  
☐ VS  
☐ WC

☒ WS  
☐ ZC  
OTHER \_\_\_\_\_

APPLICATION # (s) 163-36-801-002

PC MEETING DATE 5/20/25

BCC MEETING DATE 6/18/25

TAB/CAC LOCATION Spring Valley

ACCEPTED BY [Signature]

DATE 3/27/25

FEES \$1,800

DATE 4/29/25

March 25, 2025

**VIA EMAIL**

CLARK COUNTY COMPREHENSIVE PLANNING  
500 S. Grand Central Parkway, 1<sup>st</sup> Floor  
Las Vegas, NV 89106

**Re: *Justification Letter – Design Review for Warehouse Facility and Waiver of Development Standards (1) Allow for No Landscaping Along North and East Property Lines, (2) Reduce Residential Adjacency Standards, and (3) Not Dedicate Post Road Mohawk Street/Post Road APN: 163-36-801-002***

Planner  
Copy

To Whom It May Concern:

Please be advised this office represents the Applicant in the above-referenced matter. The proposed project is located on approximately 2.28 acres and is located on the southwest corner of Mohawk Street and Post Road. The property is more particularly described as APN: 163-36-801-002 (the "Site"). The Applicant is proposing to develop a 37,000 SF warehouse facility. In addition to the design review, corresponding applications for a master plan amendment to Business Employment (BE) and zone change to Industrial Park (IP) are submitted concurrently with this application.

**DESIGN REVIEW**

The Applicant is proposing to develop a warehouse building with a total square footage of 37,000. The building will have six (6) loading bays facing east towards the drainage channel. The building will shield the loading docks from view of the public right-of-way. The building height is 37-feet where up to 50-feet is allowed in the IP zoning district.

Access to the Site is from Mohawk Street at the terminus of the Mohawk Street cul de sac. The Site is meeting parking by providing 45 parking spaces, including two (2) EV capable parking spaces, where 37 parking spaces are required. There will an 8-foot tall decorative screen wall around the perimeter of the Site.

Finally, the Site design meets the 7-point sustainability by providing the following 7.5 sustainability measures:

- Landscaping

- Title 30.04.05(J)(3)(ii) – The plants provided are all categorized under the Very Low or Low water needs. As such, this equals 1 point.
- Title 30.04.05(J)(3)(vi) – The plant material is oriented around the south and west sides of the building. As such, this equals 0.5 points.
- **Building/Site Design**
  - Title 30.04.05(J)(4)(i) – The building will have a cool roof made of solar reflective material. As such, this equals 1 point.
  - Title 30.04.05(J)(4)(ii)(a) – The building orientation is east-west. As such, this equals 1 point.
  - Title 30.04.05(J)(4)(ii)(b) – The building will provide shade structures:
    - A minimum of 50% of the entries and windows will be covered. As such, this equals 1 point.
    - Additionally, another 25% of the entries and windows will be covered. As such, this equals 1 point.
  - Title 30.04.05(J)(4)(c)(2) – The building will utilize daylight strategies to reduce the use of artificial light. As such, this equals 0.5 points.
  - Title 30.04.05(J)(4)(c)(4) – The floor to ceiling height is a minimum of 11-feet. As such, this equals 0.5 points.
  - Title 30.04.05(J)(c)(5) – The building will have solar ban glazing. As such, this equals 0.5 points.
  - Title 30.04.05(J)(c)(6) – Shading devices are at the building entrances. As such, this equals 0.5 points.

No design review is required for grade, as the Site will not exceed the 36-inch maximum grade increase. Additionally, signage is not part of this application.

#### **WAIVER OF DEVELOPMENT STANDARDS**

- **Landscaping Along North and East Property Lines**

The Applicant is seeking to waive the required landscaping along the north, south, and east property lines. Although there are existing residential homes to the north, the residential homes

are master planned BE. Therefore, the anticipated use is not residential but rather light industrial. Additionally, the residential homes and the property to the south are within the AE-65 overlay reinforcing the fact that a future nonresidential use is more likely than a residential use. The property to the west is Department of Aviation (DOA) property. The DOA property is likely deed restricted from development residential since it is located within the AE-65 overlay.

- **Waiver Residential Adjacency Standards**

As stated numerous times, the Site and the surrounding properties are located within the AE-65 overlay. Even though many of the properties are zoned residential, the likelihood of future residential development is low because of the AE-65 overlay. Therefore, the following residential adjacency standards should be waived:

- Increase Building Heights Adjacent to NPO/RNP-I zoned properties.
- Allow High Activity Adjacent Residential without Buffer.
- Allow a 24 foot separation for Parking Adjacent to Residential without Buffer
- Reduce Loading Dock/Area Separation from Residential to the South to 116-feet 5-inches and to the North to 138-feet 8", respectively, where 150-feet is required.
- Allow Loading Area to Not be Screened by Buffer.
- Allow a 17 foot Loading Area Separation where 50 feet is required.
- Allow Rear Setback of 21'3" where 30 feet is required.

The waiver to the residential adjacency standards are appropriate as all the properties are within the AE-65 overlay, some of the properties are planned BE (including the existing homes), or are DOA properties that will be deed restricted preventing residential uses.

- **Not to Dedicate Post Road**

Pursuant to Title 30.04.08(D)(2), the Applicant is requesting to not dedicate the southern 30-foot wide portion Post Road between the drainage channel and Lindell Road. Post Road is not necessary for the following reasons:

- There will be no development east of the Site due to the existing drainage channel.
- All properties along the Post Road alignment will still have legal access to public right-of-ways.
- Concurrent with the request, the Applicant is requesting to vacate and abandon the northern 30-foot wide portion of Post Road between the drainage channel and Lindell Road.

We thank you in advance for your time and consideration. Should you have any further questions, please feel free to contact me.

Sincerely,

KAEMPFER CROWELL



Jennifer Lazovich

JL/ajc





PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ET-25-400037 (WS-23-0333)-UNCOMMONS LIVING BLDG 1, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME** for the following: 1) approach distance; 2) throat depth; 3) curb return; and 4) driveway width.

**DESIGN REVIEWS** for the following: 1) modifications to a previously approved High Impact Project and mixed-use project; and 2) finished grade on an 8.4 acre portion of 32.5 acres in a U-V (Urban Village - Mixed-Use) Zone in the CMA Design Overlay District.

Generally located on the southeast corner of Durango Drive and the CC 215 within Spring Valley. MN/my/kh (For possible action)

---

**RELATED INFORMATION:**

**APN:**

176-04-211-002 through 176-04-211-007; 176-04-211-009 through 176-04-211-015; 176-04-301-003; 176-04-301-004; 176-04-301-014

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Reduce the approach distance along Gagnier Boulevard to 65 feet where 150 feet is required per Uniform Standard Drawings 222.1 (a 57% reduction).
- b. Reduce the approach distance along Badura Avenue to 65 feet where 150 feet is required per Uniform Standard Drawings 222.1 (a 57% reduction).
2. a. Reduce the throat depth along Gagnier Boulevard to 55 feet where 150 feet is required per Uniform Standard Drawings 222.1 (a 57% reduction).
- b. Reduce the throat depth along Gagnier Boulevard to zero feet where 25 feet is required per Uniform Standard Drawings 222.1 (a 100% reduction).
- c. Reduce the throat depth along Badura Avenue to zero feet where 25 feet is required per Uniform Standard Drawings 222.1 (a 100% reduction).
3. Reduce required standard curb return to 4 feet where 15 feet is required per Uniform Standard Drawings (a 73% reduction).
4. Reduce the driveway width to less than 32 feet lip to lip for pull-outs for Fire Department and other utilities per Uniform Standard Drawings 222.1.

**DESIGN REVIEWS:**

1. Revisions to portion of the residential element and commercial element (Phase II).
2. Increase finished grade to 48 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 33% increase).

**LAND USE PLAN:**

SPRING VALLEY - CORRIDOR MIXED-USE

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: N/A
- Site Acreage: 32.5 (entire site)/8.4 (Phase II)
- Number of Units: 807 (455 units for Phase II)
- Density (du/ac): 23
- Project Type: Modifications to High Impact/mixed-use project
- Number of Stories: Up to 5 stories
- Building Height (feet): Up to 75
- Square Feet: 588,600 (commercial)
- Open Space Required/Provided (square feet): 211,266/452,100
- Parking Required/Provided: 3,392/3,620

#### Overview

The approved mixed-use project is located on the southeast corner of the CC 215 Beltway/Roy Horn Way and Durango Drive on a total of 35.2 acres approved by action on ZC-19-0343. The previously approved plans depict a High Impact, mixed-use project consisting of office buildings, a movie theater, commercial buildings, residential buildings, and parking structures. The originally approved residential element consisted of 838 residential units at a density of 24 dwelling units per acre. The approved open space element for the entire project was a total of 452,100 square feet where 211,266 square feet is required.

In March 2020, a design review (DR-20-0098) was approved for modifications to the site. The revised plans approved with DR-20-0098 depicted 806 residential units at a density of 23 dwelling units per acre.

This request is for the Phase II portion of the project consisting mainly of the residential element and a portion of the commercial elements located on the south side of Maule Avenue, the north side of Badura Avenue, and west side of Gagnier Boulevard. The Phase II revision is a redesign to combine 2 portions of the southern residential areas which were originally approved with a private drive between. This revision depicts a site with the private street eliminated to create 1 residential block/complex with a reduced commercial element.

The open space is distributed along the perimeter, center, and throughout the site, consisting of the required pedestrian realm, modified and alternate realms, courtyards, plazas, and open spaces. The approved site landscaping consists of pedestrian realms along the frontage of the street and private drives ranging in width from a minimum of 15 feet up to 30 feet. The previously approved modified pedestrian realm along portions of Roy Horn Way is up to 20 feet wide with an alternate pedestrian realm that traverses the site ranging from a minimum of 15 feet to 25 feet wide in some areas to create wider plazas, courtyards, open space, amenity area, and connect to trails.

A total of 3,713 parking spaces were provided where the shared use table allows 3,135 parking spaces. The parking spaces are within various parking structures around the site. Parallel and

angled parking spaces are also provided along the drive aisles and private streets within the site. The residential elements and buildings are mainly located on the southern and western portions of the site. Phase I of the residential elements depicted buildings designed with the residential units wrapped around the parking structures. This allows the residential units which are the enhanced portions of the buildings to front the street frontages and more visible portions of the site. Portions of the residential element of Phase 1 are completed with other portions under construction.

#### Site Plan

This request is for Phase II which primarily consists of a residential element and a portion of the commercial element. The revision depicted a site with the private street eliminated to create one, 8.35 acre (net) block. This residential block is between Maule Avenue to the north, Badura Avenue to the south, Gagnier Boulevard to the east, and Butler Street to the west. Internal private streets with on-street parking create a grid network connecting the project with the surrounding public rights-of-way. Four office buildings are located along Roy Horn Way adjacent to the northern portion of the site. Commercial buildings with a market hall and parking structures provide a centralized gathering space within the overall complex.

The commercial element provided is 2,659 square feet and is located on the northwestern portion of the block. A 1,861 square foot leasing office with amenity areas for the buildings within this block includes a fitness center, co-working spaces, lounge, pet spa, and bicycle storage. Parking for the overall project was recalculated using the shared use parking schedule and indicates that a maximum of 3,392 parking spaces are required where 3,620 parking spaces are provided.

With all 4 levels of the apartment buildings combined, the total area is approximately 459,426 gross square feet. The entire project with the combined square footage of the apartment buildings and the parking garage is 837,673 gross square feet. The northwest corner of the building will include approximately 2,659 gross square feet of commercial space at the ground floor level. Additionally, there will be a ground floor leasing office of approximately 1,861 square feet, and various amenity spaces for residents use including a fitness center, working space, sky lounge, pet spa, bicycle storage, and other similar types of amenities.

The approved plans depict a contiguous residential complex consisting of 7 apartment buildings with firewalls separating the buildings and 1 parking structure on the southeastern portion of the complex. A total of 455 residential units are proposed divided into the 7 buildings. The buildings are configured to create an exterior courtyard along Maule Avenue and 3 separate interior courtyards connect the buildings with ground level breezeways.

This revision adds a residential unit to the latest approved plan, for a total of 807, which keeps the overall density at 23 dwelling units per acre.

#### Landscaping

The approved plans depict a 20 foot to 41 foot wide pedestrian realm around the residential block which exceeds Code requirement. Other revisions include pedestrian pathways that connect the pedestrian realm to the open space and plaza areas within the complex. The open space element

provided for this complex is 169,736 square feet which is a portion of the overall open space provided for the project.

### Elevations

The approved plans depict 4 story buildings ranging in height from 47 feet to the top of the parapets and up to 59 feet, 4 inches to the top of the stair wells and elevator shafts. The parking structure is 4 stories and up to approximately 35 feet in height and designed with each level corresponding to the floor levels of the apartment building. The building materials for the apartments include wood frames with low slope roofing and parapets around the perimeter with painted stucco finishes in white and grey with accents, off-sets, and recesses to enhance the facades especially along the street frontages and pedestrian realms. The parking structure consists of precast concrete panels with metal stairs.

### Floor Plans

The approved plans depict a selection of floor plans and include various configurations, including 50 studio apartment units, 216, one bedroom units, 185, two bedroom units, and 4, three bedroom units. Each will have a variety of design elements based on interior design palette for each building. The size of the apartment units ranges from 543 square feet to 698 square feet for studios, from 783 square feet for 1 bedroom, up to 1,400 square feet for the 2 bedroom, and up to 1,561 square feet for the 3 bedroom units.

### Previous Conditions of Approval

Listed below are the approved conditions for WS-23-0333:

#### Comprehensive Planning

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

#### Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Full off-site improvements;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Maule Avenue/Badura Avenue improvement project;
- Coordinate with Public Works - Development Review on the final design of the loading area driveways;
- Coordinate with Public Works - Development Review on prohibiting public access to the NVE access driveways.

- 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.

**Fire Prevention Bureau**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; and 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 completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0118-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**Applicant's Justification**

Per the applicant's justification letter, Phase II has not commenced due to delays based on financing. The applicant is requesting a 3 year extension to commence and complete the project. This request is necessary to securing financing, secure tenants, and partners for this portion of the project. Currently, the project is partially completed with only 3 parcels that are undeveloped. Per the applicant, 61% of the project is completed.

**Prior Land Use Requests**

Application Number	Request	Action	Date
SC-24-0261	Street name change for Gagnier Boulevard to Signature Boulevard	Approved by BCC	November 2024
DR-23-0802	Design review for recreational facility	Approved by BCC	February 2024
WC-23-400174 (ZC-19-0343)	Waivers of conditions for the operating hours to specials events	Approved by BCC	February 2024
WS-23-0718	Waiver of standards and design review to alter approved sign package	Approved by BCC	December 2023
WS-23-0604	Use permit to reduce pedestrian realm	Approved by BCC	November 2023
WS-23-0333	Waiver of standards to revise UnCommons Phase II	Approved by BCC	August 2023
ET-22-400041 (DR-20-0098)	First extension of time for outdoor theater and revisions to a high impact mixed-use project	Approved by BCC	May 2022
ET-22-400040 (WS-20-0099)	First extension of time for a temporary parking lot for a high impact mixed-use project	Approved by BCC	May 2022
ET-22-400039 (ZC-19-0343)	First extension of time request for a High Impact mixed-use project	Approved by BCC	May 2022
DR-22-0011	Finished grade	Approved by BCC	April 2022

### Prior Land Use Requests

Application Number	Request	Action	Date
WS-20-0507	Waived setbacks, signage, and non-standard improvements in right-of-way, with design reviews for building modifications and a comprehensive signage package for a high impact mixed-use project	Approved by BCC	January 2021
WS-20-0099	Temporary parking lots in conjunction with the previously approved High Impact, mixed-use project	Approved by ZA	March 2020
DR-20-0098	Outdoor theater and modifications to previously approved High Impact Project and mixed-use	Approved by ZA	March 2020
TM-20-500013	Mixed-use project consisting of 4 commercial lots on 43.4 acres	Approved by ZA	March 2020
ZC-19-0343	Reclassified the site to U-V zoning for a High Impact mixed-use project	Approved by BCC	June 2019
VS-19-0253	Vacated and abandoned patent easements and a portion of right-of-way being Pamalyn Avenue	Approved by BCC	May 2019
VS-0794-16	Vacated and abandoned patent easements and a portion of right-of-way being Butler Street	Approved by BCC	April 2017
UC-1202-02	Off-premises sign	Denied by BCC	February 2003
UC-1199-02	Off-premises sign	Denied by BCC	February 2003
VS-1518-02	Vacated and abandoned a portion of the Durango Flood Channel	Approved by PC	December 2002
ZC-1415-02	Reclassified a 12.2 acre portion of the site to C-2 zoning for future development	Approved by BCC	November 2002
ZC-1107-02	Reclassified a 2 acre portion of the site to C-2 zoning for an office building	Approved by BCC	September 2002
ZC-1065-02	Reclassified a 2.5 acre portion of the site to C-2 zoning for a restaurant	Approved by BCC	September 2002

### Surrounding Land Use\*

	Planned Land Use Category	Zoning District	Existing Land Use
North**	Corridor Mixed-Use	RS20 & CG	Undeveloped & office buildings
South	Urban Neighborhood (greater than 18 du/ac) & Business Employment	IP, RM32, & CG	Undeveloped, retail plaza, & multi-family residential
East	Business Employment & Urban Neighborhood (greater than 18 du/ac)	CG, RM50, & CP	Undeveloped & office building
West	Entertainment Mixed-Use	H-1	Durango Station

\*Portions of the subject site and surrounding area are in the Public Facilities Needs Assessment (PFNA) area.

**\*\*The CC 215 is located directly north of the site.**

#### **Related Applications**

<b>Application Number</b>	<b>Request</b>
ET-25-400044 (UC-23-0604)	Extension of time for modifications to the pedestrian realm is a related item on this agenda.
ET-25-400043 (ZC-19-0343)	Extension of time for a high impact mixed-use project is a related item on this agenda.
ET-25-400042 (WS-23-0718)	Extension of time for signage is a related item on this agenda.
ET-25-400041 (DR-20-0098)	Second extension of time for an outdoor theater and modifications to a mixed-use project is a related item on this agenda.
ET-25-400038 (WS-20-0099)	Extension of time for temporary parking lots is a related item on this agenda.

#### **STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

#### **Analysis**

##### **Comprehensive Planning**

Title 30 standards of approval for an extension of time state an application may be denied 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, regulations, or policies affecting the subject property. Additionally, the applicant must demonstrate the project is progressing through the applicable development permit or licensing process.

This request is related to the previously approved multi-family development with a commercial component just south of Maule Avenue in addition to the outdoor theater on the west side of the development and a previously approved office building on the northeast corner of the site. Staff finds that building permit (BD23-36579) is still an active permit in the system and is related to the multi-family development block south of Maule Avenue. Records also show the following active permits related to the multi-family residential development: BD24-09517, BD24-33417, PW-23-18732-B01, PW23-18732, and PW20-13383-B01. Staff supports this request since the applicant has shown progress towards completing 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

## **PRELIMINARY STAFF CONDITIONS:**

### **Comprehensive Planning**

- Until December 6, 2028 to commence or the application will expire unless extended with approval of an extension of time.
- Applicant is advised 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

### **Public Works - Development Review**

- 30 days to coordinate with Public Works - Construction Management Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Badura Avenue/ Maule Avenue improvement project;
- 90 days to record said separate document for the Badura Avenue/Maule Avenue improvement project;
- Compliance with previous conditions.

### **Fire Prevention Bureau**

- No comment

### **Clark County Water Reclamation District (CCWRD)**

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT:** KELLY LAWSON

**CONTACT:** LEBENE AIDAM-OHENE, BROWN, BROWN, & PREMSRIRUT, 520 S. FOURTH STREET, LAS VEGAS, NV 89101

LAW OFFICE

*Brown, Brown & Premsrirut*

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

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

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

March 10, 2025

Clark County Comprehensive Planning  
Current Planning Division  
500 Grand Central Parkway  
Las Vegas, Nevada 89155

**Re: UnCommons Mixed Use Project (Matter Real Estate)  
Justification Letter – First Extension of Time  
Application Number: WS-23-0333  
Assessor's Parcel Number: 176-04-211-002 thru 007, 009 thru 015, 176-04-301-003,  
004, & 176-04-301-014**

**To Whom It May Concern:**

On behalf of our Client, Matter Uncommons LLC. Et Al, please accept this justification letter for a request for the first extension of time for WS-23-0333 for the phase II of the project consisting of 455 residential units (residential element) and a commercial with alternative off-site standards. This portion of the mixed-use project is located in the south side of Maule Avenue between Butler Street and Gagnier Boulevard. Permits are submitted for the approved for this portion of the project but are yet to be issued. The development is on a total of 32.7 net acres and is located on the southeast corner of Durango Drive & the 2-15 Beltway.

**To Whom It May Concern:**

This request is for an additional three (3) year extension of time to allow for permits to be issued to commence construction of this portion of the development and the subsequent completion of the entire project. This request includes five (5) companion applications including WS-23-0604, UC-23-23-0718, (DR-20-0098), (WS-20-0099) and ZC-19-0343. The three (3) year extension of time requested is until June 19, 2028, to commence and complete to ensure that the entire development is completed. The request is for all six application to have one commencement and completion date to help track the applications for the project.

The undeveloped portion of the site consist of three parcels including the multi-family block with a commercial element located south of Maule Avenue, the outdoor theater on the western portion of the site and the approved office building on the northeastern portion of the site. The subject application is for the multi-family (residential/commercial portion) portion the development. A building permit (BD23-3679) is in process as well as other require permits for Public Works and

ET-25-400037 - JL  
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the Utility entities. The permits and other requirements are in process or being phased as allowed by the different entities.

This portion is not commenced because of delays based on financing and other avoidable issues. Therefore, the three (3) year extension of time to commence and complete the project is necessary to secure financing, tenants, and partners for this portion. The request to allow until June 19, 2028, for this application and the five (5) other applications for the project and to allow for the commencement and completion of the entire project.

This development is a mixed-use and a High Impact Project (HIP) on 32.7 net acres with a Development Agreement and Performance Agreement with the County. Additionally, the project is being constructed in phases as is typical for large complex projects. The project is partially completed with only three (3) parcels that are undeveloped including the subject building and parcel. Attached is a summary indicating that up to 61% of the project is completed. This indicates that the Developer is diligently pursuing construction and completion of the project.

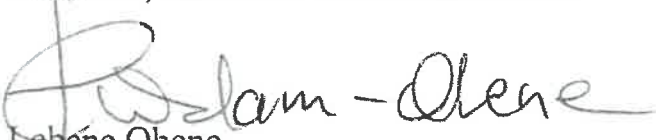
The information provided above and attached demonstrates that the Applicant is diligently pursuing construction and completion of the project. The request for the three (3) year extension of time is to ensure that the project is commenced and completed.

We appreciate your review and approval of the application as requested.

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

Sincerely,

BROWN, BROWN & PREMSRUT



Lebéne Ohene  
Land Use and Development Consultant

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**PUBLIC HEARING**

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**

**ET-25-400038 (WS-20-0099)-UNCOMMONS LIVING BLDG 1, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS SECOND EXTENSION OF TIME** for the following: 1) landscaping; and 2) alternative parking lot design.

**DESIGN REVIEW** for a temporary parking lot in conjunction with an approved High Impact Project and Mixed-Use Project on 32.5 acres in a U-V (Urban Village - Mixed-Use) Zone in the CMA Design Overlay District.

Generally located on the east side of Durango Drive and the south side of the CC 215 within Spring Valley. MN/rp/kh (For possible action)

---

**RELATED INFORMATION:**

**APN:**

176-04-211-002 through 176-04-211-007; 176-04-211-009 through 176-04-211-015; 176-04-301-003; 176-04-301-004; 176-04-301-014

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Waive street landscaping adjacent to the temporary parking lot where landscaping is required per Table 30.64-2.
- b. Waive parking lot landscaping for the temporary parking lot where landscaping is required per Table 30.64-2.
2. a. Waive pedestrian walkways through the temporary parking lot where required per Section 30.60.050.
- b. Allow a temporary parking area of 100 spaces or more to not be designed in a series of smaller, connected parking courts where required per Section 30.48.660.

**DESIGN REVIEW:**

Temporary parking lot in conjunction with an approved High Impact and Mixed-Use Project.

**LAND USE PLAN:**

SPRING VALLEY - BUSINESS EMPLOYMENT

SPRING VALLEY - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 32.5
- Project Type: Temporary parking lot
- Parking Required/Provided (overall): 3,298/3,730

### Overview

The previously approved application was for temporary parking lots that will be installed on the site in various locations as the overall High Impact, mixed-use project is constructed. Although the plans originally submitted with this application show the temporary parking lot in 1 location, the intent is for the parking lot to move around the site as demand for parking may exceed the structured parking provided with each phase. This application is for an extension of time for the temporary parking lots to continue since the previously approved High Impact mixed-use, project is still being constructed.

### Site Plan

The previously approved site plan depicts an initial paved temporary parking lot located near the center of the overall project on the southeast corner of 2 internal private drives. The depicted temporary parking lot was shown abutting the east side of the centralized retail/restaurant/market hall area of the project and was located over 600 feet from the west property line along Durango Drive. The temporary parking lot was also located over 300 feet from Roy Horn Way to the north, Maule Avenue to the south, and Gagnier Boulevard to the east. Although the previous plans for this temporary parking lot depicted 174 parking spaces, future temporary parking lots may include additional or fewer parking spaces.

### Landscaping

The previously approved plans depicted painted fingers in the parking lot without any landscaping. Also, the applicant intends to install some street landscaping adjacent to the temporary parking lots; however, the street landscaping will not meet the requirements for final pedestrian realm landscaping.

### Signage

Signage is not a part of this request.

### Previous Conditions of Approval

Listed below are the approved conditions for ET-22-400040 (WS-20-0099):

#### Current Planning

- Until June 19, 2025 to review if parking lot is still in use;
- 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 and application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

#### Public Works - Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for WS-20-0099:

**Current Planning**

- 2 years to commence and review;
- Plans for each temporary parking lot to be reviewed by staff;
- Only 1 temporary parking lot permitted at a time.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; 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**

- Until June 19, 2021 for the applicant to obtain off-site permits as required by ZC-19-0343;
- 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 25 feet to 50 feet to the back of curb for Maule Avenue, 25 feet to the back of curb for Butler Street, 25 feet to 50 to the back of curb for Gagnier Boulevard, 35 feet to the back of curb for Badura Avenue, and associated spandrels, and, if necessary, additional right-of-way for Roy Horn Way to accommodate 44 feet of right-of-way from the back of curb to the concrete barrier;
- If required by the Regional Transportation Commission, provide a bus turnout on the east side of Durango Drive north of and as close as practical to Maule Avenue and include provisions for a 5 foot by 50 foot bus shelter pad easement behind the sidewalk.
- Applicant is advised that compliance with the Uniform Standard Drawings is required; 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; and that the installation of detached sidewalks will require the dedication of right-of-way to the back of curb or 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.

**Building Department - Fire Prevention**

- No comment.

**Clark County Water Reclamation District (CCWRD)**

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0170-2019 to obtain your POC exhibit; and that wastewater flow rates that exceed CCWRD estimates may require another POC analysis.

**Applicant's Justification**

The applicant is requesting 3 years to commence. The applicant indicates this project is under construction in phases and is partially completed with only 2 parcels that are currently undeveloped, including the subject parking lot. Since the overall project is not yet complete, there is a continuing need for the placement of the temporary parking lots to keep up with the

potential demand for parking as the project progresses. There have been 5 companion extensions of time, submitted with this request that relate to different aspects of the mixed-use project (Uncommons). The applicant would like all 6 of these extensions of time to have a concurrent expiration date.

#### Prior Land Use Requests

Application Number	Request	Action	Date
SC-24-0261	Street name change for Gagnier Boulevard to Signature Boulevard	Approved by BCC	November 2024
DR-23-0802	Design review for a recreational facility with a previously approved mixed-use project	Approved by BCC	February 2024
WC-23-400174 (ZC-19-0343)	Waivers of conditions for the operating hours to specials events	Approved by BCC	February 2024
WS-23-0718	Waivers of development standards and a design review for modifications to the comprehensive sign package for a mixed-use project	Approved by BCC	December 2023
WS-23-0604	Use permits for modifications to pedestrian realms and alternative designs for pedestrian realms to a mixed-use project	Approved by BCC	November 2023
WS-23-0333	Waived approach distance, throat depth, and driveways with a design review for Phase II of a high impact mixed-use project and finished grade	Approved by BCC	August 2023
ET-22-400041 (DR-20-0098)	First extension of time for outdoor theater and revisions to a high impact mixed-use project	Approved by BCC	May 2022
ET-22-400040 (WS-20-0099)	First extension of time for a temporary parking lot for a high impact mixed-use project	Approved by BCC	May 2022
ET-22-400039 (ZC-19-0343)	First extension of time request for a high impact mixed-use project	Approved by BCC	May 2022
DR-22-0011	Finished grade	Approved by BCC	April 2022
WS-20-0507	Waived setbacks, signage, and non-standard improvements in right-of-way, with design reviews for building modifications and a comprehensive signage package for a high impact mixed-use project	Approved by BCC	January 2021
WS-20-0099	Temporary parking lots in conjunction with the previously approved High Impact, mixed-use project	Approved by ZA	March 2020
DR-20-0098	Outdoor theater and modifications to the previously approved High Impact, mixed-use project	Approved by ZA	March 2020
VS-20-0052	Vacated and abandoned patent easement and rights-of-way being Butler Avenue, Maule Avenue, and Gagnier Boulevard	Approved by ZA	March 2020



**Prior Land Use Requests**

Application Number	Request	Action	Date
TM-20-500013	Mixed-use subdivision project	Approved by ZA	March 2020
ZC-19-0343	Reclassified the site to U-V zoning for a High Impact, mixed-use project	Approved by BCC	June 2019
VS-19-0253	Vacated and abandoned patent easements and a portion of right-of-way being Pamalyn Avenue	Approved by BCC	May 2019
VS-0794-16	Vacated and abandoned patent easements and a portion of right-of-way being Butler Street	Approved by BCC	April 2017
UC-1202-02	Off-premises sign	Denied by BCC	February 2003
UC-1199-02	Off-premises sign	Denied by BCC	February 2003
VS-1518-02	Vacated and abandoned a portion of the Durango Flood Channel	Approved by PC	December 2002
ZC-1415-02	Reclassified a 12.2 acre portion of the site to C-2 zoning for a future development	Approved by BCC	November 2002
ZC-1107-02	Reclassified a 2 acre portion of the site to C-2 zoning for an office building	Approved by BCC	September 2002
ZC-1065-02	Reclassified a 2.5 acre portion of the site to C-2 zoning for a restaurant	Approved by BCC	September 2002

**Surrounding Land Use\***

	Planned Land Use Category	Zoning District	Existing Land Use
North**	Corridor Mixed-Use	RS20 & CG	Undeveloped & office buildings
South	Urban Neighborhood (greater than 18 du/ac) & Business Employment	IP, RM32, & CG	Undeveloped, retail plaza, & multi-family residential
East	Business Employment & Urban Neighborhood (greater than 18 du/ac)	CG, RM50, & CP	Undeveloped & office building
West	Entertainment Mixed-Use	H-1	Durango Station

\*Portions of the subject site and surrounding area are in the Public Facilities Needs Assessment (PFNA) area.

\*\*The CC 215 is located directly north of the site.

**Related Applications**

Application Number	Request
ET-25-400044 (UC-23-0604)	Extension of time for modifications to the pedestrian realm is a related item on this agenda.

### Related Applications

Application Number	Request
ET-25-400043 (ZC-19-0343)	Extension of time for a high impact mixed-use project is a related item on this agenda.
ET-25-400042 (WS-23-0718)	Extension of time for signage is a related item on this agenda.
ET-25-400041 (DR-20-0098)	Second extension of time for an outdoor theater and modifications to a mixed-use project is a related item on this agenda.
ET-25-400037 (WS-23-0333)	Extension of time for Phase II of a mixed-use project and is a related item on this agenda.

### STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

### Analysis

#### Comprehensive Planning

Title 30 standards of approval for an extension of time state an application may be denied 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, regulations, or policies affecting the subject property. Additionally, the applicant must demonstrate the project is progressing through the applicable development permit or licensing process.

Staff finds the applicant has worked to complete the project as approved. As the applicant indicates, the project is partially completed with only two parcels that are undeveloped including the subject parking lot is yet to be completed. The project is being constructed in phases. The development is a mixed-used and High Impact Project (HIP) and aligns with Policy SV-1.5 of the Master Plan. This policy seeks to encourage the development of neighborhood oriented retail, office, and commercial services that allow Spring Valley residents to meet their daily needs and potentially work close to their homes. Therefore, staff can support the extension of time request. Staff can further support the applicant's request for a 3 year extension of time and to allow the accompanying extensions of time to have the same expiration dates, as this request would allow for ample time to complete the various phases of the project and the tracking of the related applications together would allow for easier processing of applications in the future for both the applicant and staff.

#### 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

#### **PRELIMINARY STAFF CONDITIONS:**

##### **Comprehensive Planning**

- Until December 6, 2028 to complete or the application will expire unless extended with approval of an extension of time.
- Applicant is advised 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

##### **Public Works - Development Review**

- 30 days to coordinate with Public Works - Construction Management Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Badura Avenue/ Maule Avenue improvement project;
- 90 days to record said separate document for the Badura Avenue/Maule Avenue improvement project;
- Compliance with previous conditions.

##### **Fire Prevention Bureau**

- No comment.

##### **Clark County Water Reclamation District (CCWRD)**

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT: KELLY LAWSON**

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





## Department of Comprehensive Planning Application Form

ASSESSOR PARCEL #(s): 176-04-211-002 through 007, 176-04-211-009 through 015, 176-04-301-003, 004, 014

PROPERTY ADDRESS/ CROSS STREETS: Durango Drive & 215 Beltway

### DETAILED SUMMARY PROJECT DESCRIPTION

SECOND EXTENSION OF TIME(WS-20-0099)  
WAIVERS AND DESIGN REVIEW FOR A TEMPORARY FLOATING PARKING LOT

### PROPERTY OWNER INFORMATION

NAME: Matter Uncommons, LLC ET AL - James Stuart

ADDRESS: 385 Pilot Road Suite D

CITY: Las Vegas

STATE: NV

ZIP CODE: 89119

TELEPHONE: 702-401-8996

CELL N/A

EMAIL: kelly.lawson@matterrealestate.com

### APPLICANT INFORMATION (must match online record)

NAME: James Stuart/Kelly Lawson

ADDRESS: 385 Pilot Road Suite D

CITY: Las Vegas

STATE: NV

ZIP CODE: 89119

REF CONTACT ID #

TELEPHONE: 702-401-8996

CELL N/A

EMAIL: kelly.lawson@matterrealestate.com

### CORRESPONDENT INFORMATION (must match online record)

NAME: Jay Brown/Lebene Ohene

ADDRESS: 520 South Fourth Street

CITY: Las Vegas

STATE: NV

ZIP CODE: 89101

REF CONTACT ID # 17385

TELEPHONE: 702-598-1429

CELL 702-561-7070

EMAIL: lohene@brownlawlv.com

\*Correspondent will receive all communication on submitted application(s).

(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)\*

James Stuart

Property Owner (Print)

2/27/25

Date

### DEPARTMENT USE ONLY

☐ AC  
☐ ADP  
☐ AG

☐ AR  
☐ AV  
☐ DR

☒ ET  
☐ PA  
☐ PLD

☐ PUDD  
☐ SC  
☐ SDR

☐ SN  
☐ TC  
☐ TM

☐ UC  
☐ VS  
☐ WC

☐ WS  
☐ ZC  
☐ Other

APPLICATION # (s): ET-25-400038

PERMITTING DATE

NOT IN EFFECT DATE

TAB/LAC LOCATION

5/21/25

Spring Valley

DATE

04/24/25

ACCEPTED BY

DATE

FEE

RP  
3/17/25  
\$1100

02/05/2024

APP  
25-400038

LAW OFFICE

*Brown, Brown & Premsrut*

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

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

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

March 10, 2025

Clark County Comprehensive Planning  
Current Planning Division  
500 Grand Central Parkway  
Las Vegas, Nevada 89155

**Re: UnCommons Mixed Use Project (Matter)- Revision 1  
Justification Letter – Second Extension of Time  
Application Number: WS-20-0099  
Assessor's Parcel Number: 176-04-211-002 thru 007, 009 thru 015, 176-04-301-003, 004, & 176-04-301-014**

**To Whom It May Concern:**

On behalf of our Client, Matter Uncommons LLC, Et Al, please accept this justification letter for a request for the second extension of time for WS-20-0099 which approved landscaping and alternative parking lot design for a temporary (floating) parking lot for the previously approved mixed-use project and High Impact Project consisting of commercial, residential, and open space elements. The project is on a total of 32.7 net acres and is located on the southeast corner of Durango Drive & the 2-15 Beltway.

This application was approved administratively by the Director of Comprehensive Planning (Zoning Administrator) for two (2) years on March 25, 2020, during the Covid-19 emergency declarations.

The first extension of time was approved in conjunction with two other companion applications (ZC-19-0343) which originally approved the mixed-use project and (DR-20-0099) for an outdoor theater and modifications to the previously approved project.

This request is for a second extension of time to allow the temporary floating parking lot until the entire project on 35.0 acres is completed. This application includes five (5) other companion extension of time applications (ZC-19-0343, WS-20-0099, DR-20-0098, WS-23-0333; UC-23-0604 and WS-23-0718). This

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letter is also a request that all the six (6) extension of time applications have a concurrent approval date tied to the approval date of the previous extension of time date for the zone change application (ZC-19-0343) which was approved by the Board of County Commissioners (BCC) until June 19, 2025, to complete.

However, because of delays to construct portions of the project, a three (3) year extension of time to commence being June 19, 2028, for five of the applications for the project and to allow for the completion of the project which is on 35.0 acres.

This development is a mixed-use and a High Impact Project (HIP) on 35.0 acres with a Development Agreement and Performance Agreement with the County. Additionally, the project is being constructed in phases as is typical for large complex projects. The project is partially completed with only two parcels that are undeveloped including the subject building approved by this action on this application that is yet to be completed. This indicated that the Developer is diligently pursuing construction and completion of the project.

The information provided above demonstrates that the Applicant is diligently pursuing construction and completion of the project. The request for the three (3) year extension of time is to ensure that the project is commenced and completed.

The information provided above demonstrates that the Applicant is diligently pursuing construction and completion of the project. The request for the three (3) year extension of time is to ensure that the project is completed as approved by the BCC.

We appreciate your review and approval of the application as requested.

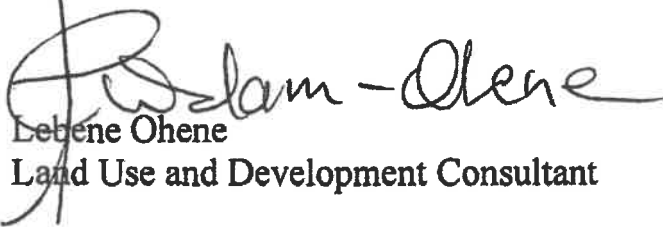
Please contact me if you have questions or concerns with the application.

JL  
25-400030



Sincerely,

BROWN, BROWN & PREMSRIRUT

  
Lebene Ohene  
Land Use and Development Consultant

JL  
25-400038

05/21/25 BCC AGENDA SHEET

**PUBLIC HEARING**

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**

**ET-25-400039 (WS-23-0211)-MCM TOWER, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME** for the following: 1) increase building height; 2) increase the height of exterior fixtures (luminaries) mounted on buildings; and 3) allow modified driveway design standards.

**DESIGN REVIEWS** for the following: 1) office building; 2) parking garage with restaurants; and 3) finished grade on 4.2 acres in a CG (Commercial General) Zone.

Generally located on the north side of Sunset Road and the east side of Riley Street within Spring Valley. JJ/rp/cv (For possible action)

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**RELATED INFORMATION:**

**APN:**

163-32-801-011

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Increase building (office) height to 133 feet where a maximum building height of 50 feet is permitted per Table 30.40-4 (a 166% increase).  
b. Increase building (parking garage with restaurants) to 92 feet where a maximum building height of 50 feet is permitted per Table 30.40-4 (an 84% increase).
2. Increase the height of exterior fixtures (luminaries) mounted on buildings to 17 feet where a maximum height of 14 feet is permitted above finished grade per Section 30.48.670 (a 21.5% increase).
3. a. Reduce throat depth (Riley Street) to 19 feet where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 (an 87.3% reduction).  
b. Reduce throat depth (Sunset Road) to 18 feet where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 (an 88% reduction).

**DESIGN REVIEWS:**

1. Office building.
2. Parking garage with restaurants.
3. Increase finished grade to 96 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 166.7% increase).

**LAND USE PLAN:**

**SPRING VALLEY - CORRIDOR MIXED-USE**

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: N/A
- Site Acreage: 4.2
- Project Type: Office building & parking garage with restaurants
- Number of Stories: 9 (office building)/6 (parking garage)
- Building Height (feet): 133 (office building)/92 (parking garage with restaurants)
- Square Feet: 209,577 (office building)/660,176 (parking garage)/19,547 (restaurants)
- Parking Required/Provided: 1,104/1,150

#### History

The C-2 zoning for the subject property was approved via ZC-1333-02 by the Board of County Commissioners in November 2002 for a retail building, convenience store with gasoline station (fuel pumps), and 2 future restaurant pad sites. The commercial development that was approved with the zone change was never constructed. WS-23-211 was approved for an office building and a parking garage with restaurants at the top level. A condition of ZC-1333-02 prohibited required parking to be behind buildings. WC-23-400053(ZC-1333-02) was approved with this development to waive the previously imposed parking condition.

#### Site Plans

The previously approved plans depict a 9 story office building located on the south portion of the project site with the following setbacks: 1) 78 feet from the south property line adjacent to Sunset Road; 2) 26 feet from the east property line; 3) 17 feet from the west property line along Riley Street; and 4) 389 feet from the north property line. A detached, 6 story parking garage, with restaurants on the top level, is located immediately to the rear (north) of the office building and features the following setbacks: 1) 12.5 feet from the north property line; 2) 21 feet from the west property line adjacent to Riley Street; 3) 1.5 feet from the east property line; and 4) 261 feet from the south property line along Sunset Road. Access to the site is granted via a commercial driveway along Sunset Road and a driveway along Riley Street. A waiver of development standards was approved to reduce the throat depth for the driveways along Sunset Road and Riley Street. Surface level parking is located immediately to the south of the office building, consisting of a row of parking spaces adjacent to Sunset Road. A single row of surface level parking spaces is located between the north side of the office building and the south side of the parking garage. A total of 1,104 parking spaces are required where 1,150 parking spaces are provided. Cross access is provided to the commercial development to the east of the project site. Five foot wide detached sidewalks are located along Riley Street and Sunset Road, with enhanced paving at the driveway entrances per a condition of ZC-1333-02. A design review to increase finished grade was also approved with this request. The increase in finished grade occurs on the site's topography from south to north.

#### Landscaping

The previously approved plans depict 15 foot wide landscape areas, with 5 foot wide detached sidewalks, located along Sunset Road and Riley Street. The street landscaping consists of trees, shrubs, and groundcover. A 3 foot high, decorative, split-face block wall is located within the

street landscape areas for flood control/drainage purposes. Interior parking lot landscaping is located immediately to the south of the office building, along Sunset Road, and between the north side of the office building and the south side of the parking garage. Site amenities are provided throughout the site which include enhanced paving at pedestrian crossings, benches, ornamental trash receptacles, and light fixtures per a condition of ZC-1333-02.

#### Elevations

The previously approved plans depict a 9 story office building with varying rooflines measuring 133 feet in height. The exterior of the office building consists of decorative metal panel systems, stone tile exterior clad, and an aluminum storefront window system. The colors of the office building consist of varying shades of gray with white and orange accents. All rooftop mounted equipment is screened from public view and the right-of-way by parapet walls.

The previously approved plans also depict a 6 story parking garage, measuring between 65.5 feet to 92 feet in height, with varying rooflines. The exterior of the parking garage consists of stucco and stone tile exterior clad. The top level of the garage features the 3 restaurant tenant spaces, which consist of a stucco exterior and an aluminum storefront window system. Decorative metal clad canopies, painted with an orange accent, are located above the outside dining areas. The color of the garage features varying shades of gray.

#### Floor Plans

The previously approved plans depict an office building consisting of 8 floors with open shell space measuring 209,577 square feet in area. Outdoor patios, measuring 8,404 square feet in area, are located around the first floor perimeter of the office building. The parking garage consists of 5 levels with a roof deck at the top level. Three restaurant spaces are located on the fifth level of the garage, with an area measuring 19,547 square feet. An outdoor dining area measuring 8,568 square feet is centrally located between the restaurant tenant spaces.

#### Signage

Signage is not a part of this request.

#### Previous Conditions of Approval

Listed below are the approved conditions for WS-23-0211:

##### Comprehensive 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 installation and use of cooling systems that consumptively use water will be prohibited; approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; 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;
- 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.
- 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.

#### Fire Prevention Bureau

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

#### 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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0160-2023 to obtain your POC exhibit and that flow contributions exceeding CCWRD estimates may require another POC analysis.

#### Applicant's Justification

The applicant has worked diligently toward commencing the development. For example, the applicant has made coordinated efforts with NV Energy regarding the electric and fiber conduits includes the installation of the vault infrastructure from the connection point to the subject parcel. In addition, off-site improvements have been completed, and water/sewer connection points have been established. The applicant is requesting a 2 year extension of time.

#### Prior Land Use Requests

Application Number	Request	Action	Date
WS-23-0211	Increased building height, exterior fixtures, and modified driveway design standards and design review for an office building and parking garage	Approved by BCC	June 2023
ET-19-400139 (DR-0083-17)	First extension of time for the redesign of a previously approved commercial center with office uses - expired	Approved by BCC	December 2019
WS-19-0372	Increased the height of a freestanding sign - expired	Approved by PC	July 2019
ET-18-400140 (VS-0068-16)	First extension of time to vacate portions of right-of-way being Sunset Road - recorded	Approved by BCC	July 2018

### Prior Land Use Requests

Application Number	Request	Action	Date
ET-18-400141 (UC-0067-16)	First extension of time to increase building height for a commercial center with waivers for increased lot coverage and alternative landscaping in conjunction with a commercial center consisting of offices, restaurants, and retail uses - expired	Approved by BCC	July 2018
VS-0947-17	Vacated and abandoned easements - recorded	Approved by PC	December 2017
DR-0083-17	Redesign of a previously approved commercial center with office uses - expired	Approved by BCC	March 2017
VS-0068-16	Vacated portions of right-of-way being Sunset Road - recorded	Approved by BCC	March 2016
UC-0067-16	Commercial center with waivers for increased lot coverage and alternative landscaping in conjunction with a commercial center consisting of offices, restaurants, and retail uses - expired	Approved by BCC	March 2016
VS-0192-06	Vacated easements and portions of right-of-way being Riley Street, Post Road, and Tecu Avenue - recorded	Approved by PC	March 2006
ZC-1333-02	Reclassified the project site to C-2 zoning for a shopping center consisting of a retail building, convenience store, gasoline station, and 2 restaurant pad sites	Approved by BCC	November 2002

### Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Mixed-Use	CC	Mixed-use development with multi-family
South	Entertainment Mixed-Use	CG	Commercial development (Ikea)
East	Corridor Mixed-Use	CG	Recreational facility (pickle ball), restaurants, retail, offices, & a parking garage currently under construction
West	Corridor Mixed-Use	CG	Office buildings

### STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

### Analysis

#### Comprehensive Planning

Title 30 standards of approval for an extension of time state an application may be denied 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, regulations, or policies affecting the subject property. Additionally, the applicant must demonstrate the project is progressing through the applicable development permit or licensing process.

Staff finds the applicant has worked towards the commencement of the previously approved project. Records show that there are active permits in the system such as BD21-12905, PW17-19524-MIT (approved), and PW17-36296-GEO (in review). As the applicant indicates, they have worked with Nevada Energy regarding electric and fiber conduit and install the vault infrastructure from the connection point to the property. Therefore, staff can support the extension of time request.

#### **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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

#### **PRELIMINARY STAFF CONDITIONS:**

##### **Comprehensive Planning**

- Until June 21, 2027 to commence or the application will expire unless extended with approval of an extension of time.
- Applicant is advised 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; the County has adopted a rewrite to Title 30 effective January 1, 2024, 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

##### **Public Works - Development Review**

- Compliance with previous conditions.

##### **Fire Prevention Bureau**

- No comment.

##### **Clark County Water Reclamation District (CCWRD)**

- No comment.



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

**APPLICANT:** MCM TOWER, LLC

**CONTACT:** KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE #650, LAS VEGAS,  
NV 89135

DRAFT





# Department of Comprehensive Planning Application Form

14

ASSESSOR PARCEL #(s): 163-32-801-011

PROPERTY ADDRESS/ CROSS STREETS: Sunset & Riley

(PROPERTY OWNER'S PROJECT DESCRIPTION)

First extension of time request for WS-23-0211.

(PROPERTY OWNER'S INFORMATION)

NAME: MC M Tower, LLC

ADDRESS: 9275 Russell Road #235

CITY: Las Vegas

STATE: NV

ZIP CODE: 89148

TELEPHONE: 000-000-0000

CELL 000-000-0000

EMAIL: n/a

(APPLICANT INFORMATION)

NAME: MC M Tower, LLC

ADDRESS: 9275 Russell Road #235

CITY: Las Vegas

STATE: NV

ZIP CODE: 89148

REF CONTACT ID # n/a

TELEPHONE: 000-000-0000

CELL 000-000-0000

EMAIL: n/a

(DESIGNATED CONTACT INFORMATION)

NAME: Kaempfer Crowell -- Bob Gronauer

ADDRESS: 1980 Festival Plaza Dr. #650

CITY: Las Vegas

STATE: NV

ZIP CODE: 89135

REF CONTACT ID # 184674

TELEPHONE: 702-792-7000

CELL 702-792-7048

EMAIL: spierce@kcview.com

\*Correspondent will receive all project communication

(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 and 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)\*

CFIR Hagay  
Property Owner (Print)

March 10, 2025  
Date

DEPARTMENT USE ONLY:

☐ AC  
☐ ADR  
☐ AG

☒ AR  
☐ AV  
☐ OR

☒ ET  
☐ PA  
☐ PUD

☐ PUDD  
☐ SC  
☐ SDR

☐ SN  
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☐ TM

☐ UC  
☐ VS  
☐ WC

☐ WS  
☐ ZC  
OTHER \_\_\_\_\_

APPLICATION # (s)

ET 25-400039

PC MEETING DATE

N/A

BCC MEETING DATE

5/21/25

TAB/CAC LOCATION

Spring Valley

DATE

4/29/25

ACCEPTED BY

DATE

RP  
5/17/25

\$1100

LAS VEGAS OFFICE  
1980 Festival Plaza Drive, Suite 650  
Las Vegas, NV 89135  
T: 702.792.7000  
F: 702.796.7181

KAEMPFER

CROWELL

LEXA D. GREEN  
[lgreen@kcnvlaw.com](mailto:lgreen@kcnvlaw.com)  
D: 702.792.7000

March 12, 2025

**VIA ELECTRONIC UPLOAD**

CLARK COUNTY COMPREHENSIVE PLANNING  
500 S. Grand Central Parkway, 1st Floor  
Las Vegas, NV 89106

**Re: *Justification Letter – Extension of Time (WS-23-0211)***  
***MC M Tower, LLC***  
***APN: 163-32-801-011***

To Whom It May Concern:

Please be advised this firm represents the Applicant in the above referenced matter. The site is located on 4.18 acres, on the northeast corner of South Riley Street and West Sunset Road (the "Property"). The Property is more particularly described as Assessor's Parcel Numbers 163-32-801-001. The Applicant is requesting an extension of time for the previously approved entitlements on the Property.

By way of background, on June 21, 2023, the Board of County Commissioners ("BCC") approved a design review and waivers of development standards to allow for an office and commercial development that includes a parking garage (WS-23-0211). The Applicant is now requesting its first extension of time. Since the approval, the Applicant has worked diligently toward development; they have worked with Nevada Energy regarding electric and fiber conduits and installed the vault infrastructure from the connection point to the Property. Furthermore, offsite improvements have been completed, and water and sewer connection points have been established on site. Based on the Applicant's development, the Applicant respectfully requests a two-year extension of time.

Thank you in advance for your time and consideration regarding this application. Please contact me should you have any questions or concerns.

Sincerely,

KAEMPFER CROWELL



Lexa D. Green

LDG/

05/21/25 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ET-25-400041 (DR-20-0098)-UNCOMMONS LIVING BLDG 2, LLC:**

**DESIGN REVIEWS SECOND EXTENSION OF TIME** for the following: 1) outdoor theater; and 2) modifications to a previously approved High Impact Project and Mixed-Use Project on 32.5 acres in a U-V (Urban Village - Mixed-Use) Zone in the CMA Design Overlay District.

Generally located on the east side of Durango Drive and the south side of the CC 215 within Spring Valley. MN/nai/kh (For possible action)

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**RELATED INFORMATION:**

**APN:**

176-04-211-002 through 176-04-211-007; 176-04-211-009 through 176-04-211-015; 176-04-301-003; 176-04-301-004; 176-04-301-014

**DESIGN REVIEWS:**

1. Outdoor theater.
2. Modifications to a High Impact, mixed-use project.

**LAND USE PLAN:**

SPRING VALLEY - BUSINESS EMPLOYMENT  
SPRING VALLEY - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 32.5
- Number of Lots/Units: 838
- Density (du/ac): 24
- Project Type: Outdoor theater, retail buildings, & market hall
- Building Height (feet): 75 (outdoor theater)/20 (retail buildings)/45 (market hall)
- Square Feet: 56,000 (outdoor theater)/25,233 (retail buildings)/18,000 (market hall)
- Open Space Required/Provided (overall): 211,266/455,890
- Parking Required/Provided (overall): 3,298/3,730

**Overview**

The approved application included the following changes to a previously approved High Impact, mixed-use project: 1) add a rooftop outdoor theater/concert venue to the second floor of a previously approved movie theater located on the central, western portion of the site; 2) redesign

the layout and elevations of previously approved retail buildings and market hall located in the central portion of the site; and 3) other minor changes, including but not limited to, removing decorative fenestration on the north side of a previously approved parking garage located in the northwest portion of the site. The plans for the remainder of the project remained in substantial compliance with ZC-19-0343.

Outdoor live entertainment was previously approved with a use permit in conjunction with the original application (ZC-19-0343); therefore, the live entertainment entitlement applied to the outdoor theater/concert venue. However, live entertainment is limited to daytime hours per a condition of approval when it is within 500 feet of existing abutting residential uses.

This application is to allow a second extension of time to allow additional time for the completion of the outdoor theater and the other changes to the original mixed-use project application.

#### Site Plans

Overall, the original plans depicted a High Impact, mixed-use project consisting of office buildings, a movie theater, commercial buildings, residential buildings, and parking structures. Internal private streets with on-street parking created a grid network connecting the project with the surrounding public rights-of-way. Four office buildings were located along Roy Horn Way adjacent to the northern portion of the site. Commercial buildings with a market hall and parking structures provided a centralized gathering space within the overall complex. This centralized gathering space will include a farmer's market, outside dining, drinking, and cooking, live entertainment, food carts/booths, temporary commercial events, and weddings.

The approved plans for the revision to the approved mixed-use project depicted a rooftop, outdoor theater/concert venue was added to the second floor of a previously approved movie theater. The movie theater and outdoor theater/concert venue were located approximately 100 feet from the west property line, adjacent to Durango Drive, approximately 280 feet from the north property line, adjacent to Roy Horn Way, and approximately 185 feet from the south property line of this portion of the project, adjacent to Maule Avenue and abutting approximately 9 acres zoned R-4 and planned for residential urban center uses.

Additional changes depicted on the revised plans included reconfiguring the retail, restaurant, and market hall buildings around the centralized gathering space. Instead of 3 larger buildings that were previously approved, this area included 6 smaller buildings creating more intimate walkways and courtyards between the buildings. The pedestrian realm/walkways through this area remained connected with the new configuration of buildings. This area was located approximately 300 feet from the west property line, adjacent to Durango Drive, 190 feet from the north property line, adjacent to Roy Horn Way, and 310 feet from the south property line of this portion of the project, adjacent to Maule Avenue.

#### Landscaping

The approved plans will remain in compliance with the original application and Title 30 standards, although the applicant indicates that plant materials and locations may change as the design of the project is finalized. As depicted on the original plans, pedestrian realms throughout

the site range in width from 73 feet to 15 feet, and consist of an amenity zone, a sidewalk, and a supplemental zone.

### Elevations

With the addition of the rooftop outdoor theater/concert venue, the movie theater building increased from 46 feet high to 75 feet high. The exterior of the building then consisted of blackened steel panels, metal mesh, vertical standing seam decorative metal panels, and glass windows to give an industrialized, modern aesthetic, which was compatible with the design of the overall project. The rooftop theater/concert venue included an angled overhang over the stage that extends up to 75 feet at the highest point.

The retail buildings and market hall remained at approximately 35 feet high, and included a variety of architectural elements such as metal, wood paneling, and large windows to create an active environment that blends interior and exterior spaces with abundant outside dining opportunities.

Lastly, a metal mesh, which was shown on the north side of a parking garage located in the northwest portion of the site was removed.

### Floor Plans

The previously approved floor plans for the movie theater and outdoor theater/concert venue indicated an increase of 23,500 square feet from the previous approval from 32,500 square feet to 56,000 square feet. Also, the number of seats increased by 625 seats from 566 seats to 1,191 seats, and the outdoor theater/concert venue included multiple levels of tiered stadium style seating that extends upward on the roof, and the floor plan for the outdoor theater/concert venue included a stage, sound area, tiered seating, and VIP lounge, restrooms, and food prep areas located under the tiered seats. The previously approved floor plan for the movie theater included a lobby, bar, kitchen, restrooms, and movie theaters.

The area of the retail and restaurant area and market hall decreased in size by 740 square feet from 23,440 square feet to 22,700 square feet.

### Previous Conditions of Approval

Listed below are the approved conditions for ET-22-400041 (DR-20-0098):

#### Current Planning

- Until June 19, 2025 to complete.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

#### Public Works - Development Review

- Compliance with previous conditions.



Listed below are the approved conditions for DR-20-0098:

**Current Planning**

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that residential and commercial components of the project must be developed simultaneously; the development agreement and decommissioning plan must be updated based on changes to project; approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- Until June 19, 2021 for the applicant to obtain off-site permits as required by ZC-19-0343;
- 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 25 feet to 50 feet to the back of curb for Maule Avenue, 25 feet to the back of curb for Butler Street, 25 feet to 50 to the back of curb for Gagnier Boulevard, 35 feet to the back of curb for Badura Avenue, and associated spandrels, and, if necessary, additional right-of-way for Roy Horn Way to accommodate 44 feet of right-of-way from the back of curb to the concrete barrier;
- If required by the Regional Transportation Commission, provide a bus turnout on the east side of Durango Drive north of and as close as practical to Maule Avenue and include provisions for a 5 foot by 50 foot bus shelter pad easement behind the sidewalk.
- Applicant is advised that compliance with the Uniform Standard Drawings is required; 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; and that the installation of detached sidewalks will require the dedication of right-of-way to the back of curb or the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

**Department of Aviation**

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that

funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

**Clark County Water Reclamation District (CCWRD)**

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0170-2019 to obtain your POC exhibit; and that wastewater flow rates that exceed CCWRD estimates may require another POC analysis.

**Applicant's Justification**

The applicant is requesting a 3 year extension to commence the outdoor theatre. This application is conjunction to 5 other land use applications that are in conjunction to the Matter Uncommons project. Because of delays based on financing and other avoidable issues the theatre has not commenced.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
SC-24-0261	Street name change for Gagnier Boulevard to Signature Boulevard	Approved by BCC	November 2024
DR-23-0802	Design review for a recreational facility with a previously approved mixed-use project	Approved by BCC	February 2024
WC-23-400174 (ZC-19-0343)	Waivers of conditions for the operating hours to specials events	Approved by BCC	February 2024
WS-23-0718	Waivers of development standards and a design review for modifications to the comprehensive sign package for a mixed-use project	Approved by BCC	December 2023
WS-23-0604	Use permits for modifications to pedestrian realms and alternative designs for pedestrian realms to a mixed-use project	Approved by BCC	November 2023
WS-23-0333	Waived approach distance, throat depth, and driveways with a design review for Phase II of a high impact mixed-use project and finished grade	Approved by BCC	August 2023
ET-22-400041 (DR-20-0098)	First extension of time for outdoor theater and revisions to a high impact mixed-use project	Approved by BCC	May 2022
ET-22-400040 (WS-20-0099)	First extension of time for a temporary parking lot for a high impact mixed-use project	Approved by BCC	May 2022
ET-22-400039 (ZC-19-0343)	First extension of time request for a high impact mixed-use project	Approved by BCC	May 2022
DR-22-0011	Finished grade	Approved by BCC	April 2022
WS-20-0307	Waived setbacks, signage, and non-standard improvements in right-of-way, with design reviews for building modifications and a comprehensive signage package for a high impact mixed-use project	Approved by BCC	January 2021

### Prior Land Use Requests

Application Number	Request	Action	Date
WS-20-0099	Temporary parking lots in conjunction with the previously approved High Impact, mixed-use project	Approved by ZA	March 2020
DR-20-0098	Outdoor theater and modifications to the previously approved High Impact, mixed-use project	Approved by ZA	March 2020
VS-20-0052	Vacated and abandoned patent easement and rights-of-way being Butler Avenue, Maule Avenue, and Gagnier Boulevard	Approved by ZA	March 2020
TM-20-500013	Mixed-use subdivision project	Approved by ZA	March 2020
ZC-19-0343	Reclassified the site to U-V zoning for a High Impact, mixed-use project	Approved by BCC	June 2019
VS-19-0253	Vacated and abandoned patent easements and a portion of right-of-way being Pamalyn Avenue	Approved by BCC	May 2019
VS-0794-16	Vacated and abandoned patent easements and a portion of right-of-way being Butler Street	Approved by BCC	April 2017
UC-1202-02	Off-premises sign	Denied by BCC	February 2003
UC-1199-02	Off-premises sign	Denied by BCC	February 2003
VS-1518-02	Vacated and abandoned a portion of the Durango Flood Channel	Approved by PC	December 2002
ZC-1415-02	Reclassified a 12.2 acre portion of the site to C-2 zoning for a future development	Approved by BCC	November 2002
ZC-1107-02	Reclassified a 2 acre portion of the site to C-2 zoning for an office building	Approved by BCC	September 2002
ZC-1065-02	Reclassified a 2.5 acre portion of the site to C-2 zoning for a restaurant	Approved by BCC	September 2002

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North**	Corridor Mixed-Use	RS20 & CG	Undeveloped & office buildings
South	Urban Neighborhood (greater than 18 du/ac) & Business Employment	IP, RM32, & CG	Undeveloped, retail plaza, & multi-family residential
East	Business Employment & Urban Neighborhood (greater than 18 du/ac)	CG, RM50, & CP	Undeveloped & office building
West	Entertainment Mixed-Use	H-1	Durango Station

\*Portions of the subject site are in the CMA Design Overlay District and the Public Facilities Needs Assessment (PFNA) area.

\*\*The CC 215 is located directly north of the site.

### Related Applications

Application Number	Request
ET-25-400044 (UC-23-0604)	Extension of time for modifications to the pedestrian realm is a related item on this agenda.
ET-25-400043 (ZC-19-0343)	Extension of time for a high impact mixed-use project is a related item on this agenda.
ET-25-400042 (WS-23-0718)	Extension of time for signage is a related item on this agenda.
ET-25-400038 (WS-20-0099)	Extension of time for temporary parking lots is a related item on this agenda.
ET-25-400037 (WS-23-0333)	Extension of time for Phase II of a mixed-use project is a related item on this agenda.

### STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

### Analysis

#### Comprehensive Planning

Title 30 standards of approval for an extension of time state an application may be denied 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, regulations, or policies affecting the subject property. Additionally, the applicant must demonstrate the project is progressing through the applicable development permit or licensing process.

Majority of the modifications submitted with DR-20-0098 have been completed. Structures include the office buildings, commercial buildings, and market hall. The owners appear to have made progress towards completing the overall project. Therefore, staff can support an extension of time, as there is sufficient reason to believe that the applicant will continue to make a good faith effort 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

## **PRELIMINARY STAFF CONDITIONS:**

### **Comprehensive Planning**

- Until December 6, 2028 to commence or the application will expire unless extended with approval of an extension of time.
- Applicant is advised 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

### **Public Works - Development Review**

- 30 days to coordinate with Public Works - Construction Management Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Badura Avenue/ Maule Avenue improvement project;
- 90 days to record said separate document for the Badura Avenue/Maule Avenue improvement project;
- Compliance with previous conditions.

### **Fire Prevention Bureau**

- No comment.

### **Clark County Water Reclamation District (CCWRD)**

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT: KELLY LAWSON**

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



## Department of Comprehensive Planning Application Form

ASSESSOR PARCEL #(s): 176-04-211-002 through 007, 176-04-211-009 through 015, 176-04-301-003, 004, 014

PROPERTY ADDRESS/ CROSS STREETS: Durango Drive & 215 Beltway

### DETAILED SUMMARY PROJECT DESCRIPTION

**SECOND EXTENSION OF TIME (DR-20-0098)  
DR FOR THEATER PAD AND MODIFICATION TO DEVELOPMENT**

### PROPERTY OWNER INFORMATION

NAME: Matter Uncommons, LLC ET AL - James Stuart

ADDRESS: 385 Pilot Road Suite D

CITY: Las Vegas

STATE: NV ZIP CODE: 89119

TELEPHONE: 702-401-8996 CELL N/A

EMAIL: kelly.lawson@matterrealestate.com

### APPLICANT INFORMATION (must match online record)

NAME: James Stuart/Kelly Lawson

ADDRESS: 385 Pilot Road Suite D

CITY: Las Vegas

STATE: NV

ZIP CODE: 89119

REF CONTACT ID #

TELEPHONE: 702-401-8996 CELL N/A

EMAIL: kelly.lawson@matterrealestate.com

### CORRESPONDENT INFORMATION (must match online record)

NAME: Jay Brown/Lebene Ohene

ADDRESS: 520 South Fourth Street

CITY: Las Vegas

STATE: NV

ZIP CODE: 89101

REF CONTACT ID #: 17385

TELEPHONE: 702-598-1429

CELL 702-561-7070

EMAIL: lohene@brownlawlv.com

\*Correspondent will receive all communication on submitted application(s).

(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 and 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)\*

James Stuart

Property Owner (Print)

2/27/25

Date



ET-25-400041

5/21/2025

Spring Valley

NAI  
3/19/25  
\$000.00

4/29/2025

LAW OFFICE

*Brown, Brown & Premsrut*

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

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

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

March 10, 2025

Clark County Comprehensive Planning  
Current Planning Division  
500 Grand Central Parkway  
Las Vegas, Nevada 89155

**Re: UnCommons Mixed-Use Project (Matter)  
Justification Letter - Second Extension of Time  
Application Number: DR-20-0098  
Assessor's Parcel Number: 176-04-211-002 thru 007, 009 thru 015, 176-04-301-003,  
004, & 176-04-301-014**

**To Whom It May Concern:**

On behalf of our Client, Matter Uncommons LLC, Et Al, please accept this justification letter for the second extension of time for DR-20-0098 which approved an outdoor theater and modifications to the previously approved mixed-use and High Impact Project consisting of commercial, residential open space elements. The project is on a total of 32.5 net acres and is located on the southeast corner of Durango Drive & the 2-15 Beltway.

The original application was administratively approved by the Director of Comprehensive Planning (Zoning Administrator). That approval was for two (2) years on March 25, 2020, during the emergency declarations for the Covid19 pandemic.

The first extension of time for the application was approved on May 18, 2022, for two years until June 19, 2025, to complete in conjunction with two other applications (ZC-19-0343 and WS-20-0099).

This application is to allow three (3) years to commence and complete this portion and the entire development. The request includes five (5) other companion extension of time applications (ZC-19-0343, WS-20-0099, DR-20-0098, WS-23-0333: UC-23-0604 and WS-23-0718). This letter is also a request that all the six (6) extension of time applications have a concurrent approval date tied to the approval date of the previous extension of time date for the zone change application (ZC-19-0343) which was approved by the Board of County Commissioners (BCC) until June 19, 2025, to complete.

However, because of delays based on financing and other avoidable issues, this portion of the project in not commenced. Therefore, the three (3) year extension of time to commence and complete the project is necessary to secure financing, tenants, and partners for this portion. The

FT-25-4110741



request to allow until June 19, 2028, for this application and the five (5) other applications for the project and to allow for the commencement and completion of the entire project.

This development is a mixed-use and a High Impact Project (HIP) on 32.7 net acres with a Development Agreement and Performance Agreement with the County. Additionally, the project is being constructed in phases as is typical for large complex projects. The project is partially completed with only three (3) parcels that are undeveloped including the subject building and parcel. Attached is a summary indicating that up to 61% of the project is completed. This indicates that the Developer is diligently pursuing construction and completion of the project.

The information provided above and attached demonstrates that the Applicant is diligently pursuing construction and completion of the project. The request for the three (3) year extension of time is to ensure that the project is commenced and completed.

We appreciate your review and approval of the application as requested.

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

Sincerely,

BROWN, BROWN & PREMSRIRUT



Lebene Ohene  
Land Use and Development Consultant



16

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ET-25-400042 (WS-23-0718)-UNCOMMONS LIVING BLDG 1, LLC:**

**WAIVER OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME** for signage.

**DESIGN REVIEW** for modifications to comprehensive sign package in conjunction with an approved mixed-use project on 32.5 acres in a U-V (Urban Village – Mixed-Use) Zone in the CMA Design Overlay District.

Generally located on the east side of Durango Drive and the south side of the CC 215 within Spring Valley. MN/nai/kh (For possible action)

---

**RELATED INFORMATION:**

**APN:**

176-04-211-002 through 176-04-211-007; 176-04-211-009 through 176-04-211-015; 176-04-301-003; 176-04-301-004; 176-04-301-014

**WAIVER OF DEVELOPMENT STANDARDS:**

1.
  - a. Increase the number of directional signs to 37 where a maximum of 12 are permitted per Table 30.72-1 (a 208% increase) and 17 signs were previously approved (a 118% increase).
  - b. Increase the total area of directional signs to 374 square feet where a maximum of 120 square feet is permitted per Table 30.72-1 (a 212% increase) and 235 square feet was previously approved (a 59% increase).
  - c. Increase the number of animated (video) wall signs to 4 where a maximum of 1 animated (non-video electronic message unit) sign is permitted per freestanding sign per Section 30.48.068 (a 300% increase) and where 3 signs were previously approved (a 25% increase) and where animated signs are not permitted per Section 30.48.770.
  - d. Increase the total area of animated (video) signs to 805 square feet where a maximum of 70 square feet is the maximum (a 1,050% increase) per Section 30.48.680 and where 755 square feet was previously approved (a 7% increase).
  - e. Increase the number of roof signs on the canopies along the façade of various buildings and the entries into the parking garages to 60 signs where roof signs are not permitted per Section 30.72.040 and 46 signs were previously approved (a 30% increase).
  - f. Increase the total area of roof signs on the canopies along the façade of various buildings and the entries into the parking garages to 2,220 square feet where roof signs are not permitted per Section 30.72.040 and where 1,700 square feet was previously approved (a 31% increase).

## **LAND USE PLAN:**

SPRING VALLEY - BUSINESS EMPLOYMENT

SPRING VALLEY - CORRIDOR MIXED-USE

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: N/A
- Site Acreage: 32.5
- Project Type: Modifications to comprehensive sign package

#### Overview & Site Plan

The previously approved application is for modifications to the original comprehensive sign package application (WS-20-0507) for a partially completed mixed-use development and High Impact Project (HIP). The project was originally approved by action on ZC-19-0343 on June 27, 2019. Subsequent applications include DR-20-0098 for revisions to portions of the development, WS-20-0507 for a comprehensive sign package, DR-20-0098, DR-22-0011, WS-23-0333 for revisions to Phase II of the residential element of the project site and UC-23-0604 for an amendment to the pedestrian realm for Phase II of the residential element which is in process.

The approved plans depict and outline all the signs requested for this application. Details of each type of sign, the square footage, and number of signs amended and requested are shown on the plans. The previously approved plans depict a mixed-use project consisting of office buildings, a movie theater, commercial buildings, residential buildings, and parking structures. No changes in location or design of the previously approved uses and buildings are proposed with this application.

#### Signage

The approved revisions to the existing sign package included an increase in the total number and square footage of project identification, monument, wall, directional, projecting, roof, and animated signs. No changes were proposed to any previously approved freestanding signs or nameplate signs. Waivers of development standards were necessary to increase the number and area of directional signs as well as for animated signs and roof signs. However, waivers were previously approved in 2020 to allow three animated (video) wall signs for a total of 755 square feet. One additional animated (video) 50 square foot wall sign was approved.

Additional roof signs, 14 to a total of 60 were approved. The following tables are a summary of the previous signage approved with the ongoing comprehensive sign package in 2020. Any additional proposed signage area and additional number of signs requested with this application are also shown and the proposed signage with this application.

Type of Sign	Approved (sq. ft.)	Proposed Additional (sq. ft.)	Total (sq. ft.)	Allowed per Title 30 (sq. ft.)	Percent Increase	# of Proposed Signs	# of Additional Signs	Total # of Signs
Freestanding	740	0	740	945	0	2	0	2
Project Identification	183	154	337	840	84%	3	3	6
Monument	244	134	378	840	55%	4	3	7
Wall*	8,355	10,282	18,637	89,134	123%	122	15	237
Directional	235	154	389	120	66%	18	19	37
Projecting	592	64	656	672	11%	23	6	29
Nameplate	200	0	200	200	0%	5	0	5
Roof	1,700	520	2,220	N/A	31%	46	14	60
Overall Total	12,249	11,308	23,557	92,801	46%	223	160	383

\*The wall signs also contain animation. The details for animated signs are listed below:

Type of Sign	Approved (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)	Allowed per Title 30 (sq. ft.)	Percent Increase	# of Proposed Signs	# of Additional Signs	Total # of Signs
Animated	755	50	805	70	7%	3	1	4

#### Previous Conditions of Approval

Listed below are the approved conditions for WS-23-0718:

#### Comprehensive Planning

- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, 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.

#### Applicant's Justification

The applicant is requesting a 3 year extension to commence the remaining signage. This application is conjunction to 5 other land use applications that are in conjunction to the Matter Uncommons, LLC project. The remaining signs were not installed because certain portions of the site have not commenced due to financial issues.

#### Prior Land Use Requests

Application Number	Request	Action	Date
SC-24-0261	Change the name to Gagnier Boulevard to Signature Boulevard	Approved by BCC	November 2024
DR-23-0802	Design review for a recreational facility in conjunction to a previously approved mixed use	Approved by BCC	February 2024

### Prior Land Use Requests

Application Number	Request	Action	Date
WC-23-400174 (ZC-18-0343)	Waiver of Conditions of a zone change requiring live entertainment limited to daytime hours when it is within 500 feet of existing abutting residential uses, and temporary outdoor commercial events located within 200 feet of existing abutting residential development and live entertainment associated with a temporary outdoor commercial event located within 500 feet of existing abutting residential development limited to daytime hours	Approved by BCC	February 2024
UC-23-0604	Use permit for modification to pedestrian realm, and allowed alternative design for pedestrian realm	Approved by BCC	November 2023
WS-23-0333	Waived approach distance, throat depth, and driveways with a design review for Phase II of a high impact mixed-use project and finished grade	Approved by BCC	August 2023
ET-22-400041 (DR-20-0098)	First extension of time for outdoor theater and revisions to a high impact mixed-use project	Approved by BCC	May 2022
ET-22-400040 (WS-20-0099)	First extension of time for a temporary parking lot for a high impact mixed-use project	Approved by BCC	May 2022
ET-22-400039 (ZC-19-0343)	First extension of time request for a high impact mixed-use project	Approved by BCC	May 2022
DR-22-0011	Finished grade	Approved by BCC	April 2022
WS-20-0507	Waived setbacks, signage, and non-standard improvements in right-of-way, with design reviews for building modifications and a comprehensive signage package for a high impact mixed-use project	Approved by BCC	January 2021
WS-20-0099	Temporary parking lots in conjunction with the previously approved High Impact, mixed-use project	Approved by ZA	March 2020
DR-20-0098	Outdoor theater and modifications to the previously approved High Impact, mixed-use project	Approved by ZA	March 2020
VS-20-0052	Vacated and abandoned patent easement and rights-of-way being Butler Avenue, Maule Avenue, and Gagnier Boulevard	Approved by ZA	March 2020
TM-20-500013	Mixed-use subdivision project	Approved by ZA	March 2020
ZC-19-0343	Reclassified the site to U-V zoning for a High Impact, mixed-use project	Approved by BCC	June 2019
VS-19-0253	Vacated and abandoned patent easements and a portion of right-of-way being Palmyra Avenue	Approved by BCC	May 2019

### Prior Land Use Requests

Application Number	Request	Action	Date
VS-0794-16	Vacated and abandoned patent easements and a portion of right-of-way being Butler Street	Approved by BCC	April 2017
UC-1202-02	Off-premises sign	Denied by BCC	February 2003
UC-1199-02	Off-premises sign	Denied by BCC	February 2003
VS-1518-02	Vacated and abandoned a portion of the Durango Flood Channel	Approved by PC	December 2002
ZC-1415-02	Reclassified a 12.2 acre portion of the site to C-2 zoning for a future development	Approved by BCC	November 2002
ZC-1107-02	Reclassified a 2 acre portion of the site to C-2 zoning for an office building	Approved by BCC	September 2002
ZC-1065-02	Reclassified a 2.5 acre portion of the site to C-2 zoning for a restaurant	Approved by BCC	September 2002

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North**	Corridor Mixed-Use	RS20 & CG	Undeveloped & office buildings
South	Urban Neighborhood (greater than 18 du/ac) & Business Employment	IP, RM32, & CG	Undeveloped, retail plaza, & multi-family residential
East	Business Employment & Urban Neighborhood (greater than 18 du/ac)	CG, RM50, & CP	Undeveloped & office building
West	Entertainment Mixed-Use	H-1	Durango Station

\*Portions of the subject site are in the CMA Design Overlay District and the Public Facilities Needs Assessment (PFNA) area.

\*\*The CC 215 is located directly north of the site.

### Related Applications

Application Number	Request
ET-25-400044 (UC-23-0604)	Extension of time for modifications to the pedestrian realm is a related item on this agenda.
ET-25-400043 (ZC-19-0343)	Extension of time for a high impact mixed-use project is a related item on this agenda.
ET-25-400041 (DR-20-0098)	Extension of time for an outdoor theatre is a related item on this agenda.
ET-25-400038 (WS-20-0099)	Extension of time for temporary parking lots is a related item on this agenda.
ET-25-400037 (WS-23-0333)	Extension of time for Phase II of a mixed-use project is a related item on this agenda.



## **STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

### **Analysis**

#### **Comprehensive Planning**

Title 30 standards of approval for an extension of time state an application may be denied 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, regulations, or policies affecting the subject property. Additionally, the applicant must demonstrate the project is progressing through the applicable development permit or licensing process.

WS-23-0718 was a sign package for both Phase One and Phase Two for the UnCommons. The UnCommons project is divided by 2 different areas which is separated along Maule Avenue. The north portion of Maule Avenue is Phase One, and it is a combination of commercial and residential uses. For Phase One, parcel 176-04-211-005 (outdoor theatre) and parcel 176-04-211-015 (office building) are currently undeveloped. The south portion of Maule Avenue is Phase Two and is also currently undeveloped.

For signage, there are multiple building permits submitted for Phase One. Many of the permits have an approved status including BD24-11829, BD24-07076, BD24-00169, BD23-56342, BD23-24137, and BD23-23960. However, Phase 2 does not have any building permits submitted for signage. Staff finds there has been a substantial amount of progress made towards completion for this project. Therefore, staff can approve this extension of time.

#### **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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

## **PRELIMINARY STAFF CONDITIONS:**

#### **Comprehensive Planning**

- Until December 6, 2028 to commence or the application will expire unless extended with approval of an extension of time.
- Applicant is advised 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- 30 days to coordinate with Public Works - Construction Management Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Badura Avenue/ Maule Avenue improvement project;
- 90 days to record said separate document for the Badura Avenue/ Maule Avenue improvement project.

**Fire Prevention Bureau**

- No comment.

**Clark County Water Reclamation District (CCWRD)**

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT: KELLY LAWSON**

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





## Department of Comprehensive Planning Application Form

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ASSESSOR PARCEL #(s): 176-04-211-002 through 007, 176-04-211-009 through 015, 176-04-301-003, 004, 014

PROPERTY ADDRESS/ CROSS STREETS: Durango Drive & 215 Beltway

### DETAILED SUMMARY PROJECT DESCRIPTION

FIRST EXTENSION OF TIME (WS-23-0718)  
MODIFICATION TO THE COMPREHENSIVE SIGN PACKAGE

### PROPERTY OWNER INFORMATION

NAME: Matter Uncommons, LLC ET AL - James Stuart

ADDRESS: 385 Pilot Road Suite D

CITY: Las Vegas

STATE: NV

ZIP CODE: 89119

TELEPHONE: 702-401-8996

CELL: N/A

EMAIL: kelly.lawson@matterrealestate.com

### APPLICANT INFORMATION (must match online record)

NAME: James Stuart/Kelly Lawson

ADDRESS: 385 Pilot Road Suite D

CITY: Las Vegas

STATE: NV

ZIP CODE: 89119

REF CONTACT ID #

TELEPHONE: 702-401-8996

CELL: N/A

EMAIL: kelly.lawson@matterrealestate.com

### CORRESPONDENT INFORMATION (must match online record)

NAME: Jay Brown/Lebena Ohene

ADDRESS: 520 South Fourth Street

CITY: Las Vegas

STATE: NV

ZIP CODE: 89101

REF CONTACT ID # 17385

TELEPHONE: 702-598-1429

CELL: 702-561-7070

EMAIL: lohene@brownlawtv.com

\*Correspondent will receive all communication on submitted application(s).

(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 and 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)\*

James Stuart

Property Owner (Print)

2/27/25

Date

### DEPARTMENT USE ONLY

<input type="checkbox"/> AC	<input type="checkbox"/> AD	<input type="checkbox"/> ET	<input type="checkbox"/> PUP	<input type="checkbox"/> CA	<input type="checkbox"/> VS	<input type="checkbox"/> WS
<input type="checkbox"/> ADR	<input type="checkbox"/> AU	<input type="checkbox"/> PA	<input type="checkbox"/> SCL	<input type="checkbox"/> PC	<input type="checkbox"/> VS	<input type="checkbox"/> WS
<input type="checkbox"/> AG	<input type="checkbox"/> UR	<input type="checkbox"/> PUP	<input type="checkbox"/> SCL	<input type="checkbox"/> PC	<input type="checkbox"/> VS	<input type="checkbox"/> WS

APPLICATION # ET-25-400042

FOR FEE DATE

BY MEETING DATE

TECHNICAL LOCATION

5/21/2025

Spring Valley

DATE 4/29/2025

ACCEPTED BY

DATE

FEE

N/A

2/18/2025

\$1,100.00

LAW OFFICE

*Brown, Brown & Premisrirut*

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

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

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

March 10, 2025

Clark County Comprehensive Planning  
Current Planning Division  
500 Grand Central Parkway  
Las Vegas, Nevada 89155

**Re: UnCommons Mixed Use Project (Matter)**  
**Justification Letter – First Extension of Time**  
**Application Number: WS-23-0718**  
**Assessor's Parcel Number: 176-04-211-002 thru 007, 009 thru 015, 176-04-301-003, 004, & 176-04-301-014**

**To Whom It May Concern:**

On behalf of our Client, Matter Uncommons LLC, Et Al, please accept this justification letter for a request for a first extension of time for WS-23-0718 which approved additional signage and amendments and to a previously approved comprehensive sign package for the mixed-use project which is 61% completed. The project is on a total of 32.7 acres and is located on the southeast corner of Durango Drive & the 2-15 Beltway.

This request is for an additional three (3) year extension of time to allow for the commencement and completion of the undeveloped portions of the project and installation of the approved signage on the remaining buildings and portions of the site. This request includes five (5) companion applications including UC-23-0333, WS-23-0604, DR-20-0098, WS-20-0099 and ZC-19-0343. The three (3) year extension of time requested is until June 19, 2028, to commence and complete to ensure that the entire project is completed. The request is for all six application to have one commencement and completion date to help track the applications for the development.

The installed signage on the completed portions of the site and buildings are from the previously approved comprehensive sign package (WS-20-0507) and the subject amended comprehensive sign package. This request is necessary to ensure that this application is active, and the approved signs can be install when the buildings and portions of the site are phased in and completed. This request is for an additional three (3) year extension of time to allow for permits to be issued to commence construction of this portion of the development and the subsequent completion of the entire project. This request includes five (5) companion applications including WS-23-0604, UC-23-23-0718, (DR-20-0098), (WS-20-0099) and ZC-19-0343. The three (3) year extension of time requested is until June 19, 2028, to commence and complete to ensure that the entire

FT-25-4MM47

development is completed. The request is for all six application to have one commencement and completion date to help track the applications for the project.

The remaining signs that are not install is because portions of the building and the site is because of delays based on financing and other avoidable issues. Therefore, the three (3) year extension of time to commence and complete the project is necessary to secure financing, tenants, and partners for this portion. The request to allow until June 19, 2028, for this application and the five (5) other applications for the project and to allow for the commencement and completion of the entire project.

This development is a mixed-use and a High Impact Project (HIP) on 32.7 net acres with a Development Agreement and Performance Agreement with the County. Additionally, the project is being constructed in phases as is typical for large complex projects. The project is partially completed with only three (3) parcels that are undeveloped including the subject building and parcel. Attached is a summary indicating that up to 61% of the project is completed. This indicates that the Developer is diligently pursuing construction and completion of the project.

The information provided above and attached demonstrates that the Applicant is diligently pursuing construction and completion of the project. The request for the three (3) year extension of time is to ensure that the project is commenced and completed.

We appreciate your review and approval of the application as requested.

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

Sincerely,

BROWN, BROWN & PREMSRIRUT



Lebene Ohene  
Land Use and Development Consultant





17

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ET-25-400043 (ZC-19-0343)-UNCOMMONS LIVING BLDG 1, LLC:**

**ZONE CHANGE SECOND EXTENSION OF TIME** to reclassify 32.23 acres from an R-E (Rural Estates Residential) Zone and a C-2 (General Commercial) Zone to a U-V (Urban Village-Mixed Use) Zone in the CMA Design Overlay District.

**USE PERMITS** for the following: 1) High Impact Project; 2) modified pedestrian realm; 3) reduce separation from alcohol, on-premises consumption to a residential use; 4) childcare institution; 5) college or university; 6) farmer's market; 7) food cart/booth not within an enclosed building; 8) kennel; 9) live entertainment; 10) outside dining, drinking, and cooking; 11) public/quasi-public buildings and facilities; 12) temporary outdoor commercial events; 13) training facility (major); and 14) training facility (minor).

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce separation from outdoor live entertainment to a residential use; 2) reduce setback to a right-of-way; 3) reduce throat depths; and 4) allow non-standard improvements in the right-of-way.

**DESIGN REVIEW** for a High Impact Project and mixed-use project.

Generally located on the east side of Durango Drive and the south side of the CC 215 within Spring Valley. MN/tpd/kh (For possible action)

---

**RELATED INFORMATION:**

**APN:**

176-04-211-002 through 176-04-211-007; 176-04-211-009 through 176-04-211-015; 176-04-301-003; 176-04-301-004; 176-04-301-014

**USE PERMITS:**

1. High Impact Project.
2. Modify the pedestrian realm along Roy Horn Way.
3. Reduce separation from alcohol, on-premises consumption to a residential use (multiple family) to 80 feet where a minimum distance of 200 feet is required per Table 30.44-1 (a 60% reduction).
4. Childcare institution.
5. College or university.
6. Farmer's market.
7. Allow a food cart/booth not within an enclosed building where required to be located in an enclosed building per Table 30.44-1.
8. Kennel.
9. Live entertainment.
10. a. Reduce the separation to 80 feet from an outside dining, drinking, and cooking area to a residential use (multi-family) where a minimum distance of 200 feet is required per Table 30.44-1 (a 60% reduction).

- b. Waive the protective barrier where a protective barrier is required between the outside dining area and any sidewalk and parking areas per Table 30.44-1.
  - c. Waive the minimum 48 inch wide pedestrian access where required around the perimeter of an outside dining area per Table 30.44-1.
  - d. Allow on-premises consumption of alcohol (outside) without the primary means of access through the interior of the supper club, tourist club, mixed-use development, or restaurant where required per Table 30.44-1.
11. Public/quasi-public buildings and facilities.
  12.
    - a. Allow up to three, 10 day temporary outdoor commercial events in a calendar month with no more than a total of 36 events per calendar year where one, 10 day event in a calendar month with no more than a total of 12 events per calendar year is permitted per Table 30.44-1 (a 200% increase).
    - b. Reduce the separation to 80 feet from a temporary outdoor commercial event to abutting existing residential development where a minimum distance of 200 feet is required per Table 30.44-1 (a 60% reduction).
    - c. Reduce the separation to 80 feet for live entertainment or any other sound amplified by an electronic means with an outdoor temporary commercial event to property lines abutting existing residential development where a minimum distance of 500 feet is required per Table 30.44-1 (a 60% reduction).
  13. Training facility (major).
  14. Training facility (minor).

#### **WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce separation from outdoor live entertainment to a residential use (multi-family) to 80 feet where a minimum distance of 500 feet is required per Table 30.44-1 (an 84% reduction).
2. Reduce the setback to a right-of-way (Roy Horn Way) to 3 feet where a minimum distance of 10 feet is required per Chapter 30.56 (a 70% reduction).
3. Reduce driveway throat depths to 40 feet where 150 feet is required per Chapter 30.52 (a 74% reduction).
4. Allow non-standard improvements, including landscaping, decorative fences, and water retention ponds, within rights-of-way and easements.

#### **DESIGN REVIEWS:**

High Impact and mixed-use project.

#### **LAND USE PLAN:**

SPRING VALLEY - CORRIDOR MIXED-USE

SPRING VALLEY - BUSINESS EMPLOYMENT

#### **BACKGROUND:**

##### **Project Description**

##### **General Summary**

- Site Address: N/A
- Site Acreage: 32.23
- Number of Units: 838

- Density (du/ac): 24
- Project Type: High Impact, mixed-use project
- Number of Stories: Up to 5 stories
- Building Height (feet): Up to 75
- Square Feet (commercial component only): 588,600
- Open Space Required/Provided (square feet): 211,266/452,100
- Parking Required/Provided: 3,135/3,713

#### Site Plan

The previously approved site plan depicted a High Impact, mixed-use project consisting of office buildings, a movie theater, commercial buildings, residential buildings, and parking structures. Internal private streets with on-street parking create a grid network connecting the project with the surrounding public rights-of-way. Four office buildings were shown located along Roy Horn Way adjacent to the northern portion of the site. Commercial buildings with a market hall and parking structures provide a centralized gathering space within the overall complex. This centralized gathering space included a farmer's market, outside dining, drinking, and cooking, live entertainment, food carts/booths, temporary commercial events, and weddings.

A theater building, parking structure, and office building were shown located along Durango Drive, west of the centralized commercial portion of the complex. A subsequent design review was approved to modify the theater and commercial area. East of the centralized gathering space an additional parking structure and residential buildings were shown. South of Maule Avenue are 2 additional residential complexes and associated amenities, such as swimming pools and accessory commercial uses. Use permits and a waiver of development standards were requested to reduce the separation for certain uses, such as on-premises consumption of alcohol, live entertainment, and outside dining, drinking, and cooking, from an adjacent approved multiple family development located to the south of Maule Avenue and west of Butler Street.

In addition, waivers of development standards were necessary for certain alternative off-site improvement standards. For example, the applicant requested a reduction in throat depth at various access driveways for Roy Horn Way, Gagnier Boulevard, Maule Avenue, and Badura Avenue to a minimum of 40 feet. The applicant also requested non-standard improvements in the right-of-way and easements along Roy Horn Way and Durango Drive consisting of landscaping, decorative fences, and water retention ponds. Lastly, a waiver of development standards was also necessary to reduce the setback for buildings along Roy Horn Way to 3 feet where 10 feet is the standard.

#### Landscaping

Pedestrian realms were shown located adjacent to all public and private streets, except Roy Horn Way. A use permit was requested to divert the pedestrian realm internally through the site rather than along Roy Horn Way due to the grade difference between the site and Roy Horn Way. Pedestrian realms ranged in width from a maximum of 73 feet to 15 feet, and consisted of an amenity zone, a sidewalk, and a supplemental zone. In addition, landscaping was provided throughout the site. Trees included were Catclaw Acacia, Nettleleaf Hackberry, Western Redbud, Desert Willow, Texas Ebony, Arizona Ash, Blue Palo Verde, Foothills Palo Verde, Sonoran

Emerald Palo Verde, Texas Honey Mesquite, Screwbean Mesquite, Texas Mountain Laurel, and Chaste Tree.

### Elevations

Office buildings were depicted up to 75 feet high and consisted of a contemporary, modern design with tilt-up concrete panels, steel trim, low-e glazing window systems, and ribbed aluminum parapet walls along the roofline to screen the mechanical equipment.

The movie theater was shown 46 feet tall and constructed of concrete tilt-up panels, zinc accent panels, and low-e glazing window systems. A subsequent design review approved a rooftop outdoor theater to the movie theater, 75 feet in height. Located east of the movie theater, the commercial buildings and market hall ranged in height from 35 feet to 40 feet, and included a variety of architectural elements such as metal, wood paneling, and large windows to create an active environment that blends interior and exterior spaces.

Several parking structures shown on the site included commercial components and residential components wrapped around a portion of the exterior. For example, a parking structure located near the center of the site, which included residential units wrapped around a portion of the structure, extended up to 46 feet high to the roof elements. Light poles on the top deck also extended up to 62 feet high above ground level. Exterior materials consisted of concrete tilt-up panels and perforated metal accent panels for the parking structure, while residential components were finished with warm gray plaster, painted corrugated metal accent panels, and low-e glazing window systems.

Residential complexes located on the southeast and southern portion of the site extended up to 40 feet in height to the roof elements and were finished with plaster, wood slat trim accents, plate steel handrails, and low-e glazing window systems. Parking structures located internal to these residential complexes included light poles on the top deck that extend up to 62 feet above ground level.

### Floor Plans & Overview of Each Building

The following is a summary of the main structures depicted on the site. The office buildings were designed as shell spaces, and the individual floor plans were not yet established. A general layout of the floor plan for other buildings were provided; however, individual tenant spaces and details of the residential units will be established in the future.

#### **Office Buildings**

##### **Office Building 1**

- Square feet: 103,300
- Stories: 4
- Height (feet): 75
- Location: Western side of the project, adjacent to movie theater, Durango Drive, and Maule Avenue

##### **Office Building 2**

- Square feet: 77,500
- Stories: 4

- Height (feet): 75
- Location: Northwest portion of the site, adjacent to Roy Horn Way

#### Office Building 3

- Square feet: 94,800
- Stories: 4
- Height (feet): 75
- Location: Northern portion of the site, adjacent to Roy Horn Way

#### Office Building 4

- Square feet: 90,200
- Stories: 4
- Height (feet): 75
- Location: Northern portion of the site, adjacent to Roy Horn Way

#### Office Building 5

- Square feet: 124,000
- Stories: 4
- Height (feet): 75
- Location: Northeastern portion of site, adjacent to Roy Horn Way and Gagnier Street

### Commercial Buildings

#### Retail Building 1

- Square feet: 15,600
- Stories: 2
- Height (feet): 35
- Location: Center, west portion of the site

#### Retail Building 2

- Square feet: 16,000
- Stories: 2
- Height (feet): 35
- Location: Center, west portion of the site

#### Coffee Building

- Square feet: 2,000
- Stories: 2
- Height (feet): 35
- Location: Center, west portion of site

#### Market Hall

- Square feet: 17,000
- Stories: 1
- Height (feet): 40
- Location: Center, west portion of site

#### Theater Building

- Square feet: 24,700 (56,000 total with a 32,500 addition subsequently approved)
- Height (feet): 46 (75 total per subsequent design review)

- Location: Western portion of the site, adjacent to Durango Drive

## **Residential Buildings**

### **Residential Building 1**

- Total square feet: 72,100
- Commercial component (square feet): 4,900
- Residential component (square feet): 67,200
- Units: 70 (15 studio/55 one bedroom)
- Stories: 4
- Height (feet): 49
- Location: Central, west portion of site; wrapped around the east and south sides of parking structure 2; adjacent to Maule Avenue

### **Residential Building 2**

- Total square feet: 105,800
- Commercial component (square feet): 1,700
- Residential component (square feet): 102,000
- Units: 87 (17 studio/35 one bedroom/35 two bedroom)
- Stories: 4
- Height (feet): 49
- Location: Central portion of the site, adjacent to Maule Avenue

### **Residential Building 3**

- Total square feet: 267,400
- Commercial component (square feet): 2,000
- Residential component (square feet): 265,400
- Units: 227 (43 studio/98 one bedroom/86 two bedroom)
- Stories: 4
- Height (feet): 49
- Location: Eastern portion of the site, adjacent to Gagnier Street

### **Residential Building 4**

- Total square feet: 267,400
- Commercial component (square feet): 2,000
- Residential component (square feet): 265,400
- Units: 227 (43 studio/98 one bedroom/86 two bedroom)
- Stories: 4
- Height (feet): 49
- Location: Southern portion of the site, southeast corner of Butler Street and Maule Avenue

### **Residential Building 5**

- Total square feet: 267,400
- Commercial component (square feet): 2,000
- Residential component (square feet): 265,400
- Units: 227 (43 studio/98 one bedroom/86 two bedroom)
- Stories: 4

- Height (feet): 49
- Location: Southern portion of the site, southwest corner of Gagnier Street and Maule Avenue

## **Parking Structures**

### **Parking Structure 1**

- Total square feet: 123,800
- Commercial component (square feet): 3,300
- Parking component (square feet): 120,500
- Parking spaces: 356
- Stories: 4
- Height: 49 feet, 6 inches
- Location: Northwest portion of the site, southwest corner of Durango Drive and Roy Horn Way

### **Parking Structure 2**

- Total square feet: 277,000
- Commercial component (square feet): 7,600
- Parking component (square feet): 269,400
- Parking spaces: 795
- Stories: 5
- Height (feet): 64
- Location: Central, west portion of site

### **Parking Structure 3**

- Total square feet: 248,480
- Parking spaces: 747
- Stories: 4
- Height: 49 feet, 6 inches
- Location: Central portion of site

### **Parking Structure 4**

- Total square feet: 133,000
- Parking spaces: 499
- Stories: 4
- Height: 49 feet, 6 inches
- Location: Northeast portion of site, adjacent to Gagnier Street

## **Signage**

Signage was not a part of the original request.

## **Previous Conditions of Approval**

Listed below are the approved conditions for ET-22-400039 (ZC-19-0343):

## **Current Planning**

- Until June 19, 2025 to complete.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for



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

#### Public Works - Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for ZC-19-0343:

#### Current Planning

- Resolution of Intent to complete in 3 years;
- Live entertainment limited to daytime hours when it is within 500 feet of existing abutting residential uses;
- Temporary outdoor commercial events located within 200 feet of existing abutting residential development and live entertainment associated with a temporary outdoor commercial event located within 500 feet of existing abutting residential development limited to daytime hours;
- Major training facilities limited to 50 people;
- Enter into a Development Agreement with Clark County to mitigate impacts of the project including, but not limited to, issues identified by the technical reports and studies, and issues identified by the Board of County Commissioners;
- As part of the Development Agreement or as a separate agreement, applicant shall enter into a Performance Agreement with Clark County, Performance Agreement to include a Decommissioning Plan, acceptable to the County, which specifies the actions to be taken by the Developer or County in the event construction of the project is stopped or abandoned with said plan to be submitted and approved prior to grading or building permits;
- Allow the following permits prior to the adoption of the Development Agreement, Performance Agreement, and Off-Site Permit: all grading, including excavation and underground utilities, construction below grade level, and structural first lift with initial foundation work and structures above grade;
- Bond or other form of security, acceptable to Clark County, shall be provided for the Performance Agreement and prior to approval of the grading permit;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and 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

- 2 years for the applicant to obtain Off-Site Permit;
- 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 25 to 50 feet to back of curb for Maule Avenue, 25 feet to back of curb for Butler Street, 25 to 50 to back of curb for Gagnier Boulevard, 35 feet to the back of curb for Badura Avenue, and associated spandrels, and, if necessary, additional right-of-way for Roy Horn Way to accommodate 44 feet of right-of-way from the back of curb to the concrete barrier;
- If required by the Regional Transportation Commission, provide a bus turnout on the east side of Durango Drive and include provisions for a 5 foot by 50 foot bus shelter pad easement behind the sidewalk.
- Applicant is advised that compliance with the Uniform Standard Drawings, unless waived with this application, is required; 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; and that the installation of detached sidewalks will require the dedication of right-of-way to the back of curb or the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

#### Department of Aviation

- Compliance with most recent recorded airport-related deed restrictions for APN's 176-04-201-004, 176-04-201-009, 176-04-301-012.
- 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 provide Fire Apparatus Access Roads in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features; and that the current design cannot be supported.

#### 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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0170-2019 to obtain your POC exhibit; and that wastewater flow rates that exceed CCWRD estimates may require another POC analysis.

#### Applicant's Justification

The applicant states they would like to remove the resolution of intent (ROI) for this approved project because more than 61% of the development has been constructed. All the private streets within the approved project have been completed (curbs, gutters, sidewalks, and full paving). Portions of the required public streets have been completed along Maule Avenue, Gagnier Boulevard, Butler Street and Badura Avenue. In addition to the 61% that has been completed for

this project, a building permit (BD23-36579) is in process for the subject site. Furthermore, an ordinance would be allowed once the ROI is removed, allowing the zone change to become permanent. There have been 5 companion items, extensions of time, submitted with this request that relate to different aspects of the mixed-use project (Uncommons). The applicant would like all 6 of these extensions of time to have a concurrent expiration date.

#### Prior Land Use Requests

Application Number	Request	Action	Date
SC-24-0261	Street name change for Gagnier Boulevard to Signature Boulevard	Approved by BCC	November 2024
DR-23-0802	Design review for a recreational facility with a previously approved mixed-use project	Approved by BCC	February 2024
WC-23-400174 (ZC-19-0343)	Waivers of conditions for the operating hours to specials events	Approved by BCC	February 2024
WS-23-0718	Waivers of development standards and a design review for modifications to the comprehensive sign package for a mixed-use project	Approved by BCC	December 2023
WS-23-0604	Use permits for modifications to pedestrian realms and alternative designs for pedestrian realms to a mixed-use project	Approved by BCC	November 2023
WS-23-0333	Waived approach distance, throat depth, and driveways with a design review for Phase II of a high impact mixed-use project and finished grade	Approved by BCC	August 2023
ET-22-400041 (DR-20-0098)	First extension of time for outdoor theater and revisions to a high impact mixed-use project	Approved by BCC	May 2022
ET-22-400040 (WS-20-0099)	First extension of time for a temporary parking lot for a high impact mixed-use project	Approved by BCC	May 2022
ET-22-400039 (ZC-19-0343)	First extension of time request for a high impact mixed-use project	Approved by BCC	May 2022
DR-22-0011	Finished grade	Approved by BCC	April 2022
WS-20-0507	Waived setbacks, signage, and non-standard improvements in right-of-way, with design reviews for building modifications and a comprehensive signage package for a high impact mixed-use project	Approved by BCC	January 2021
WS-20-0099	Temporary parking lots in conjunction with the previously approved High Impact, mixed-use project	Approved by ZA	March 2020
DR-20-0098	Outdoor theater and modifications to the previously approved High Impact, mixed-use project	Approved by ZA	March 2020
VS-20-0052	Vacated and abandoned patent easement and rights-of-way being Butler Avenue, Maule Avenue, and Gagnier Boulevard	Approved by ZA	March 2020

### Prior Land Use Requests

Application Number	Request	Action	Date
TM-20-500013	Mixed-use subdivision project	Approved by ZA	March 2020
ZC-19-0343	Reclassified the site to U-V zoning for a High Impact, mixed-use project	Approved by BCC	June 2019
VS-19-0253	Vacated and abandoned patent easements and a portion of right-of-way being Pamalyn Avenue	Approved by BCC	May 2019
VS-0794-16	Vacated and abandoned patent easements and a portion of right-of-way being Butler Street	Approved by BCC	April 2017
UC-1202-02	Off-premises sign	Denied by BCC	February 2003
UC-1199-02	Off-premises sign	Denied by BCC	February 2003
VS-1518-02	Vacated and abandoned a portion of the Durango Flood Channel	Approved by PC	December 2002
ZC-1415-02	Reclassified a 12.2 acre portion of the site to C-2 zoning for a future development	Approved by BCC	November 2002
ZC-1107-02	Reclassified a 2 acre portion of the site to C-2 zoning for an office building	Approved by BCC	September 2002
ZC-1065-02	Reclassified a 2.5 acre portion of the site to C-2 zoning for a restaurant	Approved by BCC	September 2002

### Surrounding Land Use\*

	Planned Land Use Category	Zoning District	Existing Land Use
North**	Corridor Mixed-Use	RS20 & CG	Undeveloped & office buildings
South	Urban Neighborhood (greater than 18 du/ac) & Business Employment	IP, RM32, & CG	Undeveloped, retail plaza, & multi-family residential
East	Business Employment & Urban Neighborhood (greater than 18 du/ac)	CG, RM50, & CP	Undeveloped & office building
West	Entertainment Mixed-Use	H-1	Durango Station

\*Portions of the subject site and surrounding area are in the Public Facilities Needs Assessment (PFNA) area.

\*\*The CC 215 is located directly north of the site.

### Related Applications

Application Number	Request
ET-25-400044 (UC-23-0604)	Extension of time for modifications to the pedestrian realm is a related item on this agenda.

### Related Applications

Application Number	Request
ET-25-400041 (DR-20-0098)	Extension of time for an outdoor theater and modifications to a mixed-use project is a related item on this agenda.
ET-25-400042 (WS-23-0718)	Extension of time for signage is a related item on this agenda.
ET-25-400037 (WS-23-0333)	Extension of time for Phase II of a mixed-use project is a related item on this agenda.
ET-25-400038 (WS-20-0099)	Extension of time for temporary parking lots is a related item on this agenda.

### STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

### Analysis

#### Comprehensive Planning

Title 30 standards of approval for an extension of time state an application may be denied 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, regulations, or policies affecting the subject property. Additionally, the applicant must demonstrate the project is progressing through the applicable development permit or licensing process.

Staff finds the applicant has worked to complete the project as approved. As the applicant indicates, more than 61% of the project has been completed. This partially meets the definition of completion Title 30. However, an extension of time is needed because the applicant has not completed 100% of the required landscaping, screened walls, and off-site improvements. The approved project aligns with Policy SV-1.5 of the Master Plan. This policy seeks to encourage the development of neighborhood-oriented retail, office, and commercial services that allow Spring Valley residents to meet their daily needs and potentially work close to their homes. Therefore, staff can support the extension of time request.

#### 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

## **PRELIMINARY STAFF CONDITIONS:**

### **Comprehensive Planning**

- Until December 6, 2028 to complete or the application will expire unless extended with approval of an extension of time.
- Applicant is advised 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

### **Public Works - Development Review**

- 30 days to coordinate with Public Works - Construction Management Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Badura Avenue/ Maule Avenue Improvement project;
- 90 days to record said separate document for the Badura Avenue/Maule Avenue improvement project;
- Compliance with previous conditions.

### **Fire Prevention Bureau**

- No comment.

### **Clark County Water Reclamation District (CCWRD)**

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT: KELLY LAWSON**

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







## Department of Comprehensive Planning Application Form

ASSESSOR PARCEL #(s): 176-04-211-002 through 007, 176-04-211-009 through 015, 176-04-301-003, 004, 014

PROPERTY ADDRESS/ CROSS STREETS: Durango Drive & 215 Beltway

### DETAILED SUMMARY PROJECT DESCRIPTION

SECOND EXTENSION OF TIME (ZC-19-0343)  
ORIGINAL LAND USE APPLICATION FOR THE UNCOMMONS MIXED USE DEVELOPMENT

### PROPERTY OWNER INFORMATION

NAME: Matter Uncommons, LLC ET AL - James Stuart  
ADDRESS: 385 Pilot Road Suite D  
CITY: Las Vegas STATE: NV ZIP CODE: 89119  
TELEPHONE: 702-401-8996 CELL: N/A EMAIL: kelly.lawson@matterrealestate.com

### APPLICANT INFORMATION (must match online record)

NAME: James Stuart/Kelly Lawson  
ADDRESS: 385 Pilot Road Suite D  
CITY: Las Vegas STATE: NV ZIP CODE: 89119 REF CONTACT ID #  
TELEPHONE: 702-401-8996 CELL: N/A EMAIL: kelly.lawson@matterrealestate.com

### CORRESPONDENT INFORMATION (must match online record)

NAME: Jay Brown/Lebena Ohene  
ADDRESS: 520 South Fourth Street  
CITY: Las Vegas STATE: NV ZIP CODE: 89101 REF CONTACT ID # 17385  
TELEPHONE: 702-598-1429 CELL: 702-561-7070 EMAIL: lohene@brownlawlv.com

\*Correspondent will receive all communication on submitted application(s).

(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 and 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)\*

James Stuart  
Property Owner (Print)

2/27/25  
Date

### DEPARTMENT DESIGNATION

<input type="checkbox"/> AD	<input type="checkbox"/> AR	<input checked="" type="checkbox"/> ET	<input type="checkbox"/> FURD	<input type="checkbox"/> SN	<input type="checkbox"/> UC	<input type="checkbox"/> WS
<input type="checkbox"/> ATR	<input type="checkbox"/> AL	<input type="checkbox"/> PS	<input type="checkbox"/> NE	<input type="checkbox"/> ST	<input type="checkbox"/> VS	<input type="checkbox"/> A
<input type="checkbox"/> AG	<input type="checkbox"/> UR	<input type="checkbox"/> RUD	<input type="checkbox"/> SDR	<input type="checkbox"/> TM	<input type="checkbox"/> WC	OTHER _____

APPLICATION # CT-23-400043 (ZC-19-0343)

APPROVED BY Tyler (tpd)

COMMITTEE DATE \_\_\_\_\_

DATE 3/19/25

EXPIRATION DATE 5/21/25

FEE \$1,700.00

1-30 APPLICATION Spring Valley DATE 4/19/25

LAW OFFICE

*Brown, Brown & Premsrut*

JAY H. BROWN  
DAVID T. BROWN  
PUY K. PREMSRUT

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

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

March 10, 2025

Clark County Comprehensive Planning  
Current Planning Division  
500 Grand Central Parkway  
Las Vegas, Nevada 89155

**Re: UnCommons Mixed-Use Development - (Matter Real Estate)  
Justification Letter - Second Extension of Time  
Application Number: ZC-19-0343  
Assessor's Parcel Number: 176-04-211-002 thru 007, 009 thru 015, 176-04-301-003,  
004, & 176-04-301-014**

**To Whom It May Concern:**

On behalf of our Client, Matter Uncommons LLC, Et Al, please accept this justification letter for the second of extension of time for ZC-19-0343 which previously approved the mixed-use and High Impact Project consisting of commercial, residential, and open space elements with a locked in Code under the previous Title 30. The project is on a total of 32.7 net acres and is located on the southeast corner of Durango Drive & the 2-15 Beltway.

This original zone change application was approved by the Board of County Commissioners (BCC) for three (3) years on June 19, 2019. The first extension of time was approved on May 18, 2022, until June 19, 2025, to complete. This request is the second extension of time for the application with a request to remove the Resolution Of Intent (ROI) to allow for an ordinance to make the zoning permanent for the project because 61% of the buildings/site are completed with construction on 19.81 acres being 61% of the 32.71 net acres of the project completed (see the attached list). Additionally, all the private street within the development are completed (curbs, gutters, sidewalks, and full paving). Portions (half streets sections) of the required public streets are completed (Maule Avenue, Gagnier Boulevard, Butler Street and Badura Avenue); or if the substantial completion requirement is deemed not to be met then an additional three (3) years to commence and complete the project is requested.

This submittal includes five (5) companion extension of time applications for the following applications: (WS-20-0099) for landscaping and a temporary (floating) parking lot; (DR-20-0099) for an outdoor theater and modifications to the previously approved project; WS-23-0333 for modifications to portions of the project (phase II), UC-23-0604 for modifications to the pedestrian realm and portions of the project and WS-23-0718 for an amended sign package. This letter is also a request that all six application except if the RIO is removed which make it five (5)

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E-25-400043  
22

applications have three (3) years extension of time with a concurrent approval date tied to the approval date of the zone change being June 19, 2028, to commence and completed whichever comes first.

The development is a mixed-use and a High Impact Project (HIP) on 32.71 net acres with a Development Agreement and Performance Agreement with the County. The project is partially completed (61%) and is being constructed in phases as is typical for large complex projects. A building permit (BD23-36579) is in process for Phase II consisting of a multi-family building with a commercial element as well as other required permits and for Public Works and the Utility entities. These permits and other requirements are in process or being phased as allowed by the different entities.

The undeveloped portions of the site consist of three parcels including a multi-family block with a commercial element located south of Maule Avenue, the approved outdoor theater on the western portion of the site and the approved office building on the northeastern portion of the site. Please see the attached for a list of the buildings, acreage and portions of the project that are completed and in operation to date and the remaining portions to be developed.

The information provided above demonstrates that the Applicant is diligently pursuing construction and completion of the project. The request for the three (3) years is to ensure that the undeveloped portions of the project are commenced and completed accordingly.

We appreciate your review and approval of the application as requested.

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

Sincerely,

BROWN, BROWN & PREMSRIRUT

  
Lebene Ohene  
Land Use and Development Consultant

PLANNER  
COPY

E7-15-400043  
JL



05/21/25 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ET-25-400044 (UC-23-0604)-UNCOMMONS LIVING BLDG 1, LLC:**

**USE PERMITS FIRST EXTENSION OF TIME** for the following: 1) modification to pedestrian realm; and 2) allow alternative design for pedestrian realm in conjunction with a previously approved mixed-use project on an 8.4 acres portion of 32.23 acres in a U-V (Urban Village-Mixed Use) Zone in the CMA Design Overlay District.

Generally located on the east side of Durango Drive and the south side of the CC 215 within Spring Valley. MN/tpd/kh (For possible action)

RELATED INFORMATION:

**APN:**

176-04-211-002 through 176-04-211-007; 176-04-211-009 through 176-04-211-015; 176-04-301-003; 176-04-301-004; 176-04-301-014

**USE PERMITS:**

1. Modify a portion of the pedestrian realm to include attached sidewalks where detached sidewalks are required.
2. Allow an alternative design within the supplemental pedestrian realm.

**LAND USE PLAN:**

SPRING VALLEY - BUSINESS EMPLOYMENT

SPRING VALLEY - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 32.23 (entire site)/8.4 (Phase II - subject site)
- Number of Lots/Units: 807 (455 units for Phase II - subject site)
- Project Type: Modifications to high impact/mixed-use project

**History**

The approved mixed-use project is located on the southeast corner of the CC 215, Roy Horn Way, and Durango Drive on a total of 32.23 acres approved by ZC-19-0343. The approved plans depict a high impact, mixed-use project consisting of office buildings, movie theater, commercial buildings, residential buildings, and parking structures. The originally approved residential element consisted of 838 residential units at a density of 24 dwelling units per acre. The approved open space element for the entire project was a total of 452,100 square feet where 211,266 square feet is required.

In March 2020 a design review (DR-20-0098) was approved for modifications to the site. The revised plans approved with DR-20-0098 depicted 807 residential units at a density of 23 dwelling units per acre.

The approved Phase II portion of the project consists mainly of the residential element and a portion of the commercial elements. The 8.4 acre block is between Maule Avenue to the north, Badura Avenue to the south, Gagnier Boulevard to the east, and Butler Street to the west. The plans depict a contiguous residential complex consisting of 7 apartment buildings with firewalls separating the buildings, and 1 parking structure on the southeastern portion of the complex. A total of 455 residential units are proposed to be divided into the 7 buildings. The buildings are configured to create an exterior courtyard along Maule Avenue, and 3 separate interior courtyards connect the buildings with ground level breezeways. The commercial element provided is 2,659 square feet and is located on the northwestern portion of the block. Additional uses include a leasing office with amenity areas for the buildings within this block and includes a fitness center, co-working spaces, lounge, pet spa, and bicycle storage.

#### Request & Plans

Use permit #1 was a request to allow attached sidewalks for portions of the pedestrian realm due to NV Energy transformers and utility driveways. The plans show areas on all 4 street frontages where sidewalk is attached to the back of curb. Along Gagnier Boulevard at 3 locations, the design intent is to provide an attached sidewalk due to NV Energy transformer requirements, utility needs, and grading. Along Badura Avenue adjacent to the driveways, an attached sidewalk approximately 135 feet long was approved to accommodate both drive aisles and NV Energy access. Along Butler Street, an attached sidewalk was approved due to the locations of the NV Energy transformer and NV Energy access driveway.

Use permit #2 was a request to allow the supplemental pedestrian areas to be fully landscaped instead of including a mix of pedestrian features and design elements. Since the transformers and driveways resulted in less landscaping, the applicant has relocated the required landscaping to the supplemental pedestrian area so there is no net loss of landscape material.

#### Signage

Signage was not a part of the original request.

#### Previous Conditions of Approval

Listed below are the approved conditions for UC-23-0604:

##### Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, 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.

#### Applicant's Justification

Portions of the pedestrian realm have not been constructed because of delays based on financing and other unavoidable issues. Therefore, the 3 year extension of time to commence and complete the project is necessary to secure financing, tenants, and partners for this portion of the project.

#### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
SC-24-0261	Street name change for Gagnier Boulevard to Signature Boulevard	Approved by BCC	November 2024
DR-23-0802	Design review for a recreational facility with a previously approved mixed-use project	Approved by BCC	February 2024
WC-23-400174 (ZC-19-0343)	Waivers of conditions for the operating hours to specials events	Approved by BCC	February 2024
WS-23-0718	Waivers of development standards and a design review for modifications to the comprehensive sign package for a mixed-use project	Approved by BCC	December 2023
WS-23-0604	Use permits for modifications to pedestrian realms and alternative designs for pedestrian realms to a mixed-use project	Approved by BCC	November 2023
WS-23-0333	Waived approach distance, throat depth, and driveways with a design review for Phase II of a high impact mixed-use project and finished grade	Approved by BCC	August 2023
ET-22-400041 (DR-20-0098)	First extension of time for outdoor theater and revisions to a high impact mixed-use project	Approved by BCC	May 2022
ET-22-400040 (WS-20-0099)	First extension of time for a temporary parking lot for a high impact mixed-use project	Approved by BCC	May 2022
ET-22-400039 (ZC-19-0343)	First extension of time request for a high impact mixed-use project	Approved by BCC	May 2022
DR-22-0011	Finished grade	Approved by BCC	April 2022
WS-20-0507	Waived setbacks, signage, and non-standard improvements in right-of-way, with design reviews for building modifications and a comprehensive signage package for a high impact mixed-use project	Approved by BCC	January 2021
WS-20-0099	Temporary parking lots in conjunction with the previously approved High Impact, mixed-use project	Approved by ZA	March 2020



### Prior Land Use Requests

Application Number	Request	Action	Date
DR-20-0098	Outdoor theater and modifications to the previously approved High Impact, mixed-use project	Approved by ZA	March 2020
VS-20-0052	Vacated and abandoned patent easement and rights-of-way being Butler Avenue, Maule Avenue, and Gagnier Boulevard	Approved by ZA	March 2020
TM-20-500013	Mixed-use subdivision project	Approved by ZA	March 2020
ZC-19-0343	Reclassified the site to U-V zoning for a High Impact, mixed-use project	Approved by BCC	June 2019
VS-19-0253	Vacated and abandoned patent easements and a portion of right-of-way being Pamalyn Avenue	Approved by BCC	May 2019
VS-0794-16	Vacated and abandoned patent easements and a portion of right-of-way being Butler Street	Approved by BCC	April 2017
UC-1202-02	Off-premises sign	Denied by BCC	February 2003
UC-1199-02	Off-premises sign	Denied by BCC	February 2003
VS-1518-02	Vacated and abandoned a portion of the Durango Flood Channel	Approved by PC	December 2002
ZC-1415-02	Reclassified a 12.2 acre portion of the site to C-2 zoning for a future development	Approved by BCC	November 2002
ZC-1107-02	Reclassified a 2 acre portion of the site to C-2 zoning for an office building	Approved by BCC	September 2002
ZC-1065-02	Reclassified a 2.5 acre portion of the site to C-2 zoning for a restaurant	Approved by BCC	September 2002

### Surrounding Land Use\*

	Planned Land Use Category	Zoning District	Existing Land Use
North**	Corridor Mixed-Use	RS20 & CG	Undeveloped & office buildings
South	Urban Neighborhood (greater than 18 du/ac) & Business Employment	IP, RM32, & CG	Undeveloped, retail plaza, & multi-family residential
East	Business Employment & Urban Neighborhood (greater than 18 du/ac)	CG, RM50, & CP	Undeveloped & office building
West	Entertainment Mixed-Use	H-1	Durango Station

\*Portions of the subject site and surrounding area are in the Public Facilities Needs Assessment (PFNA) area.

\*\*The CC 215 is located directly north of the site.

**Related Applications**

Application Number	Request
ET-25-400043 (ZC-19-0343)	Extension of time for a high impact mixed-use project is a related item on this agenda.
ET-25-400042 (WS-23-0718)	Extension of time for signage is a related item on this agenda.
ET-25-400041 (DR-20-0098)	Extension of time for an outdoor theater and modifications to a mixed-use project is a related item on this agenda.
ET-25-400038 (WS-20-0099)	Extension of time for temporary parking lots is a related item on this agenda.
ET-25-400037 (WS-23-0333)	Extension of time for Phase II of a mixed-use project is a related item on this agenda.

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

**Analysis****Comprehensive Planning**

Title 30 standards of approval for an extension of time state an application may be denied 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, regulations, or policies affecting the subject property. Additionally, the applicant must demonstrate the project is progressing through the applicable development permit or licensing process.

Staff finds the applicant has worked to complete the project as approved. As the applicant indicates, more than 61% of the project has been completed. This partially meets the definition of completion per Title 30. However, an extension of time is needed so the applicant can secure more financing to complete the approved project. Staff understands the complex nature of development and the immense financial commitment that is required. Furthermore, the approved project aligns with Policy SV-1.5 of the Master Plan. This policy seeks to encourage the development of neighborhood-oriented retail, office, and commercial services that allow Spring Valley residents to meet their daily needs and potentially work close to their homes. Therefore, staff can support the extension of time request.

**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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

#### **PRELIMINARY STAFF CONDITIONS:**

##### **Comprehensive Planning**

- Until December 6, 2028 to complete or the application will expire unless extended with approval of an extension of time.
- Applicant is advised 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

##### **Public Works - Development Review**

- 30 days to coordinate with Public Works - Construction Management Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Badura Avenue/ Maule Avenue improvement project;
- 90 days to record said separate document for the Badura Avenue/Maule Avenue improvement project.

##### **Fire Prevention Bureau**

- No comment.

##### **Clark County Water Reclamation District (CCWRD)**

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT: KELLY LAWSON**

**CONTACT: DEBENE AIDAM-OHENE, BROWN, BROWN, & PREMSRIRUT, 520 S. FOURTH STREET #200, LAS VEGAS, NV 89101**



## Department of Comprehensive Planning Application Form

ASSESSOR PARCEL #(s): 176-04-211-002 through 007, 176-04-211-009 through 015, 176-04-301-003, 004, 014

PROPERTY ADDRESS/ CROSS STREETS: Durango Drive & 215 Beltway

### DETAILED SUMMARY PROJECT DESCRIPTION

FIRST EXTENSION OF TIME(UC-23-0604)

MODIFICATION/ALTERNATIVE TO THE PEDESTRIAN REALM

### PROPERTY OWNER INFORMATION

NAME: Matter Uncommons, LLC ET AL - James Stuart

ADDRESS: 385 Pilot Road Suite D

CITY: Las Vegas

STATE: NV ZIP CODE: 89119

TELEPHONE: 702-401-8996 CELL: N/A

EMAIL: kelly.lawson@matterrealestate.com

### APPLICANT INFORMATION (must match online record)

NAME: James Stuart/Kelly Lawson

ADDRESS: 385 Pilot Road Suite D

CITY: Las Vegas

STATE: NV

ZIP CODE: 89119

REF CONTACT ID #

TELEPHONE: 702-401-8996 CELL: N/A

EMAIL: kelly.lawson@matterrealestate.com

### CORRESPONDENT INFORMATION (must match online record)

NAME: Jay Brown/Lebene Ohene

ADDRESS: 520 South Fourth Street

CITY: Las Vegas

STATE: NV

ZIP CODE: 89101

REF CONTACT ID # 17385


TELEPHONE: 702-598-1429

CELL: 702-561-7070

EMAIL: lahene@brownlawlv.com

\*Correspondent will receive all communication on submitted application(s).

(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 and 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)\*

James Stuart

Property Owner (Print)

2/27/25

Date

### DEPARTMENT USE ONLY

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APPLICATION #/ID: ET-25-400044

APPROVED BY: Tyler (Jed)

RE MEETING DATE: 3/19/25

DATE: 3/19/25

BCC MEETING DATE: 5/21/25

FEES: \$500.00

TAX MAP LOCATION: Spring Valley

DATE: 4/29/25

APP  
25-400044

LAW OFFICE

*Brown, Brown & Premsrut*

JAY H. BROWN  
DAVID T. BROWN  
PUY K. PREMSRUT

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

TELEPHONE: (702) 384-5663  
FACSIMILE: (702) 385-1023  
EMAIL: jbrown@brownlawlv.com

March 10, 2025

Clark County Comprehensive Planning  
Current Planning Division  
500 Grand Central Parkway  
Las Vegas, Nevada 89155

**Re: UnCommons-Mixed Use Project (Matter Real Estate)  
Justification Letter – First Extension of Time  
Application Number: UC-23-0604  
Assessor's Parcel Number: 176-04-211-002 thru 007, 009 thru 015, 176-04-301-003,  
004, & 176-04-301-014**

**To Whom It May Concern:**

On behalf of our Client, Matter Uncommons LLC, Et Al, please accept this justification letter for a request for a first extension of time for UC-23-0604 which approved modifications/alternatives to the pedestrian realm of the mixed-use project which is 61% completed to date. The project is on a total of 32.7 acres net acres and is located on the southeast corner of Durango Drive & the 2-15 Beltway.

This request is for an additional three (3) year extension of time to allow for permits to be issued to commence construction of this portion of the development and the subsequent completion of the entire project. This request includes five (5) companion applications including WS-23-0333, UC-23-0718, (DR-20-0098), (WS-20-0099) and ZC-19-0343. The three (3) year extension of time requested is until June 19, 2028, to commence and complete to ensure that the entire development is completed. The request is for all six application to have one commencement and completion date to help track the applications for the project.

The undeveloped portion of the site consist of three parcels including the multi-family block with a commercial element located south of Maule Avenue, the outdoor theater on the western portion of the site and the approved office building on the northeastern portion of the site. The subject application for modification alternatives to the pedestrian realm for the development.

The portions that are not commenced are because of delays based on financing and other avoidable issues. Therefore, the three (3) year extension of time to commence and complete the project is necessary to secure financing, tenants, and partners for this portion. The request to allow until June 19, 2028, for this application and the five (5) other applications for the project and to allow for the commencement and completion of the entire project.

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CT-25-000014  
32

LAW OFFICE

*Brown, Brown & Premsrirut*

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS

This development is a mixed-use and a High Impact Project (HIP) on 32.7 net acres with a Development Agreement and Performance Agreement with the County. Additionally, the project is being constructed in phases as is typical for large complex projects. The project is partially completed with only three (3) parcels that are undeveloped including the subject building and parcel. Attached is a summary indicating that up to 61% of the project is completed. This indicates that the Developer is diligently pursuing construction and completion of the project.

The information provided above and attached demonstrates that the Applicant is diligently pursuing construction and completion of the project. The request for the three (3) year extension of time is to ensure that the project is commenced and completed.

We appreciate your review and approval of the application as requested.

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

Sincerely,

BROWN, BROWN & PREMSRIRUT



Lebene Ohene

Land Use and Development Consultant

PLANNER  
COPY

ET-25-000044  
JL





PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WC-25-400048 (WS-24-0498)-ZHANG JIANWEI ETAL & YANG ZONGQI & RUI:**

**WAIVER OF CONDITIONS** for waivers of development standards requiring per revised plan submitted on 10/30/24 for a proposed office/warehouse on 2.5 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-60) Overlay.

Generally located on the northeast corner of Santa Margarita Street and Post Road within Spring Valley. MN/rr/kh (For possible action)

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RELATED INFORMATION:

APN:

163-35-301-026

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the width of a landscape buffer to 13 feet where 15 feet is required per Section 30.04.02C (a 13.3% reduction).
2.
  - a. Increase retaining wall height located along the north property line to 5 feet where 3 feet is the maximum height allowed per Section 30.04.03C (a 66.7% increase).
  - b. Increase retaining wall height located along the east property line to 4 feet where 3 feet is the maximum height allowed per Section 30.04.03C (a 33.3% increase).
3.
  - a. Increase fill height along the north property line to 5 feet where a maximum of 3 feet is allowed to be placed within 5 feet of a shared residential property line per Section 30.04.06F (a 66.7% increase).
  - b. Increase fill height along the east property line to 4 feet where a maximum of 3 feet is allowed to be placed within 5 feet of a shared residential property line per Section 30.04.06F (a 33.3% increase).
  - c. Eliminate height step back for a building above 35 feet in height where required per Section 30.04.06H.
  - d. Allow roll-up overhead doors to face a residential district without screening by another building where required per Section 30.04.06N.
  - e. Reduce the loading dock setback to 80 feet 9 inches where 150 feet is required per Section 30.04.06N (a 46.2% reduction).
  - f. Allow loading docks not to comply with design standards per Section 30.04.06N.
4. Reduce the throat depth to 18 feet 6 inches where 25 feet is required per Uniform Standard Drawing 222.1 (a 26% reduction).

**LAND USE PLAN:**

SPRING VALLEY - BUSINESS EMPLOYMENT

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: N/A
- Site Acreage: 2.5
- Project Type: Office/warehouse
- Number of Stories: 2
- Building Height (feet): 40 (previously approved)/38 feet (proposed)
- Square Feet: 40,938 (previously approved)/45,157(proposed)
- Parking Required/Provided: 41/44 (previously approved)/45/44 (proposed)

#### History, Site Plan, & Request

An office/warehouse that is the subject of this request was originally approved through WS-24-0498 in December 2024. The proposed design that was initially submitted with this application included several waivers, including requests for increased retaining wall height and fill over 3 feet adjacent to the northern and eastern property lines. A waiver for the throat depth for a driveway on Santa Margarita Street was also requested. Revised plans were submitted on October 30, 2024 following the town board meeting prior to the Planning Commission meeting. As a result of the redesign of the site, waivers of development standards #2a, #2b, #3a, #3b, and #4 were no longer needed and were withdrawn by the applicant. All other waivers were approved. A condition was added to this application to clarify that the plans submitted on October 30, 2024 were the approved plans for this project.

The applicant is requesting to waive condition 1 of the NOFA which states “per revised plan submitted 10/30/24.” The applicant is proposing through a companion item, WS-25-0288, to increase the building size from 40,938 square feet to 45,157 square feet and increase the lot coverage from 37,765 square feet (41.5%) to 41,578 square feet (45.6%). The building height is proposed to decrease from 40 feet to 38 feet and the number of warehouse/office units is proposed to decrease from 4 to 2. Four loading docks are proposed to be centered on the north side of the building, where the previous plan had 2 separate dock areas with 2 loading docks each. The distance from the loading dock doors to the northern property line is 153.14 feet and the length of the depressed loading dock area is 60 feet, which are both unchanged from the approved plan. The closest point of the loading dock area is 93 feet from the north property line. The original plan indicated that the closest point of the loading dock area would be 80 feet 9 inches from the north property line which required a waiver due to residential adjacency. The building is proposed to be 69 feet 5 inches from the northern property line where the approved plan indicated 92 feet 9.5 inches.

The proposed plan also removes 3 entrances on the south elevation and 2 entrances on the north elevation of the building. The building exterior has been modified to included glazing on the east and west elevations and a corrugated pattern to the concrete plans. The number of trash enclosures is reduced from 4 to 1. The number of parking spaces and driveway locations are unchanged. However, the throat depth of the southern side of the driveway on Santa Margarita Street is increased from 25 feet to 65.5 feet due to the combining of the 4 loading docks.

### Previous Conditions of Approval

Listed below are the approved conditions for WS-24-0498:

#### **Comprehensive Planning**

- Per revised plan submitted 10/30/24;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

#### **Public Works - Development Review**

- Drainage study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back-of-curb for Post Road, 25 feet to the back-of-curb for Santa Margarita Street, and associated spandrels;
- The installation of detached sidewalks will require dedication to back-of-curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

#### **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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0084-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

### Applicant's Justification

The applicant wants to update the building layout as well as increase the size of the building. No updates can happen due to the current condition on the NOFA for WS-24-0498.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
PA-24-700021	Plan amendment redesignating the land use category from Neighborhood Commercial (NC) to Business Employment (BE)	Approved by BCC	December 2024
ZC-24-0497	Reclassified 2.5 acres from RS20 to IP zoning for an office/warehouse	Approved by BCC	December 2024
WS-24-0498	Waivers and design review for an office/warehouse	Approved by BCC	December 2024

**Prior Land Use Requests**

Application Number	Request	Action	Date
NZC-22-0496	Nonconforming zone change from R-E to M-D zoning for an office/warehouse building	Approved by BCC	November 2022
VS-22-0497	Vacated and abandoned of patent easements	Approved by BCC	November 2022

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & East	Open Lands	RS20 (AE-60)	Undeveloped
South	Corridor Mixed-Use	IP (AE-60)	Office/warehouse building
West	Neighborhood Commercial	CP (AE-60)	Office complex

**Related Applications**

Application Number	Request
WS-25-0288	A waiver of development standards and a design review for a proposed office/warehouse is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

**Analysis****Comprehensive Planning**

A waiver of conditions may be approved upon a finding that the condition will no longer fulfill its intended purpose.

Staff finds that the purpose of the condition was to clarify which plan was being approved for the proposed office/warehouse development on the subject site. Due to multiple changes in the design of the original plan, several waivers were withdrawn as they were no longer required with the revised plan that was submitted on October 30, 2024. The applicant wishes to make additional changes to the site and building design, which is the subject of a companion item, WS-25-0288. The proposal does not exceed any previously approved waivers from the Title 30 standards. For these reasons, staff can support this request.

**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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

**PRELIMINARY STAFF CONDITIONS:**

**Public Works - Development Review**

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT:** ZONGQI YANG

**CONTACT:** SCA DESIGN, 2525 W. HORIZON RIDGE PARKWAY, SUITE 230,  
HENDERSON, NV 89052



## 05/21/25 BCC AGENDA SHEET

## PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-25-0288-ZHANG JIANWEI ETAL & YANG ZONGQI & RUI:25-****WAIVER OF DEVELOPMENT STANDARDS** to eliminate street landscaping.**DESIGN REVIEW** for a proposed office/warehouse on 2.5 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-60) Overlay.

Generally located on the northeast corner of Santa Margarita Street and Post Road within Spring Valley. MN/rr/kh (For possible action)

---

**RELATED INFORMATION:****APN:**

163-35-301-026

**WAIVER OF DEVELOPMENT STANDARDS:** Eliminate a 5 foot wide landscape strip along Santa Margarita Street where 2 landscape strips, 5 feet wide on each side of a 5 foot wide detached sidewalk is required per Section 30.04.01D.**LAND USE PLAN:****SPRING VALLEY - BUSINESS EMPLOYMENT****BACKGROUND:****Project Description****General Summary**

- Site Address: N/A
- Site Acreage: 2.5
- Project Type: Proposed office/warehouse
- Number of Stories: 2
- Building Height: 38 feet (maximum)
- Square Feet: 45,157
- Parking Required/Provided: 45/44
- Sustainability Required/Provided: 7/7.5

**Site Plan**

An office/warehouse that is the subject of this request was originally approved through WS-24-0498 in December 2024. The proposed design that was initially submitted with this application included several waivers, including requests for increased retaining wall height and fill over 3 feet adjacent to the northern and eastern property lines. A waiver for the throat depth for a driveway on Santa Margarita Street was also requested. Revised plans were submitted on October 30, 2024 following the town board meeting prior to the Planning Commission meeting. As a result of the redesign of the site, waivers of development standards #2a, #2b, #3a, #3b, and



#4 were no longer needed and were withdrawn by the applicant. All other waivers were approved. A condition was added to this application to clarify that the plans submitted on October 30, 2024 were the approved plans for this project.

The plan depicts a proposed 45,157 square foot office/warehouse building on 2.5 acres at the northeast corner of Post Road and Santa Margarita Street. The building is proposed to be set back 20 feet from Post Road, 20 feet from Santa Margarita Street, 69 feet 5 inches from the rear (north) property line, and 62 feet 1 inch from the side interior (east) property line. The site will be accessed by driveways from Post Road and from Santa Margarita Street. A drive aisle/fire lane provides a connection between the parking areas located on the north and east sides of the building. Accessible parking spaces are accessed by pedestrian pathways improved with stained concrete. Forty four parking spaces are proposed on-site and 45 parking spaces are required. However, the site is approximately 700 feet from a bus stop located at the northeast corner of Rainbow Boulevard and Post Road. Required parking may be reduced by up to 10% when a site is within 1,000 feet, as measured along a legal pedestrian route, of a fixed transit stop.

The north side of the building also provides access to a loading dock area. The distance from the loading dock doors to the northern property line is 153 feet and the length of the depressed loading dock area is 60 feet. The closest point of the loading dock area is 93 feet from the north property line. A trash enclosure is also located on the north side of the building. The north, south, and east sides of the building are proposed to be accessed by walkways connected to the public sidewalks along the streets. Bicycle racks are located near the northwest and southeast corners of the building. An 8 foot high decorative screen wall on top of a retaining wall a maximum of 3 feet in height is proposed along the length of the east property line. An 8 foot high decorative screen wall on top of a retaining wall a maximum of 1.5 feet in height is also depicted along the north property line. A 1 foot to 2 foot high flood protection wall is also depicted along Santa Margarita Street at the back of the detached sidewalk and along Post Road on the outside of the landscape strip.

#### Landscaping

The plan indicates that parking area landscaping, and a landscape buffer along the north and east sides of the property is being provided. Along Post Road the landscaping consists of a detached 5 foot wide sidewalk with two, 5 foot wide landscape strips on each side. Along Santa Margarita Street the landscaping consists of one, 5 foot wide landscape strip adjacent to the street and a 5 foot wide detached sidewalk. A second landscape strip is not provided due to the presence of a low flood protection wall. This is the subject of a waiver request.

The street landscaping on Santa Margarita Street consists of 5 large Indian Rosewood trees set apart approximately 20 feet on center where 7 large trees are required. Along Post Road there are 12 large Indian Rosewood trees in 2 rows set apart approximately 20 feet on center where 7 large trees are required. Within the parking lot there are 5 medium Mulga Acacia trees provided in the landscape islands and at the ends of the parking rows per the minimum requirements. A landscape buffer is provided along the north and east sides of the property where it abuts vacant land zoned RS20. The buffer includes 2 alternating rows of Indian Rosewood trees planted 20 feet apart on center. The landscape buffer is 15 feet wide except where it is adjacent to 2

accessible parking spaces where it is 13 feet in width which was previously approved with a waiver under WS-24-0498.

### Elevations

The plans indicate the proposed building will be concrete tilt-up construction. The building height is 37 feet to the top of the roof parapet as measured from the finished grade. The building features painted concrete panels with 3 different colors including panels with a corrugated pattern. The building will feature a storefront window system with building entrances along the south side of the building facing Post Road as well as along the north side of the building. Each building entrance is covered by a shade canopy. The building also features clerestory windows with shade canopies located on the south, west and east sides of the building. The loading dock area on the north side of the building features 4 painted roll-up doors with 1 additional painted roll-up door on each side of the loading docks.

### Floor Plans

The plan indicates a warehouse building with 2 warehouse units with a total square footage of 45,157 square feet. Warehouse 1 is 20,811 square feet and Warehouse 2 is 20,746 square feet on the first floor. A mezzanine level of 1,800 square feet is provided for each unit. The total square footage for the building is 45,157 square feet. The mezzanine level for Warehouse 1 is located at the northwest corner of the building, while the mezzanine level for Warehouse 2 is located at the southeast corner of the building. The main customer entrance for Warehouse 1 is on the north side of the building. While the customer entrance to Warehouse 2 is on the south side of the building. Access to each warehouse suite is also provided by 1 roll-up overhead door accessible from the loading docks and 1 ground-level roll-up door adjacent to the north building entrances.

### Applicant's Justification

The applicant states the site is accessible from Santa Margarita Street and Post Road via 35 foot wide driveways and ADA compliant pedestrian walkways. The roofing for the buildings will have an SRI greater than or equal to 78. The glazing for the storefront will have a low-e coating. Awnings are being proposed at all south and west facing storefronts and doors. All parking can be easily accessed by customers and employees via walkways located at building entrances. All plants used are low maintenance, low water, and complying with the regional SNRPC plant list. The trash enclosure also complies with Clark County design standards. The applicant concludes by stating that the proposed warehouse will create employment opportunities for the community.

### Prior Land Use Requests

Application Number	Request	Action	Date
PA-24-700021	Plan amendment redesignating the land use category from Neighborhood Commercial (NC) to Business Employment (BE)	Approved by BCC	December 2024
ZC-24-0497	Reclassified 2.5 acres from RS20 to IP zoning for an office/warehouse	Approved by BCC	December 2024
WS-24-0498	Waivers and design review for an office/warehouse	Approved by BCC	December 2024

### Prior Land Use Requests

Application Number	Request	Action	Date
NZC-22-0496	Nonconforming zone change from R-E to M-D zoning for an office/warehouse building	Approved by BCC	November 2022
VS-22-0497	Vacated and abandoned patent easements	Approved by BCC	November 2022

### Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & East	Open Lands	RS20 (AE-60)	Undeveloped
South	Corridor Mixed-Use	IP (AE-60)	Office/warehouse building
West	Neighborhood Commercial	CP (AE-60)	Office complex

### Related Applications

Application Number	Request
WC-25-400048 (WS-24-0498)	A waiver of a conditions which required development per a revised plan submitted 10/30/24 is a companion item on this agenda.

### STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

### Analysis

#### Comprehensive Planning

#### Waiver of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

The applicant is requesting a waiver to eliminate the second landscape strip located behind the detached sidewalk along Santa Margarita Street. The cross section indicates a low flood protection wall, which is retaining approximately 1 foot of fill, located directly behind the sidewalk. The presence of a wall of any height within the 5 foot wide strip behind the sidewalk means that this area does not count toward providing the required landscape area. Per code, 7 street trees are required along Santa Margarita Street. The applicant has proposed an alternative landscape plan in which 4 of the 5 large trees provided along Santa Margarita Street are planted closer together at 20 feet on center rather than at 30 feet. Also, 2 trees that are required but not provided along Santa Margarita Street are relocated to landscape strips along Post Road. Large

trees along Post Road are also planted at 20 feet on center. The plan shows that 7 large street trees are required along Post Road; however, 12 street trees are provided. Staff finds that the purpose of providing street landscaping is to provide necessary shading of the area and street trees are beneficial for the reduction of heat caused by an increase in pavement. Therefore, staff can support this waiver.

#### Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

The applicant is proposing to increase the building size previously approved under WS-24-0498 from 40,938 square feet to 45,157 square feet and increase the lot coverage from 37,765 square feet (41.5%) to 41,578 square feet (45.6%). The building height is proposed to decrease from 40 feet to 38 feet and the number of warehouse/office units is proposed to decrease from 4 to 2. Four loading docks are proposed to be centered on the north side of the building, where the previous plan had 2 separate dock areas with 2 loading docks each. The proposed plan also removes 3 entrances on the south elevation and 2 entrances on the north elevation of the building. The building exterior has been modified to include glazing on the east and west elevations and a corrugated pattern to the concrete plans. The number of trash enclosures is reduced from 4 to 1. The number of parking spaces and driveway locations are unchanged from the original plan. However, the throat depth of the southern side of the driveway on Santa Margarita Street is increased from 25 feet to 65.5 feet due to the combining of the 4 loading docks.

Pedestrian connectivity is provided between the public sidewalks, walkways, building entrances walkways, and parking areas. Stained concrete paver crosswalks are provided which connect the public sidewalk and accessible parking areas to the walkways along the building. All building entrances feature canopies above the doors and all windows facing south, west and east. Building materials include the use of glass and painted concrete. The building facades which are visible from the streets feature wall reveals, changes in surface colors and material textures. Roll-up doors are located at the rear of the building and are directed away from the public rights-of-way. Although the roll-up doors face toward residentially zoned areas to the north, the building exceeds 35 feet in height without a horizontal step back, and the loading dock design is not in accordance with the residential adjacency setback requirements, waivers of these development standards were previously approved with WS-24-0498. The design does not exceed any previously approved waivers from the Title 30 standards. 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

#### **PRELIMINARY STAFF CONDITIONS:**

##### **Comprehensive Planning**

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

##### **Public Works - Development Review**

- Drainage study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Post Road, 25 feet to the back of curb for Santa Margarita Street, and associated spandrel;
- The installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: ZONGQI YANG**

**CONTACT: SCA DESIGN, 2525 W. HORIZON RIDGE PARKWAY, SUITE 230,  
HENDERSON, NV 89052**

05/21/25 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-25-0251-DECATUR POST, LLC:**

**WAIVER OF DEVELOPMENT STANDARDS** for alternative driveway geometrics.

**DESIGN REVIEW** for modifications to a previously approved retail complex on 2.83 acres in a CG (Commercial General) Zone within the Airport Environs (AE-65) Overlay.

Generally located on the west side of Decatur Boulevard and the south side of Post Road within Spring Valley. MN/hw/kh (For possible action)

RELATED INFORMATION:

**APN:**

163-36-801-008; 163-36-801-014

**WAIVER OF DEVELOPMENT STANDARDS:**

1. a. Reduce throat depth for the driveway along Post Road to 15 feet where 25 feet is required per Uniform Standard Drawing 222.1 and Section 30.04.08 (a 40% reduction).
- b. Reduce the approach distance of the driveway along Post Road to the intersection of Decatur Boulevard and Post Road to 115 feet, where 145 feet was previously approved, and 150 feet is required per Uniform Standard Drawing 222.1 and Section 30.04.08 (a 23% reduction).

**LAND USE PLAN:**

SPRING VALLEY - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 6311 Decatur Boulevard
- Site Acreage: 2.83
- Project Type: Retail complex
- Number of Stories: 1
- Building Height (feet): 23
- Square Feet: 10,130
- Parking Required/Provided: 55/59
- Sustainability Required/Provided: 7/5

**History & Request**

The previously approved retail complex currently on the site was approved under WS-23-0520 in October 2023. The applicant is now requesting to make some revisions to the plan with certain

revisions requiring new waivers of developments. Primarily, the applicant is requesting to move their driveway along Post Road approximately 30 feet to the east of where it was previously approved. This shift has reduced the approach distance and throat depth requiring new waivers. Beyond the shift in the driveway, the applicant has also made the following minor adjustments to the plans:

- Increased the size of the convenience store by 500 square feet along with a 58 square foot increase in the attached quick service restaurant.
- The drive-thru separating island to the east of the convenience store was extended south to match with the parking stalls and finger islands to the south of the building.
- The gasoline canopy moved 6 feet to the east.
- Removed the second lane in the southern drive-thru associated with the pad restaurant building.
- Added 3 parking spaces in the northwest corner of the site and a 12 space parking court for EV chargers in the southwest corner of the site.
- Reduced provided parking by 1 space.
- Willow Acacia trees were swapped for Mulga Acacia.
- Increased the number of parking lot trees from 24 trees to 27 trees.
- Changes in color to vehicle repair and pad restaurant building facades.
- Increased the height of the vehicle repair building from 25 feet to 26 feet and the pad restaurant building from 17 feet to 19 feet.

#### Site Plan

The previously approved retail complex is located at the southwest corner of Decatur Boulevard and Post Road. There are 3 proposed retail and service buildings and an area for future development. A combined 3,500 square foot convenience store and 1,258 square foot fast food service restaurant is proposed in the northwest portion of the site with a proposed gasoline station canopy located 56 feet to the east of the convenience store building. The convenience store building is set back 44.5 feet from the western property line, 76.5 feet from the northern property line, and 143.5 feet from Decatur Boulevard. This building contains a 1 drive thru lane, the entrance is on the northeast corner of the building and vehicles maneuver in a counter-clockwise direction eventually existing on the southeast corner of the building. The gasoline canopy is shown to be set back an additional 40 feet from Decatur Boulevard.

To the southeast of the convenience store building and in the east-central portion of the site is a 1,130 square foot restaurant building with an accompanying 800 square foot outside dining area and 2 drive-thru lanes. This restaurant building is set back 39 feet from Decatur Boulevard and the drive-thru lanes can stack 10 cars combined and will be accessed through the central portion of the site. The outside dining area is located to the south of the restaurant building with a protective barrier located along the perimeter of the dining area.

In the southwestern portion of the site is a 5 bay, 4,800 square foot vehicle maintenance facility. The vehicle maintenance bays face Decatur Boulevard and is set back 8 feet from the western property line. A future retail pad area is shown in the southern portion of the site.



Parking is provided interspersed amongst the 3 buildings in separated lots with a total of 59 parking spaces provided where 55 parking spaces are required. Access is provided by 2 commercial driveways. One driveway will access Post Road, a local street, in the northwest corner of the site and another driveway will access Decatur Boulevard in the east-central portion of the site.

#### Landscaping

A variety of landscaping is provided along the street, the perimeter, and within the parking lot. Along Decatur Boulevard, 21 Desert Museum Palo Verde (*Parkinsonia x Desert Museum*) trees have been provided in 2 rows, where possible, in 5 foot and 10 foot landscaping strips with 1 row on each side of a 5 foot detached sidewalk. In some places, particularly in the southern portion of the landscape strip, trees have been spaced every 10 feet to screen the vehicle maintenance bays and drive-thru lanes, otherwise, trees are spaced every 20 feet on center. Along Post Road, 9 Desert Museum Palo Verde trees are provided where 9 medium trees are required. The trees are mostly provided in a single row 20 feet on center in the 5 foot landscaping strip on the south side of a 5 foot detached sidewalk, due to sight visibility zones.

Within the parking lot, 23 Mulga Acacia (*Acacia Aneura*) trees are provided within the terminal landscape islands or landscaping strips and an additional 4 Mulga Acacia trees are provided in various landscape strips throughout the parking lot. A total of 21 trees are required with a total of 27 parking lot trees provided.

#### Elevations

The plans depict the convenience store and restaurant building to be 27 feet tall to parapet wall, the gasoline canopy is shown to be 20 feet tall, the restaurant building is 19 feet tall, and the vehicle repair facility is shown to be 26 feet tall. The exterior materials of the convenience store, gasoline canopy, and vehicle maintenance vehicle are all similar in nature with painted stucco throughout.

The vehicle maintenance facility is shown to have a 101 foot long façade with a roof pop-out and is provided on the northern portion of the building. The pop-out portion of the vehicle maintenance facility is shown to be primarily brown stucco, with a window door system on the east and north elevations. On the east elevation, 5 beige painted roll-up doors are shown with the area around the doors shown to be brown colored stucco.

The convenience store building is shown to be mainly beige with grey and sand colored accents. Two commercial window door systems are provided on the northern and southern portions of the east façade and with additional windows provided on the eastern portion of the northern and south facades. Roof articulation and pop-outs are provided surrounding the access points to the building. The gasoline canopy has a metal awning and supports with grey painted stucco bases. The steel columns are painted sand, and the metal awning is beige.

The pad restaurant building is shown to have a black metal awning running the length of the eastern façade. The building has a front pop-out and articulation which contain walk-up windows. The eastern façade contains black and white tile with a red stucco roof wall. The remainder of the building is stucco painted with a mix of white and black.

### Floor Plans

General plans have been provided for the convenience store and restaurant building with the convenience store shown to take up the northern portion of the building and the restaurant taking up the southern portion with the drive-thru window shown on the southern portion of the building.

The floor plans for the pad restaurant show a commercial kitchen taking up 75% of the eastern portion of the building with the rear of the building containing restrooms, an office, and a refrigerator/freezer.

The plans for the vehicle maintenance facility show a 16.5 feet wide office and reception spaces in the northern portion of the building which contains a waiting area, bathrooms, and offices. The remainder of the space is dedicated to the vehicle bays and parts storage.

### Applicant's Justification

After WS-23-0520 was approved and during the NV Energy equipment location design process, NV Energy determined 1 of the NV Energy vaults needed to be in the location of the previously approved Post Road driveway. The applicant submitted a revision to move the entrance closer to Decatur and it was rejected. Staff indicated it was necessary to go back to the Board of County Commission because the waiver was approved at 145 feet, and anything other than that requires another waiver of development standards. The entrance move reduces the approach distance to 115 feet. Per the applicant, building permits have been issued and the structures are under construction.

### Prior Land Use Requests

Application Number	Request	Action	Date
TM-25-500110	1 lot commercial subdivision	Approved by BCC	October 2023
VS-23-0521	Vacated and abandoned patent easements and a portion of Decatur Boulevard - recorded	Approved by BCC	October 2023
WS-23-0520	3 building retail complex with a gas station	Approved by BCC	October 2023
ZC-22-0648	Reclassified the site from C-2 and R-E zoning to C-2 zoning for future commercial uses	Approved by BCC	February 2023
PA-22-700006	Redesignated the land use for the site to Corridor Mixed-Use from Business Employment	Adopted by BCC	February 2023
ZC-0814-05	Reclassified the site from R-E to C-2 zoning for a future commercial development	Approved by BCC	July 2005
ZC-1469-00	Reclassified the site from R-E and M-D zoning to C-2 and M-1 zoning for a convenience store, gas station, shopping center, taxing staging, and maintenance facility	Approved by BCC	November 2000

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Business Employment	CG	Motorcycle sales
South	Corridor Mixed-Use	CG	Undeveloped
East	Business Employment	CG & RS20	Undeveloped
West	Business Employment	IL	Freight terminal

### **STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

### **Analysis**

#### **Comprehensive Planning**

##### Waiver of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

##### Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

Staff finds the proposed revisions to the site, particularly those affecting the design of the buildings and the internal landscaping and parking, are either relatively minor or enhance the site from the originally approved plans. The added landscaping on-site will be a benefit to the site and its surroundings along with the addition of EV charging stations. The physical changes to the buildings and their exteriors are minor, comply with Code or previous waivers, and should not affect the overall design of the site or have a major impact on the surrounding area. Finally, staff finds the changes to the pad restaurant drive-thru and the extended drive-thru separation median to the east of the convenience store should improve circulation on the site. For these reasons, staff can support this design review.

#### **Public Works - Development Review**

##### Waiver of Development Standards #1a

Staff has no objection to the reduction in throat depth for the Post Road commercial driveway. The applicant worked with staff to extend the drive-thru for the quick service restaurant to provide for safer ingress and egress to the site.

#### Waiver of Development Standards #1b

Staff has no objection to the reduction in the approach distance for the Post Road commercial driveway. The applicant placed the driveway as far west as the site will allow.

#### **Department of Aviation**

The development will penetrate the 100:1 notification airspace surface for Harry Reid International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.0226B.3(ii) of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

The property lies within the AE-65 (65-70 DNL) noise contour for Harry Reid 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 Harry Reid International Airport facilities to meet future air traffic demand.

#### **Staff Recommendation**

Approval.

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

#### **PRELIMINARY STAFF CONDITIONS:**

##### **Comprehensive Planning**

- Certificate of occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

##### **Public Works - Development Review**

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- 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 devices.

#### **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 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- 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;
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- 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; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; 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 owners wish to have their buildings purchased or soundproofed.

**Fire Prevention Bureau**

- No comment.

**Clark County Water Reclamation District (CCWRD)**

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0381-2023 to obtain your POC exhibit; and flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** DECATUR POST, LLC

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





# Department of Comprehensive Planning Application Form

21

ASSESSOR PARCEL #(s): 163-36-801-008, & 014

PROPERTY ADDRESS/ CROSS STREETS: SWC Decatur & Post

## DETAILED SUMMARY PROJECT DESCRIPTION

**Waiver for development standards for driveway separation**

## PROPERTY OWNER INFORMATION

NAME: Decatur Post LLC c/o J.Gerber

ADDRESS: 3 Mohansic Rd

CITY: Henderson

STATE: NV

ZIP CODE: 89052

TELEPHONE: 818-516-4458

CELL

EMAIL: Jason@marbleexpresslv.com

## APPLICANT INFORMATION (must match online record)

NAME: Same as owner

ADDRESS:

CITY: STATE: ZIP CODE: REF CONTACT ID #

TELEPHONE: CELL EMAIL:

## CORRESPONDENT INFORMATION (must match online record)

NAME: LAS Consulting

ADDRESS: 1930 Village Center Circle Bldg 3-577

CITY: Las Vegas

STATE: NV

ZIP CODE: 89134

REF CONTACT ID # 165577

TELEPHONE: CELL 702-499-6469 EMAIL: stewplan@gmail.com

\*Correspondent will receive all communication on submitted application(s).

(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)\*

Jason Gerber

Property Owner (Print)

Date

## DEPARTMENT USE ONLY:

☐ AC  
☐ ADR  
☐ AG

☐ AR  
☐ AV  
☒ DR

☐ ET  
☐ PA  
☐ PUD

☐ PUDD  
☐ SC  
☐ SDR

☐ SN  
☐ TC  
☐ TM

☐ UC  
☐ VS  
☐ WC

☒ WS  
☐ ZC  
OTHER

APPLICATION # (s) WS-25-0251

PC MEETING DATE

BCC MEETING DATE 5/21/25

TAB/CAC LOCATION Spring Valley

ACCEPTED BY [Signature]

DATE

FEES

3/27/25

\$1,300

DATE 4/29/25



*LAS Consulting*  
*1930 Village Center Circle 3 #577*  
*Las Vegas, NV. 89134*  
*(702) 499-6469-cell*

March 6, 2025

Mr. Hunter White, Principal Planner  
500 Grand Central Parkway  
Las Vegas, NV 89155

RE: APR 25-100104/ APN: 163-36-801-008, 014

Planner  
Copy

Dear Mr. White:

Please accept this as our request for a design review and waiver of development standards, to reduce the driveway approach. A plan amendment was approved in 2022 to convert the property from commercial and R-E to commercial. The applicant proposed the following:

Convenience Store - The convenience store building will be located at the northwest corner of the Site. The convenience store building was approved at 4,200 square feet comprised of 3,000 square feet for the convenience store and 1,200 square feet for a quick service restaurant (QSR). When the plans were updated for the building permit, the c-store changed to 3500 square feet. The QSR was 1200 SF and the actual became 1258 square feet. There will be a drive thru for the quick service restaurant with the drive thru wrapping around the buildings north, west, and south elevation. Additionally, there will be a fuel island canopy with gas pumps located immediately east of the building.

Retail 2 will be located in the middle of the site along Decatur Boulevard. Retail 2 will be approximately 1,130 square feet. Retail 2 will offer two drive-thrus. The first drive-thru is a typical drive thru and will be located along the southern elevation of the building. The second drive-thru, located on the north elevation of the building, is to accommodate e-commerce online orders.

**Retail 3 -** Retail 3 is a proposed auto shop and is approximately 4,800 square feet. Retail 3 will be located at the southwest corner of the site. The auto shop will have 5- bays all facing east towards the parking lot.

The site will have two access points: one from Decatur Boulevard and another from Post Road. The Applicant is providing 60 parking spaces where 58 parking spaces are required.

Part of the previous entitlements included a waiver of 222.1 for approach distance from 150-feet to 145-feet. After the approval and during the NV Energy design, NV Energy determined that one of their vaults is located in the location of the Post Road entrance. The applicant was too close to approval of their permits to revise the plans so they received approval so they could move forward with construction. During the holidays, the applicant submitted a revision to move the entrance closer to Decatur and it was rejected. Staff indicated it was necessary to go back to the Board of County Commission because the waiver was approved at 145 feet, and anything other than that requires another waiver. The entrance move reduces the approach distance to 115 feet. Building permits have been issued the structures are under construction.

#### **Requested Applications:**

**Design Review-**Design Review for retail center. There have been some small changes in the size of the buildings.

**Waiver of Development Standards-** Request to reduce the approach distance for the Post Road driveway to the Decatur/Post intersection to 115-feet where 150-feet is required per Standard Drawing 222.1. The driveway needs to be reduced to 115 feet in order to miss an NV Energy vault. Post Road is a dead-end street to the west because of the wash, and to the east, due to the railroad. There are only two other parcels on the south side of the site, and four buildings on the north side of Post Road. It seems likely the majority of the traffic will enter from Decatur Boulevard.

**Waiver of Development Standards-** Request to allow a throat depth of 15'-8" where 25 feet are required per Standard Drawing 222.1. The throat depth is for the entrance on Post Road. Post Road is a dead-end street to the west because of the wash, and to the east, due to the railroad. There are only two other parcels on the south side of the site, and four buildings on the north side of Post Road. It

appears that the majority of traffic will access the area from Decatur Boulevard, with an entrance throat depth measuring 25 feet and an exit exceeding 100 feet.

We respectfully request approval of this request. Please let me know if you need additional information.

Yours truly,

**Lucy Stewart**