

NOTICE OF FINAL ACTION
CLARK COUNTY PLANNING COMMISSION
7:00 P.M., TUESDAY, APRIL 4, 2023

LEGAL NOTICE: Following the final approval or denial of every action before the Planning Commission and/or the Board of County Commissioners, a letter indicating the action taken and the conditions under which any approval is granted will be sent to the correspondent address on the application submitted. The information herein will be filed with the Clark County Clerk, Commission Division, and serve as notice of final action for the purposes of NRS 278.0235 which marks the commencement of the twenty-five (25) day limitation period specified.

1. Public Comments.
2. Approval of the Agenda After Considering Requests to Add, Hold, or Delete Items. (For possible action)
3. Approval of minutes. (For possible action)

Planning Commission Meeting minutes for 03/07/23.

Planning Commission Briefing Meeting minutes for 03/07/23.

ROUTINE ACTION ITEMS (4 - 9): These items may be considered in one hearing and in one motion. Any person who does not agree with the recommendations by staff should request that the item be removed from this portion of the agenda to be heard separately when directed by the Planning Commission.

4. UC-22-0669-FT SOUTH DECATUR, LLC:
AMENDED HOLDOVER USE PERMIT for off-highway vehicle, recreational vehicle, and watercraft storage.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) alternative street landscaping; 2) approach departure distance (no longer needed); and 3) driveway geometrics.
DESIGN REVIEW for a mini-warehouse on a portion of 2.0 acres in a C-2 (General Commercial) Zone. Generally located on the east side of Decatur Boulevard, 1,000 feet north of Tropicana Avenue within Paradise. MN/sd/syp (For possible action)

**CONDITIONS OF APPROVAL -
Comprehensive Planning**

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

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Grant any necessary easements;

- Reconstruct any unused driveways with full off-site improvements.
- Applicant is advised that off-site improvement permits may be required.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code; 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.

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.

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 #0225-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

5. UC-23-0052-PATEL, RAJESH & SARIKA:

USE PERMIT to allow a second kitchen in conjunction with a proposed single family residence on 0.4 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the east side of Sierra Brook Court, 300 feet north of Stephen Avenue within Lone Mountain. RM/lm/syp (For possible action)

CONDITIONS OF APPROVAL -

Comprehensive Planning

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and for any sanitary sewer needs, to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

6. UC-23-0055-DELACRUZ, JORGE L. & MARIA J.:

USE PERMITS for the following: 1) increase the area of a proposed accessory structure; 2) allow an accessory structure not architecturally compatible with the principal building; and 3) waive applicable design standards in conjunction with an existing single family residence on 0.4 acres in an R-E (Rural Estates Residential) (AE-65 & AE-70) Zone. Generally located on the south side of Carey Avenue, 500 feet east of Nellis Boulevard within Sunrise Manor. MK/md/syp (For possible action)

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Paint the accessory structure to match the existing single family residence;
- A demolition permit, if necessary, for the existing shade structure to be issued prior to or concurrently with the building permit for the recreational vehicle garage.
- 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

- 30 days to coordinate with Public Works - Design Division and Construction Management and to dedicate any necessary right-of-way and easements for the Carey Avenue improvement project;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for Carey Avenue project;
- 90 days to record required right-of-way dedications and any corresponding easements for Carey Avenue project.

7. UC-23-0056-BALAJI TRUST & MIRCHANDANI, ASHOK & SUPRIYA TRS:

USE PERMITS for the following: 1) on-premises consumption of alcohol (supper club); and 2) hookah lounge in conjunction with a restaurant on a portion of 4.2 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the north side of Robindale Road and the east side of Las Vegas Boulevard South within Enterprise. MN/sd/syp (For possible action)

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised that approval of this application does not constitute or imply approval of any other County issued permit, license, or approval; the installation and use of cooling systems that consumptively use water will be prohibited; 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.

Clark County Water Reclamation District (CCWRD)

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

8. UC-23-0059-RUSS-WESTERN PLAZA:

USE PERMIT for a hookah lounge within an existing retail center on a portion of 1.1 acres in a C-1 (Local Business) Zone. Generally located on the north side of Flamingo Road, 490 feet east of Topaz Street within Paradise. TS/lm/syp (For possible action)

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised that approval of this application does not constitute or imply approval of any other County issued permit, license, or approval; the installation and use of cooling systems that consumptively use water will be prohibited; 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.

Clark County Water Reclamation District (CCWRD)

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

9. WS-23-0025-WHETSTONE, LARRY & BEVERLY:

WAIVER OF DEVELOPMENT STANDARDS to reduce setbacks for accessory structures in conjunction with an existing single family residence on 0.5 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the north side of Ford Avenue, 150 feet east of Haven Street within Enterprise. MN/sd/syp (For possible action)

CONDITIONS OF APPROVAL -

Comprehensive Planning

- 1 year to complete the building permit and inspection process, with any extension of time to be a public hearing.
- 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.

NON-ROUTINE ACTION ITEMS (10 - 13): These items will be considered separately. Items 12 & 13 will be forwarded to the Board of County Commissioners' meeting for final action.

10. WS-23-0024-DEPAUL HOLDINGS:
HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to increase height for a detached accessory structure in conjunction with an existing single family residence on 0.2 acres in an R-1 (Single Family Residential) Zone. Generally located on the east side of Pasadena Boulevard, 490 feet south of Lake Mead Boulevard within Sunrise Manor. MK/sd/syp (For possible action)

CONDITIONS OF APPROVAL -

Comprehensive Planning

- **Remove rear window facing east on the second floor;**
- **Maximum height per plans on file.**
- **Applicant is advised that approval of this application does not constitute or imply approval of any other County issued permit, license or approval; the shade structures are not part of this application, as the applicant will remove the structures; 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.**

Clark County Water Reclamation District (CCWRD)

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

11. WS-23-0047-HERBST FAMILY LIMITED PARTNERSHIP II:
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) increase wall sign area; 3) permit animated signage (video units) where not permitted; 4) increase animated sign area; 5) permit roof signs; 6) increase projecting sign area; and 7) allow a projecting sign to be animated.
DESIGN REVIEWS for the following: 1) modifications to an approved parking garage; and 2) a comprehensive sign plan for a parking garage, supper club, convenience store and gasoline station on 4.0 acres in an M-1 (Light Manufacturing) (AE-60) Zone. Generally located on the west side of Polaris Avenue between Dewey Drive and Russell Road within Paradise. MN/al/syp (For possible action)

HELD - 04/18/23 - per the applicant.

12. NZC-23-0053-WIGWAM-PARVIN LIMITED PARTNERSHIP:
ZONE CHANGE to reclassify 5.0 acres from an R-E (Rural Estates Residential) Zone to an R-4 (Multiple Family Residential - High Density) Zone.
USE PERMIT for a senior housing project.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; and 2) modified driveway design standards.
DESIGN REVIEWS for the following: 1) senior housing project with associated structures and uses; and 2) finished grade in the CMA Design Overlay District. Generally located on the north side of Arby Avenue and the west side of Torrey Pines Drive within Enterprise (description on file). MN/rk/syp (For possible action)

CONDITIONS OF APPROVAL - FORWARDED TO THE 05/03/23 BCC MEETING.

Comprehensive Planning

- Resolution of Intent to complete in 3 years;
- Provide disclosure statement to residents about industrial uses in the vicinity that may produce odors and noise;
- Provide 10 foot tall block wall with sound grouting along the western boundary;
- Provide 36 inch box trees within landscape buffer along the western boundary;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a Master Plan amendment and a zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 35 feet to the back of curb for Badura Avenue, 35 feet to the back of curb for Torrey Pines Drive, 25 feet to the back of curb for Arby Avenue and associated spandrels.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code; 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; 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 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

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

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 #0421-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

13. VS-23-0054-GKT 4, LLC & BESUDEN, HENRY W. & CHARLOTTE:
VACATE AND ABANDON easements of interest to Clark County located between Arby Avenue and Badura Avenue, and between Torrey Pines Drive and Redwood Street within Enterprise (description on file). MN/rk/syp (For possible action)

CONDITIONS OF APPROVAL - FORWARDED TO THE 05/03/23 BCC MEETING.

Comprehensive Planning

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

Public Works - Development Review

- Right-of-way dedication to include 35 feet to the back of curb for Badura Avenue, 35 feet to the back of curb for Torrey Pines Drive, 25 feet to the back of curb for Arby Avenue and associated spandrels;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Fire Prevention Bureau

- **Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.**

PUBLIC COMMENTS

Comments by the General Public regarding any items not listed on the agenda as posted. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on a future agenda.