

**NOTICE OF FINAL ACTION**  
**CLARK COUNTY PLANNING COMMISSION**  
**7:00 P.M., TUESDAY, NOVEMBER 1, 2022**

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**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.

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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 10/04/22.**

**Planning Commission Briefing Meeting minutes for 10/04/22 and 10/18/22.**

**ROUTINE ACTION ITEMS (4 - 15):** 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. DR-22-0505-BLUE DIAMOND DECATUR PLAZA, LLC:  
DESIGN REVIEW for a proposed restaurant with drive-thru on a 1.0 acre portion of a 13.0 acre site in a C-2 (General Commercial) Zone. Generally located on the south side of Blue Diamond Road, and west of Decatur Boulevard within Enterprise. JJ/sd/syp (For possible action)

**CONDITIONS OF APPROVAL -**

**Current Planning**

- **Certificate of Occupancy and/or business license shall not be issued without final zoning inspection;**
- **Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area.**
- **Applicant is advised that a design review as a public hearing for signage is required per ZC-18-0256; 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**

- **Traffic study and compliance.**
- **Applicant is advised that the finished floor elevation needs to be raised to 2,385.30 feet.**

#### 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.

#### 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 #0368-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

#### 5. UC-22-0511-PHOENIX PLAZA HOLDINGS, LLC:

USE PERMIT to reduce the separation from an on-premises consumption of alcohol (supper club) use to a residential use on a portion of 4.3 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Flamingo Road and the east side of Torrey Pines Drive within Spring Valley. JJ/bb/syp (For possible action)

#### CONDITIONS OF APPROVAL -

##### Current Planning

- 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 permits, licenses, or approvals; 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.

6. UC-22-0512-EHH VENTURE:  
USE PERMIT for a pawn shop.  
DESIGN REVIEW for a pawn shop in conjunction with an existing shopping center on 4.7 acres in a C-2 (General Commercial) (AE-70) Zone. Generally located on the south side of Sunset Road, 630 feet west of Spencer Street within Paradise. JG/bb/syp (For possible action)

**CONDITIONS OF APPROVAL -**

**Current 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 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.

**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 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.

**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.

7. UC-22-0515-7680 SOUTH LAS VEGAS BLVD, LLC:  
USE PERMIT for proposed secondhand sales within an existing shopping center on a portion of 5.1 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 -**

**Current Planning**

- Drive aisles shall remain free and clear to allow free movement of vehicles;
- Parking spaces to be used for parking of vehicles only.
- 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 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. VS-22-0507-FUNSTON, STEVEN L. SEPARATE PROPERTY TRUST & FUNSTON, STEVEN L. TRS:

VACATE AND ABANDON easements of interest to Clark County located between Jensen Street and Conquistador Street, and between Tropical Parkway and Bright Angel Way within Lone Mountain (description on file). RM/bb/syp (For possible action)

**CONDITIONS OF APPROVAL -**

**Current Planning**

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

**Public Works - Development Review**

- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Tropical Parkway improvement project;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

9. UC-22-0520-FUNSTON, STEVEN L. SEPARATE PROPERTY TRUST & FUNSTON, STEVEN L. TRS:

USE PERMIT to allow an accessory building to exceed one half the footprint of the principal building. WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscaping along a collector street; and 2) reduce access gate setback along a collector street in conjunction with an existing single family residence on 1.0 acre in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the north side of Tropical Parkway, 130 feet west of Jensen Street within Lone Mountain. RM/rk/syp (For possible action)

**CONDITIONS OF APPROVAL -**

**Current Planning**

- Map to record prior to issuance of certificate of completion for the accessory structure;
- Remove CMU block wall at shared property line prior to issuance of certificate of completion for the accessory structure.
- 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 to dedicate any necessary right-of-way and easements for the Tropical Parkway improvement project.

**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.**

10. **VS-22-0509-RED ROCK MEMORIAL PARK, LLC:**

VACATE AND ABANDON portions of a right-of-way being Meng Way located between Sunset Road (alignment) and Penelope Road, a portion of right-of-way being Penelope Road between Buster Way and Meng Street; a portion of right-of-way being Buster Way located between Penelope Road (alignment) and Tuffy Lane, and a portion of right-of-way being Tuffy Lane located between Buster Way and Meng Street within Red Rock (description on file). JJ/sd/syp (For possible action)

**CONDITIONS OF APPROVAL -**

**Current Planning**

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

**Public Works - Development Review**

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

**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.**

11. **UC-22-0508-RED ROCK MEMORIAL PARK, LLC:**

USE PERMITS for the following: 1) cemetery; and 2) funeral home.

DESIGN REVIEW for a cemetery and funeral home on 91.0 acres in an R-U (Rural Open Land) Zone within the Red Rock Design Overlay District. Generally located on the north side of State Highway 159, approximately 1.5 miles west of intersection State Highway 160 (Blue Diamond Road) and State Highway 159 within Red Rock. JJ/sd/syp (For possible action)

**CONDITIONS OF APPROVAL -**

**Current Planning**

- **Design review for future phases;**
- **Design review for final grading for each phase to demonstrate compliance with Hillside Development regulations unless grading will not occur on slopes in excess of 12%.**
- **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.**
- **Applicant is advised that Nevada Department of Transportation (NDOT) permits may be required.**

**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 #0369-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.**

12. **WS-22-0462-3899 N. LAS VEGAS BLVD., LLC:**

**HOLDOVER WAIVER OF DEVELOPMENT STANDARDS** to allow modified driveway design. **DESIGN REVIEW** for a mini-warehouse facility on 1.7 acres on a C-2 (General Commercial) (AE-65) Zone. Generally located on the north side of Las Vegas Boulevard North and the west side of Puebla Street within Sunrise Manor. MK/rk/syp (For possible action)

**CONDITIONS OF APPROVAL -**

**Current Planning**

- **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;**
- **Full off-site improvements;**
- **Right-of-way dedication to include 54 foot property line radius on the southeast corner of the site.**

**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; 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 and reference POC Tracking #0334-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.**

13. NZC-22-0254-VAN 86 HOLDINGS TRUST:  
AMENDED HOLDOVER ZONE CHANGES for the following: 1) reclassify 2.4 acres from an R-E (Rural Estates Residential) Zone to an R-1 (Single Family Residential) Zone; and 2) reclassify 9.4 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone (previously notified as 19.4 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone).  
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; and 2) reduce street intersection off-set.  
DESIGN REVIEWS for the following: 1) a single family residential development; and 2) finished grade. Generally located on the northeast corner of Richmar Avenue and Hinson Street (alignment) within Enterprise (description on file). JJ/al/jo (For possible action)

**HELD - 11/15/22 - per Commissioner Nguyen.**

14. VS-22-0255-VAN 86 HOLDINGS TRUST:  
HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Hinson Street (alignment) and Valley View Boulevard, and between Richmar Avenue and Meranto Avenue (alignment) within Enterprise (description on file). JJ/al/jo (For possible action)

**HELD - 11/15/22 - per Commissioner Nguyen.**

15. TM-22-500087-VAN 86 HOLDINGS TRUST:  
AMENDED HOLDOVER TENTATIVE MAP consisting of 87 single family residential lots and common lots on 11.8 acres in an R-1 (Single Family Residential) Zone and R-2 (Medium Density Residential) Zone (previously 155 single family residential lots and common lots on 19.4 acres in an R-2 (Medium Density Residential) Zone). Generally located on the northeast corner of Richmar Avenue and Hinson Street (alignment) within Enterprise. JJ/al/jo (For possible action)

**HELD - 11/15/22 - per Commissioner Nguyen.**

**NON-ROUTINE ACTION ITEMS (16 - 20):** These items will be considered separately. Items 19 & 20 will be forwarded to the Board of County Commissioners' meeting for final action.

16. UC-22-0487-AVILA FAMILY TRUST & AVILA, JAVIER TRS:  
HOLDOVER USE PERMITS for the following: 1) increase accessory structure area to exceed one half the footprint of the principal dwelling; and 2) increase the cumulative area of all accessory structures to exceed the footprint of the principal dwelling.  
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) allow a pool in the front yard in conjunction with an existing single family residence on 0.8 acres in an R-E (Rural Estates Residential) (AE-65) Zone. Generally located on the east side of Betty Lane, 150 feet south of Judson Avenue within Sunrise Manor. MK/lm/syp (For possible action)

**CONDITIONS OF APPROVAL -**

**Current Planning**

- **Applicant to obtain building permits for gazebo prior to final inspection of pool or new detached garage, whichever occurs first.**
- **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 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.**

**WAIVER OF DEVELOPMENT STANDARDS #1 WAS DENIED.**

17. VS-22-0516-SIERRA GROUP HOLDINGS, LLC:  
VACATE AND ABANDON easements of interest to Clark County located between Windmill Lane and Horizon Sunset Drive (alignment), and between Spencer Street and Wishing Well Road (alignment) within Paradise (description on file). MN/jgh/syp (For possible action)

**DELETED.**

18. WS-22-0517-SIERRA GROUP HOLDINGS, LLC:  
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) architectural compatibility; 2) reduced setbacks; 3) reduced trash enclosure setback; 4) reduced throat depth; 5) reduced setback adjacent to single family residential use; and 6) parking lot landscaping.  
DESIGN REVIEW for 2 proposed office buildings on 1.1 acres in a CRT (Commercial Residential Transitional) Zone. Generally located on the south side of Windmill Lane, 660 feet east of Spencer Street within Paradise. MN/jgh/syp (For possible action)

**DELETED.**

19. NZC-22-0496-ALL AMERICAN CAPITAL CORPORATION:  
HOLDOVER ZONE CHANGE to reclassify 2.5 acres from an R-E (Rural Estates Residential) (AE-60) Zone to an M-D (Designed Manufacturing) (AE-60) Zone.  
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) permit access to a local street where not permitted; 2) allow modified CMA Design Overlay District Standards; and 3) modified driveway design standards.  
DESIGN REVIEWS for the following: 1) office/warehouse; and 2) finished grade in the CMA Design Overlay District. Generally located on the east side of Santa Margarita Street and the north side of Post Road within Spring Valley (description on file). MN/md/syp (For possible action)

**CONDITIONS OF APPROVAL - FORWARDED TO THE 11/16/22 BCC MEETING.**

**Current Planning**

- **Resolution of Intent to complete in 3 years;**
- **Per revised plans submitted November 1, 2022;**
- **Install “Watch for Pedestrians” signage, not to be placed in the right-of-way;**
- **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 new application for a Master Plan area 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;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Santa Margarita Street, 25 feet to the back of curb for Post Road, and associated spandrel.
- 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.

**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 #0355-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

20. VS-22-0497-ALL AMERICAN CAPITAL CORPORATION:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Santa Margarita Street and Redwood Street, and between Post Road and Sobb Avenue (alignment) within Spring Valley (description on file). MN/md/syp (For possible action)

**CONDITIONS OF APPROVAL - FORWARDED TO THE 11/16/22 BCC MEETING.**

**Current Planning**

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

**Public Works - Development Review**

- Right-of-way dedication to include 25 feet to the back of curb for Santa Margarita Street, 25 feet to the back of curb for Post Road, and associated spandrel;
- 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.

**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.