

Clark County Planning Commission
CLARK COUNTY, NEVADA

NELSON STONE
Chair
STEVE KIRK
Vice-Chair
DUY NGUYEN
EDWARD FRASIER III
LIANE LEE
TIMOTHY CASTELLO
VIVIAN KILARSKI

NANCY A. AMUNDSEN
Executive Secretary

OPENING CEREMONIES

CALL TO ORDER

The regular meeting of the Clark County Planning Commission was called to order by Chair Nelson Stone on Tuesday, November 1, 2022, at 7:01 p.m. in the Commission Chambers, Clark County Government Center, 500 South Grand Central Parkway, Las Vegas, Nevada. On roll call, the following members were present, constituting a quorum of the members thereof:

CHAIR AND COMMISSIONERS:

Nelson Stone
Steve Kirk
Timothy Castello
Edward Frasier III
Vivian Kilarski
Liane Lee
Excused:
Duy Nguyen

NOTE: Commissioner's Edward Frasier III and Liane Lee attended via teleconference.

Also present:

Robert Warhola, Chief Deputy District Attorney, Civil Division
Sami Real, Planning Manager
Negar Masoomi, Assistant Planning Manager
Esther Martinez, Administrative Secretary
Jason Allswang, Senior Plan Checker, Public Works - Development Review
Sarah Mabry-Padovese, Plan Checker I, Public Works - Development Review

PLEDGE OF ALLEGIANCE

1. Public Comments.

At this time Chair Nelson Stone asked if there were any persons in the audience wishing to be heard on any items on the agenda as posted.

SPEAKER(S): None

There being no persons present in the audience wishing to be heard on any items on the agenda as posted, Chair Nelson Stone closed the public comments.

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

ACTION: It was moved by Vice-Chair Steve Kirk that the Agenda for November 1, 2022 be approved with the following changes:

Item #13 - NZC-22-0254 - Held until 11/15/22 per Commissioner Nguyen.

Item #14 - VS-22-0255 - Held until 11/15/22 per Commissioner Nguyen.

Item #15 - TM-22-500087 - Held until 11/15/22 per Commissioner Nguyen.

Item #17 - VS-22-0516 - Deleted to be heard at the 11/02/22 BCC meeting.

Item #18 - WS-22-0517 - Deleted to be heard at the 11/02/22 BCC meeting.

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, and Liane Lee

VOTING NAY: None

EXCUSED: Duy Nguyen

ABSENT: None

ABSTAIN: None

NOTE: The applicant stated that items #13, #14, and #15 would be held.

3. Approval of minutes. (For possible action)

ACTION: It was moved by Vice-Chair Steve Kirk that the Planning Commission Meeting Minutes for October 4, 2022, and the Briefing Meeting Minutes for October 4, 2022 and October 18, 2022 be approved as submitted by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, and Liane Lee

VOTING NAY: None

EXCUSED: Duy Nguyen

ABSENT: None

ABSTAIN: None

ROUTINE ACTION ITEMS

Sami Real, Planning Manager, presented the Routine Action Items and stated items #4 through #15 will be taken in one vote except items #13, #14, and #15 were held. Chair Nelson Stone abstained from items #8 and #9.

ACTION: It was moved by Vice-Chair Steve Kirk that the Routine Action Items be Approved, incorporating the staff recommendations and the added conditions for each application type (specific vote and conditions are outlined under each agenda item).

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)

ACTION: It was moved by Vice-Chair Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, and Liane Lee

VOTING NAY: None

EXCUSED: Duy Nguyen

ABSENT: None

ABSTAIN: None

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.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: NA
OPPOSITION RECEIVED: NA

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)

ACTION: It was moved by Vice-Chair Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, and Liane Lee

VOTING NAY: None

EXCUSED: Duy Nguyen

ABSENT: None

ABSTAIN: None

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.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: NA

OPPOSITION RECEIVED: 4 cards

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)

ACTION: It was moved by Vice-Chair Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, and Liane Lee

VOTING NAY: None

EXCUSED: Duy Nguyen

ABSENT: None

ABSTAIN: None

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.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: NA

OPPOSITION RECEIVED: 2 cards

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)

ACTION: It was moved by Vice-Chair Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, and Liane Lee

VOTING NAY: None

EXCUSED: Duy Nguyen

ABSENT: None

ABSTAIN: None

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.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: 1 card

OPPOSITION RECEIVED: 2 letters

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)

ACTION: It was moved by Vice-Chair Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, and Liane Lee

VOTING NAY: None

EXCUSED: Duy Nguyen

ABSENT: None

ABSTAIN: Nelson Stone

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.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: NA

OPPOSITION RECEIVED: 10 cards, 3 letters

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)

ACTION: It was moved by Vice-Chair Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, and Liane Lee

VOTING NAY: None

EXCUSED: Duy Nguyen

ABSENT: None

ABSTAIN: Nelson Stone

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.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: NA

OPPOSITION RECEIVED: 8 cards, 2 letters

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)

ACTION: It was moved by Vice-Chair Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, and Liane Lee

VOTING NAY: None

EXCUSED: Duy Nguyen

ABSENT: None

ABSTAIN: None

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.

TOWNBOARD RECOMMENDATION: No recommendation due to lack of quorum.

SUPPORT RECEIVED: 1 card

OPPOSITION RECEIVED: 1 card

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)

ACTION: It was moved by Vice-Chair Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, and Liane Lee

VOTING NAY: None

EXCUSED: Duy Nguyen

ABSENT: None

ABSTAIN: None

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.

TOWNBOARD RECOMMENDATION: No recommendation due to lack of quorum.

SUPPORT RECEIVED: 1 card

OPPOSITION RECEIVED: 1 card

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)

ACTION: It was moved by Vice-Chair Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, and Liane Lee

VOTING NAY: None

EXCUSED: Duy Nguyen

ABSENT: None

ABSTAIN: None

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.**

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: NA

OPPOSITION RECEIVED: NA

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)

ACTION: It was moved by Vice-Chair Steve Kirk that the application be Held until November 15, 2022, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, and Liane Lee

VOTING NAY: None

EXCUSED: Duy Nguyen

ABSENT: None

ABSTAIN: None

NOTE: This item was Held during the approval of the agenda.

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)

ACTION: It was moved by Vice-Chair Steve Kirk that the application be Held until November 15, 2022, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, and Liane Lee

VOTING NAY: None

EXCUSED: Duy Nguyen

ABSENT: None

ABSTAIN: None

NOTE: This item was Held during the approval of the agenda.

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)

ACTION: It was moved by Vice-Chair Steve Kirk that the application be Held until November 15, 2022, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, and Liane Lee

VOTING NAY: None

EXCUSED: Duy Nguyen

ABSENT: None

ABSTAIN: None

NOTE: This item was Held during the approval of the agenda.

NON-ROUTINE ACTION ITEMS

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)

STAFF RECOMMENDATION: Sami Real, Planning Manager, presented the application and stated the conditions are as listed on the agenda. The applicant spoke on the matter and there were no other speakers present.

ACTION: It was moved by Chair Nelson Stone that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, and Liane Lee
VOTING NAY: None
EXCUSED: Duy Nguyen
ABSENT: None
ABSTAIN: None

**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.

NOTE: Sami Real stated for the record that home occupations are not allowed to have employees come to the house.

TOWNBOARD RECOMMENDATION: Approval of the use permits, waiver of development standards #2; denial of waiver of development standards #1.

SUPPORT RECEIVED: NA

OPPOSITION RECEIVED: 3 cards, 2 letters

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)

ACTION: It was moved by Vice-Chair Steve Kirk that the application be Deleted, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, and Liane Lee
VOTING NAY: None
EXCUSED: Duy Nguyen
ABSENT: None
ABSTAIN: None

NOTE: This item was Deleted during the approval of the agenda.

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)

ACTION: It was moved by Vice-Chair Steve Kirk that the application be Deleted, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, and Liane Lee

VOTING NAY: None

EXCUSED: Duy Nguyen

ABSENT: None

ABSTAIN: None

NOTE: This item was Deleted during the approval of the agenda.

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)

STAFF RECOMMENDATION: Sami Real, Planning Manager, presented the application and stated the conditions are as listed on the agenda. The applicant spoke on the matter and there were no other speakers present.

ACTION: It was moved by Commissioner Liane Lee that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, and Liane Lee

VOTING NAY: None

EXCUSED: Duy Nguyen

ABSENT: None

ABSTAIN: None

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.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: NA

OPPOSITION RECEIVED: 2 cards, 1 letter

NOTE: Items #19 & #20 were heard together in one motion and vote.

20. VS-22-0497-ALL AMERICAN CAPITAL CORPORATION:
HOLD OVER 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)

STAFF RECOMMENDATION: Sami Real, Planning Manager, presented the application and stated the conditions are as listed on the agenda. The applicant spoke on the matter and there were no other speakers present.

ACTION: It was moved by Commissioner Liane Lee that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, and Liane Lee

VOTING NAY: None

EXCUSED: Duy Nguyen

ABSENT: None

ABSTAIN: None

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.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: NA

OPPOSITION RECEIVED: NA

NOTE: Items #19 & #20 were heard together in one motion and vote.

PUBLIC COMMENTS

At this time, Chair Nelson Stone asked if there were any persons present in the audience wishing to be heard.

SPEAKER(S): None

There being no persons present in the audience wishing to be heard on any items on the agenda as posted, Chair Nelson Stone closed the public comments.

There being no further business to come before the Board at this time, at the hour of 7:37 p.m., the meeting was adjourned.

ATTEST:

/s/ Nancy A. Amundsen
NANCY A. AMUNDSEN
Executive Secretary to the
Planning Commission