

Clark County Planning Commission
CLARK COUNTY, NEVADA

STEVE KIRK
Chair
TIMOTHY CASTELLO
Vice-Chair
EDWARD FRASIER III
LIANE LEE
LESLIE MUJICA
NELSON STONE
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 Steve Kirk on Tuesday, April 18, 2023, at 7:03 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:

Steve Kirk
Timothy Castello
Edward Frasier III
Liane Lee
Leslie Mujica
Nelson Stone
Vivian Kilariski

NOTE: Commissioner Leslie Mujica attended via teleconference.

Also present:

Robert Warhola, Chief Deputy District Attorney, Civil Division
Sami Real, Deputy Director
Jennifer Ammerman, Planning Manager
James McFarland, Administrative Secretary
Jason Allswang, Senior Plan Checker, Public Works – Development Review
Sarah Mabry-Padovese, Plan Checker II, Public Works – Development Review

PLEDGE OF ALLEGIANCE

1. Public Comments.

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

SPEAKER(S): 1 Speaker

One speaker requested information on item #11, VS-23-0062. Chair Steve Kirk stated the item would be pulled off consent in order to discuss further.

There being no other persons present in the audience wishing to be heard on any items on the agenda as posted, Chair Steve Kirk 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 Timothy Castello that the Agenda for April 18, 2023 be approved with the following changes:

Item #6 - SC-23-0098 - Held until 07/18/23 per Commissioner Segerblom.

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

3. Approval of minutes. (For possible action)

ACTION: It was moved by Vice-Chair Timothy Castello that the Planning Commission Meeting Minutes and the Briefing Meeting Minutes for March 21, 2023 be approved as submitted by the following vote:

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

ROUTINE ACTION ITEMS

Mrs. Jennifer Ammerman, Planning Manager, presented the Routine Action Items and stated items #4 through #23 will be taken in one vote except item #6 was held and item #11 was heard separately.

ACTION: It was moved by Vice-Chair Timothy Castello and carried unanimously 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-23-0071-HFC ACCEPTANCE, LLC:

DESIGN REVIEW for a vehicle wash on 1.0 acre in an M-D (Design Manufacturing) (AE-70) Zone. Generally located on the south side of Sunset Road, 360 feet east of Spencer Street within Paradise. JG/sd/syp (For possible action)

ACTION: It was moved by Vice-Chair Timothy Castello 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, Liane Lee, Leslie Mujica, Nelson Stone, and Vivian Kilarski

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Comprehensive 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.**
- **Applicant is advised that Nevada Department of Transportation (NDOT) 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;**
- **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; 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.**

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 #0084-**

2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

5. ET-23-400016 (UC-0550-08)-USA:
USE PERMIT FOURTH EXTENSION OF TIME to commence the use of hazardous materials storage in conjunction with a water treatment facility.

DESIGN REVIEW for public facility structures (water treatment facility) on 20.0 acres in a P-F (Public Facility) Zone. Generally located on the north and south sides of Cactus Avenue (alignment) and on the west side of Buffalo Drive within Enterprise. JJ/rk/syp (For possible action)

ACTION: It was moved by Vice-Chair Timothy Castello 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, Liane Lee, Leslie Mujica, Nelson Stone, and Vivian Kilarski

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Comprehensive Planning

- **Until July 6, 2026 to commence.**
- **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; 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

- **30 days to coordinate with Public Works - Construction Management Division for the Cactus Avenue improvement project;**
- **Compliance with previous conditions.**

6. SC-23-0098-COUNTY OF CLARK:
STREET NAME CHANGE to change the name of Karen Avenue to Liberace Way between Joe W. Brown Drive and Paradise Road. Generally located on the east side of Paradise Road and the west side of Joe W. Brown Drive within Winchester. TS/hw/ja (For possible action)

ACTION: It was moved by Vice-Chair Timothy Castello that the application be HELD until July 18, 2023, by the following vote:

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

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

7. UC-23-0048-MFE, INC:
USE PERMIT for a proposed food cart not within an enclosed building.
DESIGN REVIEW for a proposed food cart in conjunction with an existing convenience store with gasoline sales on 3.8 acres in a C-1 (Local Business) Zone. Generally located on the south side of Cactus Avenue and the west side of Jones Boulevard within Enterprise. JJ/rk/syp (For possible action)

ACTION: It was moved by Vice-Chair Timothy Castello 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, Liane Lee, Leslie Mujica, Nelson Stone, and Vivian Kilarski

VOTING NAY: None

ABSENT: None

ABSTAIN: None

**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.**

8. UC-23-0065-JEAN, DANIEL:

USE PERMITS for the following: 1) permit an accessory building that is not architecturally compatible with the principal building; 2) increase the area of an accessory building; and 3) allow a non-decorative accessory metal building in conjunction with a single family residence on 1.0 acre in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the southeast corner of Campbell Road and La Mancha Avenue within Lone Mountain. RM/al/ja (For possible action)

ACTION: It was moved by Vice-Chair Timothy Castello 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, Liane Lee, Leslie Mujica, Nelson Stone, and Vivian Kilarski

VOTING NAY: None

ABSENT: None

ABSTAIN: None

**CONDITIONS OF APPROVAL -
Comprehensive Planning**

- **Accessory building to be painted to match the existing residence.**
- **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

- **Execute a Restrictive Covenant Agreement (deed restrictions).**

Southern Nevada Health District (SNHD) - Septic

- **Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.**

9. UC-23-0080-RICHMOND LIMITED PARTNERSHIP:

USE PERMIT to allow a recreational facility (virtual driving range) with a restaurant (snack bar) and on-premises consumption of alcohol (service bar) on 7.2 acres in a C-2 (General Commercial) (AE-60) Zone. Generally located on the northwest corner of St. Rose Parkway and Maryland Parkway within

Enterprise. MN/lm/syp (For possible action)

ACTION: It was moved by Vice-Chair Timothy Castello 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, Liane Lee, Leslie Mujica, Nelson Stone, and Vivian Kilarski

VOTING NAY: None

ABSENT: None

ABSTAIN: None

**CONDITIONS OF APPROVAL -
Comprehensive Planning**

- **Applicant is advised 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.**

10. UC-23-0083-RAINBOW ROBINDALE PLAZA, LLC:

USE PERMIT for on-premises consumption of alcohol (service bar) in conjunction with a restaurant with karaoke lounge on a portion of 1.7 acres in a C-1 (Local Business) Zone. Generally located on the west side of Rainbow Boulevard and the south side of Robindale Road within Enterprise. MN/lm/syp (For possible action)

ACTION: It was moved by Vice-Chair Timothy Castello 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, Liane Lee, Leslie Mujica, Nelson Stone, and Vivian Kilarski

VOTING NAY: None

ABSENT: None

ABSTAIN: None

**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 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. **VS-23-0062-WIGWAM RANCH EAST ESTATES HOA:**

VACATE AND ABANDON easements of interest to Clark County located between Wigwam Avenue and Ford Avenue and between Bruce Street and Treasure Trove Street, and a portion of a right-of-way being Indian Run Falls Lane located between Wigwam Avenue and Ford Avenue within Paradise (description on file). MN/hw/syp (For possible action)

STAFF RECOMMENDATION: Jennifer Ammerman, Planning Manager, presented the application and stated the conditions are as listed on the agenda. The applicant spoke on the matter and there were 2 speakers with concerns.

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

**CONDITIONS OF APPROVAL -
Comprehensive Planning**

- Satisfy utility companies' requirements.
- Applicant is advised that they will need to comply with all regulations pertaining to gating communities; 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

- Private access easements shall be granted to all property owners affected by this vacation;
- Grant private drainage easements over the vacated areas;
- Coordinate with Traffic Management to return any County assets to Public Works;
- If the applicant chooses to purchase the streetlights, coordinate with Public Works - Traffic Management for the purchase and the transfer of electric service;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Clark County Water Reclamation District (CCWRD)

- The CCWRD has existing or proposed assets within the area proposed to be vacated per VS-23-0062; CCWRD has no objection to the request for vacation as presented; CCWRD requests all existing rights granted to us within the rights-of-way are reserved; it is understood that this vacation shall not reduce our rights to operate and maintain our facilities; CCWRD also requests that drivable access be able to handle H-20 loading and is maintained by fee owner; and that the CCWRD requests no gates or fences are allowed to be installed across the subject parcel as a condition of the rights granted to the CCWRD.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: 6 cards, 1 letter

OPPOSITION RECEIVED: 7 cards, 2 letters

NOTE: This item was heard separately from the Routine Action Agenda.

12. VS-23-0063-SOUTH JONES 215, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Jones Boulevard and Lindell Road, and between Warm Springs Road and Arby Avenue within Enterprise (description on file). MN/jgh/syp (For possible action)

ACTION: It was moved by Vice-Chair Timothy Castello 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, Liane Lee, Leslie Mujica, Nelson Stone, and Vivian Kilarski

VOTING NAY: None

ABSENT: None

ABSTAIN: None

**CONDITIONS OF APPROVAL -
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

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

13. VS-23-0070-MARSHALL, ANDRE C. & SUSAN:
VACATE AND ABANDON a portion of right-of-way being Stewart Avenue located between Vista Valley Street and Radwick Drive within Sunrise Manor (description on file). TS/jgh/syp (For possible action)

ACTION: It was moved by Vice-Chair Timothy Castello 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, Liane Lee, Leslie Mujica, Nelson Stone, and Vivian Kilarski

VOTING NAY: None

ABSENT: None

ABSTAIN: None

**CONDITIONS OF APPROVAL -
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

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

14. VS-23-0086-DECATUR CAPITAL MANAGEMENT, LLC:
VACATE AND ABANDON easements of interest to Clark County located between Decatur Boulevard and Ullom Drive, and between Russell Road and Oquendo Road within Paradise (description on file). MN/lm/syp (For possible action)

ACTION: It was moved by Vice-Chair Timothy Castello 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, Liane Lee, Leslie Mujica, Nelson Stone, and Vivian Kilarski

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

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

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

15. WS-23-0085-DECATUR CAPITAL MANAGEMENT, LLC:
WAIVER OF DEVELOPMENT STANDARDS to reduce driveway throat depth.
DESIGN REVIEW for a proposed restaurant within a retail center on 2.5 acres in a C-2 (General Commercial) (AE-60) Zone. Generally located on the east side of Decatur Boulevard and the south side of Russell Road within Paradise. MN/lm/syp (For possible action)

ACTION: It was moved by Vice-Chair Timothy Castello 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, Liane Lee, Leslie Mujica, Nelson Stone, and Vivian Kilarski

VOTING NAY: None

ABSENT: None

ABSTAIN: None

**CONDITIONS OF APPROVAL -
Comprehensive 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.**

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 #0432-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.**

16. WS-23-0064-DAVIDSON, MITCHELL & ELENA:
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) increase wall/fence height in conjunction with an existing single family residence on 0.1 acre in an R-U (Rural Open Land) Zone within the Spring Mountain Overlay District (Part I). Generally located on the northwest corner of Aspen Avenue and Mahogany Drive within Northwest County. RM/al/syp (For possible action)

ACTION: It was moved by Vice-Chair Timothy Castello 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, Liane Lee, Leslie Mujica, Nelson Stone, and Vivian Kilarski

VOTING NAY: None

ABSENT: None

ABSTAIN: None

**CONDITIONS OF APPROVAL -
Comprehensive Planning**

- **Retain the existing trees on the northeast corner of the site or plant 2 new trees on the northeast corner of the site;**
- **Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.**
- **Applicant is advised that any water features must comply with Section 30.64; the 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.**

Public Works - Development Review

- **Drainage study and compliance.**

Southern Nevada Health District (SNHD) - Septic

- **Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.**

17. WS-23-0091-CONSTANZA, VILMA & JOAQUIN:
WAIVER OF DEVELOPMENT STANDARDS for reduced setbacks in conjunction with a single family residence on 0.2 acres in an R-1 (Single Family Residential) Zone. Generally located on the southeast side of Palma Vista Circle, 150 feet south of Palma Vista Avenue within Winchester. TS/jud/syp (For possible action)

ACTION: It was moved by Vice-Chair Timothy Castello 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, Liane Lee, Leslie Mujica, Nelson Stone, and Vivian Kilarski

VOTING NAY: None

ABSENT: None

ABSTAIN: None

**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; 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.**

18. WS-23-0092-AMERICANA-MARTIN, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) alternative driveway geometrics; and 2) allow non-standard improvements in the right-of-way.

DESIGN REVIEW for a porte-cochere addition to an existing office building on 3.9 acres in a C-1 (Local Business) Zone. Generally located on the south side of Sahara Avenue, 140 feet west of Monte Cristo Way within Spring Valley. JJ/jud/syp (For possible action)

ACTION: It was moved by Vice-Chair Timothy Castello 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, Liane Lee, Leslie Mujica, Nelson Stone, and Vivian Kilarski

VOTING NAY: None

ABSENT: None

ABSTAIN: None

**CONDITIONS OF APPROVAL -
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

- **Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way.**

19. PA-23-700005-ELEGANCE RUSSELL, LLC:

PLAN AMENDMENT to redesignate the existing land use category from Corridor Mixed-Use (CM) to Urban Neighborhood (UN) on 11.2 acres. Generally located between Emerald Avenue and Russell Road, 400 feet west of Boulder Highway within Whitney. JG/gtb (For possible action)

ACTION: It was moved by Vice-Chair Timothy Castello that the application be Adopted, by the following vote:

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

ADOPTED - FORWARDED TO THE 05/17/23 BCC MEETING.

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 #0072-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.**

20. ZC-23-0067-ELEGANCE RUSSELL, LLC :

ZONE CHANGE to reclassify 11.2 acres from an R-2 (Medium Density Residential) Zone, a C-2 (General Commercial) Zone, and an M-1 (Light Manufacturing) Zone to an R-4 (Multiple Family Residential - High Density) Zone.

USE PERMITS for the following: 1) senior housing; and 2) project of regional significance.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) increase retaining wall height; 3) reduce throat depth; and 4) allow non-standard improvements in the right-of-way.

DESIGN REVIEWS for the following: 1) senior housing development; and 2) finished grade. Generally located between Emerald Avenue and Russell Road, 400 feet west of Boulder Highway within Whitney (description on file). JG/lm/syp (For possible action)

ACTION: It was moved by Vice-Chair Timothy Castello 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, Liane Lee, Leslie Mujica, Nelson Stone, and Vivian Kilarski

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL - FORWARDED TO THE 05/17/23 BCC MEETING.

Comprehensive Planning

- **No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;**
- **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 the use permits, waivers of development standards, and design reviews must commence within 2 years of approval date or they 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;**
- **The bridge over the flood channel and trail must be high enough and provide unobstructed access for maintenance vehicles and pedestrians to travel on access roads and the trail;**
- **Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way.**
- **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 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.**

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 #0072-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.**

21. VS-23-0068- ELEGANCE RUSSELL, LLC:
VACATE AND ABANDON a portion of right-of-way being Russell Road located between Boulder Highway and Stephanie Street, and a portion of right-of-way being Emerald Avenue located between Boulder Highway and Duck Creek Flood Channel within Whitney (description on file). JG/lm/syp (For possible action)

ACTION: It was moved by Vice-Chair Timothy Castello 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, Liane Lee, Leslie Mujica, Nelson Stone, and Vivian Kilarski

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL - FORWARDED TO THE 05/17/23 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

- **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 the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.**

Fire Prevention Bureau

- **No comment.**

Clark County Water Reclamation District (CCWRD)

- **No objection.**

22. NZC-23-0076-LV WS CIMARRON, LLC:
ZONE CHANGE to reclassify 13.7 acres from an R-E (Rural Estates Residential) Zone and a C-1 (Local Business) Zone to an R-4 (Multiple Family Residential - High Density) Zone.
WAIVER OF DEVELOPMENT STANDARDS to increase building height.
DESIGN REVIEWS for the following: 1) alternative parking lot landscaping; 2) multiple family development; and 3) finished grade in the CMA Design Overlay District. Generally located on the south side of Warm Springs Road and the east side of Cimarron Road within Spring Valley (description on file). MN/md/syp (For possible action)

ACTION: It was moved by Vice-Chair Timothy Castello 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, Liane Lee, Leslie Mujica, Nelson Stone, and Vivian Kilarski

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL - FORWARDED TO THE 05/17/23 BCC MEETING.

Comprehensive Planning

- **Resolution of Intent to complete in 3 years;**
- **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;**
- **30 days to coordinate with Public Works - Traffic Division/Anthony Ramos and to dedicate any necessary right-of-way and easements for the traffic signal project at Warm Springs Road and Cimarron Road;**
- **If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for bus turnout including passenger loading/shelter areas in accordance with RTC standards on Warm Springs Road.**
- **Applicant is advised that 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 or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way; and 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.**

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.**

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 #0085-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.**

23. VS-23-0077-LV WS CIMARRON, LLC :

VACATE AND ABANDON a portion of right-of-way being Warm Springs Road located between Cimarron Road and Buffalo Drive, and a portion of right-of-way being Cimarron Road located between Warm Springs Road and Eldorado Lane within Spring Valley (description on file). MN/md/syp (For possible action)

ACTION: It was moved by Vice-Chair Timothy Castello 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, Liane Lee, Leslie Mujica, Nelson Stone, and Vivian Kilarski

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL - FORWARDED TO THE 05/17/23 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

- **30 days to coordinate with Public Works - Traffic Division/Anthony Ramos and to dedicate any necessary right-of-way and easements for the traffic signal project at Warm Springs Road and Cimarron Road;**
- **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 the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.**

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.**

NON-ROUTINE ACTION ITEMS

24. UC-23-0060-QUINONES, GERARDO L.:
USE PERMIT to allow an accessory structure (detached carport) not architecturally compatible with the principal structure.
WAIVER OF DEVELOPMENT STANDARDS to reduce the building separation on 0.4 acres in an R-E (Rural Estate Residential) Zone. Generally located on the south side of Ancestral Hills Lane and the east side of Hidden Highlands Drive within Sunrise Manor. TS/bb/syp (For possible action)

STAFF RECOMMENDATION: Jennifer Ammerman, 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.

ACTION: It was moved by Commissioner Vivian Kilarski that the application be Held until May 16, 2023 for the applicant to return to the Sunrise Manor Town Board, and carried by the following vote:

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

TOWNBOARD RECOMMENDATION: No Quorum

SUPPORT RECEIVED: NA

OPPOSITION RECEIVED: 1 card, 1 letter

25. UC-23-0084-HILLSTEAD, CHARMAINE & KIP:
USE PERMIT to allow an accessory structure (detached carport) not architecturally compatible with the principal structure.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce the building separation; and 2) reduce setback in conjunction with an existing single family residence on 0.2 acres in an R-1 (Single Family Residential) Zone. Generally located on the west side of Mojave Road, 270 feet south of Astoria Drive within Winchester. TS/jor/syp (For possible action)

STAFF RECOMMENDATION: Jennifer Ammerman, 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.

ACTION: It was moved by Commissioner Vivian Kilarski 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, Liane Lee, Leslie Mujica, Nelson Stone, and Vivian Kilarski

VOTING NAY: None

ABSENT: None

ABSTAIN: None

**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;**
- **Accessory structure in the northwest corner to be removed from the site.**
- **Applicant is advised that approval of this application does not guarantee issuance of any other permit; 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.**

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: 2 cards

OPPOSITION RECEIVED: NA

26. WS-23-0047-HERBST FAMILY LIMITED PARTNERSHIP II:
HOLDOVER 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)

STAFF RECOMMENDATION: Jennifer Ammerman, 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.

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: Timothy Castello, Edward Frasier III, Liane Lee, Leslie Mujica, Nelson Stone, and Vivian Kilarski

VOTING NAY: Steve Kirk

ABSENT: None

ABSTAIN: None

**CONDITIONS OF APPROVAL -
Comprehensive Planning**

- Reduce nits (brightness of the video unit) to 25% of maximum brightness at nighttime.
- Applicant is advised that off-premises advertising is not permitted at this location; 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.

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 #0122-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #3 WAS DENIED.

TOWNBOARD RECOMMENDATION: Approval of waivers of development standards #1 and #5, #6 and #7, and design review #1; denial of waivers of development standards #2 through #4 and design review #2.

SUPPORT RECEIVED: 1 card

OPPOSITION RECEIVED: NA

27. PA-23-700006-DEAN MARTIN DR., LLC:
PLAN AMENDMENT to redesignate the existing land use category from Ranch Estate Neighborhood (RN) to Business Employment (BE) on 4.1 acres. Generally located on the north side of Robindale Road and the east side of Procyon Street within Enterprise. MN/gtb (For possible action)

STAFF RECOMMENDATION: Jennifer Ammerman, 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.

ACTION: It was moved by Commissioner Liane Lee that the application be Adopted, and carried by the following vote:

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

ADOPTED - FORWARDED TO THE 05/17/23 BCC MEETING.

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 the CCWRD is unable to verify sewer capacity based on this zoning application; and may find instruction for submitting a Point of Connection (POC) request on the CCWRD's website; and that a CCWRD approved POC must be included when submitting civil improvement plans.**

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: NA

OPPOSITION RECEIVED: 11 cards, 2 letters

NOTE: Items #27, #28, & #29 were heard together. Item #27 was taken in one motion and vote and items #28 & #29 were taken in a separate motion and vote.

28. ZC-23-0074-DEAN MARTIN DR., LLC:
ZONE CHANGE to reclassify 4.1 acres from an R-E (Rural Estates Residential) (RNP-I) (AE-60) Zone to an M-D (Designed Manufacturing) (AE-60) Zone.
WAIVER OF DEVELOPMENT STANDARDS for alternative driveway geometrics.
DESIGN REVIEWS for the following: 1) office/warehouse center on 15.8 acres in an (AE-60 & AE-65) Zone; and 2) finished grade. Generally located on the north side of Robindale Road and the west side of Dean Martin Drive within Enterprise (description on file). MN/rk/syp (For possible action)

STAFF RECOMMENDATION: Jennifer Ammerman, 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.

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

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

VOTING NAY: None
ABSENT: None
ABSTAIN: None

CONDITIONS OF APPROVAL - FORWARDED TO THE 05/17/23 BCC MEETING.

Comprehensive Planning

- **No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;**
- **Design review as a public hearing for lighting and signage;**
- **Design review as a public hearing for significant changes to plans;**
- **Green zone to use 4 inch to 6 inch rock for groundcover;**
- **18 wheeler trucks prohibited on-site;**
- **Deliveries only to occur during daytime hours;**
- **Coordinate with the Las Vegas Metropolitan Police Department to evaluate on-site safety and security prior to construction;**
- **Work with the Las Vegas Metropolitan Police Department for the installation of security cameras and surveillance operation;**
- **Building height per plans;**
- **36 inch box trees along the perimeter landscaping on the north and south;**
- **Street landscaping along Procyon Street per plans on file;**
- **Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.**
- **Applicant is advised 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 the waiver of development standards and design reviews must commence within 2 years of approval date or they 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;**
- **Right-of-way dedication to include 35 feet to the back of curb for Dean Martin Drive, 35 feet to the back of curb for Robindale Road, a portion of a cul-de-sac for Polaris Avenue and associated spandrel;**
- **30 days to coordinate with Public Works - Construction Management Division and to dedicate any necessary right-of-way and easements for the Blue Diamond Wash improvement project.**
- **Applicant is advised that 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 or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way; 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 VS-21-0102 expires in June 2023.**

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;
- 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; 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 the CCWRD is unable to verify sewer capacity based on this zoning application; and may find instruction for submitting a Point of Connection (POC) request on the CCWRD's website; and that a CCWRD approved POC must be included when submitting civil improvement plans.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: NA

OPPOSITION RECEIVED: 11 cards, 2 letters

NOTE: Items #27, #28, & #29 were heard together. Item #27 was taken in one motion and vote and items #28 & #29 were taken in a separate motion and vote.

29. VS-23-0075-DEAN MARTIN DR., LLC:

VACATE AND ABANDON easements of interest to Clark County located between Robindale Road and Maulding Avenue (alignment), and between Dean Martin Drive and Procyon Street (alignment); and a portion of a right-of-way being Robindale Road located between Procyon Street (alignment) and Dean Martin Drive; and a portion of a right-of-way being Procyon Street located between Robindale Road and Maulding Avenue (alignment) within Enterprise (description on file). MN/rk/syp (For possible action)

STAFF RECOMMENDATION: Jennifer Ammerman, 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.

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

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL - FORWARDED TO THE 05/17/23 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 Dean Martin Drive, 35 feet to the back of curb for Robindale Road, a portion of a cul-de-sac for Polaris Avenue and associated spandrel;
- 30 days to coordinate with Public Works - Construction Management Division and to dedicate any necessary right-of-way and easements for the Blue Diamond Wash improvement project;
- 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 the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that VS-21-0102 expires in June 2023.

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)

- No objection.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: NA

OPPOSITION RECEIVED: 10 cards, 2 letters

NOTE: Items #27, #28, & #29 were heard together. Item #27 was taken in one motion and vote and items #28 & #29 were taken in a separate motion and vote.

30. NZC-23-0081-STEPHENS, JUSTIN:
ZONE CHANGE to reclassify 0.9 acres from an R-T (Manufactured Home Residential) (AE-65 & APZ-2) Zone to an M-1 (Light Manufacturing) (AE-65 & APZ-2) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate landscaping; 2) reduce wall/fence height; 3) reduce parking; 4) eliminate trash enclosure; 5) reduce gate setback; 6) off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving); 7) reduce throat depth; and 8) reduce driveway width.

DESIGN REVIEW for an outside storage yard. Generally located on the south side of Judson Avenue, 400 feet east of Marion Drive within Sunrise Manor (description on file). TS/gc/syp (For possible action)

STAFF RECOMMENDATION: Jennifer Ammerman, 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.

ACTION: It was moved by Commissioner Vivian Kilarski 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, Liane Lee, Leslie Mujica, Nelson Stone, and Vivian Kilarski

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL - FORWARDED TO THE 05/17/23 BCC MEETING.

Comprehensive Planning

- Resolution of Intent to complete in 3 years;
- Work with the Las Vegas Metropolitan Police Department for the installation of security cameras and surveillance operations;
- No gathering of individuals in an area that would result in an average density of greater than 25 persons per acre per hour during a 24-hour period, not to exceed 50 persons per acre at any time.
- 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

- Execute a Restrictive Covenant Agreement (deed restrictions).

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 #0086-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TOWNBOARD RECOMMENDATION: Denial

SUPPORT RECEIVED: NA

OPPOSITION RECEIVED: NA

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.

At this time Chair Steve Kirk asked if there were any persons in the audience wishing to be heard.

SPEAKER(S): 1 speaker

Kenneth Ilnor stated that he lives on the east side of town at the base of a cul-de-sac and was inquiring when the bidding would start on a project concerning a drainage issue affecting his home. Chair Steve Kirk advised Mr. Ilnor to meet with Public Works at the conclusion of the meeting and they would give him guidance on who to speak to about the matter. Mr. Ilnor continued speaking about his concerns associated with drainage redirected towards his home. Chair Steve Kirk again advised him to speak with Public Works after the meeting.

There being no other persons present in the audience wishing to be heard, Chair Steve Kirk closed the public comments.

There being no further business to come before the Board at this time, at the hour of 8:36 p.m., the meeting was adjourned.

ATTEST:

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