
OPENING CEREMONIES

The Board of County Commissioners of Clark County, Nevada met in recessed regular session in full conformity with law and bylaws of said Board at the regular place of meeting in the Commission Chambers, Government Center, Las Vegas, Clark County, Nevada on Wednesday, the 20th day of January, 2021 at the hour of 9:00 a.m. The meeting was called to order at the hour of 9:03 a.m. by Chair Kirkpatrick and, on roll call, the following members were present, constituting all of the members thereof:

CALL TO ORDER

CHAIR AND COMMISSIONERS:

Marilyn Kirkpatrick

Jim Gibson

Justin Jones

William McCurdy II

Ross Miller

Michael Naft

Tick Segerblom

Absent: None

Also present:

Robert Warhola, Deputy District Attorney

Nancy Amundsen, Director of Comprehensive Planning

Sami Real, Planning Manager

Antonio Papazian, Assistant Manager of Development Review

Jewel Gooden, Assistant Clerk, BCC

Keri Miller, Deputy Clerk

Lori Sabella, Deputy Clerk (Virtual)

1. **Public Comments - Comments by the General Public. 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 Kirkpatrick asked if there were any persons present in the audience wishing to be heard on any items on the agenda as posted.

SPEAKER(S): Present via Webex

Dan Belchar spoke in opposition to Item No. 23.

Messiah Jacobs requested that Item No. 10 be heard separately.

Vicki Bosngakovic spoke in opposition to Item No. 29.

There being no other persons present in the audience wishing to be heard on any items on the agenda as posted, Chair Kirkpatrick 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 Commissioner Michael Naft that the agenda be approved, with the deletion of Item Nos. 19, 20, 21, and 29, with the following vote:

VOTING AYE: Marilyn Kirkpatrick, Jim Gibson, Justin Jones, Michael Naft, Tick Segerblom, Ross Miller, and William McCurdy II

VOTING NAY: None

ABSENT: None

ABSTAIN: None

3. **Approval of minutes. (For possible action)**

ACTION: It was moved by Commissioner Justin Jones that the minutes of the regular meeting of December 16, 2020 be approved, with the following vote:

VOTING AYE: Marilyn Kirkpatrick, Jim Gibson, Justin Jones, Michael Naft, Tick Segerblom, Ross Miller, and William McCurdy II

VOTING NAY: None

ABSENT: None

ABSTAIN: None

4. **DR-20-0526-RESORTS WORLD LAS VEGAS, LLC:**

DESIGN REVIEWS for the following: 1) modify an existing comprehensive sign plan (Resorts World Hotel Casino); 2) increase the overall freestanding sign area; 3) increase the overall wall sign area; and 4) increase the overall animated sign area in conjunction with an approved resort hotel (Resorts World) on 87.8 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the west side of Las Vegas Boulevard South, the east side of Sammy Davis Jr. Drive, and the north side of Resorts World Drive within Winchester. TS/jor/ja (For possible action)

ATTACHMENT: DR-20-0526_Color_Merged.pdf

ATTACHMENT: 04 20-0526-012021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Resorts World Las Vegas, LLC for design reviews (as indicated on the ATTACHED agenda item):

REPRESENTATIVE(S): Present

DISCUSSION: Following introduction of the item, the Board was addressed by the applicant's representatives, Jay Brown and Greg Borgel, who requested that the Board express any concerns prior to the presentation on the matter so questions and concerns could be addressed appropriately.

Commissioner Miller expressed concerns regarding policies related to the consistency and scenic considerations along the resort corridor or scenic thresholds; commented on the opposition and discontent expressed from constituents regarding the resorts previously approved sign; and stressed continued adherence to Gaming Control regulations for advertising.

Staff stated that there had been no public hearing to date regarding the requested sign modifications; that there currently were no policies in place regarding aesthetics; and that similar requests regarding holistic appearances had been taken on a case-by-case basis.

In response to the Board, Legal Counsel advised that the Board approved an ordinance regarding restrictions and content several years ago that allowed advertising on resort casino signage for both onsite and offsite events; regulation of resort hotels was the responsibility of the State so there was less concern over false advertising, or inappropriate or offensive content on the signs; and shared detail on a U.S. Supreme court case in Arizona regarding on- and off-site premise advertising not being content-based.

ACTION: It was moved by Commissioner Tick Segerblom that the application be approved, subject to the conditions recommended by staff as listed below, with the following vote:

VOTING AYE: Marilyn Kirkpatrick, Jim Gibson, Justin Jones, Michael Naft, Tick Segerblom, Ross Miller, and William McCurdy II

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Applicant is advised that 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

- Coordinate with Public Works - Traffic Management Division.

5. DR-20-0527-DECATUR & SUNSET, LLC:

DESIGN REVIEW for a restaurant with drive-thru in conjunction with an existing warehouse and an approved convenience store with gasoline sales and vehicle wash on a portion of 6.9 acres in a C-2 (General Commercial) (AE-60) Zone in the CMA Design Overlay District. Generally located on the northwest corner of Decatur Boulevard and Wagon Trail Avenue within Enterprise. MN/jt/jd (For possible action)

ATTACHMENT: DR-20-0527_Color_Merged.pdf

ATTACHMENT: 05 20-0527-012021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Decatur & Sunset, LLC (Cool Beanz, LLC) for a design review (as indicated on the ATTACHED agenda item):

ACTION: It was moved by Commissioner Jim Gibson that the application be approved, subject to the conditions recommended by staff as listed below, with the following vote:

CONDITIONS OF APPROVAL -

Current Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection;
- Applicant is advised that 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;
- 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 the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

6. **DR-20-0528-AVENDANO'S PROPERTY DEVELOPMENT INC:**
DESIGN REVIEW for increased finished grade in conjunction with an approved single family residential development on 2.9 acres in an R-2 (Medium Density Residential) Zone. Generally located on the north and south sides of Welter Avenue and the east side of Walnut Road within

Sunrise Manor. TS/rk/jd (For possible action)

ATTACHMENT: DR-20-0528_Color_Merged.pdf

ATTACHMENT: 06 20-0528-012021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Avendano's Property Development Inc (Raul Avendano) for a design review (as indicated on the ATTACHED agenda item):

ACTION: It was moved by Commissioner Jim Gibson and carried by unanimous vote that the recommendation be approved.

CONDITIONS OF APPROVAL -

Current Planning

- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Full off-site improvements;
- Right-of-way dedication to include all the associated spandrels for Welter Avenue and Walnut Road, and Welter Avenue and Gateway Avenue;
- 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.

7. **AR-20-400145 (UC-18-0782)-8480 DESERT INN, LLC:**
USE PERMIT FIRST APPLICATION FOR REVIEW of a massage establishment within an existing shopping center on a portion of 0.6 acres in a C-2 (General Commercial) Zone. Generally located 150 feet east of Durango Drive and 700 feet north of Desert Inn Road within Spring Valley. JJ/jgh/jd (For possible action)

ATTACHMENT: AR-20-400145_Color_Merged.pdf

ATTACHMENT: 07 20-400145-012021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Desert Inn, LLC (Frank Liu) for a use permit first application for review (as indicated on the ATTACHED agenda item):

ACTION: It was moved by Commissioner Jim Gibson and carried by unanimous vote that the recommendation be approved.

CONDITIONS OF APPROVAL -

Current Planning

- Remove the time limit;
- Applicant is advised that hours of operation are limited from 8:00 a.m. to 9:00 p.m. per Title 30.

8. **AR-20-400148 (UC-18-0711)-TROPREN, LLC:**

USE PERMIT FIRST APPLICATION FOR REVIEW of a massage establishment within a shopping center on a portion of 14.8 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Tropicana Avenue and the west side of Eastern Avenue within Paradise. TS/nr/jd (For possible action)

ATTACHMENT: [AR-20-400148_Color_Merged.pdf](#)

ATTACHMENT: [08 20-400148-012021.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Tropren, LLC (Prapaisri Yuennan Lubin) for a use permit first application for review (as indicated on the ATTACHED agenda item):

ACTION: It was moved by Commissioner Jim Gibson and carried by unanimous vote that the recommendation be approved.

CONDITIONS OF APPROVAL -

Current Planning

- Remove the time limit;
- Applicant is advised that hours of operation are limited from 8:00 a.m. to 9:00 p.m. per Title 30.

9. **ET-20-400142 (UC-0789-16)-MFE INC:**

USE PERMITS SECOND EXTENSION OF TIME for the following: 1) allow a proposed convenience store; 2) allow a proposed gasoline service station; 3) allow a proposed vehicle maintenance building (smog check); and 4) allow a proposed vehicle wash.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce the separation for a proposed convenience store to a residential use; 2) reduce the separation for a proposed gasoline service station to a residential use; 3) reduce the separation for a proposed vehicle maintenance building (smog check) to a residential use; 4) reduce the separation for a proposed vehicle wash to a residential use; and 5) reduce the driveway separation.

DESIGN REVIEWS for the following: 1) a proposed convenience store and retail building; 2) proposed gasoline service station; 3) proposed vehicle maintenance building (smog check); 4) proposed vehicle wash; and 5) proposed restaurant with drive-thru on a 1.5 acre portion of 3.8 acres in a C-1 (Local Business) Zone. Generally located on the west side of Jones Boulevard and the south side of Cactus Avenue within Enterprise. JJ/nr/jd (For possible action)

ATTACHMENT: [ET-20-400142_Color_Merged.pdf](#)

ATTACHMENT: [09 20-400142-012021.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of MFE Inc for use permits second extension of time, waivers of development standards, and design reviews (as indicated on the ATTACHED agenda item):

ACTION: It was moved by Commissioner Jim Gibson and carried by unanimous vote that the recommendation be approved.

CONDITIONS OF APPROVAL -

Current Planning

- Until January 18, 2023 to commence;
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

10. **ET-20-400147 (UC-0581-14)-VENETO PARADISE LLC & VENETO PARADISE II LLC: USE PERMITS THIRD EXTENSION OF TIME for the following: 1) resort condominiums with kitchens; and 2) increased building height. DESIGN REVIEW for resort condominium buildings on 4.4 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the south side of Albert Avenue and the west side of Palos Verdes Street within Paradise. TS/bb/jd (For possible action)**

ATTACHMENT: ET-20-400147_Color_Merged.pdf

ATTACHMENT: 10 20-400147-012021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Veneto Paradise LLC & Veneto Paradise II LLC (Veneto Paradise, LLC) for use permits third extension of time, and design review (as indicated on the ATTACHED agenda item):

REPRESENTATIVE(S): Present

SPEAKER(S): Present via Webex

DISCUSSION: Staff stated that an additional condition be added that would limit the height to Federal Aviation Administration (FAA) established guidelines.

A speaker via Webex, Messiah Jacobs, expressed concerns over the repeated time extensions that had been granted on this matter; the negative impact resort condominiums with a one-hundred percent height increase would have on the growth of the community; and the failure of the project to adhere to the master plan of walkability, inclusion and affordability within the community.

Following introduction of the item, the Board was addressed by the applicant's representative, Greg Borgel, who advised that the applicant accepted all previously proposed conditions as well as the additional condition regarding FAA limits; stated that the developers had no control over the approval of projects proposed for the site; financing for projects had been a challenge due to COVID complications; concerns over connectivity of the neighborhood had been addressed with the Board, and that continuity of access could be established along Albert Avenue; the proposed landscaping buffer could be altered; numerous tall buildings were already in place along Paradise Road; and the project had been presented to Town Boards on numerous occasions and approved.

Commissioner Segerblom stated that the third extension of time would not impact the community; committed that the project would benefit the Palos Verde community; and that no further extensions would be granted.

Staff requested that another design review of the final plans be added to the conditions to ensure the FAA height restrictions are met.

ACTION: It was moved by Commissioner Tick Segerblom that the application be approved, subject to the conditions recommended by staff as listed below with additional conditions, with the following vote:

VOTING AYE: Marilyn Kirkpatrick, Jim Gibson, Justin Jones, Michael Naft, Tick Segerblom, Ross Miller, and William McCurdy II

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Until November 2, 2022 to commence;
- Design Review on final plans;
- Maximum height will be determined by the FAA's "Determination of No Hazard to Air Navigation";
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

11. **ORD-20-900535: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Greystone Nevada, LLC for a residential subdivision (Fort Apache and Mountains Edge) on 41.9 acres, generally located on the northwest corner of Fort Apache Road and Pyle Avenue within Enterprise. JJ/ab (For possible action)**

ATTACHMENT: ORD-20-900535 PH

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation that the Board of County Commissioners conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Greystone Nevada, LLC for a residential subdivision (Fort Apache and Mountains Edge) on 41.9 acres, generally located on the northwest corner of Fort Apache Road and Pyle Avenue within Enterprise. (For possible action):

DISCUSSION: The public hearing was opened. Chair Kirkpatrick asked if there were any persons present in the audience wishing to be heard on the proposed ordinance.

SPEAKER(S): None

There being no persons present in the audience wishing to be heard on the matter, Chair Kirkpatrick closed the public hearing.

ACTION: It was moved by Commissioner Jim Gibson that the recommendation (including the adoption of Ordinance No. 4842) be approved.

12. **ORD-20-900568: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with CFT Lands, LLC for a residential subdivision (Silverado Court VIII) on 15.0 acres, generally located east of La Cienega Street and north of Starr Avenue within Enterprise. MN/ab (For possible action)**

ATTACHMENT: ORD-20-900568 PH

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation that the Board of County Commissioners conduct a public hearing on an ordinance to consider adoption of a Development Agreement with CFT Lands, LLC for a residential subdivision (Silverado Court VIII) on 15.0 acres, generally located east of La Cienega Street and north of Starr Avenue within Enterprise. (For possible action):

DISCUSSION: The public hearing was opened. Chair Kirkpatrick asked if there were any persons present in the audience wishing to be heard on the proposed ordinance.

SPEAKER(S): None

There being no persons present in the audience wishing to be heard on the matter, Chair Kirkpatrick closed the public hearing.

ACTION: It was moved by Commissioner Jim Gibson that the recommendation (including the adoption of Ordinance No. 4843) be approved.

13. **ORD-20-900573: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Greystone Nevada, LLC for a residential subdivision (Ford and El Camino) on 7.5 acres, generally located east and west of El Camino Road and south of Ford Avenue within Enterprise. JJ/ab (For possible action)**

ATTACHMENT: ORD-20-900573 PH

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation that the Board of County Commissioners conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Greystone Nevada, LLC for a residential subdivision (Ford and El Camino) on 7.5 acres, generally located east and west of El Camino Road and south of Ford Avenue within Enterprise. (For possible action):

DISCUSSION: The public hearing was opened. Chair Kirkpatrick asked if there were any persons present in the audience wishing to be heard on the proposed ordinance.

SPEAKER(S): None

There being no persons present in the audience wishing to be heard on the matter, Chair Kirkpatrick closed the public hearing.

ACTION: It was moved by Commissioner Jim Gibson that the recommendation (including the adoption of Ordinance No. 4844) be approved.

14. **ORD-20-900578: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with ASJ Companies, LLC for a mini-storage facility (Fort Apache and Huntington Cove) on 2.16 acres, generally located west of Fort Apache Road and south of Huntington Dove Parkway within Spring Valley. JJ/ab (For possible action)**

ATTACHMENT: ORD-20-900578 PH

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation that the Board of County Commissioners conduct a public hearing on an ordinance to consider adoption of a Development Agreement with ASJ Companies, LLC for a mini-storage facility (Fort Apache and Huntington Cove) on 2.16 acres, generally located west of Fort Apache Road and south of Huntington Dove Parkway within Spring Valley. (For possible action):

DISCUSSION: The public hearing was opened. Chair Kirkpatrick asked if there were any persons present in the audience wishing to be heard on the proposed ordinance.

SPEAKER(S): None

There being no persons present in the audience wishing to be heard on the matter, Chair Kirkpatrick closed the public hearing.

ACTION: It was moved by Commissioner Jim Gibson that the recommendation (including the adoption of Ordinance No. 4845) be approved.

15. **WC-20-400138 (ZC-0275-07)-HD LAMB TWIST, LLC:**
WAIVER OF CONDITIONS of a zone change requiring 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 on a portion of 1.2 acres in a C-1 (Local Business) Zone and C-1 (Local Business) (APZ-2) Zone. Generally located on the southeast corner of Lamb Boulevard and Lake Mead Boulevard within Sunrise Manor. WM/jt/jd (For possible action)

ATTACHMENT: WC-20-400138_Color_Merged.pdf

ATTACHMENT: 15 20-400138-012021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of HD Lamb Twist, LLC (ACG Design) for a waiver of conditions (as indicated on the ATTACHED agenda item):

REPRESENTATIVE(S): Present

DISCUSSION: There being no objections, Item No. 15 was heard in conjunction with Item No. 16.

Staff stated that the condition regarding the density of gatherings had been initiated by a previous Nellis Air Force Base (Nellis) planner, and that current representatives from Nellis agreed to the elimination of that condition.

Following introduction of Item Nos. 15 and 16, the Board was addressed by the applicant's representative, Hailey Shinton, who advised that the waivers requested were for a custom designed McDonald's on the proposed site, located at the southeast corner of Lake Mead Boulevard and Lamb Boulevard; the parcel currently had an APZ-2 zone overlay which had been a challenge for project design; the waiver of conditions regarding the number of people allowed on the site was from a previous application; approval of the site design was received from Victor Rodriguez at Nellis with the condition that the building itself remained out of the overlay zone; the waiver of conditions for increased throat depth at the driveway on Lamb Boulevard had been addressed by the elimination of the second bypass lane, was not included in the permit submittals, and created a single-car exit; off-sites improvements would be made at the Family Dollar Store near the Lake Mead Boulevard exit driveway that would improve the site flow from the McDonald's to the Lake Mead Boulevard driveway; the Lamb Boulevard driveway was pushed as far back as possible to improve the departure distance from the Lake Mead Boulevard and Lamb Boulevard intersection; and that while the landscape buffers at the drive-thru lane or the six parking spaces along Lake Mead Boulevard did not meet requirements, buffers exceeded requirements in other sections.

Commissioner McCurdy stated he recommended approval of Item Nos. 15 and 16, with the condition that the bypass lane referenced in Item No. 16 be eliminated.

ACTION: It was moved by Commissioner William McCurdy that the applications for Item Nos. 15 and 16 be approved, subject to the conditions recommended by staff as listed below with additional conditions, with the following vote:

VOTING AYE: Marilyn Kirkpatrick, Jim Gibson, Justin Jones, Michael Naft, Tick Segerblom, Ross Miller, and William McCurdy II

VOTING NAY: None

ABSENT: None

ABSTAIN: None

**CONDITIONS OF APPROVAL -
Current Planning**

- 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 in the APZ-2 portion of the site only.

Building Department - Fire Prevention

- 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 a cross-access agreement will be required at time of submittal for fire review.

16. **WS-20-0510-HD LAMB TWIST LLC & DAWSON, TERESA ANNE:**

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce landscaping; and 2) alternative driveway geometrics.

DESIGN REVIEW for a restaurant with drive-thru on a portion of 2.8 acres in a C-1 (Local Business) Zone and C-1 (Local Business) (APZ-2) Zone. Generally located on the southeast corner of Lamb Boulevard and Lake Mead Boulevard within Sunrise Manor. WM/jt/jd (For possible action)

ATTACHMENT: WS-20-0510_Color_Merged.pdf

ATTACHMENT: 16 20-0510-012021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of HD Lamb Twist LLC & Teresa Anne Dawson (ACG Design) for waivers of development standards, and design review (as indicated on the ATTACHED agenda item):

DISCUSSION: There being no objections, Item No. 16 was heard in conjunction with Item No. 15.

ACTION: Approved, subject to staff's conditions as noted below (see Item No. 15 for discussion, motion, and vote).

CONDITIONS OF APPROVAL -

Current Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection;
- Applicant is advised that 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

- Bypass lane on the west side of the building to be eliminated;
- Drainage study and compliance;
- Traffic study and compliance;
- Nevada Department of Transportation approval;
- 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;
- Applicant is advised that off-site improvement permits may be required.

Building Department - Fire Prevention

- 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 a cross-access agreement will be required at time of submittal for fire review.

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.

17. **ZC-20-0521-K & J'S EXCELLENT ADVENTURE, LLC:**
ZONE CHANGE to reclassify 3.5 acres from R-E (Rural Estates Residential) Zone under

Resolution of Intent to C-1 (Local Business) P-C (Planned Community Overlay District) Zone to C-1 (Local Business) P-C (Planned Community Overlay District) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow alternative street landscaping; 2) increase wall height; 3) allow access on a local residential street; 4) reduce driveway departure distances from the intersection; and 5) modified driveway design standards. DESIGN REVIEW for a proposed shopping center in the Mountain's Edge Master Planned Community. Generally located on the west side of Rainbow Boulevard and north side of Richmar Avenue within Enterprise (description on file). JJ/rk/jd (For possible action)

ATTACHMENT: ZC-20-0521_Color_Merged.pdf

ATTACHMENT: 17 20-0521-012021.docx

SUBJECT MATTER/RECOMMENDATION: In the matter of the aforementioned described application of K & J's Excellent Adventure, LLC for a zone change, waivers of development standards, and design review (as indicated on the ATTACHED agenda item):

REPRESENTATIVE(S): Present

DISCUSSION: Staff stated Item Nos. 17 and 18 were heard at the Planning Commission meeting held on January 19, 2021 and approved.

There being no objections, Item No. 17 was heard in conjunction with Item No. 18.

Following introduction of the Item Nos. 17 and 18, the Board was addressed by the applicant's representatives, John Curran and Jay Dapper, who advised that the proposed site was for a shopping center and was previously zoned C-1 in 2017, and stated that Rainbow Boulevard was a major commercial thoroughfare and a C-1 zoning designation was appropriate; the site lacked adequate depth to meet the 75' throat depth; the departure distance on Rainbow Boulevard and Richmar Avenue was off by only 14 to 20 percent; trees would be relocated to improve site visibility lines for oncoming traffic; due to the lack of access from northbound Rainbow Boulevard, the design of a commercial access from Richmar Avenue was the only option; the ten foot perimeter wall along the western property line that was already permitted and approved would be extended south to Richmar Avenue, would have a uniform height, would be aesthetically pleasing, and would quell any sound and light concerns for neighbors; a thick landscaping buffer with 24-inch box trees was planned along the western perimeter; a six foot concrete masonry unit (CMU) wall was proposed along the western perimeter to block any potential drive-thru speaker box noise overflow for the neighboring R & P areas; a photo metric study performed by an electrical engineer determined that there was almost no light overflow at the perimeter wall and zero light overflow beyond the wall; and that 14 letters of support had been received including one from David Chestnut of the Enterprise Town Board.

ACTION: It was moved by Commissioner Justin Jones that the applications for Item Nos. 17 and 18 be approved, subject to the conditions recommended by staff as listed below, with the following vote:

VOTING AYE: Marilyn Kirkpatrick, Jim Gibson, Justin Jones, Michael Naft, Tick Segerblom, Ross Miller, and William McCurdy II

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Resolution of Intent to complete in 4 years;
- Expunge ZC-17-1007;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection;
- Applicant is advised that a new application for a nonconforming 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;
- Traffic study and compliance;
- Full off-site improvements on Rainbow Boulevard;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Coordinate with Public Works - Design Division for the Rainbow Boulevard improvement project;
- Dedicate any right-of-way and easements necessary for the Rainbow Boulevard 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.

Building Department - Fire Prevention

- Applicant is advised to show on-site fire lane, turning radius, and turnarounds.

18. **TM-20-500183-K & J'S EXCELLENT ADVENTURE, LLC:**
TENTATIVE MAP for a commercial subdivision on 3.5 acres in a C-1 (Local Business) P-C (Planned Community Overlay District) Zone in the Mountain's Edge Master Planned Community. Generally located on the west side of Rainbow Boulevard and north side of Richmar Avenue within Enterprise. JJ/rk/jd (For possible action)

ATTACHMENT: [TM-20-500183_Color_Merged.pdf](#)

ATTACHMENT: [18 20-500183-012021.docx](#)

SUBJECT MATTER/RECOMMENDATION: In the matter of the aforementioned described application of K & J's Excellent Adventure, LLC for a tentative map (as indicated on the ATTACHED agenda item):

DISCUSSION: There being no objections, Item No. 18 was heard in conjunction with Item No. 17.

ACTION: Approved, subject to staff's conditions as noted below (see Item No. 17 for discussion, motion, and vote).

CONDITIONS OF APPROVAL -

Current Planning

- Applicant is advised that 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 a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements on Rainbow Boulevard;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Coordinate with Public Works - Design Division for the Rainbow Boulevard improvement project;
- Dedicate any right-of-way and easements necessary for the Rainbow Boulevard 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.

Building Department - Fire Prevention

- Applicant is advised to show on-site fire lane, turning radius, and turnarounds.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0209-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

19. **NZC-20-0477-COUNTY OF CLARK(AVIATION):**
AMENDED ZONE CHANGE to reclassify 18.8 acres from R-E (Rural Estates Residential) Zone to RUD (Residential Urban Density) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) allow non-standard improvements in the right-of-way (no longer needed); 3) alternative driveway geometrics (no longer needed); and 4) reduce intersection off-set (a portion no longer needed).
DESIGN REVIEW for a single family residential subdivision. Generally located on the south side of Le Baron Avenue, the west side of Cameron Street, the north side of Pyle Avenue, and the east side of Ullom Drive within Enterprise (description on file). JJ/jt/jd (For possible action)

ATTACHMENT: [NZC-20-0477_Color_Merged.pdf](#)

ATTACHMENT: [19 20-0477-012021.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of County of Clark (Aviation) (D.R. Horton, Inc.) for an amended zone change, waivers of development standards, and design review (as indicated on the ATTACHED agenda item):

ACTION: Deleted from the agenda (held to February 3, 2021 per applicant).

20. **VS-20-0478-COUNTY OF CLARK(AVIATION):**
VACATE AND ABANDON easements of interest to Clark County located between Le Baron

Avenue and Pyle Avenue, and between Cameron Street and Ullom Drive, a portion of a right-of-way being Pyle Avenue located between Cameron Street and Ullom Drive, and a portion of right-of-way being Cameron Street located between Le Baron Avenue and Pyle Avenue within Enterprise (description on file). JJ/jt/jd (For possible action)

ATTACHMENT: VS-20-0478_Color_Merged.pdf

ATTACHMENT: 20 20-0478-012021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of County of Clark (Aviation) (D.R. Horton, Inc) to vacate and abandon easements of interest (as indicated on the ATTACHED agenda item):

ACTION: Deleted from the agenda (held to February 3, 2021 per the applicant).

21. **TM-20-500165-COUNTY OF CLARK(AVIATION):**
TENTATIVE MAP consisting of 183 residential lots and common lots on 18.8 acres in an RUD (Residential Urban Density) Zone. Generally located on the south side of Le Baron Avenue, the west side of Cameron Street, the north side of Pyle Avenue, and the east side of Ullom Drive within Enterprise. JJ/jt/jd (For possible action)

ATTACHMENT: TM-20-500165_Color_Merged.pdf

ATTACHMENT: 21 20-500165-012021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of County of Clark (Aviation) (D.R. Horton, Inc.) for a tentative map (as indicated on the ATTACHED agenda item):

ACTION: Deleted from the agenda (held to February 3, 2021 per the applicant).

22. **NZC-20-0486-CONDE, CRISTINA H. 1990 TRUST & CONDE, GEORGE A. TRS:**
ZONE CHANGE to reclassify 1.1 acres from R-E (Rural Estates Residential) Zone to CRT (Commercial Residential Transition) Zone and R-2 (Medium Density Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; 2) reduce trash enclosure setback from a residential development; 3) establish alternative yards for a residential lot; 4) reduce setbacks; 5) allow modified driveway design standards; and 6) allow modified street standards.
DESIGN REVIEWS for the following: 1) office building; 2) single family residential development; and 3) increased finished grade. Generally located on the north side of Pebble Road, 130 feet west of Spencer Street within Paradise (description on file). MN/md/jd (For possible action)

ATTACHMENT: NZC-20-0486_Color_Merged.pdf

ATTACHMENT: 22 20-0486-012021.docx

SUBJECT MATTER/RECOMMENDATION: In the matter of the aforementioned described application of Christina H. Conde 1990 Trust & George A. Conde Trs (Sheldon Colen) for a zone change, waivers of development standards, and design reviews (as indicated on the ATTACHED agenda item):

REPRESENTATIVE(S): Present

DISCUSSION: Following introduction of the item, the Board was addressed by the applicant's representative, Sheldon Colen, who advised that the proposed site was for a 2,000 square foot office building and a single residential dwelling which included a private driveway entrance off Pebble Road; a commercial entry located at the front of the building; all parking requirements had met; neighborhood meetings had been held via Zoom; and the project was unanimously approved by the Planning Commission.

Commissioner Naft expressed support of the project and advised that construction of the office or commercial portion must be completed prior to construction of the residential structure.

Staff stated that due to the split zoning requested, the recordation of the parcel map for the office lot was required prior to the recordation of the residential lot.

ACTION: It was moved by Commissioner Michael Naft that the application be approved, subject to the conditions recommended by staff as listed below, with the following vote:

VOTING AYE: Marilyn Kirkpatrick, Jim Gibson, Justin Jones, Michael Naft, Tick Segerblom, Ross Miller, and William McCurdy II

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Resolution of intent to complete in 3 years;
- Office building to be constructed prior to recordation of parcel map;
- Maximum of 3 single family residential lots;
- Three years to record subdivision map to create the proposed parcels;
- Design Review as a public hearing for significant changes to plans;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection;
- Applicant is advised that a new application for a nonconforming 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;
- Applicant is advised that off-site improvements permits may be required; 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.

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 #0318-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

23. **NZC-20-0487-LH VENTURES, LLC:**
ZONE CHANGE to reclassify 9.0 acres from R-E (Rural Estates Residential) (RNP-I) Zone to R-1 (Single Family Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; and 2) waive full off-site improvements (curb, gutter, sidewalk, and streetlights).
DESIGN REVIEWS for the following: 1) proposed single family residential development; and 2) increased finished grade. Generally located on the east side of Redwood Street and the north side of Torino Avenue within Enterprise (description on file). JJ/rk/jd (For possible action)

ATTACHMENT: NZC-20-0487_Color_Merged.pdf

ATTACHMENT: 23 20-0487-012021.docx

SUBJECT MATTER/RECOMMENDATION: In the matter of the aforementioned described application of LH Ventures, LLC for a zone change, waivers of development standards, and design reviews (as indicated on the ATTACHED agenda item):

REPRESENTATIVE(S): Present

SPEAKER(S): Present

DISCUSSION: There being no objections, Item No. 23 was heard in conjunction with Item Nos. 24 and 25.

Following introduction of Item Nos. 23, 24 and 25, the Board was addressed by the applicant's representative, Tony Celeste, who advised that the proposed site located at Redwood Street and Torino Avenue was for a ten-acre single family residential development which included two and three story homes to match those to the west; the proposed development was a mirror image of one located directly across Redwood Street; two points of access off Redwood Street were planned; no three-story homes would be built along the southern boundary to Torino Avenue; an elementary school and park were located to the north; a 10,000 square foot buffer would be continued along the RNP parcels to the south; three-story homes along adjacent parcels to the north and the east boundary of the site were limited to a maximum of 50 percent of the total number of lots; an increased wall height of up to ten foot eight inches for a screen wall had been requested that would provide additional privacy along east property line; a four foot tall retainer wall was required for drainage where three feet was allowed; per the Planning Commission a waiver for no off-site improvements along Torino Avenue was added, along with a decomposed granite pedestrian walkway for connectivity with a pedestrian gate to the east; path easements along Ford Avenue prohibited foot access as well as a second pedestrian gate; the decomposed granite path was to be maintained by the homeowners association (HOA); and stated that neighborhood meetings had been held via Zoom with no residents in attendance.

Randolph Skorpinski expressed opposition to the project.

Dan Belchar expressed opposition via Webex.

Commissioner Jones reiterated the restrictions regarding three-story homes, stated no three-story homes would be allowed along the southern boundary; that the number of three-story homes could not exceed more than 50 percent of lot nos. 1 through 18; and that the walking trail should include landscaping similar to the trail located on Pebble Road for aesthetic purposes.

ACTION: It was moved by Commissioner Justin Jones that the applications for Item Nos. 23, 24 and 25 be approved, subject to the conditions recommended by staff as listed below with additional conditions, with the following vote:

VOTING AYE: Marilyn Kirkpatrick, Jim Gibson, Justin Jones, Michael Naft, Tick Segerblom, and William McCurdy II

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Resolution of Intent to complete in 4 years;
- Minimum 10,000 square foot lot sizes along the south project boundary;
- Provide pedestrian access to Torino Avenue;
- Provide a pedestrian decomposed granite trail in Torino Avenue right-of-way to be maintained by the Homeowners' Association;
- No three-story homes along the south boundary of the site adjacent to Torino Avenue;
- Three-story homes along the north and east boundary of the site are limited to 50% of the lots;
- Landscaping to be provided along Torino Avenue;
- Applicant is advised that a new application for a nonconforming 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 License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- 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;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- 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.

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised that there is an active septic permit on APN 176-14-401-007; to connect to municipal sewer and remove the septic system in accordance with Section 17 of the SNHD Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management; and to submit documentation to SNHD showing that the system has been properly removed.

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 #0251-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

24. VS-20-0488-LH VENTURES, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Redwood Street and Sorrel Street (alignment), and between Torino Avenue and Ford Avenue (alignment) within Enterprise (description on file). JJ/rk/ja (For possible action)

ATTACHMENT: [VS-20-0488_Color_Merged.pdf](#)

ATTACHMENT: [24 20-0488-012021.docx](#)

SUBJECT MATTER/RECOMMENDATION: In the matter of the aforementioned described application of LH Ventures, LLC to vacate and abandon easements of interest (as indicated on the ATTACHED agenda item):

DISCUSSION: There being no objections, Item No. 24 was heard in conjunction with Item Nos. 23 and 25.

ACTION: Approved, subject to staff's conditions as noted below (see Item No. 23 for discussion, motion, and vote).

**CONDITIONS OF APPROVAL -
Current Planning**

- Satisfy utility companies' requirements;
- Applicant is advised that 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.

25. **TM-20-500168-LH VENTURES, LLC:**
TENTATIVE MAP consisting of 44 residential lots on 9.0 acres in an R-1 (Single Family Residential) Zone. Generally located on the east side of Redwood Street and the north side of Torino Avenue within Enterprise. JJ/rk/jd (For possible action)

ATTACHMENT: TM-20-500168_Color_Merged.pdf

ATTACHMENT: 25 20-500168-012021.docx

SUBJECT MATTER/RECOMMENDATION: In the matter of the aforementioned described application of LH Ventures, LLC for a tentative map (as indicated on the ATTACHED agenda item):

DISCUSSION: There being no objections, Item No. 25 was heard in conjunction with Item Nos. 23 and 24.

ACTION: Approved, subject to staff's conditions as noted below (see Item No. 23 for discussion, motion, and vote).

CONDITIONS OF APPROVAL -

Current Planning

- Applicant is advised that 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 a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

Public Works - Development Review

- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- 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;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- 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.

Current Planning Division - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

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 #0251-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

26. **NZC-20-0498-LH VENTURES, LLC:**
ZONE CHANGE to reclassify 2.5 acres from R-E (Rural Estates Residential) (RNP-I) Zone to R-2 (Medium Density Residential) Zone.
WAIVER OF DEVELOPMENT STANDARDS to increase wall height.
DESIGN REVIEWS for the following: 1) single family residential development; and 2) increased finished grade for a single family residential development on 2.8 acres in an R-2 (Medium Density Residential) Zone. Generally located on the north side of Wigwam Avenue, 290 feet east of Montessori Street within Enterprise (description on file). JJ/al/jd (For possible action)

ATTACHMENT: [NZC-20-0498_Color_Merged.pdf](#)

ATTACHMENT: [26 20-0498-012021.docx](#)

SUBJECT MATTER/RECOMMENDATION: In the matter of the aforementioned described application of LH Ventures, LLC for a zone change, waiver of development standards, and design reviews (as indicated on the ATTACHED agenda item):

REPRESENTATIVE(S): Present

DISCUSSION: There being no objections, Item No. 26 was heard in conjunction with Item Nos. 27 and 28.

Following introduction of Item Nos. 26, 27 and 28, the Board was addressed by the applicant's representative, Tony Celeste, who advised that the proposed site, located off Wigwam Avenue east of Montessouri Street, was intended for use as a single family residential development consisting of two- and three-story structures; the property was recently acquired by America West Development with the intent that it would be combined with the neighboring America West R-2 developments which had already received approval for waivers of non-conformance; the street along the east property line in the existing development was to be continued into the proposed site, connected through the addition of T-shaped street for access to the newly added lots; stated that approval had been received from the Planning Commission and staff; and that the applicant accepted all conditions of approval.

ACTION: It was moved by Commissioner Justin Jones that the applications for Item Nos. 26, 27 and 28 be approved, subject to the conditions recommended by staff as listed below, with the following vote:

VOTING AYE: Marilyn Kirkpatrick, Jim Gibson, Justin Jones, Michael Naft, Tick Segerblom, Ross Miller, and William McCurdy II

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Resolution of Intent to complete in 4 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;
- Applicant is advised that a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 35 feet to the back of curb for Wigwam Avenue;
- 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; 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.

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 #0307-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

27. **VS-20-0499-LH VENTURES, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Wigwam Avenue and Camero Avenue, and between Montessouri Street and Rainbow Boulevard within Enterprise (description on file). JJ/al/jd (For possible action)

ATTACHMENT: VS-20-0499_Color_Merged.pdf

ATTACHMENT: 27 20-0499-012021.docx

SUBJECT MATTER/RECOMMENDATION: In the matter of the aforementioned described application of LH Ventures, LLC to vacate and abandon easements of interest (as indicated on the ATTACHED agenda item):

DISCUSSION: There being no objections, Item No. 27 was heard in conjunction with Item Nos. 26 and 28.

ACTION: Approved, subject to staff's conditions as noted below (see Item No. 26 for discussion, motion, and vote).

CONDITIONS OF APPROVAL -

Current Planning

- Satisfy utility companies' requirements;
- Applicant is advised that 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 Wigwam Avenue;
- 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.

28. **TM-20-500175-LH VENTURES, LLC:**
TENTATIVE MAP consisting of 19 single family residential lots and common lots on 2.8 acres in an R-2 (Medium Density Residential) Zone. Generally located on the north side of Wigwam Avenue, 290 feet east of Montessouri Street within Enterprise. JJ/al/jd (For possible action)

ATTACHMENT: TM-20-500175_Color_Merged.pdf

ATTACHMENT: 28 20-500175-012021.docx

SUBJECT MATTER/RECOMMENDATION: In the matter of the aforementioned described application of LH Ventures, LLC for a tentative map (as indicated on the ATTACHED agenda item):

DISCUSSION: There being no objections, Item No. 28 was heard in conjunction with Item Nos. 26 and 27.

ACTION: Approved, subject to staff's conditions as noted below (see Item No. 26 for discussion, motion, and vote).

CONDITIONS OF APPROVAL -

Current Planning

- Applicant is advised that 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 a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 35 feet to the back of curb for Wigwam Avenue;
- 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; 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.

Current Planning Division - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided;
- The street shown as Frankland shall have the suffix of Court.

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 #0307-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

29. **UC-20-0456-DURANGO PLAZA HOLDINGS, LLC & DURANGO PLAZA HOLDINGS II, LLC: APPEAL AMENDED USE PERMITS for the following: 1) convenience store; 2) gasoline station; 3) packaged liquor sales; 4) reduce the separation for a proposed convenience store to a residential use; and 5) reduce separation for a proposed gasoline station to a residential use. WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce parking lot landscaping (no longer needed); 2) reduce building height setbacks (no longer needed); 3) buffer wall (no longer needed); 4) reduce departure distance; and 5) alternative driveway geometrics. DESIGN REVIEWS for the following: 1) convenience store with gasoline station; and 2) retail/restaurant with drive-thru on 2.5 acres in a C-1 (Local Business) Zone. Generally located on the northeast corner of Durango Drive and Pebble Road within Enterprise. JJ/nr/jd (For possible action)**

ATTACHMENT: [UC-20-0456_Color_Merged.pdf](#)

ATTACHMENT: [29 20-0456-012021.docx](#)

SUBJECT MATTER/RECOMMENDATION: In the matter of the aforementioned described application of Durango Plaza Holdings, LLC & Durango Plaza Holdings II, LLC (Hamid Moradi) for amended use permits, waivers of development standards, and design reviews (as indicated on the ATTACHED agenda item) (appealed by multiple neighbors):

ACTION: Deleted from the agenda (held to February 3, 2021 per Commissioner Jones).

30. **ORD-20-900340: Introduce an ordinance to consider adoption of a Development Agreement with Quarterhorse 18, LLC for a residential subdivision (Quarterhorse and Oleta) on 2.5 acres, generally located north of Oleta Avenue and east of Quarterhorse Lane within Enterprise. JJ/ab (For possible action)**

ATTACHMENT: ORD-20-900340 Intro.pdf

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation that the Board of County Commissioners conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Quarterhorse 18, LLC for a residential subdivision (Quarterhorse and Oleta) on 2.5 acres, generally located north of Oleta Avenue and east of Quarterhorse Lane within Enterprise. (For possible action):

DISCUSSION: Commissioner Kirkpatrick introduced the proposed ordinance, entitled and summarized as indicated on the ATTACHED agenda item (Bill No. 1-20-21-1).

ACTION: There being no objections, Chair Kirkpatrick set the matter for public hearing on February 3, 2021 at 9:00 a.m.

PUBLIC COMMENTS:

At this time, Chair Kirkpatrick asked if there were any persons present in the audience wishing to be heard on any zoning matter not on the posted agenda.

SPEAKER(S): Present via Webex

Dan Belchar commented on proposed zone changes within the community of Enterprise.

There being no further business to come before the Board at this time, at the hour of 10:34 a.m., the meeting was adjourned.

APPROVED:

/s/ Marilyn K. Kirkpatrick

MARILYN K. KIRKPATRICK, CHAIR

ATTEST:

/s/ Lynn Marie Goya

LYNN MARIE GOYA, COUNTY CLERK