

---

***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 16th day of June, 2021 at the hour of 9:00 a.m. The meeting was called to order at the hour of 9:04 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  
Michael Naft  
Tick Segerblom  
Ross Miller  
William McCurdy II

Absent: None

**Also present:**

Robert Warhola, Deputy District Attorney  
Nancy Amundsen, Director Comprehensive Planning  
Sami Real, Planning Manager  
Antonio Papazian, Assistant Manager of Development Review  
Jason Allswang, Senior Plan Checker  
Jewel Gooden, Assistant Clerk, BCC  
Keri Miller, Deputy Clerk  
Lori Sabella, Deputy Clerk

**1. Public Comments.**

At this time, Chair Kirkpatrick asked if there were any persons wishing to be heard on any items listed on the agenda as posted.

**SPEAKER(S): Present**

Margaret Ann Coleman spoke regarding homelessness, social services, mediation, and evictions.

Maria Huang requested Item Nos. 19, 20, and 21 be heard separately.

Ruth Gligorea, Steve Gligorea, Dennis Todd, Eric Ebanks, and Alan Shugarman addressed Item Nos. 38

and 39 regarding areas of concern including church services were being held in a residential house; home improvements, such as a portico and cross, were constructed without permits; the Paradise Town Board recommended that the application be denied; lack of adequate parking, cars block the neighbor's driveways, the parking area was lower than the street and floods during rain making the parking area unusable; approval would set a precedent for other proposed places of worship; increased traffic; and the property was too small for the intended use.

Commissioner Naft was advised by Legal Counsel that he did not have to accept the applicant's request to hold Item Nos. 38 and 39.

There being no other persons 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 Jim Gibson that the agenda be approved, with the deletion of Item Nos. 8, 33, 40, and 44 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 Jim Gibson that the minutes of the regular meeting of May 19, 2021 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-21-0215-KNUTH D & M 1990 TRUST & KNUTH, DUANE HOLLIS & MARY A. TRS: DESIGN REVIEW for finished grade in conjunction with a single family residential subdivision on 2.0 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the north side of Hickam Avenue and the east side of Conough Lane within Lone Mountain. RM/jgh/jo (For possible action)

ATTACHMENT: [DR-21-0215\\_Color\\_Merged.pdf](#)

ATTACHMENT: [04 21-0215-061621.docx](#)

**SUBJECT MATTER:** In the matter of the aforementioned described application of D & M Knuth 1990 Trust & Duane Hollis & Mary A. Knuth Trs (Pushing 30, 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 staff's conditions as noted 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 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;
- 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;
- Grant necessary easements.
- 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.

### **Building Department - Fire Prevention**

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

5. DR-21-0219-FIRST SLOAN INDUSTRIAL CENTER, LLC:  
DESIGN REVIEW for finished grade in conjunction with an approved distribution center on 9.3 acres in an M-D (Designed Manufacturing) Zone. Generally located on the east side of Arville Street, 1,450 feet south of Sloan Road within Sloan. JJ/al/jd (For possible action)

ATTACHMENT: DR-21-0219\_Color\_Merged.pdf

ATTACHMENT: 05 21-0219-061621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of First Sloan Industrial Center, 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 staff's conditions as noted 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 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 4 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;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 35 feet to the back of curb for Arville Street;
- Provide paved legal access;
- Applicant shall coordinate with Public Works - Development Review to apply for a Bureau of Land Management (BLM) right-of-way grant to provide access to the parcels.
- Applicant is advised that the installation of detached sidewalks will require dedication to the 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.

### **Southern Nevada Health District (SNHD) - Septic**

- Applicant is advised that there is an active septic permit on APN 191-19-801-002; 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.

6. TM-21-500054-FIRST SLOAN INDUSTRIAL CENTER, LLC:  
TENTATIVE MAP consisting of 1 industrial lot and common lots on 9.3 acres in an M-D (Designed Manufacturing) Zone. Generally located on the east side of Arville Street, 1,450 feet south of Sloan Road within Sloan. JJ/al/jd (For possible action)

ATTACHMENT: TM-21-500054\_Color\_Merged.pdf

ATTACHMENT: 06 21-500054-061621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of First Sloan Industrial Center, LLC for a tentative map (as indicated on the ATTACHED agenda item):

**ACTION:** It was moved by Commissioner Jim Gibson that the application be approved, subject to staff's conditions as noted 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 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 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 Arville Street;
- Provide paved legal access;
- Applicant shall coordinate with Public Works - Development Review to apply for a Bureau of Land Management (BLM) right-of-way grant to provide access to the parcels.
- Applicant is advised that the installation of detached sidewalks will require dedication to the 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 there are no public sanitary sewer facilities available within the vicinity of the parcel and none are planned within the next 5 years.

7. AR-21-400064 (UC-1908-05)-SPRING MOUNTAIN PLAZA, LLC:  
USE PERMIT EIGHTH APPLICATION FOR REVIEW for a massage establishment in conjunction with an existing retail center on 1.9 acres in a C-2 (General Commercial) Zone. Generally located on the northwest corner of Red Rock Street and Spring Mountain Road within Spring Valley. JJ/bb/jo (For possible action)

ATTACHMENT: AR-21-400064\_Color\_Merged.pdf

ATTACHMENT: 07 21-400064-061621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Spring Mountain Plaza, LLC (Kirk Kennedy) for a use permit eighth application for review (as indicated on the ATTACHED agenda item):

**ACTION:** It was moved by Commissioner Jim Gibson that the application be approved, subject to staff's conditions as noted 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**

- Remove the time limit.

**Clark County Water Reclamation District (CCWRD)**

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

8. ET-21-400052 (UC-18-0328)-SHERWOOD 2592 INVESTMENTS, LLC:  
HOLDOVER USE PERMIT FIRST EXTENSION OF TIME to reduce the front setback for a proposed motel.  
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce parking; 2) alternative landscaping and buffering; 3) alternative parking lot design and layout; 4) waive applicable design standards; 5) allow modified driveway design standards; and 6) permit existing nonstandard improvements to remain within a right-of-way.  
DESIGN REVIEW to convert an existing apartment building into a proposed motel on 0.5 acres in an H-1 (Limited Resort and Apartment) Zone in the SOSA Overlay District. Generally located on the east side of Sherwood Street, 500 feet south of Sahara Avenue within Winchester. TS/nr/jo (For possible action)

ATTACHMENT: ET-21-400052\_Color\_Merged.pdf

ATTACHMENT: 08 21-400052-061621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Sherwood 2592 Investments, LLC (Javier Burrola) for a holdover use permit first extension of time, waivers of development standards, and design review (as indicated on the ATTACHED agenda item) (held from June 2, 2021):

**ACTION:** Deleted from the agenda (held to July 7, 2021 per the applicant).

9. ET-21-400062 (DR-19-0134)-DESTINY HOMES, LLC:  
DESIGN REVIEW FIRST EXTENSION OF TIME for finished grade in conjunction with a proposed 4 lot single family residential development on 2.5 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the southeast corner of Craig Road and Bonita Vista Street within Lone Mountain. RM/jgh/jo (For possible action)

ATTACHMENT: ET-21-400062\_Color\_Merged.pdf

ATTACHMENT: 09 21-400062-061621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Destiny Homes, LLC (Ghassan Misherfi) for a design review first extension of time (as indicated on the ATTACHED agenda item):

**ACTION:** It was moved by Commissioner Jim Gibson that the application be approved, subject to staff's conditions as noted 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**

- Until April 3, 2023 to commence.
- 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.

### **Public Works - Development Review**

- Compliance with previous conditions.

10. ET-21-400063 (UC-18-0557)-PALMER, SELINA:  
USE PERMIT FIRST EXTENSION OF TIME to allow vehicle (automobile) sales.  
WAIVER OF DEVELOPMENT STANDARDS for alternative landscaping.  
DESIGN REVIEW for a proposed vehicle (automobile) sales facility on 0.6 acres in a C-1 (Local Business) Zone. Generally located between Charleston Boulevard and Nevada Avenue, 200 feet east of Arden Street within Sunrise Manor. TS/jgh/jo (For possible action)

ATTACHMENT: ET-21-400063\_Color\_Merged.pdf

ATTACHMENT: 10 21-400063-061621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Selina Palmer (Cash or Payments Auto Sales) for a use permit first extension of time, waiver of development standards, and design review (as indicated on the ATTACHED agenda item):

**ACTION:** It was moved by Commissioner Jim Gibson that the application be approved, subject to staff's conditions as noted 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**

- Until September 5, 2022 to commence.
- 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.

### **Public Works - Development Review**

- Compliance with previous conditions.

11. ET-21-400066 (NZC-0872-16)-AMH NV8 DEVELOPMENT, LLC:  
ZONE CHANGE SECOND EXTENSION OF TIME to reclassify 15.2 acres from an H-2 (General Highway Frontage) Zone and an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density

Residential) Zone for a single family residential development.  
DESIGN REVIEWS for the following: 1) a single family residential development; and 2) finished grade.  
Generally located on the south side of Agate Avenue and the east side of Hualapai Way within  
Enterprise (description on file). JJ/lm/jd (For possible action)

ATTACHMENT: ET-21-400066\_Color\_Merged.pdf

ATTACHMENT: 11 21-400066-061621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of AMH NV8  
Development, LLC (Thomason Consulting Engineers) for a zone change second extension of time and  
design reviews (as indicated on the ATTACHED agenda item):

**ACTION:** It was moved by Commissioner Jim Gibson that the application be approved, subject to  
staff's conditions as noted 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**

- 4 years to complete.
- 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.

**Public Works - Development Review**

- Compliance with previous conditions.

12. WS-21-0189-AMH NV8 DEVELOPMENT, LLC:  
WAIVER OF DEVELOPMENT STANDARDS to increase the retaining wall height in conjunction with  
a single family residential development on 13.6 acres in an R-2 (Medium Density Residential) Zone.  
Generally located on the south side of Agate Avenue and the east side of Hualapai Way within  
Enterprise. JJ/lm/jd (For possible action)

ATTACHMENT: WS-21-0189\_Color\_Merged.pdf

ATTACHMENT: 12 21-0189-061621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of AMH NV8  
Development, LLC (Thomason Consulting Engineers) for a waiver of development standards (as  
indicated on the ATTACHED agenda item):

**ACTION:** It was moved by Commissioner Jim Gibson that the application be approved, subject to  
staff's conditions as noted 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**

- 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 4 years of approval date or it will expire.

**Public Works - Development Review**

- Update drainage study PW20-20459 to reflect current project plans.

13. TM-21-500046-AMH NV8 DEVELOPMENT, LLC:  
TENTATIVE MAP consisting of 109 lots on 13.6 acres in an R-2 (Medium Density Residential) Zone. Generally located on the south side of Agate Avenue and the east side of Hualapai Way within Enterprise. JJ/lm/jd (For possible action)

ATTACHMENT: TM-21-500046\_Color\_Merged.pdf

ATTACHMENT: 13 21-500046-061621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of AMH NV8 Development, LLC (Thomason Consulting Engineers) for a tentative map (as indicated on the ATTACHED agenda item):

**ACTION:** It was moved by Commissioner Jim Gibson that the application be approved, subject to staff's conditions as noted 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 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 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**

- Update drainage study PW20-20459 to reflect current project plans;
- Compliance with approved traffic study PW19-17450;
- Full off-site improvements.

### **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 #0438-20190 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

14. ET-21-400067 (ZC-18-0905)-SWENSON 72, LLC:  
USE PERMIT FIRST EXTENSION OF TIME for a proposed mini-warehouse facility.  
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increased height; and 2) waive the requirement for sidewalks or a buffer around the building footprint.  
DESIGN REVIEW for a proposed mini-warehouse facility on 1.4 acres in a C-1 (Local Business) (AE-60) Zone within the Midtown Maryland Parkway District. Generally located on the east side of University Center Drive, 1,160 feet north of Flamingo Road within Paradise. TS/md/jo (For possible action)

ATTACHMENT: ET-21-400067\_Color\_Merged.pdf

ATTACHMENT: 14 21-400067-061621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Swenson 72, LLC (Sherri Lynn Gladu) for a use permit first extension of time, waivers of development standards, and design review (as indicated on the ATTACHED agenda item):

**ACTION:** It was moved by Commissioner Jim Gibson that the application be approved, subject to staff's conditions as noted 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**

- 2 years to commence.
- 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.

### **Public Works - Development Review**

- Compliance with previous conditions.

15. DR-21-0198-SWENSON 72, LLC:  
DESIGN REVIEW for finished grade in conjunction with a previously approved mini-warehouse on 1.4 acres in a C-1 (Local Business) (AE-60) Zone within the Midtown Maryland Parkway District. Generally located on the east side of University Center Drive, 1,160 feet north of Flamingo Road within Paradise. TS/md/jo (For possible action)

ATTACHMENT: DR-21-0198\_Color\_Merged.pdf

ATTACHMENT: 15 21-0198-061621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Swenson 72, 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 staff's conditions as noted 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 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;
- 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;
- Commercial curb return driveway per Uniform Standard Drawings 222.1 and 225 with a minimum width of 32 feet from the lip of gutter to lip of gutter.
- 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.

### **Building Department - Fire Prevention**

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

16. ET-21-400069 (ZC-19-0099)-CRP III CHEYENNE LV, LLC:  
USE PERMITS FIRST EXTENSION OF TIME for the following: 1) a distribution center; and 2) reduce the setback from loading docks to a residential use.  
WAIVER OF DEVELOPMENT STANDARDS to reduce driveway throat depth.  
DESIGN REVIEWS for the following: 1) distribution center; and 2) alternative parking lot landscaping on 4.9 acres in an M-D (Designed Manufacturing) (AE-75 & APZ-2) Zone. Generally located on the southeast corner of Cheyenne Avenue and Walnut Road within Sunrise Manor. WM/bb/jo (For possible action)

ATTACHMENT: ET-21-400069\_Color\_Merged.pdf

ATTACHMENT: 16 21-400069-061621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of CRP III Cheyenne LV, LLC (Chris Teachman) for use permits first extension of time, a waiver of development standards, and design reviews (as indicated on the ATTACHED agenda item):

**ACTION:** It was moved by Commissioner Jim Gibson that the application be approved, subject to staff's conditions as noted 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**

- Until March 20, 2023 to commence.
- 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.

### **Public Works - Development Review**

- Compliance with previous conditions.

17. ET-21-400071 (NZC-18-0475)-RW INVESTMENTS, LLC:  
ZONE CHANGE FIRST EXTENSION OF TIME to reclassify 2.6 acres from an R-E (Rural Estates Residential) (AE-60) Zone to an M-D (Design Manufacturing) (AE-60) Zone in the CMA Design Overlay District.  
USE PERMIT for an office as a principal use.  
DESIGN REVIEW for a proposed office/warehouse development. Generally located on the east side of Buffalo Drive and the north side of Teco Avenue within Spring Valley (description on file). MN/jgh/jo (For possible action)

ATTACHMENT: ET-21-400071\_Color\_Merged.pdf

ATTACHMENT: 17 21-400071-061621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of RW Investments, LLC for a zone change first extension of time, use permit, and design review (as indicated on the ATTACHED agenda item):

**ACTION:** It was moved by Commissioner Jim Gibson that the application be approved, subject to staff's conditions as noted 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**

- Until September 19, 2023 to complete.
- 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.

### **Public Works - Development Review**

- Compliance with previous conditions.

18. VS-21-0183-SPANISH RIDGE INDUSTRIAL OWNER, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Spanish Ridge Avenue and Hacienda Avenue, and between Riley Street and the 215 Beltway within Spring Valley (description on file). JJ/jgh/jd (For possible action)

ATTACHMENT: VS-21-0183\_Color\_Merged.pdf

ATTACHMENT: 18 21-0183-061621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Spanish Ridge Industrial Owner, LLC to vacate and abandon easements of interest (as indicated on the ATTACHED agenda item):

**ACTION:** It was moved by Commissioner Jim Gibson that the application be approved, subject to staff's conditions as noted 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**

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

**Public Works - Development Review**

- Drainage study and compliance;
- Provide a dedicated right turn lane into the center driveway;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

19. VS-21-0200-HAMILTON, BERNARD JR.:

VACATE AND ABANDON easements of interest to Clark County located between Camero Avenue and Shelbourne Avenue (alignment) and between Tomsik Street and Gagnier Boulevard (alignment) and a portion of a right-of-way being Tomsik Street located between Camero Avenue and Shelbourne Avenue (alignment) within Enterprise (description on file). JJ/jvm/jd (For possible action)

ATTACHMENT: VS-21-0200\_Color\_Merged.pdf

ATTACHMENT: 19 21-0200-061621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Bernard Hamilton Jr. (Pinnacle Homes) to vacate and abandon easements of interest (as indicated on the ATTACHED agenda item):

REPRESENTATIVE(S): Present

SPEAKER(S): Present

DISCUSSION: There being no objections, Item No. 19 was heard in conjunction with Item Nos. 20 and 21.

Following introduction of Item Nos. 19, 20, and 21, the Board was addressed by Stephanie Allen, the applicant's representative, who advised that the subject property was located at the north west corner of Camero Avenue and Tomsik Street; zoned R-E (Rural Estates Residential); proposed half acre lots with approximately 4,000 square foot single-story homes; held several neighborhood meetings; and addressed concerns regarding the vacation of a cul-de-sac partially located on Mrs. Huang's property.

Maria Huang, a neighbor, advised of receiving the postcard meeting notification approximately two days before the advisory board meeting; two cul-de-sac's were adjacent to each other; her septic tank was approved after the vacation by the previous owners; when the second cul-de-sac was vacated the first cul-de-sac did not return to the previous owner; expressed concerns regarding the ramifications for the vacation; spoke with the Planning Department, an engineering firm, and land use attorneys who advised that the matter was complex; plans to hire an engineering firm; expressed additional concerns regarding the six feet of fill dirt, being that her farm was registered organic and the run-off may invalidate the certification; and requested additional time to hire an engineering firm to research the matter.

Deana Young, a neighbor who lived north of the proposed development, spoke regarding the vacation of the triangle shaped portion used for drainage; was informed by the developer that vacating the triangle shaped portion was advisable, and believed that the vacation was for the drainage; learned at a neighborhood meeting that a drainage flume will be constructed, meaning that the parcel would still be used for drainage; expressed concerns that property may become inaccessible from the north; was informed that there may not be adequate access from the south; and requested time to hire an engineer to investigate the matter.

Stephanie Allen and Robert Cunningham, the applicant's engineer, advised that the second cul-de-sac will be vacated and the lower cul-de-sac will remain; the triangle shaped portion to the north of the subject property was owned by flood control, and the applicant's engineer was in the process of submitting an application to vacate the drainage easement on behalf of Mrs. Young; Mrs. Young's property was to the north of the triangular shaped portion; a drainage easement will be constructed along the Tomsik alignment which drained to the north and continued the existing flows; a significant amount of water historically flowed through the triangular portion, a facility was constructed adjacent to the channel located to the west of Durango Drive which cut off some drainage to the area; a drainage easement was still needed on the triangular portion; the subdivision to the east of the triangular portion had a 15 foot concrete lined drainage easement which the applicant's engineer believed was needed on the triangular portion to convey the flow; and the applicant was in the pre-application stage with staff for the vacation of the triangular portion; the asphalt ended at the lower cul-de-sac and the cul-de-sac being considered for vacation was landscaped; and further advised that the height was discussed during the last neighborhood meeting, and that the applicant will be working with Public Works regarding the possibility of constructing type b drainage on lot No. 3; lot No. 9 will be landscaped due to being a front lot facing Mrs. Huang's home; a wall with two feet of retaining and six feet of block wall will be constructed, and the applicant agreed to use wrought iron fencing for wall heights above eight feet.

Staff advised that the triangular portion was owned by Clark County and was supposed to only be accessed by the County, through an access easement, to maintain drainage; staff was working on vacating the triangular portion; once vacated, the triangular portion reverted back to the home owner to the north who would have to find access through Mistral Avenue.

County Legal Counsel expressed concerns regarding the access from the north if the home owner wanted

to sell the parcel or construct a structure on the property; and if the County vacated the cul-de-sac, the home owner would have to create access to the triangular parcel through her property.

Staff further advised the Board that when the County vacates a parcel that does not guarantee that the home owner may subdivide in the future; and the vacated parcel goes back to the parcel which gave the parcel up for flood control purposes, with legal access through Mistral Avenue.

In response to Commissioner Kirkpatrick, staff advised that the triangular portion was approximately a half-acre.

The applicant's representatives advised of staff's condition of a 20-foot access easement to the triangular piece, for Public Works to access the flood control channel, if the vacation of the cul-de-sac was granted by the Board.

**ACTION:** It was moved by Commissioner Justin Jones that the applications for Item Nos. 19, 20, and 21 be held to July 7, 2021, 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

20. WS-21-0201-HAMILTON, BERNARD JR.:  
WAIVER OF DEVELOPMENT STANDARDS for increased wall height.  
DESIGN REVIEWS for the following: 1) finished grade; and 2) single family residential subdivision on 5.1 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the north side of Camero Avenue and the west side of Tomsik Street within Enterprise. JJ/jvm/jd (For possible action)

ATTACHMENT: WS-21-0201\_Color\_Merged.pdf

ATTACHMENT: 20 21-0201-061621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Bernard Hamilton Jr. (Pinnacle Homes) for a waiver 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. 20 was heard in conjunction with Item Nos. 19 and 21.

**ACTION:** Held to July 7, 2021 (see Item No. 19 for discussion, motion, and vote).

21. TM-21-500049-HAMILTON, BERNARD JR.:  
TENTATIVE MAP consisting of 9 lots and common lots on 5.1 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the north side of Camero Avenue and the west side of Tomsik Street within Enterprise. JJ/jvm/jd (For possible action)

ATTACHMENT: TM-21-500049\_Color\_Merged.pdf

ATTACHMENT: 21 21-500049-061621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Bernard Hamilton Jr.



(Pinnacle Homes) for a tentative map (as indicated on the ATTACHED agenda item):

REPRESENTATIVE(S): Present

SPEAKER(S): Present

DISCUSSION: There being no objections, Item No. 21 was heard in conjunction with Item Nos. 19 and 20.

**ACTION:** Held to July 7, 2021 (see Item No. 19 for discussion, motion, and vote).

22. VS-21-0211-GKT 5, LLC & GRAGSON CACTUS HIGHLANDS, LLC:  
VACATE AND ABANDON a portion of flood control right-of-way located between Torrey Pines Drive and Redwood Street and easements of interest to Clark County between Russell Road and Diablo Drive and between Torrey Pines Drive and Redwood Street within Spring Valley (description on file).  
MN/sd/jd (For possible action)

ATTACHMENT: VS-21-0211\_Color\_Merged.pdf

ATTACHMENT: 22 21-0211-061621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of GKT 5, LLC & Gragson Cactus Highlands, LLC (Beazer Homes Holdings, LLC) to vacate and abandon a portion of a flood control right-of-way (as indicated on the ATTACHED agenda item):

**ACTION:** It was moved by Commissioner Jim Gibson that the application be approved, subject to staff's conditions as noted 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**

- 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 50 feet for Russell Road, 35 feet to the back of curb for Torrey Pines Drive, and a portion of the Flamingo Diversion Channel;
- 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.

23. ZC-21-0212-GKT 5, LLC & GRAGSON CACTUS HIGHLANDS, LLC:  
ZONE CHANGE to reclassify 5.0 acres from an R-1 (Single Family Residential) Zone to an R-2 (Medium Density Residential) Zone.  
USE PERMIT for an attached (townhouse) planned unit development.  
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setback; 2) reduce the minimum street width for private street; 3) allow A-curb and ribbon curb; 4) reduce back of curb radius; 5) increase building height; 6) reduce driveway distance; and 7) reduce street intersection.  
DESIGN REVIEWS for the following: 1) single family attached residential townhome planned unit development; and 2) finished grade. Generally located on the northwest corner of Russell Road and Torrey Pines Drive within Spring Valley (description on file). MN/sd/jd (For possible action)

ATTACHMENT: ZC-21-0212\_Color\_Merged.pdf

ATTACHMENT: 23 21-0212-061621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of GKT 5, LLC & Gragson Cactus Highlands, LLC (Beazer Homes Holdings, LLC) for a zone change, use permit, waivers of development standards, and design reviews (as indicated on the ATTACHED agenda item):

DISCUSSION: Following introduction of the item, per the applicant, staff requested that the following additional Current Planning condition be added to read: Townhomes on the north boundary across from APNs 163-26-410-008 and 009 shall be limited to two-story.

**ACTION:** It was moved by Commissioner Jim Gibson that the application be approved, subject to staff's conditions as noted 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**

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Townhomes on the north boundary across from APNS 163-26-410-008 and 163-26-410-009 shall be limited to 2 story;
- 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 permit, waivers of development standards, and design reviews must commence within 4 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 50 feet for Russell Road, 35 feet to the back of curb for Torrey Pines Drive, and a portion of the Flamingo Diversion Channel;
- If required by the Regional Transportation Commission (RTC), increase the size of the existing bus shelter pad easement behind the sidewalk to be 5 foot by 25 foot in accordance with RTC standards, for the existing bus turnout location along Russell Road.
- 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.

### **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; 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.

**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 #0364-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

24. TM-21-500053-GKT 5, LLC & GRAGSON CACTUS HIGHLANDS, LLC:  
TENTATIVE MAP consisting of 50 lots and 7 common lots for a planned unit development (PUD) on 5.0 acres in an R-2 (Medium Density Residential) Zone. Generally located on the northwest corner of Russell Road and Torrey Pines Drive within Spring Valley. MN/sd/jd (For possible action)

ATTACHMENT: TM-21-500053\_Color\_Merged.pdf

ATTACHMENT: 24 21-500053-061621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of GKT 5, LLC & Gragson Cactus Highlands, LLC (Beazer Homes Holdings, LLC) for a tentative map (as indicated on the ATTACHED agenda item):

**ACTION:** It was moved by Commissioner Jim Gibson that the application be approved, subject to staff's conditions as noted 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 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 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 50 feet for Russell Road, 35 feet to the back of curb for Torrey Pines Drive, and a portion of the Flamingo Diversion Channel;
- Applicant shall coordinate with Clark County Real Property Management regarding access to the drainage easement adjacent to County-owned parcel, APN 163-26-407-003;
- If required by the Regional Transportation Commission (RTC), increase the size of the existing bus shelter pad easement behind the sidewalk to be 5 foot by 25 foot in accordance with RTC standards, for the existing bus turnout location along Russell Road.
- 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;
- Private streets shall have approved street names and suffixes.

### **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.

### **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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0364-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

25. WS-21-0181-PALM MORTUARY, INC.:  
WAIVER OF DEVELOPMENT STANDARDS for increased building height.  
DESIGN REVIEWS for the following: 1) a chapel/mausoleum; and 2) finished grade in conjunction with an existing cemetery on a portion of a 71.3 acre site in an R-E (Rural Estates Residential) Zone.

Generally located on the east side of Eastern Avenue and the north side of Robindale Road within Paradise. JG/jvm/jo (For possible action)

ATTACHMENT: WS-21-0181\_Color\_Merged.pdf

ATTACHMENT: 25 21-0181-061621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Palm Mortuary, Inc. for a waiver of development standards and design reviews (as indicated on the ATTACHED agenda item):

REPRESENTATIVE(S): Present

SPEAKER(S): Present

DISCUSSION: Following introduction of the item, the Board was addressed by Blayne Soule, the applicant's representative, who advised that Palm Eastern Cemetery was located at the south east corner of Eldorado Lane and Eastern Avenue; consisted of 73 acres; the proposed structure will be utilized as a mausoleum and chapel; requested a waiver for a height of 42 feet; advised that Planning recommended approval; located 500 feet from the nearest residents, and will be buffered by existing landscaping; and the additional height was architectural, to permit light to enter, and to provide a heaven-ward appearance.

James Rosman, Alan Shugarman, and Elaine Lutz spoke regarding areas of concern including the structure's impact on property values, being that the view from the neighbor's homes will be diminished; granting the variance sets a precedent for the area; the additional height did not conform with the neighborhood design; and the lack of an existing landscape buffer as the east end of the cemetery was undeveloped.

Discussion followed regarding topics including that the additional height was necessary for the window and to permit light to enter the structure; the nearest structure was 542 feet so the impact to neighbors was limited; not unusual for a cemetery of this size to add a similar structure; and that the situation was unique and not likely to set a precedent.

**ACTION:** It was moved by Commissioner Jim Gibson that the application be approved, subject to Town Board and staff's conditions as noted 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 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;
- 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 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 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.

26. ZC-21-0167-WW & JJ CHOI, LLC:  
HOLDOVER ZONE CHANGE to reclassify 0.4 acres from a C-1 (Local Business) Zone and a C-2 (General Commercial) Zone to a C-2 (General Commercial) Zone.  
USE PERMITS for the following: 1) tire sales and installation; and 2) reduced separation. Generally located on the west side of Decatur Boulevard, 170 feet north of Reno Avenue within Spring Valley (description on file). MN/nr/jo (For possible action)

ATTACHMENT: ZC-21-0167\_Color\_Merged.pdf

ATTACHMENT: 26 21-0167-061621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of WW & JJ Choi, LLC (Victor Knight) for a holdover zone change and use permits (as indicated on the ATTACHED agenda item) (held from June 2, 2021):

DISCUSSION: Following introduction of the item, per Commissioner Naft, staff requested that the following additional Current Planning condition be added to read: One year to review.

**ACTION:** It was moved by Commissioner Jim Gibson that the application be approved, subject to staff's conditions as noted 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**

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- 1 year to review.
- 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 application for review; 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 must commence within 2 years of approval date or they will expire.

### **Building Department - Fire Prevention**

- Applicant is advised that operational permits may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

### **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.

27. ZC-21-0186-REGIONAL CACTUS, LLC:  
ZONE CHANGE to reclassify 1.7 acres from an R-E (Rural Estates Residential) Zone to a C-1 (Local Business) Zone.  
USE PERMITS for the following: 1) convenience store; 2) gasoline station; and 3) reduce the setback for a proposed convenience store to a section line street.  
WAIVER OF DEVELOPMENT STANDARDS to allow alternative driveway geometrics.  
DESIGN REVIEWS for the following: 1) convenience store with gasoline station within a proposed retail complex; and 2) finished grade. Generally located on the south side of Cactus Avenue and the east side of Amigo Street within Enterprise (description on file). MN/lm/jd (For possible action)

ATTACHMENT: ZC-21-0186\_Color\_Merged.pdf

ATTACHMENT: 27 21-0186-061621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Regional Cactus, LLC (Ming Sze) for a zone change, use permits, waiver of development standards, and design reviews (as indicated on the ATTACHED agenda item):

DISCUSSION: Following introduction of the item, per Commissioner Naft, staff requested that the following additional Current Planning condition be added to read: Design review as a public hearing for lighting and signage.

**ACTION:** It was moved by Commissioner Jim Gibson that the application be approved, subject to staff's conditions as noted 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**

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Design review as a public hearing for lighting and signage;
- 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, 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;
- Applicant must provide reimbursement payment for the vacated right-of-way.
- 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; 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.

### **Building Department - Fire Prevention**

- Applicant is advised that operational permits may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

### **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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0385-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

#### **28. VS-21-0187-REGIONAL CACTUS, LLC:**

VACATE AND ABANDON easements of interest to Clark County located between Amigo Street and Aphrodite Street, and between Cactus Avenue and Mystic Cliffs Avenue, and a portion of a right-of-way being Cactus Avenue located between Amigo Street and Aphrodite Street, and a portion of a right-of-way being Amigo Street located between Cactus Avenue and Mystic Cliffs Avenue within Enterprise (description on file). MN/lm/jd (For possible action)

ATTACHMENT: [VS-21-0187\\_Color\\_Merged.pdf](#)

ATTACHMENT: [28 21-0187-061621.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Regional Cactus, LLC (Ming Sze) to vacate and abandon easements of interest (as indicated on the ATTACHED agenda item):

**ACTION:** It was moved by Commissioner Jim Gibson that the application be approved, subject to staff's conditions as noted 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**

- 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**

- Applicant must provide reimbursement payment for the vacated right-of-way;
- 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.

29. ZC-21-0197-RBR ANGEL REVOCABLE LIVING TRUST & RESTREPO, RICARDO BUITRAGO TRS:

ZONE CHANGE to reclassify 2.3 acres from an H-2 (General Highway Frontage) Zone and an R-U (Rural Open Land) Zone to an R-U (Rural Open Land) Zone within the Red Rock Design Overlay District. Generally located 255 feet south of Blue Diamond Road and east of Fortney Road within the Northwest County Planning Area (Red Rock) (description on file). JJ/jvm/jd (For possible action)

ATTACHMENT: ZC-21-0197\_Color\_Merged.pdf

ATTACHMENT: 29 21-0197-061621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of RBR Angel Revocable Living Trust & Ricardo Buitrago Restrepo Trs (Ricardo Restrepo) for a zone change (as indicated on the ATTACHED agenda item):

**ACTION:** It was moved by Commissioner Jim Gibson that the application be approved, subject to staff's conditions as noted 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**

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning.
- 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.

### **Clark County Water Reclamation District (CCWRD)**

- Applicant is advised that there are no public sanitary sewer facilities available within the vicinity of the parcel and none are planned within the next 5 years.

30. ZC-21-0208-ROBISON, DELL H. & PEARL W. FAM TR & ROBISON, PEARL W. TRS:  
ZONE CHANGE to reclassify 0.7 acres from an R-U (Rural Open Land) Zone to an R-E (Rural Estates Residential) Zone for a future residential development in the Moapa Valley Overlay District. Generally located on the south side of Navajo Avenue and the west side of Moapa Valley Boulevard within Moapa Valley (description on file). MK/rk/jd (For possible action)

ATTACHMENT: ZC-21-0208\_Color\_Merged.pdf

ATTACHMENT: 30 21-0208-061621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Dell H. & Pearl W. Robison Fam Tr & Pearl W. Robison Trs (Landholding Series of Sophinvest, LLC) for a zone change (as indicated on the ATTACHED agenda item):

**ACTION:** It was moved by Commissioner Jim Gibson that the application be approved, subject to staff's conditions as noted 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**

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning.
- 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.

### **Public Works - Development Review**

- Drainage study shall be required with future development as determined by Public Works - Development Review;
- Traffic study shall be required with future development as determined by Public Works - Development Review;
- Full off-site improvements shall be required with future development as determined by Public Works - Development Review;
- Right-of-way dedication to include the spandrel at the northeast corner of the site;
- Nevada Department of Transportation approval.

### **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 #0192-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

31. ORD-21-900256: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners through various zone change applications on August 19, 2020, March 17, 2021, April 7, 2021, and April 21, 2021, and in Assessor's Books 140, 163, and 176. (For possible action)

ATTACHMENT: [ORD-21-900256 PH.pdf](#)

**SUBJECT MATTER/RECOMMENDATION:** In the matter of the recommendation that the Board conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners through various zone change applications on August 19, 2020, March 17, 2021, April 7, 2021, and April 21, 2021, and in Assessor's Books 140, 163, and 176. (For possible action):

**ACTION:** It was moved by Commissioner Jim Gibson that the ordinance (No. 4870) be adopted, 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

32. UC-20-0338-SANG, TJIE GIOK:  
HOLDOVER AMENDED USE PERMITS for the following: 1) place of worship; 2) increased height of a place of worship; and 3) increased height of a freestanding sign (no longer needed).  
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced setbacks; 2) driveway geometrics; 3) departure distance; and 4) increased signage (previously not notified).  
DESIGN REVIEW for a place of worship on 5.0 acres in an R-E (Rural Estate Residential) (RNP-I) Zone. Generally located on the west side of Buffalo Drive and the north side of Wigwam Avenue within Enterprise. JJ/nr/jd (For possible action)

ATTACHMENT: UC-20-0338\_Color\_Merged.pdf

ATTACHMENT: 32 20-0338-061621.docx

**SUBJECT MATTER:** In the matter of the aforementioned described application of Tjie Giok Sang for holdover amended use permits, waivers of development standards, and a design review (as indicated on the ATTACHED agenda item) (held from June 2, 2021):

**REPRESENTATIVE(S):** Present

**DISCUSSION:** Following introduction of the item, the Board was advised by staff that this matter was introduced at the meeting on June 2, 2021 but staff had not received plans for review; the applicant has submitted plans which were reviewed by staff; and use permits Nos. 2 and 3 were no longer needed.

Yihong Liu, the applicant's representative, advised that the subject property was located on Buffalo Drive and Wigwam Avenue; the structure was located in the center of the site directly adjacent to a 15-foot detached sidewalk parallel to Buffalo Drive, with landscaping on both sides; a detached sidewalk with landscaping was also located on Wigwam Avenue; the structure had a traditional design; the height waiver was no longer needed being that the total building height was lowered to 35 feet; requested a waiver for the departure distance to be reduced from 190 feet and for reduced throat dept at the entrance; met with neighbors; and the Town Board recommended approval.

Commissioner Jones clarified that waiver No. 4 regarding signage was deleted; and advised that plans for a residence for the monks, on an additional parcel, will be submitted on a separate application.

The applicant's representative confirmed that a separate application will be submitted for the residential structure.

**ACTION:** It was moved by Commissioner Justin Jones that the application be approved, with use permits Nos. 2 and 3 and waiver No. 4 being withdrawn, subject to staff's conditions as noted 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**

- 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**

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 45 feet to the back of curb for Buffalo Drive, 35 feet to the back of curb for Wigwam Avenue, 30 feet for Camero Avenue, and associated spandrels.
- Applicant is advised that the installation of detached sidewalks will require dedication to the back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

### **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 Fire Apparatus Access cannot be achieved at the Northwest corner of the building; a turnaround would be required at the end of the private dead end parking lot which is located towards the corner of Camero Avenue and Buffalo Drive; or change the location of the building to allow access per CCFD.

### **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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0242-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

## **USE PERMITS #2, #3, AND WAIVER OF DEVELOPMENT STANDARDS #4 WERE WITHDRAWN.**

### **33. UC-20-0493-5051 SLV, LLC:**

AMENDED USE PERMITS for the following: 1) expand the Gaming Enterprise District; 2) a resort hotel; 3) public areas including the casino, showrooms, live entertainment, retail center, indoor and outdoor dining, entertainment, offices, conventions, back of house and parking structures; 4) associated accessory and incidental commercial uses, buildings, and structures; and 5) deviations from development standards.

DEVIATIONS for the following: 1) increase the height of high-rise towers; 2) encroachment into airspace; 3) reduce setbacks; 4) alternative landscaping; and 5) all other deviations as shown per plans on file.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) for non-standard improvements (landscaping) within the right-of-way; and 2) alternative driveway geometrics (previously not notified).

DESIGN REVIEWS for the following: 1) a resort hotel with all associated and accessory uses, structures and incidental buildings and structures; and 2) finished grade (previously not notified) on 4.9 acres in an H-1 (Limited Resort and Apartment) (AE-65) Zone. Generally located on the east side of Las Vegas Boulevard South, 500 feet south of Russell Road (alignment) within Paradise. JG/al/jd (For possible action)

ATTACHMENT: UC-20-0493\_Color\_Merged.pdf

ATTACHMENT: 33 20-0493-061621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of 5051 SLV, LLC for amended use permits, deviations, waivers of development standards, and design reviews (as indicated on the ATTACHED agenda item) (held from May 5, 2021):

**ACTION:** It was moved by Commissioner Jim Gibson that the application be held to July 21, 2021, 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

34. UC-21-0188-UTE INDIAN TRIBE:

USE PERMITS for the following: 1) convenience store; 2) gasoline station; 3) vehicle wash; 4) reduce the separation from a proposed convenience store to a residential use; 5) reduce the separation from a proposed gasoline station to a residential use; 6) reduce the setback from a convenience store to a section line road; and 7) reduce the setback from a gasoline station to a section line road.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) alternative driveway geometrics; 2) reduce driveway approach distances; 3) reduce driveway departure distances; 4) reduce vehicle wash separation from residential; 5) reduce pedestrian walkway width; 6) reduce height to setback ratio; 7) reduce trash enclosure setback from residential use; 8) alternative drive-thru talk box location; 9) reduce number of loading zones; and 10) modify area of landscape island fingers.

DESIGN REVIEWS for the following: 1) convenience store; 2) gasoline station (fuel canopy); 3) vehicle wash; 4) restaurant and drive-thru; 5) retail buildings; 6) finished grade; and 7) alternative parking lot landscaping on 2.5 acres in a C-1 (Local Business) Zone. Generally located on the southwest corner of Decatur Boulevard and Windmill Lane within Enterprise. JJ/bb/jd (For possible action)

ATTACHMENT: UC-21-0188\_Color\_Merged.pdf

ATTACHMENT: 34 21-0188-061621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Ute Indian Tribe (Remington Nevada) for use permits, 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 advised by staff that a new set of plans and an updated justification letter were received.

Jennifer Lazovich, the applicant's representative, who advised that the proposed site was on the south west corner of Decatur Boulevard and Windmill Lane; revised plans were submitted following the Town Board hearing to address concerns identified by Planning; requested to withdraw waiver of development

standards Nos. 5, 6(a), 6(b), 8, 9, and 10; requested use permits, which reduced the separation between the convenience store and the homes, be approved; placed the retail building adjacent to the west boundary to provide an additional buffer; an intense landscape buffer will be installed on the west boundary; a home located within the residential project to the west of the proposed project was the most directly affected neighbor; and further advised that, to help mitigate neighbor's concerns, the intense landscape buffer will be installed and the drive-thru with the talk box was removed.

Commissioner Jones confirmed the additional condition, of intense landscaping to be installed on the west side of the property, with the applicant.

**ACTION:** It was moved by Commissioner Justin Jones that the application be approved, with waiver of development standards Nos. 5, 6(a), 6(b), 8, 9, and 10 being withdrawn, subject to staff's conditions as noted 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**

- Intense landscaping to be installed on westernmost property line;
- 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 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;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 50 feet to the back of curb for Windmill Lane, 60 feet for Decatur Boulevard, and a 54 foot property line radius spandrel at the northeast corner of the site;
- 90 days to record required right-of-way dedications and any corresponding easements;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for a combination bus turnout/right turn lane, including passenger loading/shelter areas in accordance with RTC standards;
- Coordinate with Public Works - Design Division for the Decatur Boulevard improvement project;
- Dedicate any right-of-way and easements necessary for the Decatur Boulevard improvement project.
- 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 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 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.

**Building Department - Fire Prevention**

- Applicant is advised that operational permits may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

**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 #0049-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

**WAIVERS OF DEVELOPMENT STANDARDS #5, #6A, #6B, #8, #9, AND #10 WERE WITHDRAWN.**

35. VS-21-0054-N2MH LLC & EAGLE 40 LLC:  
HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Coley Avenue and Palmyra Avenue, and between Monte Cristo Way and Tenaya Way and a portion of a right-of-way being a portion of Coley Avenue, Tenaya Way, Palmyra Avenue, and Monte Cristo Way within Spring Valley (description on file). JJ/nr/jd (For possible action)

ATTACHMENT: VS-21-0054\_Color\_Merged.pdf

ATTACHMENT: 35 21-0054-061621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of N2MH LLC & Eagle 40 LLC (BH Prado, LLC) to holdover vacate and abandon easements of interest (as indicated on the ATTACHED agenda item) (held from June 2, 2021):

REPRESENTATIVE(S): Present

SPEAKER(S): Present

DISCUSSION: There being no objections, Item No. 35 was heard in conjunction with Item Nos. 36 and 37.

Following introduction of Item Nos. 35, 36, and 37, the Board was addressed by Lebene Ohene, the applicant's representative, who advised that the ten acre site was zoned R-E (Rural Estates Residential) in a master planned P-F (public facility), and was originally designated as a school site; located in the area known as Section 10 within the County; the original application requested waivers for some reduced lot sizes and offsites, vacations for easements of interest and portions of rights-of-way to conform with the existing area, and submitted an application for a tentative map; after addressing concerns, showed modified plans to neighbors prior to the Commission Meeting; and further advised of working with neighbors and the Commissioner prior to and following the Town Board meeting.

Tyler Jones, the CEO for Blue Herron, advised of working with neighbors regarding the minimum lot size and density; modified the design plan from 20 lots (with two homes per acre) to 18 lots (0.50 for the lot size); neighbors requested 0.44 as the minimum lot size;

further advised of working with neighbors regarding the perimeter landscaping; to accommodate drainage issues and sloping streets, the applicant designed three plans for the landscape buffers being installed around the perimeter; proposed a landscape wall to soften the highest perimeter walls, which will be constructed at a height of approximately ten feet due to the grading and drainage; advised that existing developments within Section 10 were surrounded by perimeter walls; and consulted a traffic engineer for options to address neighbor's traffic concerns regarding the entrance being located on Tenaya Way.

Barbara Lundberg, Allon Adar-Burla, Rick Johnson, John Jipson, Lon Grasmick, and Don Earl spoke regarding areas of concern including a lack of communication; guard gated; reduced lot size; increased traffic; increased wall height; increased noise; the wall disconnected the proposed project from the community; neighbors were not provided time to view the modified design plans prior to the Board meeting; requested traffic, safety, sewer, landscape, and lighting plans; density and gross acreage were not compatible with the surrounding neighborhoods; only smaller developments in Section 10 had perimeter walls; and expressed concerns that the proposed project was in the heart of Section 10 and the developer did not conform with Section 10's standards.

Julie Wignall and Diane Henry spoke regarding topics including the compromises reached between the applicant and the neighbors; the lot size was prioritized by the neighbors and was agreed to by the applicant; and expressed approval of the proposed walkways.

The applicant's representative advised that the gross minimum lot size was met for R-E zoning; the density was at 1.8 dwelling units per acre; the applicant did not request a zone change, and with the modified design plans was in compliance with zoning requirements; further advised that Public Works was in support of the applicant's request for a waiver for streetlights and sidewalks; the applicant proposed to widen the landscape area for an alternative path instead of a sidewalk; Planning was not in support of the reduction in lot size, therefore the applicant eliminated the alternative path and widened the lots; the neighbors prioritized the lot size, the modified design included the requested lot size, landscaping, and the wall along portions of Tenaya Way; and further advised that drainage and grading effected the pad heights which impacted the wall height.

Commissioner Jones clarified with the applicant's representative that the waivers based on the original proposal were not withdrawn by the applicant.

The applicant's representative advised that the requested waivers were not withdrawn; being that the net lot size waiver was needed; reduced net lot size from 18,000 square feet to approximately 16,000 square feet for selected lots; the wall height on Tenaya Way was based on the grade; walls on Monte Cristo Way were higher than the subject property's proposed wall height; and following the pad size and the drainage study, the wall heights may be reduced.

Commissioner Jones advised of driving through Section 10 to observe; advised neighbors at the previous Board meeting that the application would move forward at the June 16, 2021 meeting; met with neighbors who advised that density was a key component, and the applicant met the minimum requested lot size; adjacent neighborhoods were constructed with walls; the proposed density was consistent with the surrounding developments; worked with Water Reclamation regarding the sewer concerns; the proposed development will be less intense, with less traffic, than the original proposal for a school; and worked with Public Works to discuss options regarding the traffic on Tenaya Way.

Commissioner Jones made a motion that the applications for Item Nos. 35, 36, and 37 be approved, subject to staff's and additional conditions as follows: with the plans being completed and provided to Planning, and that the presented landscape proposal be implemented.

Discussion was held regarding waiver of development standards No. 1(a).

**ACTION:** It was moved by Commissioner Justin Jones that the applications for Item Nos. 35, 36, and 37 be approved as amended, subject to staff's and additional conditions as noted below, with waiver of development standards No. 1(a) being withdrawn, 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**

- 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 18.5 feet to the back of curb for Palmyra Avenue, 22.5 feet to the back of curb for Coley Avenue, 20.5 feet to the back of curb for Monte Cristo Way, 25 feet to the back of curb for Tenaya Way, and associated spandrels;
- Grant necessary easements for pedestrian access and streetlights and traffic control devices on all public street frontages;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

36. **WS-21-0068-N2MH LLC & EAGLE 40 LLC:**

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce lot area; 2) increase wall height; and 3) waive off-site improvements (sidewalk and streetlights).

DESIGN REVIEWS for the following: 1) proposed single family residential development; 2) finished grade; and 3) allow a hammerhead cul-de-sac design on 10.0 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the southwest corner of Coley Avenue and Tenaya Way within Spring Valley. JJ/sd/jd (For possible action)

ATTACHMENT: [WS-21-0068\\_Color\\_Merged.pdf](#)

ATTACHMENT: [36 21-0068-061621.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of N2MH LLC & Eagle 40 LLC (BH Prado, LLC) for holdover waivers of development standards and design reviews (as indicated on the ATTACHED agenda item) (held from June 2, 2021):

REPRESENTATIVE(S): Present

SPEAKER(S): Present

DISCUSSION: There being no objections, Item No. 36 was heard in conjunction with Item Nos. 35 and 37.

**ACTION:** Approved, subject to staff's and additional conditions as noted below (see Item No. 35 for discussion, motion, and vote).

**CONDITIONS OF APPROVAL -**

**Current Planning**

- Per revised plans;
- Limited to 18 lots;
- 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 4 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;
- Traffic study and compliance;
- Right-of-way dedication to include 18.5 feet to the back of curb for Palmyra Avenue, 22.5 feet to the back of curb for Coley Avenue, 20.5 feet to the back of curb for Monte Cristo Way, 25 feet to the back of curb for Tenaya Way, and associated spandrels;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Grant necessary easements for pedestrian access and streetlights and traffic control devices on all public street frontages.
- 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.

**WAIVER OF DEVELOPMENT STANDARDS #1A WAS WITHDRAWN.**

37. TM-21-500021-N2MH LLC & EAGLE 40 LLC:  
HOLDOVER TENTATIVE MAP consisting of 20 residential lots on 10.0 acres in a R-E (Rural Estates Residential) Zone. Generally located on the southwest corner of Coley Avenue and Tenaya Way within Spring Valley. JJ/sd/jd (For possible action)

ATTACHMENT: TM-21-500021\_Color\_Merged.pdf

ATTACHMENT: 37 21-500021-061621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of N2MH LLC & Eagle 40 LLC (BH Prado, LLC) for a holdover tentative map (as indicated on the ATTACHED agenda item) (held from June 2, 2021):

REPRESENTATIVE(S): Present

SPEAKER(S): Present

DISCUSSION: There being no objections, Item No. 37 was heard in conjunction with Item Nos. 35 and 36.

**ACTION:** Approved, subject to staff's and additional conditions as noted below (see Item No. 35 for discussion, motion, and vote).

**CONDITIONS OF APPROVAL -**

**Current Planning**

- Per revised plans;
- Limited to 18 lots.
- 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 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;
- Right-of-way dedication to include 18.5 feet to the back of curb for Palmyra Avenue, 22.5 feet to the back of curb for Coley Avenue, 20.5 feet to the back of curb for Monte Cristo Way, 25 feet to the back of curb for Tenaya Way, and associated spandrels;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Grant necessary easements for pedestrian access and streetlights and traffic control devices on all public street frontages.
- 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;
- Streets shall have approved names and suffixes.

**Building Department - Fire Prevention**

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions; and to 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 initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0085-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

VACATE AND ABANDON easements of interest to Clark County located between Spencer Street and Bruce Street, and between Robindale Road and Sur Este Avenue (alignment) within Paradise (description on file). MN/md/jd (For possible action)

ATTACHMENT: VS-21-0185\_Color\_Merged.pdf

ATTACHMENT: 38 21-0185-061621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Marilou Mariano to vacate and abandon easements of interest (as indicated on the ATTACHED agenda item):

REPRESENTATIVE(S): None

SPEAKER(S): Present

DISCUSSION: There being no objections, Item No. 38 was heard in conjunction with Item No. 39.

Following introduction of Item Nos. 38 and 39, the Board was addressed by Alan Shugarman, a neighbor, who spoke regarding areas of concern including the vacation of the easement, the walkway parallel to Duck Creek, access to property, and proposed a bike trail for public use.

Commissioner Naft advised that when an applicant submits a hold letter there is no obligation for that item to be held.

Staff advised that the hold letter was a request from the applicant that the item be held, however, the Board determines if the item will be held; staff recommended that an applicant who requested that an item be held still appear at the Board meeting given that the item may be heard; and further advised that an applicant may not come back with a substantially same application for a year subsequent to being denied with prejudice.

**ACTION:** It was moved by Commissioner Michael Naft that the application for Item Nos. 38 and 39 be approved for the use permit and denied with prejudice for the vacation and abandonment of easements of interest, waivers of development standards, and a design review, 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

39. UC-21-0184-MARIANO, MARILOU:

USE PERMIT for a place of worship.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce parking; 2) eliminate trash enclosure setback; 3) eliminate street landscaping; 4) eliminate parking lot landscaping; 5) alternative landscaping adjacent to a less intensive use (single family residences); 6) eliminate the pedestrian walkway from the adjacent public sidewalk to the principal building entrance; 7) reduce the setback for an accessory structure (carport); 8) reduce drive aisle width; and 9) allow modified driveway design standards.

DESIGN REVIEW for a place of worship on 0.8 acres in an R-E (Rural Estates Residential) Zone.

Generally located on the east side of Spencer Street, 440 feet north of Robindale Road within Paradise. MN/md/jd (For possible action)

ATTACHMENT: UC-21-0184\_Color\_Merged.pdf

ATTACHMENT: 39 21-0184-061621.docx

**SUBJECT MATTER:** In the matter of the aforementioned described application of Marilou Mariano for a use permit, waivers of development standards, and design review (as indicated on the ATTACHED agenda item):

**SPEAKER(S):** Present

**DISCUSSION:** There being no objections, Item No. 39 was heard in conjunction with Item No. 38.

**ACTION:** Approved the use permit; denied the vacation and abandonment of easements of interest, waivers of development standards, and a design review, subject to staff's conditions as noted below (see Item No. 38 for discussion, motion, and vote).

**CONDITIONS OF APPROVAL -**

**Current 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.

**Public Works - Development Review**

- Drainage study and compliance;
- Right-of-way dedication to include a portion of the Duck Creek Channel;
- Grant necessary easements and/or right-of-way;
- Reconstruct driveway as a commercial pan driveway per Uniform Standard Drawing 224;
- Applicant shall perform a topo survey to determine the limits of the Duck Creek Channel in relationship to the on-site and off-site improvements.

**Building Department - Fire Prevention**

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

**Southern Nevada Health District (SNHD) - Septic**

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

**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.

**WAIVERS OF DEVELOPMENT STANDARDS AND DESIGN REVIEW WERE DENIED.**

40. ZC-20-0544-VALENTI SAM P & MARY TR SURV TR & VALENTI SAM & MARY TR DCDNTS TR:



HOLDOVER ZONE CHANGE to reclassify 2.9 acres from an R-E (Rural Estates Residential) Zone to an R-3 (Multiple Family Residential) Zone.

DESIGN REVIEWS for the following: 1) a multiple family residential development; and 2) finished grade. Generally located on the east side of Broadbent Boulevard and the south side of Wetlands Park Lane within Whitney (description on file). JG/jt/jd (For possible action)

ATTACHMENT: [ZC-20-0544\\_Color\\_Merged.pdf](#)

ATTACHMENT: [40 20-0544-061621.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Sam P & Mary Valenti Tr Surv Tr & Sam & Mary Valenti Tr Dcdnts Tr (Petersen Management, LLC) for a holdover zone change and design reviews (as indicated on the ATTACHED agenda item) (held from May 5, 2021):

**ACTION:** Deleted from the agenda (held to no date certain per the applicant).

41. ZC-21-0193-I-15 BIG 4 REAL ESTATE, LLC:

ZONE CHANGE to reclassify 7.2 acres from an H-2 (General Highway Frontage) Zone and an R-E (Rural Estates Residential) Zone to an H-1 (Limited Resort and Apartment) Zone.

USE PERMIT for a multiple family residential development.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) landscaping; 2) setback for decorative fence; 3) increase wall height; and 4) alternative driveway geometrics.

DESIGN REVIEWS for the following: 1) multiple family residential development; and 2) finished grade. Generally located on the north side of Bruner Avenue and the west side of Ensworth Street (alignment) within Enterprise (description on file). MN/jt/jd (For possible action)

ATTACHMENT: [ZC-21-0193\\_Color\\_Merged.pdf](#)

ATTACHMENT: [41 21-0193-061621.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of I-15 Big 4 Real Estate, LLC (Holden Development Company, LLC) for a zone change, use permit, waivers of development standards, and design reviews (as indicated on the ATTACHED agenda item):

REPRESENTATIVE(S): Present

DISCUSSION: There being no objections, Item No. 41 was heard in conjunction with Item No. 42.

Following introduction of Item Nos. 41 and 42, the Board was addressed by Jennifer Lazovich, the applicant's representative, who advised of working with Public Works on the alignment of Ensworth Street and regarding the requested waiver for the reduction of throat-depth from 150 feet to 14 feet, Ensworth Street will become a private drive, and requested that the waiver of development standards No. 4 be withdrawn; and requested that Item No. 41 Public Works bullet No. 5 be amended to read: Right-of-way dedication to include 35 feet to the back of curb for Bruner Avenue with a County-approved turnaround; and requested that Item No. 41 Public Works bullet No. 6 be deleted; and further advised of meeting with neighbors.

**ACTION:** It was moved by Commissioner Michael Naft that the applications for Item Nos. 41 and 42 be approved, with Item No. 41 waiver of development standards No. 4 being withdrawn, subject to staff's and amended conditions for Item No. 41 as noted 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**

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Provide landscaping, consisting of but not limited to shrubs and groundcover, in the landscape strip and landscape islands along the northern property line;
- 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 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 permit, 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;
- Right-of-way dedication to include 35 feet to the back of curb for Bruner Avenue with a County-approved turnaround.
- 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 #0191-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

## **WAIVER OF DEVELOPMENT STANDARDS #4 WAS WITHDRAWN.**

42. VS-21-0192-I-15 BIG 4 REAL ESTATE, LLC:  
VACATE AND ABANDON easements of interest to Clark County located between Jonathan Drive (alignment) and Bruner Avenue, and between Ensworth Street (alignment) and I-15 within Enterprise (description on file). MN/jt/jd (For possible action)

ATTACHMENT: VS-21-0192\_Color\_Merged.pdf

ATTACHMENT: 42 21-0192-061621.docx

**SUBJECT MATTER:** In the matter of the aforementioned described application of I-15 Big 4 Real Estate, LLC (Holden Development Company, LLC) to vacate and abandon easements of interest (as indicated on the ATTACHED agenda item):

**REPRESENTATIVE(S):** Present

**DISCUSSION:** There being no objections, Item No. 42 was heard in conjunction with Item No. 41.

**ACTION:** Approved, subject to staff's conditions as noted below (see Item No. 41 for discussion, motion and vote).

**CONDITIONS OF APPROVAL -**

**Current Planning**

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

**Public Works - Development Review**

- Right-of-way dedication to include 35 feet to the back of curb for Bruner Avenue with a County-approved turnaround;
- 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.

43. Nzc-21-0038-UL215, LLC ETAL & UW215, LLC:  
AMENDED ZONE CHANGE to reclassify 18.7 acres from a C-2 (General Commercial) Zone to an M-D (Designed Manufacturing) Zone.  
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height (previously not notified); 2) screening loading docks; 3) increase sign height; 4) increase animated sign area; 5) alternative perimeter landscape and screening; 6) non-standard improvements within right-of-way; 7) waive the sidewalk requirement along Rafael Rivera Way; 8) allow an attached sidewalk along portions of Sunset Road; and 9) modified driveway design standards.  
DESIGN REVIEWS for the following: 1) a proposed distribution center with ancillary retail sales; 2) a comprehensive sign plan; and 3) finished grade in the CMA Design Overlay District. Generally located on the south side of Sunset Road and the east and north sides of Rafael Rivera Way within Spring Valley (description on file). JJ/rk/jd (For possible action)

ATTACHMENT: Nzc-21-0038\_Color\_Merged - Copy.pdf

ATTACHMENT: 43 21-0038-061621.docx

**SUBJECT MATTER/RECOMMENDATION:** In the matter of the recommendation of the Planning Commission that the Board of County Commissioners approve the aforementioned described application of UL215, LLC Et Al & UW215, LLC (Hodgdon Group Realty, Inc) for an amended zone change, waivers of development standards, and design reviews (as indicated on the ATTACHED agenda item)

(held from May 4, 2021):

REPRESENTATIVE(S): Present

**DISCUSSION:** Following introduction of the item, the Board was advised by staff that the Planning Commission recommended approval with waiver of development standards No. 6 being withdrawn.

Doug Rankin and Jennifer Lazovich, the applicant's representatives, advised that the subject property was located adjacent to the Ikea store at the 215 beltway and Sunset Road; the size of the proposed structure indicated the need for a nonconforming zone change from C-2 (General Commercial) to M-D (Designed Manufacturing), of which staff recommended approval; the proposed project will be Ashley Furniture's flagship store in the United States, and the structure contained a large warehouse of furniture items to be delivered to customer's homes, a two-story retail showroom, and the elevation highlighted the retail portion of the structure; the remainder of the waivers received staff support and were site driven; reduced the LED display on the sign, agreed to two additional conditions regarding the brightness and display time for the messages to change; and advised that the Planning Commission recommended approval.

**ACTION:** It was moved by Commissioner Justin Jones that the application be approved, subject to staff's and additional conditions as noted below, with waiver of development standards No. 6(b) being withdrawn without prejudice, with the following vote:

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

**VOTING NAY:** None

**ABSENT:** Michael Naft

**ABSTAIN:** None

## **CONDITIONS OF APPROVAL -**

### **Current Planning**

- Resolution of Intent to complete in 3 years;
- Limit sign radiance to 300 nits (auto adjusted);
- Minimum time for display of message is 6 seconds before message changes to a new image;
- 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 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**

- Enter into a cost participation agreement for a sidewalk along Rafael Rivera Way from the private drive aisle, known as Riley Street, west/northwest to the concrete barrier;
- Grant an easement along the entire frontage of the site adjacent to Rafael Rivera Way for pedestrian access;
- Grant an easement over the sidewalk along the entire frontage of the site adjacent to the private drive aisle, known as Riley Street, for pedestrian access;
- 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);
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- Coordinate with Clark County Public Works - Directors Office for the Beltway frontage road improvement project;
- Coordinate with Public Works - Development Review for improvements in or adjacent to the slope easements.
- Applicant is advised that off-site improvement 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.

### **Building Department - Fire Prevention**

- Applicant is advised to show on-site fire lane, turning radius, and turnarounds (portions of site included in this scope may not allow access to future pads); and 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 initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0334-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new

POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #6B WAS WITHDRAWN WITHOUT PREJUDICE.

44. ET-21-400019 (WS-19-0808)-GREAT BUNS:  
HOLDOVER APPEAL WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for the following: 1) reduced setback; and 2) deviate from design standards for an accessory storage building.  
DESIGN REVIEW for existing accessory buildings and structures in conjunction with an existing bakery on 1.3 acres in a C-1 (Local Business) Zone and a C-2 (General Commercial) Zone. Generally located 500 feet north of Tropicana Avenue, 850 feet west of Pecos Road within Paradise. TS/jgh/jd (For possible action)

ATTACHMENT: ET-21-400019\_Color\_Merged.pdf

ATTACHMENT: 44 21-400019-061621.docx

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation of the Planning Commission that the Board of County Commissioners approve the aforementioned described application of Great Buns (Anthony Madonia) for a holdover appeal waivers of development standards first extension of time and design review (as indicated on the ATTACHED agenda item) (held from May 19, 2021):

**ACTION:** Deleted from the agenda (held to July 21, 2021 per the applicant).

45. AG-21-900318: Consider a request for revocation of UC-0249-17, and direct staff accordingly. JJ/sr (For possible action)

ATTACHMENT: 45 21-900318.docx

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation that the Board of County Commissioners consider a request for revocation of UC-0249-17, and direct staff accordingly. (For possible action):

DISCUSSION: Following introduction of the item, the Board was addressed by staff who advised that Commissioner Jones requested a revocation discussion regarding a shooting complex located in Sandy Valley.

Commissioner Jones advised of meeting with the applicant's representatives from Kaempfer Crowell who made commitments, one was accomplished, and the remainder were to be provided to Commissioner Jones' office by June 18, 2021

Commissioner Kirkpatrick advised that a revocation involved a two-step process: the Commissioner requested an agenda item be brought before the Board to discuss the revocation and, if the Board determines there is cause for revocation, the item was then scheduled for a public hearing.

Commissioner Jones advised that the facility was permitted for shooting in the desert, caused two fires in Goodsprings, and were operating and advertising additional activities which were not permitted.

**ACTION:** It was moved by Commissioner Justin Jones that the revocation be set for the August 4, 2021 meeting, 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

## **PUBLIC COMMENTS**

At this time, Chair Kirkpatrick asked if there were any persons wishing to be heard on any items not listed on the agenda as posted.

SPEAKER(S): None

There being no further business to come before the Board at this time, at the hour of 11:17 p.m., the meeting was adjourned.

APPROVED:

/s/ Marilyn K. Kirkpatrick  
MARILYN K. KIRKPATRICK, Chair

ATTEST:

/s/ Lynn Marie Goya  
LYNN MARIE GOYA, County Clerk