
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 21st day of July, 2021 at the hour of 9:00 a.m. The meeting was called to order at the hour of 9:06 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 of Comprehensive Planning
Sami Real, Planning Manager
Antonio Papazian, Assistant Manager of Development Review
Jason Allswang, Senior Plan Checker
Jewel Gooden, Assistant Clerk, BCC
Lori Sabella, Deputy Clerk

1. Public Comments.

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

SPEAKER(S): Present

Margaret Coleman commented on diseases.

There being no other persons present in the audience wishing to be heard on any items listed 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. 27, 28 and 39, and Item Nos. 17 and 18 additional conditions 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 June 16, 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

Board of County Commissioners' Zoning Meeting minutes for 06/16/21.

4. DR-21-0260-USA & COUNTY OF CLARK (PK & COMM) LEASE:
DESIGN REVIEWS for the following: 1) special events area including an outdoor stage; office and maintenance building; parking lot; and an accessory structure (box office/ticketing structure); 2) lighting; and 3) signage on 12.0 acres of a 70.0 acre site in conjunction with an existing public park (Desert Breeze Park) in a P-F (Public Facilities) Zone. Generally located on the east side of Durango Drive and the south side of Twain Avenue (alignment) within Spring Valley. JJ/md/jo (For possible action)

ATTACHMENT: DR-21-0260_Color_Merged.pdf

ATTACHMENT: 04 21-0260-072121.docx

SUBJECT MATTER: In the matter of the aforementioned described application of USA & County of Clark (PK & COMM) Lease (Rick Engineering Company) for design reviews (as indicated on the ATTACHED agenda item):

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

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.

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 #0048-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

5. DR-21-0267-CAREY-LAMONT PROPERTIES, LLC:
DESIGN REVIEW for finished grade in conjunction with a future industrial development on 9.8 acres in an M-1 (Light Manufacturing) (AE-65 & APZ-2) Zone. Generally located on the east side of Lamont Street and the north side of Judson Avenue within Sunrise Manor. MK/md/jo (For possible action)

ATTACHMENT: DR-21-0267_Color_Merged.pdf

ATTACHMENT: 05 21-0267-072121.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Carey-Lamont Properties, LLC (Phillip Regeski) for a design review (as indicated on the ATTACHED agenda item):

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

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;
- 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.

6. ET-21-400088 (ZC-19-0197)-SCHOOL BOARD OF TRUSTEES:
DESIGN REVIEW FIRST EXTENSION OF TIME for an elementary school on 8.0 acres in a P-F (Public Facility) Zone. Generally located on the north side of Cherokee Lane, 100 feet east of Algonquin Drive within Paradise. TS/sd/jo (For possible action)

ATTACHMENT: ET-21-400088_Color_Merged.pdf

ATTACHMENT: 06 21-400088-072121.docx

SUBJECT MATTER: In the matter of the aforementioned described application of School Board of Trustees (Clark County School District-Facilities Services) 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 the conditions recommended by staff as listed below, with the following vote:

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Until June 16, 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.

7. ET-21-400092 (UC-17-0480)-PLEASANT VIEW PARTNERS, LLC:
USE PERMITS SECOND EXTENSION OF TIME for the following: 1) congregate care facility; and 2) assisted living facility.
WAIVER OF DEVELOPMENT STANDARDS to increase wall height.
DESIGN REVIEWS for the following: 1) congregate care facility; 2) assisted living facility; and 3) finished grade on 5.4 acres in an R-E (Rural Estates Residential) Zone. Generally located on the west side of Los Feliz Street and the north side of Washington Avenue within Sunrise Manor. TS/jgh/jo (For possible action)

ATTACHMENT: ET-21-400092_Color_Merged.pdf

ATTACHMENT: 07 21-400092-072121.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Pleasant View Partners, LLC for use permits second extension of time, 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 the conditions recommended by staff as listed below, with the following vote:

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Until February 21, 2023 to commence and review as a public hearing, with any extension of time as a public hearing;
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; 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.

8. ET-21-400094 (VS-0133-17)-SACKLEY FAMILY TRUST & SACKLEY, STUART TRS:
VACATE AND ABANDON SECOND EXTENSION OF TIME for a portion of right-of-way being Rainbow Boulevard located between Capovilla Avenue and Arby Avenue (alignment) within Enterprise (description on file). MN/sd/jo (For possible action)

ATTACHMENT: ET-21-400094_Color_Merged.pdf

ATTACHMENT: 08 21-400094-072121.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Sackley Family Trust & Stuart Sackley Trs to vacate and abandon a portion of right-of-way second 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 the conditions recommended by staff as listed below, with the following vote:

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Until April 30, 2023 to record;
- 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; 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 re-approval by the utility companies is required.

Public Works - Development Review

- Compliance with previous conditions.

9. ET-21-400095 (WS-19-0185)-SACKLEY FAMILY TRUST & SACKLEY, STUART TRS:
WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for the following: 1) allow alternative landscaping adjacent to a drive-thru lane along a public right-of-way (Rainbow Boulevard); and 2) modified street standards.
DESIGN REVIEW for modifications to an approved shopping center on 9.1 acres in a C-2 (General Commercial) Zone in the CMA Design Overlay District. Generally located on the east side of Rainbow Boulevard and the north side of Capovilla Avenue within Enterprise. MN/sd/jo (For possible action)

ATTACHMENT: ET-21-400095_Color_Merged.pdf

ATTACHMENT: 09 21-400095-072121.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Sackley Family Trust & Stuart Sackley Trs for waivers of development standards first extension of time, and a design review (as indicated on the ATTACHED agenda item):

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

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 May 8, 2023 to commence;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Applicant is advised that 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. TM-21-500085-SACKLEY FAMILY TRUST & SACKLEY, STUART TRS:
TENTATIVE MAP for a commercial subdivision on 9.3 acres in a C-2 (General Commercial) Zone.
Generally located on the east side of Rainbow Boulevard and the north side of Capovilla Avenue within Enterprise. MN/jgh/jd (For possible action)

ATTACHMENT: TM-21-500085_Color_Merged.pdf

ATTACHMENT: 10 21-500085-072121.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Sackley Family Trust & Stuart Sackley Trs 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 the conditions recommended by staff as listed below, with the following vote:

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Applicant is advised that 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

- Compliance with approved drainage study PW19-14705;
- Compliance with approved traffic study PW19-16797;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Arby Avenue, 30 feet for Capovilla Avenue, the necessary portion of the cul-de-sac for Capovilla Avenue, and associated spandrels;
- 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.

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 #0039-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

11. UC-21-0259-REXIOUS, RICK D. & ROCHELLE:

USE PERMITS for the following: 1) horse riding/rental stables; 2) reduce lot area for a horse riding/rental stables; 3) allow an accessory agricultural building in the front yard; and 4) waive the required trees along all side and rear property lines.

WAIVER OF DEVELOPMENT STANDARDS to increase accessory structure height.

DESIGN REVIEW for a residential boarding facility and horse riding/rental stables in conjunction with a single family residence on 2.4 acres in an R-E (Rural Estates Residential) Zone. Generally located on the west side of Cote Road, 280 feet south of Blue Diamond Road within Red Rock. JJ/md/jo (For possible action)

ATTACHMENT: UC-21-0259_Color_Merged.pdf

ATTACHMENT: 11 21-0259-072121.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Rick D. & Rochelle Rexius (Chris Armstrong) for use permits, a waiver of development standards, and a design review (as indicated on the ATTACHED agenda item):

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

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 and review to ensure additional mitigation is not required for the facility;
- Horse riding/rental stables for participants in the therapeutic non-profit treatment only;
- No monetary exchange or rental of horses;
- No more than 3 people at a time in conjunction with horse riding/rental stables;
- 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; 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 approved drainage study PW 16-40861;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Provide paved legal access.

Southern Nevada Health District (SNHD) - Septic

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

12. UC-21-0274-SUMMERLIN 43, LLC:

USE PERMIT for modified development standards.

VARIANCE to allow townhomes in an R-4 (Multiple Family District) Zone in conjunction with a previously approved multi-plex development on 2.6 acres within the Summerlin South Master Planned Community. Generally located on the south side of Charleston Boulevard and the west side of Plaza Centre Drive within Summerlin South. JJ/jvm/jo (For possible action)

ATTACHMENT: [UC-21-0274_Color_Merged.pdf](#)

ATTACHMENT: [12 21-0274-072121.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Summerlin 43, LLC (Brock Metzka) for a use permit, and variance (as indicated on the ATTACHED agenda item):

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

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 February 7, 2026 to complete to coincide with the Summerlin Development Agreement;
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance.

13. VS-21-0268-FRIAS, PHYLLIS M. MANAGEMENT TRUST & FRIAS, PHYLLIS M. TRS:
VACATE AND ABANDON easements of interest to Clark County located between Haleh Avenue and Frias Avenue (alignment), and between Schirlls Street (alignment) and Valley View Boulevard within Enterprise (description on file). JJ/jgh/jd (For possible action)

ATTACHMENT: VS-21-0268_Color_Merged.pdf

ATTACHMENT: 13 21-0268-072121.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Phyllis M. Frias Management Trust & Phyllis M. Frias Trs (Richmond American Homes of Nevada, Inc) 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 the conditions recommended by staff as listed below, with the following vote:

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- 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;
- Revise legal description, if necessary, prior to recording.

14. VS-21-0272-KENSINGTON LAND LEASE COMMUNITY, LLC:
VACATE AND ABANDON easements of interest to Clark County located between Nellis Boulevard and Lamont Street (alignment), and between Las Vegas Boulevard and Goodin Way within Sunrise

Manor (description on file). MK/jgh/jd (For possible action)

ATTACHMENT: VS-21-0272_Color_Merged.pdf

ATTACHMENT: 14 21-0272-072121.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Kensington Land Lease Community, 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 the conditions recommended by staff as listed below, with the following vote:

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

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

Public Works - Development Review

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

15. **WC-21-400091 (ZC-0606-01)-JONES 215, LLC:**

WAIVER OF CONDITIONS of a zone change requiring recording a reciprocal, perpetual cross access, ingress/egress, and parking agreements if dealerships are individually owned and operated in conjunction with a previously approved zone change to reclassify 24.7 acres from an R-E (Rural Estates Residential) (AE-65) Zone to a C-2 (General Commercial) (AE-65) Zone for 2 automobile dealerships, future, and associated accessory service uses, and a use permit for automobile paint and body shops in the CMA Design Overlay District. Generally located on the south side of Roy Horn Way, 460 feet east of Torrey Pines Drive within Enterprise (description on file). MN/md/jo (For possible action)

ATTACHMENT: WC-21-400091_Color_Merged.pdf

ATTACHMENT: 15 21-400091-072121.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Jones 215, LLC (Roger Camperi) for a waiver of conditions (as indicated on the ATTACHED agenda item):

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

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

- Waiver of conditions only in conjunction with UC-21-0261.

16. UC-21-0261-JONES 215, LLC:

USE PERMIT for a vehicle repair facility.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate parking lot landscaping; 2) eliminate cross access; 3) modified CMA Design Overlay District Standards; 4) eliminate the requirement for pedestrian walkways; 5) increase wall height; and 6) allow modified driveway design standards.

DESIGN REVIEWS for the following: 1) vehicle maintenance facility; 2) parking lot; and 3) finished grade on 4.5 acres of a 14.1 acre site in a C-2 (General Commercial) Zone and a C-2 (General Commercial) (AE-60) Zone in the CMA Design Overlay District. Generally located on the south side of Roy Horn Way, 460 feet east of Torrey Pines Drive within Enterprise. MN/md/jo (For possible action)

ATTACHMENT: UC-21-0261_Color_Merged.pdf

ATTACHMENT: 16 21-0261-072121.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Jones 215, LLC (Roger Camperi) for a use permit, waivers 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 the conditions recommended by staff as listed below, with the following vote:

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- 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;
- Traffic 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;
- Coordinate with Public Works - Directors office for the Beltway, Frontage Road improvement project;
- Dedicate any right-of-way and easements necessary for the Beltway, Frontage Road improvement project;
- 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.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Clark County Water Reclamation District (CCWRD)

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

connection fees will need to be addressed.

17. WS-21-0251-VIKING ROAD, LLC:

HOLDOVER WAIVER OF DEVELOPMENT STANDARDS for intersection off-set.

DESIGN REVIEWS for the following: 1) a single family residential subdivision; and 2) finished grade on 5.0 acres in an R-1 (Single Family Residential) (RNP-III) Zone. Generally located on the north side Viking Road, 300 feet east of Topaz Street within Paradise. TS/sd/jd (For possible action)

ATTACHMENT: WS-21-0251_Color_Merged.pdf

ATTACHMENT: 17 21-0251-072121.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Viking Road LLC (Signature Homes) for a waiver of development standards, and design reviews (as indicated on the ATTACHED agenda item) (held from July 7, 2021):

REPRESENTATIVE(S): Present

SPEAKER(S): Present

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

Following introduction of Item Nos. 17 and 18, the Board was addressed by the applicant's representatives, Jennifer Lazovich and Rick Baron, who advised that the proposed site was for a gated community of twenty-one single-story homes with an entrance off Viking Road; confirmed and read into record the agreed upon additional conditions which included that all homes in the project would be single-story, and that all homes on the west side of the project would have a 20-foot rear-yard setback not to include any balconies or patio covers; multiple neighborhood meetings were held regarding the wall separation conditions along the east boundary, and details were shared that illustrated the need for the five-foot easements between a screen wall and the residents at that time; due to grading and the way the site was positioned a second wall was required along the east boundary; the wall conditions along the eastern boundary of the project side was reviewed, and neighbors were emailed with information that accounted for the reason for the separation of five-foot easement and the screen wall; that the entrance would be humped and the elevation raised which would eliminate offsite drainage to enter the site from Viking Road; improvements downstream would eliminate areas of current ponding, that the north boundary wall was leaning and would be repaired at the Developers expense, and that the parcel was an infill property and the wall that was built thirty years ago had not taken future drainage needs into consideration.

John Benario, Marsha Johnson, and George Jones spoke in opposition to the request, and expressed concerns regarding drainage, runoff, erosion, and damage to the existing adjacent neighboring walls and homes.

In response to Commissioner Tick Segerblom, staff stated that the proposed project, had a 10- to 12- foot change in elevation on the lot, and that drainage would not be worsened by the project but likely mitigated and improved; that submittal of a technical drainage study to the Public Works staff was required with intended mitigation plans condition; the involvement of neighboring communities to the north were covered by Clark County Unified Development Code (UDC) Title 30 and standard drawings, and could be included as a condition; if no easement existed for adjacent properties to accept flows, the Developer would be required to address and mitigate drainage and flows to those properties.

Legal Counsel advised that the amount of water that drains to the north could not be increased and would

need to be addressed through a technical drainage study.

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

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- All lots limited to single story homes;
- Lots on the west side will have a minimum rear setback of 20 feet (excluding any patio covers or balconies);
- Coordinate northern wall reconstruction/repair and drainage with the property owners to the north and provide updates to the Commissioner's office about those discussions;
- 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;
- Vacate any unnecessary rights-of-way and/or 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.

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.

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.

18. TM-21-500066-VIKING ROAD, LLC:
HOLDOVER TENTATIVE MAP consisting of 21 residential lots and common lots on 5.0 acres in an R-1 (Single Family Residential) (RNP-III) Zone. Generally located on the north side Viking Road, 300 feet east of Topaz Street within Paradise. TS/sd/jd (For possible action)

ATTACHMENT: TM-21-500066_Color_Merged.pdf

ATTACHMENT: 18 21-500066-072121.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Viking Road LLC (Signature Homes) for a tentative map (as indicated on the ATTACHED agenda item) (held from July 7, 2021):

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

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

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

- Coordinate northern wall reconstruction/repair and drainage with the property owners to the north and provide updates to the Commissioner's office about those discussions;
- 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;
- Vacate any unnecessary rights-of-way and/or 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.

Current Planning Division - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided;
- The street labeled as street A is an extension of Palace Pier Street and shall have the same name;
- 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.

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.

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 #0409-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ZONE CHANGE to establish the development plan and reclassify 216.4 acres from an R-U (Rural Open Land) and an H-1 (Limited Resort and Apartment) P-C (Planned Community Overlay District) Zone to an R-2 (Medium Density Residential) P-C (Planned Community Overlay District) Zone for a proposed single family residential development for Summerlin Village 17A.

USE PERMIT to establish modified development standards within the Summerlin South Village 17A. Generally located on the west side of Town Center Drive and on the north and south sides of Tropicana Avenue (alignment) within Summerlin South (description on file). JJ/jor/jd (For possible action)

ATTACHMENT: ZC-21-0257_Color_Merged.pdf

ATTACHMENT: 19 21-0257-072121.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Howard Hughes Properties, Inc. for a zone change, and a use permit (as indicated on the ATTACHED agenda item):

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

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 February 7, 2026 to complete to coincide with the Summerlin Development Agreement;
- Design review as a public hearing for proposed residential designs;
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance.

Clark County Water Reclamation District (CCWRD)

- Applicant is required to submit to the CCWRD, a master plan study to determine sewer improvements, and depending on the Point of Connection (POC), proper easements will need to be obtained; that a POC request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0234-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

20. TM-21-500073-HUGHES HOWARD PROPERTIES, INC:
TENTATIVE MAP consisting of 6 residential lots and 35 common lots on 216.4 acres in an R-2 (Medium Density Residential) P-C (Planned Community Overlay) Zone. Generally located on the west side of Town Center Drive and on the north and south sides of Tropicana Avenue (alignment) within Summerlin South. JJ/jor/jd (For possible action)

ATTACHMENT: TM-21-500073_Color_Merged.pdf

ATTACHMENT: 20 21-500073-072121.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Howard Hughes Properties, Inc. 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 the conditions recommended by staff as listed below, with the following vote:

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance.

Current Planning Division - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided;
- Streets shall have approved street names.

Clark County Water Reclamation District (CCWRD)

- Applicant is required to submit to the CCWRD, a master plan study to determine sewer improvements, and depending on the Point of Connection (POC), proper easements will need to be obtained; that a POC request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0234-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

21. **ZC-21-0262-DONEL DEVELOPMENT, LLC:**

ZONE CHANGE to reclassify 1.2 acres from an R-E (Rural Estates Residential) Zone to an M-D (Designed Manufacturing) Zone.

WAIVER OF DEVELOPMENT STANDARDS to allow modified driveway design standards.

DESIGN REVIEWS for the following: 1) office/warehouse building; 2) alternative parking lot landscaping; and 3) finished grade. Generally located on the south side of Meranto Avenue (alignment), 660 feet west of Hinson Street (alignment) within Enterprise (description on file). JJ/rk/jd (For possible action)

ATTACHMENT: ZC-21-0262_Color_Merged.pdf

ATTACHMENT: 21 21-0262-072121.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Donel Development,

LLC (Visionary 2, LLC) for a zone change, 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 the applicant's representative, Larry Monkarsh, stated that the proposed project was for a 20,000 square foot office and warehouse building located east of Arville Street and the Army National Guard, north of Richmar Avenue, and fronted on Meranto Avenue, where full off-sites improvements would be installed; an access point to the site from Arville Street along with the delivery of water was planned; sewer easements along Richmar Avenue would be granted from a nearby five-acre Aviation development; requested zone changes were approved by staff and Town Board; a waiver for a 15-foot driveway was submitted and approved by staff; grade level access faced west; office entries were planned at the northwest corner of the building and also in the center of the building; earth-toned colors stipulated for the exteriors and were to include shades of tan, brown and pink; alternative parking lot landscaping was requested; advised that the area would be heavily landscaped, that trees would be installed every six parking stalls per tree, and additional trees would be included in the area; and that due to a drainage issue at the northwest corner of the building, an increased finished grade elevation was requested.

Cheryl Wilson, Tommy LoPresti, and James McGoy spoke in opposition to the project and expressed concerns regarding the intense usage proposed, inappropriate use within a residential area, cut-through and increased intense traffic, setbacks not consistent with Title 30, and the need for a drainage study to be performed.

In response to Commissioner Justin Jones, the representative agreed that a drainage study would be performed prior to construction; and staff stated that the proposed project site was located in the middle of a BDRP planned area that ran from Serene Avenue to Richmar Avenue, and Hinson Street to Arville Street.

Commissioner Justin Jones stated that the proposed project site was not in the RNP, that the project was not spot-zoning, the BDRP was master-planned, and that the requested zone change was conforming.

Commissioner Kirkpatrick made the recommendation that a condition for no off-street or truck parking on surrounding streets be included, with the inclusion of No Parking street signs added along Meranto Avenue, and that placement of the signs was to be coordinated between the Developer and Public Works.

ACTION: It was moved by Commissioner Justin Jones that the application be approved, subject to the conditions recommended by staff as listed below and additional agreed upon conditions, with the following vote:

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Coordinate future infrastructure construction with adjacent property owners to provide a consistent construction schedule;
- 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 waiver of development standards and design reviews must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Coordinate with Public Works - Development Review to provide “No Parking” signs along Meranto Avenue;
- 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 30 feet for Meranto Avenue;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements;
- 90 days to record required right-of-way dedications and any corresponding easements;
- Provide paved legal access;
- Demonstrate legal access;
- 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 a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0233-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

22. AG-21-900033: Authorize the chair to sign a resolution amending the Clark County Comprehensive Master Plan by adopting an amendment to the Clark County Trail Map - Las Vegas Valley, and direct staff accordingly. (For possible action)

ATTACHMENT: [AG-21-900033.pdf](#)

SUBJECT MATTER: In the matter of the aforementioned described recommendation that the Board of County Commissioners authorize the chair to sign a resolution amending the Clark County

Comprehensive Master Plan by adopting an amendment to the Clark County Trail Map - Las Vegas Valley, and direct staff accordingly. (For possible action):

ACTION: It was moved by Commissioner Jim Gibson that the Chair sign Resolution No. R-7-21-21-1 amending the Clark County Comprehensive Master Plan by adopting an amendment to the Clark County Trail Map - Las Vegas Valley, 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

23. ORD-21-900302: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Blue Diamond Industrial Venture, LLC for a warehouse (Becknell Blue Diamond) on 13.75 acres, generally located west of Lindell Road between Blue Diamond Road and Ford Avenue within Enterprise. JJ/ab (For possible action)

ATTACHMENT: [ORD-21-900302 PH.pdf](#)

SUBJECT MATTER: In the matter of the recommendation that the Board of County Commissioners conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Blue Diamond Industrial Venture, LLC for a warehouse (Becknell Blue Diamond) on 13.75 acres, generally located west of Lindell Road between Blue Diamond Road and Ford Avenue within Enterprise. (For possible action):

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

SPEAKER(S): None

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

ACTION: It was moved by Commissioner Jim Gibson that the recommendation (including the adoption of Ordinance No. 4874) be approved.

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

24. ORD-21-900335: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with PN II Inc, Gameday LLC, and Mountain West Associates LLC for the Highlands Ranch residential subdivisions on 268.3 acres generally located south of Pyle Avenue, north of Cactus Avenue, east of Jones Boulevard, and west of Decatur Boulevard within Enterprise. JJ/sr (For possible action)

ATTACHMENT: [ORD-21-900335 PH.pdf](#)

SUBJECT MATTER: In the matter of the recommendation that the Board of County Commissioners conduct a public hearing on an ordinance to consider adoption of a Development Agreement with PN II Inc, Gameday LLC, and Mountain West Associates LLC for the Highlands Ranch residential subdivisions on 268.3 acres generally located south of Pyle Avenue, north of Cactus Avenue, east of Jones Boulevard, and west of Decatur Boulevard within Enterprise. (For possible action):

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

SPEAKER(S): None

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

ACTION: It was moved by Commissioner Jim Gibson that the recommendation (including the adoption of Ordinance No. 4875) be approved.

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

25. ORD-21-900341: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Roohani Ramak for a residential subdivision (Duneville and Oleta) on 4.1 acres, generally located east and west of Duneville Street and north of Oleta Avenue within Enterprise. JJ/ab (For possible action)

ATTACHMENT: ORD-21-900341 PH.pdf

SUBJECT MATTER: In the matter of the recommendation that the Board of County Commissioners conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Roohani Ramak for a residential subdivision (Duneville and Oleta) on 4.1 acres, generally located east and west of Duneville Street and north of Oleta Avenue within Enterprise. (For possible action):

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

SPEAKER(S): None

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

ACTION: It was moved by Commissioner Jim Gibson that the recommendation (including the adoption of Ordinance No. 4876) be approved.

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

26. AG-21-900348: Receive a report on the Draft Master Plan for Transform Clark County, and direct staff accordingly. (For possible action)

ATTACHMENT: 21-900348-072121

SUBJECT MATTER: In the matter of the recommendation that the Board of County Commissioners receive a report on the Draft Master Plan for Transform Clark County, and direct staff accordingly. (For possible action):

REPRESENTATIVE(S): Present

SPEAKER(S): Present

DISCUSSION: Following introduction of the item, the Board was addressed by Darcie White and Paul Donegan, representatives of Clarion Associates, who provided the status on the consolidated draft of the Clark County Comprehensive Master Plan and Development Code update; stated that the update was on track per the proposed schedule and continued public outreach was planned; development code drafting was also to be continued with a meeting planned for fall 2021; advised that the public was engaged in the process through 4,200 survey responses, 43 online and in-person meetings, 311 individual comments and or letters received, and 529 meeting attendees; virtual meetings and online input would be ongoing; comments from the public included the need for a unified vision for Clark County, concerns regarding neighborhood character and rural lifestyles, desired clarity and predictability, and sustainable growth demands; a frequently asked questions portal had been created to respond to public concerns; technical information from the current master plan has been updated in an effort to supplement the update; the update had been based on core values as determined by feedback which included unique communities, neighborhoods and lifestyles, equitable access to programs, services and amenities, a healthy and sustainable natural and built environment, a more connected Clark County, a diverse and resilient economy, and sustainable and resilient growth and development; per NRS 278.160 the master plan was required to include topical elements with subtopics which consisted of housing, historic preservation, land use, recreation and open space, conservation, transportation, public facilities and services, and safety; supplemental information in the form of text boxes and graphics were incorporated to answer questions frequently asked by community members such as water plans that would meet growth demands, environmental considerations; in response to public comments, a section was added at the end of each core value in the Goals and Policies that provided explanations on how those goals and policies aligned with the County's Alignment with Sustainability and Climate Action Plan, and would help advance some of the more technical aspects of the All In Clark County effort; the third section of the plan was the Growth Framework and was focused on how the County would grow, and the factors that influenced the growth; the 11 existing land use plan designations would be combined to one location for ease of use and administration; there had been some consolidation of categories with similar uses, density and intensity; almost all districts had some renaming in an effort to describe intent and character of the area; current RR and RA categories that pertained to outlying areas of Clark County were proposed to be consolidated into one category, and after input from the public the designations were not consolidated but were updated to ON for Outlying Neighborhood, and EN for Edge Neighborhood; shared information on other minor name changes that included RN for Ranch Estate Neighborhood, LN for Low- and Medium- Intensity Suburban, and PU for Public Use; each land use category had a page dedicated to photos, graphics, maps, density and common characteristics of the area, primary and supporting land uses, and key considerations; key considerations in identification of neighborhood land use categories included mixed housing types, infill development and elimination of abrupt transitions, connectivity between and within neighborhoods and commercial developments, and general neighborhood livability; key considerations in commercial, mixed use, and employment areas included connectivity and walkability, improved compatibility with adjacent neighborhoods, proximity and connections to supportive uses, residential compatibility, and conversion of employment land; key considerations in all categories needed to include sustainable development practices; neighborhood land use categories reviews that would convert density ranges to the maximum with the maximum not always desirable or achievable, retain rural character, distinguish large lot neighborhoods from those that that met NRS 278.0177; commercial and mixed-use land use categories would maintain one commercial-focused option, encouraged a flexible mix of uses in targeted locations, and placed emphasis on more walkable and transit-friendly development; employment land use categories would better define limits of supporting services such as commercial and retail, heavy industrial options would be maintained, and transitions to lower-intensity uses would be addressed; the Other land use category was intended to differentiate developed parks and opens lands from State and Federal lands, and carried agriculture forward, reorganized public facilities and institutional categories to group uses with similar impacts such as public lands versus services and infrastructure; and Public Facilities (PF) would become

Public Use (PU); information was shared regarding the land use plan conversion or how the categories were mapped, included conversion of existing land uses to proposed equivalents based on use, density, and intensity, with no changes in designation such as residential to commercial, translation of the master plan based on zoning, area-specific maps that would be reviewed at Town Advisory Boards and Citizens Advisory Councils, area-specific maps would be included in the adoption of the draft, and that the process did not include any changes of designations and renamed categories, and clarified content and characteristics; the approach to area specific goals and policies reduced repetition and inconsistency; technical information would be shifted to the appendix, regulations would be added to Title 30; more focus would be applied to the "what" and less on the "how"; cross references to specific County policies would be included; the implementation section reflected what efforts would be County-led versus County-supported, and would set the stage for code updates; coordination of related plans and studies was reviewed which included All-In Clark County, Maryland Parkway Transit-Oriented Development (TOD) Plan, the Regional Transportation Commission (RTC) Access 2050 Regional Transportation Plan (RTP), the Stadium District Development Plan and others; proposed methods that would amend or update the plan would be more refined and strategic, addressed and categorized in four categories which included minor amendments that related to address errors, name changes, or statistical information; major amendments that would clear evaluation criteria; review land use plans based on location and or thresholds that were based on evolving versus stable; or amendments by applications; and details on next steps towards finalization of the update were shared which included two upcoming August stakeholder meetings, virtual open house participation would be available through the end of August, TAB and CAC meetings would be held through August and September 2021, public hearings would be held in November 2021, and development code draft, review, and public meetings held October 2021 through December 2022.

In response to questions from the Board, the representatives advised that the final draft of the update would be presented to the Board prior to final discussion and vote; that splitting ON and EN specifically protected areas such as Overton and Moapa Valley; RN carried forward RNP for up to two units per acre; clarifications were added in growth framework section; and that density may be reduced based on standards that applied from the utilities or other environmental conditions.

Staff responded to questions from the Board, stated that the Update made it clear that characteristics that existed in surrounding areas were those that we wanted to protect, and those characteristics would be defined in the master plan, and those characteristics were expanded in Title 30; tiny homes would be addressed in code updates, and further discussions regarding infrastructure availability, nearby job opportunities and public transportation related to tiny home locations would be necessary; that an item to discuss recommendations on tiny homes would be brought before the Board for discussion; Town Board meetings for outlying areas would be focused on only components that applied to their areas; code requests would be coordinated with consultants through Nancy Amundsen and Sami Real; that further discussions regarding increased standards, regulations and outside storage on properties would be needed for industrial areas; and that a moratorium was put on nonconforming zone changes months ago whereby those requests required approval by the Commissioner of the district with the understanding that there were no guarantees that the request would be granted.

Commissioner Kirkpatrick then opened the floor for comments.

Interested parties expressed concerns regarding preservation and expansion of RNP's and rural neighborhood homeowner rights, non-conforming zoning applications, smart growth; restricted or reduced non-conforming zoning applications; the need for smart growth; restrictive effects of R1 and R2 zoned on family homes, children, handicapped and the elderly; the need for stronger language in nonconforming zone changes; retention and preservation of rural trails; responsible development; preservation of half-acre lots; recommendations for BLM land offered in smaller parcels; and implementation of reduced limitations or depletions of buffers.

Commissioner Kirkpatrick stated that the Master Plan Update would ensure that codes were in place to keep existing rural areas, that characteristics are maintained and standards within codes; that there were no zoning changes within the master plan update only name changes that more appropriately reflected the areas for preservation.

ACTION: No action was taken by the Board.

27. UC-20-0493-5051 SLV, LLC:

HOLDOVER 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: 27 20-0493-072121.docx

SUBJECT MATTER: In the matter of the aforementioned described application of SLV, LLC (5051 SLV, LLC) for amended use permits, deviations, waivers of development standards, and design reviews (as indicated on the ATTACHED agenda item) (held from June 16, 2021:

ACTION: Deleted from the agenda (held August 4, 2021 per the applicant).

28. UC-21-0275-CHURCH FOURSQUARE GOSPEL INTL:

USE PERMITS for the following: 1) allow outside dining within 200 feet of residential uses; and 2) to not provide pedestrian access around the perimeter of an outside dining area.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) alternative landscaping; 2) alternative commercial driveway geometrics; 3) reduce approach distance; 4) reduce departure distance; and 5) eliminate loading spaces.

DESIGN REVIEWS for the following: 1) fast food restaurant with drive-thru service; and 2) outside dining area in conjunction with a drive-thru restaurant on 0.8 acres in a C-1 (Local Business) Zone. Generally located on the west side of Nellis Boulevard between Cleveland Avenue and Welter Avenue within Sunrise Manor. TS/bb/jo (For possible action)

ATTACHMENT: UC-21-0275_Color_Merged.pdf

ATTACHMENT: 28 21-0275-072121.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Church Foursquare Gospel Intl (H.C. Klover Architect) for use permits, waivers of development standards, and design reviews (as indicated on the ATTACHED agenda item):

ACTION: Deleted from the agenda (held to August 4, 2021 per the applicant).

29. VS-21-0234-KLOEHN MD TRUST & KLOEHN, MICHAEL F. & DEBBIE A. TRS:
HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Riley Street and Bonita Vista Street and between Stange Avenue and Craig Road within Lone Mountain (description on file). RM/jvm/jd (For possible action)

ATTACHMENT: VS-21-0234_Color_Merged.pdf

ATTACHMENT: 29 21-0234-072121.docx

SUBJECT MATTER: In the matter of the aforementioned described application of MD Kloehn Trust & Michael F. & Debbie Kloehn, Trs to vacate and abandon easements of interest (as indicated on the ATTACHED agenda item) (held from July 7, 2021):

REPRESENTATIVE(S): Present

SPEAKER(S): None

DISCUSSION: There being no objections, Item No. 29 was taken in conjunction with Item No. 30. Following introduction of Item Nos. 29 and 30, the Board was addressed by the applicant's representative, Robert Cunningham, who advised that the proposed site was for a four-lot cul-de-sac; stated that the requested increased wall height and fill would allow for up to a 4-foot high retaining wall along the adjacent property line, and would provide privacy between the existing homeowner's workshop and the proposed homes; the site was elevated approximately 30 feet from the neighboring property; the gap created through the addition of a retaining wall plus a four-foot high wall would be filled with lightweight grout that would prohibit debris or other items from settling between the two walls; and would increase privacy for all homeowners.

In response to Commissioner Miller, staff advised that the concern was the possible gap between the redundant walls, and that a fill between them eliminated those concerns; and that an advisory or language should be included that specified that the applicant had proposed to provide grout between the walls, and that the applicant would ensure that no gap existed.

ACTION: It was moved by Commissioner Ross Miller that the applications for Item Nos. 29 and 30 be approved, subject to the conditions recommended by staff as listed below with additional conditions, with the following vote:

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

VOTING NAY: None

ABSENT: Tick Segerblom

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 30 feet for Stange Avenue, 30 feet for Riley Street, and associated spandrel;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

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.

30. WS-21-0233-KLOEHN MD TRUST & KLOEHN, MICHAEL F. & DEBBIE A. TRS:
HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increased wall height; and 2) reduce the throat depth to a call box.
DESIGN REVIEWS for the following: 1) single family residential development; and 2) finished grade on 2.5 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the south side of Stange Avenue and the east side of Riley Street within Lone Mountain. RM/jvm/jd (For possible action)

ATTACHMENT: [WS-21-0233 Color Merged.pdf](#)

ATTACHMENT: [30 21-0233-072121.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of MD Kloehn Trust & Michael F. & Debbie Kloehn, Trs for waivers of development standards, and design reviews (as indicated on the ATTACHED agenda item) (held from July 7, 2021):

DISCUSSION: There being no objections, Item No. 30 was heard in conjunction with Item No. 29.

ACTION: Approved, subject to staff's conditions as noted below (see Item No. 29 for discussion, motion, and vote).

CONDITIONS OF APPROVAL -

Current Planning

- Applicant to fill or cap the gap between redundant walls;
- 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 on Riley Street, except streetlights;
- Right-of-way dedication to include 30 feet for Stange Avenue, 30 feet for Riley Street, and associated spandrel;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

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.

31. NZC-21-0199-COUNTY OF CLARK (AVIATION):
ZONE CHANGE to reclassify 16.5 acres from an R-E (Rural Estates Residential) Zone to an R-4 (Multiple Family Residential - High Density) Zone.
WAIVER OF DEVELOPMENT STANDARDS to increase wall height.
DESIGN REVIEWS for the following: 1) a multiple family residential development; 2) alternative parking lot landscaping; and 3) finished grade. Generally located on the northeast corner of Decatur Boulevard and Rush Avenue within Enterprise (description on file). JJ/al/jd (For possible action)

ATTACHMENT: NZC-21-0199_Color_Merged.pdf

ATTACHMENT: 31 21-0199-072121.docx

SUBJECT MATTER: In the matter of the recommendation of the Planning Commission that the Board approve the aforementioned described application of County of Clark (Aviation) (Nevada West Partners V, LLC) for a zone change, waiver of development standards, and design reviews (as indicated on the ATTACHED agenda item):

REPRESENTATIVE(S): Present

DISCUSSION: There being no objections, Item No. 31 was taken in conjunction with Item No. 32.

Following introduction of Item Nos. 31 and 32, the Board was addressed by the applicant's representative, Chris Kaempfer, who advised that the proposed site was for a 6.5-acre multiple family

residential development and was currently zoned RE; indicated that due to an NV Energy substation located in the center of the site, single family homes would not be appropriate; substantial commercial spaces already existed and or were approved in surrounding areas; 6.5 acres was not enough space to attract a large commercial development, and that additional commercial and multi-family residential would cause an increase in traffic; stated there was a great demand for affordable housing and rentals; existing multi-family developments were immediately adjacent to the proposed development; the proposed development was a gated community and traffic would enter and exit off Decatur Boulevard, a section lined street; community amenities included substantial landscaping, 20,000 square feet of open space, two pools, one clubhouse, a gym, meeting rooms, gazebos, play areas, parking that met code requirements, and decorative walls; and that a five-foot vacation along Decatur Boulevard would be necessary.

ACTION: It was moved by Commissioner Justin Jones that the applications for Item Nos. 31 and 32 be approved, subject to the conditions recommended by staff as listed below, with the following vote:

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

VOTING NAY: None

ABSENT: Tick Segerblom

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Resolution of Intent to complete in 3 years;
- Design review as a public hearing for lighting and signage;
- Provide pedestrian access to Frias Avenue, Rush Avenue, and Cameron Street;
- 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

- 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;
- 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;
- The installation of detached sidewalks will require the recordation of the vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control;
- 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.

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.

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.

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 #0328-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

32. VS-21-0093-COUNTY OF CLARK (AVIATION):
VACATE AND ABANDON a portion of a right-of-way being Decatur Boulevard located between Frias Avenue and Rush Avenue within Enterprise (description on file). JJ/bb/jd (For possible action)

ATTACHMENT: VS-21-0093_Color_Merged.pdf

ATTACHMENT: 32 21-0093-072121.docx

SUBJECT MATTER: In the matter of the recommendation of the Planning Commission that the Board approve the aforementioned described application of County of Clark (Aviation) (Lindsay Brown) to vacate and abandon a portion of a right-of-way (as indicated on the ATTACHED agenda item):

DISCUSSION: There being no objections, Item No. 32 was heard in conjunction with Item No. 31.

ACTION: Approved, subject to staff's conditions as noted below (see Item No. 31 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

- 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;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording;
- The installation of detached sidewalks will require the recordation of this vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

33. NZC-21-0203-SCHIRLLS, LLC:
ZONE CHANGE to reclassify 22.9 acres from an R-E (Rural Estates Residential) (RNP-I) Zone and an R-E (RNP-I) Zone under Resolution of Intent to an R-2 (Medium Density Residential) Zone to an R-2 (Medium Density Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) waive landscaping to a less intense use; and 2) increase wall height.
DESIGN REVIEWS for the following: 1) a single family residential development; and 2) finished grade. Generally located on the northeast corner of Arville Street and Frias Avenue (alignment) within Enterprise (description on file). JJ/al/jd (For possible action)

ATTACHMENT: NZC-21-0203_Color_Merged.pdf

ATTACHMENT: 33 21-0203-072121.docx

SUBJECT MATTER: In the matter of the recommendation of the Planning Commission that the Board approve the aforementioned described application of Schrills, LLC (KB Home) for a zone change, waivers of development standards, and design reviews (as indicated on the ATTACHED agenda item):

REPRESENTATIVE(S): Present

SPEAKER(S): Present

DISCUSSION: There being no objections, Item No. 33 was taken in conjunction with Item Nos. 34 and 35.

Following introduction of Item Nos. 33, 34 and 35, the Board was addressed by the applicant's representative, Bob Gronauer, who advised that the proposed site consisted of a total of 23 acres, and a requested rezoning from RE and RNP-1 to R2; surrounding areas had already rezoned to R2, and that 2 to 2.5 acres would be changed to R2; there was an R2 development trend in the area known as the Frias properties; the parcels above the proposed development to Pyle Avenue had already submitted for a nonconforming zone change, and it was the intent of the applicant to combine the entire area, along with a 2.5-acre Bureau of Land Management (BLM) parcel that was to be up for sale in fall, as one cohesive residential development; single- and 2-story homes were proposed for the project with sizes that ranged from 1,200 to 2,500 square feet; prices ranged from \$354,000 to \$409,000; and that adjacent property owners had been contacted, declined any interest of selling their parcels to the developer, and also approved of the proposed development.

Cal Sanders, Holly Speirs, and April Gilpatrick spoke in opposition to the proposed rezoning, and expressed concerns related to infringements on existing RNP lands, increased traffic, that the development was not harmonious to the surroundings, and that it was not the best use of the land.

The applicant's representative referenced a map of the area, reiterated that the parcels in question had requested R2 zoning, and the areas surrounding were already zoned R2; a representative for the Frias family had initiated the request for the change of residential classification from RE to R2; multiple developers that had already established neighboring residential communities were zoned R2; and at a recent neighborhood meeting those in attendance expressed support of general vicinity plan.

Commissioner Justin Jones stated that prior to COVID-19, the Frias family had applied for land use designation changes as part of the last Master Plan Update, and those changes were referenced in the presentation; as a result of COVID-19, the update was put on hold in order to align with the Transform Clark County initiative; and that had the Master Plan Update moved forward as scheduled last year, the rezoning requests presented would conform.

In response to Commissioner Justin Jones, the applicant's representative shared information regarding the trail improvements and the planned inclusion of open spaces along Frias Avenue where none were required, and the installation of a trail along the south of Frias Avenue, all of which resulted in a greenbelt for enhanced pedestrian connectivity.

ACTION: It was moved by Commissioner Justin Jones that the applications for Item Nos. 33, 34 and 35 be approved, subject to the conditions recommended by staff as listed below, with the following vote:

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

VOTING NAY: None
ABSENT: Tick Segerblom
ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Resolution of Intent to complete in 4 years;
- Provide pedestrian access through the common element to Arville Street;
- Expunge NZC-19-0612 for this site with approvals for NZC-19-0612 to remain active for all parcels that are not a part of this request;
- 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

- 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 25 feet to the back of curb for Frias Avenue, 35 feet to the back of curb for Arville Street, an off-set cul-de-sac at the eastern terminus of Haleh Avenue, east of APN 177-30-701-013, unless that area is otherwise part of a vacation application as described below, and associated spandrels;
- Applicant shall work with staff to determine the need for Haleh Avenue east of Arville Street, which may require an additional vacation application in the future;
- 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 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.

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.

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised that there is an active septic permit on APN 177-30-701-014; to connect to municipal sewer and remove the septic system in accordance with Section 17 of the SNHD Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management;

and to submit documentation to SNHD showing that the system has been properly removed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0458-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

34. VS-21-0202-SCHIRLLS, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Haleh Avenue and Frias Avenue (alignment), and between Arville Street and Schuster Street; and portions of a right-of-way being Haleh Avenue located between Arville Street and Schuster Street and a portion of Schirlls Street located between Haleh Avenue and Frias Avenue (alignment) within Enterprise (description on file). JJ/al/jd (For possible action)

ATTACHMENT: VS-21-0202_Color_Merged.pdf

ATTACHMENT: 34 21-0202-072121.docx

SUBJECT MATTER: In the matter of the recommendation of the Planning Commission that the Board approve the aforementioned described application of Schirlls, LLC (KB Home) to vacate and abandon easements of interest (as indicated on the ATTACHED agenda item):

DISCUSSION: There being no objections, Item No. 34 was heard in conjunction with Item Nos. 33 and 35.

ACTION: Approved, subject to staff's conditions as noted below (see Item No. 33 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 25 feet to the back of curb for Frias Avenue, 35 feet to the back of curb for Arville Street, an off-set cul-de-sac at the eastern terminus of Haleh Avenue, east of APN 177-30-701-013, unless that area is otherwise part of a vacation application as described below, and associated spandrels;
- Applicant shall work with staff to determine the need for Haleh Avenue east of Arville Street, which may require an additional vacation application in the future;
- Drainage study and compliance;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording;
- 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 controls.

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.

35. TM-21-500050-SCHIRLLS LLC:
TENTATIVE MAP consisting of 173 residential lots and common lots on 22.9 acres in an R-2 (Medium Density Residential) Zone. Generally located on the northeast corner of Arville Street and Frias Avenue (alignment) within Enterprise. JJ/al/jd (For possible action)

ATTACHMENT: TM-21-500050_Color_Merged.pdf

ATTACHMENT: 35 21-500050-072121.docx

SUBJECT MATTER: In the matter of the recommendation of the Planning Commission that the Board approve the aforementioned described application of Schrills, LLC (KB Home) for a tentative map (as indicated on the ATTACHED agenda item):

DISCUSSION: There being no objections, Item No. 35 was heard in conjunction with Item Nos. 33 and 34.

ACTION: Approved, subject to staff's conditions as noted below (see Item No. 33 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 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 25 feet to the back of curb for Frias Avenue, 35 feet to the back of curb for Arville Street, an off-set cul-de-sac at the eastern terminus of Haleh Avenue, east of APN 177-30-701-013, unless that area is otherwise part of a vacation application as described below, and associated spandrels;
- Applicant shall work with staff to determine the need for Haleh Avenue east of Arville Street, which may require an additional vacation application in the future;
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Current Planning Division - Addressing

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

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.

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.

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 #0458-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ZONE CHANGE to reclassify 16.1 acres from an R-E (Rural Estates Residential) Zone and a C-P (Office and Professional) Zone to an R-2 (Medium Density Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) waive landscaping to a less intense use; and 2) increase wall height.

DESIGN REVIEWS for the following: 1) a single family residential development; and 2) finished grade. Generally located on the northwest corner of Decatur Boulevard and Gary Avenue within Enterprise (description on file). JJ/al/jd (For possible action)

ATTACHMENT: NZC-21-0204_Color_Merged.pdf

ATTACHMENT: 36 21-0204-072121.docx

SUBJECT MATTER: In the matter of the recommendation of the Planning Commission that the Board approve the aforementioned described application of David Fax Ober LLC & Buffalo Wing LLC (KB Home) for a zone change, waivers of development standards, and design reviews (as indicated on the ATTACHED agenda item):

REPRESENTATIVE(S): Present

SPEAKER(S): Present

DISCUSSION: There being no objections, Item No. 36 was taken in conjunction with Item Nos. 37 and 38.

Following introduction of Item Nos. 36, 37 and 38, the Board was addressed by the applicant's representative, Bob Gronauer, who advised that the proposed site was a 16-acre parcel west of Decatur Avenue, south of Richmar Avenue, east of Edmonds Street, north of Gary Avenue; the intended use was for an R2 residential gated community with main ingress and egress off Edmonds Street that consisted of 7.3 homes per acre, open spaces, and a park where one was not required; the lands were of mixed use and consisted of commercial neighborhood, residential low, and residential suburban; the demand for additional commercial centers had declined due to increased online shopping and also that more people worked from home which created less of a demand for brick and mortar retail, and that the request for R2 supported that trend; the demand for housing in Southern Nevada was on the rise; to the north was a BLM parcel intended for a public facility, the parcel to the west was intended for a public facility, and parcels to the south were residential suburban properties and residential high; KB Homes was interested in purchasing a remaining one-acre parcel that would be included in the proposed development, and that the applicant would return with a nonconforming request after the transaction completed.

Multiple speakers spoke in opposition to the proposed plan, and expressed concerns regarding increased traffic; overcrowded schools; insufficient lot sizes for the area; lack of dense landscaping for buffer purposes; and challenged access for public services.

Commissioner Justin Jones expressed appreciation to constituents that participated in meetings; commented on the intent to protect RNP areas and that the proposed project was not located within the RNP; acknowledged and agreed with the concerns regarding traffic on Edmonds Street and Richmar Avenue; additional conditions were added for the developer to pave Richmar Avenue from Edmonds Street to Decatur Avenue, to provide full off-sites on their development, and that all home lots around Diane McCurdy's residence were to be no less than 5,200 square feet.

In response to concerns expressed by Commissioner Justin Jones, Public Works staff proposed an additional condition that the developer coordinate with Public Works for traffic calming solutions.

Commissioner Kirkpatrick voiced concerns to the proposed 5,200 square foot lots that would abut to the

RNP.

Commissioner Jim Gibson also expressed concerns on the lot sizes and stated that if the one-acre parcel was not purchased by the developer that he was opposed to the project.

Staff responded to Commissioner Justin Jones request for a condition regarding the lot sizes that would surround the McCurdy home, and stated that there was already a requirement for 7,500 square foot lots along Richmar Avenue; and that possible commercial considerations for the area could include smaller retail establishments, personal services, and offices.

Staff then offered clarification of the additional conditions, that lots that abutted the one-acre parcel would be a minimum of 5,200 square feet if that parcel was not incorporated in to the subdivision prior to final map.

ACTION: It was moved by Commissioner Justin Jones that the applications for Item Nos. 36, 37 and 38 be approved, subject to the conditions recommended by staff as listed below with additional conditions, with the following vote:

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

VOTING NAY: None

ABSENT: Tick Segerblom

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Resolution of Intent to complete in 4 years;
- Lots abutting APN 176-24-801-002 to be a minimum of 5,200 square feet if that parcel is not incorporated into this subdivision prior to final map;
- Provide pedestrian access through the common elements to Richmar Avenue, Gary Avenue, and Decatur Boulevard;
- 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

- Work with Public Works - Traffic Division for traffic calming solutions (including stop signs, crosswalks, etc.);
- Richmar Avenue to be paved from Edmond Street to Decatur Boulevard;
- 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 30 feet for Gary Avenue with a portion of an elbow at Hauck Street, 30 feet for Edmond Street, 30 feet for Richmar Avenue, 5 additional feet to the back of curb for Decatur Boulevard, and associated spandrels;
- Coordinate with Public Works - Design Division for the Decatur Boulevard improvement project;
- Dedicate any necessary right-of-way and easements 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 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

- For that portion in the AE-60, applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation;
- For that portion in the AE-60, applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation;
- For that portion in the AE-60, applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation when property sales/leases commence;

- For that portion in the AE-60, incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height;
- 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.

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.

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised that there is an active septic permit on APN 176-24-801-008; to connect to municipal sewer and remove the septic system in accordance with Section 17 of the SNHD Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management; and to submit documentation to SNHD showing that the system has been properly removed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0392-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

37. VS-21-0205-DAVID FAX OBER LLC & BUFFALO WING LLC:
VACATE AND ABANDON easements of interest to Clark County located between Richmar Avenue and Gary Avenue, and between Edmond Street and Decatur Boulevard; and a portion of a right-of-way being Hauck Street located between Richmar Avenue and Gary Avenue within Enterprise (description on file). JJ/al/jd (For possible action)

ATTACHMENT: VS-21-0205_Color_Merged.pdf

ATTACHMENT: 37 21-0205-072121.docx

SUBJECT MATTER: In the matter of the recommendation of the Planning Commission that the Board approve the aforementioned described application of David Fax Ober LLC & Buffalo Wing LLC (KB Home) to vacate and abandon easements of interest (as indicated on the ATTACHED agenda item):

DISCUSSION: There being no objections, Item No. 37 was heard in conjunction with Item Nos. 36 and 38.

ACTION: Approved, subject to staff's conditions as noted below (see Item No. 36 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 30 feet for Gary Avenue with a portion of an elbow at Hauck Street, 30 feet for Edmond Street, 30 feet for Richmar Avenue, 5 additional feet to the back of curb for Decatur Boulevard, and associated spandrels;
- 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.

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.

38. TM-21-500051-DAVID FAX OBER LLC & BUFFALO WING LLC:
TENTATIVE MAP consisting of 118 residential lots and common lots on 16.1 acres in an R-2 (Medium Density Residential) Zone. Generally located on the northwest corner of Decatur Boulevard and Gary Avenue within Enterprise. JJ/al/jd (For possible action)

ATTACHMENT: TM-21-500051_Color_Merged.pdf

ATTACHMENT: 38 21-500051-072121.docx

SUBJECT MATTER: In the matter of the recommendation of the Planning Commission that the Board approve the aforementioned described application of David Fax Ober LLC & Buffalo Wing LLC (KB Home) for a tentative map (as indicated on the ATTACHED agenda item):

DISCUSSION: There being no objections, Item No. 38 was heard in conjunction with Item Nos. 36 and 37.

ACTION: Approved, subject to staff's conditions as noted below (see Item No. 36 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 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

- Richmar Avenue to be paved from Edmond Street to Decatur Boulevard;
- 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 30 feet for Gary Avenue with a portion of an elbow at Hauck Street, 30 feet for Edmond Street, 30 feet for Richmar Avenue, 5 additional feet to the back of curb for Decatur Boulevard, and associated spandrels;
- Coordinate with Public Works - Design Division for the Decatur Boulevard improvement project;
- Dedicate any necessary right-of-way and easements 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 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;
- Lynn Creek Avenue shall maintain the same name as Aurora Gale Avenue shown on TM 21-500055 if the two streets are on the same alignment.

Department of Aviation

- For that portion in the AE-60, applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation;
- For that portion in the AE-60, applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation;
- For that portion in the AE-60, applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation when property sales/leases commence;
- For that portion in the AE-60, incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height;
- 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.

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.

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 #0392-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

39. 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: 39 21-400019-072121.docx

SUBJECT MATTER: In the matter of the recommendation of the Planning Commission that the Board approve the aforementioned described application of Great Buns (Anthony Madonia) for waivers of development standards first extension of time, and a design review (as indicated on the ATTACHED agenda item) (held from June 16, 2021) (appealed by neighbors):

ACTION: Deleted from the agenda (held to August 4, 2021 per the applicant).

40. ORD-21-900346: Introduce an ordinance to consider adoption of a Development Agreement with Pushing 30, LLC for a residential subdivision (Waterstone at Tomsik and Wigwam) on 4.1 acres, generally located on the southwest corner of Camero Avenue and Tomsik Street within Enterprise. JJ/ab (For possible action)

ATTACHMENT: ORD-21-900346 INTRO.pdf

SUBJECT MATTER: In the matter of the recommendation that the Board of County Commissioners introduce an ordinance to consider adoption of a Development Agreement with Pushing 30, LLC for a residential subdivision (Waterstone at Tomsik and Wigwam) on 4.1 acres, generally located on the southwest corner of Camero Avenue and Tomsik Street within Enterprise. (For possible action):

DISCUSSION: Commissioner Kirkpatrick introduced the proposed ordinance, entitled and summarized as indicated on the ATTACHED agenda item (Bill No. 7-21-21-1).

ACTION: There being no objections, Chair Kirkpatrick set the matter for public hearing on August 4, 2021.

41. ORD-21-900350: Introduce an ordinance to consider adoption of a Development Agreement with PN II, Inc. for a residential subdivision (Buffalo Windmill Unit 2) on 5.0 acres, generally located north of Windmill Lane and east of Buffalo Drive within Enterprise. MN/ab (For possible action)

ATTACHMENT: [ORD-21-900350 INTRO.pdf](#)

SUBJECT MATTER: In the matter of the recommendation that the Board of County Commissioners introduce an ordinance to consider adoption of a Development Agreement with PN II, Inc. for a residential subdivision (Buffalo Windmill Unit 2) on 5.0 acres, generally located north of Windmill Lane and east of Buffalo Drive within Enterprise. MN/ab (For possible action):

DISCUSSION: Commissioner Kirkpatrick introduced the proposed ordinance, entitled and summarized as indicated on the ATTACHED agenda item (Bill No. 7-21-21-2).

ACTION: There being no objections, Chair Kirkpatrick set the matter for public hearing on August 4, 2021.

42. ORD-21-900356: Introduce an ordinance to consider adoption of a Development Agreement with Thomson Management Group NV, LP for a mini-warehouse facility (Dollar Self Storage) on 3.6 acres, generally located on the northeast corner of Rainbow Boulevard and Pebble Road within Enterprise. JJ/ab (For possible action)

ATTACHMENT: [ORD-21-900356 INTRO.pdf](#)

SUBJECT MATTER: In the matter of the recommendation that the Board of County Commissioners introduce an ordinance to consider adoption of a Development Agreement with Thomson Management Group NV, LP for a mini-warehouse facility (Dollar Self Storage) on 3.6 acres, generally located on the northeast corner of Rainbow Boulevard and Pebble Road within Enterprise. (For possible action):

DISCUSSION: Commissioner Kirkpatrick introduced the proposed ordinance, entitled and summarized as indicated on the ATTACHED agenda item (Bill No. 7-21-21-3).

ACTION: There being no objections, Chair Kirkpatrick set the matter for public hearing on August 4, 2021.

43. ORD-21-900378: Introduce an ordinance to consider adoption of a Development Agreement with MFE, INC. for a retail development (Cactus/Jones Circle K) on 1.5 acres, generally located west of Jones Boulevard and south of Cactus Avenue within Enterprise. JJ/ab (For possible action)

ATTACHMENT: [ORD-21-900378 INTRO.pdf](#)

SUBJECT MATTER: In the matter of the recommendation that the Board of County Commissioners introduce an ordinance to consider adoption of a Development Agreement with MFE, INC. for a retail development (Cactus/Jones Circle K) on 1.5 acres, generally located west of Jones Boulevard and south of Cactus Avenue within Enterprise. (For possible action):

DISCUSSION: Commissioner Kirkpatrick introduced the proposed ordinance, entitled and summarized as indicated on the ATTACHED agenda item (Bill No. 7-21-21-4).

ACTION: There being no objections, Chair Kirkpatrick set the matter for public hearing on August 4, 2021.

PUBLIC COMMENTS

At this time, Chair Kirkpatrick asked if there were any persons present in the audience 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 12:51 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