
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 22nd day of September 2021 at the hour of 9:00 a.m. The meeting was called to order at the hour of 9:03 a.m. by Chair Kirkpatrick, and on roll call, the following members were present, constituting a quorum of the members thereof:

CALL TO ORDER

CHAIR AND COMMISSIONERS:

Marilyn Kirkpatrick
Jim Gibson
Michael Naft
Tick Segerblom
Ross Miller
William McCurdy II

Absent:

Justin Jones

Also Present:

Robert Warhola, Deputy District Attorney
Nancy Amundsen, Director Comprehensive Planning
Sami Real, Planning Manager
Antonio Papazian, Assistant Manager of Development Review
JaWaan Dodson, Plan Checker II
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

Mike Wolther spoke in opposition to Item No. 39.

Doug Germano spoke in opposition to Item No. 8.

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. 6, 9, 15, 22, 23, 24, 25, 27, 28, 29, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 55, 56, 57, and amendments to Item Nos. 12 and 18, and with the following vote:

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

VOTING NAY: None

ABSENT: Justin Jones

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 August 4, 2021 be approved, with the following vote:

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

VOTING NAY: None

ABSENT: Justin Jones

ABSTAIN: None

4. DR-21-0391-DURANGO 5, LLC:

DESIGN REVIEW for finished grade on 1.8 acres in a C-1 (Local Business) Zone and a C-2 (General Commercial) Zone in the CMA Design Overlay District. Generally located on the west side of Durango Drive, 308 feet north of Patrick Lane within Spring Valley. JJ/jor/jo (For possible action)

ATTACHMENT: [DR-21-0391_Color_Merged.pdf](#)

ATTACHMENT: [04 21-0391-092221.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Durango 5, LLC for a design review (as indicated on the ATTACHED agenda item):

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

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

VOTING NAY: None

ABSENT: Justin Jones

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.
- 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

- Comply with approved drainage study PW21-12915;
- Traffic study and compliance;
- Grant necessary easements, including pedestrian access easements at the existing northern driveway.
- Applicant is advised that off-site improvement permits may be required.

5. DR-21-0400-LOPEZ-GAMBOA, MIGUEL A. & JUAN J.:
DESIGN REVIEWS for the following: 1) retail/office and industrial buildings; 2) finished grade; and 3) lighting plan on 0.9 acres in an M-D (Designed Manufacturing) Zone and M-D (Designed Manufacturing) (AE-65) Zone. Generally located on the south side of Holt Avenue, 500 feet west of Nellis Boulevard within Sunrise Manor. MK/bb/jo (For possible action)

ATTACHMENT: [DR-21-0400_Color_Merged.pdf](#)

ATTACHMENT: [05 21-0400-092221.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Miguel A. & Juan J. Lopez-Gamboa (Phillip Regeski) for design reviews (as indicated on the ATTACHED agenda item):

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

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

VOTING NAY: None

ABSENT: Justin Jones

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that all parking areas must be paved; 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;
- Full off-site improvements.
- 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. AR-21-400113 (UC-1188-04)-TUCKER NICOLETTE LIVING TRUST & TUCKER NICOLETTE TRS:

USE PERMIT FOURTH APPLICATION FOR REVIEW of an existing massage establishment located within an existing retail center on 0.7 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Tropicana Avenue, 750 feet west of Spencer Street within Paradise. JG/sd/jo (For possible action)

ATTACHMENT: [AR-21-400113_Color_Merged.pdf](#)

ATTACHMENT: [06 21-400113-092221.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Nicolette Tucker Living Trust & Nicolette Tucker Trs for a use permit fourth application for review (as indicated on the ATTACHED agenda item):

ACTION: Deleted from the agenda (held to October 6, 2021 per staff).

7. AR-21-400125 (UC-20-0169)-BPS HARMON, LLC:

USE PERMIT FIRST APPLICATION FOR REVIEW to allow retail sales and service as a primary use (outside).

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow retail sales and service not within a permanent enclosed building; 2) reduce setbacks; and 3) reduce parking.

DESIGN REVIEWS for the following: 1) outside retail sales and service structures/kiosks; and 2) shipping containers in conjunction with an existing shopping center on 2.2 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the northeast corner of Las Vegas Boulevard South and Harmon Avenue within Paradise. JG/jor/jo (For possible action)

ATTACHMENT: [AR-21-400125_Color_Merged.pdf](#)

ATTACHMENT: [07 21-400125-092221.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of BPS Harmon, LLC

for a use permit first application for review, waivers of development standards, and design reviews (as indicated on the ATTACHED agenda item):

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

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

VOTING NAY: None

ABSENT: Justin Jones

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Remove the time limit.

Public Works - Development Review

- Coordinate with Public Works - Traffic Management for the Las Vegas Boulevard South improvement project;
- Compliance with previous conditions.

8. ET-21-400116 (UC-20-0164)-RODRIGUEZ, MARIA & CISNEROS, ALONDRA ESMERALDA: USE PERMITS FIRST EXTENSION OF TIME for the following: 1) allow non-architectural compatibility for all existing accessory structures; and 2) allow front access of a casita to face the street. WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce the separation between existing structures; 2) reduce setbacks; and 3) reduce the driveway separation in conjunction with an existing single family residence on 0.8 acres in an R-E (Rural Estates Residential) Zone. Generally located on the west side of Sherwin Lane, 193 feet north of Owens Avenue within Sunrise Manor. WM/jgh/jo (For possible action)

ATTACHMENT: [ET-21-400116_Color_Merged.pdf](#)

ATTACHMENT: [08 21-400116-092221.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Maria Rodriguez & Alondra Esmeralda Cisneros (Alondra Cisneros) for use permits first extension of time, and waivers of development standards (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, Alondra Cisneros, who advised that the garage in question was already built when the home was purchased in 2006 and was converted into a casita; permit applications had been submitted, and an extension of time was requested that would allow the inspections to occur.

Commissioner William McCurdy stated that based on staff recommendations, the request for an extension of time would be approved.

A neighbor, Doug Germano, advised that a trailer had been placed on the neighboring property and used as a residence; a second trailer had been placed on the property that provided a direct view into the home; requests for the trailers which were connected to water, power and sewer, to be relocated had been made with no response; an electrical line was installed that was not per code; the back side of the

fence on the neighbor's property had been removed by the applicant which caused the fence to sag; stated that the casita had been built from roof down, and that permit applications had been submitted after the fact; more than ten cars were parked on the dirt; and that code enforcement had been called by several neighbors.

In response to questions by Commissioner McCurdy, the applicant commented that the garage was already in place and had been permitted appropriately; the garage was converted into a casita for family members; a trailer and plywood was placed due to the neighbor creating holes in the structure; permits for the garage were pulled in 1959 at the time the home and garage were constructed; and that the extension of time was necessary to submit a revised letter and schedule an inspection of the casita construction.

Staff advised that recreational vehicle (RV) trailers were not permitted to be lived in on a property, could not be connected to utilities, and were not to be utilized as a living structure.

ACTION: It was moved by Commissioner William McCurdy that the item be held to October 20, 2021.

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

VOTING NAY: None

ABSENT: Justin Jones

ABSTAIN: None

9. ET-21-400120 (ZC-17-1086)-BLUE RAIN PARTNERS, LLC:
ZONE CHANGE FIRST EXTENSION OF TIME to reclassify 24.4 acres from R-E (Rural Estates Residential) PC (Planned Community Overlay District) and H-2 (General Highway Frontage) P-C (Planned Community Overlay District) Zones to C-2 (General Commercial) P-C (Planned Community Overlay District) Zone and 5.6 acres from R-E (Rural Estates Residential) and H-2 (General Highway Frontage) Zones to C-2 (General Commercial) Zone.
DESIGN REVIEW for a proposed shopping center in the Mountain's Edge Master Planned Community. Generally located on the south side of Blue Diamond Road and the east and west sides of Tenaya Way within Enterprise (description on file). JJ/bb/jo (For possible action)

ATTACHMENT: ET-21-400120_Color_Merged.pdf

ATTACHMENT: 09 21-400120-092221.docx

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

ACTION: Deleted from the agenda (held to October 6, 2021 per the applicant).

10. ET-21-400121 (DR-19-0352)-DIAMOND P M, LLC:
DESIGN REVIEW FIRST EXTENSION OF TIME for a multiple family residential development (condominiums) and associated accessory structures on 1.6 acres in an R-3 (Multiple Family Residential) Zone. Generally located on the east side of Pecos-McLeod Interconnect, 650 south of Desert Inn Road within Paradise. TS/bb/jo (For possible action)

ATTACHMENT: ET-21-400121_Color_Merged.pdf

ATTACHMENT: 10 21-400121-092221.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Diamond P M, LLC (Diamond PM, LLC) for a design review first extension of time (as indicated on the ATTACHED agenda item):

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

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

VOTING NAY: None

ABSENT: Justin Jones

ABSTAIN: None

**CONDITIONS OF APPROVAL -
Current Planning**

- Until June 19, 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.

11. ET-21-400123 (UC-19-0153)-JONLUCK INVESTMENT LIMITED:
USE PERMIT FIRST EXTENSION OF TIME for exotic animals (wolf dogs/hybrids).
WAIVER OF DEVELOPMENT STANDARDS to increase fence height.
DESIGN REVIEWS for the following: 1) exotic animals (wolf dogs/hybrids) facility; 2) a grading plan within a Hillside Area; and 3) alternative development standards in conjunction with an existing single family residence and accessory structures on a portion of 22.0 acres in an R-U (Rural Open Land) Zone.
Generally located on the west side of Fayle Street (alignment), 750 feet north of Sandy Valley Road within Goodsprings. JJ/bb/jo (For possible action)

ATTACHMENT: [ET-21-400123_Color_Merged.pdf](#)

ATTACHMENT: [11 21-400123-092221.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Jonluck Investment Limited (Christopher Caracci) for a use permit first extension of time, waiver of development standards, and design reviews (as indicated on the ATTACHED agenda item):

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

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

VOTING NAY: None

ABSENT: Justin Jones

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Until April 17, 2024 to review.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that the extension of time may be denied if the project has been completed within the time specified.

Public Works - Development Review

- 6 months to comply with previous conditions.

12. ET-21-400128 (NZC-0097-17)-GREYSTONE NEVADA, LLC:
ZONE CHANGE FIRST EXTENSION OF TIME to reclassify a 50.5 acre portion of a 247.6 acre parcel from R-E (Rural Estates Residential) Zone, R-E (Rural Estates Residential) (AE-65) Zone, R-E (Rural Estates Residential) (AE-65) (LOZ-3) Zone, P-F (Public Facility) Zone, P-F (Public Facility) (AE-65) Zone, P-F (Public Facility) (AE-65) (LOZ-3) Zone to R-2 (Medium Density Residential) Zone and R-2 (Medium Density Residential) (AE-65) Zone.
DESIGN REVIEW for a proposed single family residential development. Generally located on the east side of Hollywood Boulevard and the north side of Alto Avenue (alignment) within Sunrise Manor (description on file). MK/jgh/jo (For possible action)

ATTACHMENT: [ET-21-400128_Color_Merged.pdf](#)

ATTACHMENT: [12 21-400128-092221.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Greystone Nevada, LLC (Dave Cornoyer) for a zone change first extension of time, and design review (as indicated on the ATTACHED agenda item):

DISCUSSION: Staff requested that the Board amend a condition from the original approval to read, houses to be sound attenuated at least 25 decibels, not 35 decibels, in accordance with AE65 Airport Environs designation.

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

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

VOTING NAY: None

ABSENT: Justin Jones

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Until January 17, 2024 to complete;
- Houses to be sound attenuated at least 25 decibels, not 35 decibels, in accordance with the AE-65 Airport Environs Designation.
- 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.

13. UC-21-0319-PACIFICA VINTAGE PARK, LLC:
USE PERMIT for a proposed daycare (adult) facility.
WAIVER OF DEVELOPMENT STANDARDS to allow modified driveway design standards.
DESIGN REVIEWS for the following: 1) daycare facility (adult); 2) alternative parking lot landscaping; and 3) finished grade on 1.3 acres in a C-P (Office and Professional) Zone in the CMA Design Overlay District. Generally located on the north side of Warm Springs Road and the east side of Gagnier Boulevard within Spring Valley. MN/sd/jd (For possible action)

ATTACHMENT: [UC-21-0319_Color_Merged.pdf](#)

ATTACHMENT: [13 21-0319-092221.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Pacifica Vintage Park, LLC (Keith Nelms) for a use permit, waiver of development standards, and design reviews (as indicated on the ATTACHED agenda item):

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

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

VOTING NAY: None

ABSENT: Justin Jones

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;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 50 feet for Warm Springs Road, 30 feet for Gagnier Boulevard, and associated spandrel;
- 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.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Building Department - Fire Prevention

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to e-mail sewerlocation@cleanwaterteam.com and reference POC Tracking #0219-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

14. UC-21-0364-9005-9089 SOUTH PECOS ROAD, LLC:
USE PERMIT for a place of worship in conjunction with an office complex on a portion of 7.6 acres in a C-P (Office and Professional) Zone. Generally located on the west side of Pecos Road and the north side of I-215 within Paradise. JG/jgh/jo (For possible action)

ATTACHMENT: [UC-21-0364_Color_Merged.pdf](#)

ATTACHMENT: [14 21-0364-092221.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of 9005-9089 South Pecos Road, LLC (Southern Hills Church) for a use permit (as indicated on the ATTACHED agenda

item):

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

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

VOTING NAY: None

ABSENT: Justin Jones

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.

Building Department - Fire Prevention

- Applicant is advised to contact the Building Department at (702) 455-3000 regarding a potential change in occupancy classification; and that any changes in occupancy classification may have impacts on both the site plan and construction.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and that for any sanitary sewer needs, applicant is advised to contact the City of Henderson.

15. UC-21-0392-RAINBOW PLAZA, LLC & LAS VEGAS RAINBOW CENTER, LLC:
USE PERMIT to allow a massage establishment in conjunction with an existing reflexology business (foot spa) on a portion of a 1.5 acre site in a C-2 (General Commercial) Zone in the CMA Design Overlay District. Generally located on the west side of Rainbow Boulevard, 280 feet north of Russell Road within Spring Valley. MN/rk/jd (For possible action)

ATTACHMENT: [UC-21-0392_Color_Merged.pdf](#)

ATTACHMENT: [15 21-0392-092221.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Rainbow Plaza, LLC & Las Vegas Rainbow Center, LLC (Mina&King, LLC) for a use permit (as indicated on the ATTACHED agenda item):

ACTION: Deleted from the agenda (held to October 6, 2021 per the applicant).

16. UC-21-0393-2895 UNIVERSAL, LLC:
USE PERMITS for the following: 1) on-premises consumption of alcohol (supper club); 2) outside dining, drinking and cooking; and 3) project of regional significance in conjunction with an existing building on a portion of 1.6 acres in an M-D (Designed Manufacturing) (AE-65) Zone. Generally located on the west side of Green Valley Parkway and the south side of Ramrod Avenue within Paradise. JG/jvm/jd (For possible action)

ATTACHMENT: UC-21-0393_Color_Merged.pdf

ATTACHMENT: 16 21-0393-092221.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Universal, LLC (Pastaiolv, LLC) for use permits (as indicated on the ATTACHED agenda item):

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

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

VOTING NAY: None

ABSENT: Justin Jones

ABSTAIN: None

**CONDITIONS OF APPROVAL -
Current Planning**

- Applicant is advised that approval of this application does not constitute or imply approval of any other County issued permit, license, or approval; 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.

Department of Aviation

- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

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

17. WC-21-400124 (UC-0477-16)-7680 SOUTH LAS VEGAS BLVD, LLC:
WAIVER OF CONDITIONS of a use permit requiring the following: no more than 3 restaurants to be on the property and none of the restaurants to serve alcohol in conjunction with a proposed supper club within an existing commercial building on 5.0 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the north side of Robindale Road and the east side of Las Vegas Boulevard South within Enterprise. MN/jor/jo (For possible action)

ATTACHMENT: WC-21-400124_Color_Merged.pdf

ATTACHMENT: 21 21-400124-092221.docx

SUBJECT MATTER: In the matter of the aforementioned described application of 7680 South Las Vegas Blvd, LLC (Penthouse Restaurant & Lounge) for a waiver of conditions (as indicated on the

ATTACHED agenda item):

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

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

VOTING NAY: None

ABSENT: Justin Jones

ABSTAIN: None

APPROVED.

18. UC-21-0377-7680 SOUTH LAS VEGAS BLVD, LLC:
USE PERMITS for the following: 1) hookah lounge; and 2) on-premises consumption of alcohol (supper club) in conjunction with a proposed restaurant within an existing commercial building on 5.0 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the north side of Robindale Road and the east side of Las Vegas Boulevard South within Enterprise. MN/jor/jo (For possible action)

ATTACHMENT: [UC-21-0377_Color_Merged.pdf](#)

ATTACHMENT: [22 21-0377-092221.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of 7680 South Las Vegas Blvd, LLC (Penthouse Restaurant & Lounge) for use permits (as indicated on the ATTACHED agenda item):

DISCUSSION: Staff advised that, per Commissioner Michael Naft, a current planning condition be added that stated, until January 31, 2023 for review.

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

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

VOTING NAY: None

ABSENT: Justin Jones

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Until January 31, 2023 to review.
- Applicant is advised that approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Clark County Water Reclamation District (CCWRD)

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

19. ZC-21-0365-SCHOOL BOARD OF TRUSTEES & COUNTY OF CLARK (PK & COMM) LEASE: HOLDOVER ZONE CHANGE to reclassify 19.2 acres from an R-1 (Single Family Residential) Zone to a P-F (Public Facility) Zone.
DESIGN REVIEWS for the following: 1) an existing school and park (William E. Orr Middle School/Orr Park); and 2) a proposed animated wall sign in conjunction with a school. Generally located on the northeast corner of Katie Avenue and Algonquin Drive within Paradise (description on file). TS/al/jd (For possible action)

ATTACHMENT: [ZC-21-0365_Color_Merged.pdf](#)

ATTACHMENT: [23 21-0365-092221.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of School Board of Trustees & County of Clark (PK & COMM) Lease (Clark County School District – Facilities Services) for a zone change, and design reviews (as indicated on the ATTACHED agenda item) (held from August 18, 2021):

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

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

VOTING NAY: None

ABSENT: Justin Jones

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; 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 design reviews must commence within 2 years of approval date or they will expire.

20. ORD-21-900411: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners through various zone change applications on May 5, 2021, June 16, 2021, and July 7, 2021 and in Assessor’s Books 163 and 176. (For possible action)

ATTACHMENT: [ORD-21-900411.pdf](#)

SUBJECT MATTER: In the matter of the recommendation that the Board conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners through various zone change applications on May 5, 2021, June 16, 2021, and July 7, 2021 and in Assessor’s Books 163 and 176. (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 (introduced on August 18, 2021).

SPEAKER(S): None

ACTION: It was moved by Commissioner Michael Naft that the ordinance (No. 4887) be adopted, with the following vote:

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

VOTING NAY: None

ABSENT: Justin Jones

ABSTAIN: None

21. ORD-21-900413: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with KIW LAS VEGAS NEAL VENTURE, LLC for a multiple family residential development (Las Vegas Boulevard and Neal) on 13.1 acres, generally located west of Las Vegas Boulevard and south of Neal Avenue within Enterprise. MN/ab (For possible action)

ATTACHMENT: [ORD-21-900413.pdf](#)

SUBJECT MATTER: In the matter of the recommendation that the Board conduct a public hearing on an ordinance to consider adoption of a Development Agreement with KIW Las Vegas Neal Venture, LLC for a multiple family residential development (Las Vegas Boulevard and Neal) on 13.1 acres, generally located west of Las Vegas Boulevard and south of Neal 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 (introduced on August 18, 2021).

SPEAKER(S): None

ACTION: It was moved by Commissioner Michael Naft that that the ordinance (No. 4888) be adopted, with the following vote:

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

VOTING NAY: None

ABSENT: Justin Jones

ABSTAIN: None

22. AG-20-900314: Conduct a public hearing on a proposed amendment to the North Blue Diamond RNP equestrian trail alignments as part of the Clark County Trails Map-Las Vegas Valley; and authorize the Chair to sign a resolution to adopt the amendment, and direct staff accordingly. (For possible action)

ATTACHMENT: [AG-20-900314_Color_Merged.pdf](#)

ATTACHMENT: [26 20-900314](#)

SUBJECT MATTER: In the matter of the recommendation that the Board conduct a public hearing on a proposed amendment to the North Blue Diamond RNP equestrian trail alignments as part of the Clark County Trails Map-Las Vegas Valley; and authorize the Chair to sign a resolution to adopt the amendment, and direct staff accordingly. (For possible action)

ACTION: Deleted from the agenda (withdrawn without prejudice).

23. ZC-20-0284-LH VENTURES, LLC:
ZONE CHANGE to reclassify a 14.6 acre portion of a 37.5 acre site from an R-E (Rural Estates Residential) Zone to a P-F (Public Facility) Zone.
WAIVER OF DEVELOPMENT STANDARDS for full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along public streets.
DESIGN REVIEWS for the following: 1) a proposed charter school site; and 2) finished grade. Generally located on the east side of Tenaya Way and the north side of Agate Avenue within Enterprise (description on file). JJ/rk/jd (For possible action)

ATTACHMENT: [ZC-20-0284_Color_Merged.pdf](#)

ATTACHMENT: [27 20-0284-092221.docx](#)

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

ACTION: Deleted from the agenda (withdrawn without prejudice per the applicant).

24. VS-20-0285-LH VENTURES, LLC:
VACATE AND ABANDON easements of interest to Clark County located between Tenaya Way and Montessouri Street (alignment), and between Agate Avenue and Raven Avenue within Enterprise (description on file). JJ/rk/jd (For possible action)

ATTACHMENT: [VS-20-0285_Color_Merged.pdf](#)

ATTACHMENT: [28 20-0285-092221.docx](#)

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

ACTION: Deleted from the agenda (withdrawn without prejudice per the applicant).

25. 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: [29 20-0493-092221.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 August 4, 2021):

ACTION: Deleted from the agenda (held to October 6, 2021 per the applicant).

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

HOLDOVER 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: [30 21-0275-092221.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) (held from August 18, 2021):

REPRESENTATIVE(S): Present

DISCUSSION: Following introduction of the item, the Board was addressed by the applicant's representative, Henry Culver, who advised that the proposed site was for a Panda Express restaurant; stated that several meetings were held with Commissioner Tick Segerblom and staff members; as a result of those meetings a revised site plan had been submitted that reflected improved and increased

landscaping islands along with improved stacking, the addition of a loading zone, and additional landscaping; the use permit for tables on the patio area the Cleveland Avenue side of the building within 78 feet where 200 feet was required had been added; and regarding the approach and departures to the site, the request for a reduced distance of 88 feet for the approach and a departure of 77 feet had been approved by Public Works.

In response to Commissioner Tick Segerblom, Public Works staff advised that revised plans had been submitted, and supported approval of the revisions, and that waiver of standards no. 2 was no longer needed.

Commissioner Marilyn Kirkpatrick requested clarification on the approvals from staff who advised that approvals were based on the revised plans.

ACTION: It was moved by Commissioner Tick Segerblom that the application be approved based on revised plans and the withdrawal of waiver no. 2, subject to the conditions recommended by staff as listed below, with the following vote:

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

VOTING NAY: None

ABSENT: Justin Jones

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Per revised plans;
- 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.
- Applicant is advised off-site improvement permits may be required.

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 #0080-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #2 WAS WITHDRAWN.

27. VS-21-0388-NP DURANGO, LLC:
VACATE AND ABANDON easements of interest to Clark County located between Roy Horn Way and Maule Avenue, and between Durango Drive and El Capitan Way (alignment) in an H-1 (Limited Resort and Apartment) P-C (Planned Community Overlay) Zone in the Rhodes Ranch Master Planned

Community within Spring Valley (description on file). JJ/rk/jd (For possible action)

ATTACHMENT: [VS-21-0388_Color_Merged.pdf](#)

ATTACHMENT: [17 21-0388-092221.docx](#)

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

ACTION: Deleted from the agenda (held to October 6, 2021 per the applicant).

28. ET-21-400117 (UC-0726-08)-NP DURANGO, LLC:

USE PERMITS FIFTH EXTENSION OF TIME for the following: 1) modifications to a previously approved resort hotel/casino; 2) addition of an office and retail plaza with incidental commercial uses; and 3) deviations to development standards.

DESIGN REVIEWS for the following: 1) final plans on a previously approved resort hotel/casino with ancillary uses; and 2) an office and retail plaza consisting of 8 buildings with associated structures and water features on approximately 71.0 acres in an H-1 (Limited Resort and Apartment) P-C (Planned Community Overlay District) Zone in the Rhodes Ranch Master Planned Community. Generally located between the 215 Beltway and Maule Avenue on the west side of Durango Drive within Spring Valley. JJ/rk/jo (For possible action)

ATTACHMENT: [ET-21-400117_Color_Merged.pdf](#)

ATTACHMENT: [18 21-400117-092221.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of NP Durango, LLC for use permits fifth extension of time, and design reviews (as indicated on the ATTACHED agenda item):

ACTION: Deleted from the agenda (held to October 6, 2021 per the applicant).

29. UC-21-0387-NP DURANGO, LLC:

USE PERMITS for the following: 1) allow outdoor dining and drinking establishments in conjunction with restaurant uses; and 2) deviations to development standards.

DEVIATIONS for the following: 1) modify parking stall dimensions; and 2) all other deviations as shown per plans on file.

WAIVER OF DEVELOPMENT STANDARDS for modified driveway design standards.

DESIGN REVIEWS for the following: 1) final plans on the site and building design for a previously approved resort hotel/casino with ancillary uses and structures; and 2) water features on approximately 50.0 acres in an H-1 (Limited Resort and Apartment) P-C (Planned Community Overlay District) Zone within the Rhodes Ranch Master Planned Community. Generally located between the 215 Beltway and Maule Avenue on the west side of Durango Drive within Spring Valley. JJ/rk/jo (For possible action)

ATTACHMENT: [UC-21-0387_Color_Merged.pdf](#)

ATTACHMENT: [04 21-0387-092221.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of NP Durango, LLC for use permits, deviations, waiver of development standards, and design reviews (as indicated on the ATTACHED agenda item):

ACTION: Deleted from the agenda (held to October 6, 2021 per the applicant).

30. WC-21-400106 (UC-0705-17)-CHURCH FULL GOSPEL LV KOREAN:

HOLDOVER WAIVER OF CONDITIONS of a use permit to dedicate additional right-of-way for future dual left turn lanes per Standard Drawing 245.1 for a place of worship and school on 20.0 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the north side of Pebble Road and the west side of Buffalo Drive within Enterprise. JJ/jgh/jo (For possible action)

ATTACHMENT: [WC-21-400106_Color_Merged.pdf](#)

ATTACHMENT: [20 21-400106-092221.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Church Full Gospel LV Korean (Jeremy McCay) for a waiver of conditions (as indicated on the ATTACHED agenda item) (held from August 18, 2021):

REPRESENTATIVE(S):

DISCUSSION: Following introduction of the item, the Board was addressed by the applicant's representative, Jeremy McCay, who advised that the proposed application was for the removal of the extra five-foot flare dedication for dual left turn lanes from southbound Buffalo Drive to eastbound Pebble Road; and that a recently approved project by Toll Brothers on the east side of Buffalo Drive had not been required to include similar expanded dedication.

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

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

VOTING NAY: None

ABSENT: Justin Jones

ABSTAIN: None

31. WC-21-400122 (ZC-0851-04)-COUNTY OF CLARK (AVIATION) & BELTWAY BUSINESS PARK WAREHOUSE #10 LEASE:
WAIVER OF CONDITIONS of a zone change requiring interior landscaping as shown on plans in conjunction with a proposed warehouse and distribution center complex and existing office complex on 24.2 acres in an M-D (Designed Manufacturing) Zone and M-D (Designed Manufacturing) (AE-60) Zone in the CMA Design Overlay District. Generally located on the north side of Badura Avenue, the south side of Roy Horn Way, the east side of Lindell Road, and the west side of Edmond Street within Enterprise. MN/jt/jo (For possible action)

ATTACHMENT: [WC-21-400122_Color_Merged.pdf](#)

ATTACHMENT: [31 21-400122-092221.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of County of Clark (Aviation) & Beltway Business Park Warehouse #10 Lease (Rod Martin) for a waiver of conditions (as indicated on the ATTACHED agenda item):

REPRESENTATIVE(S): Present

DISCUSSION: There being no objections, Item No. 31 was taken in conjunction with Item Nos. 32 and 33.

Following introduction of Item Nos. 31, 32 and 33, staff advised of changes to the standard development agreement.

The Board was addressed by the applicant's representative, John Vornsand, who advised that the proposed site was for a 228,000 square foot warehouse distribution center that would be comprised of three buildings; the 37,000 square foot warehouse fronted Lindell, and two distribution buildings faced south toward Badura. The internal facing loading docks will be screened with landscaping, building projections, and stem walls; detached sidewalks and landscaping surrounded the site; with four concrete utility easements did not allow for landscaping in those locations; requested a waiver to eliminate the cross access between the distribution center and the office buildings located to the northeast; a waiver of driveway geometrics and driveway width was requested. The removed condition was from 2004 that no longer fit the application; staff approved the waiver; the new parking lot on the west of the office park had 151 parking spaces, was not visible from surrounding streets; and landscape dividers were located between every ten parking spaces.

Staff advised that revised plans illustrating five-foot pedestrian islands for the driveway geometrics must be submitted.

ACTION: It was moved by Commissioner Michael Naft that the applications for Item Nos. 31, 32, and 33 be approved, subject to the conditions recommended by staff and additional agreed upon conditions as listed below, with the following vote:

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

VOTING NAY: None

ABSENT: Justin Jones

ABSTAIN: None

32. WS-21-0398-COUNTY OF CLARK (AVIATION) & BELTWAY BUSINESS PARK WAREHOUSE #10 LEASE:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) landscaping; 2) cross access; and 3) alternative driveway geometrics.

DESIGN REVIEWS for the following: 1) warehouse and distribution center complex; and 2) finished grade on 15.9 acres in an M-D (Designed Manufacturing) Zone and M-D (Designed Manufacturing) (AE-60) Zone in the CMA Design Overlay District. Generally located on the north side of Badura Avenue, the south side of Roy Horn Way, the east side of Lindell Road, and the west side of Edmond Street within Enterprise. MN/jt/jo (For possible action)

ATTACHMENT: WS-21-0398_Color_Merged.pdf

ATTACHMENT: 32 21-0398-092221.docx

SUBJECT MATTER: In the matter of the aforementioned described application of County of Clark (Aviation) & Beltway Business Park Warehouse #10 Lease (Rod Martin) for waivers of development standards, and design reviews (as indicated on the ATTACHED agenda item):

DISCUSSION: There being no objections, Item No. 32 was heard in conjunction with Item Nos. 31 and 33.

ACTION: Approved, subject to staff's conditions as noted below (see Item No. 31 for discussion, motion, and vote).

CONDITIONS OF APPROVAL -

Current Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection;
- Prior to the issuance of building and grading permits, or subdivision mapping, mitigate the impacts of the project including, but not limited to, issues identified by the technical reports and studies, and issues identified by the Board of County Commissioners or commit to mitigating the impacts of the project by entering into a Standard Development Agreement with Clark County.
- 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

- Subject to revised plans that delineate a 5 foot pedestrian island at entrances;
- 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 - Director's Office for the Frontage Road improvement project;
- Dedicate any right-of-way necessary for the 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.

33. WS-21-0399-COUNTY OF CLARK (AVIATION) & BELTWAY BUSINESS PARK OFFICE # 2
LEASE:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) parking lot landscaping; and 2) cross access.

DESIGN REVIEWS for the following: 1) parking lot expansion; and 2) finished grade in conjunction with an office complex on 8.3 acres in an M-D (Designed Manufacturing) Zone and an M-D (Designed Manufacturing) (AE-60) Zone in the CMA Design Overlay District. Generally located on the southwest corner of Edmond Street and Roy Horn Way within Enterprise. MN/jt/jo (For possible action)

ATTACHMENT: WS-21-0399 Color Merged.pdf

ATTACHMENT: 33 21-0399-092221.docx

SUBJECT MATTER: In the matter of the aforementioned described application of County of Clark (Aviation) & Beltway Business Park Office #2 Lease (Rod Martin) for waivers of development standards, and design reviews (as indicated on the ATTACHED agenda item):

DISCUSSION: There being no objections, Item No. 33 was heard in conjunction with Item Nos. 31 and 32.

ACTION: Approved, subject to staff's conditions as noted below (see Item No. 31 for discussion, motion, and vote).

CONDITIONS OF APPROVAL -

Current Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection;
- Prior to the issuance of building and grading permits, or subdivision mapping, mitigate the impacts of the project including, but not limited to, issues identified by the technical reports and studies, and issues identified by the Board of County Commissioners or commit to mitigating the impacts of the project by entering into a Standard Development Agreement with Clark County.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

34. WC-21-400126 (ZC-0251-08)-PJA, LLC:
WAIVERS OF CONDITIONS of a zone change requiring the following: 1) construct full off-sites; and 2) drainage study and compliance in conjunction with an outside storage yard on 2.1 acres in an M-1 (Light Manufacturing) (AE-70 & APZ-1) Zone. Generally located on the east side of Betty Lane, 700 feet south of Alto Avenue within Sunrise Manor. MK/jor/jo (For possible action)

ATTACHMENT: WC-21-400126_Color_Merged.pdf

ATTACHMENT: 34 21-400126-092221.docx

SUBJECT MATTER: In the matter of the aforementioned described application of PJA, LLC for waivers of conditions (as indicated on the ATTACHED agenda item):

REPRESENTATIVE(S):

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

Following introduction of Item Nos. 34 and 35, the Board was addressed by the applicant's representatives, Keith Brinkley and Petya Balova, who advised that the proposed site was previously approved for land use; the drainage study would require the street to be raised anywhere between twelve to eighteen inches; proposed alternatives to mitigate drainage issues; no off-site improvements were located to the north and south of the site; off-sites were previously waived for the property to the north; and neighbors were in support of the redesign along Betty Lane.

Commissioner Kirkpatrick advised the applicant of previous meetings for zoning; updates to the Carey alignment including requirements for curb and gutter; required a drainage study within six months, a two-year review of the off-site improvements; and a monthly review be submitted showing progress.

In response to Commissioner Kirkpatrick; staff clarified that the applicant had two years to submit the off-site improvements for review; and that failure to submit the full drainage study within six months would affect the tenants on the site.

ACTION: It was moved by Commissioner Marilyn Kirkpatrick that the applications for Item Nos. 34 and 35 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, Michael Naft, Tick Segerblom, and William McCurdy II

VOTING NAY: None

ABSENT: Justin Jones, and Ross Miller

ABSTAIN: None

**CONDITIONS OF APPROVAL -
Current Planning**

- Applicant is advised that existing outside storage of vehicles, materials, and other related items stored on-site to be removed until site construction and technical studies have been completed; that the County is currently rewriting Title 30 and future land use applications 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

- Off-site permits shall be submitted to Public Works within 2 years;
- Drainage Study shall be submitted to Public Works within 6 months;
- Submit a monthly update to Commissioner Kirkpatrick's office.

35. WC-21-400130 (WS-19-0825)-PJA, LLC:
WAIVERS OF CONDITIONS of waivers of development standards requiring the following: 1) off-site improvements required limited to additional pavement, curb, and gutter (no sidewalk or streetlights); 2)

drainage study and compliance in conjunction with an outside storage yard on 2.1 acres in an M-1 (Light Manufacturing) (AE-70 & APZ-1) Zone. Generally located on the east side of Betty Lane, 700 feet south of Alto Avenue within Sunrise Manor. MK/jor/jo (For possible action)

ATTACHMENT: [WC-21-400130_Color_Merged.pdf](#)

ATTACHMENT: [35_21-400130-092221.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of PJA, LLC for waivers of conditions (as indicated on the ATTACHED agenda item):

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

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

CONDITIONS OF APPROVAL -

Current Planning

- Applicant is advised that WS-19-0825 expires on December 4, 2021, and to apply for any necessary extension of time application; that existing outside storage of vehicles, materials, and other related items stored on-site to be removed until site construction, business license, and technical studies have been completed; 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 is only for WS-19-0825 and does not apply to future land use applications.

Public Works - Development Review

- Off-site permits shall be submitted to Public Works within 2 years;
- Drainage Study shall be submitted to Public Works within 6 months;
- Submit a monthly update to Commissioner Kirkpatrick's office.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and for any sanitary sewer needs to contact the City of North Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

36. WS-21-0386-Z S K S A I Z M FAMILY TRUST, ET AL:
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) wall height; and 2) off-site improvements (curb, gutter, streetlights, sidewalks, and partial paving).
DESIGN REVIEWS for the following: 1) finished grade; and 2) single family residential subdivision on 8.1 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the west side of Torrey Pines Drive, 625 feet south of Farm Road within Lone Mountain. MK/jt/jo (For possible action)

ATTACHMENT: [WS-21-0386_Color_Merged.pdf](#)

ATTACHMENT: [36_21-0386-092221.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of ZSKSAIZM Family Trust, Et Al (Umer Malik) for waivers of development standards, and design reviews (as indicated on the

ATTACHED agenda item):

ACTION: Deleted from the agenda (held to October 20, 2021 per the applicant).

37. TM-21-500117-Z S K S A I Z M FAMILY TRUST, ET AL:
TENTATIVE MAP consisting of 16 lots and common lots on 8.1 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the west side of Torrey Pines Drive, 625 feet south of Farm Road within Lone Mountain. MK/jt/jo (For possible action)

ATTACHMENT: [TM-21-500117_Color_Merged.pdf](#)

ATTACHMENT: [37 21-500117-092221.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of ZSKSAIZM Family Trust, Et Al (Umer Malik) for a tentative map (as indicated on the ATTACHED agenda item):

ACTION: Deleted from the agenda (held to October 20, 2021 per the applicant).

38. WS-21-0419-DIGITAL DESERT BP, LLC:
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow roof signs; 2) increase the number of monument signs; 3) increase the number of project identification signs; 4) reduce the separation between project identification signs and monument signs; and 5) hanging signs.
DESIGN REVIEW for a comprehensive sign plan in conjunction with a previously approved mixed use development on 42.4 acres within a C-2 (Commercial General) Zone in the CMA Design Overlay District. Generally located on the west side of Buffalo Drive and the south side of Patrick Lane within Spring Valley. MN/md/jo (For possible action)

ATTACHMENT: [WS-21-0419_Color_Merged.pdf](#)

ATTACHMENT: [38 21-0419-092221.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Digital Desert BP, LLC for waivers of development standards, and design review (as indicated on the ATTACHED agenda item):

ACTION: Deleted from the agenda (held to October 6, 2021 per the applicant).

39. ZC-20-0544-VALENTI SAM P & MARY TR SURV TR & VALENTI SAM & MARY TR DCDNTS TR:
AMENDED HOLDOVER ZONE CHANGE to reclassify 2.9 acres from an R-E (Rural Estates Residential) Zone to an R-3 (Multiple Family Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS (previously not notified) for the following: 1) lot size; 2) setbacks; 3) allow an attached sidewalk; 4) gate and fence height; 5) front yard hardscape; 6) reduce parking; 7) alternative driveway geometrics; 8) curb radius; 9) alternative private street sections; 10) reduce street intersection off-set; 11) increase the number of dwelling units that access residential private streets; and 12) allow streets without a County approved turnaround.
DESIGN REVIEWS for the following: 1) a single family residential development (previously notified as a multiple family residential development); and 2) finished grade. Generally located on the east side of Broadbent Boulevard and the south side of Wetlands Park Lane within Whitney (description on file). JG/jt/ja (For possible action)

ATTACHMENT: [ZC-20-0544_Color_Merged.pdf](#)

ATTACHMENT: [39 20-0544-092221.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Sam P Tr & Mary Valenti Tr Surv Sam & Mary Tr Dcdnts Tr (Petersen Management, LLC) for an amended zone change, 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 to December 22, 2021 per the applicant).

40. ZC-21-0320-PRECEDENT PROPERTIES, LLC & VERLAINE, LLC:
HOLDOVER ZONE CHANGE to reclassify 9.4 acres from a C-2 (General Commercial) Zone and an M-D (Designed Manufacturing) (APZ-2) Zone to an M-D (Designed Manufacturing) (APZ-2) Zone.
WAIVER OF DEVELOPMENT STANDARDS to allow areas subject to vehicular traffic to be gravel where paving is required.
DESIGN REVIEW for a proposed equipment sales/rental/service - construction or heavy equipment facility (cranes). Generally located on the south side of Lake Mead Boulevard, 100 feet east of Abels Lane within Sunrise Manor (description on file). WM/lm/jd (For possible action)

ATTACHMENT: [ZC-21-0320_Color_Merged.pdf](#)

ATTACHMENT: [40 21-0320-092221.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Precedent Properties, LLC & Verlaine, LLC (Precedent Properties, LLC) for a zone change, waiver of development standards, and design review (as indicated on the ATTACHED agenda item) (held from August 18, 2021):

ACTION: Deleted from the agenda (held to October 6, 2021 per the applicant).

41. ZC-21-0371-CFT LANDS, LLC:
HOLDOVER ZONE CHANGE to reclassify 21.0 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase retaining wall height; 2) off-site improvements (curb, gutter, streetlights, sidewalk, and partial paving); and 3) street configuration.
DESIGN REVIEWS for the following: 1) single family residential development; and 2) finished grade. Generally located on the east side of Valley View Boulevard and the north side Frias Avenue within Enterprise (description on file). JJ/sd/jd (For possible action)

ATTACHMENT: [ZC-21-0371_Color_Merged.pdf](#)

ATTACHMENT: [41 21-0371-092221.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of CFT Lands, LLC (Bruin Capital Partners) for a zone change, waivers of development standards, and design reviews (as indicated on the ATTACHED agenda item) (held from August 18, 2021):

ACTION: Deleted from the agenda (held to October 6, 2021 per the applicant).

42. VS-21-0372-CFT LANDS, LLC:
HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Pyle Avenue and Frias Avenue, and between Valley View Boulevard and Dean Martin Drive within Enterprise (description on file). JJ/sd/jd (For possible action)

ATTACHMENT: [VS-21-0372_Color_Merged.pdf](#)

ATTACHMENT: [42 21-0372-092221.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of CFT Lands, LLC (Bruin Capital Partners) to vacate and abandon easements of interest (as indicated on the ATTACHED agenda item) (held from August 18, 2021):

ACTION: Deleted from the agenda (held to October 6, 2021 per the applicant).

43. TM-21-500115-CFT LANDS, LLC:

HOLDOVER TENTATIVE MAP consisting of 109 residential lots and 11 common lots on 21.0 acres in a R-2 (Medium Density Residential) Zone. Generally located on the east side of Valley View Boulevard and the north side Frias Avenue within Enterprise. JJ/sd/jd (For possible action)

ATTACHMENT: [TM-21-500115_Color_Merged.pdf](#)

ATTACHMENT: [43 21-500115-092221.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of CFT Lands, LLC (Bruin Capital Partners) for a tentative map (as indicated on the ATTACHED agenda item) (held from August 18, 2021):

ACTION: Deleted from the agenda (held to October 6, 2021 per the applicant).

44. ZC-21-0396-HAAR MARIA C REV LIV TR 2000 & HAAR MARIA CORAZON TRS:

ZONE CHANGE to reclassify 1.4 acres from an R-E (Rural Estates Residential) Zone to an RUD (Residential Urban Density) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced setbacks; 2) reduce width of private street; and 3) allow modified driveway design standards.

DESIGN REVIEWS for the following: 1) single family residential development; 2) hammerhead street design; and 3) finished grade. Generally located 350 feet east of Decatur Boulevard approximately 300 feet south of Ford Avenue within Enterprise (description on file). JJ/md/jo (For possible action)

ATTACHMENT: [ZC-21-0396_Color_Merged.pdf](#)

ATTACHMENT: [44 21-0396-092221.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Maria C Haar Rev Liv Tr 2000 & Maria Corazon Haar Trs (Petersen Management, LLC) for a zone change, waivers of development standards, and design reviews (as indicated on the ATTACHED agenda item):

ACTION: Deleted from the agenda (held to October 6, 2021 per the applicant).

45. VS-21-0397-HAAR MARIA C REV LIV TR 2000 & HAAR MARIA CORAZON TRS:

VACATE AND ABANDON easements of interest to Clark County located between Decatur Boulevard and Arville Street, and between Ford Avenue and Torino Avenue (alignment) within Enterprise (description on file). JJ/md/jo (For possible action)

ATTACHMENT: [VS-21-0397_Color_Merged.pdf](#)

ATTACHMENT: [45 21-0397-092221.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Maria C Haar Rev Liv Tr 2000 & Maria Corazon Haar Trs (Petersen Management, LLC) to vacate and abandon easements of interest (as indicated on the ATTACHED agenda item):

ACTION: Deleted from the agenda (held to October 6, 2021 per the applicant).

46. NZC-21-0222-JCLH, LLC:

HOLDOVER ZONE CHANGE to reclassify 20.0 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; and 2) waive off-site improvements (partial paving, curb, gutter, sidewalks, and streetlights).
DESIGN REVIEWS for the following: 1) single family residential subdivision; and 2) finished grade.
Generally located on the west side of Edmond Street, south side of Richmar Avenue, and the east side of Lindell Road within Enterprise (description on file). JJ/jt/jd (For possible action)

ATTACHMENT: [Nzc-21-0222_Color_Merged.pdf](#)

ATTACHMENT: [46 21-0222-092221.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of JCLH, LLC for a zone change, waivers of development standards, and design reviews (as indicated on the ATTACHED agenda item) (held from August 18, 2021):

ACTION: Deleted from the agenda (held to October 6, 2021 per the applicant).

47. VS-21-0223-JCLH, LLC:
HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Richmar Avenue and Gary Avenue (alignment), and between Edmond Street and Lindell Road within Enterprise (description on file). JJ/jt/jd (For possible action)

ATTACHMENT: [VS-21-0223_Color_Merged.pdf](#)

ATTACHMENT: [47 21-0223-092221.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of JCLH, LLC to vacate and abandon easements of interest (as indicated on the ATTACHED agenda item) (held from August 18, 2021):

ACTION: Deleted from the agenda (held to October 6, 2021 per the applicant).

48. TM-21-500055-JCLH, LLC:
HOLDOVER TENTATIVE MAP consisting of 143 residential lots and common lots on 20.0 acres in an R-2 (Medium Density Residential) Zone. Generally located on the west side of Edmond Street, south side of Richmar Avenue, and the east side of Lindell Road within Enterprise. JJ/jt/jd (For possible action)

ATTACHMENT: [TM-21-500055_Color_Merged.pdf](#)

ATTACHMENT: [48 21-500055-092221.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of JCLH, LLC for a tentative map (as indicated on the ATTACHED agenda item) (held from August 18, 2021):

ACTION: Deleted from the agenda (held to October 6, 2021 per the applicant).

49. Nzc-21-0123-BADSM PARTNERS, LLC:
AMENDED ZONE CHANGE to reclassify 7.4 acres from an R-E (Rural Estates Residential) (RNP-I) Zone to an R-D (Suburban Estates Residential) Zone and R-2 (Medium Density Residential) Zone (no longer needed).
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setback (previously not notified); 2) increase wall height; 3) waive perimeter landscaping along a local street; and 4) waive full off-site improvements (partial paving, curb, gutter, sidewalk, and streetlights).

DESIGN REVIEWS for the following: 1) proposed single family residential development; and 2) finished grade. Generally located on the south side of Chartan Avenue and the east side of Placid Street within Enterprise (description on file). MN/rk/jd (For possible action)

ATTACHMENT: [NZN-21-0123_Color_Merged.pdf](#)

ATTACHMENT: [49 21-0123-092221.docx](#)

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation of the Planning Commission that the Board approve the aforementioned described application of BADSM Partners, LLC (Chris Armstrong c/o Goold Patterson) for an amended 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. 49 was taken in conjunction with Item Nos. 50 and 51.

Following introduction of Item Nos. 49, 50 and 51, staff advised that the Planning Commission approved the applications and Enterprise Town Board recommended denial.

The Board was addressed by the applicant's representative, John Sullivan, who advised that the 7.4 acre proposed site located at the southeast corner of Placid Street and Chartan Avenue was currently zoned R-E (rural estates); sat in the southeast corner in the RNP (residential neighborhood preservation); to the west, north, and portion of the east was zoned R2 (medium density residential); and to the south was zoned R1 (single family residential) and R-D (suburban estates residential). The applicant requested a zone change to R-D for all single-story homes; a large flood zone ran through the property and surrounding parcels; underground box culverts would be used to complete the project and ameliorate the flood zone; and water would be released onto Chartan Avenue as required. Advised of holding several neighborhood meetings where neighbors expressed concerns of changes to the RNP, privacy, and increased traffic in the area; access from Placid Street and Chartan Avenue was removed; a single entrance was located on Terrill Avenue; extensive landscape buffer would run along the block walls; the crash gate would be changed to amend concerns for an adjacent property; two feet of additional wall was added to the plan to address privacy concerns; there was no significant height difference between neighboring properties; and further advised of conditions read into the record during the Planning Commission meeting.

Multiple speakers spoke in opposition of the project and expressed concerns regarding traffic, privacy, setting a precedence for the rest of the surrounding RNP, and flooding including Wayne Darling, Mary Coulombe-Jones, Ken Ravalgo, Robin Penrod, Jerry Pavelec, Biagio Guerra, Debra Meyer, A. Ruocco, and Mary Saccaletti.

Rigoberto Gonzalez spoke in favor of the proposed project.

Commissioner Naft spoke regarding neighbor participation during the application process; the surrounding zoning around the site, and flood concerns.

In response to Commissioner Naft, the applicant's representative advised that the 9-feet of fill referenced finished floor with the largest gap being 3.5 feet; included the flood control, box culvert, and infill.

Staff advised that the applicant was required to submit a drainage study; provided an overview of the

standard written for the maximum amount; the application had to go through FEMA to amend the flood zone, and that the flood zone could not be made worse.

Commissioner Naft reviewed the conditions including 10,000 square-foot lots with all single-story homes; no access to Placid Street, Chartan Avenue, or to the RNP from the community; the emergency exit will be located on Placid Street; lot 13 will be side-loaded; below grade drainage through the side and the removal of special hazard zone; mature landscaping installed; perimeter walls to be built prior to vertical construction; no construction will be completed on Sundays; and that changes to the applications as a result of new ownership would not be entertained.

Discussion continued regarding that sales agreements include a disclosure about animals present in the surrounding communities.

ACTION: It was moved by Commissioner Michael Naft that the applications for Item Nos. 49, 50 and 51 be approved, subject to the conditions recommended by staff and additional agreed upon conditions as listed below, with the following vote:

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

VOTING NAY: None

ABSENT: Justin Jones

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Resolution of Intent to complete in 4 years;
- Only 1 story homes within the development;
- Design review as a public hearing on any significant changes to plans;
- No access to Placid Street, Chartan Avenue, or Terrill Avenue west toward Placid Street;
- Emergency exit to be on Placid Street;
- 10,000 square foot minimum lot sizes;
- Lot 13 to be oriented on the diagonal;
- Landscaping to include mature trees and shrubs along perimeter of Chartan Avenue and Placid Street (to be maintained by the homeowner's association);
- Increase the screen wall height along Placid Street 2 feet to 3 feet;
- Construction of perimeter walls immediately after grading permit and prior to vertical construction of homes;
- No work on Sundays;
- Provide disclosure to buyers that this project is in an area that allows agricultural animals;
- 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

- Below grade drainage solution through the property;
- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- Applicant is advised that this site is located within a Special Flood Hazard Area (SFHA) as designated by the Federal Emergency Management Agency (FEMA); 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; 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 homes purchased or soundproofed.

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised that there is an active septic permit on APN 177-33-801-012; 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 initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0042-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

50. VS-21-0124-BADSM PARTNERS, LLC:
VACATE AND ABANDON easements of interest to Clark County located between Chartan Avenue and Terrill Avenue, and between Placid Street and Bermuda Road within Enterprise (description on file).
MN/rk/jd (For possible action)

ATTACHMENT: [VS-21-0124_Color_Merged.pdf](#)

ATTACHMENT: [50 21-0124-092221.docx](#)

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation of the Planning Commission that the Board approve the aforementioned described application of BADSM Partners, LLC (Chris Armstrong c/o Goold Patterson) to vacate and abandon easements of interest (as indicated on the ATTACHED agenda item):

DISCUSSION: There being no objections, Item No. 50 was heard in conjunction with Item Nos. 49 and 51.

ACTION: Approved, subject to staff's conditions as noted below (see Item No. 49 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

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

51. TM-21-500032-BADSM PARTNERS, LLC:
AMENDED TENTATIVE MAP consisting of 22 (previously 24) single family residential lots and common lots on 7.4 acres in an R-D (Suburban Estates Residential) Zone and R-2 (Medium Density

Residential) Zone (no longer needed). Generally located on the south side of Chartan Avenue and the east side of Placid Street within Enterprise. MN/rk/jd (For possible action)

ATTACHMENT: [TM-21-500032_Color_Merged.pdf](#)

ATTACHMENT: [51 21-500032-092221.docx](#)

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation of the Planning Commission that the Board approve the aforementioned described application of BADSM Partners, LLC (Chris Armstrong c/o Goold Patterson) for an amended tentative map (as indicated on the ATTACHED agenda item):

DISCUSSION: There being no objections, Item No. 51 was heard in conjunction with Item Nos. 49 and 50.

ACTION: Approved, subject to staff's conditions as noted below (see Item No. 49 for discussion, motion, and vote).

CONDITIONS OF APPROVAL -

Current Planning

- Expunge TM-19-500047;
- 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; 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

- Below grade drainage solution through the property;
- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- Applicant is advised that this site is located within a Special Flood Hazard Area (SFHA) as designated by the Federal Emergency Management Agency (FEMA); and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Current Planning Division - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided;
- Private streets shall have approved street names and suffixes.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; 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 homes purchased or soundproofed.

Building Department - Fire Prevention

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0042-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

52. NZC-21-0290-LHSFS WARM SPRINGS HOLDINGS, LLC:
ZONE CHANGE to reclassify 5.0 acres from an R-E (Rural Estates Residential) Zone to an M-D

(Designed Manufacturing) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) reduce landscaping; 3) alternative driveway geometrics; and 4) reduce driveway departure distance.

DESIGN REVIEWS for the following: 1) office/warehouse complex; and 2) finished grade in the CMA Design Overlay District. Generally located on the northwest corner of Warm Springs Road and Belcastro Street within Spring Valley (description on file). MN/jt/jd (For possible action)

ATTACHMENT: NZC-21-0290_Color_Merged.pdf

ATTACHMENT: 52 21-0290-092221.docx

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation of the Planning Commission that the Board approve the aforementioned described application of LHSFS Warm Springs Holdings, LLC (Parting Seas Investments, LLC) for a zone change, waivers of development standards, and design reviews (as indicated on the ATTACHED agenda item):

REPRESENTATIVE(S): Present

DISCUSSION: There being no objections, Item No. 52 was taken in conjunction with Item Nos. 53 and 54.

Following introduction of Item Nos. 52, 53 and 54, the Board was addressed by the applicant's representative, Jennifer Lazivich, who advised that the proposed site located on the north side of Warm Springs Road and west of Rainbow Boulevard, was developed by the same developer as the MD Project to the north with a similar design and layout; that waivers for the project were driven by the narrow shape of the parcel, and also dictated the placement of the driveway.

ACTION: It was moved by Commissioner Michael Naft that the applications for Item Nos. 52, 53 and 54 be approved, subject to the conditions recommended by staff as listed below, with the following vote:

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

VOTING NAY: None

ABSENT: Marilyn Kirkpatrick, and Justin Jones

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Resolution of Intent to complete in 4 years;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- 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 45 feet to the back of curb for Warm Springs Road, 30 feet for Belcastro Street, and associated spandrel;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the final map.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0254-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

53. VS-21-0289-LHSFS WARM SPRINGS HOLDINGS, LLC:
VACATE AND ABANDON easements of interest to Clark County located between Arby Avenue and Warm Springs Road, and between Belcastro Street and Tenaya Way within Spring Valley (description on file). MN/jt/jd (For possible action)

ATTACHMENT: [VS-21-0289_Color_Merged.pdf](#)

ATTACHMENT: [53 21-0289-092221.docx](#)

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation of the Planning

Commission that the Board approve the aforementioned described application of LHSFS Warm Springs Holdings, LLC (Parting Seas Investments, LLC) to vacate and abandon easements of interest (as indicated on the ATTACHED agenda item):

DISCUSSION: There being no objections, Item No. 53 was heard in conjunction with Item Nos. 52 and 54.

ACTION: Approved, subject to staff's conditions as noted below (see Item No. 52 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 45 feet to the back of curb for Warm Springs Road, 30 feet for Belcastro Street, and associated spandrel;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the final map;
- 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.

54. TM-21-500091-LHSFS WARM SPRINGS HOLDINGS, LLC:
TENTATIVE MAP consisting of 1 commercial lot on 5.0 acres in M-D (Designed Manufacturing) Zone in the CMA Design Overlay District. Generally located on the northwest corner of Warm Springs Road and Belcastro Street within Spring Valley. MN/jt/jd (For possible action)

ATTACHMENT: [TM-21-500091_Color_Merged.pdf](#)

ATTACHMENT: [54 21-500091-092221.docx](#)

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation of the Planning Commission that the Board approve the aforementioned described application of LHSFS Warm Springs Holdings, LLC (Parting Seas Investments, LLC) for a tentative map (as indicated on the ATTACHED agenda item):

DISCUSSION: There being no objections, Item No. 54 was heard in conjunction with Item Nos. 52 and 53.

ACTION: Approved, subject to staff's conditions as noted below (see Item No. 52 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 45 feet to the back of curb for Warm Springs Road, 30 feet for Belcastro Street, and associated spandrel;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the final map.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0254-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

55. NZC-21-0321-JCLH, LLC:

ZONE CHANGE to reclassify 14.7 acres from an R-E (Rural Estates Residential) Zone to an RUD (Residential Urban Density) Zone.

USE PERMIT for an attached (townhouse) planned unit development.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) reduce parking; 3) reduce height/setback ratio adjacent to a single family residential use; 4) allow alternative landscaping adjacent to a less intensive (single family) use; 5) reduce street intersection off-set; 6) reduce width of private streets; 7) modify private street sections; 8) reduce back of curb radius; 9) allow modified driveway design standards; and 10) waive dedication for Meranto Avenue.

DESIGN REVIEWS for the following: 1) an attached single family residential planned unit development (PUD); and 2) finished grade. Generally located on the west side of Decatur Boulevard and the south side of Serene Avenue within Enterprise (description on file). JJ/rk/jd (For possible action)

ATTACHMENT: NZC-21-0321_Color_Merged.pdf

ATTACHMENT: 55 21-0321-092221.docx

SUBJECT MATTER: In the matter of the aforementioned described application of JCLH, LLC (Strive Engineering) for a zone change, use permit, waivers of development standards, and design reviews (as indicated on the ATTACHED agenda item):

ACTION: Deleted from the agenda (held to October 6, 2021 per the applicant).

56. VS-21-0322-JCLH, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Decatur Boulevard and Hauck Street, and between Serene Avenue and Richmar Avenue within Enterprise (description on file). JJ/rk/jd (For possible action)

ATTACHMENT: VS-21-0322_Color_Merged.pdf

ATTACHMENT: 56 21-0322-092221.docx

SUBJECT MATTER: In the matter of the aforementioned described application of JCLH, LLC (Strive Engineering) to vacate and abandon easements of interest (as indicated on the ATTACHED agenda item):

ACTION: Deleted from the agenda (held to October 6, 2021 per the applicant).

57. TM-21-500102-JCLH, LLC:

TENTATIVE MAP consisting of 225 single family residential lots and common lots on 14.7 acres in an RUD (Residential Urban Density) Zone. Generally located on the west side of Decatur Boulevard and the south side of Serene Avenue within Enterprise. JJ/rk/jd (For possible action)

ATTACHMENT: TM-21-500102_Color_Merged.pdf

ATTACHMENT: 57 21-500102-092221.docx

SUBJECT MATTER: In the matter of the aforementioned described application of JCLH, LLC (Strive Engineering) for a tentative map (as indicated on the ATTACHED agenda item):

ACTION: Deleted from the agenda (held to October 6, 2021 per the applicant).

58. NZC-21-0325-PAIR-A-DICE, LLC:

ZONE CHANGE to reclassify 1.9 acres from a C-1 (Local Business) Zone and a C-2 (General Commercial) Zone to an R-5 (Apartment Residential) Zone for a multiple family residential development.

WAIVER OF DEVELOPMENT STANDARDS to reduce the height/setback ratio to single family residential.

DESIGN REVIEWS for the following: 1) multiple family residential development; and 2) finished grade. Generally located 190 feet north of Tropicana Avenue, 270 feet east of Jones Boulevard within Spring Valley (description on file). MN/jvm/jd (For possible action)

ATTACHMENT: NZC-21-0325_Color_Merged.pdf

ATTACHMENT: 58 21-0325-092221.docx

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation of the Planning Commission that the Board approve the aforementioned described application of Pair-A-Dice, LLC for a

zone change, waiver of development standards, and design reviews (as indicated on the ATTACHED agenda item):

REPRESENTATIVE(S): Present

DISCUSSION: Following introduction of the item, the Board was addressed by the applicant's representative, Stephanie Allen, who advised that the site, located at Jones Boulevard and Tropicana Avenue, was an infill parcel surrounded by mobile home park on the north and east, and commercial on the west and south; the proposed use was for a 44-unit one- and two-bedroom multi-family rental project that would meet needed demands in the community; a day care facility was located adjacent to the property and that the residential component was consistent with that use; entry to the site was via a sliding gated access point, and an exit was located at the southernmost portion of the development; resident parking was provided within the gated areas; and overflow parking was located adjacent to the property at the south.

Commissioner Michael Naft requested that the applicant work with Las Vegas Metropolitan Police Department (LVMPD) on a safety and security plan for the complex.

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

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

VOTING NAY: None

ABSENT: Justin Jones

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Resolution of Intent to complete in 3 years;
- Provide grilling areas with benches in the landscaped areas at the corners of the site;
- Work with the Las Vegas Metropolitan Police Department for the installation of security cameras and surveillance operation;
- 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.
- 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 #0271-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

59. 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: 59 21-400019-092221

SUBJECT MATTER/RECOMMENDATION: 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 design review (as indicated on the ATTACHED agenda item) (held from August 18, 2021) (appealed by neighbors):

REPRESENTATIVE(S): Present

SPEAKER(S): Present

DISCUSSION: Following introduction of the item, staff advised that Planning Commission recommended approval.

The Board was addressed by the applicant's representative, Stephanie Allen, who advised that the appeal was from Planning Commission's approval for first extension of time of an accessory structure; neighbors to the north had concerns about the project, in particular noise, lighting, and further expansions of the property; the applicant's representative further advised of working with neighbors regarding additional conditions for the application; provided a historical overview of the proposed site located in a shopping center, and the area was heavily zoned commercial; the application for the accessory warehouse was previously approved in 2020 and COVID impacted the project; Great Buns provided services for many establishments throughout the valley; temporary buildings on site would be removed to allow space for the warehouse building; and the recycling dumpster would remain part of the plan.

The applicant's representative spoke regarding additional conditions such as use of the public address system was discontinued; downward LED lighting would be installed on the north facing buildings; buildings plans would be made available for the surrounding homeowner's associations; exhaust fans were relocated; no stacking of crates above the property wall; noise attenuation in several locations of the site; a landscaping buffer would be added on the adjacent property line; noise attenuation studies to be completed; progress report submission within six months to the Board of County Commissioners; allow until March 7, 2023 to complete the building permit and inspections; extensions of time would be subject to another public hearing, no permits for the accessory building will be issued until applicable conditions are met, excluding the second noise attenuation study; and provided an overview of the uses on site.

Tim Fitcher expressed appreciation to Commissioner Segerblom and the applicant for allowing public participation.

ACTION: It was moved by Commissioner Tick Segerblom 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, Michael Naft, Tick Segerblom, Ross Miller, and William McCurdy II

VOTING NAY: None

ABSENT: Justin Jones

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Until March 7, 2023 to complete the building permit and inspection process with any extension of time to be a public hearing;
- No future expansions of the existing bakery or out-buildings on the property;
- Eliminate any public address (PA) systems;
- Add new downward lit LED lights on the north facing buildings and provide a copy of the photometric lighting plan to Montara homeowner's association;
- Provide a copy of the building plan submittal package to Montara homeowner's association;
- Relocate exhaust fan away from the northern property line;
- No crates stacked above property wall;
- Add noise attenuation to the north facing air curtains;
- Add noise attenuating rooftop screening on the north side of the 4 rooftop swamp coolers pending administrative approval by Clark County Department of Comprehensive Planning;
- Coordinate with property owner of APN 162-24-811-001 to supply no more than eighteen, 24 inch box buffer trees per the Southern Nevada Regional Planning Coalition Regional Plant list 20 feet on center, to be planted on APN 162-24-811-001 only adjacent to the north property line of APN 162-24-802-016 where trees do not currently exist, pending approval, acceptance and on-going maintenance by the owner of APN 162-24-811-001 at a total cost not to exceed \$12,500;
- Provide to Montara homeowner's association 2 noise studies, 1 before construction of the proposed accessory building and sound mitigation measures to establish a baseline, and 1 after completion of construction of the new accessory building of which both studies shall follow the Title 30 testing and limit criteria with the second study demonstrating compliance with Title 30 noise limits on the subject property and relative to the adjacent R-1 zoning;
- Provide progress report to Commissioner Segerblom within 6 months of approval of this extension of time;
- No permits issued for the new accessory building until all applicable conditions are met, this does not apply to the second noise attenuation study which will be completed 30 days after occupancy.
- 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.

60. UC-21-0324-MCGILLIS INVESTMENT CO, LLP:
APPEAL USE PERMIT for a funeral home.
WAIVER OF DEVELOPMENT STANDARDS to allow modified driveway design standards.
DESIGN REVIEW for a proposed funeral home on 2.0 acres in an R-E (Rural Estates Residential) Zone.
Generally located on the north side of Lone Mountain Road and the west side of Tenaya Way within Lone Mountain. RM/rk/jd (For possible action)

ATTACHMENT: [UC-21-0324_Color_Merged.pdf](#)

ATTACHMENT: [60 21-0324-092221.docx](#)

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation of the Planning Commission that the Board approve the aforementioned described application of McGillis Investment

Co, LLP (Francois Benoit) for a use permit, waiver of development standards, and design review (as indicated on the ATTACHED agenda item) (appealed by a neighbor):

REPRESENTATIVE(S):

SPEAKER(S): Present

DISCUSSION: There being no objections, Item No. 60 was taken in conjunction with Item No. 61.

Following introduction of Item Nos. 60 and 61, staff advised that both applications were approved by the Planning Commission.

The Board was addressed by the applicant's representative, Rami Atout, and Larry Davis, managing partner for Bunkers Mortuaries and Cemeteries, who advised that the proposed site was for a single-story 11,000 square foot funeral home with ranch style architecture; located at the intersection of Lone Mountain Road and Tenaya Way; was zoned R-E and surrounded by the RNP; the proposed use was typical for a major arterial and collector street; and staff and Planning Commission recommended approval.

Gail Powers, Gene Collins, William Kremer, Nellie Gray, Nancy Moore, Michael Revine, Christian Salmon, Leo Basch, Shane Scott, Bridget Russo, Brigitte Solvie, and Victoria Brehmner spoke in opposition of the proposed project.

Legal Counsel advised that the application was for a funeral home across from a cemetery; that a funeral home was more akin to a place of worship than commercial uses contemplated in the interlocal agreement; and the Board should consider the merits of the application when making their decision.

In response to Commissioner Miller, Larry Davis advised that this was an application for a use permit; the proposed site plan had 117 parking spaces due the requirement that there be 10 spaces per 1,000 square feet; most services would be held during regular business hours; and a funeral home within proximity to a cemetery would ease some burdens for families.

Staff advised that these facilities have been approved in residential areas as the code allows; there have not been negative effects to areas, including traffic, as it was a low impact use; and ten feet of Tenaya Way would be vacated.

In response to Commissioner Kirkpatrick; Larry Davis advised that a preparation room was required by the Nevada State Funeral Board; a crematory was never part of the plan; the building plan would only accommodate one service at a time, with a limited capacity; larger gatherings would be provided alternative locations for services; and there would be no outdoor events.

Commissioner Miller spoke regarding preservation of the neighborhood character; the intent of the interlocal agreement; and the appropriateness of the use permit.

Discussion continued regarding purpose of the interlocal agreement; landscape installation; an administrative review; traffic alleviation; alternative more intrusive uses; and requirement to install a no left-turn sign.

ACTION: It was moved by Commissioner Ross Miller that the applications for Item Nos. 60 and 61 be approved, subject to the conditions recommended by staff and additional conditions as listed below, with the following vote:

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

VOTING NAY: None
ABSENT: Justin Jones
ABSTAIN: None

**CONDITIONS OF APPROVAL -
Current Planning**

- Update Commissioner Miller’s office throughout the development on progress;
- No wall signage;
- Architecture to remain ranch style;
- 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

- “No left turn” sign to be installed at exit onto Tenaya Way;
- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated County; and that for any sanitary sewer needs, to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

61. VS-21-0323-MCGILLIS INVESTMENT CO, LLP:
APPEAL VACATE AND ABANDON a portion of right-of-way being Tenaya Way located between Lone Mountain Road and Verde Way within Lone Mountain (description on file). RM/nr/jd (For possible action)

ATTACHMENT: [VS-21-0323_Color_Merged.pdf](#)

ATTACHMENT: [61 21-0323-092221.docx](#)

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation of the Planning Commission that the Board approve the aforementioned described application of McGillis Investment Co, LLP (Francois Benoit) to vacate and abandon a portion of right-of-way (as indicated on the ATTACHED agenda item) (appealed by a neighbor):

DISCUSSION: There being no objections, Item No. 61 was heard in conjunction with Item No. 60.

ACTION: Approved, subject to staff’s conditions as noted below (see Item No. 60 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

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

62. WS-21-0282-AGASSI, ANDRE:
APPEAL WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce side yard setback; and 2) reduce lot area in conjunction with an existing residence within a minor subdivision on 0.9 acres in an R-E (Rural Estates Residential) Zone. Generally located on the south side of Andre Drive and the west side of Agassi Court within Spring Valley. JJ/bb/jo (For possible action)

ATTACHMENT: [WS-21-0282_Color_Merged.pdf](#)

ATTACHMENT: [62 21-0282-092221.docx](#)

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation of the Planning Commission that the Board deny the aforementioned described application of Andre Agassi for waivers of development standards (as indicated on the ATTACHED agenda item) (appealed by an interested party):

ACTION: It was moved by Commissioner Marilyn Kirkpatrick that the item be held to October 20, 2021, with the following vote:

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

VOTING NAY: None

ABSENT: Jim Gibson, and Justin Jones

ABSTAIN: None

63. AG-21-900492: Authorize the cancellation of a Development Agreement and signature of a Cancellation Agreement for the Sands Expo Center Annex (exposition hall/convention facility) generally located south of Sands Avenue, east of Koval Lane and west of Manhattan Street, within Paradise. TS/sr (For possible action)

ATTACHMENT: [AG-21-900492.pdf](#)

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation of the Planning Commission that the Board authorize the cancellation of a Development Agreement and signature of a Cancellation Agreement for the Sands Expo Center Annex (exposition hall/convention facility) generally located south of Sands Avenue, east of Koval Lane and west of Manhattan Street, within Paradise. (For possible action)

DISCUSSION: Following introduction of the item, staff advised that the item was to cancel the initial

Development Agreement for a location on a portion of the MSG Sphere.

Legal Counsel advised that a motion was required for the item.

ACTION: It was moved by Commissioner Marilyn Kirkpatrick that the Chair sign a Cancellation Agreement for the Sands Expo Center Annex, with the following vote:

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

VOTING NAY: None

ABSENT: Justin Jones

ABSTAIN: None

64. CP-21-900519: Conduct a public hearing, adopt the Flood Control Master Plan Amendment, and authorize the Chair to sign a Resolution amending the Plan. (For possible action)

ATTACHMENT: CP-21-900519

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation of the Planning Commission that the Board conduct a public hearing, adopt the Flood Control Master Plan Amendment, and authorize the Chair to sign a Resolution amending the Plan. (For possible action)

REPRESENTATIVE(S): None

DISCUSSION: Following introduction of the item, staff advised that the application had been approved through the Regional Flood Control District (RFCD) and the Southern Nevada Regional Planning Coalition (SNRPC).

Chair Kirkpatrick opened the public hearing and asked if there were any persons present in the audience wishing to be heard on the proposed resolution.

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 Chair sign Resolution No. R-9-22-21-1 amending the Flood Control Master Plan, with the following vote:

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

VOTING NAY: None

ABSENT: Justin Jones, and Tick Segerblom

ABSTAIN: None

65. ORD-21-900427: Introduce an ordinance to consider adoption of a Development Agreement with Affiliate Investments LLC for a retail center (The Commons on Blue Diamond) on 3.4 acres, generally located west of Edmond Street and north of Blue Diamond Road within Enterprise. JJ/ab (For possible action)

ATTACHMENT: ORD-21-900427

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation of the Planning Commission that the Board introduce an ordinance to consider adoption of a Development Agreement with Affiliate Investments LLC for a retail center (The Commons on Blue Diamond) on 3.4 acres, generally located west of Edmond Street and north of Blue Diamond 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. 9-22-21-1).

ACTION: There being no objections, Chair Kirkpatrick set the matter for public hearing on October 6, 2021.

66. ORD-21-900484: Introduce an ordinance to consider adoption of a Development Agreement with Cimarron Springs Plaza LLC for a retail business (Warm Springs & Cimarron) on 0.5 acres, generally located west of Cimarron Road and south of Warm Springs Road within Spring Valley. MN/ab (For possible action)

ATTACHMENT: [ORD-21-900484.pdf](#)

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation of the Planning Commission that the Board introduce an ordinance to consider adoption of a Development Agreement with Cimarron Springs Plaza LLC for a retail business (Warm Springs & Cimarron) on 0.5 acres, generally located west of Cimarron Road and south of Warm Springs Road within Spring Valley. (For possible action)

DISCUSSION: Commissioner Kirkpatrick introduced the proposed ordinance, entitled and summarized as indicated on the ATTACHED agenda item (Bill No. 9-22-21-2).

ACTION: There being no objections, Chair Kirkpatrick set the matter for public hearing on October 6, 2021.

67. ORD-21-900487: Introduce an ordinance to consider adoption of a Development Agreement with LAD 5 LLC for a residential development (Agate-Warbonnet) on 9.8 acres, generally located west of Buffalo Drive and south of Agate Avenue within Enterprise. JJ/ab (For possible action)

ATTACHMENT: [ORD-21-900487.pdf](#)

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation of the Planning Commission that the Board introduce an ordinance to consider adoption of a Development Agreement with LAD 5 LLC for a residential development (Agate-Warbonnet) on 9.8 acres, generally located west of Buffalo Drive and south of Agate 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. 9-22-21-3).

ACTION: There being no objections, Chair Kirkpatrick set the matter for public hearing on October 6, 2021.

PUBLIC COMMENTS

Comments by the General Public regarding any items not listed on the agenda as posted. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on a future agenda.

At this time, Chair 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): Present

Mike Wolther presented a proposal for metro bus transportation on a parcel at Wetlands Parkway and Broadbent Avenue.

There being no further business to come before the Board at this time, at the hour of 12:39 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