

Clark County Planning Commission
CLARK COUNTY, NEVADA

NELSON STONE
Chair
STEVE KIRK
Vice-Chair
DUY NGUYEN
EDWARD FRASIER III
JENNA WALTHO
TIMOTHY CASTELLO
VIVIAN KILARSKI

NANCY A. AMUNDSEN
Executive Secretary

OPENING CEREMONIES

CALL TO ORDER

The regular meeting of the Clark County Planning Commission was called to order by Chair Nelson Stone on Tuesday, October 5, 2021, at 7:00 p.m. in the Commission Chambers, Clark County Government Center, 500 South Grand Central Parkway, Las Vegas, Nevada. On roll call, the following members were present, constituting a quorum of the members thereof:

CHAIR AND COMMISSIONERS:

Nelson Stone
Steve Kirk
Timothy Castello
Vivian Kilarski
Duy Nguyen
Jenna Waltho

Excused:

Edward Frasier III

Also present:

Robert Warhola, Chief Deputy District Attorney, Civil Division
Sami Real, Planning Manager
Jennifer Ammerman, Assistant Planning Manager
Jared Tasko, Principal Planner
Nicole Razo, Administrative Specialist
JaWaan Dodson, Plan Checker II, Public Works – Development Review
Jorge Orozco, Plan Checker I, Public Works – Development Review

PLEDGE OF ALLEGIANCE

1. Public Comments.

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

SPEAKER(S): None

There being no persons present in the audience wishing to be heard on any items on the agenda as posted, Chair Nelson Stone 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 Steve Kirk that the Agenda for October 5, 2021 be approved with the following changes:

Item #28 - UC-21-0430 - Held until 12/07/21 per the applicant.

Item #29 - WS-21-0401 - Held No Date per the applicant; fees apply.

Item #32 - NZC-21-0383 - Held until 10/19/21 per the applicant.

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

ABSENT: Edward Frasier III

ABSTAIN: None

3. Approval of minutes. (For possible action)

ACTION: It was moved by Commissioner Steve Kirk that the Planning Commission Meeting Minutes for August 17, 2021 be approved as submitted by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

ABSENT: Edward Frasier III

ABSTAIN: None

ROUTINE ACTION ITEMS

Mr. Jared Tasko, Principal Planner, presented the Routine Action Items and stated items #4 through #24 will be taken in one vote except items #15 through #21 were heard separately.

ACTION: It was moved by Commissioner Steve Kirk that the Routine Action Items be Approved, incorporating the staff recommendations and the added conditions for each application type (specific vote and conditions are outlined under each agenda item).

4. AR-21-400133 (UC-19-0359)-FLORES-RODRIGUEZ, MIGUEL & LOPEZ-MAYORGA, INGRIS N.:
USE PERMIT SECOND APPLICATION FOR REVIEW for landscaping in conjunction with a food cart (taco cart/trailer) not located within an enclosed building on a portion of 0.8 acres in a C-1 (Local Business) Zone. Generally located on the south side of Lake Mead Boulevard, 420 feet east of Christy Lane within Sunrise Manor. TS/jor/jo (For possible action)

ACTION: It was moved by Commissioner Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

EXCUSED: Edward Frasier III

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Remove the time limit.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: NA

OPPOSITION RECEIVED: 1 letter

5. ET-21-400132 (VS-19-0490)-SACKLEY FAMILY TRUST & SACKLEY STUART TRS:

VACATE AND ABANDON FIRST EXTENSION OF TIME easements of interest to Clark County located between Arby Avenue and Capovilla Avenue and between Rainbow Boulevard and Redwood Street within Enterprise (description on file). MN/sd/jo (For possible action)

ACTION: It was moved by Commissioner Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

EXCUSED: Edward Frasier III

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- **Until August 20, 2023 to record.**
- **Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; 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 re-approval by the utility companies is required.**

Public Works - Development Review

- **Coordinate with Public Works - Design Division for the Rainbow Boulevard improvement project;**
- **Compliance with previous conditions.**

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: NA

OPPOSITION RECEIVED: NA

6. **UC-21-0412-HERBST FAMILY LIMITED PARTNERSHIP II:
USE PERMIT for a supper club.**

DESIGN REVIEW for a supper club in conjunction with a parking garage, warehouse, and convenience store with gasoline station on 4.0 acres in an M-1 (Light Manufacturing) (AE-60) Zone. Generally located on the south side of Dewey Drive, the north side of Russell Road, and the west side of Polaris Avenue within Paradise. MN/jt/jo (For possible action)

ACTION: It was moved by Commissioner Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

EXCUSED: Edward Frasier III

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- **Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.**
- **Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.**

Public Works - Development Review

- **Drainage study and compliance;**
- **Traffic study and compliance;**
- **If required by the traffic study, a queuing analysis must be approved by Public Works - Development Review Division.**
- **Applicant is advised that off-site improvement permits may be required.**

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.**

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: 4 cards

OPPOSITION RECEIVED: NA

7. UC-21-0422-CRYSTALS LLC:

USE PERMIT to allow a single family attached residential structure.

DESIGN REVIEW for a single family attached structure on 0.1 acres in an R-2 (Medium Density Residential) Zone. Generally located on the west side of Palm Street, approximately 380 feet north of Cedar Street within Sunrise Manor. TS/sd/jo (For possible action)

ACTION: It was moved by Commissioner Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

EXCUSED: Edward Frasier III

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- **Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.**
- **Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.**

Public Works - Development Review

- **Drainage study and compliance;**
- **Full off-site improvements.**

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.**

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: 3 cards

OPPOSITION RECEIVED: 1 card

8. UC-21-0425-PARADISE GARDENS SHOPPING CENTER, LLC:
USE PERMITS for the following: 1) reduce the separation from an on-premises consumption of alcohol (supper club) to a residential use; and 2) reduce the separation from an on-premises consumption of alcohol (tavern) to a residential use in conjunction with an existing shopping center on a portion of 6.8 acres in a C-2 (General Commercial) (AE-60) Zone in the Midtown Maryland Parkway District. Generally located on the south side of Tropicana Avenue, approximately 360 feet west of Maryland Parkway within Paradise. JG/sd/jo (For possible action)

ACTION: It was moved by Commissioner Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

EXCUSED: Edward Frasier III

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- 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; 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

- Traffic study and compliance.

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.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: 1 card

OPPOSITION RECEIVED: 2 cards

9. UC-21-0434-GILL EXPRESS, INC:

USE PERMIT to allow a vehicle wash establishment.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce the setback; 2) allow an unscreened service bay door; 3) cross-access; 4) landscaping (required trees); and 5) reduced throat depth.

DESIGN REVIEW for a proposed vehicle wash establishment on 1.2 acres in a C-1 (Local Business) Zone. Generally located on the north side of Flamingo Road, 155 feet east of Mountain Vista Street within Paradise. TS/jor/jd (For possible action)

ACTION: It was moved by Commissioner Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

EXCUSED: Edward Frasier III

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- **Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.**
- **Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.**

Public Works - Development Review

- **Drainage study and compliance;**
- **Traffic study and compliance;**
- **Nevada Department of Transportation approval.**

Clark County Water Reclamation District (CCWRD)

- **Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0240-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.**

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: NA

OPPOSITION RECEIVED: 1 card

10. UC-21-0435-HARSCH INVESTMENT PROPERTIES, LLC:
USE PERMIT for personal services (beauty salon) within an existing commercial/industrial complex on a portion of 2.6 acres in an M-D (Designed Manufacturing) (AE-65) Zone. Generally located on the north side of Sunset Road, 200 feet east of Pecos Road within Paradise. JG/nr/jo (For possible action)

ACTION: It was moved by Commissioner Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

EXCUSED: Edward Frasier III

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

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

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.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: 2 cards

OPPOSITION RECEIVED: NA

11. UC-21-0440-FLAMINGO TENAYA LLC:

USE PERMIT for a place of worship.

WAIVER OF DEVELOPMENT STANDARDS to reduce parking in conjunction with a place of worship and office complex on 1.8 acres in a C-P (Office and Professional) Zone. Generally located on the northwest corner of Tenaya Way and Flamingo Road within Spring Valley. JJ/al/jd (For possible action)

ACTION: It was moved by Commissioner Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

EXCUSED: Edward Frasier III

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

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

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.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: NA

OPPOSITION RECEIVED: 2 cards

12. VS-21-0367-GK ACQUISITIONS, LLC & GKT ACQUISITIONS, LLC:
HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Arville street and the off ramp for Sloan Road from South I-15, and between Sloan Road and a point approximately 655 feet to the south within South County (description on file). JJ/jgh/jo (For possible action)

ACTION: It was moved by Commissioner Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

EXCUSED: Edward Frasier III

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

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

Public Works - Development Review

- Right-of-way dedication to include 40 feet for Arville Street;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording;
- Applicant shall coordinate with Public Works - Development Review to apply for a Bureau of Land Management (BLM) right-of-way grant to provide access to the parcel.

TOWNBOARD RECOMMENDATION: NA

SUPPORT RECEIVED: 2 cards

OPPOSITION RECEIVED: 2 cards

13. VS-21-0368-GK ACQUISITIONS, LLC ET AL & GRAGSON S & J FAMILY TRUST:
HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Cameron Street (alignment) and Arville Street, and between Sloan Road and Dixon Street (alignment) within South County (description on file). JJ/jgh/jd (For possible action)

ACTION: It was moved by Commissioner Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

EXCUSED: Edward Frasier III

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

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

Public Works - Development Review

- Right-of-way dedication to include 100 feet for Sloan Road, 30 feet for Dixon Street, 30 feet for Cameron Street, and associated spandrels;
- 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;
- Applicant shall coordinate with Public Works - Development Review to apply for a Bureau of Land Management (BLM) right-of-way grant for Cameron Street and Sloan Road;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

TOWNBOARD RECOMMENDATION: NA

SUPPORT RECEIVED: 9 cards

OPPOSITION RECEIVED: 2 cards

14. WS-21-0427-LAS VEGAS AIRPORT CENTER, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increased sign area; 2) increased animated sign (electronic message unit) area; and 3) reduced setback.

DESIGN REVIEW for a proposed freestanding sign in conjunction with an existing commercial center on 2.8 acres in a C-2 (General Commercial) (AE-65 & AE-70) Zone. Generally located on the south side of Bell Drive and the east side of Paradise Road within Paradise. JG/jor/jo (For possible action)

ACTION: It was moved by Commissioner Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

EXCUSED: Edward Frasier III

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

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

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.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: NA

OPPOSITION RECEIVED: NA

15. PA-21-700004-PRIMO HOLDINGS LLC, ET AL:
PLAN AMENDMENT to amend Maps 1.3, 7, 10, and 16 of the Transportation Element of the Clark County Comprehensive Master Plan by reducing the right-of-way width from 300 feet to 200 feet for Las Vegas Boulevard South (alignment). Generally located on Las Vegas Boulevard South (alignment) between St. Rose Parkway and the state line at Primm. MN/gc (For possible action)

STAFF RECOMMENDATION: Jared Tasko, Principal Planner, presented the application and stated the conditions are as listed on the agenda. The applicant spoke on the matter and Jeffery Jacquet with the Department of Aviation also spoke on the matter. Mr. Jacquet stated that although they do not oppose the application, they believe the County should retain the 300 foot right-of-way width specifically for future planning of the Southern Nevada Supplemental Airport. He also stated that there are many uncertainties with exactly what will be needed to accommodate future transit and utility needs for the airport and that reducing the right-of-way width within this corridor will reduce the flexibility to address unknown planning needs for the airport.

ACTION: It was moved by Commissioner Jenna Waltho that the application be Adopted, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Duy Nguyen, and Jenna Waltho
VOTING NAY: Vivian Kilarski
ABSENT: Edward Frasier III
ABSTAIN: Timothy Castello

TOWNBOARD RECOMMENDATION: NA

SUPPORT RECEIVED: 8 cards

OPPOSITION RECEIVED: 1 card

NOTE: This item was heard separately from the Routine Action Agenda. This item was forwarded to the 11/03/21 BCC meeting.

16. CP-21-900394: Authorize the Chair to sign a resolution amending the Transportation Element of the Clark County Comprehensive Master Plan (Maps 1.3, 7, 10, and 16), and direct staff accordingly. (For possible action)

STAFF RECOMMENDATION: Jared Tasko, Principal Planner, presented the application and stated the conditions are as listed on the agenda. The applicant spoke on the matter and Jeffery Jacquet with the Department of Aviation also spoke on the matter. Mr. Jacquet stated that although they do not oppose the application, they believe the County should retain the 300 foot right-of-way width specifically for future planning of the Southern Nevada Supplemental Airport. He also stated that there are many uncertainties with exactly what will be needed to accommodate future transit and utility needs for the airport and that reducing the right-of-way width within this corridor will reduce the flexibility to address unknown planning needs for the airport.

ACTION: It was moved by Commissioner Jenna Waltho that the application be Authorized, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Vivian Kilarski, Duy Nguyen, and Jenna Waltho
VOTING NAY: None
ABSENT: Edward Frasier III
ABSTAIN: Timothy Castello

NOTE: This item was heard separately from the Routine Action Agenda. This item was forwarded to the 11/03/21 BCC meeting.

17. NZC-21-0411-VANDERMEER, LLC:
ZONE CHANGE to reclassify 28.7 acres from an H-2 (General Highway Frontage) Zone and an R-U (Rural Open Land) Zone to an M-D (Designed Manufacturing) Zone for a warehouse and distribution center complex.

USE PERMIT to allow loading spaces for a distribution center to be unscreened from a street.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; 2) reduce throat depth; and 3) off-site improvements (including curb, gutter, sidewalk, streetlights, and partial paving).

DESIGN REVIEWS for the following: 1) warehouse and distribution center complex; and 2) finished grade. Generally located on the east side of Las Vegas Boulevard South, 5,000 feet south of Sloan Road within South County (description on file). MN/jt/jd (For possible action)

STAFF RECOMMENDATION: Jared Tasko, Principal Planner, presented the application and stated the conditions are as listed on the agenda. The applicant spoke on the matter and Jeffery Jacquet with the Department of Aviation also spoke on the matter. Mr. Jacquet stated that although they do not oppose the application, they believe the County should retain the 300 foot right-of-way width specifically for future planning of the Southern Nevada Supplemental Airport. He also stated that there are many uncertainties with exactly what will be needed to accommodate future transit and utility needs for the airport and that reducing the right-of-way width within this corridor will reduce the flexibility to address unknown planning needs for the airport.

ACTION: It was moved by Commissioner Jenna Waltho that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

ABSENT: Edward Frasier III

ABSTAIN: Timothy Castello

CONDITIONS OF APPROVAL - FORWARDED TO THE 11/03/21 BCC MEETING.

Current Planning

- Resolution of Intent to complete in 4 years;
- 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 on Las Vegas Boulevard and the north side unnamed street;
- Right-of-way dedication to include 30 feet for the north side unnamed street, 30 feet for the south side unnamed street, and associated spandrels;
- Right-of-way dedication for Las Vegas Boulevard South to accommodate a proportionate share of a 200 foot wide right-of-way;
- 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, if required by Public Works;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger, if required by Public Works;
- All other right-of-way and easement dedications to record with the subdivision map;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Record of survey must be recorded by the applicant prior to the issuance of building permits;
- Applicant shall coordinate with Public Works - Development Review to apply for a Bureau of Land Management (BLM) grant to provide access to the parcel.
- 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; 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; that billboards are not permitted within the public right-of-way; and that a minimum width of 32 feet of paving is required for the south side unnamed street.

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 Henderson.

TOWNBOARD RECOMMENDATION: NA

SUPPORT RECEIVED: 9 cards

OPPOSITION RECEIVED: NA

NOTE: This item was heard separately from the Routine Action Agenda. Items #17 & #18 were heard together in one motion and vote.

18. TM-21-500123-VANDERMEER, LLC:
TENTATIVE MAP consisting of 1 commercial lot and common lots on 28.7 acres in an M-D (Designed Manufacturing) Zone. Generally located on the east side of Las Vegas Boulevard South, 5,000 feet south of Sloan Road within South County. MN/jt/jd (For possible action)

STAFF RECOMMENDATION: Jared Tasko, Principal Planner, presented the application and stated the conditions are as listed on the agenda. The applicant spoke on the matter and Jeffery Jacquet with the Department of Aviation also spoke on the matter. Mr. Jacquet stated that although they do not oppose the application, they believe the County should retain the 300 foot right-of-way width specifically for future planning of the Southern Nevada Supplemental Airport. He also stated that there are many uncertainties with exactly what will be needed to accommodate future transit and utility needs for the airport and that reducing the right-of-way width within this corridor will reduce the flexibility to address unknown planning needs for the airport.

ACTION: It was moved by Commissioner Jenna Waltho that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE:	Nelson Stone, Steve Kirk, Vivian Kilarski, Duy Nguyen, and Jenna Waltho
VOTING NAY:	None
EXCUSED:	Edward Frasier III
ABSENT:	None
ABSTAIN:	Timothy Castello

CONDITIONS OF APPROVAL - FORWARDED TO THE 11/03/21 BCC MEETING.

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 on Las Vegas Boulevard and the north side unnamed street;
- Right-of-way dedication to include 30 feet for the north side unnamed street, 30 feet for the south side unnamed street, and associated spandrels;
- Right-of-way dedication for Las Vegas Boulevard South to accommodate a proportionate share of a 200 foot wide right-of-way;
- 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, if required by Public Works;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger, if required by Public Works;
- All other right-of-way and easement dedications to record with the subdivision map;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Record of survey must be recorded by the applicant prior to the issuance of building permits;
- Applicant shall coordinate with Public Works - Development Review to apply for a Bureau of Land Management (BLM) grant to provide access to the parcel.
- 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; 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; that billboards are not permitted within the public right-of-way; and that a minimum width of 32 feet of paving is required for the south side unnamed street.

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 Henderson.

TOWNBOARD RECOMMENDATION: NA

SUPPORT RECEIVED: NA

OPPOSITION RECEIVED: NA

NOTE: This item was heard separately from the Routine Action Agenda. Items #17 & #18 were heard together in one motion and vote.

ZONE CHANGE to reclassify 5.4 acres from a C-2 (General Commercial) P-C (Planned Community Overlay District) Zone to an R-2 (Medium Density Residential) P-C (Planned Community Overlay District) Zone.

DESIGN REVIEW for a single family residential development in the Southern Highlands Master Planned Community. Generally located on the south side of Stonewater Lane, 275 feet east of Goett Golf Drive within Enterprise (description on file). JJ/rk/jo (For possible action)

STAFF RECOMMENDATION: Jared Tasko, Principal Planner, presented the application and stated the conditions are as listed on the agenda. The applicant spoke on the matter and there were no other speakers present.

ACTION: It was moved by Commissioner Duy Nguyen that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

ABSENT: Edward Frasier III

ABSTAIN: None

CONDITIONS OF APPROVAL - FORWARDED TO THE 11/03/21 BCC MEETING.

Current Planning

- Resolution of Intent to complete in 4 years;
- Applicant is advised that the Southern Highlands Development Agreement is set to expire on March 2, 2024; 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;
- If the project is gated, queuing analysis and gate/callbox location must be approved by Public Works - Development Review Division.

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 #0290-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: 13 cards

OPPOSITION RECEIVED: 6 cards

NOTE: This item was heard separately from the Routine Action Agenda. Items #19, #20, & #21 were heard together in one motion and vote.

20. VS-21-0417-OLYMPIA COMPANIES, LLC:

VACATE AND ABANDON an easement of interest to Clark County located between Stonewater Lane and Highlander Golf Lane, and between Goett Golf Drive and Oxwood Street (alignment) within

Enterprise (description on file). JJ/rk/jo (For possible action)

STAFF RECOMMENDATION: Jared Tasko, Principal Planner, presented the application and stated the conditions are as listed on the agenda. The applicant spoke on the matter and there were no other speakers present.

ACTION: It was moved by Commissioner Duy Nguyen that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

EXCUSED: Edward Frasier III

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL - FORWARDED TO THE 11/03/21 BCC MEETING.

Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the Southern Highlands Development Agreement is set to expire on March 2, 2024; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

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

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: 8 cards

OPPOSITION RECEIVED: 1 card

NOTE: This item was heard separately from the Routine Action Agenda. Items #19, #20, & #21 were heard together in one motion and vote.

21. TM-21-500126-OLYMPIA COMPANIES, LLC:
TENTATIVE MAP consisting of 36 single family residential lots and common lots on 5.4 acres in an R-2 (Medium Density Residential) P-C (Planned Community Overlay District) Zone in the Southern Highlands Master Planned Community. Generally located on the south side of Stonewater Lane, 275 feet east of Goett Golf Drive within Enterprise. JJ/rk/jo (For possible action)

STAFF RECOMMENDATION: Jared Tasko, Principal Planner, presented the application and stated the conditions are as listed on the agenda. The applicant spoke on the matter and there were no other speakers present.

ACTION: It was moved by Commissioner Duy Nguyen that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None
EXCUSED: Edward Frasier III
ABSENT: None
ABSTAIN: None

CONDITIONS OF APPROVAL - FORWARDED TO THE 11/03/21 BCC MEETING.

Current Planning

- Applicant is advised that the Southern Highlands Development Agreement is set to expire on March 2, 2024; 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;
- If the project is gated, queuing analysis and gate/callbox location must be approved by Public Works - Development Review Division.

Current Planning Division - Addressing

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0290-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: NA

OPPOSITION RECEIVED: NA

NOTE: This item was heard separately from the Routine Action Agenda. Items #19, #20, & #21 were heard together in one motion and vote.

22.

NZC-21-0421-MILAN T TRUST & TIBERTI RENALDO TRS:

ZONE CHANGE to reclassify 0.3 acres from an R-U (Rural Open Land) Zone, an R-E (Rural Estates Residential) Zone, and an R-1 (Single Family Residential) Zone to an R-1 (Single Family Residential) Zone for future residential development.

WAIVER OF DEVELOPMENT STANDARDS to reduce setbacks.

DESIGN REVIEW to modify setbacks for an existing single family residence and accessory structure on a 0.2 acre portion of 15.4 acres in an R-1 (Single Family Residential) Zone in the Red Rock Design Overlay District. Generally located on the west side of Castalia Street and the north side of Cottonwood Drive within Northwest County (description on file). JJ/jt/jd (For possible action)

ACTION: It was moved by Commissioner Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None
EXCUSED: Edward Frasier III
ABSENT: None
ABSTAIN: None

CONDITIONS OF APPROVAL - FORWARDED TO THE 11/03/21 BCC MEETING.

Current Planning

- Resolution of Intent to complete in 3 years.
- Applicant is advised that the reduced setbacks may require additional fire rating improvements for the existing buildings; 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 shall be required with future development as determined by Public Works - Development Review;
- Traffic study shall be required with future development as determined by Public Works - Development Review.
- Applicant is advised that this site is located within a Special Flood Hazard Area (SFHA) as designated by the Federal Emergency Management Agency (FEMA).

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.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: 2 cards

OPPOSITION RECEIVED: 4 cards

23. NZC-21-0423-TROP GC APTS, LLC:

ZONE CHANGE to reclassify 2.4 acres from a C-1 (Local Business) Zone and a C-2 (General Commercial) Zone to an R-5 (Apartment Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; and 2) increase building height.

DESIGN REVIEWS for the following: 1) multiple family development; and 2) site modifications to a previously approved multiple family development on 7.0 acres in an R-5 (Apartment Residential) Zone. Generally located on the east side of Grand Canyon Drive and the south side of Tropicana Avenue within Spring Valley (description on file). JJ/md/jd (For possible action)

ACTION: It was moved by Commissioner Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

EXCUSED: Edward Frasier III

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL - FORWARDED TO THE 11/03/21 BCC MEETING.

Current Planning

- Resolution of Intent to complete in 3 years;
- Per site plan on file;
- No pine trees shall be planted along southern boundary adjacent to homes;
- 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;
- Traffic study and compliance.
- Applicant is advised that 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 #0329-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: 2 cards

OPPOSITION RECEIVED: 13 cards

24. VS-21-0424-WPI-GRAND TROP, LLC & UAP-GRAND TROP, LLC:
VACATE AND ABANDON easements of interest to Clark County located between Grand Canyon Drive and Tee Pee Lane, and between Tropicana Avenue and Reno Avenue within Spring Valley (description on file). JJ/md/jd (For possible action)

ACTION: It was moved by Commissioner Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

EXCUSED: Edward Frasier III

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL - FORWARDED TO THE 11/03/21 BCC MEETING.

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.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: 2 cards

OPPOSITION RECEIVED: 4 cards

NON-ROUTINE ACTION ITEMS

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)

STAFF RECOMMENDATION: Jared Tasko, Principal Planner, presented the application and stated the conditions are as listed on the agenda. The applicant spoke on the matter and presented information relative to NRS obligations to expand the Gaming Enterprise District. James Chrisley, Deputy Director of Department of Aviation also spoke on the matter and thanked the applicant for working in partnership to address safety and security concerns with several agreed upon conditions to be included with the motion.

ACTION: It was moved by Commissioner Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Duy Nguyen, and Jenna Waltho

VOTING NAY: Vivian Kilarski

ABSENT: Edward Frasier III

ABSTAIN: Timothy Castello

CONDITIONS OF APPROVAL - FORWARDED TO THE 10/06/21 BCC MEETING.

Current Planning

- 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 Development Agreement with Clark County;
- Prior to the issuance of building and grading permits, enter into a Performance Agreement with Clark County which includes a Decommissioning Plan specifying the actions to be taken by the Developer or County in the event construction of the project is stopped or abandoned;
- Bond or other form of financial security, acceptable to Clark County, shall be provided with the Performance Agreement as security of the full and complete fulfillment of the decommissioning actions identified in the Decommissioning Plan;
- 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;
- Right-of-way dedication for Las Vegas Boulevard South to accommodate a proportionate share of a 200 foot wide right-of-way;
- Grant easements, if required;
- Applicant to execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- Owner acknowledges that the proposed non-standard improvements (buildings, structures, and improvements) are within a portion of the area planned for a 200 foot wide right-of-way per Title 30 and the Clark County Transportation Element;
- Owners or its successors shall remove any non-standard improvements (buildings, structures, and improvements) related to this application at the direction of Public Works;
- Maintain the required width of all public access walkway segments so that a minimum Level of Service "C" is achieved under peak pedestrian volumes;
- Coordinate with Public Works - Traffic Management for the Las Vegas Boulevard improvement project;
- Dedicate any right-of-way and easements necessary for the Las Vegas Boulevard

improvement project.

- Applicant is advised that off-site permits may be required, and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

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 and comply with all requirements of any and all determinations;
- 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. A Permit from the Director of Aviation or a Variance from the AHABA is dependent on:
 - Construction Operations and Security Plan - Develop a Construction Operations and Security Plan covering the entire construction phase of the project, with McCarran Airport, TSA, FBI, Las Vegas Metro, and other federal agencies, this needs to be completed prior to any construction activities, and provide monthly construction activity plans and schedules and provide a full-time contact available 24/7 to coordinate construction activities with airport security and/or airport operations personnel.
- 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 (which was issued on July 15, 2021 and became final on August 24, 2021) and a Permit from the Director of Aviation or a Variance from the AHABA has been issued;
- Determination of No Hazards and a finding of no significant impact on aircraft activity at McCarran Airport for all construction cranes (as recommended by the FAA in Paragraph 4.a in Aeronautical Study Number: 2021-AWP-5396-OE dated 07/15/2021 on page 7);
- A reflectivity (glare) analysis, reviewed by the Department of Aviation, concluding no significant impact on aircraft activity will occur at McCarran Airport, exterior lighting will be dimmable so adjustments can be made if requested by McCarran Airport and/or the airlines;
- 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; and that the FAA's airspace determinations include expiration dates (which is January 15, 2023 for the determination issued July 15, 2021) and that separate airspace determinations will be needed for construction cranes or other temporary equipment;
- As documented within the 7460-1 (Aeronautical Study Number: 2021-AWP-5396 -OE dated 07/15/2021), paragraph 4.g on page 9, the FAA acknowledged that the concerns regarding noise complaints are valid, therefore:
 - Due to adjacency to McCarran Airport, at a minimum, incorporate an exterior to interior noise level reduction sufficient to achieve a maximum of

40 decibels;

- **Due to adjacency to McCarran Airport, record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Clark County Department of Aviation;**
- **Due to adjacency to McCarran Airport, the Applicant to work with McCarran Airport on noise disclosure language to be included in the hotel operator's reservation system and webpage.**
- **Comply with all deed restrictions recorded against the property, including a prohibition of any overnight stay of 30 days or more;**
- **Applicant is advised that the FAA will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998, and funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed;**
- **Implement the measures identified in the September 27, 2021, Comprehensive Security and Planning Response report (the ARUP), which will be included in the Development Agreement with Clark County, including but not limited to:**
 - **Comprehensive Security Plan - Develop a comprehensive Security Management Plan with McCarran Airport, TSA, FBI, Las Vegas Metro, and other federal agencies - starting 60 days after receipt of the full entitlement approval by Clark County, update the security management plan annually with all agencies, and record a deed against the property ensuring that any future hotel buyer will be required to abide by the latest approved Security Management Plan;**
 - **As part of the development of the Security Management Plan, work with McCarran Airport and TSA to develop, review and approve the Dream CCTV Technology program as it pertains to Airport Security to include: camera placement, camera type, camera fields of view, procedures for airport access to video footage, and video preservation, storage and retention protocols;**
 - **East Property Line Wall - Build a 9 foot high structural wall along its back east property line adjacent to the airport, along the same back wall include a vehicle crash mitigation rail designed to withstand a truck traveling at high speed;**
 - **Enclosed Parking Garage - Enclose the entire rear parking structure located on the east side of the site, this will require solid exterior facades, fire protection and full garage ventilation, in addition, provide a live video feed at the back of the property for detection of any suspicious activity;**
 - **Security Check Point - Require all incoming commercial vehicles to the property to stop at a security checkpoint;**
 - **Solid Wall at Pool - The 3rd floor pool will have solid walls installed on the east and south sides of the deck, eliminating any physical view of the airport, pool access points to be staffed by security and guests will be checked for items such as lasers and drones;**
 - **New Deed Recording: Record a new deed against the property ensuring that any future owner will be required to abide by the latest approved Comprehensive Security Management Plan;**
 - **Glass Break Detectors - Install glass break detectors to each guest room that integrates into the Dream's access control and alarm monitoring system,**

which is continuously monitored by the security control room, the security system will report, in real-time, the activation of a glass break detector and which room associated with the activated sensor, in addition, the date, time and room location will be recorded by the security system to provide a history of event for future investigations, if needed;

- No guestroom tower balconies are allowed (this does not include the third level for the outdoor dining terrace);
- No operable windows in the guestroom tower.
- No permits shall be issued until the Comprehensive Security Management Plan is completed and accepted by the Department of Aviation;
- Design review as a public hearing for signage and lighting plan will be required, which may require additional Determinations of No Hazards, Permits from the Director of Aviation or Variances from the AHABA, and/or reflectivity (or glint and glare) analysis.

Building Department - Fire Prevention

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; and to show on-site fire lane, turning radius, and turnarounds.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0319-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TOWNBOARD RECOMMENDATION: NA

SUPPORT RECEIVED: 2 cards, 1 letter

OPPOSITION RECEIVED: 2 cards

26. UC-21-0345-TONG, YUEH L. & CHANG, HSIN LIANG:
HOLDOVER USE PERMIT to allow an accessory structure (carport) to not be architecturally compatible with the principal building.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increased height; and 2) reduced setback of an existing accessory structure (carport) in conjunction with an existing residence on 0.1 acres in an R-T (Manufactured Home Residential) Zone. Generally located on the south side of Bryce Canyon Avenue, 470 feet west of Mt. Hood Street within Sunrise Manor. MK/jor/jo (For possible action)

STAFF RECOMMENDATION: Jared Tasko, Principal Planner, presented the application and stated the conditions are as listed on the agenda. The applicant spoke on the matter and there were no other speakers present.

ACTION: It was moved by Commissioner Nelson Stone that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

ABSENT: Edward Frasier III

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- 1 year to complete the building and inspection process with any extension of time to be a public hearing.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; approval of this application does not constitute or imply approval of any other County issued permit, license, or approval; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

TOWNBOARD RECOMMENDATION: Denial

SUPPORT RECEIVED: 1 card

OPPOSITION RECEIVED: NA

27. UC-21-0389-PALM 32 LLC:

USE PERMIT for reduced separation to a residential use.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced setbacks; and 2) reduced landscaping.

DESIGN REVIEW for the expansion of an existing warehouse on 1.8 acres in an M-1 (Light Manufacturing) Zone. Generally located on the east side of St. Louis Avenue and the north and west sides of Palm Parkway within Sunrise Manor. TS/nr/jo (For possible action)

STAFF RECOMMENDATION: Jared Tasko, Principal Planner, presented the application and stated the conditions are as listed on the agenda. The applicant spoke on the matter and there were no other speakers present.

ACTION: It was moved by Commissioner Vivian Kilarski that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

ABSENT: Edward Frasier III

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- **Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.**
- **Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.**

Public Works - Development Review

- **Drainage study and compliance.**

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.**

TOWNBOARD RECOMMENDATION: Denial

SUPPORT RECEIVED: 1 card

OPPOSITION RECEIVED: 2 cards

28. **UC-21-0430-DONNER KEVIN:**

USE PERMITS for the following: 1) allow accessory structures without a principal use; and 2) allow nondecorative metal siding within the urban area in conjunction with accessory structures (cargo containers) on 0.5 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located 140 feet north of Pebble Road and 142 feet west of Dean Martin Drive within Enterprise. JJ/nr/jo (For possible action)

ACTION: It was moved by Commissioner Steve Kirk that the application be Held until December 7, 2021, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

EXCUSED: Edward Frasier III

ABSENT: None

ABSTAIN: None

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

29. **WS-21-0401-VITA ROSE NEVADA TRUST ETAL & MURPHY SHANE A TRS:**

HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to allow direct access to a collector street (Farm Road) from a residential home on 4.7 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the south side of Farm Road and the west side of Sisk Road within Lone Mountain. MK/bb/jo (For possible action)

ACTION: It was moved by Commissioner Steve Kirk that the application be Held No Date, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

EXCUSED: Edward Frasier III

ABSENT: None

ABSTAIN: None

NOTE: This item was Held during the approval of the agenda. The applicant was advised that re-notification fees are required prior to this item being placed on an agenda.

30. WS-21-0429-THEODORE JAMASON & MILTON K:
WAIVER OF DEVELOPMENT STANDARDS to reduce setbacks in conjunction with a proposed single family residence on 0.6 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the east side of Riley Street, 187 feet south of La Madre Way within Lone Mountain. RM/nr/jo (For possible action)

STAFF RECOMMENDATION: Jared Tasko, Principal Planner, presented the application and stated the conditions are as listed on the agenda. The applicant spoke on the matter and there were 2 speakers in opposition.

ACTION: It was moved by Commissioner Timothy Castello that the application be Approved, the motion failed to carry by the following vote:

VOTING AYE: Timothy Castello, and Vivian Kilarski

VOTING NAY: Nelson Stone, Steve Kirk, Duy Nguyen, and Jenna Waltho

ABSENT: Edward Frasier III

ABSTAIN: None

ACTION: It was moved by Commissioner Nelson Stone that the application be Denied without prejudice, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Duy Nguyen, and Jenna Waltho

VOTING NAY: Timothy Castello, and Vivian Kilarski

ABSENT: Edward Frasier III

ABSTAIN: None

TOWNBOARD RECOMMENDATION: Denial

SUPPORT RECEIVED: 1 card

OPPOSITION RECEIVED: 6 cards, 2 letters

31. WS-21-0436-CLAUS, THOMAS AUGUSTUS:
WAIVER OF DEVELOPMENT STANDARDS to allow a non-decorative (solid metal) fence in conjunction with an existing single family residence on 0.4 acres in an R-1 (Single Family Residential) Zone. Generally located on the south side of Billman Avenue, 250 feet west of Sandhill Road within Paradise. TS/jor/jo (For possible action)

STAFF RECOMMENDATION: Jared Tasko, Principal Planner, presented the application and stated the conditions are as listed on the agenda. The applicant spoke on the matter and there were no other speakers present.

ACTION: It was moved by Commissioner Vivian Kilarski that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

ABSENT: Edward Frasier III

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- 1 year to complete the building permit and inspection process with any extension of time to be a public hearing.
- Applicant is advised that approval of this application does not constitute or imply approval of any other County issued permit, license, or approval; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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.

Southern Nevada Health District (SNHD) - Septic

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

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: 2 cards

OPPOSITION RECEIVED: 2 cards

32. NZC-21-0383-AGCOM I, LLC:

HOLDOVER ZONE CHANGE to reclassify 0.5 acres from an R-2 (Medium Density Residential) Zone to a C-1 (Local Business) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced parking; 2) reduced landscaping; 3) setbacks; 4) reduced departure distance; 5) alternative driveway geometrics; and 6) driveway standards.

DESIGN REVIEW for a restaurant. Generally located on the south side of Charleston Boulevard and the west side of Mojave Road within Sunrise Manor (description on file). TS/jvm/jo (For possible action)

ACTION: It was moved by Commissioner Steve Kirk that the application be Held until October 19, 2021, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

EXCUSED: Edward Frasier III

ABSENT: None

ABSTAIN: None

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

PUBLIC COMMENTS

At this time, Chair Nelson Stone asked if there were any persons present in the audience wishing to be heard.

SPEAKER(S): None

There being no persons present in the audience wishing to be heard, Chair Nelson Stone closed the public comments.

There being no further business to come before the Board at this time, at the hour of 9:42 p.m., the meeting was adjourned.

ATTEST:

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