
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 6th day of October, 2021 at the hour of 9:00 a.m. The meeting was called to order at the hour of 9:04 a.m. by Chair Kirkpatrick, and on roll call, the following members were present, constituting all of the members thereof:

CALL TO ORDER

CHAIR AND COMMISSIONERS:

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

Also Present:

Robert Warhola, Deputy District Attorney
Jeff Rogan, Deputy District Attorney
Nancy Amundsen, Director Comprehensive Planning
Sami Real, Planning Manager
Antonio Papazian, Assistant Manager of Development Review
Jason Allswang, Senior Plan Checker
Jewel Gooden, Assistant Clerk, BCC
Robin Delaney, Deputy Clerk

LEGAL NOTICE: Following the final approval or denial of every action before the Planning Commission and/or the Board of County Commissioners, a letter indicating the action taken and the conditions under which any approval is granted will be sent to the correspondent address on the application submitted. The information herein will be filed with the Clark County Clerk, Commission Division, and serve as notice of final action for the purposes of NRS 278.0235 which marks the commencement of the twenty-five (25) day limitation period specified.

1. Public Comments.

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

SPEAKER(S): Present

Katie Hinzer spoke in opposition to Item No. 19 regarding areas of concern including that a water truck was supposed to come to Kingston Road to reduce the dirt; the applicant may not have permits, a well, septic, electricity, and restroom facilities; three fires were started by the applicant's company at the County's expense; increased traffic density; shooting out of a helicopter close to town would be dangerous and loud; the purpose of the Goodsprings Gravel Haul Route was to keep the tractor-trailers out of the town limits, and a solution would be for the applicant to construct a road between the Goodsprings Gravel Haul Route and Kingston dirt road.

There being no other persons wishing to be heard on any items on the agenda as posted, Chair Kirkpatrick closed the public comments.

2. Approval of the Agenda After Considering Requests to Add, Hold, or Delete Items. (For possible action)

DISCUSSION: Following introduction of the item, in response to Bob Gronauer, the applicant's representative, Commissioner Miller advised that Item No. 8 was being held to October 20, 2021 to address neighbor's concerns regarding the application.

Jennifer Lazovich, the applicant's representative, requested clarification that Item No. 41 was being held until December 8, 2021.

ACTION: It was moved by Commissioner Jim Gibson that the agenda be approved, with the deletion of Item Nos. 8, 10, 15, 24, 25, 26, 32, 37, 38, 41, and 47 with the following vote:

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

3. Approval of minutes. (For possible action)

ACTION: It was moved by Commissioner Jim Gibson that the minutes of the regular meeting of August 18, 2021 be approved, with the following vote:

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

4. DR-21-0410-WELPMAN SELF STORAGE, LLC:

DESIGN REVIEW for lighting in conjunction with a previously approved mini-warehouse and vehicle storage facility on 4.4 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Welpman Way and the west side of Parvin Street (alignment) within Enterprise. MN/nr/jo (For possible action)

ATTACHMENT: [DR-21-0410_Color_Merged.pdf](#)

ATTACHMENT: [04 21-0410-100621.docx](#)

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

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

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

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

5. DR-21-0420-SCHOOL BOARD OF TRUSTEES:
DESIGN REVIEW for a proposed expansion to an existing public school (elementary, junior high, and high school) with ancillary improvements on 24.0 acres in a P-F (Public Facility) Zone. Generally located on the north side of Pearl Avenue and the west and east sides of Hopi Street within the South County. JJ/nr/jo (For possible action)

ATTACHMENT: [DR-21-0420_Color_Merged.pdf](#)

ATTACHMENT: [05 21-0420-100621.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of School Board of Trustees (Clark County School District – Facilities Services) for a design review (as indicated on the ATTACHED agenda item):

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

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

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

Public Works - Development Review

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

6. DR-21-0426-MILLER HARVEY M FAMILY TRUST & MILLER HARVEY M TRS:
DESIGN REVIEWS for the following: 1) vehicle wash; and 2) finished grade on 1.0 acre in a C-2 (General Commercial) Zone. Generally located on the south side of Lake Mead Boulevard, 180 feet east

of Shatz Street within Sunrise Manor. MK/sd/jo (For possible action)

ATTACHMENT: DR-21-0426_Color_Merged.pdf

ATTACHMENT: 06 21-0426-100621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Harvey M Miller Family Trust & Harvey M Miller Trs (Terra Innovations, LLC) for design reviews (as indicated on the ATTACHED agenda item):

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

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

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

Public Works - Development Review

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0330-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

7. DR-21-0443-M G P LESSOR, LLC:
DESIGN REVIEWS for the following: 1) modify an existing comprehensive sign plan; 2) increase the number of freestanding signs; 3) increase freestanding sign area; 4) increase the number of animated signs; and 5) increase the area of animated signs in conjunction with an existing resort hotel (The Mirage) on 66.0 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the northwest corner of Las Vegas Boulevard South and Stan Mallin Drive within Paradise. TS/sd/jo (For possible action)

ATTACHMENT: [DR-21-0443_Color_Merged.pdf](#)

ATTACHMENT: [07 21-0443-100621.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of M G P Lessor, LLC (The Mirage Casino-Hotel, LLC) for design reviews (as indicated on the ATTACHED agenda item):

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

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

**CONDITIONS OF APPROVAL -
Current Planning**

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

8. DR-21-0446-HAMMER PROPERTIES, LLC:
DESIGN REVIEW for finished grade on 2.0 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the southeast corner of Hammer Lane and Dapple Gray Road within Lone Mountain. RM/sd/ja (For possible action)

ATTACHMENT: [DR-21-0446_Color_Merged.pdf](#)

ATTACHMENT: [08 21-0446-100621.docx](#)

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

ACTION: Deleted from the agenda (held to October 20, 2021 per the Board of County Commissioners).

9. DR-21-0499-SCRIMA, PAUL & LORI:
DESIGN REVIEW for finished grade in conjunction with a single family residence on 1.2 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the north side of Agate Avenue, 180 feet west of Cameron Street within Enterprise. JJ/bb/jo (For possible action)

ATTACHMENT: [DR-21-0499_Color_Merged.pdf](#)

ATTACHMENT: [09 21-0499-100621.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Paul & Lori Scrima (Paul Scrima) for a design review (as indicated on the ATTACHED agenda item):

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

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

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

Public Works - Development Review

- Compliance with approved drainage study PW 21-10210;
- 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.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

10. AR-21-400113 (UC-1188-04)-TUCKER NICOLETTE LIVING TRUST & TUCKER NICOLETTE TRS:

HOLDOVER 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: [10 21-400113-100621.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Nicolette Tucker Living Trust & Nicolette Tucker Trs (Xiaotong Li) for a holdover use permit fourth application for review (as indicated on the ATTACHED agenda item) (held from September 22, 2021):

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

11. AR-21-400134 (UC-0933-14)-HUALAPAI ASSOCIATES, LLC:

USE PERMIT THIRD APPLICATION FOR REVIEW of a massage establishment in conjunction with an existing commercial/office complex on 1.7 acres in a C-2 (General Commercial) Zone. Generally

located on the east side of Hualapai Way and the south side of Twain Avenue within Spring Valley.
JJ/sd/jo (For possible action)

ATTACHMENT: [AR-21-400134_Color_Merged.pdf](#)

ATTACHMENT: [11 21-400134-100621.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Hualapai Associates, LLC (Jiangang Liu) for a use permit third application for review (as indicated on the ATTACHED agenda item):

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

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Remove the time limit.

12. ET-21-400120 (ZC-17-1086)-BLUE RAIN PARTNERS, LLC:
HOLDOVER 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: [12 21-400120-100621.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Blue Rain Partners, LLC for a holdover zone change first extension of time and design review (as indicated on the ATTACHED agenda item) (held from September 22, 2021):

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

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Until March 7, 2024 to complete.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has been completed within the time specified.

Public Works - Development Review

- Compliance with previous conditions;
- Coordinate with Public Works - Design Division for the Blue Diamond Wash Railroad project;
- Dedicate any right-of-way and easements necessary for the Blue Diamond Wash Railroad project;
- 30 days to submit a Separate Document to the Map Team for any required right-of-way and easement dedications;
- 90 days to record required right-of-way and easement dedications.

13. ET-21-400131 (ZC-19-0434)-NEMAN RAMIN & NEMAN DAVID:
USE PERMIT FIRST EXTENSION OF TIME for a mini-warehouse.
WAIVER OF DEVELOPMENT STANDARDS to allow modified driveway design standards.
DESIGN REVIEW for a proposed mini-warehouse on 2.2 acres in a C-1 (Local Business) Zone.
Generally located on the north side of Eldorado Lane and the west side of Decatur Boulevard within Enterprise. MN/sd/jo (For possible action)

ATTACHMENT: [ET-21-400131_Color_Merged.pdf](#)

ATTACHMENT: [13 21-400131-100621.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Ramin Neman & David Neman (Sure Link Self Storage) for a use permit first extension of time, waiver of development standards, and design review (as indicated on the ATTACHED agenda item):

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

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Until July 17, 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

- Coordinate with Public Works - Design Division for the Decatur Boulevard improvement project;
- Compliance with previous conditions.
- Applicant is advised that the County purchased right-of-way for Decatur Boulevard from APN 176-12-501-017 in June 2021, and a portion of said right-of-way will need to be vacated in order to comply with the original conditions of approval; that the right-of-way vacation application should be submitted as soon as the applicant is able to; and that the applicant may be required to reimburse the County for the portion of right-of-way that will be vacated.

14. ET-21-400137 (VS-19-0445)-NEMAN RAMIN & NEMAN DAVID:
VACATE AND ABANDON FIRST EXTENSION OF TIME easements of interest to Clark County located between Decatur Boulevard and Edmond Street (alignment), and between Mardon Avenue (alignment) and Eldorado Lane; and a portion of a right-of-way being Decatur Boulevard located between Mardon Avenue (alignment) and Eldorado Lane within Enterprise (description on file).
MN/sd/jo (For possible action)

ATTACHMENT: [ET-21-400137_Color_Merged.pdf](#)

ATTACHMENT: [14 21-400137-100621.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Ramin Neman & David Neman (Sure Link Self Storage) to vacate and abandon first extension of time easements of interest (as indicated on the ATTACHED agenda item):

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

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Until July 17, 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; that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that re-approval by the utility companies is required.

Public Works - Development Review

- Coordinate with Public Works - Design Division for the Decatur Boulevard improvement project;
- Compliance with previous conditions.
- Applicant is advised that the County purchased right-of-way for Decatur Boulevard from APN 176-12-501-017 in June 2021, and a portion of said right-of-way will need to be vacated in order to comply with the original conditions of approval; that the right-of-way vacation application should be submitted as soon as the applicant is able to; and that the applicant may be required to reimburse the County for the portion of right-of-way that will be vacated.

15. ET-21-400135 (DR-18-0376)-MAVERIK, INC.:
DESIGN REVIEWS FIRST EXTENSION OF TIME to commence the following: 1) proposed site lighting; and 2) proposed signage in conjunction with an approved convenience store and gasoline station on 1.7 acres in a C-2 (General Commercial) Zone in the CMA Design Overlay District. Generally located on the northwest corner of Durango Drive and Russell Road within Spring Valley. JJ/jor/jo (For possible action)

ATTACHMENT: [ET-21-400135_Color_Merged.pdf](#)

ATTACHMENT: [15_21-400135-100621.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Maverik, Inc. (Maverik) for design reviews first extension of time (as indicated on the ATTACHED agenda item):

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

16. UC-21-0392-RAINBOW PLAZA, LLC & LAS VEGAS RAINBOW CENTER, LLC:
HOLDOVER 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: [16_21-0392-100621.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 holdover use permit (as indicated on the ATTACHED agenda item) (held from September 22, 2021):

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

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Applicant is advised that hours of operation are limited to 8:00 a.m. to 9:00 p.m.; 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.

17. UC-21-0418-MAJESTIC ENTERPRISE HOLDINGS, LLC:

USE PERMITS for the following: 1) allow temporary events longer than 10 days per event; and 2) deviations to development standards per plans on file.

DEVIATIONS for the following: 1) alternative external building materials; 2) permit a use (motion picture production/studio) not within a permanently enclosed building; 3) permit access to accessory uses from the exterior of a resort/hotel (Silverton); and 4) all other deviations per plans on file.

DESIGN REVIEWS for the following: 1) fabric structure (tent); and 2) accessory structures in conjunction with an existing resort/hotel (Silverton) on 28.9 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the south side of Blue Diamond Road and the east side of Dean Martin Drive within Enterprise. JJ/jt/jo (For possible action)

ATTACHMENT: [UC-21-0418_Color_Merged.pdf](#)

ATTACHMENT: [17 21-0418-100621.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Majestic Enterprise Holdings, LLC (Fox Alternative Entertainment) for use permits, deviations, and design reviews (as indicated on the ATTACHED agenda item):

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

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- 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.

18. UC-21-0431-CHD CONVENIENCE, LLC:

USE PERMIT to allow kitchens in conjunction with a hotel.

DESIGN REVIEWS for the following: 1) a proposed hotel; and 2) finished grade on 2.2 acres in a C-2 (General Commercial) Zone in the CMA Design Overlay District. Generally located on the southeast corner of Quarterhorse Lane and Sobb Avenue within Spring Valley. JJ/sd/jo (For possible action)

ATTACHMENT: [UC-21-0431_Color_Merged.pdf](#)

ATTACHMENT: [18 21-0431-100621.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of CHD Convenience, LLC (Clayton Neilsen) for a use permit and design reviews (as indicated on the ATTACHED agenda item):

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

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Provide 1 loading space;
- 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.
- 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.

19. UC-21-0439-GUBLER D M & C E FAMILY TR, LLC:
USE PERMITS for the following: 1) expansion of a recreational facility; 2) major training facility; 3) camping in conjunction with a recreational facility; and 4) a heliport.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) landscaping; and 2) parking area paving and striping.
DESIGN REVIEWS for the following: 1) expansion of a recreational facility; 2) a major training facility; 3) camping cabins and accessory structures; and 4) a grading plan in conjunction with a hillside development (slopes greater than 12%) on a portion of 375.3 acres in an R-U (Rural Open Land) Zone. Generally located 2.2 miles west of Kingston Road, 1.3 miles north of Sandy Valley Road within Goodsprings. JJ/nr/jo (For possible action)

ATTACHMENT: [UC-21-0439_Color_Merged.pdf](#)

ATTACHMENT: [19 21-0439-100621.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of D M Gubler & C E Family Tr, LLC (Adreneline Mountain, LLC) for use permits, waivers of development standards, and design reviews (as indicated on the ATTACHED agenda item):

REPRESENTATIVE(S): Present

SPEAKER(S): Present

DISCUSSION: Following introduction of the item, the Board was addressed by Liz Olson, the applicant's representative, who advised that the application was for expanding an existing recreation facility which included an outdoor shooting range, axe throwing, large machinery for digging, a heliport, and cabins; neighbors expressed concerns regarding fires and increased traffic, the applicant advised of

mitigating the fire issues on the site, and further advised of working with the Bureau of Land Management (BLM) to construct a right-of-way which would permit traffic to bypass Goodsprings; and the applicant installed smart dash-cams in the vehicles to be alerted when employees were speeding through Goodsprings.

Colleen Hicks, a neighbor, spoke regarding concerns with the fires, and advised the Board that Goodsprings had one small volunteer fire department and one source of water.

William Van Ostrand spoke regarding business conflicts between the applicant and his family owned and operated business, Vegas Dirt Banditz Adventurez.

In response to Commissioner Jones, the applicant's representative advised that the fire mitigation included clearing vegetation to create a large berm, no shooting permitted on the mountain, installed a sprinkler system, purchased an off-road water truck which held 1,500 gallons, and an additional fire truck was purchased to remain onsite; and further advised that the applicant planned to construct a well and septic system on the property.

ACTION: It was moved by Commissioner Justin Jones that the application be approved, subject to staff's and additional conditions as noted below, with the following vote:

VOTING AYE: Marilyn Kirkpatrick, Jim Gibson, Justin Jones, Michael Naft, Tick Segerblom, Ross Miller, and William McCurdy II
VOTING NAY: None
ABSENT: None
ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- 1 year to review as a public hearing;
- No overnight stays on the property (camping, cabins, glamping, etc.) until the well and septic are completed;
- Recreational activities limited to indoor and outdoor shooting, ax throwing, archery, heavy equipment use, and off-road vehicle driving;
- Off-road vehicle driving limited to applicant's property only and the public road from 1 portion of the property to another;
- Federal Aviation Administration approval required before installation and use of heliport;
- No shooting from helicopters unless approved by the Board of County Commissioners through a subsequent land use application;
- Building permits shall be approved for all structures prior to any gathering of over 12 people;
- Comply with Southern Nevada Health District and the Environmental Protection Agency regulations regarding the site clean-up of lead.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Department of Aviation

- Applicant may be required to file Federal Aviation Administration (FAA) Form 7480-1, "Notice of Landing Area Proposal" with the FAA, per 14 CFR Part 157;
- Applicant must comply with all heliport planning report requirements described in Table 30.44-1 "Heliport" of the Code.
- Applicant is advised that all helicopter noise complaints and inquiries regarding operations from this facility will be forwarded to the operator of this heliport.

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised to contact the SNHD Environmental Health (EH) Division at septics@snhd.org or (702) 759-0660 to apply for permits to construct Individual Sewage Disposal (Septic) Systems; and to contact the SNHD EH Division at foodrev@snhd.org or (702) 759-1258 to apply for permits for the proposed Food Establishment and Public Accommodation facilities.

Clark County Water Reclamation District (CCWRD)

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

20. WS-21-0441-COUNTY OF CLARK (PK & COMM):
WAIVER OF DEVELOPMENT STANDARDS to allow modified driveway design standards.
DESIGN REVIEWS for the following: 1) public facility (community center); and 2) signage on a portion of 36.2 acres in conjunction with an existing public park (Silverado Ranch Park) in a P-F (Public Facility) Zone. Generally located on the south side of Silverado Ranch Boulevard and the west side of Giles Street within Enterprise. MN/md/jo (For possible action)

ATTACHMENT: WS-21-0441_Color_Merged.pdf

ATTACHMENT: 20 21-0441-100621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of County of Clark (PK & Comm) (Clark County, Department of Real Property Management) for a 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 Alexia Chen and John Lansdell, the applicant's representatives, who advised that the application was for the Silverado Ranch Community Center project located near Silverado Ranch Boulevard and Gilespie Street; the approximately 36,000 square foot building included a gymnasium, multipurpose room, program spaces, and a mezzanine level with a walking and running track; parking access from Silverado Ranch Boulevard, a new parking lot with 67 parking spaces will be constructed adjacent to the existing parking lot; and the new building will be connected to the existing park with a drop-off area and a new outdoor performance plaza.

Commissioner Naft advised of the outdoor amphitheater for programable space; the theme of wellness, health, and bringing the outdoors in; a full-scale sports court with stadium seating; the first indoor running track in a Clark County structure; the Enterprise Town Board will have a dedicated meeting space; a fitness center; a demonstration kitchen; multipurpose rooms; an art installation in the main hall; and expressed appreciation for everyone's efforts.

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

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

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

Public Works - Development Review

- Drainage study and compliance.
- 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 a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0451-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

21. ZC-21-0432-J C L H, LLC:

ZONE CHANGE to reclassify 12.3 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.

WAIVER OF DEVELOPMENT STANDARDS to increase wall height.

DESIGN REVIEWS for the following: 1) single family residential development; and 2) finished grade.

Generally located on the east side of Cameron Street and the south side of Pyle Avenue within Enterprise (description on file). JJ/md/jd (For possible action)

ATTACHMENT: [ZC-21-0432_Color_Merged.pdf](#)

ATTACHMENT: [21 21-0432-100621.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of J C L H, LLC (KB Home) for a zone change, waiver of development standards, and design reviews (as indicated on the ATTACHED agenda item):

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

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- 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 the waiver of development standards and design reviews must commence within 4 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include a spandrel at the southwest corner of 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; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0312-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

22. VS-21-0433-J C L H, LLC:
VACATE AND ABANDON easements of interest to Clark County located between Pyle Avenue and Frias Avenue, and between Cameron Street and Arville Street (alignment); a portion of a right-of-way being Pyle Avenue located between Cameron Street and Arville Street (alignment); and a portion of right-of-way being Frias Avenue located between Cameron Street and Arville Street (alignment) within Enterprise (description on file). JJ/md/jd (For possible action)

ATTACHMENT: VS-21-0433_Color_Merged.pdf

ATTACHMENT: 22 21-0433-100621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of J C L H, LLC (KB Home) to vacate and abandon easements of interest (as indicated on the ATTACHED agenda item):

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

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

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

Public Works - Development Review

- Right-of-way dedication to include a spandrel at the southwest corner of the site;
- 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 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; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

23. TM-21-500129-J C L H, LLC:

TENTATIVE MAP consisting of 93 residential lots and common lots on 12.3 acres in an R-2 (Medium Density Residential) Zone. Generally located on the east side of Cameron Street and the south side of Pyle Avenue within Enterprise. JJ/md/jd (For possible action)

ATTACHMENT: TM-21-500129_Color_Merged.pdf

ATTACHMENT: 23 21-500129-100621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of J C L H, LLC (KB Home) for a tentative map (as indicated on the ATTACHED agenda item):

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

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- 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

- 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 a spandrel at the southwest corner of 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; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

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.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0312-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

24. ZC-21-0437-BOYER, TERRY A & CHERYL:
ZONE CHANGE to reclassify 3.1 acres from an R-E (Rural Estates Residential) (RNP-I) Zone to an R-D (Suburban Estates Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; 2) eliminate street landscaping; and 3) allow non-standard improvements within the right-of-way.
DESIGN REVIEWS for the following: 1) single family residential development; and 2) finished grade.
Generally located on the south side of Corbett Street and the west side of Durango Drive within Lone Mountain (description on file). RM/md/jd (For possible action)

ATTACHMENT: [ZC-21-0437_Color_Merged.pdf](#)

ATTACHMENT: [24 21-0437-100621.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Terry A & Cheryl Boyer (Summit Homes of Nevada) 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 20, 2021 per the applicant).

25. VS-21-0438-BOYER, TERRY A & CHERYL:
VACATE AND ABANDON easements of interest to Clark County located between Corbett Street and El Campo Grande Avenue, and between Bonita Vista Street and Durango Drive within Lone Mountain (description on file). RM/md/jd (For possible action)

ATTACHMENT: [VS-21-0438_Color_Merged.pdf](#)

ATTACHMENT: [25 21-0438-100621.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Terry A & Cheryl Boyer (Summit Homes of Nevada) to vacate and abandon easements of interest (as indicated on the ATTACHED agenda item):

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

26. TM-21-500130-BOYER, TERRY A & CHERYL:
TENTATIVE MAP consisting of 9 residential lots and common lots on 3.1 acres in an R-D (Suburban Estates Residential) Zone. Generally located on the south side of Corbett Street and the west side of Durango Drive within Lone Mountain. RM/md/jd (For possible action)

ATTACHMENT: [TM-21-500130_Color_Merged.pdf](#)

ATTACHMENT: [26 21-500130-100621.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Terry A & Cheryl Boyer (Summit Homes of Nevada) for a tentative map (as indicated on the ATTACHED agenda item):

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

27. ZC-21-0442-ISC SPE, LLC:
ZONE CHANGE to reclassify 3.3 acres from an R-E (Rural Estates Residential) (AE-65) Zone to an M-D (Designed Manufacturing) (AE-65) Zone.
USE PERMITS for the following: 1) recreational facility (indoor sports facility); 2) restaurant; 3) on-premises consumption of alcohol (a lounge); and 4) allow alternative landscaping where landscaping per Figure 30.64-12 is required.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) departure distance; 2) reduce

bicycle parking; 3) reduce setbacks; 4) reduce loading spaces; and 5) reduce height/setback ratio. DESIGN REVIEW for a distribution center. Generally located on the south side of Oquendo Road and the west side of Topaz Street within Paradise (description on file). JG/jvm/jd (For possible action)

ATTACHMENT: ZC-21-0442_Color_Merged.pdf

ATTACHMENT: 27 21-0442-100621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of ISC SPE, LLC (Carbon Block Technology) for a zone change, use permits, waivers of development standards, and design review (as indicated on the ATTACHED agenda item):

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

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- 1 year to review the transition process;
- 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 and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the use permits, waivers of development standards, and design review must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Full off-site improvements.

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.

28. NZC-21-0352-A & A, LLC & A & A III, LLC:

ZONE CHANGE to reclassify 1.7 acres from an R-E (Rural Estates Residential) Zone and an R-E (Rural Estates Residential) (AE-60) Zone to a C-2 (General Commercial) Zone and a C-2 (General Commercial) (AE-60) Zone.

USE PERMITS for the following: 1) reduce separation for a convenience store to a residential use; and 2) reduce separation for a gasoline station (canopy) to a residential use.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) alternative driveway geometrics; and 2) alternative bus stop placement.

DESIGN REVIEW for a convenience store with gasoline station. Generally located on the northwest corner of Decatur Boulevard and Silverado Ranch Boulevard within Enterprise (description on file).

JJ/jt/jo (For possible action)

ATTACHMENT: [NZC-21-0352_Color_Merged.pdf](#)

ATTACHMENT: [28 21-0352-100621.docx](#)

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation of the Planning Commission that the Board approve the aforementioned described application of A & A, LLC & A & A III, LLC (Land Development Consultants, LLC) for a zone change, use permits, waivers of development standards, and design review (as indicated on the ATTACHED agenda item):

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

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Resolution of Intent to complete in 3 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;
- Traffic study and compliance;
- Coordinate with Public Works - Design Division for the Silverado Ranch Boulevard improvement project;
- Coordinate with Public Works - Design Division for the Decatur Boulevard improvement project;
- Dedicate any right-of-way and easements necessary for the Silverado Ranch Boulevard and/or Decatur Boulevard improvement projects within 30 days by submitting a Separate Document to the Map Team;
- 90 days to record the above-mentioned right-of-way dedications and any corresponding easements;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for a combination right turn lane/bus turnout including passenger loading/shelter areas in accordance with RTC standards.

Building Department - Fire Prevention

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0073-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

29. ORD-21-900427: Conduct a public hearing on 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 PH

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation that the Board

conduct a public hearing on 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):

ACTION: It was moved by Commissioner Jim Gibson that the ordinance (No. 4892) be adopted, with the following vote:

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

30. ORD-21-900484: Conduct a public hearing on 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 PH.pdf](#)

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation that the Board conduct a public hearing on 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):

ACTION: It was moved by Commissioner Jim Gibson that the ordinance (No. 4893) be adopted, with the following vote:

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

31. ORD-21-900487: Conduct a public hearing on 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 PH.pdf](#)

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation that the Board conduct a public hearing on 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):

ACTION: It was moved by Commissioner Jim Gibson that the ordinance (No. 4894) be adopted, with the following vote:

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

32. ET-21-400129 (ZC-0425-07)-PACIFIC PLACE SITE, LLC:
ZONE CHANGE FIFTH EXTENSION OF TIME to reclassify 33.5 acres from M-1 (Light Manufacturing) Zone to H-1 (Limited Resort and Apartment) Zone in the MUD-1 Overlay District.

USE PERMITS for the following: 1) an expansion of the Gaming Enterprise Overlay District; 2) a resort hotel/casino consisting of 2,700 hotel rooms; 3) 1,120 resort condominiums; 4) public areas including all casino areas, showrooms, live entertainment, cinema, performing arts center, shopping center, indoor and outdoor dining, entertainment, offices, meeting and convention, back-of-house, and parking structures; 5) increase the height of high-rise towers; 6) associated accessory and incidental commercial uses, buildings, and structures; and 7) deviations from development standards.

DEVIATIONS for the following: 1) encroachment into airspace; 2) reduced loading spaces; and 3) all other deviations as shown per plans on file. Generally located on the southeast corner of Spring Mountain Road and Polaris Avenue within Paradise (description on file). JJ/jgh/jo (For possible action)

ATTACHMENT: [ET-21-400129_Color_Merged.pdf](#)

ATTACHMENT: [32 21-400129-100621.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Pacific Place Site, LLC for a zone change fifth extension of time, use permits, and deviations (as indicated on the ATTACHED agenda item):

ACTION: Deleted from the agenda (held to April 6, 2022 per the applicant).

33. 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: [33 20-0493-100621.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of 5051 SLV, LLC for holdover amended use permits, deviations, waivers of development standards, and design reviews (as indicated on the ATTACHED agenda item) (held from September 22, 2021):

REPRESENTATIVE(S): Present

DISCUSSION: Following introduction of the item, staff advised that the Planning Commission recommended approval during the meeting held on October 5, 2021.

The Board was addressed by Tony Celeste, the applicant's representative from Kaempfer Crowell, who advised that the proposed project was approximately five acres located on South Las Vegas Boulevard; shared a property line to the east with McCarran International Airport, a Las Vegas Metropolitan Police Department substation was located across the street, Mandalay Bay was located diagonally opposite, and

to the south was Harley Davidson and the Pinball Museum; the property was owned by the Department of Aviation and sold, with deed restrictions, to a private party through an auction in 1999; advised of working with McCarran International Airport; revised the site plan to make the project safer, viable, and to be a better neighbor; relocated the porte-cochère entrance to the south west corner of the site, reduced the size of the tower, and moved the structure towards Las Vegas Boulevard and away from the airport; the back of the house operations were relocated towards the northern property line, away from the airport border; replaced the chain link fence on the eastern property line with a nine foot tall double reinforced security wall to mitigate and prevent any breach onto the airport's property; the parking garage was enclosed to limit visibility and sight lines towards the airport; the parking garage ingress and egress were modified to be subterranean and moved from the airport property line; implemented security measures for the service road around the property perimeter; consolidated the pool decks, surrounded the deck with a ten foot high decorative security wall to eliminate sightlines and the view of the airport; removed all guest room balconies from the hotel tower; an outside dining terrace on the third level looks towards the Strip and mountains and not towards the airport; a glass break detector system was added to each guestroom so security will be notified automatically if the window glass is tampered with; the structure will be approximately 234 feet high, within the height limitations of the applicant's Federal Aviation Administration (FAA) approval; larger windows facing the strip and mountains, and smaller windows and increased concrete towards the airport due to concerns regarding safety, sightlines, and sun reflection or glare; the applicant's structure will not impact or impede helicopter traffic; and drafted a Comprehensive Security Management Plan which included security measures and partnerships.

Ron Ronacher, the applicant's representative and a Security & Risk Skills Network Leader from Arup, advised that Arup was part of the Airport Council International (ACI), Arup has delivered security reports for domestic and international airports; and worked closely with the design and construction teams to develop construction mitigation measures to address the concerns of the FAA.

Jennifer Lazovich, the applicant's representative from Kaempfer Crowell, advised of the conditions agreed upon with the Department of Aviation.

Rosemary Vassiliadis, Clark County Director of Aviation, advised that major operational, noise, safety, and security concerns were identified being that the proposed project was immediately adjacent to the Airport's security fence line; the Airport and operating users were opposed to the proposed project but expressed appreciation for the applicant's adherence to the agreed upon conditions; the proposed conditions may mitigate the severity of the safety and security concerns, but the concerns will not be completely eliminated; and expressed the need for an ongoing partnership to continuously address evolving safety and security needs.

In response to Commissioner Miller's concerns regarding how the proposed project will enhance the local economy, the applicant's representative advised that the construction company and subcontractors would create construction jobs, and permanent jobs would be created for hotel operations.

Rosemary Vassiliadis, Clark County Director of Aviation, advised that the FAA reviewed comments and concerns expressed by various stakeholders and provided a detailed report following an analysis; a Security Management Plan will be used; the agreed upon conditions addressed the severity of the comments, however, security, safety, and operational concerns remain; all airports are Federally required to have a Vulnerability Assessment; the Construction Plan may cause some disruption to the Airport; the Airport as a whole was already constrained due to the airfield, airspace, and roadway system.

Discussion was held regarding topics including the proposed project's compatibility with the existing area; currently there are no resort hotels located on the east side of Las Vegas Boulevard South; the size and height of the proposed structure exceed that of the surrounding properties, and would make the proposed project visually dominant; expanding the Gaming Enterprise District; discussed modifications made to the site plan; additional agreed upon airport conditions; continued communication between the

property owner and the County was ensured through the Comprehensive Management Plan and the Security Management Plan; the FAA issued a Determination of No Hazard report, and did not find any obstruction impact to the height of the proposed structure; no precedent will be set by the approval of the proposed application as the impact of the height of any future proposals will be studied by the FAA being that each site is unique based on the layout of the runways; the security infrastructure of the community and airport; notwithstanding any changes of ownership, the conditions will remain in effect for the property; a Development Agreement will be required, will be recorded on the property, and will restate the conditions worked on in conjunction with the airport; the Security Plan will be updated annually; and further discussed access to the parking garage.

In response to Commissioner Kirkpatrick, the Board was addressed by David Almany, the applicant's representative for DLR Group, who advised that food delivery trucks will pass through a manned security checkpoint, will utilize the service drive around the rear of the property to the loading docks on the north portion of the property, and products will then pass through a subterranean corridor to be distributed throughout the property.

In response to Commissioner McCurdy, Tony Celeste advised that security for the parking garage will include an eleven-foot-tall parapet on the inside of the encasing; the Security Management Plan included a Construction Operation Plan which contained specific details regarding the construction, such as time frames, agreed upon by the applicant and the Airport; capped at 234 feet, a new FAA determination will be needed to exceed the cap, and part of the FAA determination requires notice and coordination with the FAA and Department of Aviation when cranes proceed onto the site; and further advised that cranes will be used up to the capped height and then stick-built methods may be used; landscaping will be installed in the future right-of-way and sidewalks will be placed consistent with the existing layout on Las Vegas Boulevard.

In response to Commissioner Gibson, Rosemary Vassiliadis advised that deed restrictions were imposed on the property when it was sold by the airport; one of the aspects of the deed restrictions allowed for a resort hotel; and the Nevada State Supreme Court advised against changing the language.

The Board was advised by the Deputy District Attorney, Jeff Rogan, that per Nevada Revised Statute (NRS) 463.3084 there are conditions that the Board has to make a finding about in order to expand the gaming district to this particular parcel.

ACTION: It was moved by Commissioner Jim Gibson that the application be approved, subject to staff's and additional conditions as noted below, with the following vote:

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

VOTING NAY: Ross Miller

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

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.

34. VS-21-0388-NP DURANGO, LLC:
 HOLDOVER 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: [34 21-0388-100621.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of NP Durango, LLC to holdover vacate and abandon easements of interest (as indicated on the ATTACHED agenda item) (held from September 22, 2021):

REPRESENTATIVE(S): Present

SPEAKER(S): Present

DISCUSSION: There being no objections, Item No. 34 was taken in conjunction with Item Nos. 35 and 36.

Following introduction of Item Nos. 34, 35, and 36, staff advised that Public Works Development Review requested that the following condition be added: Allow the following permits prior to approval of off-site permits: all demolition, grading, including underground utilities, dewatering, foundation, and structural first lift with foundation.

The Board was addressed by Rebecca Miltenberger, the applicant's representative, who advised that the proposed project was located at the Clark County Route (CC) 215 and Durango Drive; was originally designated as a resort hotel/casino in connection with the Rhodes Ranch Master Plan; was zoned H-1; planned two phases with guest rooms, casino and entertainment amenities, over 3,800 parking spaces, electric charging spaces, a pool and spa, and desert landscaping; five small water features totaled less than one percent of the landscaping on the 50 acre site, 70 percent less than what was permitted by code for a project of this size, and used recycled water; promoted walkability and connectivity to the surrounding area with detached sidewalks, a bike trail, multi-use trail, and 36 bike racks; a traffic study was approved in 2008 for the approximately 70 acre development, worked with staff to address traffic concerns and reduced the intensity of the project; proposed seven ingress and egress points, with primary access to the parking garage located on Roy Horn Way, and primary access to the resort will be located on Durango Drive, with a traffic signal; worked with staff, and will contribute, to the proposed signalized intersection project located at Durango Drive and Maule Avenue; a secondary access will be located on Maule Avenue; advised that the traffic impact would be similar as if the property was developed as R-2 residential; staff and the Town Board recommended approval; and further advised that the applicant accepted the conditions, and the additional condition read into the record by staff.

Debra Korak spoke regarding areas of concern including access to the proposed project from Maule Avenue, except for emergency vehicles, due to the proximity of schools, parks, and increased traffic due to newly constructed apartment complexes.

Zach Poppel spoke on behalf of the Culinary Union regarding a discussion held at the Spring Valley Town Advisory Board regarding potential alternative ingress and egress than Maule Avenue; expressed concerns regarding traffic; requested updated and comprehensive traffic studies; and further requested that the applicant meet with representatives and parents from Wayne N. Tanaka Elementary School.

Wendy Putnam Park spoke regarding areas of concern including the multiple entrances and exits for the proposed project directing traffic through the neighborhood; the proximity of schools; increased traffic; and safety.

Ellie Watts advised that her home backed onto Maule Avenue; increased traffic density; additional homes and apartments were approved for construction; and expressed concerns with safety, the schools, and water usage.

Robert Kachelriess advised of living adjacent to the proposed project; expressed concerns regarding the multiple entrances on Maule Avenue; the proximity to the elementary school; the applicant may sell the buffer for additional homes to be constructed; and increased traffic density.

Commissioner Jones and the applicant's representative discussed traffic density; the primary entrance will be located on Durango Drive, and the parking garage entrance will be located on Roy Horn Way; and the project intensity was reduced from the proposed intensity presented in 2008; and Commissioner Jones requested that the applicant continue to collaborate with Public Works.

ACTION: It was moved by Commissioner Justin Jones that the applications for Item Nos. 34, 35, and 36 be approved, subject to staff's and additional conditions as noted below, with the following vote:

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

VOTING NAY: Tick Segerblom

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

- Dedicate any right-of-way and easements as required by the traffic study;
- Dedicate any right-of-way and easements necessary for the Beltway Frontage Road improvement project;
- Dedicate any right-of-way and easements necessary for the Maule/Badura Connection improvement project;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

35. ET-21-400117 (UC-0726-08)-NP DURANGO, LLC:
HOLDOVER 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: [35 21-400117-100621.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of NP Durango, LLC for holdover use permits fifth extension of time and design reviews (as indicated on the ATTACHED agenda item) (held from September 22, 2021):

REPRESENTATIVE(S): Present

DISCUSSION: There being no objections, Item No. 35 was heard in conjunction with Item Nos. 34 and 36.

ACTION: Approved, subject to staff's conditions as noted below (see Item No. 34 for discussion, motion, and vote).

**CONDITIONS OF APPROVAL -
Current Planning**

- Applicant is advised that the development agreement required in the prior extensions of time for the subject application are applicable to the additional 1,000 residential units in the western 20 acres and not the resort hotel/casino; a standard development agreement will be required as a condition of any application for the 1,000 residential units; 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

- Compliance with previous conditions.

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

HOLDOVER 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: [36 21-0387-100621.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of NP Durango, LLC for holdover use permits, deviations, waiver of development standards, and design reviews (as indicated on the ATTACHED agenda item) (held from September 22, 2021):

REPRESENTATIVE(S): Present

DISCUSSION: There being no objections, Item No. 36 was heard in conjunction with Item Nos. 34 and 35.

ACTION: Approved, subject to staff's conditions as noted below (see Item No. 34 for discussion, motion, and vote).

CONDITIONS OF APPROVAL -

Current Planning

- Public hearing for a comprehensive master sign plan and site lighting;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a standard development agreement will be required as a condition of any application for the 1,000 residential units; 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 application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Allow the following permits prior to approval of off-site permits: all demolition, grading, including underground utilities, dewatering, foundation, and structural first lift with foundation;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for bus turnout including passenger loading/shelter areas in accordance with RTC standards;
- Coordinate with Public Works - Design Division for the Maule/Badura Connection improvement project;
- Dedicate any right-of-way and easements necessary for the Maule/Badura Connection improvement project;
- Coordinate with Public Works - Director's Office for the Beltway Frontage Road improvement project;
- Dedicate any right-of-way and easements necessary for the Beltway Frontage Road improvement project;
- Coordinate with Public Works - Traffic Management for the Traffic Signal Systems improvement project;
- Dedicate any right-of-way and easements necessary for the Traffic Signal Systems improvement project;
- 30 days to submit a Separate Document to the Map Team for any required right-of-way and easement dedications;
- 90 days to record required right-of-way and easement dedications.

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;
- Compliance with most recent recorded airport-related deed restrictions for APN 176-05-601-028.
- 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.

37. VS-21-0414-P S L V R E, LLC:
VACATE AND ABANDON easements of interest to Clark County located between Sunset Road and Rafael Rivera Way, and between Westwind Road and Jones Boulevard within Enterprise (description on file). MN/rk/jo (For possible action)

ATTACHMENT: [VS-21-0414_Color_Merged.pdf](#)

ATTACHMENT: [37 21-0414-100621.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of P S L V R E, LLC (Ethos | Three Architecture) to vacate and abandon easements of interest (as indicated on the ATTACHED agenda item):

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

38. WS-21-0413-P S L V R E, LLC:
WAIVER OF DEVELOPMENT STANDARDS to allow modified driveway design standards. DESIGN REVIEWS for the following: 1) proposed office/warehouse building; and 2) finished grade on 2.1 acres in an M-D (Designed Manufacturing) (AE-60) Zone. Generally located on the south side of Sunset Road, 270 feet west of Westwind Road within Enterprise. MN/rk/jo (For possible action)

ATTACHMENT: [WS-21-0413_Color_Merged.pdf](#)

ATTACHMENT: [38 21-0413-100621.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of P S L V R E, LLC (Ethos | Three Architecture) for a waiver 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).

39. WC-21-400099 (UC-0729-06)-R & G HOLDINGS, LLC:
HOLDOVER WAIVER OF CONDITIONS of a use permit requiring massage business hours limited to 8:00 a.m. to 9:00 p.m. on 0.6 acres in a C-2 (General Commercial) Zone in the Asian Design Overlay District. Generally located 275 feet north of Spring Mountain Road, 215 feet east of Arville Street within Paradise. JJ/bb/jo (For possible action)

ATTACHMENT: [WC-21-400099_Color_Merged.pdf](#)

ATTACHMENT: [39 21-400099-100621.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of R & G Holdings, LLC (Regal Spa, LLC) for a holdover waiver of conditions (as indicated on the ATTACHED agenda item) (held from August 18, 2021):

DISCUSSION: Following introduction of the item, staff advised that the Paradise Town Board recommended denial.

The Board was addressed by Kirk Kennedy, the applicant's representative, who advised that the applicant requested extended hours to remain competitive with similar businesses in the area; the applicant has owned the business for one year; the business was established in 2006 and was zoned for 24-hour operation; the County changed the hours of operation in 2008; the Paradise Town Board recommended reduced hours for the owner's first year of operation; and requested that the Board approve that the business hours be extended to 1:00 a.m. with a one year application review.

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

Staff requested that the following additional condition be added: Subject to Business License review.

ACTION: It was moved by Commissioner Justin Jones that the application be approved, subject to staff's conditions as noted below, as amended, with the following vote:

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

**CONDITIONS OF APPROVAL -
Current Planning**

- 1 year to review as a public hearing;
- Hours limited to 8:00 a.m. to 1:00 a.m.;
- Subject to applicant maintaining business license for massage.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

40. WS-21-0419-DIGITAL DESERT BP, LLC:
HOLDOVER 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: [40 21-0419-100621.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Digital Desert BP, LLC for holdover waivers of development standards and a design review (as indicated on the ATTACHED agenda item) (held from September 22, 2021):

REPRESENTATIVE(S): Present

DISCUSSION: Following introduction of the item, the Board was addressed by Brittney Terry, the applicant's representative, who advised that staff recommended support for three out of the five requested waivers; typical wall mounted signs would not work due to the building's architecture; roof

mounted signs were required to be classified as hanging and projecting; large arms may tie the signs back to the structure allowing the signs to be permitted, but the roof mounted signs were more architecturally appealing; and further advised that Commissioner Naft and the residents proposed additional conditions to retain a clean and uniform look to the signs in the area.

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

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- All building signage to be unified and monochromatic, primary tenant letters/logos to be 1 single color (chosen by ownership based on current building material specs), tenants may still use brand standard colors for secondary logos (to the left of the primary copy);
- All building signs to have the same method of illumination, all illumination must have back lit "halo" lighting only.
- 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.

41. 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: [41 21-0320-100621.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Precedent Properties, LLC & Verlaine, LLC (Precedent Properties, LLC) for a holdover zone change, waiver of development standards, and design review (as indicated on the ATTACHED agenda item) (held from September 22, 2021):

ACTION: Deleted from the agenda (held to December 8, 2021 per the applicant; applicant was advised that renotification fees may apply).

42. 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: [42 21-0371-100621.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of CFT Lands, LLC (Bruin Capital Partners) for a holdover zone change, waivers of development standards, and design reviews (as indicated on the ATTACHED agenda item) (held from September 22, 2021):

REPRESENTATIVE(S): Present

DISCUSSION: There being no objections, Item No. 42 was taken in conjunction with Item Nos. 43 and 44.

Following introduction of Item Nos. 42, 43, and 44, the Board was addressed by Tony Celeste, the applicant's representative, who advised that the proposed project was approximately 21 acres; will be a conforming zone change to R-2, the site located across Valley View Boulevard was a nonconforming zone change to R-2; the site plan consisted of 109 residential lots, the site was bisected by Haleh Avenue with approximately 59 single family homes to the north and approximately 52 homes to the south; requested to withdraw without prejudice the request for a waiver of development standards for the off-site improvements being that the adjacent approved DR Horton project will construct the off-site improvements and the applicant will construct the improvements to maintain consistency; requested increased wall height for additional privacy; and will construct a mix of one and two-story homes with no rooftop decks; and requested to vacate and abandon the existing patent easements.

Staff clarified that the applicant requested to withdraw the waivers of development standards for off-site improvements for Valley View Boulevard and Frias Avenue, and maintained the requested waiver of development standards for off-site improvements for Pyle Avenue; with staff amending the condition to read as follows: Applicant shall enter into a cost participation agreement for future off-site improvements on Pyle Avenue.

The applicant's representative agreed to the amended condition.

ACTION: It was moved by Commissioner Justin Jones that the applications for Item Nos. 42, 43, and 44 be approved, subject to staff's and amended conditions as noted below, with the request for a waiver of development standards No. 2 for Frias Avenue and Valley View Boulevard being withdrawn, with the following vote:

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the waivers of development standards and design reviews must commence within 4 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Right-of-way dedication to include 50 feet for Valley View Boulevard, 40 feet for Pyle Avenue, 30 to 60 feet for Haleh Avenue, 30 feet for Polaris Avenue, 30 feet for Frias Avenue, 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;
- All other right-of-way and easement dedications to record with the final map;
- Applicant shall enter into a cost participation agreement for future off-site improvements on Pyle Avenue.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

WAIVER OF DEVELOPMENT STANDARDS #2 FOR FRIAS AVENUE AND VALLEY VIEW BOULEVARD WAS WITHDRAWN.

43. 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: 43 21-0372-100621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of CFT Lands, LLC (Bruin Capital Partners) to holdover vacate and abandon easements of interest (as indicated on the ATTACHED agenda item) (held from September 22, 2021):

REPRESENTATIVE(S): Present

DISCUSSION: There being no objections, Item No. 43 was heard in conjunction with Item Nos. 42 and 44.

ACTION: Approved, subject to staff's conditions as noted below (see Item No. 42 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 50 feet for Valley View Boulevard, 40 feet for Pyle Avenue, 30 to 60 feet for Haleh Avenue, 30 feet for Polaris Avenue, 30 feet for Frias Avenue, 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;
- 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.

44. 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: 44 21-500115-100621.docx

SUBJECT MATTER: In the matter of the aforementioned described application of CFT Lands, LLC (Bruin Capital Partners) for a holdover tentative map (as indicated on the ATTACHED agenda item) (held from September 22, 2021):

REPRESENTATIVE(S): Present

DISCUSSION: There being no objections, Item No. 44 was heard in conjunction with Item Nos. 42 and 43.

ACTION: Approved, subject to staff's conditions as noted below (see Item No. 42 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;
- Right-of-way dedication to include 50 feet for Valley View Boulevard, 40 feet for Pyle Avenue, 30 to 60 feet for Haleh Avenue, 30 feet for Polaris Avenue, 30 feet for Frias Avenue, 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;
- All other right-of-way and easement dedications to record with the final map;
- Applicant shall enter into a cost participation agreement for future off-site improvements on Pyle Avenue.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

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;
- Riverrock Street and Bedser Avenue are on the same alignment and shall have the same name;
- The street name Highwater Heights Avenue exceeds the maximum of 20 letters and spaces (including street name and suffix abbreviation) allowed per the Las Vegas Valley Street Naming and Address Assignment Policy and shall have an approved street name.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

45. ZC-21-0396-HAAR MARIA C REV LIV TR 2000 & HAAR MARIA CORAZON TRS:
HOLDOVER 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: 45 21-0396-100621.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 holdover zone change, waivers of development standards, and design reviews (as indicated on the ATTACHED agenda item) (held from September 22, 2021):

REPRESENTATIVE(S): Present

DISCUSSION: There being no objections, Item No. 45 was heard in conjunction with Item No. 46.

Following introduction of Item Nos. 45 and 46, the Board was addressed by Jennifer Lazovich, the applicant's representative, who advised of submitting a revised plan; the application was for a conforming zone change; and requested to withdraw waivers of development standards Nos. 1a, 1b, and 2.

ACTION: It was moved by Commissioner Justin Jones that the applications for Item Nos. 45 and 46 be approved, subject to staff's conditions as noted below, with waivers of development standards Nos. 1a, 1b, and 2 being withdrawn, with the following vote:

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

VOTING NAY: None

ABSENT: Jim Gibson

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Design review as a public hearing for significant changes to plans;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the waivers of development standards and design reviews must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Torino Avenue;
- Provide paved legal access;
- Applicant shall apply for a Bureau of Land Management (BLM) grant for Torino Avenue.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

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; that separate airspace determinations will be needed for construction cranes or other temporary equipment; that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the FAA will no longer approve remedial noise mitigation measures for

incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

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

WAIVERS OF DEVELOPMENT STANDARDS #1A, #1B, AND #2 WERE WITHDRAWN.

46. VS-21-0397-HAAR MARIA C REV LIV TR 2000 & HAAR MARIA CORAZON TRS:
HOLDOVER 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: [46 21-0397-100621.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 holdover vacate and abandon easements of interest (as indicated on the ATTACHED agenda item) (held from September 22, 2021):

REPRESENTATIVE(S): Present

DISCUSSION: There being no objections, Item No. 46 was heard in conjunction with Item No. 45.

ACTION: Approved, subject to staff's conditions as noted below (see Item No. 45 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

- Drainage study and compliance;
- Right-of-way dedication to include 30 feet for Torino Avenue;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

47. ZC-21-0409-GRAGSON-CACTUS II INVESTMENTS:
ZONE CHANGE to reclassify 2.5 acres from an R-E (Rural Estates Residential) Zone and an M-1 (Light Manufacturing) Zone to an M-D (Designed Manufacturing) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) attached sidewalks; 2) access to a local street; 3) allow overhead doors to be visible from a public street; and 4) driveway geometrics. DESIGN REVIEWS for the following: 1) office/warehouse facility; and 2) finished grade. Generally located on the north side of Pebble Road and the east side of El Camino Road within Enterprise (description on file). JJ/sd/jo (For possible action)

ATTACHMENT: [ZC-21-0409_Color_Merged.pdf](#)

ATTACHMENT: [47 21-0409-100621.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Gragson-Cactus II Investments (Visionary 2, 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 20, 2021 per the applicant).

48. 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: [48 21-0222-100621.docx](#)

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation of the Planning Commission that the Board deny the aforementioned described application of JCLH, LLC for a holdover zone change, waivers of development standards, and design reviews (as indicated on the ATTACHED agenda item) (held from September 22, 2021):

REPRESENTATIVE(S): Present

SPEAKER(S): Present

DISCUSSION: There being no objections, Item No. 48 was taken in conjunction with Item Nos. 49 and 50.

Following introduction of Item Nos. 48, 49, and 50, the Board was addressed by Tony Celeste, the applicant's representative, who advised that the proposed project was on approximately 20 acres; was split planned with approximately three-fourths being planned for public facilities, and the remainder planned residential low; properties to the south and west were developed R-2; the north was developed and being developed RNP; held several neighborhood meetings; revised the site plan to address neighbors concerns regarding density, reduced the number of homes along Richmar Avenue from 22 to 11, a minimum 7,500 square foot lots, and eight of the eleven homes being single-story; and further advised of working with Public Works and neighbors regarding traffic mitigation calming devices along Edmond Street.

Warren Reed, Cal Sanders, Ed Wilson, J.R. Walton, Holly Speirs, Tom Arnold, and Diane Ericksen spoke regarding areas of concern including the lot size reduction from 10,000 square feet; preservation of the larger lot size; the proximity to the RNP (residential neighborhood preservation); traffic density and

inadequate street parking; street racing; effect on utilities, specifically water; insufficient buffer; and expressed safety concerns for children and animals.

The applicant's representative advised that the request for a waiver of off-site improvements on Richmar Avenue was withdrawn without prejudice, and the applicant will construct the curb, gutter, landscaping, and sidewalk; discussed traffic flow from the proposed development to Edmond Street with Silverado Ranch Boulevard to the south and Richmar Avenue to Decatur Boulevard to the north; access onto Lindell Road would potentially encourage traffic towards the RNP, and was challenging because of utilities; and discussed traffic counts.

In response to Commissioner Kirkpatrick, the applicant's representative advised that the exterior public streets Richmar Avenue and Lindell Road will have an 80 foot right-of-way when fully built out and Edmond Street will have a 60 foot right-of-way; and the private streets within the proposed development will be 42 feet wide with a sidewalk on one side, have full cul-de-sacs, and each home will be constructed with a minimum of a 20 foot driveway and a minimum of a two-car garage.

Staff requested that the following condition be deleted as follows: Applicant shall enter into a cost-participation agreement for the future Richmar Avenue improvements.

ACTION: It was moved by Commissioner Justin Jones that the applications for Item Nos. 48, 49, and 50 be approved, subject to staff's conditions as noted below, with waiver of development standards No. 2 being withdrawn, with the following vote:

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

VOTING NAY: None

ABSENT: Jim Gibson

ABSTAIN: None

CONDITIONS OF APPROVAL -

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;
- 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 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 for Lindell Road and Edmond Street;
- Right-of-way dedication to include 30 feet for Richmar Avenue, 30 feet for Edmond Street, 35 feet to the back of curb for Lindell Road, 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;
- All other right-of-way and easement dedications to record with the final maps.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Building Department - Fire Prevention

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

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 #0093-2021

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

WAIVER OF DEVELOPMENT STANDARDS #2 WAS WITHDRAWN.

49. 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: 49 21-0223-100621.docx

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation of the Planning Commission that the Board deny the aforementioned described application of JCLH, LLC to holdover vacate and abandon easements of interest (as indicated on the ATTACHED agenda item) (held from September 22, 2021):

REPRESENTATIVE(S): Present

SPEAKER(S): Present

DISCUSSION: There being no objections, Item No. 49 was heard in conjunction with Item Nos. 48 and 50.

ACTION: Approved, subject to staff's conditions as noted below (see Item No. 48 for discussion, motion, and vote).

CONDITIONS OF APPROVAL -

Current Planning

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

Public Works - Development Review

- Right-of-way dedication to include 30 feet for Richmar Avenue, 30 feet for Edmond Street, 35 feet to the back of curb for Lindell Road, 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;
- 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.

Building Department - Fire Prevention

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

50. 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: [50 21-500055-100621.docx](#)

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation of the Planning Commission that the Board deny the aforementioned described application of JCLH, LLC for a holdover tentative map (as indicated on the ATTACHED agenda item) (held from September 22, 2021):

REPRESENTATIVE(S): Present

SPEAKER(S): Present

DISCUSSION: There being no objections, Item No. 50 was heard in conjunction with Item Nos. 48 and 49.

ACTION: Approved, subject to staff's conditions as noted below (see Item No. 48 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 for Lindell Road and Edmond Street;
- Right-of-way dedication to include 30 feet for Richmar Avenue, 30 feet for Edmond Street, 35 feet to the back of curb for Lindell Road, 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;
- All other right-of-way and easement dedications to record with the final maps.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Current Planning Division - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided;
- Private streets shall have approved street names & suffixes;
- Aurora Gale Avenue shall maintain the name as Lynn Creek Avenue shown on TM-21-500051 if the 2 streets are on the same alignment.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Building Department - Fire Prevention

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0093-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may

require a new POC analysis.

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

HOLDOVER 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: [51 21-0321-100621.docx](#)

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation of the Planning Commission that the Board approve the aforementioned described application of JCLH, LLC (Strive Engineering) for a holdover zone change, use permit, waivers of development standards, and design reviews (as indicated on the ATTACHED agenda item) (held from September 22, 2021):

REPRESENTATIVE(S): Present

SPEAKER(S): Present

DISCUSSION: There being no objections, Item No. 51 was taken in conjunction with Item Nos. 52 and 53.

Following the introduction of Item Nos. 51, 52, and 53, the Board was addressed by Stephanie Allen, the applicant's representative, who advised that the proposed project was located on the south west corner of Serene Avenue and Decatur Boulevard; planned 224 for-sale townhomes, with a maximum of 225 units; Decatur Boulevard will be constructed as a 120 foot right-of-way and Serene Avenue will be constructed as an 80 foot right-of-way; the subject property was not located within the RNP; was master planned for commercial neighborhood, the surrounding properties were planned mixed-use; requested a nonconforming zone change for the for-sale townhomes, the request was consistent with other planned uses on Decatur Boulevard; residential RNP was located to the west; advised of working with neighbors; eliminated vehicle and pedestrian access to Serene Avenue, planned two entrances on Decatur Boulevard, no access west to the RNP from the proposed development; added an intense landscape buffer along Serene Avenue with off-sites; eliminated units with single car garages; open space planned for the center of the proposed project; entry level price range with two car garages; discussed the cut and fill of the site; modern elevations; from 1,300 to 1,400 square feet; planned for a height of approximately 27 feet and agreed to a maximum height of 30 feet; will provide a disclosure to the homeowner that animals are kept in the area; and requested a waiver for providing 558 parking spaces where 585 were required.

Tom Arnold, Barrett Gruber, Cal Sanders, Holly Speirs, Diane Ericksen, J.R. Walton, Keith Speirs, and Mary Ann Sanders spoke regarding areas of concern including the reduced number of parking spaces and lot sizes; the potential of increased crime, traffic, and noise; the proximity to the RNP; the buffering; and the increased use of the utilities.

Discussion was held regarding that the lot to the west of the proposed project was planned for a public facility, possibly a school; the applicant requested a waiver to not dedicate Meranto Avenue, to eliminate access through the parcel to the west and into the RNP; pedestrian access to the west; and the parking waiver.

ACTION: It was moved by Commissioner Justin Jones that the applications for Item Nos. 51, 52, and 53 be approved, subject to staff's and additional conditions as noted below, with the following vote:

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

VOTING NAY: None

ABSENT: Jim Gibson

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;
- Maximum of 225 units;
- Maximum building height of 30 feet;
- Provide 558 parking spaces where 585 parking spaces are required;
- Provide garage parking requirement provision in CC&R's;
- Provide disclosure to homeowners of animals in the area;
- Provide the ability for 1 pedestrian access on the west side of the site, should a public use be constructed on the property to the west;
- Intense landscaping along Serene Avenue;
- 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

- No parking on Serene Avenue;
- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 55 feet to the back of curb for Decatur Boulevard, 35 feet to the back of curb for Serene Avenue, 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;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for bus turnout or combination right turn lane/bus turnout on the west side of Decatur Boulevard, as close as practical to Serene Avenue including a passenger loading/shelter areas in accordance with RTC standards;
- Coordinate with Public Works - Design Division for the Decatur Boulevard improvement project;
- Dedicate any right-of-way and easements necessary for the Decatur Boulevard improvement project.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that approval of this application will not prevent Public Works from requiring an

alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

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 #0411-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

52. VS-21-0322-JCLH, LLC:
HOLDOVER 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: [52 21-0322-100621.docx](#)

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation of the Planning Commission that the Board approve the aforementioned described application of JCLH, LLC (Strive Engineering) to holdover vacate and abandon easements of interest (as indicated on the ATTACHED agenda item) (held from September 22, 2021):

REPRESENTATIVE(S): Present

SPEAKER(S): Present

DISCUSSION: There being no objections, Item No. 52 was taken in conjunction with Item Nos. 51 and 53.

ACTION: Approved, subject to staff's conditions as noted below (see Item No. 51 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 55 feet to the back of curb for Decatur Boulevard, 35 feet to the back of curb for Serene Avenue, 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;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for bus turnout or combination right turn lane/bus turnout on the west side of Decatur Boulevard, as close as practical to Serene Avenue including a passenger loading/shelter areas in accordance with RTC standards;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic controls.

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

HOLDOVER 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: [53 21-500102-100621.docx](#)

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation of the Planning Commission that the Board approve the aforementioned described application of JCLH, LLC (Strive Engineering) for a holdover tentative map (as indicated on the ATTACHED agenda item) (held from September 22, 2021):

REPRESENTATIVE(S): Present

SPEAKER(S): Present

DISCUSSION: There being no objections, Item No. 53 was taken in conjunction with Item Nos. 51 and 52.

ACTION: Approved, subject to staff's conditions as noted below (see Item No. 51 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 55 feet to the back of curb for Decatur Boulevard, 35 feet to the back of curb for Serene Avenue, 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;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for bus turnout or combination right turn lane/bus turnout on the west side of Decatur Boulevard, as close as practical to Serene Avenue including a passenger loading/shelter areas in accordance with RTC standards;
- Coordinate with Public Works - Design Division for the Decatur Boulevard improvement project;
- Dedicate any right-of-way and easements necessary for the Decatur Boulevard improvement project.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that 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;
- Street K is an extension of Meranto Avenue and shall assume the same name.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0411-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

54. AG-21-900556: Discuss whether to modify Title 30 to allow an alternative housing option in multifamily zoning districts. (For possible action)

ATTACHMENT: [AG-21-900556.pdf](#)

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation that the Board of County Commissioners discuss whether to modify Title 30 to allow an alternative housing option in multifamily zoning districts. (For possible action):

ACTION: It was moved by Commissioner Tick Segerblom that the application be held to October 20, 2021, with the following vote:

VOTING AYE: Marilyn Kirkpatrick, Justin Jones, Michael Naft, Tick Segerblom, and Ross Miller

VOTING NAY: None

ABSENT: Jim Gibson, and William McCurdy II

ABSTAIN: None

55. ORD-21-900516: Introduce an ordinance to consider adoption of a Development Agreement with ME52 LLC for a residential development (Mountain's Edge Townhomes) on 8.6 acres, generally located west of Rainbow Boulevard and north of Erie Avenue within Enterprise. JJ/ab (For possible action)

ATTACHMENT: [ORD-21-900516 INTRO.pdf](#)

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation that the Board of County Commissioners introduce an ordinance to consider adoption of a Development Agreement with ME52 LLC for a residential development (Mountain's Edge Townhomes) on 8.6 acres, generally located west of Rainbow Boulevard and north of Erie 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. 10-6-21-1).

ACTION: There being no objections, Chair Kirkpatrick set the matter for public hearing on October 20, 2021 at 9:00 a.m.

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 wishing to be heard on any items not listed on the agenda as posted.

SPEAKER(S): None

There being no further business to come before the Board at this time, at the hour of 12:56 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