
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 20th day of October, 2021 at the hour of 9:00 a.m. The meeting was called to order at the hour of 9:03 a.m. by Chair Kirkpatrick, and on roll call, the following members were present, constituting 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
Nancy Amundsen, Director Comprehensive Planning
Sami Real, Planning Manager
Jason Allswang, Senior Plan Checker
JaWaan Dodson, Plan Checker II
Jewel Gooden, Assistant Clerk, BCC
Paula Cook, Records Administration Manager
Robin Delaney, Deputy Clerk

1. Public Comments.

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

SPEAKER(S): None

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

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

ACTION: It was moved by Commissioner Jim Gibson that the agenda be approved, with the deletion of Item Nos. 12, 18, 27, 30, 31, 41, and 42, and the addition of Item No. 56 from the Board of County Commission meeting held October 19, 2021, with the following vote:

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

3. Approval of minutes. (For possible action)

ACTION: It was moved by Commissioner Jim Gibson that the minutes of the regular meeting of September 22, 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-21-0444-SDMI BD, LLC:

DESIGN REVIEWS for the following: 1) signage; 2) lighting plan; and 3) covered parking in conjunction with an office building on a portion of 2.2 acres in an H-2 (General Highway Frontage) Zone. Generally located on the west side of Lindell Road, 150 feet south of Blue Diamond Road within Enterprise. JJ/jgh/jo (For possible action)

ATTACHMENT: DR-21-0444_Color_Merged.pdf

ATTACHMENT: 04 21-0444-102021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of SDMI BD, LLC (AJ Plank) 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.

5. DR-21-0446-HAMMER PROPERTIES, LLC:

HOLDOVER 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: 05 21-0446-102021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Hammer Properties, LLC (Strive Engineering) for a holdover design review (as indicated on the ATTACHED agenda item) (held from October 6, 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 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;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; that minimum paving is required on Dapple Gray Road; and that off-site improvement permits will be required.

Clark County Water Reclamation District (CCWRD)

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

6. DR-21-0470-OCEANFRONT HOLDINGS, LLC & RPH INVESTMENT GROUP, LLC:
DESIGN REVIEW for finished grade in conjunction with a single family residential development on 2.1 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the south side of Wittig Avenue and the west side of Conquistador Street within Lone Mountain. RM/jvm/jd (For possible action)

ATTACHMENT: DR-21-0470_Color_Merged.pdf

ATTACHMENT: 06 21-0470-102021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Oceanfront

Holdings, LLC & RPH Investment Group, LLC (Roaring20s, LLC) for a design review (as indicated on the ATTACHED agenda item):

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

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site.
- 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.

7. **DR-21-0477-FLAMINGO LV OPERATING CO, LLC:**

DESIGN REVIEWS for the following: 1) exterior remodel; 2) modify an existing comprehensive sign plan; 3) increase wall sign area; 4) increase the number of animated signs; and 5) increase the area of animated signs in conjunction with an existing resort hotel (Flamingo) on a portion of 19.4 acres in an H-1 (Limited Resort and Apartment) Zone in an MUD-1 Overlay District. Generally located on the east side of Las Vegas Boulevard South, 200 feet north of Flamingo Road within Paradise. TS/lm/jo (For possible action)

ATTACHMENT: DR-21-0477_Color_Merged.pdf

ATTACHMENT: 07 21-0477-102021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Flamingo LV Operating Co, 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. 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: [08 21-400113-102021.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 October 6, 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

- Remove the time limit.

9. AR-21-400142 (UC-20-0087)-AVILA, MARIA DEL ROSARIO VERDUZCO & GUZMAN, ROBERTO JIMENEZ:

USE PERMIT SECOND APPLICATION FOR REVIEW for an existing vehicle maintenance (automobile) facility.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce the separation from an automobile maintenance facility to a residential use; 2) alternative design standards; 3) increase fence height; and 4) allow temporary signs (banner) to be permanent.

DESIGN REVIEWS for the following: 1) vehicle maintenance (automobile) facility; and 2) signage on 0.6 acres in an H-2 (General Highway Frontage) Zone. Generally located on the southwest corner of Boulder Highway and Nellis Boulevard within Paradise. TS/md/jd (For possible action)

ATTACHMENT: [AR-21-400142_Color_Merged.pdf](#)

ATTACHMENT: [09 21-400142-102021.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Maria Del Rosario Verduzco Avila & Roberto Jimenez Guzman (Maria Verduzco) for a use permit second application for review, waivers of development standards, and design reviews (as indicated on the ATTACHED agenda item):

ACTION: It was moved by Commissioner Jim Gibson that the application be approved, subject to 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

- 6 months to review;
- Obtain any required permits and inspections for the existing metal buildings, if needed.
- Applicant is advised outside storage/display is not permitted in the H-2 zone; that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

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.

10. ET-21-400138 (UC-19-0342)-STEELHEAD, GIL LLC:
USE PERMIT FIRST EXTENSION OF TIME to establish a Historical Designation (Pioneer Saloon) for a tavern, restaurant, and retail sales and services with accessory uses.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced parking lot landscaping; 2) reduce the setback for a non-decorative fence; and 3) increase fence height.
DESIGN REVIEWS for the following: 1) food cart/trailer; 2) existing accessory structures (shipping containers, storage building); 3) parking lot redesign; 4) proposed restroom building; and 5) additions and/or modifications including, but not limited to, an outdoor bar area, outside dining, drinking, and cooking areas, and covered patio areas in conjunction with an existing restaurant, retail store, and tavern on 1.4 acres in a C-2 (General Commercial) Zone. Generally located on the northwest corner of Spring Street (SR 161) and Fayle Street within Goodsprings. JJ/md/ja (For possible action)

ATTACHMENT: ET-21-400138_Color_Merged.pdf

ATTACHMENT: 10 21-400138-102021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Steelhead, Gil LLC (Pioneer Saloon, LLC) for a use permit first extension of time, waivers of development standards, and design reviews (as indicated on the ATTACHED agenda item):

ACTION: It was moved by Commissioner Jim Gibson that the application be approved, subject to 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 October 20, 2023 to complete the building permit and inspection process;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a design review must be approved by the Board of County Commissioners prior to all new construction or alteration to the exterior of a building with Historical Designation unless the Zoning Administrator determines that the proposal is minor in nature and impact; approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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.

11. UC-21-0472-EASTSIDE ACQUISITION, LLC:

USE PERMIT to reduce the setback of a proposed vehicle wash.

DESIGN REVIEWS for the following: 1) vehicle wash; and 2) finished grade on 1.7 acres in a C-2 (General Commercial) Zone. Generally located on the northwest corner of Desert Inn Road and Pecos Road within Winchester. TS/jor/jd (For possible action)

ATTACHMENT: [UC-21-0472_Color_Merged.pdf](#)

ATTACHMENT: [11 21-0472-102021.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Eastside Acquisition, LLC (S. T. Enterprises, LLC) 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

- 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;
- Reconstruct any unused driveways with full off-site improvements;
- Desert Inn Road commercial driveway shall be "Fire Access Only" and may be constructed as a commercial pan driveway per Uniform Standard Drawing 224.
- 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 off-site improvement permits may be required.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0346-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

12. VS-21-0449- NP DURANGO, LLC:
VACATE AND ABANDON a portion of a right-of-way being Roy Horn Way located between Durango Drive and El Capitan Way (alignment) within Spring Valley (description on file). JJ/rk/jd (For possible action)

ATTACHMENT: VS-21-0449_Color_Merged.pdf

ATTACHMENT: 12 21-0449-102021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of NP Durango, LLC to vacate and abandon a portion of a right-of-way (as indicated on the ATTACHED agenda item):

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

13. VS-21-0475-COUNTY OF CLARK (PK & COMM SERV):
VACATE AND ABANDON a portion of right-of-way being Park Crest Road located between Virgin Street and First North Street (alignment) within Bunkerville (description on file). MK/md/jd (For possible action)

ATTACHMENT: VS-21-0475_Color_Merged.pdf

ATTACHMENT: 13 21-0475-102021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of County of Clark (PK & Comm Serv) to vacate and abandon a portion of a right-of-way (as indicated on the ATTACHED agenda item):

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

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

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

Public Works - Development Review

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

14. **DR-21-0474-COUNTY OF CLARK(PK & COMM SERV):**

DESIGN REVIEWS for the following: 1) improvements to an existing public park; and 2) signage in conjunction with an existing public park (Thomas Dudley Leavitt Sr. Park) on 5.4 acres in a P-F (Public Facility) Zone. Generally located on the north side of Virgin Street and the west side of Second West Street within Bunkerville. MK/md/jd (For possible action)

ATTACHMENT: DR-21-0474_Color_Merged.pdf

ATTACHMENT: 14 21-0474-102021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of County of Clark (PK & Comm Serv) 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.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements on Virgin Street.

15. VS-21-0480-DONG KUO & MO CHUN FAMILY TRUST & DONG KUO & MO CHUN TRS: VACATE AND ABANDON easements of interest to Clark County located between CC 215 and Sunset Road, and between Torrey Pines Drive (alignment) and Rainbow Boulevard within Enterprise (description on file). MN/bb/jd (For possible action)

ATTACHMENT: VS-21-0480_Color_Merged.pdf

ATTACHMENT: 15 21-0480-102021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Kuo Dong & Chun Mo Family Trust & Kuo Dong & Chun Mo Trs (Zach Broyles) 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 portion of Rafael Rivera Way as required by Public Works;
- 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;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

16. WS-21-0481-DONG KUO & MO CHUN FAMILY TRUST & DONG KUO & MO CHUN TRS: WAIVER OF DEVELOPMENT STANDARDS for modified driveway geometrics. DESIGN REVIEWS for the following: 1) finished grade; 2) vehicle sales and rental facility; and 3) accessory vehicle wash on a 3.3 acre portion of 5.0 acres in a C-2 (Commercial General) (AE-60) Zone in the CMA Design Overlay District. Generally located on the north side of CC 215, 1,600 feet east of Rainbow Boulevard within Enterprise. MN/bb/jd (For possible action)

ATTACHMENT: WS-21-0481 Color Merged.pdf

ATTACHMENT: 16 21-0481-102021

SUBJECT MATTER: In the matter of the aforementioned described application of Kuo Dong & Chun Mo Family Trust & Kuo Dong & Chun Mo Trs (Zach Broyles) for a waiver of development standards and design reviews (as indicated on the ATTACHED agenda item):

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

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- 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;
- Full off-site improvements;
- Right-of-way dedication to include a portion of Rafael Rivera Way as required by Public Works;
- 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;
- 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.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Department of Aviation

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

temporary equipment.

Building Department - Fire Prevention

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

17. WC-21-400136 (ZC-20-0321)-PROJECT MINT REHAB, LLC:
WAIVER OF CONDITIONS of a zone change requiring right-of-way dedication to include 30 feet for Karms Park Court with a portion of a cul-de-sac on 2.5 acres in an M-D (Designed Manufacturing) (AE-60) Zone. Generally located on the west side of Karms Park Court, 610 feet north of Sunset Road within Spring Valley. MN/jgh/jo (For possible action)

ATTACHMENT: WC-21-400136 Color Merged.pdf

ATTACHMENT: 17 21-400136-102021

SUBJECT MATTER: In the matter of the aforementioned described application of Project Mint Rehab, LLC for a waiver of conditions (as indicated on the ATTACHED agenda item):

ACTION: It was moved by Commissioner Jim Gibson that the application be approved, subject to 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 -

Public Works - Development Review

- Right-of-way dedication to include 20 feet for Karms Park Court, and associated spandrel.

18. WS-21-0447-GILBERT, DAN & CLAUDIA:
WAIVER OF DEVELOPMENT STANDARDS to increase the proposed retaining wall height.
DESIGN REVIEW for finished grade in conjunction with a proposed single family residence on 2.5 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the southeast corner of Verde Way and Jensen Street within Lone Mountain. RM/jor/jo (For possible action)

ATTACHMENT: WS-21-0447 Color Merged.pdf

ATTACHMENT: 18 21-0447-102021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Dan & Claudia Gilbert (Dan Gilbert) for a waiver of development standards and design review (as indicated on the ATTACHED agenda item):

ACTION: Deleted from the agenda (held to November 3, 2021 per the applicant).

19. WS-21-0460-REFCON HOLDINGS, LLC-SERIES A:
WAIVER OF DEVELOPMENT STANDARDS to allow alternative driveway geometrics.
DESIGN REVIEWS for the following: 1) office warehouse building; 2) alternative parking lot landscaping; and 3) finished grade on 0.5 acres in an M-1 (Light Manufacturing) Zone. Generally located on the north side of Emerald Avenue, 160 feet east of Stephanie Street within Whitney. JG/al/jo (For possible action)

ATTACHMENT: WS-21-0460 Color Merged.pdf

ATTACHMENT: 19 21-0460-102021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Refcon Holdings, LLC – Series A (Refcon Holdings, LLC) for a waiver of development standards and design reviews (as indicated on the ATTACHED agenda item):

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

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- 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.

Building Department - Fire Prevention

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions; and that fire/emergency access must comply with the Fire Code.

20. WS-21-0465-TISHMAR, LLC:

WAIVER OF DEVELOPMENT STANDARDS to allow non-standard improvements within the right-of-way.

DESIGN REVIEWS for the following: 1) landscape improvements; and 2) finished grade on a portion of 16.2 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the west side of Las Vegas Boulevard South and the south side of Wilbur Clark DI East Road within Winchester. TS/md/jd (For possible action)

ATTACHMENT: WS-21-0465 Color Merged.pdf

ATTACHMENT: 20 21-0465-102021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Tishmar, LLC (Wynn Design and Development) for a waiver of development standards and design reviews (as indicated on the ATTACHED agenda item):

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

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- 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

- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- 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.

21. **ZC-21-0437-BOYER, TERRY A & CHERYL:**

HOLDOVER 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: [21 21-0437-102021.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Terry & Cheryl Boyer (Summit Homes of Nevada) for a holdover zone change, waivers of development standards, and design reviews (as indicated on the ATTACHED agenda item) (held from October 6, 2021):

REPRESENTATIVE(S): Present

DISCUSSION: There being no objections, Item No. 21 was taken in conjunction with Item Nos. 22 and 23.

Following introduction of Item Nos. 21, 22, and 23, the Board was addressed by Robert Cunningham, the applicant's representative, who advised that the applicant agreed with staff recommendations and proposed conditions; the proposed project was for a nine lot subdivision, with four lots on the west portion and five lots on the east portion backing up to Durango Drive; and further advised of working with neighbors.

Commissioner Miller advised that the density conformed with the existing land use plan for the area and was below the interlocal agreement.

ACTION: It was moved by Commissioner Ross Miller that the applications for Item Nos. 21, 22, and 23 be approved, subject to staff's conditions as noted below, with the following vote:

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; 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;
- Full off-site improvements;
- Right-of-way dedication to include 10 feet for Durango Drive and the 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, if required by Public Works;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger, if required by Public Works;
- All other right-of-way and easement dedications to record with the subdivision map;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way.
- 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.

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised that there is an active septic permit on APN 125-29-708-016; to connect to municipal sewer and abandon or remove the septic system in accordance with Section 17 of the SNHD Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management; and to submit documentation to SNHD showing that the system has been properly abandoned or removed.

Clark County Water Reclamation District (CCWRD)

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

22. VS-21-0438-BOYER, TERRY A & CHERYL:
HOLDOVER 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: 22 21-0438-102021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Terry & Cheryl Boyer (Summit Homes of Nevada) to holdover vacate and abandon easements of interest (as indicated on the ATTACHED agenda item) (held from October 6, 2021):

REPRESENTATIVE(S): Present

DISCUSSION: There being no objections, Item No. 22 was heard in conjunction with Item Nos. 21 and 23.

ACTION: Approved, subject to staff's conditions as noted below (see Item No. 21 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 10 feet for Durango Drive and the 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, if required by Public Works;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger, if required by Public Works;
- All other right-of-way and easement dedications to record with the subdivision map;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

23. **TM-21-500130-BOYER, TERRY A & CHERYL:**
HOLDOVER 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: 23 21-500130-102021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Terry & Cheryl Boyer (Summit Homes of Nevada) for a holdover tentative map (as indicated on the ATTACHED agenda item) (held from October 6, 2021):

REPRESENTATIVE(S): Present

DISCUSSION: There being no objections, Item No. 23 was heard in conjunction with Item Nos. 21 and 22.

ACTION: Approved, subject to staff's conditions as noted below (see Item No. 21 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;
- Full off-site improvements;
- Right-of-way dedication to include 10 feet for Durango Drive and the 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, if required by Public Works;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger, if required by Public Works;
- All other right-of-way and easement dedications to record with the subdivision map;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way.
- 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

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

Clark County Water Reclamation District (CCWRD)

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

24. ZC-21-0466-ODYSSEY WALNUT INDUSTRIAL CENTER, LLC:
ZONE CHANGE to reclassify 4.7 acres from a C-2 (General Commercial) (AE-75 & APZ-2) Zone to an M-D (Designed Manufacturing) (AE-75 & APZ-2) Zone for a distribution center.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) setbacks; and 2) alternative driveway geometrics.
DESIGN REVIEWS for the following: 1) distribution center; and 2) finished grade. Generally located on the south side of Cheyenne Avenue and the west side of Walnut Road within Sunrise Manor (description on file). WM/nr/jo (For possible action)

ATTACHMENT: ZC-21-0466_Color_Merged.pdf

ATTACHMENT: 24 21-0466-102021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Odyssey Walnut Industrial Center, LLC for a zone change, waivers of development standards, and design reviews (as indicated on the ATTACHED agenda item):

DISCUSSION: Following introduction of the item, the Board was advised that, per the applicant, staff requested that the following Current Planning condition be added as follows: Install security cameras around exterior of building.

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;
- Install security cameras around exterior of building;
- 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;
- Traffic study and compliance;
- Right-of-way dedication to include 54 foot property line radius on the northeast corner of the site;
- Nevada Department of Transportation approval.
- 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 off-site improvements permit may be required.

Building Department - Fire Prevention

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

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 #0055-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

25. ORD-21-900516: Conduct a public hearing on 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 INTR Bill 10-6-21-1.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 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):

ACTION: It was moved by Commissioner Jim Gibson that the ordinance (No. 4895) 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

26. ET-21-400116 (UC-20-0164)-RODRIGUEZ, MARIA & CISNEROS, ALONDRA ESMERALDA: HOLDOVER USE PERMITS FIRST EXTENSION OF TIME for the following: 1) allow non-architectural compatibility for all existing accessory structures; and 2) allow front access of a casita to face the street.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce the separation between existing structures; 2) reduce setbacks; and 3) reduce the driveway separation in conjunction with an existing single family residence on 0.8 acres in an R-E (Rural Estates Residential) Zone. Generally located on the west side of Sherwin Lane, 193 feet north of Owens Avenue within Sunrise Manor. WM/jgh/jo (For possible action)

ATTACHMENT: ET-21-400116_Color_Merged.pdf

ATTACHMENT: 26 21-400116-102021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Maria Rodriguez & Alondra Esmeralda Cisneros (Alondra Cisneros) for holdover use permits first extension of time and waivers of development standards (as indicated on the ATTACHED agenda item) (held from September 22, 2021):

REPRESENTATIVE(S): Present

SPEAKER(S): Present

DISCUSSION: Following introduction of the item, the Board was addressed by Alondra Cisneros, the applicant, who advised that the requested extension of time was to provide time to file paperwork for permitting.

Doug Germano, the next-door neighbor, advised that the proposed casita was a converted garage located within three feet of the property line; the applicant installed trailers and structures on the subject property in addition to farm animals, including chickens and cows; advised of meeting with the applicant to discuss the fence height; and expressed concerns regarding the loud music, late parties, potential lack of permits for the structures and animals, and safety.

Commissioners McCurdy, Kirkpatrick, and Gibson discussed the one-time extension to complete the paperwork; a review to address progress; the neighbor will be working with staff to address concerns; and building permits.

ACTION: It was moved by Commissioner William McCurdy 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

- 6 months to review as a public hearing to verify applicant's progress towards permitting;
- Until April 21, 2022 to complete the building permit and inspection process with any extension of time to be a public hearing.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; 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 completed or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

27. ET-21-400145 (NZC-0277-15)-S.K. INC PROFIT SHARING PLAN & TRUST:
ZONE CHANGE SECOND EXTENSION OF TIME to reclassify 0.37 acres from an R-1 (Single Family Residential) Zone to an R-3 (Multiple Family Residential) Zone, and 0.74 acres from an R-E (Rural Estates Residential) Zone and an R-1 (Single Family Residential) Zone to a C-1 (Local Business) Zone. WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow non-standard improvement within the right-of-way; 2) reduced landscaping along a street frontage (Craig Road); 3) allow access to a residential local street (Calimesa Street); 4) modify street standards in accordance with Clark County Uniform Standard Drawings.
DESIGN REVIEW for a multiple family development. Generally located on the east and west sides of Calimesa Street and the south side of Craig Road within Sunrise Manor (description on file). MK/bb/jo (For possible action)

ATTACHMENT: ET-21-400145_Color_Merged.pdf

ATTACHMENT: 27 21-400145-102021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of S. K. Inc Profit Sharing Plan & Trust for a zone change second extension of time, waivers of development standards, and design review (as indicated on the ATTACHED agenda item):

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

28. UC-20-0546-CIRCUS CIRCUS LV, LLC, ET AL.:
AMENDED HOLDOVER USE PERMITS for the following: 1) Project of Regional Significance; and 2) a monorail.
WAIVER OF DEVELOPMENT STANDARDS to not provide a franchise agreement concurrent with a special use permit for a monorail (no longer needed).
DESIGN REVIEW for a monorail on approximately 85.0 acres (previously notified as 46.0 acres) in an R-E (Rural Estates Residential) (AE-60) Zone, R-4 (Multiple Family Residential - High Density) Zone, C-1 (Local Business) Zone, C-2 (General Commercial) Zone, C-2 (General Commercial) (AE-60, AE-65, & AE-70) Zone, M-D (Designed Manufacturing) (AE-60 & AE-65) Zone, M-1 (Light Manufacturing) Zone, M-1 (Light Manufacturing) (AE-60) Zone, U-V (Urban Village - Mixed-Use) Zone, P-F (Public Facility) Zone, P-F (Public Facility) (AE-65, AE-70, AE-75, & AE-RPZ) Zone, H-1 (Limited Resort and Apartment) Zone, and H-1 (Limited Resort and Apartment) (AE-60, AE-65, AE-70, AE-75, & AE-APZ) Zone. Generally located between Sahara Avenue and Russell Road, and between Maryland Parkway and Decatur Boulevard within Paradise and Winchester. JJ/JG/MN/TS/jt/ja (For possible action)

ATTACHMENT: UC-20-0546_Color_Merged.pdf

ATTACHMENT: 28 20-0546-102021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Circus Circus LV, LLC, Et Al (TBC – The Boring Company) for amended holdover use permits, a waiver of development standards, and design review (as indicated on the ATTACHED agenda item) (held from April 21, 2021):

REPRESENTATIVE(S): Present

SPEAKER(S): Present

DISCUSSION: There being no objections, Item No. 28 was taken in conjunction with Item No. 29 and Item No. 56 from the Board of County Commission meeting held October 19, 2021.

Following introduction of Item Nos. 28, 29, and Item No. 56 from the Board of County Commission meeting held October 19, 2021, staff requested that Item No. 28 Public Works Development Review Bullet No. 8 be amended to read as follows: Union Pacific Railroad approval within the railroad right-of-way; Building Department Bullet No. 6 be amended to read as follows: A settlement and vibration monitoring plan shall be submitted to the County, no permits shall be issued until said plan is approved by the County; Building Department Bullet No. 8 be amended to read as follows: The applicant acknowledges and understands that the future operational changes to the system may not be approved if not accounted for in the original design; under Clark County Water Reclamation District (CCWRD) delete the last statement which starts with “and the tunnels are required to be” and add the following to read: and that the final depth of all tunnels are subject to CCWRD approval; and further requested that Item No. 29 Comprehensive Planning Bullet No. 1 be deleted; under Building Department Bullet No. 6 be amended to read as follows: A settlement and vibration monitoring plan shall be submitted to the County, no permits shall be issued until said plan is approved by the County; Bullet No. 8 be amended to read as follows: The applicant acknowledges and understands that the future operational changes to the system may not be approved if not accounted for in the original design; and under Clark County Water Reclamation District (CCWRD) delete the last statement which starts “and the tunnels are required to be” and add the following to read: and that the final depth of all tunnels are subject to CCWRD approval; and staff advised that the Planning Commission recommended approval for Item Nos. 28 and 29.

The Board was addressed by Steve Davis, President of the Boring Company, who advised that the Loop was a new mode of transportation, consisting of electric vehicles in tunnels, with an express nature and zero emissions; safety and security were priorities; partnered with the Fire and Police Departments, and completed 45 drills and tunnel rescue training; coordinated with the Department of Homeland Security, achieved a gold rating, the highest rating, and was in a franchise agreement to continue the relationship; built three stations which were operational and reduced a 45 minute walk to a two minute drive; stations were places with parking spots and were either subsurface (underground) or surface; the Vegas Loop will be constructed on 29 miles with 51 stations and a capacity of approximately 57,000 passengers per hour; was privately funded; a franchise fee was being paid to the County in a tiered structure; will be constructed utilizing local partnerships and local contractors; and if successful, a loop will be constructed in additional cities for affordable, accessible, comfortable, and safe transportation.

In response to Commissioner Kirkpatrick, Steve Davis advised of partnering with non-profits and other local groups to work on Americans with Disabilities Act (ADA) compliance; every vehicle was outfitted with transfer boards; requested a permit from the County for a vehicle which a passenger in a wheelchair could board; and further advised that the entire system was being constructed to be accessible for passengers with different challenges.

In response to Commissioner Segerblom, Steve Davis advised that the Loop will be constructed in phases, with each station being immediately connected and usable upon completion; and upon receipt of the final permit, approximately 15 to 20 stations will be added online per year.

Discussion regarding the Franchise Agreement followed and included Section 9.1 regarding the determination of items the Boring Company will be purchasing for the Fire Department, including tunnel rescue equipment and staff training; decisions regarding standards were determined by the County Building Department; Section 14.1 determined the first priority from a security standpoint, and contained a transfer section with the County given priority; Section 3.2 addressed provisions related to the National Fire Protection Association, Clark County Fire Department, and the County Building Department; Section 6.4 regarding security in accordance with the National Infrastructure Protection Plan which was under the United States Homeland Security, that the franchisee will be conducting a critical infrastructure vulnerability assessment, and County departments will be meeting to determine the standards that needed to be met; and Section 8 regarded franchise payments and fees that the County will collect, in a tiered approach, the quarterly gross revenue of less than \$17.5 million assessed at 0.5% and any quarterly gross revenues which exceeded that threshold will be assessed at five percent.

Robert Warhola, Deputy District Attorney, advised the Board of the process regarding abandonment of the system; the process to determine if the monorail was abandoned; following a period of 180 days the County would give a 60 day notice to the applicant to remedy the abandonment; subject to lenders rights, and the County could revoke the franchise agreement, the lender or applicant could then offer a substitute entity, the Board would have the authority to consider the entity, and then the Board would approve the entity as a substitute for the applicant.

Yolanda King, the County Manager, advised that the Franchise Agreement was in effect for 50 years; and the agreement had a section which provided for the decommissioning of the system if there was any abandonment or default of the system; and further advised that Exhibit B included a map of the proposed system; and any changes or additions would need to come before the Board as an amendment for review and approval.

The Board was then addressed by Jerry Stueve, the Director of the Department of Building and Fire Prevention, who advised that Section 19.1 referenced County inspections of the system; standards included the applicable provisions of the County Fire Code, the International Fire Code, the International Building Code, and the National Fire Protection Association (NFPA) series of applicable standards; the final determination of applicable standards was made by the Fire Chief and the Director of the Department of Building and Fire Prevention; disagreements were to be settled by the standard process with the Board of Building Appeals; and the Amusement and Transportation (ATS) Permit required standard periodic maintenance and inspections, with issues being reported immediately followed by investigations.

In response to Commissioner Gibson, Jerry Stueve advised that code TG-200 established the process where the applicant could identify three experts for the County to choose from to do a peer review for staff to enhance their experience using experts.

William Stanley, representing the Southern Nevada Building Trades Union, expressed support for the project, and advised of an agreement with the Boring Company regarding safety standards.

Rama Venkat, the Dean of University of Nevada, Las Vegas (UNLV) College of Engineering, advised of a Transportation Research Center at the University; the project would be beneficial for the County to link up with a high level capacity transportation network doubled up with strategic locations; benefits included reducing travel time between points, reduced the travel time envelope, increasing the efficiency of travel between points, moved people into and out of the resort corridor in an efficient manner, reduced vehicular traffic on surface streets, reduced emissions, and increased air quality; during the planning and

design phase College of Southern Nevada (CSN) and UNLV graduates may be employed as interns with future employment opportunities in maintenance and facility operations; and expressed support for the proposed project.

Billy Orcutt, representing Mountain West Excavation and Utilities a local woman owned business, advised of partnering with the Boring Company for approximately a year, expressed excitement at being part of the project, advised that the project will play a key role in setting Las Vegas apart as an innovator, and recommended taking a tour of the completed tunnel.

Danny Thompson, representing the Operating Engineers Local 12, spoke regarding the history since the 1960s at the Nevada Test Site operating Boring machines, advised of working cooperatively with the Boring Company, and expressed support for the project.

Gordon Prouty, Vice President of Public Relations and Community Affairs at the Westgate Las Vegas Resort & Casino, advised of the importance of developing the infrastructure now to meet the future needs of being a world class destination; the proposed project provided needed transportation improvements for the region, addressed increasing traffic, long-term environmental concerns, and will improve the overall destination guest experience; further advised that the project is a game changer and will move the region ahead of competing destinations; and expressed support for the project and for any future expansions.

Jack Behrens, Vice President of Dreamscapes Companies, the owner of the Rio Hotel, spoke in support of the Vegas Loop and the Boring Company; advised of the project's positive economic and hospitality industry impact; budgeted funding to build a station as a private enterprise; expressed excitement about the connectivity; hoped to connect with Allegiant Stadium and contribute parking spots to alleviate some of Allegiant's issues; and advised that the Vegas Loop itself will be a tourist attraction.

Chris Plant, representing Tropicana Las Vegas, spoke regarding the innovation, mobility, and environmental benefits the proposed project will bring to the corridor; and expressed support.

Shawn Kinsey, representing Operating Engineers Local 12, spoke in support of the project.

Tommy White, representing Labor's Local 872, spoke regarding topics including working with the Boring Company, training provided for the union members, and expressed support for the project.

Mike Sherwood, Vice President for Nevada Ready Mix, the oldest concrete supplier in Nevada, spoke in support regarding the benefits of the project for Southern Nevada and the transformative effects of the proposed project on the quality of life of the entire community.

Gary Milliken, representing Nevada Contractors Association, spoke regarding topics including good paying jobs, the project being completed in phases over time leading to long term job stability, and the project represents a new innovative transportation solution.

Gerald Gardner, the General Council and Senior Vice President at Resorts World Las Vegas, expressed support for the Boring Company and the Vegas Loop project; worked with the Boring Company for approximately two years constructing the tunnel from the convention center to Resorts World, will be opening the first station at a Las Vegas resort in a few months; and discussed the potential for the Vegas Loop to expand throughout the Las Vegas Valley.

Brent Conrad, President of Werdco BC, advised of working with the Boring Company to bring equipment and materials to the Valley, and expressed support for the proposed project.

Steve Hill, Chief Executive Officer of the Las Vegas Convention and Visitors Authority (LVCVA), spoke

regarding topics including working with County staff; the system at the LVCVA was a great amenity and experience for customers, and demonstrated that the system works; the LVCVA purchased the monorail which had a limited functionality left; compared the capacity of the monorail, bus system, and the Loop; the Loop is the only viable solution for traffic congestion on the Strip; no public funding cost; the Vegas Loop will become an attraction and will add to the Las Vegas brand; and requested support for the item.

Ed Uehling spoke regarding topics including contractors, the Boring Company's presentation for the Vegas Loop project was revolutionary but the system installed at the Las Vegas Convention and Visitors Authority did not have a rail or automatic system.

Chris Meyer advised of riding the Loop; the system will be autonomous in the future; suggested that another automobile manufacturer be given the opportunity to provide some vehicles to receive marketing opportunities in addition to Tesla; and expressed support for the Vegas Loop.

The applicant's representative advised of the importance and magnitude of the project, increased jobs, economic stimulation, and an opportunity for Clark County at no cost.

Discussion followed regarding topics including auditing financials; Section 10.1 contained the reporting requirements; the Boring Company was in agreement with the Building Trades; the dirt will be removed from the Valley in trucks; updates regarding the training component will be provided to the Board; the Boring Company will provide updates regarding enhancements to the program to the Board; safety and security; economic impact; the large capacity of the system enables additional efficiency during conventions; environmental benefits; continuing conversations with partners; and addressed climate issues and reduced emissions.

ACTION: It was moved by Commissioner Jim Gibson that the applications for Item Nos. 28 and 29, and Item No. 56 from the Board of County Commission meeting held October 19, 2021 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

- 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; land use applications will be required for changes to the alignment and the design of stations; 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

- Provide Public Works the information for the monorail including tunnel system profile, tunnel(s) cross section, public right-of-way utility location investigation, and general cross sections and plans of the system stations and the applicant will be required to address regulatory procedures for subsequent permits for building the entire system;
- Applicant to execute Revocable License Agreements to address all right-of-way issues that include, but may not be limited to, non-standard improvements and the construction, operation and maintenance of the monorail and tunnel system, dewatering, underground utilities, and sensor monitoring of storm drain facilities subject to separate approval by the Board of County Commissioners (BCC);
- Revocable License Agreement for non-standard improvements to include a Decommissioning Plan for work within the right-of-way;
- Land use application, required permits, and work are subject to BCC approval of the above stated Revocable License Agreements, no permits within the public right-of-way will be issued until all right-of-way issues are addressed, including the execution and BCC approval of the above-stated agreements;
- Applicant shall coordinate with utilities and franchisees for work within the right-of-way;
- Applicant shall obtain written consent from the Las Vegas Valley Water District and Clark County Water Reclamation District and any other utility identified as a direct conflict with the monorail, to be determined by Clark County Public Works;
- Coordinate with Public Works - Traffic Management Division;
- Union Pacific Railroad approval within the railroad right-of-way;
- Nevada Department of Transportation approval.
- Applicant is advised to coordinate with the District Attorney's Office and Clark County Public Works for negotiation of the above stated agreements.

Department of Aviation

- For all "Proposed Future Spurs" on DOA owned parcels and for the portion of the proposed Tropicana alignment east of Koval Lane, the DOA will need to coordinate with the FAA Airports District Office (ADO) prior to finalizing the agreement between TBC and DOA.

Building Department - Fire Prevention

- The tunnel and station systems must be designed to comply with appropriate Codes and Standards as determined by the Clark County Building Official and Fire Code Official;
- Accessible access required at all stations, and other locations, as appropriate;
- Building, Fire and ATS permits required to be obtained;
- Project Phasing for construction & operations, needs to be approved by Building & Fire Prevention;
- Emergency Exits & smoke control venting system to be located in locations and in a manner that does not create other hazards;

- A settlement and vibration monitoring plan shall be submitted to the County, no permits shall be issued until said plan is approved by the County;
- Building plans to include an overall site plan showing the ultimate alignments for UC-20-0546 and UC-20-0547;
- The applicant acknowledges and understands that the future operational changes to the system may not be approved if not accounted for in the original design;
- Emergency personnel access and operations, including entry locations, emergency communications, and fire protection features, must be in compliance with the Clark County Fire Code;
- Smoke removal systems and equipment, fire protection water supply, water removal, special rescue equipment and procedures, and any modification to surface infrastructure (i.e. relocation of fire hydrants and location of emergency egress points) are some items that the design must address.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the CCWRD has existing sanitary sewer infrastructure within the project boundaries; please continue coordination efforts as project progresses; the CCWRD requires submittal of civil improvement plans for review and approval by the CCWRD; you may find instructions for submitting a Point of Connection (POC) request on the CCWRD's website, if a POC is required; during plan review, all CCWRD public sanitary sewer facilities that are found to need relocation or abandonment to accommodate the Developer's project shall be done solely at the Developer's expense; any new relocation of sewers, along with the granting of any needed sanitary sewer easements, shall be constructed and flows diverted into the new relocated facilities prior to the old sanitary sewers being removed; to protect the integrity of CCWRD sewers, PRE and POST construction televising of CCWRD sewers is required for sewers in close proximity of the Developer's project; and that the final depth of all tunnels are subject to CCWRD approval.

29. UC-20-0547-CLAUDINE PROPCO, LLC, ET AL.:

AMENDED HOLDOVER USE PERMIT for a monorail.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) not provide a franchise agreement concurrent with a special use permit for a monorail (no longer needed); and 2) reduce parking.

DESIGN REVIEW for entrance structures and a monorail on 8.0 acres (previously 5.0 acres) in an H-1 (Limited Resort and Apartment) Zone. Generally located on the east and west sides of Las Vegas Boulevard South and the north and south sides of Flamingo Road within Paradise. JG/TS/jt/ja (For possible action)

ATTACHMENT: [UC-20-0547_Color_Merged.pdf](#)

ATTACHMENT: [29 20-0547-102021.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Claudine Propco, LLC, Et Al. (Jantien Shizuru) for an amended holdover use permit, waivers of development standards, and design review (as indicated on the ATTACHED agenda item) (held from April 21, 2021):

REPRESENTATIVE(S): Present

SPEAKER(S): Present

DISCUSSION: There being no objections, Item No. 29 was taken in conjunction with Item No. 28 and Item No. 56 from the Board of County Commission meeting held October 19, 2021.

ACTION: Approved, subject to staff's and additional conditions as noted below (see Item No. 28 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; land use applications may be required for changes to the alignment and the final design of stations; 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

- Provide Public Works the information for the monorail including tunnel system profile, tunnel(s) cross section, public right-of-way utility location investigation, and general cross sections and plans of the system stations and the applicant will be required to address regulatory procedures for subsequent permits for building the entire system;
- Applicant to execute Revocable License Agreements to address all right-of-way issues that include, but may not be limited to, non-standard improvements and the construction, operation and maintenance of the monorail and tunnel system, dewatering, underground utilities, and sensor monitoring of storm drain facilities subject to separate approval by the Board of County Commissioners (BCC);
- Revocable License Agreement for non-standard improvements to include a Decommissioning Plan for work within the right-of-way;
- Land use application, required permits, and work are subject to BCC approval of the above stated Revocable License Agreements, no permits within the public right-of-way will be issued until all right-of-way issues are addressed, including the execution and BCC approval of the above-stated agreements;
- Applicant shall coordinate with utilities and franchisees for work within the right-of-way;
- Applicant shall obtain written consent from the Las Vegas Valley Water District and Clark County Water Reclamation District and any other utility identified as a direct conflict with the monorail, to be determined by Clark County Public Works;
- Coordinate with Public Works - Traffic Management Division.
- Applicant is advised to coordinate with the District Attorney's Office and Clark County Public Works for negotiation of the above stated agreements.

Building Department - Fire Prevention

- The tunnel and station systems must be designed to comply with appropriate Codes and Standards as determined by the Clark County Building Official and Fire Code Official;
- Accessible access required at all stations, and other locations, as appropriate;
- Building, Fire and ATS permits required to be obtained;
- Project Phasing, for construction & operations, needs to be approved by Building & Fire Prevention;
- Emergency Exits & smoke control venting system to be located in locations and in a manner that does not create other hazards;
- A settlement and vibration monitoring plan shall be submitted to the County, no permits shall be issued until said plan is approved by the County;
- Building plans to include an overall site plan showing the ultimate alignments for UC-20-0546 and UC-20-0547;
- The applicant acknowledges and understands that the future operational changes to the system may not be approved if not accounted for in the original design;
- Emergency personnel access and operations, including entry locations, emergency

communications, and fire protection features, must be in compliance with the Clark County Fire Code;

- Smoke removal systems and equipment, fire protection water supply, water removal, special rescue equipment and procedures, and any modification to surface infrastructure (i.e. relocation of fire hydrants and location of emergency egress points) are some items that the design must address.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the CCWRD has existing sanitary sewer infrastructure within the project boundaries; please continue coordination efforts as project progresses; the CCWRD requires submittal of civil improvement plans for review and approval by the CCWRD; you may find instructions for submitting a Point of Connection (POC) request on the CCWRD's website, if a POC is required; during plan review, all CCWRD public sanitary sewer facilities that are found to need relocation or abandonment to accommodate the developer's project shall be done at the developer's expense; any new relocation of sewers, along with the granting of any needed sanitary sewer easements, shall be constructed and flows diverted into the new relocated facilities prior to the old sanitary sewers being removed; to protect the integrity of CCWRD sewers, PRE and POST construction CCTV of CCWRD sewers may be necessary for sewers in close proximity to the developer's project; and that the final depth of all tunnels are subject to CCWRD approval.

30. VS-21-0414-P S L V R E, LLC:
HOLDOVER 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: 30 21-0414-102021.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) (held from October 6, 2021):

ACTION: Deleted from the agenda (held to November 3, 2021 by the applicant).

31. WS-21-0413-P S L V R E, LLC:
HOLDOVER 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: 31 21-0413-102021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of P S L V R E, LLC (Ethos | Three Architecture) for a holdover waiver of development standards and design reviews (as indicated on the ATTACHED agenda item) (held from October 6, 2021):

ACTION: Deleted from the agenda (held to November 3, 2021 by the applicant).

32. WS-21-0386-Z S K S A I Z M FAMILY TRUST, ET AL:

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

ATTACHMENT: WS-21-0386_Color_Merged.pdf

ATTACHMENT: 32 21-0386-102021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Z S K S A I Z M Family Trust, Et Al (Umer Malik) for holdover 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. 32 was taken in conjunction with Item No. 33.

Following introduction of Item Nos. 32 and 33, the Board was addressed by Robert Cunningham, the applicant's representative, who advised that the proposed project was for a 16 lot subdivision, located west of Torrey Pines Drive, with one entrance, not gated, and private streets; requested a waiver to increase wall height due to drainage on the site; requested a waiver of off-sites along Torrey Pines Drive being that to the north and south of the proposed project rural standards were applied; and requested that the condition to coordinate with Public Works for improvements on Torrey Pines Drive be removed as the project was previously approved approximately two years previously without the condition.

Kim Smith, a neighbor, addressed the Board regarding concerns including safety, decreased rural living, and flood control; and requested that lights be installed at the entrance to the proposed project.

Discussion followed regarding the off-sites on Torrey Pines Drive affecting drainage; no homeowners association will be included; tiered walls will be constructed if the wall height increased; Kim Smith's front yard will be facing the backyard (enclosed within a wall) of a home within the proposed subdivision, and will be accessed using a private access easement; and the applicant's representative acknowledged acceptance of the additional conditions.

ACTION: It was moved by Commissioner Marilyn Kirkpatrick that the applications for Item Nos. 32 and 33 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

- Expunge WS-19-0567 and TM-19-500149;
- No homeowner's association;
- No increase in wall height unless it is tiered;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 4 years of approval date or it will expire.

Public Works - Development Review

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

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised that there are active septic permits on APNs 125-14-305-001 and 125-14-305-004; to connect to municipal sewer and remove the septic systems in accordance with Section 17 of the SNHD Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management; and to submit documentation to SNHD showing that the systems have been properly removed.

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

ATTACHMENT: TM-21-500117_Color_Merged.pdf

ATTACHMENT: 33 21-500117-102021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Z S K S A I Z M Family Trust, Et Al (Umer Malik) 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. 33 was taken in conjunction with Item No. 32.

ACTION: Approved, subject to staff's and additional conditions as noted below (see Item No. 32 for discussion, motion, and vote).

CONDITIONS OF APPROVAL -

Current Planning

- Expunge TM-19-500149.
- 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;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Current Planning Division - Addressing

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

Clark County Water Reclamation District (CCWRD)

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

34. WS-21-0453-GKT ACQUISITIONS, LLC:
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) increase sign height; 3) increase sign area; and 4) modified driveway design standards.
DESIGN REVIEWS for the following: 1) a proposed office building; 2) signage; and 3) finished grade on 2.1 acres in a C-2 (General Commercial) Zone in the CMA Design Overlay District. Generally located on the north side of Rafael Rivera Way and the east side of Cimarron Road within Spring Valley. MN/rk/jo (For possible action)

ATTACHMENT: WS-21-0453_Color_Merged.pdf

ATTACHMENT: 34 21-0453-102021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of GKT Acquisitions, LLC (Investment Equity Developers) for waivers of development standards and design reviews (as indicated on the ATTACHED agenda item):

REPRESENTATIVE(S): Present

DISCUSSION: Following introduction of the item, the Board was addressed by Jennifer Lazovich, the applicant's representative, who advised that the subject property was located adjacent to Clark County Route 215 (CC 215) and Cimarron Road; a project was approved to construct multi-family housing

surrounding the proposed project; the application was for a three-story office building with multiple tenants per floor; worked with Public Works on the driveway off Cimarron Road to minimize the conflict regarding the throat-depth, and advised of submitting a revised plan with an extended landscape buffer which lengthened the throat-depth; and requested approval for a 40 foot high free-standing sign with panels to identify the tenants in the office building, the proposed sign was compatible with existing sign heights in the area, including a free-standing sign with video messaging located immediately east of the proposed project.

In response to Commissioner Naft, staff advised of working with the applicant on the throat-depth design.

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, and Ross Miller

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

**CONDITIONS OF APPROVAL -
Current Planning**

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

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Coordinate with Public Works - Directors Office for the Beltway, Frontage Road improvement project;
- Dedicate any right-of-way and easements necessary for the Beltway, Frontage Road improvement project.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

35. **WS-21-0471-GRAMERCY (MIXED-USE) OWNER, LLC:**

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow an inverted street cross section; 2) increase the number of dwelling units accessing a private drive; 3) reduce curb radius; 4) reduce driveway distance; 5) reduce throat depth; 6) increase animated sign area; 7) allow video messaging; and 8) reduce setbacks.

DESIGN REVIEWS for the following: 1) single family attached (townhouse) development; 2) retail/restaurant; 3) signage; and 4) finished grade on 21.0 acres in a U-V (Urban Village - Mixed-Use) Zone in the CMA Design Overlay District. Generally located on the south side of Russell Road and the east side of Rocky Hill Street within Spring Valley. JJ/jvm/jd (For possible action)

ATTACHMENT: WS-21-0471_Color_Merged.pdf

ATTACHMENT: 35 21-0471-102021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Gramercy (Mixed-Use) Owner, LLC for waivers of development standards and design reviews (as indicated on the ATTACHED agenda item):

REPRESENTATIVE(S): Present

SPEAKER(S): Present

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

Following introduction of Item Nos. 35 and 36, the Board was addressed by Jennifer Lazovich, the applicant's representative, who advised that the Gramercy was located at Russell Road and Clark County Route 215 (CC 215); the Development Agreement for the mixed-use development was entered into in 2006 and proposed a maximum number of residential units and commercial or office space; the proposed project was for two retail locations with outdoor seating, and townhomes to the south with an entrance off Oquendo Road; approximately two years ago a multi-family project was approved between the proposed commercial and townhome projects; proposed refresh to an existing 90 foot sign, redo tenant panels, add LED portion, limited to on premise signage only and proposed additional conditions: no off premise messaging allowed, sign radiance limited to 300 nits (auto adjusted); minimum time for display for each sign user is six seconds before message changes to a new sign user; and further advised that the LED was important being that the businesses did not have visibility to Russell Road and the sign did not have enough space for additional businesses; staff recommended denial of the waiver requests for the sign; and submitted a revised signage plan to Planning with approximately a 32 percent reduction in size from the original submission.

Kimberly Maxson-Rushton, representing LV Gramercy Owner, spoke in opposition to the item regarding parking concerns; advised of a parking study; the proposed parking plan did not meet the requirements per the lease and code; and accommodations were made in August 2020 which her client believed were not being met.

Samantha Dugan, representing the Cole Companies who own the Gramercy Office and Retail, advised of being involved in the development of the property since 2012; managed the office, retail, and existing residential units; and expressed concerns that the parking study showed approximately 500 stalls fewer than required by code prior to the proposed development being constructed; and further advised that the top two panels in the sign were for specific tenants per the Declaration of Covenants, Conditions, and Restrictions (CC&Rs), breaking the existing lease agreement if the LED panel is installed.

Commissioner Jones made a disclosure and was advised by Legal Counsel of his ability to vote on the matter.

Jennifer Lazovich advised that the upper portion of the sign was subject to co-ownership pursuant to an agreement between the parties, and the parties were working on ways to ensure the tenants received adequate signage in exchange for the LED insert being installed, and requested approval from the Board with the understanding that the LED would be part of a private party contract to resolve the mechanics of

time and frequency.

In response to Commissioner Jones, Legal Counsel advised that zoning is separate from private agreements, private leases, and private CC&Rs and approval by the Board will not supersede or interfere with those private rights.

Jennifer Lazovich advised that the proposed townhomes will be constructed with garages and on-street parking; parking for the retail parcels will be contained within the parcels controlled by the applicant; and further advised that discussions were held and correspondence exchanged regarding private parking agreements between the parties.

Discussion was held regarding Lot No. 2 including approximately 200,000 square feet of retail, restaurant, and office spaces; a subterranean parking garage with 451 stalls, and 52 stalls on the surface surrounding the structure; no parking waivers were requested; the overall site was approved as a mixed-use development, with parking being determined by the overall site needs, and the County was not part of the ancillary parking issues; and the applicant's representative expressed agreement with the condition to reconstruct the median along Russell Road.

ACTION: It was moved by Commissioner Justin Jones that the applications for Item Nos. 35 and 36 be approved, per 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

- No off-premises message allowed;
- Limit sign radiance to 300 nits (auto adjusted);
- Minimum time for display for each sign user is 6 seconds before message changes to a new sign user;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 4 years of approval date or it will expire.

Public Works - Development Review

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

Building Department - Fire Prevention

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

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 #0345-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

36. TM-21-500146-GRAMERCY (MIXED-USE) OWNER, LLC:
TENTATIVE MAP consisting of 71 residential lots and common lots on 5.1 acres in a UV (Urban Village - Mixed-Use) Zone in the CMA Design Overlay District. Generally located on the north side of Oquendo Road and the east side of Rocky Hill Street within Spring Valley. JJ/jvm/jd (For possible action)

ATTACHMENT: TM-21-500146_Color_Merged.pdf

ATTACHMENT: 36 21-500146-102021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Gramercy (Mixed-Use) Owner, LLC for a tentative map (as indicated on the ATTACHED agenda item):

REPRESENTATIVE(S): Present

SPEAKER(S): Present

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

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

CONDITIONS OF APPROVAL -

Current Planning

- 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;
- Traffic study and compliance;
- Full off-site improvements for Oquendo Road;
- Coordinate with Public Works - Traffic Management to reconstruct the median island on Russell Road.

37. ZC-21-0409-GRAGSON-CACTUS II INVESTMENTS:

HOLDOVER 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: [37 21-0409-102021.docx](#)

SUBJECT MATTER: In the matter of the aforementioned described application of Gragson-Cactus II Investments (Visionary 2, LLC) for a holdover zone change, waivers of development standards, and design reviews (as indicated on the ATTACHED agenda item) (held from October 6, 2021):

REPRESENTATIVE(S): Present

DISCUSSION: Following introduction of the item, the Board was addressed by Larry Monkarsh, the applicant's representative, who advised that the application was for a zone change from R-E (Rural Estates Residential) to M-D (Designed Manufacturing); M-1 (Light Manufacturing) was located on two sides and across the street from the proposed project, with residential located to the north; and requested approval for an attached sidewalk where a detached sidewalk was required; access to El Camino Road, a local street, for circulation and fire department access, and advised that no traffic would go north into the residential area; reduced throat depth from 25 feet to 10 feet on Pebble Road and on El Camino Road; worked with staff to extend the throat depth on Pebble Road to 18 feet 10 inches; and further advised that the finished floor elevation would be more than 18 inches above grade and would vary in depth across

the site from approximately 5.5 feet of fill for a hole in the north east corner.

Discussion followed regarding topics including reduced throat depth, driveway locations, and the revised plans.

ACTION: It was moved by Commissioner Justin Jones that the application be approved per the revised plans submitted at the October 20, 2021 meeting, per staff's conditions as noted below, with the following vote:

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

VOTING NAY: None

ABSENT: Michael Naft

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Per revised plans submitted at the 10/20/21 BCC meeting;
- Driveway on El Camino Road to be used for passenger cars only;
- 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 El Camino Road, 40 feet Pebble Road, and associated spandrel.
- 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 #0214-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

38. ZC-21-0451-G2-CAMPUS VILLAGE, LLC:
ZONE CHANGE to reclassify 0.6 acres from a C-1 (Local Business) (AE-60) Zone to a C-2 (General Commercial) (AE-60) Zone.

USE PERMITS for the following: 1) dormitory; and 2) eliminate portions of the pedestrian realms.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) increase building heights; 3) reduce landscaping; 4) reduce the trash enclosure setbacks; 5) alternative driveway geometrics; and 6) non-standard improvements in the right-of-way.

DESIGN REVIEWS for the following: 1) commercial complex; and 2) finished grade on 3.4 acres in a C-2 (General Commercial) (AE-60) Zone in the Midtown Maryland Parkway District. Generally located on the east side of Maryland Parkway, the north side of Harmon Avenue, and the south side of University Avenue within Paradise (description on file). TS/jt/jd (For possible action)

ATTACHMENT: ZC-21-0451_Color_Merged.pdf

ATTACHMENT: 38 21-0451-102021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of G2-Campus Village, LLC (Frank Marretti) for a zone change, use permits, waivers of development standards, and design reviews (as indicated on the ATTACHED agenda item):

REPRESENTATIVE(S): Present

SPEAKER(S): Present

DISCUSSION: There being no objections, Item No. 38 was taken in conjunction with Item Nos. 39 and 40.

Following introduction of Item Nos. 38, 39, and 40, the Board was addressed by J. T. Moran, the applicant's representative, who advised that the proposed project was of regional significance and was consistent with the University of Nevada, Las Vegas (UNLV) Chancellor's long-term plans.

Edward Vance, the applicant's architect, advised the Board of the overall master plan for UNLV; the project included the fourth student housing facility for the UNLV campus; the proposed student housing structure to the north of the site was incrementally larger; the proposed structure to the south of the site was composed of office space, with the primary tenant being UNLV; 7-Eleven had a long-term lease and will be moved into a new structure with tenants on either side; secured, podium parking will be constructed under each structure with approximately 123 parking spaces, and some surface parking will be available surrounding the retail structure; the proposed structures lead to a mixed-use UNLV Gateway development located to the left of Maryland Parkway; the design fits within the overall campus plan and is similar to the design plan used to develop the Arizona State University campus located in Tempe, Arizona; advised of working with staff and requested to withdraw waivers of development standards Nos. 5A, 5C, 5E, 5G, 5H, and 5J.

Discussion followed regarding the landscaping reduction and areas of concern including the most visible portion of the site was the north east corner of the parcel where the existing 7-Eleven was located; the majority of the landscaping was proposed for the corner of Maryland Parkway and Harmon Avenue where two driveways were located; heat from concrete, asphalt, large buildings, and the reflection; the design was balanced between the university system's needs, remaining consistent and compatible with the University's master plan of directing students across the street towards the Gateway development, and with providing amenities and living arrangements on a relatively small piece of property.

In response to Commissioner Segerblom, staff advised of concerns regarding the potential reduction of the sidewalk size and landscaping with the installation of the bus stop on Maryland Parkway, the difficulty for staff to conduct the continuous review of adjustments to the proposed project, and the rapid transit studies conducted on Maryland Parkway for passengers to utilize public transportation to various locations including the medical district and downtown.

Commissioner Gibson discussed the requested waivers; foot traffic versus vehicles; administrative changes; the community and neighborhood plan; and expressed concerns regarding the reduction in the width of the sidewalk and landscaping with the installation of the bus stop.

Julia Izzolo, the applicant's civil engineer, advised of working with the Regional Transportation Commission (RTC) who requested a ten foot wide easement, not a turnout, to install a station; the station will be 80 feet by ten feet wide with an adjacent easement for NV Energy equipment; and further advised that the applicant will be able to accommodate the request within the site plan.

Commissioner Gibson and Julia Izzolo discussed the bus rapid transit dedicated lane adjacent to the curb, the applicant's accommodations, and the addition of a condition for the applicant to coordinate with the RTC on the project.

The Board was addressed by Frank Marretti, the applicant's representative from G2 Capital Development, who advised that the RTC's bus stop plans were not finalized, expressed support for the RTC's bus rapid transit project on Maryland Parkway, and agreed to work with and coordinate plans for the bus stop with the RTC.

Erik Swendseid, the applicant's architect, advised of creating an alternate pedestrian realm to address landscaping concerns; the gap in the trees located along Maryland Parkway was for a site visibility zone; faced multiple constraints when developing the landscaping; structured shading was planned for the middle of the plaza; and detached sidewalks were located along the south portion of the site to provide space for trees.

The meeting recessed for a ten minute break at 11:27 a.m.

Upon reconvening, Commissioner Miller made a disclosure and advised of abstaining on this matter.

George Garcia, representing a neighbor to the east, advised that the item was a transformative project for Maryland Parkway; expressed support for the proposed purpose of the project; and expressed safety concerns regarding the traffic conditions as the neighbor's driveway was located in close proximity to the applicant's proposed driveway in addition to being close to the Harmon intersection.

In response to Commissioner Segerblom, staff advised that a traffic study was submitted; staff will be reviewing the study upon approval of the final conditions; traffic mitigation is the fee based on the number of trips during peak hours; staff will be reviewing other concerns during the mitigation process; and the applicant was in compliance with the County's standards by withdrawing the request for waivers.

George Garcia, the neighbor's representative, advised that the traffic mitigation letter was usually a fee and requested that the County perform an analysis of the traffic conditions; and further advised that per the applicant's RISE (Regional Infrastructure Services Evaluation) report the proposed project was going to be almost 570,000 square feet and was going to increase the average daily trips 46% above the transportation plan, and that the increase warrants a more extensive look.

Commissioner Segerblom advised that further discussion would be held with the applicant, RTC, staff, and the neighbor to discuss any concerns regarding the increased traffic.

Staff advised that any reduction in the sidewalk and additional impacts to the approved site would require approval through the Board.

ACTION: It was moved by Commissioner Tick Segerblom that the applications for Item Nos. 38, 39, and 40 be approved, per staff's and additional conditions as noted below, with waiver of development standards Nos. 5A, 5C, 5E, 5G, 5H, and 5J being withdrawn, with the following vote:

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

VOTING NAY: None

ABSENT: Michael Naft

ABSTAIN: Ross Miller

CONDITIONS OF APPROVAL -

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Per revised plans submitted on October 20, 2021;
- Submittal of revised landscaping plan to be approved administratively;
- Coordinate potential future bus stop with Regional Transportation Commission (RTC) and any modification to the site design, sidewalk width will require additional land use through public hearing;
- Any modifications to approved design beyond providing additional landscaping will require additional land use through public hearing;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the use permits, 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 a 54 foot property line radius at the southwest corner of the site;
- 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 subdivision map;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- Coordinate with Public Works - Design Division for the Harmon Avenue improvement project;
- Dedicate any right-of-way and easements necessary for the Harmon Avenue improvement project;
- Reconstruct the back of curb radii on the southwest and northwest corner of the site to meet the minimum requirements per Uniform Standard Drawing 201.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that offsite improvement permits may be required; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

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 must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation;
- Applicant must provide a copy of the recorded noise disclosure form to future renters, and provide a copy of the document to the Department of Aviation;
- Applicant must provide a map to future renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation when property leases commence;
- Incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that 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 that fire/emergency access must comply with the Fire Code.

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 #0182-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #5A, #5C, #5E, #5G, #5H, AND #5J WERE WITHDRAWN.

39. VS-21-0452-G2-CAMPUS VILLAGE, LLC:
VACATE AND ABANDON of a portion of a right-of-way being University Avenue located between Escondido Street and Maryland Parkway, Harmon Avenue located between Escondido Street and Maryland Parkway, and Maryland Parkway located between University Avenue and Harmon Avenue within Paradise (description on file). TS/jt/jd (For possible action)

ATTACHMENT: VS-21-0452_Color_Merged.pdf

ATTACHMENT: 39 21-0452-102021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of G2-Campus Village, LLC (Frank Marretti) to vacate and abandon a portion of a right-of-way (as indicated on the

ATTACHED agenda item):

REPRESENTATIVE(S): Present

SPEAKER(S): Present

DISCUSSION: There being no objections, Item No. 39 was taken in conjunction with Item Nos. 38 and 40.

ACTION: Approved, subject to staff's conditions as noted below (see Item No. 38 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 a 54 foot property line radius at the southwest corner of the site;
- 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 subdivision 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 the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Building Department - Fire Prevention

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

40. TM-21-500134-G2-CAMPUS VILLAGE, LLC:
TENTATIVE MAP consisting of 1 commercial lot and common lots on 3.4 acres in a C-2 (General Commercial) (AE-60) Zone in the Midtown Maryland Parkway Design Overlay District. Generally located on the east side of Maryland Parkway, the north side of Harmon Avenue, and the south side of University Avenue within Paradise. TS/jt/jd (For possible action)

ATTACHMENT: TM-21-500134_Color_Merged.pdf

ATTACHMENT: 40 21-500134-102021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of G2-Campus Village, LLC (Frank Marretti) for a tentative map (as indicated on the ATTACHED agenda item):

REPRESENTATIVE(S): Present

SPEAKER(S): Present

DISCUSSION: There being no objections, Item No. 40 was taken in conjunction with Item Nos. 38 and 39.

ACTION: Approved, subject to staff's conditions as noted below (see Item No. 38 for discussion, motion, and vote).

CONDITIONS OF APPROVAL -

Current Planning

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that 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 a 54 foot property line radius at the southwest corner of the site;
- 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 subdivision map;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- Coordinate with Public Works - Design Division for the Harmon Avenue improvement project;
- Dedicate any right-of-way and easements necessary for the Harmon Avenue improvement project;
- Reconstruct the back of curb radii on the southwest and northwest corner of the site to meet the minimum requirements per Uniform Standard Drawing 201.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; that off-site improvement permits may be required; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Department of Aviation

- Applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation;
- Applicant must provide a copy of the recorded noise disclosure form to future renters, and provide a copy of the document to the Department of Aviation;
- Applicant must provide a map to future renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation when property leases commence;
- Incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that 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 that fire/emergency access must comply with the Fire Code.

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 #0182-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

41. NNC-21-0383-AGCOM I, LLC:
ZONE CHANGE to reclassify 0.5 acres from an R-2 (Medium Density Residential) Zone to a C-1 (Local Business) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced parking; 2) reduced landscaping; 3) setbacks; 4) reduced departure distance; 5) alternative driveway geometrics; and 6) driveway standards.
DESIGN REVIEW for a restaurant. Generally located on the south side of Charleston Boulevard and the west side of Mojave Road within Sunrise Manor (description on file). TS/jvm/jo (For possible action)

ATTACHMENT: NNC-21-0383_Color_Merged.pdf

ATTACHMENT: 41 21-0383-102021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Agcom I, LLC (Guillermo Sataray Parra) for a zone change, waivers of development standards, and design review (as indicated on the ATTACHED agenda item):

ACTION: Deleted from the agenda (held to November 17, 2021 per the applicant).

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

ATTACHMENT: WS-21-0282_Color_Merged.pdf

ATTACHMENT: 42 21-0282-102021.docx

SUBJECT MATTER: In the matter of the aforementioned described application of Andre Agassi for a holdover appeal waivers of development standards (as indicated on the ATTACHED agenda item) (held from September 22, 2021) (appealed by an interested party):

ACTION: Deleted from the agenda (withdrawn).

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

ATTACHMENT: AG-21-900556

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 multi-family zoning districts. (For possible action):

DISCUSSION: Following introduction of the item, the Board was advised by staff that, if approved, the

modification would allow manufactured homes to be constructed in multi-family zoning districts subject to criteria such as certified affordable or opportunity zone locations; and further advised that criteria would reduce the number of manufactured homes permitted within the high-density multi-family residential districts.

Commissioner Kirkpatrick expressed support for manufactured homes and expressed concern regarding the lifespan of the homes.

Commissioner Segerblom advised of exploring options similar to tiny homes that will be permanent, affordable, located within an opportunity zone, have local amenities, and experience the benefits of a neighborhood.

Staff recommended strict criteria, advised of concerns regarding a lack of amenities in close proximity to high density properties, and further advised that the manufactured homes would be certified by the State.

Discussion was held regarding the definition of manufactured homes in comparison to modular homes and tiny homes, the lifespan of a manufactured home, options for affordable housing, State inspectors, use permits, and strict criteria.

Staff was directed to investigate alternative housing options, including criteria for manufactured homes.

ACTION: No action was taken by the Board.

44. ORD-21-900563: Introduce an ordinance to consider adoption of a Development Agreement with Touchstone MGC, LLC for a residential subdivision (Maule and Grand Canyon) on 5.3 acres, generally located east of Grand Canyon Drive and north of Maule Avenue within Spring Valley. JJ/ab (For possible action)

ATTACHMENT: ORD-21-900563 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 Touchstone MGC, LLC for a residential subdivision (Maule and Grand Canyon) on 5.3 acres, generally located east of Grand Canyon Drive and north of Maule Avenue within Spring Valley. (For possible action):

DISCUSSION: Commissioner Kirkpatrick introduced the proposed ordinance, entitled and summarized as indicated on the ATTACHED agenda item (Bill No. 10-20-21-1).

ACTION: There being no objections, Chair Kirkpatrick set the matter for public hearing on November 3, 2021 at 9:00 a.m.

45. ORD-21-900573: Introduce an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners through various zone change applications on July 21, 2021 and August 18, 2021 meetings, and in Assessor's Books 138, 176, 177. (For possible action)

ATTACHMENT: ORD-21-900573 INTRO

SUBJECT MATTER/RECOMMENDATION: In the matter of the recommendation that the Board of County Commissioners introduce an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners through various zone change applications on July 21, 2021 and August 18, 2021 meetings, and in Assessor's Books 138, 176, 177. (For possible action):

DISCUSSION: Commissioner Kirkpatrick introduced the proposed ordinance, entitled and summarized as indicated on the ATTACHED agenda item (Bill No. 10-20-21-2).

ACTION: There being no objections, Chair Kirkpatrick set the matter for public hearing on November 3, 2021 at 9:00 a.m.

46. ORD-21-900581: Introduce an ordinance to consider adoption of a Development Agreement with Ashley Furniture Industries, LLC for a commercial development (Sunset and Riley) on 18.7 acres, generally located south of Sunset Road and east and north of Rafael Rivera Way within Spring Valley. JJ/ab (For possible action)

ATTACHMENT: ORD-21-900581 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 Ashley Furniture Industries, LLC for a commercial development (Sunset and Riley) on 18.7 acres, generally located south of Sunset Road and east and north of Rafael Rivera Way within Spring Valley. (For possible action):

DISCUSSION: Commissioner Kirkpatrick introduced the proposed ordinance, entitled and summarized as indicated on the ATTACHED agenda item (Bill No. 10-20-21-3).

ACTION: There being no objections, Chair Kirkpatrick set the matter for public hearing on November 3, 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 12:29 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