

# **Board of County Commissioners**

CLARK COUNTY, NEVADA

JAMES B. GIBSON  
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JUSTIN JONES  
Vice Chair  
MARILYN K. KIRKPATRICK  
WILLIAM MCCURDY II  
ROSS MILLER  
MICHAEL NAFT  
TICK SEGERBLOM

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COMMISSION CHAMBERS, GOVERNMENT CENTER  
500 SOUTH GRAND CENTRAL PARKWAY  
LAS VEGAS, NEVADA 89106  
WEDNESDAY MAY 4, 2022

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 4th day of May 2022 at the hour of 9:00 a.m. The meeting was called to order at 9:02 a.m. by Chair Gibson and on roll call, the following members were present, constituting all the members:

## **CALL TO ORDER**

### **CHAIR AND COMMISSIONERS:**

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

### **Absent:**

None

### **Also Present:**

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

**ITEM NO. 1 Public Comment**

JIM GIBSON

Good morning. The meeting'll come to order. The first order of business is public comment. We'd invite anyone who wishes to speak on any of the agenda items to come forward, identify the items, tell us your name, spell your last name, and please limit your comments to three minutes. Is there anyone who wishes to speak? There being no one, the Second Item is the approval of the agenda.

**ITEM NO. 2 Approval of the Agenda After Considering Requests to Add, Hold, or Delete Items. (For possible action)**

NANCY AMUNDSEN

This is after considering any additions or deletions of items. Staff has the following request. Hold to the May 18, 2022, BCC meeting, Item 23 WS-22-0147, Item 24 ZC-22-0119. Hold to the June 8, 2022, BCC meeting, Item 5 ET-21-400175 (UC-0492-15), Item 6 ET-21-400176 (UC-0045-16), Item 20... Or I'm sorry, Item 12 ZC-22-0143, Item 13 VS-22-0144, Item 20 ET-22-400017 (UC-1721-06), Item 28 NZC-22-0056, and Item 29 VS-22-0057. The above public hearing items are going to be open as a public hearing and immediately recessed until the dates as previously stated. With these deletions, which are Items 5, 6, 12, 13, 20, 23, 24, 28, and 29, the agenda stands ready for your approval.

GIBSON

Thank you. Are there any additional changes to the agenda at the pleasure of the Board? There being none, I'd entertain a motion.

JUSTIN JONES

I move for approval of the agenda with those changes.

GIBSON

There's a motion for approval by Commissioner Jones. Please cast your votes. And the motion carries. Thank you.

**ACTION:**

It was moved by Commissioner Justin Jones and carried by unanimous vote that the agenda be approved.

**ITEM NO. 3 Approval of minutes. (For possible action)**

AMUNDSEN

The third item on the agenda's approval of minutes. The minutes of the April 6, 2022, zoning meeting are ready for your approval.

JONES

I move for approval (inaudible)

GIBSON

There's a motion for approval by Commissioner Jones. Please cast your votes on the motion. The motion carries.

**ACTION:**

It was moved by Commissioner Justin Jones and carried by unanimous vote that the minutes be approved.

**ROUTINE ACTION ITEMS (4 – 19):**

AMUNDSEN

Next, are the routine action items, which consist of Items 4 through 19, except those items previously deleted. These items may be considered together in one

AMUNDSEN motion and are subject to the conditions listed with each agenda item. If there are no objections, the public hearing is now open, and the routine action portion of the agenda stands ready for your approval.

GIBSON Are there any other i- items? Any changes to the, uh, to the consent a- agenda and anything that you wish to move off that agenda?

ROSS MILLER I just need to make a disclosure on Item Number 10. Uh, the applicant is, uh, a former client of mine at my previous law firm. Uh, I've spoken with the District Attorney's Office that they- they think that I- I need to... That- that I can vote on it, uh, but need to make a disclosure to that effect.

ROBERT WARHOLA That's correct.

GIBSON All right, thank you. And I'll entertain a motion.

JONES (inaudible)

GIBSON There's a motion to approve the consent agenda by Commissioner Jones. Please cast your votes. The motion carries.

**ITEM NO. 4 AR-22-400033 (UC-0033-12)-ELDORADO LAND CORPORATION:**

USE PERMIT FIFTH APPLICATION FOR REVIEW for outside storage in conjunction with various industrial uses on 8.7 acres in an M-2 (Industrial) Zone. Generally located on the southeast corner of Spring Canyon Road and Whidbey Road within the South County Planning Area (Eldorado Valley). JG/nr/syp (For possible action)

**ACTION:** It was moved by Commissioner Justin Jones and carried by unanimous vote that the application be approved.

**CONDITIONS OF APPROVAL -**

Current Planning

- Remove the time limit.

Public Works - Development Review

- Compliance with previous conditions

**ITEM NO. 5 ET-21-400175 (UC-0492-15)-WESTWYNN, LLC:**

HOLDOVER USE PERMITS SECOND EXTENSION OF TIME for the following: 1) High Impact Project; 2) resort hotel; 3) public areas including the casino, showrooms, live entertainment, retail center, indoor and outdoor dining, entertainment, offices, convention, back-of-house, and parking structures; 4) increase the height of high-rise towers; 5) associated accessory and incidental commercial uses, buildings, and structures; and 6) deviations from development standards.

DEVIATIONS for the following: 1) reduce on-site parking requirements; 2) allow primary access to outside dining and drinking areas, restaurants, retail buildings and uses from the exterior of a resort hotel; 3) encroachment into airspace; 4) alternative landscaping; and 5) all other deviations as shown per plans on file.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced setbacks; and 2) non-standard improvements (landscaping and fencing) within the right-of-way.

DESIGN REVIEWS for the following: 1) High Impact Project; 2) resort hotel and all associated and accessory uses; 3) hotel towers and associated low-rise and mid-rise buildings and structures; 4) low-rise and mid-rise buildings including retail, restaurants, public and back-of-house areas; 5) water features (man-made lake and decorative water fountains); and 6) all other accessory and incidental buildings and structures on 34.6 acres in an H-1 (Limited Resort and

Apartment) Zone in the MUD-1 Overlay District. Generally located on the northwest corner of Las Vegas Boulevard South and Fashion Show Drive within Winchester and Paradise. TS/sd/jo (For possible action)

**ACTION:** Deleted from the agenda (held to June 8, 2022, per the applicant).

**ITEM NO. 6** ET-21-400176 (UC-0045-16)-WESTWYNN, LLC:

HOLDOVER USE PERMIT SECOND EXTENSION OF TIME to expand/enlarge the Gaming Enterprise District by approximately 2.5 acres in conjunction with an approved resort hotel (Alon) on 34.6 acres in an H-1 (Limited Resort and Apartment) Zone in the MUD-1 Overlay District. Generally located between Sammy Davis Jr. Drive and Las Vegas Boulevard South and between Fashion Show Drive and Wilbur Clark Desert Inn Road within Winchester and Paradise. TS/sd/jo (For possible action)

**ACTION:** Deleted from the agenda (held to June 8, 2022, per the applicant).

**ITEM NO. 7** ET-22-400034 (ZC-17-0827)-LMC KAKTUSLIFE PROPERTY OWNER, LLC:

ZONE CHANGE SECOND EXTENSION OF TIME to reclassify 16.1 acres from a C-2 (General Commercial) Zone to a U-V (Urban Village - Mixed-Use) Zone in the CMA Design Overlay District.

USE PERMITS for the following: 1) High Impact Project; 2) increased density; and 3) increased height.

DESIGN REVIEW for a proposed mixed-use development. Generally located on the north side of Maule Avenue, 750 feet east of Cimarron Road within Spring Valley (description on file). MN/hw/syp (For possible action)

**ACTION:** It was moved by Commissioner Justin Jones and carried by unanimous vote that the application be approved.

#### CONDITIONS OF APPROVAL –

##### Current Planning

- Until December 20, 2024, to complete.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

##### Public Works - Development Review

- Compliance with previous conditions.

**ITEM NO. 8** ET-22-400035 (WS-19-0963)-SID 52, LLC:

WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for the following: 1) reduce parking; and 2) permit encroachment into airspace.

DESIGN REVIEW for a hotel on a portion of 5.5 acres in an H-1 (Limited Resort and Apartment) (AE-65 & AE-70) Zone. Generally located 550 feet north of Tropicana Avenue and the west side of Kelch Drive within Paradise. JG/jt/syp (For possible action)

**ACTION:** It was moved by Commissioner Justin Jones and carried by unanimous vote that the application be approved.

#### CONDITIONS OF APPROVAL –

##### Current Planning

- Until February 5, 2024 to commence.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be

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

#### Public Works - Development Review

- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Howard Hughes Parkway Extension and Tompkins, Koval to Paradise improvement projects.

#### 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;
- 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 and is still valid.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

#### **ITEM NO. 9 UC-22-0086-COPART ARIZONA, INC:**

USE PERMIT to allow an area used for storing motor vehicles to be unpaved.

DESIGN REVIEW for an outside storage facility on 10.4 acres in an M-1 (Light Manufacturing) (AE-75 & APZ-1) Zone. Generally located on the north side of Alto Avenue and the east side of Bledsoe Lane (alignment) within Sunrise Manor. MK/jt/jo (For possible action)

#### **ACTION:**

It was moved by Commissioner Justin Jones and carried by unanimous vote that the application be approved.

#### **CONDITIONS OF APPROVAL –**

##### Current Planning

- Work with the Las Vegas Metropolitan Police Department for the installation of security cameras and surveillance operation;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a 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;
- Grant easements as necessary.
- Applicant is advised that signs, structures, and landscaping shall not encroach into public right-of-way,

easements, or sight-visibility zones; and that the gate shall not encroach into the pedestrian access easement.

Fire Prevention Bureau

- 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.

**ITEM NO. 10 UC-22-0129-UNITED INVESTMENTS, LLC:**

USE PERMIT for a cannabis establishment (distributor) in conjunction with a previously approved cannabis establishment on 0.4 acres in an M-D (Designed Manufacturing) Zone. Generally located on the north side of Nevso Drive, 215 feet east of Cameron Street within Paradise. MN/nr/syp (For possible action)

**ACTION:** It was moved by Commissioner Justin Jones and carried by unanimous vote that the application be approved.

**CONDITIONS OF APPROVAL –**

Current Planning

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

Clark County Water Reclamation District (CCWRD)

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

**ITEM NO. 11 ZC-22-0126-COUNTY OF CLARK (LV CONV AUTH):**

ZONE CHANGE to reclassify 10.0 acres from a P-F (Public Facility) Zone to an H-1 (Limited Resort and Apartment) Zone for a future development. Generally located on the east side of Las Vegas Boulevard South and the south side of Elvis Presley Boulevard within Winchester (description on file). TS/lm/jo (For possible action)

**ACTION:** It was moved by Commissioner Justin Jones and carried by unanimous vote that the application be approved.

**CONDITIONS OF APPROVAL –**

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning.
- Applicant is advised that prior to future development or land use application for future development of the site, an Administrative Design Review will be required to reflect the current improvements on the LVCVA property; an amended Development Agreement for the Las Vegas Convention Center expansion will be required to remove the subject parcel; 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.

Public Works - Development Review

- Drainage study shall be required with future development as determined by Public Works
- Development Review.

- Traffic study shall be required with future development as determined by Public Works - Development Review.
- Full off-site improvements shall be required with future development as determined by Public Works - Development Review.
- Coordinate with Public Works, Kaizad Yazdani for right-of-way and easement dedications necessary for the Las Vegas Boulevard improvement project.

**ITEM NO. 12 ZC-22-0143-LACONIC, LP:**

ZONE CHANGE to reclassify 1.7 acres from an R-E (Rural Estates Residential) Zone to a C-1 (Local Business) Zone. WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced parking; 2) reduced height setback ratio; 3) reduced driveway departure distance; and 4) reduced driveway throat depth. DESIGN REVIEWS for the following: 1) a proposed retail center; and 2) finished grade. Generally located on the north side of Cactus Avenue and the west side of Bermuda Road within Enterprise (description on file). MN/jor/jo (For possible action)

**ACTION:** Deleted from the agenda (held to June 8, 2022, per the applicant).

**ITEM NO. 13 VS-22-0144-LACONIC, LP:**

VACATE AND ABANDON easements of interest to Clark County located between Bermuda Road and Forest Sword Street and between Cactus Avenue and Rush Avenue (alignment) and portion of a right-of-way being Bermuda Road located between Cactus Avenue and Rush Avenue within Enterprise (description on file). MN/jor/jo (For possible action)

**ACTION:** Deleted from the agenda (held to June 8, 2022, per the applicant).

**ITEM NO. 14 NZC-22-0054-STANEK MARK JAMES & DONNA MARIE:**

ZONE CHANGE to reclassify 1.3 acres from an R-E (Rural Estates Residential) Zone and an R-E (Rural Estates Residential) (AE-60) Zone to a CRT (Commercial Residential Transition) (AE-60) Zone. WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) landscaping; 2) fence height; and 3) alternative driveway geometrics. DESIGN REVIEW for the conversion of an existing single-family residence to an office use located partially in the Russell Road Transition Corridor Design Overlay District. Generally located on the south side of Russell Road, 300 feet west of McLeod Drive within Paradise (description on file). JG/jt/jo (For possible action)

**ACTION:** It was moved by Commissioner Justin Jones and carried by unanimous vote that the application be approved.

**CONDITIONS OF APPROVAL –**

**Current Planning**

- Resolution of Intent to complete in 3 years;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

**Public Works - Development Review**

- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any

corresponding easements for any collector street or larger;

- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger.
- Applicant is advised that off-site improvement permits may be required; and that existing and proposed signs, structures, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones.

Clark County Water Reclamation District (CCWRD)

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

**ITEM NO. 15** ORD-22-900087: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with William Lyon Homes, Inc for a single-family residential development (Ford Avenue - Edmond Street) on 6.4 acres, generally located east and west of Edmond Street and north of Ford Avenue within Enterprise. JJ/tk (For possible action)

**ACTION:** It was moved by Commissioner Justin Jones and carried by unanimous vote that the recommendation (including the adoption of Ordinance No. 4939) be approved.

**ITEM NO. 16** ORD-22-900108: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with KB Homes Las Vegas, Inc for a single-family residential development (Agate - Dean Martin) on 14.6 acres, generally located east of Dean Martin Drive and north of Serene Avenue within Enterprise. JJ/tk (For possible action)

**ACTION:** It was moved by Commissioner Justin Jones and carried by unanimous vote that the recommendation (including the adoption of Ordinance No. 4940) be approved.

**ITEM NO. 17** ORD-22-900162: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Richmond American Homes of Nevada, Inc for a single-family residential development (Pyle - Rancho Destino) on 7.3 acres, generally located north of Pyle Avenue and east of Rancho Destino Road within Enterprise. MN/tk (For possible action)

**ACTION:** It was moved by Commissioner Justin Jones and carried by unanimous vote that the recommendation (including the adoption of Ordinance No. 4941) be approved.

**ITEM NO. 18** ORD-22-900163: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Maule Realty Partners, LLC for a distribution center (Chartwell - Maule Avenue) on 10.0 acres, generally located between Maule Avenue and Badura Avenue within Enterprise. MN/tk (For possible action)

**ACTION:** It was moved by Commissioner Justin Jones and carried by unanimous vote that the recommendation (including the adoption of Ordinance No. 4942) be approved.

**ITEM NO. 19** ORD-22-900169: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with PSI Warm Springs, LLC for an office/warehouse complex (Warm Springs - Belcastro) on 5.0 acres, generally located on the northwest corner of Warm Springs Road and Belcastro Street within Spring Valley. MN/tk (For possible action)



**ACTION:** It was moved by Commissioner Justin Jones and carried by unanimous vote that the recommendation (including the adoption of Ordinance No. 4943) be approved.

**ITEM NO. 20** ET-22-400017 (UC-1721-06)-PALAZZO CONDO TOWER, LLC:

HOLDOVER USE PERMITS SIXTH EXTENSION OF TIME to commence the following: 1) resort condominiums in conjunction with an existing resort hotel (The Venetian); 2) increased building height; 3) associated accessory and incidental commercial uses, buildings, and structures; and 4) deviations from development standards.

DEVIATIONS for the following: 1) reduce on-site parking requirements; 2) reduce the height setback ratio from an arterial street; 3) encroachment into airspace; and 4) all other deviations as shown on plans in file.

DESIGN REVIEWS for the following: 1) a 632-foot high, high-rise resort condominium tower including kitchens in rooms; 2) all associated accessory uses, retail areas, and amenity areas (The Venetian/Palazzo); and 3) revisions to an already approved retail component associated with the Venetian/Palazzo (Walgreens) on a portion of 62.9 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Sands Avenue within paradise. TS/jor/syp (For possible action)

**ACTION:** Deleted from the agenda (held to June 8, 2022, per the applicant).

**ITEM NO. 21** ET-22-400023 (UC-0061-17)-ABC PARADISE, LLC:

USE PERMITS THIRD EXTENSION OF TIME for the following: 1) a multiple family residential development; and 2) increase building height.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce front setback; 2) reduce side (corner) setback; 3) reduce height/setback ratio adjacent to single family residential uses; 4) allow balconies to overlook single family residential uses; and 5) reduce height/setback ratio from an arterial street (Windmill Lane).

DESIGN REVIEW for a proposed multiple family residential development on 5.1 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the northeast corner of Windmill Lane and Giles Street within Enterprise.

MN/jud/syp (For possible action)

AMUNDSEN

Next is Item 21 ET-22-400023 (UC-0061-17), use permits third extension of time for the following. A multiple-family residential development increased building height. Waivers of development standards for the following. Reduce front setback, reduce side corner setback, reduce height setback ratio adjacent to single-family residential uses. Allow balconies to overlook single-family residential uses, reduce height setback ratio from an arterial street, which is Windmill. Design review for the pur- for purposed multi-family residential development on 5.1 acres in a H1 limited resort and apartment zone generally located on the northeast corner of Windmill Lane and Giles Street within Enterprise.

GIBSON

Good morning.

TONY CELESTE

Good morning, Mister Chairman, Commissioners. My name is Tony Celeste. Address 1980 Festival Plaza Drive here on behalf of the applicant and property owner. Um, as you can see from the aerial I have, um, actually two colors highlighted. Yellow being the site, which is the subject of today's, uh, matter. About five acres located at, uh, Windmill and Giles here. Um, in green was what you saw about a month ago. Um, this... These are sister properties. Um, the Board and- and Commissioner Naft were kind enough to give us a- a, uh, short leash and additional extension of time until December 19th of 2022 on the green one. We're asking for similar consideration on the yellow.

CELESTE And just as I explained more holistically, this 20 acres we are currently working on a larger plan for this area and working with your staff on the development of that, and so we, uh, greatly appreciate just the short leash to help finalize some of these, uh- uh, larger plans that we're working on. And, uh, with that, I'm more than happy to answer any questions you may have.

GIBSON Thank you. This is a public hearing. Is there anyone here who wishes to speak on this item? There being no one, Commissioner Naft.

MICHAEL NAFT Thank you, Chairman. I'll move for approval with the, uh, extension through 12/19/2022.

GIBSON Any discussion on the motion? Please cast your votes. Motion carries. Thank you.

**ACTION:** It was moved by Commissioner Michael Naft and carried by unanimous vote that the application be approved subject to staff conditions.

**CONDITIONS OF APPROVAL –**  
Current Planning

- Until December 19, 2022, to commence to align with UC-18-0454.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

**ITEM NO. 22 WS-22-0076-HUERTA, JORGE:**

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow proposed single family residential lots to have access to an arterial street (Rainbow Boulevard) where not permitted; 2) increase wall height; and 3) waive full off-site improvements.

DESIGN REVIEWS for the following: 1) proposed single family residential development; and 2) finished grade on 1.5 acres in an R-E (Rural Estates Residential) Zone. Generally located on the east side of Rainbow Boulevard and the south side of Azure Drive within Lone Mountain. MK/rk/jo (For possible action)

AMUNDSEN Next is Item 22, WS-22-0076. Holdover waivers of development standards for the following. Allow proposed single-family residential lots to have access to an arterial street, Rainbow Boulevard, where not permitted. Increase wall height. Waive full offsite improvements. Design reviews for the following. Proposed single-family residential development. Finish grade on 1.5 acres in an RE, rural estates, residential zone generally located on the east side of Rainbow Boulevard and the south side of Azure Drive within Lone Mountain.

GIBSON Good morning.

JESSE PATCHETT Good morning. My name is Jesse Patchett with Wood Rogers Civil Engineers. Address 8345 West Sunset Road Suite 150, uh, here on behalf of the applicant. Um, so the application before you, is a proposal to subdivide one... a one-and-a-

PATCHETT half-acre parcel into three half-acre parcels, uh, with two- two lots fronting Rainbow, one lot fronting Azure. Um, associated with the, uh, application request is a fill height waiver request, uh, and a wall height waiver request. Uh, these were... We have an approved drainage study on file that supported the- the request for increased fill, and with the, uh, increased fill, we have, uh- uh, increased wall heights associated with that.

The application, um, originally requested waiver of the offsite improvements. Um, the full ha- offsites do exist on the north side of Azure and the west side of Rainbow, but on our side of the street, south of us and to the east, uh, offsites don't exist, uh, so we were proposing just to- to match the... kind of the rural character both south and- and east of us. Uh, after conversations with staff and Commissioner Kirkpatrick, uh, we understand that the County's desire is to, uh, straighten out the road and, um, have- have full width of pavement and curb gutter there. Um, so, um, the applicant, obviously, would- would prefer not to incur the cost for those offsites, but if- if that is a deal-breaker for the County, um, the- the developer is- is willing to- to do the half street improvements and the curb gutter for the- for the project. Thank you.

GIBSON Does that complete your presentation?

PATCHETT Yes, sir.

GIBSON This is a public hearing. Is there anyone who wishes to speak on this item, this morning?

PATCHETT Oh. Introduce yourself.

OMAR LOPEZ Uh, hi. Omar Lopez, is that it?

PATCHETT Applicant and owner.

LOPEZ Applicant and owner. It's my first time. My first project, so all I just want to share that is just south of this right here, um, there's literally almost, uh, is it two or three block of unfinished road. And as the little guy, this is my first project, I mean, building the offsite entire asphalt and everything and cost of construction, it raise it up by almost \$200,000, so that's why we're asking for the waiver. Everything else, uh, the road keeps going unfinished for about three blocks. Three more blocks, so if- if it's a possibility to waive it, that would be fantastic. That's all I'm saying. Thank you.

GIBSON Thank you. Anyone else wish- wishing to speak please come forward. There being no one, the public hearing is closed. Commissioner Kirkpatrick.

MARILYN KIRKPATRICK Uh, thank you, Mister Chair, and as you noted, it is a deal-breaker if you don't do the offsites, so, uh, you're trying to put three half-acre lots on a small site, so... And I'll have to deal with the calls later, and Public Works is amenable to the circular drives, but you gotta have those offsites 'cause the road is not even whatsoever, and just makes for bad news for the long term. So, I am happy to, um, support Item Number 22. I support waiver number, uh, one and waiver number two. Waiver number one should read, uh, to include that there'll be

KIRKPATRICK circular drives so that you can get access in and out. Uh, and then waiver number three, would you like to withdraw that, or would you like me to deny it?

PATCHETT Uh, no, ma'am. Uh, we- we understand that if- if it's a deal-breaker we're- we're happy to do the- the half street improvements and the curb gutter.

KIRKPATRICK So- so- so, do you wanna withdraw it, or do you want me just to deny it? It's up to you.

PATCHETT I don't wanna withdraw the item.

KIRKPATRICK Okay, so, then I'm gonna go ahead and deny waiver number three, and that is my motion, Mister Chair.

GIBSON You've heard the motion. Is there any discussion on it? There being none, please cast your votes. The motion carries. Thank you. Thank you, sir.

**ACTION:** It was moved by Commissioner Marilyn Kirkpatrick and carried by unanimous vote that the application be approved subject to staff conditions.

#### CONDITIONS OF APPROVAL – Current Planning

- Lots subject to waiver of development standards #1 limited to circular driveways.
- 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

- Full off-site improvements;
- 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; and that off-site improvement permits may 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 to inquire with 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.

WAIVER OF DEVELOPMENT STANDARDS #3 WAS DENIED.

#### **ITEM NO. 23** WS-22-0147-LV JUDSON, LP:

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

DESIGN REVIEWS for the following: 1) office/warehouse facility; and 2) finished grade on a 6.2-acre portion of a

9.3-acre site in an M-D (Design Manufacturing) (AE-65) (APZ-2) Zone. Generally located on the northwest corner of Lamb Boulevard and Judson Avenue within Sunrise Manor. TS/sd/jo (For possible action)

**ACTION:** Deleted from the agenda (held to May 18, 2022, per the applicant).

**ITEM NO. 24 ZC-22-0119-CENTURY COMMUNITIES NEVADA, LLC:**

HOLDOVER ZONE CHANGE to reclassify 1.9 acres from an R-E (Rural Estates Residential) (RNP-I) Zone to an R-E (Rural Estates Residential) Zone.

USE PERMITS for the following: 1) a residential planned unit development (PUD); and 2) reduce the building setback from project perimeters.

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

DESIGN REVIEWS for the following: 1) a detached single family residential planned unit development; and 2) finished grade. Generally located on the east side of Fort Apache Road and the south side of Hammer Lane within Lone Mountain (description on file). RM/md/jo (For possible action)

**ACTION:** Deleted from the agenda (held to May 18, 2022, per the applicant).

**ITEM NO. 25 ZC-22-0151-COUNTY OF CLARK (AVIATION):**

ZONE CHANGE to reclassify 18.7 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increased retaining wall height; 2) increased building height; and 3) reduced residential driveway separation.

DESIGN REVIEWS for the following: 1) a single-family residential subdivision; and 2) finished grade. Generally located on the east side of Pioneer Way (alignment) and the south side of Warm Springs Road within Enterprise (description on file). MN/jor/jo (For possible action)

AMUNDSEN

Next are Items 25, 26, and 27, which can be heard together. Item 25 ZC-22-0151, zone change to reclassify 18.7 acres from an RE rural estates residential zone to an R2 medium density residential zone. Waivers of development standards for the following. Increased retaining wall height. Increased building height. Reduce residential driveway separation. Uh, design reviews for the following. A single-family residential subdivision finished grade, generally located on the east side of Pioneer Way alignment and the south side of Warm Springs Road within Enterprise. Item 26, VS-22-0152, vacate and abandon portions of a right of way located between Warm Springs Road and El Dorado Lane alignment and between Pioneer Way alignment and Tenaya Way within Enterprise. And Item 27, TM-22-500050, tentative map consisting of 147 single-family residential lots and eight common lots on 18.7 acres.

GIBSON

Good morning again, Mister Celeste, good morning again.

CELESTE

Good- good morning again, Mister Chairman, Commissioners. My name is Tony Celeste. Address 1980 Festival Plaza Drive, here on behalf of the applicant and developer Pulte Homes. Uh, first, as you can see from the overhead, our site is highlighted in yellow. It is just shy of 19 acres, located off of Warm Springs and Pioneer. Uh, a little bit farther to the east is Tenaya and to the west is Buffalo. Um, we are, uh, around what is now Nevada Trails, and then some other, you can see, properties to be developed here.

Uh, just a little background. This was one of the properties that was, uh, up in

CELESTE

the, uh, aviation auction that Pulte has now, uh, coming into, um, purchase and develop. We are proposing, um, as was read, 147 uh, homes. Uh, single-family detached home on this, uh, on this site.

Basically, two major components to this. First, is our zone change. Um, the property is planned, uh, mid-intensity suburban neighborhood. Um, as you can see, most of the properties to the south and, uh, portions to the west and east of us are planned the same. Um, with that, an allowed zoning is R2. We are coming in with an R2 zoning request, which is compatible to the master plan. As you can see here from the zoning map, most of the properties around us are either zoned R2, same density we're requesting, or a more intense zoning district, whether it be R3 immediately to the east, which are the developed townhomes or a C2 zoning to the west there. So, with that, uh, we do believe the zoning is appropriate, and we appreciate staff's recommendation of approval on that.

The next component is our site plan. Uh, first, a couple things I'd like to go over before I get into the plan itself. We have, as you can see, a number of waivers that are requested. At this time, I'd like to withdraw a few of 'em. We don't need those waivers anymore. Um, in particular, waiver number two I'd like to withdraw without prejudice. That was to increase the building height to above 35 feet. All of our, uh, homes will be 35 feet or less, so we do not need that waiver. And I'd also like to withdraw waivers 3A and 3B. Those were waivers that were... we had, uh, thought we might need for driveway locations located to the north and south of our entrance into the community. Uh, we now believe we can meet that separation, our driveway to where this, uh, street comes in, so we are gonna ask to withdraw that without prejudice as well.

Um, by doing that, um, we pretty much, I think, have a- a- a staff report that would then support this project, as well as Town Board approval that would unanimously support this as well. We did make a couple of changes to the site plan as well, um, after meeting with, uh, Commissioner Naft's office. Um, we did get those plans sent, um, electronically to Planning yesterday afternoon, along with a couple of re-, uh, proposed revised conditions. Um, we were able to get hard sets delivered this morning just before 9:00. I apologize we couldn't get 'em earlier, but we were kinda... We're workin' as fast as we could down to the wire, and so we at least tried to get them emailed electronically over. Um, so if I can go through the site plan here.

Um, as mentioned, we have... are proposing 147 total, uh, lots. As you can see right here is Pioneer and Warm Springs. Importantly here on Pioneer, to the south right here we have existing homes that front onto Pioneer, so we have strategically also fronted our homes onto Pioneer this way to match the homes that are there. Internally, we have then homes on the inside coming in and circulating through. One of the, uh, changes that we did make was up here in this corner. Um, we used to have a larger... a longer stub-street where we had three homes fronting onto that shrub-stub street. (crosstalk) Um, after working with Commissioner's office, we were able to essentially flip a couple of the units, add two additional homes fronting on Pioneer, and then shorten up this sub-street so that we only have now one home that faces that. And that was really the major change that we made, um, to the site plan, uh, with respect to

CELESTE

that. And we, like I said, tried to get site plan, landscape plan, and tentative maps at least emailed yesterday and then hand-delivered, uh, this morning to- to staff, so, uh, appreciate that accommodation.

Um, with respect to some of the, uh, other waivers we have, here is kind of a heat map. Um, we do have waivers that are... with respect to, uh, the grade fill and waiver... and, uh, wall height. Um, as you can see from here, we have two natural ravines that come through here, and that is really requiring the fill area. What I wanna stress though is we are not building the site up above the existing grade of our neighbors. Really, it's all internal. Biggest impact is through here, and it is right here where the wall height increase is requested. Um, that was approved by, uh, both, uh, the Planning and, um, at Town Board with respect to our design review for the grade increase and the wall height. Um, so I wanted to, uh, make sure to outline that.

Uh, as I mentioned, we did have couple of- of conditions that we are asking to revise. Um, they are really centered on, uh, the fact that we are proposing a mixture of two and three-story home products here. Think this exhibit right here helps, uh, illustrate the... our desire where to place three-story homes. I think what is most important, as you can see on the perimeter to existing homes right here, uh, on our west, south, and east, the unhighlighted area will be homes that will be restricted to two stories or less. Internally, we are asking for the flexibility to do two or three stories, and then on the edges where we are not adjacent to single-family detached homes, essentially asking to have every third home or about 34% of those homes on the edges to have flexibility to allow for three-story homes. Um, I did provide um, revised, uh... proposed revised conditions, uh, speaking to that, and I can read those in, uh, right now if that... I think Miss Amundsen...

NAFT

Yup.

CELESTE

...would like to me do so. So, at this point, uh, let me just re- read what, um, we are proposing. So, it would be three-story homes limited to internal lots only. Lot 10 through 16, lot 38 through lot 66, and lot 88 through lot 118. Next bullet point would read a maximum of 34% of three-story homes limited to the following lots. Lots one through nine, lot 17 through lot 68, lot 119 through lot 123, which are essentially these highlighted ones on the edges that I showed, and then per revised plans dated April 28th of 2022. Um, so with that, I, uh, I think we come before you with a plan that...I think, With that, I think we come before you, uh, with a plan that is supported by Town Board and Planning, and I'm happy to answer any questions you may have.

GIBSON

Thank you. I Just... I have just one question just for my own-

NAFT

Okay.

GIBSON

If I might.

NAFT

You have to open the...

GIBSON

I'm not- I'm- I'm not... I haven't con- I'm not concluding him yet.

NAFT (laughing)

GIBSON In just a moment I will. Um, you- you... When you explained that to us just like every third lot is a- a three-story. Uh, when you read what you read it just sounded like it- it isn't every third lot. It's 34%, however that works out. Is that what you meant to say?

CELESTE That, uh, that is correct. So, every... I just, for illustration purposes, showed it every third lot, but the condition does say, you know, 34% of these exterior lots. Maximum 34% can be three-story.

GIBSON All right.

CELESTE Hope that clarifies it.

NAFT Yup.

GIBSON So, that... It- it- it... Just to be clear, it's, it could be every third house. It could be something more clustered than that, but it can in no event be more than 34%, that's what you're suggesting?

CELESTE That is absolutely correct.

GIBSON All right. Um, Miss Amundsen.

AMUNDSEN Sorry. I, um, want to clarify. Tony, you noted that pervi- per revised plans dated May 28th. We go by the date it was submitted. Since it was submitted today it would be per plans submitted today.

CELESTE Fair. Yes. Thank you. I apologize. Thank you for the (inaudible)

GIBSON Does that conclude your presentation?

CELESTE It does. Thank you, Commissioner.

GIBSON Thank you. This is a public hearing. Is there anyone here who wishes to speak on this item? There being no one, I'll close the public hearing, and Commissioner Naft.

NAFT Thank you, Chairman. Uh, Mister Celeste just wanna also acknowledge you did some work here with the neighborhood to the east that's actually gonna solve some drainage issues and other problems for them. Uh, they were happy and satisfied with that, and, uh, as am I. Um, you've read in all the conditions that I would've added to this so, I'm ready to, uh, move for approval of Items 25, 26, and 27, uh, noting that waiver of development standards two and 3A and B have been, uh, withdrawn. Uh, and add the three-story limitations, uh, as read into the record.

GIBSON You've heard the motion approval by Commissioner Naft. If there's no discussion, please cast your votes. Motion carries. Thank you.



CELESTE

Thank- thank you.

**ACTION:**

It was moved by Commissioner Michael Naft and carried by unanimous vote that the application for Item Nos. 25, 26 and 27 be approved subject to staff and additional conditions.

**CONDITIONS OF APPROVAL –**

**Current Planning**

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Per revised plans submitted May 4, 2022;
- 3 story homes limited to internal lots only (Lots 10 through 16, Lots 38 through 66, and Lots 88 through 118);
- A maximum of 34% of 3 story homes limited to the following lots (Lots 1 through 9, Lots 17 through 68, and Lots 119 through 123);
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the waivers of development standards and design reviews must commence within 4 years of approval date or they will expire.

**Public Works - Development Review**

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to accommodate a taper from 25.5 feet to 30 feet for Pioneer Way to match the west side of the street, and associated spandrel;
- If required by the Regional Transportation Commission (RTC), provide a standard bus turnout and a 5 foot by 25-foot bus shelter pad easement behind the sidewalk along Warm Springs Road, just east of Pioneer Way.
- 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; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

**Department of Aviation**

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

**Clark County Water Reclamation District (CCWRD)**

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0123- 2022 to obtain your POC exhibit; and

that flow contributions exceeding CCWRD estimates may require a new POC analysis.

WAIVERS OF DEVELOPMENT STANDARDS #2, #3A, AND #3B WERE WITHDRAWN WITHOUT PREJUDICE.

**ITEM NO. 26 VS-22-0152-COUNTY OF CLARK (AVIATION):**

VACATE AND ABANDON portions of right-of-way located between Warm Springs Road and Eldorado Lane (alignment) and between Pioneer Way (alignment) and Tenaya Way within Enterprise (description on file). MN/jor/jo (For possible action)

**ACTION:** It was moved by Commissioner Michael Naft and carried by unanimous vote that the application for Item Nos. 25, 26 and 27 be approved subject to staff and additional conditions.

**CONDITIONS OF APPROVAL -**

**Current Planning**

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

**Public Works - Development Review**

- Drainage study and compliance;
- Right-of-way dedication to accommodate a taper from 25.5 feet to 30 feet for Pioneer Way to match the west side of the street, and associated spandrel;
- If required by the Regional Transportation Commission (RTC), provide a standard bus turnout and a 5 foot by 25 foot bus shelter pad easement behind the sidewalk along Warm Springs Road, just east of Pioneer Way;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

**ITEM NO. 27 TM-22-500050-COUNTY OF CLARK (AVIATION):**

TENTATIVE MAP consisting of 147 single family residential lots and 8 common lots on 18.7 acres in an R-2 (Medium Density Residential) Zone. Generally located on the east side of Pioneer Way (alignment) and the south side of Warm Springs Road within Enterprise. MN/jor/jo (For possible action)

**ACTION:** It was moved by Commissioner Michael Naft and carried by unanimous vote that the application for Item Nos. 25, 26 and 27 be approved subject to staff and additional conditions.

**CONDITIONS OF APPROVAL –**

**Current Planning**

- Per revised plans submitted May 4, 2022.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time

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

#### Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to accommodate a taper from 25.5 feet to 30 feet for Pioneer Way to match the west side of the street, and associated spandrel;
- If required by the Regional Transportation Commission (RTC), provide a standard bus turnout and a 5 foot by 25-foot bus shelter pad easement behind the sidewalk along Warm Springs Road, just east of Pioneer Way.
- 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; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

#### Current Planning Division - Addressing

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

#### Department of Aviation

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

#### Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0123-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

#### **ITEM NO. 28** NZC-22-0056-MICHELON FAMILY LV LAND, LLC:

ZONE CHANGE to reclassify 15.1 acres from an H-2 (General Highway Frontage) Zone to an R-4 (Multiple Family Residential - High Density) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) building height; and 2) non-standard improvements (landscaping) in the right-of-way.

DESIGN REVIEWS for the following: 1) multiple family residential development; 2) alternative parking lot landscaping; and 3) finished grade. Generally located on the east side of Las Vegas Boulevard South and the south side of Chartan Avenue within Enterprise (description on file). MN/jt/jo (For possible action)

#### **ACTION:**

Deleted from the agenda (held to June 8, 2022, per the applicant).

#### **ITEM NO. 29** VS-22-0057-MICHELON FAMILY LV LAND, LLC:

VACATE AND ABANDON a portion of a right-of-way being Chartan Avenue located between Las Vegas Boulevard

South and Giles Street, a portion of right-of-way being Terrill Avenue located between Las Vegas Boulevard South and Giles Street, and a portion of right-of-way being Giles Street located between Chartan Avenue and Starr Avenue within Enterprise (description on file). MN/jt/jo (For possible action)

**ACTION:** Deleted from the agenda (held to June 8, 2022, per the applicant).

**ITEM NO. 30** NZC-22-0068-DEAN JERRY & DEANNA FAMILY TRUST-EXEMPTION TRUST & DEAN DEANNA S TRS:

ZONE CHANGE to reclassify 8.3 acres from an R-E (Rural Estates Residential) Zone to an R-4 (Multiple Family Residential - High Density) Zone.

USE PERMIT for senior housing.

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

DESIGN REVIEWS for the following: 1) senior housing (multiple family development); and 2) finished grade.

Generally located on the north side of Russell Road and the west side of Redwood Street within Spring Valley (description on file). MN/md/jo (For possible action)

AMUNDSEN

Next are Items 30 and 31, which can be heard together. Item 30 NZC-22-0068, zone change to reclassify 8.3 acres from an RE rural estates residential zone to an R4 multiple-family residential high-density zone. Use permit for senior housing. Waivers of development standards for the following. Increased building height, reduce the throat depth. Design reviews for the following. Senior housing, multiple-family development finished grade generally located on the north side of Russell Road and the west side of Redwood Street within Spring Valley. Item 31, VS-22-0069, vacate an abandon easements of interest to Clark County located between Dewey Drive and Russell Road, and between Rainbow Boulevard and Redwood Street, and a portion of a right of a way being Russell Road located between Rainbow Boulevard and Redwood Street within Spring Valley.

GIBSON

Good morning.

LIZ OLSON

Good morning. Liz Olson, 1980 Festival Plaza Drive here on behalf of the applicant. This is a property located on the corner of Russell and Redwood. 8.3 acres. As you can see, we are currently surrounded on all sides by either planned or existing commercial. We're currently planned for eight units to the acre, but because of that commercial in the area, we don't believe this is compatible any longer for single-family residential, so we are requesting a zone change to R4 for a senior housing multi-family development. (silence)

We have laid out our site here with our buildings in the center. We've pushed the buildings as far to the west as possible, so we have a set back from our closest building to the residential to the east of 150 feet. We are requesting a height waiver of 55 feet, where 50 is required co-, uh, compared to the hospital just north of us at 60 feet, we do believe that it's compatible for the area.

Um, we're excited to present this and have some senior options in the community and in Clark County. Um, we are requesting to, uh, have a four-year completion date on this just due to the HUD financing that's oftentimes takes longer than normal. But otherwise, again, excited and appreciate Town Board and Planning Commission's recommendation of approval.

GIBSON Does that complete your presentation?

OLSON It does. Thank you.

GIBSON Thank you. This is a public hearing, which is now open. Uh, anyone wishing to speak on this item should come forward. It appears there is no one. The public hearing is closed. Commissioner Naft.

NAFT Thank you, Mister Chair. Understanding, uh, the difficulties with HUD I would support, um, that motion to give, uh, four years- four years to complete, uh, but would also want to see and added condition that, uh, both Redwood and Dewey be detached sidewalks.

OLSON Yes. We have looked at that, and we are comfortable and can agree to that.

NAFT Okay.

OLSON Yes.

NAFT And it'll be the full perimeter. Russell will too, but that's...

OLSON Correct.

NAFT ...per code.

OLSON Yup.

NAFT Thank you. With that, I move for approval of Item 30- 30 and 31.

GIBSON There is a motion for approval by Commissioner Naft. Any discussion on the motion? Please cast your votes. The motion carries. Thank you.

OLSON Thank you.

**ACTION:** It was moved by Commissioner Michael Naft and carried by unanimous vote that the application for Item Nos. 30 and 31 be approved subject to staff and additional conditions.

#### CONDITIONS OF APPROVAL –

##### Current Planning

- Resolution of Intent to complete in 4 years;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

##### Public Works - Development Review

- Sidewalks on Redwood Street and Dewey Drive shall be detached;
- 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.
- 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; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

#### Department of Aviation

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

#### Fire Prevention Bureau

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

#### Southern Nevada Health District (SNHD) - Septic

- Applicant is advised that there are active septic permits on APN 163-26-406-002 and -003; 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.

#### 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 #0075-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

#### **ITEM NO. 31 VS-22-0069-DEAN JERRY & DEANNA FAMILY TRUST-EXEMPTION TRUST & DEAN DEANNA S TRS:**

VACATE AND ABANDON easements of interest to Clark County located between Dewey Drive and Russell Road, and between Rainbow Boulevard and Redwood Street; and a portion of right-of-way being Russell Road located between Rainbow Boulevard and Redwood Street within Spring Valley (description on file). MN/md/jo (For possible action)

#### **ACTION:**

It was moved by Commissioner Michael Naft and carried by unanimous vote that the application for Item Nos. 30 and 31 be approved subject to staff and additional conditions.

#### CONDITIONS OF APPROVAL – Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time

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

#### Public Works - Development Review

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

#### Fire Prevention Bureau

- 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.

**ITEM NO. 32** AG-22-900286: Accept and authorize the signature of the Performance Agreement with DLV-H Owner, LLC for the DREAM LAS VEGAS Resort Hotel, generally located east of Las Vegas Boulevard South and 500 feet south of Russell Road (alignment) within Paradise. JG/sr (For possible action)

AMUNDSEN

Next is Item 32, AG-22-900286 accept and authorized the signature of a performance agreement with DLVH owner, LLC for the Dream Las Vegas Resort Hotel generally located on the east side of Las Vegas Boulevard South and 500 feet south of Russell Road. Alignment within Paradise. Commissioners, this is the first of the requirements for a- a major resort hotel. It is the performance agreement that would let them get started. Right now, we are finalizing the development agreement.

GIBSON

Thank you. And, uh, if- if there is nothing further on this item, I move that we accept and authorize the signature of the performance agreement. Any discussion on the motion? Please cast your votes. The motion carries.

#### **ACTION:**

It was moved by Commissioner Jim Gibson and carried by unanimous vote that the Chair be authorized to sign the Performance Agreement.

#### CONDITIONS OF APPROVAL -

**ITEM NO. 33** ORD-22-900086: Introduce an ordinance to consider adoption of a Development Agreement with Teton Capital Management for a commercial development (Buffalo Drive - Grand Teton Drive) on 3.4 acres, generally located on the northeast corner of Buffalo Drive and Grand Teton Drive within Lone Mountain. MK/tk (For possible action)

AMUNDSEN

Next are ordinances for introduction. Ordinance 22-900086 is a recommendation that you introduce an ordinance to consider adoption of a development agreement with Teton Capital Management for a commercial development Buffalo Drive, Grand Teton Drive. We request this be set for public hearing for May 18th, 2022.

GIBSON

May 18th, 2022. That will be the day of the public hearing. Thank you.

**ACTION:** There being no objections, Chair Gibson set the matter for public hearing on May 18, 2022, at 9:00 a.m.

**ITEM NO. 34** ORD-22-900102: Introduce an ordinance to consider adoption of a Development Agreement with Grand Teton Mini Storage Partners, LLC for a commercial development (Buffalo Drive - Grand Teton Drive) on 3.4 acres, generally located on the northeast corner of Buffalo Drive and Grand Teton Drive within Lone Mountain. MK/tk (For possible action)

AMUNDSEN Um, Item 34, Ordinance 22-900102. We recommend you introduce an ordinance to consider adoption of development agreement with Grand Teton Mini Storage Partners, LLC for a commercial development Buffalo Drive, Grand Teton Drive. We request this be set for public hearing for May 18th, 2022.

GIBSON I'll introduce the ordinance and set the public hearing for May 18th, 2022.

**ACTION:** There being no objections, Chair Gibson set the matter for public hearing on May 18, 2022, at 9:00 a.m.

**PUBLIC COMMENT:**

AMUNDSEN And it's public comments.

GIBSON This is the last time for public comment. Anyone who wishes to address us on any item here is invited to come forward. It appears there is no one. This meeting is adjourned. Thank you.

TICK SEGERBLOM Wow (inaudible)

There being no further business to come before the Board at this time, at the hour of 9:28 a.m., the meeting was adjourned.

**APPROVED:** James B. Gibson  
JAMES B. GIBSON, CHAIR

**ATTEST:** Lynn Marie Goya  
LYNN MARIE GOYA, COUNTY CLERK