



# Mountain Springs Citizens Advisory Council

Mountain Springs Fire Station

State Hwy 160

Mountain Springs, NV 89161

December 11, 2019

6:00 p.m.

AGENDA

**NOTE:**

- Items on the agenda may be taken out of order.
- The Board/Council may combine two or more agenda items for consideration.
- The Board/Council may remove an item from the agenda or delay discussion relating to an item at any time.
- No action may be taken on any matter not listed on the posted agenda.
- All planning and zoning matters heard at this meeting are forwarded to Board of County Commissioners Zoning Commission (BCC) or Clark County Planning Commission (PC) for final action.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With forty-eight (48) hour advance request, a sign language interpreter, or other reasonable efforts to assist and accommodate persons with physical disabilities, may be made available by calling 702-455-3530 or TDD 702-385-7486 or Relay Nevada toll free 800-326-6868, TD/TDD.
- Supporting material provided to Board/Council members for this meeting may be requested from Carol Hignite at 702-769-0208 and is/will be available at the County's website at [www.clarkcountynv.gov](http://www.clarkcountynv.gov).

Board Members: Paul Whissel - Chair Doug Thompson – Vice Chair  
Tanya Harrah Rick Schmalz Doug Seip

Secretary: Carol Hignite, 702-769-0208, [mtnspringssec@gmail.com](mailto:mtnspringssec@gmail.com)

County Liaison: MegganHolzer, 702-455-0341, [meggan@clarkcountynv.gov](mailto:meggan@clarkcountynv.gov)

- I. Call to Order, Pledge of Allegiance, Roll Call
- II. Public Comment- This is a period devoted to comments by the general public about items on this agenda. No discussion, action, or vote may be taken on this agenda item. You will be afforded the opportunity to speak on individual Public Hearing Items at the time they are presented. If you wish to speak to the Board/Council about items within its jurisdiction but not appearing on this agenda, you must wait until the "Comments by the General Public" period listed at the end of this agenda. Comments will be limited to three minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chair or the Board/Council by majority vote.
- III. Approval of Minutes for October 09, 2019 (For possible action)
- IV. Approval of Agenda for December 11, 2019 and Hold, Combine or Delete Any Items (For possible action)

BOARD OF COUNTY COMMISSIONERS  
MARILYN KIRKPATRICK, CHAIR - LAWRENCE WEEKLY, Vice-Chair  
LARRY BROWN - JAMES GIBSON - JUSTIN JONES - TICK SEGERBLOM  
YOLANDA KING, County Manager

V. Informational Items

1. Receive a report from Metro regarding activity and statistics during the past month and other area crime concerns (for discussion only)
2. Receive a report from Clark County Administrative Services on any updates from Clark County (for discussion only)
3. Receive a report from Nevada Department of Transportation regarding the on-going SR 160 road construction project. (for discussion only)

VI. Planning & Zoning

1. **AR-19-400153 (UC-18-0863)-ACVLB FAMILY TRUST-90 & BUSTOS, AUGUSTINE C. JR TRS:**  
**USE PERMIT SECOND APPLICATION FOR REVIEW** for live entertainment.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce the interior side setback for an accessory structure (stage); and **2)** reduce the minimum separation from a residential use for live entertainment conducted outdoors.  
**DESIGN REVIEW** for an outdoor stage in conjunction with an alcohol, on-premises consumption (tavern) establishment on 2.8 acres in an R-U (Rural Open Land) Zone in the Spring Mountain Overlay District. Generally located on the northeast corner of Williams Ranch Road and SR 160 within Mountain Springs. JJ/tk/jd (For possible action) **BCC 12/19/2019**

VII. General Business

1. Discuss sending a letter to USPS in support of placing mailboxes on both the north and south sides of State Hwy 160 once construction is complete. (for possible action)

Comments by the General Public- A period devoted to comments by the general public about matters relevant to the Board's/Council's jurisdiction will be held. No vote may be taken on a matter not listed on the posted agenda.

Comments will be limited to three minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please spell your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chair or the Board/Council by majority vote.

IX. Next Meeting Date: January 15, 2020

X. Adjournment

**POSTING LOCATIONS:** This meeting was legally noticed and posted at the following locations:

Mountain Springs Fire Station, State Hwy 160, Mountain Springs, NV 89161

North Frontage Road Mail Cluster

Mountain Springs Saloon, 19050 State Hwy 160, Mountain Springs, NV 89161

South Frontage Road Mail Clusters

<https://notice.nv.gov/>

BOARD OF COUNTY COMMISSIONERS  
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YOLANDA KING, County Manager

**ATTACHMENT A  
MOUNTAIN SPRINGS CITIZENS ADVISORY BOARD  
ZONING AGENDA  
WEDNESDAY, 6:00 P.M., DECEMBER 11, 2019**

01/08/20 BCC

1. **AR-19-400153 (UC-18-0863)-ACVLB FAMILY TRUST-90 & BUSTOS, AUGUSTINE C. JR TRS:**  
**USE PERMIT SECOND APPLICATION FOR REVIEW** for live entertainment.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce the interior side setback for an accessory structure (stage); and **2)** reduce the minimum separation from a residential use for live entertainment conducted outdoors.  
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LIVE ENTERTAINMENT  
(TITLE 30)

WILLIAMS RANCH RD/SR 160  
(MT SPRINGS)

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**AR-19-400153 (UC-18-0863)-ACVLB FAMILY TRUST-90 & BUSTOS, AUGUSTINE C. JR TRS:**

**USE PERMIT SECOND APPLICATION FOR REVIEW** for live entertainment.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce the interior side setback for an accessory structure (stage); and **2)** reduce the minimum separation from a residential use for live entertainment conducted outdoors.

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Generally located on the northeast corner of Williams Ranch Road and SR 160 within Mountain Springs. JJ/tk/jd (For possible action)

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**RELATED INFORMATION:**

**APN:**

174-19-000-010

**WAIVERS OF DEVELOPMENT STANDARDS.**

1. Reduce the interior side setback for an accessory structure (stage) to zero feet where 5 feet is the minimum per Table 30.40-1 (a 100% reduction).
2. Reduce the minimum separation for live entertainment conducted outdoors to zero feet from a residential use where 500 feet is the minimum per Table 30.44-1 (a 100% reduction).

**LAND USE PLAN:**

NORTHWEST COUNTY (MT SPRINGS) - RESIDENTIAL RURAL (UP TO 0.5 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 19050 SR 160
- Site Acreage: 2.8
- Project Type: Live entertainment
- Stage Height (feet): 2.5 (stage)/16 (canopy cover)
- Stage Square Feet: 225

### Site Plan

The approved site plan depicts a proposed outdoor stage located on the north side of the subject site. An existing rockery wall on the property line creates the back of the proposed stage area. A 15 foot by 15 foot stage will be placed in front of the rockery wall, facing towards the tavern and SR 160.

The entrance to the site is located on the west side of the property from Williams Ranch Road, and parking is located on the west side of the tavern. Various other structures and outdoor areas are located throughout the site.

### Landscaping

Landscaping consists of a variety of mature trees and native plants in this alpine environment. No changes to the landscaping are required or proposed with this application.

### Elevations

The stage consists of a 2.5 foot high platform with metal scaffolding and a metal roof extending up to 16 feet high. A fabric membrane will enclose the base platform, the back of the stage, and the roof.

### Previous Conditions of Approval

Listed below are the approved conditions for AR-19-400075 (UC-18-0863):

#### Current Planning

- Until December 19, 2019 to review as a public hearing.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Listed below are the approved conditions for UC-18-0863:

#### Current Planning

- Review by the Mountain Springs CAC at their first meeting in June and a review by the Board of County Commissioners as a public hearing on June 19, 2019;
- From March to October indoor amplified music permitted on the 2nd Friday of each month from 4:00 p.m. to 8:00 p.m., and Saturdays, Sundays and holidays from 12:00 p.m. to 8:00 p.m.;
- From March to October outdoor amplified music permitted on the 2nd Friday of each month from 4:00 p.m. to 8:00 p.m., and Sundays from 1:00 p.m. to 5:00 p.m.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and 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.

Applicant's Justification

The applicant states, this application is the second review for live entertainment; and that they have been in compliance with all required conditions and have no issues with Code Enforcement or the surrounding neighbors.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
AR-19-400075 (UC-18-0863)	Live entertainment first extension of time	Approved by BCC	June 2019
UC-18-0863	Live Entertainment	Approved by BCC	January 2019
UC-1556-93 & VC-1557-93 (CC-0288-08)	Clarification of conditions for a use permit and variance, which specified that live music be allowed until 1:00 a.m. on Friday, Saturday, and holiday Sundays, and 11:00 p.m. on non-holiday Sundays through Thursday; applicant and residents to work together on monitoring of noise (amplification) - expired	Approved by BCC	February 2009
DR-0676-08	New outdoor stage	Withdrawn by applicant	September 2008
UC-1556-93 & VC-1557-93	Modified live indoor and outdoor entertainment provisions previously approved with UC-196-82	Approved by PC	October 1993
UC-196-82	Allowed outdoor entertainment	Approved by PC	October 1982

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North, South, East, & West	Residential Rural (up to 0.5 du/ac)	R-U (Rural Open Land) Zone	Single family residences & undeveloped

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

**Analysis**

**Current Planning**

Title 30 standards of approval for an application for review state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred since the original approval. Since the original approval of the use permit for live entertainment (UC-18-0863) and the subsequent application for review (AR-19-400075) the applicant has been in compliance with all conditions of approval and has not had any issues with

the Las Vegas Metropolitan Police, Clark County Code Enforcement or the surrounding neighbors; therefore, staff can support this request and remove the time limit.

**Staff Recommendation**

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Remove the time limit.

**Public Works - Development Review**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT:** ACLVB FAMILY TRUST

**CONTACT:** LEBENE AIDAM-OLENE, BROWN, BROWN & PREMSRIRUT, 520 S. FOURTH STREET, #200, LAS VEGAS, NV 89101

