

Board of County Commissioners

CLARK COUNTY, NEVADA

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

COMMISSION CHAMBERS, GOVERNMENT CENTER
500 SOUTH GRAND CENTRAL PARKWAY
LAS VEGAS, NEVADA 89106
WEDNESDAY, JUNE 21, 2023

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 21st day of June at the hour of 9:00 a.m. The meeting was called to order at 9:04 a.m. by Chair Gibson and on roll call, the following members were present, constituting a quorum of the members:

CALL TO ORDER

CHAIR AND COMMISSIONERS:

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

Absent:

William McCurdy II

Also Present:

Robert Warhola, Deputy District Attorney
Nancy Amundsen, Director, Comprehensive Planning
Sami Real, Deputy Director, Comprehensive Planning
JaWaan Dodson, Asst. Manager, Development Services
Jason Allswang, Senior Plan Checker, Public Works
Tammy McMahan, Deputy Clerk
Michelle Hinkson, Deputy Clerk

ITEM NO. 1 Public Comment

JIM GIBSON

Good morning, I'll call this meeting to order. The first item on our agenda today is public comment. We invite any who wish to make a comment on any item that is on our agenda to come forward. For just an open comment where we invite you to wait.

Let me just tell you that, from the consent agenda we're going to hear Item 11, Items 53, 54, and 55. They're not going to go on the consent agenda. They'll be pulled and they'll be heard right after we do the consent agenda - so, that will be early in the meeting. So, if that influences what your interest is, because we allow you to speak, under our rules, one time. Miss Coleman? You were first.

MARGARET ANN COLEMAN

Thank you. Good morning.

GIBSON

Now, what I'm gonna ask today is that everyone make an effort to speak directly into the microphone. Thank you.

COLEMAN

Can you hear me now? This is Margaret Ann Coleman that I am. I'm here today to speak up on item... yesterday, I had discussed 38 concerning 2024 and '25 of your correcting the problem that I have been speaking up on since 2001. And to me, today is a new day, and it should be corrected today.

Now, PAGAYA has been P-A-G-A-Y-A I had said it was the People Association Group that accept you – Agency. You all call it something else, as a smart - as a funding property. It is a committee or a group that closes the door up on ownership of people that's entitled.

Now, as you know – (unintelligible). I don't know if the audience - audience can see that, or yourself, but I will submit them. These are paper of my ownership concerning my entitlement and the money and which I'm credited and due has been used by the Board committee that I have been asking for reimbursement. There's a contract there with the Golden Nugget that gives me the right to collect this money, because due to a – a illness in which I detected arsenic - lead poison as a changed person, I put it in a report, whereas this nurse or doctor, physician, named Katherine - Kathy Cryer, I mean, Crumby, had gave a diagnosis, whereas she defaulted at the same time, giving me a shot of Penicillin, whereas it came into a malpractice as well as an injury on the job.

Now, she has been up behind me changing her name and giving false identity to erase me. And Shannon Mulhughes, as the Deputy Clerk, played her role totally as being not the third party upon my collection.

As you know, I have been trying to recover ownership, 1316 Wizard. Now, I have been trying to give inspiration and inspiration corrections.

GIBSON

Thank you, Miss Coleman. If you can wrap it up in a couple of sentences, that's fine. But I know that - this committee heard your presentation -

COLEMAN

2000 -

GIBSON

- in the past. I know you're a long way from finished.

COLEMAN - 2001, I open up with the ownership of paying closing costs and also the property cost. I'm entitled to due collections and go back today. My name is Margaret Ann Coleman. You should give me a check from the Treasurer, I mean the Treasury Department of the government due to the fact you collected that money. I have not finished. I'm coming back.

GIBSON Well, thank you very much. Good morning, sir.

RAY MOFFATT Good morning. My name is Ray Moffatt. I'm a homeowner up in the Lone Mountain area. I'm wanting to address Item Number 4, which is the DR-23-0188. This notice was given to us in the mail saying it was going to be reviewed on the 13th. That meeting was canceled. We did not have opportunity to express public opinion about it. I did send my card in to oppose that, and so, in opposition, I ask that be removed from the approval. This was a great increase from 36 inches to 108 inches, so, nine-foot grade increase, that would definitely make a difference on my property's value, so, I'm concerned about that item.

We were told that the meeting was gonna be rescheduled for next Tuesday. That this property's issue's not on that agenda. So, I felt it necessary to address it here this morning. I ask that Number 4 be removed -

GIBSON So, we're going to - what we'll do - we'll put that from the consent agenda so it'll be heard.

RAY MOFFATT Okay. Thank you.

GIBSON Alright. It'll be a few minutes before we get there.

RAY MOFFATT Okay. Thank you.

GIBSON Is there anyone else who wishes to speak during public comment?

JAMES G. THOMAS Good morning. My name is James G. Thomas. I reside at 4580 Harley Spring Circle Las Vegas, Nevada, 89129. I likewise am opposing the DR – 23-0188 for the same reason. We were supposed to have a local meeting in the evening when all of our neighbors were available. This morning, we have people that were supposed – have issues, would like to be here, they have to work.

GIBSON We're going to hear that in a few minutes, so, you'll have an opportunity -

THOMAS Okay. Thank you.

GIBSON - to speak on it.

THOMAS So, we're going to do it on the 27th.

GIBSON We're going to do it now.

THOMAS You're going to do it now?

GIBSON Yes.

THOMAS Okay.

GIBSON We're gonna do it in just a couple of minutes.

THOMAS Okay.

GIBSON Thank you.

THOMAS You should also - I just received a text message from one of the neighbors. They sent an email in earlier based on the fact that the meeting wasn't - was canceled. Their name is Hobson, and you should find they have a - they have five points that they made in their email.

GIBSON So, what we'll ask you to do is make your points, and Commissioner Miller -

THOMAS Okay. Thank you, sir.

GIBSON - whose district this is, will make a decision about how to handle that. Thank you.

DAVID SHAEFER Good morning.

GIBSON Good morning.

SHAEFER My name is David Schaefer. I live at 5540 Buggy Siegel Circle. I wanted to speak on WS 23-0198.

GIBSON What is the item number on our agenda? Do you know that?

SHAEFER I don't, sir. My apologies.

GIBSON So, Miss Amundsen, would you find that one for us? (laughs)

NANCY AMUNDSEN Could he repeat the number again?

GIBSON Give us that number again.

SHAEFER It's application number WS-23-0198.

AMUNDSEN We will hear that one. It's Item Number 80.

GIBSON That's on our agenda to be heard today. You can speak now or you can wait until the item comes up -

SHAEFER I'll wait until the item comes up. Thank you so much.

GIBSON Is there anyone else who wishes to comment on a - on a specific item on our agenda today? Let it be known, the public comment is - period is closed. Miss Amundsen?

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

AMUNDSEN

The second item is the approval of the agenda after considering any additions or deletions of items. For the applicants' and audience's information, please be aware that additional renotification fees may be required if 85 days have passed since initial notification or there are modifications to the original application.

Staff has the following requests: hold to the July 19th, 2023 BCC meeting, Item 22 ET-23-400048; Item 24 ET-23-400057; Item 70 VS-23-0192; Item 71 UC-23-0191; Item 72 WC-23-400052; Item 73 UC-23-0209; Item 82 WS-23-0241; Item 86 ZC-23-0072; Item 87 VS-23-0073; Item 91 ZC-23-0207; and Item 92 VS-23-0208.

Hold to the August 16th, 2023 BCC meeting, Item 51 ZC-21-0004.

Hold to the September 20th, 2023 BCC meeting, Item 65 ET-21-400017.

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 22, 24, 51, 65, 70, 71, 72, 73, 82, 86, 87, 91, and 92. The zoning agenda stands ready for your approval.

GIBSON

Thank you. Mister Gronauer?

BOB GRONAUER

Good morning, Mister Chairman, Commissioners. Bob Gronauer, 1980 Festival Plaza Drive. I'm here on Items 93 and 94. We'd like to hold those until the July meeting and I think that's it.

GIBSON

Let me get over there. Commissioner Jones? That alright? Okay. Then we'll hold Items 93 and 94 until -

AMUNDSEN

July 19th.

GIBSON

- the July 19th meeting. Alright. Are there any other changes to the agenda at the pleasure of the Board? I'll entertain a motion on the agenda, then.

SANDRA BRITTAIN

Good morning. My name is Sandra Brittain, 5506 Rondonia Circle, Las Vegas, Nevada, 8912 - 120. Anyway, on the 13th, there was no pre-hearing, but it states that 11 is going to go through today?

GIBSON

That's why we've taken Item 11 off of the consent agenda and we'll hear it in a few minutes.

BRITTAIN

Okay. Well, one thing I wanted to know - well, so, you will listen to what I have to say about it?

GIBSON

We're going to hear what you have to say at that time.

BRITTAIN

'Cause I would like it to be restrained until all of you guys go through the documentation -

GIBSON

We're not going to vote on that item, until-

BRITTAIN Oh, ok-

GIBSON - until after we've heard what you have... what the people who are here have to say.

BRITTAIN Okay. Thank you so much.

JONES (inaudible)

GIBSON Alright. Is there anything more to - respecting this agenda? There's a motion for approval by Commissioner Jones. Please cast your vote. If you haven't voted - there we go. The motion carries.

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the agenda be approved.

VOTING AYE: Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

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

AMUNDSEN The third item on the agenda is the approval of minutes. The minutes of the May 17, 2023 zoning meeting are ready for your approval.

JONES (inaudible)

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

ACTION: It was moved by Commissioner Justin Jones. and carried by the following vote, that the minutes be approved.

VOTING AYE: Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

ROUTINE ACTION ITEMS (4-60):

AMUNDSEN Next are the routine action items, which consist of Items 4 through 60 except any items previously deleted and Items 4 and 11, as well as Items 53, 54, and 55. Those last three, 53, 54, and 55, will be heard separately with Items 88 through 90. The other two will be heard separately, as well.

These items may be considered together in one motion or subject to the conditions listed with each agenda item unless modified.

AMUNDSEN

Staff has the following requests: Item 12 AR-23-400066, delete Comprehensive Planning Bullet Number 1;

Item 13 AR-23-400068, delete Comprehensive Planning Bullet Number 1;

Item 21 ET-23-400047, change Comprehensive Planning Bullet Number 1 to read, "Until November 18th, 2025 to complete;"

Items 40 and 41, WS-23-0167 and TM-23-400045, please add the condition to read, "Per revised plans dated June 20th, 2023."

If there are no objections from the audience, the public hearing is now open, and the routine action portion of the agenda stands ready for your approval.

JONES

(inaudible)

GIBSON

Thank you. There's a motion to approve the non-consent - excuse me, the consent items. Any discussion on the motion? Please cast your votes. That motion carries.

ACTION:

It was moved by Commissioner Jones, and carried by the following vote, that the routine action items be approved.

VOTING AYE: Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

ITEM NO. 4 DR-23-0188-702 CAPITAL GROUP, LLC:

DESIGN REVIEW for finished grade on 2.5 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the northeast corner of Stange Avenue and Grand Canyon Drive within Lone Mountain. RM/sd/syp (For possible action)

AMUNDSEN

Next is Item Number 4 DR-23-0188, design review for finished grade on 2.5 acres in an R-E (Rural Estates Residential) (RNP-I) Zone, generally located on the northeast corner of Stange Avenue and Grand Canyon Drive within Lone Mountain.

GIBSON

Is the applicant here?

BRIAN MINTER

Yes, sir.

GIBSON

Good morning. Please give us your name and spell your last name.

MINTER

Brian Minter, M-I-N-T-E-R.

GIBSON

Thank you, Brian.

MINTER

Yes, sir.

GIBSON

Do you wanna tell us what this item...

MINTER Yes, sir. Just increase for grade. It's very standard for the Lone Mountain area. I believe that the gentleman lives across the street from me on Grand Canyon, that whole subdivision had the same waiver. This is not anything; it's just to get 18 inches to grade, which is what the Water Department and everybody asked us to do. It's not building anything extra. It's just to get to the 18 inches above Grand Canyon. It's every home on the - anywhere around there has the same waiver.

GIBSON Alright. Thank you. Let's – we'll – invite folks -

MINTER Yes, sir.

GIBSON This is a public hearing on Item 4.

RAY MOFFATT Good morning. It's - I'm Ray Moffatt again. 40 - 4560 Harley Springs Circle, Las Vegas, 89129. This piece of property we're discussing has a slope to it off of Grand Canyon, and the notice that came to us said that they're moving it up to nine feet higher. So, it apparently reaches Grand Canyon and that's gonna make quite a difference in the community, in our, you know, of our subdivisions there.

And so, I, you know, no - my understanding is taking the natural grade up 36 inches is within normal realm but going to 108 inches is beyond it. So, the – Mister Minter just mentioned about going 18 inches to grade on the back side of the property. That's over nine feet to get up to the level that he's wanting to get to. There's also dirt on the property that he's been moving there for some time. I don't know whether he's been properly permitted to add all that fill to the property, but if you look at that property now, it has already been full – higher than what really 18 inches would be from even the grade on Grand Canyon. So that's my concern.

GIBSON Alright.

RAY MOFFATT Thank you.

GIBSON Thank you. Is there anyone else who wishes to speak on Item 4?

RENEE MOFFATT Renee Moffatt, 4560 Harley Springs Circle. I went to a December meeting and he claimed at that time, because he wanted access to Grand Canyon, that he was not gonna build this lot up. I also went to a subsequent meeting where they – the subdivision below him has had to redo the entire subdivision because of the drainage from the large house that is on the corner of Red Coach and Grand Canyon. There's a very large house that was way built up. This guy promised us he wasn't gonna build up as high as him. It seems like he is anyways. He's going back on his word. And I also know that the - what's gonna cause to the drainage below him. They've already redone their drainage so that they would be able to sell their lots to people that would wish to buy them, so, they've already had to go in and redo all of their drainage so that their lots are sellable. What's gonna happen when he now adds to - more problems to their drainage? That's my concern.

GIBSON Alright. Thank you. Is there anyone else who wishes to speak on this item?

MINTER I don't know if I can -

GIBSON In a few minutes.

THOMAS Please. Thank you very much. I've already introduced myself, but James G. Thomas, 4580 Harley Springs Circle. Basically, I – echoing what my neighbor just said, the - the biggest problem to me on all of this is that we're here this morning advocating our views on this, when we were all kind of focused on doing it on the 13th, when it was canceled for lack of a quorum. And it was in the evening. Here, this morning, there's just the four of us, well, five well, three homesteads were represented, were able to attend.

I don't think it's a good way to do business with the – between the Board and the residents. The gentleman I mentioned, Mister Hobson, Paul and Toby Hobson - their - I just got a copy of their email, and their objections mirror what Mister Moffatt said.

So, it's not that we're not looking forward to having Mister Minter as a neighbor. We just don't want him up there in our face when we've been - we bought our properties for the views, et cetera. Thank you for your consideration of our input on this.

GIBSON Is there anyone else who wishes to speak on this item? Then the public hearing is closed. Commissioner Miller?

ROSS MILLER Thank you. This is a response from the applicant, if we can bring him back up.

MINTER Yeah, appreciate that. I just wanted to tell the homeowners, I believe everybody's from - I looked up the addresses - community across the street - this is simply - there's no excessive raising. Their community was brought up 18 feet in that area. I'm simply getting up to grade where every utility needs to - I'm not coming up any higher than necessary from every utility due to drainage. That's the only reason. Thank you.

MILLER Yeah. Thank you, sir. I believe you're likely correct. Gonna have Public Works weigh in on this for us at a later date. But unfortunately, since the Town Board was canceled, we weren't able to hear the opposition from the neighbors and kind of better understand their concerns. And so, it's great that we had the hearing today so that you won't have to come back at a future hearing. But what I'd like to do is move to continue it to the July meeting so that we can meet with the neighbors and better understand their concerns and understand if there's any alternatives out there.

GIBSON So, you're moving to move this item to this meeting in July?

MILLER Yes.

GIBSON Okay. That would be the 19th of July. So -

MILLER And go back to the Town Board in the interim.

GIBSON There would be an opportunity for this item to go back to the Town Board, have an evening meeting, and then it would be back here again on the 19th. And you'll get notice, the neighbors will get notice, of the Town Board agenda and meeting, and time, and all of that. Alright? There's a motion -

MILLER And -

GIBSON - on the floor. If there's no other discussion. Please cast your votes. And that motion carries. So, you'll be before the Town Board before long.

AMUNDSEN It - they will go before the Town Board on June 28th – 7th, on June 27th.

GIBSON June 27th, you'll be on the Town Board agenda. You'll get a notice about that.

THOMAS Yeah, we already got - already got notice about the 27th. Agenda came out yesterday. It was not on there. I would propose that it be the second Tuesday of July which is the next scheduled one, not this - not the June one that got delayed. It should be on the July evening.

AMUNDSEN That would be July 11th.

THOMAS Correct.

AMUNDSEN So, if you would - we can put it on that one, as well.

MILLER Sure, either works.

AMUNDSEN Okay.

MILLER But if that's better -

AMUNDSEN It'll be on July 11th.

MILLER - for the opposition, that's great. Thank you.

GIBSON So, we're going to take that motion as if it were to - we're gonna continue it, in any case, to the date that we indicated. The Town Board part was not a part of the motion. Alright. Thank you.

ACTION: It was moved by Commissioner Ross Miller, and carried by the following vote, that the item be continued to July 19, 2023 for the applicant to return to the Lone Mountain Town Board.

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

ITEM NO. 5 DR-23-0210-RAIL 15, LLC:
 DESIGN REVIEW for finished grade in conjunction with a future industrial development on 165.1 acres in an M-2 (Industrial) (AE-65 & AE-70) Zone. Generally located on the east side of Las Vegas Boulevard North and the north side of Pabco Road within the Northeast County. MK/rk/syp (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

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

CONDITONS OF APPROVAL –

Comprehensive 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; that Nevada Department of Transportation (NDOT) permits may be required; and that City of North Las Vegas permits may be required

ITEM NO. 6 DR-23-0213-RESORTS WORLD LAS VEGAS, LLC:

DESIGN REVIEWS for the following: 1) modify an existing comprehensive sign plan (Resorts World Hotel Casino); 2) increase the overall wall sign area; and 3) allow a roof sign in conjunction with an approved resort hotel (Resorts World) on 87.8 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the west side of Las Vegas Boulevard South, the east side of Sammy Davis Jr. Drive, and the north side of Genting Boulevard within Winchester. TS/dd/syp (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

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

CONDITIONS OF APPROVAL –

Comprehensive 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.

ITEM NO. 7 DR-23-0247-ACE A PROPCO:

DESIGN REVIEW for exterior facade modifications to an existing restaurant on a portion of 61.4 acres in conjunction

with a resort hotel (CityCenter) in an H-1 (Limited Resort and Apartment) Zone. Generally located on the southwest corner of Las Vegas Boulevard South and Harmon Avenue within Paradise. JG/sd/syp (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

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

CONDITIONS OF APPROVAL –
Comprehensive Planning

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

Clark County Water Reclamation District (CCWRD)

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

ITEM NO. 8 DR-23-0258-ACE A PROPCO:

AMENDED DESIGN REVIEW for modifications to a comprehensive sign plan in conjunction with a resort hotel (CityCenter) on a portion of 61.4 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the south side of Harmon Avenue and the west side of Las Vegas Boulevard South within Paradise. JG/bb/syp (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

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

CONDITIONS OF APPROVAL –
Comprehensive 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.

ITEM NO. 9 AR-23-400050 (UC-22-0426)-DIAMOND CREEK HOLDINGS, LLC SERIES 8:

USE PERMIT FIRST APPLICATION FOR REVIEW for a school in conjunction with an existing office and retail shopping center on 0.8 acres in a C-2 (General Commercial) Zone and a C-P (Office and Professional) Zone. Generally located on the west side of Eastern Avenue and the north side of Ford Avenue within Paradise. MN/rp/syp (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

VOTING AYE: Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

CONDITIONS OF APPROVAL –
Comprehensive Planning

- Until June 21, 2024 to review as a public hearing.
- Applicant is advised that obtaining a business license is required for this site; 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; and that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review.

ITEM NO. 10 AR-23-400063 (UC-0925-06)-KING DAVID, LLC:

USE PERMIT SIXTH APPLICATION FOR REVIEW for a massage establishment in conjunction with an existing shopping center on 3.3 acres in a C-1 (Local Business) Zone and a C-2 (General Commercial) Zone. Generally located on the west side of Eastern Avenue, 150 feet north of Rochelle Avenue within Paradise. TS/rp/syp (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

VOTING AYE: Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

CONDITIONS OF APPROVAL –
Comprehensive Planning

- Remove the time limit.

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 AR-23-400064 (UC-20-0363)-DINGEE FAMILY TRUST:

USE PERMIT SECOND APPLICATION FOR REVIEW to allow on-site clients in conjunction with an existing home occupation at a single-family residence on 0.4 acres in an R-D (Suburban Estates Residential) Zone. Generally located on

the west side of Rondonia Circle, 415 feet south of San Blas Drive within Paradise. JG/dd/syp (For possible action)

AMUNDSEN The next item is Item 11 AR-23-400064, use permit second application for review to allow an on - on-site clients in conjunction with an existing home occupation at a single-family residence on 0.4 acres in an R-D suburban, rural – uh – suburd - Suburban Estates Residential Zone, generally located on the west side of Rondonia Circle, 415 feet south of San Blas Drive, within Paradise.

GIBSON Good morning.

WENDY DINGEE Good morning, Mister Chairman, Commissioners. My name is Wendy Dingee, D-I-N-G-E-E, and I am asking for permission to retain the permission that was granted – due to the fact that I have happily complied with all restrictions, and there has been no adverse or otherwise effects to the neighborhood in the over two years since this was granted.

GIBSON Have you had communication with neighbors over the course of that time?

DINGEE I have, yes.

GIBSON Pardon me?

DINGEE Yes, I have, sir.

GIBSON And have there been additional complaints lodged with you over that time?

DINGEE Complaints in the form of a lawsuit, yes.

GIBSON Okay. But no - in terms of new complaints or new issues -

DINGEE No, sir.

GIBSON Alright. Thank you. This is a public hearing on Item 11, which is now open. Anyone who wishes to speak is invited to come forward and indicate to us your comments.

RICARDO HUNTER I'm sorry. Good morning. My name is Ricardo Hunter. I reside at 5506 Rondonia Circle, 89120. The last time I was here in front of you, I was opposed to this business in my residential area. I stand fast on that. It's a residential area. It is not for commercial, not for the business that she wants to set up. I will always be opposed to that. Thank you.

HUNTER

GIBSON Thank you. Is there anyone else who wishes to speak?

BRITTAIN Sandra Brittain, 5506 Rondonia Circle, Las Vegas, Nevada, 89120. November 18th, 2021. None of us wanted this in this particular area. The attorney, at that particular time, when I presented CCRs, which related to - which was related to exclusively residential area, he stated, "The only way that this could be adjudicated was for me to go to court." I went to court the first time because of arbitration; we're a independent unit. We don't have a – um - HOA or anything like that. Independent. So, I went through arbitration that lasted 10 minutes because they kept saying they didn't have CCRs, which they did, because I gave them to them. But anyway, I ended up in

BRITTAİN

District Court. Filed my case and everything. They were extremely delayed, but the whole point of it is the case was proceeding as appropriate. And then they pulls out the res judicata, which is not appropriate for yours, Proposition 90, or 19 for Henderson. Henderson said it best, just like the attorney: we do not deal with them. It is up to the people. I got in court. I ended up – I got a chance to amend my complaint. Their attorney kept saying feel vicious, they're just vicious and very negligent in their own. I can say that now 'cause I've gone through the case. But in the end, my case got dismissed, because when it came time for me to amend my complaint, it was stated in the propose that plaintiff causes of action for one breach of CCNRs and permanent injunction are barred under the doctrines of res judicata, collateral estoppel, and defendants' absolute litigation privilege. Mind you, I was representing myself, I'd done all the reading I could. This is a lie. The judge let this go. And so I disagreed on a proposal. I've sent a copy of this. Did you get it? Anyw -

GIBSON

We have it.

BRITTAİN

Okay. And it kept - up to that point, I was going - I knew they were afraid because once I got in there, I was gonna use the proper NRSs.

And so, my case was dismissed without prejudices on the basis of this. This is illegal, what was done, and I did finally get an attorney who was willing to do an appeal. But then I thought about it for a week. He said, "That'll cost tens of thousands, but you'll get it." He knew everything about it, before them could get it here, and unfairly. They brought their attorney in as a gangster. He wasn't there to figure out the right and wrong. This was not criminal. This was civil, us protecting the integrity of our neighborhood. And I was told to do this, and I even intimated that by the views and so forth.

And I'm asking you to take a look. These documents you wanna see, they were submitted directly to the judge, and I was shocked 'cause it was submitted on the 19th, and it wasn't - and I'm sitting there, it wasn't considered, 'cause I even said, "Did you consider me, my objection?" They did consider my objection when it came to paying attorney fees. The court came through for me on that. So, that's what I'm saying. They intentionally did this, and it intentionally indicates they know. And I know their attorney told them that, because why would he start with that?

GIBSON

Thank you, ma'am.

BRITTAİN

Okay. Here are the - these are documents you will not see. Who do I - where do I put -

GIBSON

We'll ask someone to take that from you right there.

BRITTAİN

Yeah. And I even contacted Attorney General, and I even had -

GIBSON

Thank you.

BRITTAİN

Okay. Thank you.

ANNA GALAZA

Anna Galaza, 5454 Ramillete Road-

GIBSON Would you put that down and line it up right with the - yes, thank you.

GALAZA Anna Galaza, 5454 Ramillete Road. I am here with a no-vote for Miss Dingee, for the simple reason she lied to the Board on our last meeting when she brought up Arlene McMinn and made that poor old lady, which is her client/patient, and lie, and say she was her mother. They are just associates.

And furthermore, during our very first meeting, you granted her basically a stay, where she could conduct her business. And with that being said, she couldn't afford the rent. That's why she wanted to do the business out of her home. Well, being that she is involved with mental health with her patients/clients, I'm hearing conversations in the backyard, and not within the confines of her home. And when you do this, that's in violation of the HIPAA Act. And she complained that the rent was too high, the walls are too thin, I wanna make it a home setting. Well, if you wanna make it a home setting, why aren't you going to your clients' house?

So, if the Board, you know, appreciates people lying to them, that isn't right, either. Then there's no integrity for this entire Board if they accept lies from a person. So, my answer is no. And I have a lot of other people who live in the neighborhood who are screaming, "We don't want it." And now I've just heard from another neighbor, she wants to increase her client base, meaning more traffic in the neighborhood. And a lot of my elderly neighbors are very nervous when they see strange cars, speeding up and down and then slowing down and checking, you know, people's houses out, because they don't know what's going through their mind. And again, dealing with mental health patients if she was renting a space, there would be security. There is no security at her house in case one of these people decide to go postal, per se. That's about it. Thank you for hearing me out.

GIBSON Thank you. Is there anyone else who wishes to speak on this item? The public hearing is closed. Would you please come back up to the microphone Miss Dingee? In a week, how many patients do you see at your home?

DINGEE About less than 20.

GIBSON Okay. And you're complying fully with every requirement that we imposed upon you. We put limitations on parking and the number of people at a time and that sort of thing?

DINGEE Yes, sir. Absolutely.

GIBSON We're not - issues that relate to HIPAA violations are not something that we have any authority over. We know what HIPAA is about as well as anybody else in the building -

DINGEE Mm.

GIBSON -but beyond that we don't.

DINGEE Mm. Conversations in my backyard are with friends and family, sir.

GIBSON And your commitment is to continue to comply with the limitations that we imposed

GIBSON upon you.

DINGEE Absolutely.

GIBSON Okay. U - then, at this time, I'm prepared to move that we approve the application in front of us and that we remove the review. So just go forward and you keep complying and things will be fine.

DINGEE Thank you, sir.

GIBSON Is there any discussion on my motion? Please cast your votes. Motion carries. Thank you for being here today. Next item.

ACTION: It was moved by Commissioner Jim Gibson, and carried by the following vote, that the application be approved subject to staff conditions.

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

CONDITIONS OF APPROVAL –
Comprehensive Planning

- Remove the time limit.

Clark County Water Reclamation District (CCWRD)

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

ITEM NO. 12 AR-23-400066 (ZC-21-0442)-A & AR, LLC:

USE PERMITS FIRST APPLICATION FOR REVIEW for the following: 1) recreational facility (indoor sports facility); 2) restaurant; 3) on-premises consumption of alcohol (a lounge); and 4) allow alternative landscaping where landscaping per Figure 30.64-12 is required.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) departure distance; 2) reduce bicycle parking; 3) reduce setbacks; 4) reduce loading spaces; and 5) reduce height/setback ratio.

DESIGN REVIEW for a distribution center on 3.3 acres in an M-D (Designed Manufacturing) (AE-65) Zone. Generally located on the south side of Oquendo Road and the west side of Topaz Street within Paradise (description on file).

JG/dd/syp (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Remove the time limit.

Public Works - Development Review

- Compliance with previous conditions.

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. 13 AR-23-400068 (UC-20-0456)-DURANGO PEBBLE PLAZA, LLC:

USE PERMITS FIRST APPLICATION FOR REVIEW for the following: 1) convenience store; 2) gasoline station; 3) packaged liquor sales; 4) reduce the separation for a proposed convenience store to a residential use; and 5) reduce separation for a proposed gasoline station to a residential use.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce departure distance; and 2) alternative driveway geometrics.

DESIGN REVIEWS for the following: 1) convenience store with gasoline station; and 2) retail/restaurant with drive-thru on 2.5 acres in a C-1 (Local Business) Zone. Generally located on the northeast corner of Durango Drive and Pebble Road within Enterprise. JJ/rp/syp (For possible action)

ACTION:

It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

VOTING AYE:

Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY:

None

ABSENT:

William McCurdy II

ABSTAIN:

None

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Remove the time limit.

Public Works - Development Review

- Compliance with previous conditions.

ITEM NO. 14 AR-23-400069 (UC-21-0120)-3535 LV NEWCO, LLC:

USE PERMIT FIRST APPLICATION FOR REVIEW to allow primary access to a restaurant from the exterior of a resort hotel.

DESIGN REVIEW to update the exterior façade in conjunction with an approved restaurant within a resort hotel (LINQ) on a 9.0-acre portion of approximately 60.0 acres on an H-1 (Limited Resort and Apartment) Zone. Generally located on the west side of Koval Lane, 900 feet north of Flamingo Road within Paradise. TS/dd/syp (For possible action)

ACTION:

It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

VOTING AYE:

Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY:

None

ABSENT:

William McCurdy II

ABSTAIN: None

CONDITIONS OF APPROVAL –
Comprehensive Planning

- Remove the time limit.

Public Works - Development Review

- Compliance with previous conditions.

ITEM NO. 15 ET-23-400035 (VS-20-0575)-D.R. HORTON, INC:

VACATION AND ABANDONMENT FIRST EXTENSION OF TIME for easements of interest to Clark County located between Dean Martin Drive and Valley View Boulevard, and between Frias Avenue and Cactus Avenue within Enterprise (description on file). JJ/tpd/syp (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

VOTING AYE: Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

CONDITIONS OF APPROVAL –
Comprehensive Planning

- Until March 3, 2025 to record.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that re-approval by the utility companies will be required.

Public Works - Development Review

- Compliance with previous conditions.

ITEM NO. 16 ET-23-400038 (UC-21-0011)-3950, LLC:

USE PERMIT FIRST EXTENSION OF TIME for a proposed cannabis establishment (cultivation facility) on a portion of 4.9 acres in an M-1 (Light Manufacturing) Zone. Generally located on the north side of Tompkins Avenue, 300 feet east of Wynn Road within Paradise. MN/tpd/syp (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

VOTING AYE: Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until March 3, 2025 to obtain a valid Clark County Business License for a cannabis cultivation facility.
- Applicant is advised that this application is contingent upon obtaining a license from the State of Nevada and Clark County Business License Department; failure to abide by and faithfully comply with the conditions of approval, Clark County Code, and the provisions of the Nevada Revised Statutes or Nevada Administrative Code may result in revocation of this application; approval of this application does not constitute or imply approval of any other County issued permit, license or approval; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

ITEM NO. 17 ET-23-400039 (UC-21-0012)-3950, LLC:

USE PERMIT FIRST EXTENSION OF TIME for a proposed cannabis establishment (production facility) on a portion of 4.9 acres in an M-1 (Light Manufacturing) Zone. Generally located on the north side of Tompkins Avenue, 300 feet east of Wynn Road within Paradise. MN/tpd/syp (For possible action)

ACTION:

It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

VOTING AYE:

Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY:

None

ABSENT:

William McCurdy II

ABSTAIN:

None

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until March 3, 2025 to obtain a valid Clark County Business License for a cannabis production facility.
- Applicant is advised that this application is contingent upon obtaining a license from the State of Nevada and Clark County Business License Department; failure to abide by and faithfully comply with the conditions of approval, Clark County Code, and the provisions of the Nevada Revised Statutes or Nevada Administrative Code may result in revocation of this application; approval of this application does not constitute or imply approval of any other County issued permit, license or approval; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions

ITEM NO. 18 ET-23-400040 (WS-21-0013)-3950, LLC:

WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for the following: 1) parking lot landscaping; 2) pedestrian walkway; 3) mechanical equipment screening; 4) reduced throat depth; and 5) driveway geometrics.

DESIGN REVIEW for a proposed cannabis establishment building on a portion of 4.9 acres in an M-1 (Light Manufacturing) Zone. Generally located on the north side of Tompkins Avenue, 300 feet east of Wynn Road within

Paradise. MN/tpd/syp (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until March 3, 2025 to commence.
- Applicant is advised that this application is contingent upon obtaining a license from the State of Nevada and Clark County Business License Department; failure to abide by and faithfully comply with the conditions of approval, Clark County Code, and the provisions of the Nevada Revised Statutes or Nevada Administrative Code may result in revocation of this application; approval of this application does not constitute or imply approval of any other County issued permit, license or approval; 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. 19 ET-23-400042 (ZC-21-0095)-COLLABORATION CENTER FOUNDATION, INC:
ZONE CHANGE SECOND EXTENSION OF TIME to reclassify 4.7 acres from an R-E (Rural Estates Residential) Zone to a C-P (Office and Professional) Zone.

USE PERMITS for the following: 1) major training facility; 2) recreational facility with temporary commercial outdoor events; and 3) live entertainment.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce parking; 2) reduce separation from a temporary commercial outdoor event to a residential use; 3) reduce separation from outdoor live entertainment to a residential use; and 4) allow modified driveway design standards.

DESIGN REVIEW for a major training facility, office uses, and recreational facility in conjunction with a non-profit disability service provider in the CMA Design Overlay District. Generally located on the north side of Windmill Lane and the east side of Gagnier Boulevard (alignment) within Spring Valley (description on file). MN/tpd/syp (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until April 21, 2025 to complete;
- Until April 21, 2025 to review the use permits as 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 commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

ITEM NO. 20 ET-23-400043 (WS-20-0165)-GENERAL GIFTS, INC.:

WAIVER OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for alternative driveway geometrics. DESIGN REVIEW for a proposed office/warehouse facility on 4.2 acres in an M-1 (Light Manufacturing) Zone. Generally located on the north side of Emerald Avenue, 1,220 feet east of Stephanie Street within Whitney. JG/tpd/syp (For possible action)

ACTION:

It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

VOTING AYE:

Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY:

None

ABSENT:

William McCurdy II

ABSTAIN:

None

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until April 21, 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

- Compliance with previous conditions.

ITEM NO. 21 ET-23-400047 (NZC-0601-15)-ROBINDALE & ASSOCIATES, LLC:

ZONE CHANGE THIRD EXTENSION OF TIME to reclassify 3.1 acres from an R-E (Rural Estates Residential) Zone to an M-D (Designed Manufacturing) Zone.

DESIGN REVIEWS for the following: 1) a mini-warehouse facility; and 2) recreational vehicle and boat storage.

Generally located on the north side of Robindale Road, 1,250 feet west of Decatur Boulevard within Enterprise (description on file). MN/nai/syp (For possible action)

ACTION:

It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

VOTING AYE:

Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY:	None
ABSENT:	William McCurdy II
ABSTAIN:	None

CONDITIONS OF APPROVAL –
Comprehensive Planning

- Until November 18, 2025 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 there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

ITEM NO. 22 ET-23-400048 (UC-18-0168)-LAKE LAMB HOLDINGS REVOCABLE LIVING TRUST ETAL & MORADI HAMID TRS:

USE PERMITS THIRD EXTENSION OF TIME for the following: 1) reduce the separation from a gasoline station to a residential use; 2) reduce the separation from a tire sales and installation facility to a residential use; 3) reduce the separation from a vehicle maintenance facility to a residential use; 4) reduce the separation from a vehicle repair facility to a residential use; 5) permit a proposed vehicle paint and body shop facility; 6) permit a proposed tire sales and installation facility in the APZ-2 Overlay District; 7) permit a proposed vehicle maintenance facility in the APZ-2 Overlay District; 8) permit a proposed vehicle paint and body shop facility in the APZ-2 Overlay District; 9) permit a proposed vehicle repair facility in the APZ-2 Overlay District; 10) permit a proposed vehicle rental facility in the APZ-2 Overlay District; and 11) permit a proposed vehicle sales facility in the APZ-2 Overlay District.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce the separation from a vehicle paint and body shop to a residential use; 2) permit a vehicle paint and body shop as a principal use; 3) increase block wall height; 4) reduced improvement standards (throat depth) where required per Uniform Standard Drawings; and 5) modified street standards.

DESIGN REVIEWS for the following: 1) proposed convenience store; 2) proposed gasoline station; 3) proposed tire sales and installation facility; 4) proposed vehicle maintenance facility; 5) proposed vehicle paint and body shop; 6) proposed vehicle repair facility; 7) proposed vehicle rental facility; and 8) proposed vehicle sales facility on 3.9 acres in an M-D (Designed Manufacturing) (APZ-2) Zone. Generally located on the east side of Lamb Boulevard and the north side of Lake Mead Boulevard within Sunrise Manor. TS/tpd/syp (For possible action

ACTION: Deleted from the agenda (held to July 19, 2023 per the applicant).

ITEM NO. 23 ET-23-400049 (UC-20-0049)-DESERTXPRESS ENTERPRISES, LLC:

USE PERMITS SECOND EXTENSION OF TIME for the following: 1) a passenger terminal (train station); 2) retail sales; 3) restaurants; and 4) outside dining and drinking.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) elimination of freeway buffer; and 2) encroachment into airspace.

DESIGN REVIEWS for the following: 1) passenger terminal (train station); and 2) alternative landscaping in conjunction with a passenger terminal on 110.7 acres in an H-1 (Limited Resort and Apartments) (AE-60 & AE-65) Zone. Generally located on the west side of Las Vegas Boulevard South and the north side of Blue Diamond Road within Enterprise. MN/tpd/syp (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

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

CONDITIONS OF APPROVAL –
Comprehensive Planning

- Until March 4, 2025 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

- Compliance with previous conditions.

ITEM NO. 24 ET-23-400057 (ZC-0215-15)-SULEIMAN, WATHIQ:

USE PERMIT FOURTH EXTENSION OF TIME for retail sales as a principal use.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscape width; 2) reduce trash enclosure setback from a residential development; 3) reduce setbacks; and 4) reduce height/setback ratio adjacent to a single-family residential use on 0.4 acres in an M-D (Designed Manufacturing) (AE-75) Zone. Generally located on the southeast corner of Pecos Road and Gowan Road within Sunrise Manor (description on file). WM/bb/syp (For possible action)

ACTION: Deleted from the agenda (held to July 19, 2023 per the applicant).

ITEM NO. 25 ET-23-400058 (NZC-20-0039)-BELTWAY ASSOCIATES, LTD:

ZONE CHANGE FIRST EXTENSION OF TIME to reclassify 5.2 acres from a C-2 (General Commercial) Zone to an R-5 (Apartment Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) increase wall height; and 3) modified driveway design standards.

DESIGN REVIEWS for the following: 1) a multiple family residential development; 2) alternative parking lot landscaping; and 3) finished grade. Generally located on the east side of Eula Street and the north side of Rochelle Avenue (alignment) within Spring Valley (description on file). JJ/dd/syp (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

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

CONDITIONS OF APPROVAL –
Comprehensive Planning

- Until April 21, 2025 to complete.

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has 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. 26 ET-23-400059 (VS-18-1029)-P N II, INC:

VACATE AND ABANDON SECOND EXTENSION OF TIME for easements of interest to Clark County located between Starr Avenue and Terrill Avenue and between La Cienega Street and Fairfield Avenue (alignment), and portions of rights-of-way being Terrill Avenue located between La Cienega Street and Fairfield Avenue (alignment) and Fairfield Avenue located between Terrill Avenue and Starr Avenue within Enterprise (description on file). MN/rp/syp (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

VOTING AYE: Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

CONDITIONS OF APPROVAL –
Comprehensive Planning

- Until April 17, 2025, to record.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that re-approval by utility companies is required.

Public Works - Development Review

- Compliance with previous conditions.

ITEM NO. 27 ET-23-400065 (WS-19-0185)-RAINBOW 215 PROPERTIES, LLC:

WAIVERS OF DEVELOPMENT STANDARDS SECOND EXTENSION OF TIME for the following: 1) allow alternative landscaping adjacent to a drive-thru lane along a public right-of-way (Rainbow Boulevard); and 2) modified street standards.

DESIGN REVIEW for modifications to an approved shopping center on 9.1 acres in a C-2 (General Commercial) Zone in the CMA Design Overlay District. Generally located on the east side of Rainbow Boulevard and the north side of Capovilla Avenue within Enterprise. MN/rp/syp (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

VOTING AYE: Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross

VOTING NAY:
ABSENT:
ABSTAIN:

Miller, Michael Naft, Tick Segerblom
None
William McCurdy II
None

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until May 8, 2025 to commence.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

ITEM NO. 28 UC-23-0190-PARBALL NEWCO, LLC:

USE PERMIT for deviations as shown per plans on file in conjunction with a resort hotel (Horseshoe).

DEVIATIONS for the following: 1) to reduce the separation between freestanding signs; and 2) deviations as shown per plans on file.

DESIGN REVIEW for modifications to a comprehensive sign plan in conjunction with a resort hotel (Horseshoe) on 30.0 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 Flamingo Road within Paradise. JG/md/ja (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

VOTING AYE:

Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY:

None

ABSENT:

William McCurdy II

ABSTAIN:

None

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised signs 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.

ITEM NO. 29 UC-23-0225-NP DURANGO, LLC:

USE PERMIT for live entertainment.

DESIGN REVIEWS for the following: 1) minor expansion to a resort hotel; and 2) tandem parking spaces on 50.0 acres in an H-1 (Limited Resort and Apartment) Zone within a P-C (Planned Community) Overlay District within the Rhodes Ranch Master Planned Community. Generally located between the CC 215 Beltway and Maule Avenue on the west side of Durango Drive within Spring Valley. JJ/rk/syp (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that

the application be approved subject to staff conditions.

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Traffic study and compliance.

ITEM NO. 30 VS-23-0136-RAINBOW 26 LLC:

AMENDED HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Rainbow Boulevard and Santa Margarita Street, and between Oquendo Road and Quail Avenue, and a portion of right-of-way being Rainbow Boulevard located between Oquendo Road and Quail Avenue, and a portion of right-of-way being Quail Avenue located between Rainbow Boulevard and Santa Margarita Street (previously not notified) within Spring Valley (description on file). MN/lm/syp (For possible action) (held from May 17, 2023)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

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

Public Works - Development Review

- Right-of-way dedication to include 30 feet for Oquendo Road, 5 feet for Rainbow Boulevard, and associated spandrels;
- If required by the Regional Transportation Commission (RTC), construct right-of-way for a combination right turn lane/bus turnout on Rainbow Boulevard, including passenger loading/shelter areas in accordance with RTC standards;

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

ITEM NO. 31 UC-23-0135-RAINBOW 26 LLC:

AMENDED HOLDOVER USE PERMITS for the following: 1) convenience store; 2) gasoline station; and 3) vehicle maintenance.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) alternative landscaping; 2) reduce parking; 3) reduce driveway approach and departure distances from the intersection; and 4) allow a modified driveway design.

DESIGN REVIEWS for the following: 1) alternative parking lot landscaping; 2) a proposed shopping center; and 3) finished grade on 3.8 acres in a C-1 (Local Business) (AE-60) Zone in the CMA Design Overlay District. Generally located on the east side of Rainbow Boulevard and the north side of Oquendo Road within Spring Valley. MN/lm/syp (For possible action) (held from May 17, 2023)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

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

CONDITIONS OF APPROVAL –
Comprehensive Planning

- Expunge WS-21-0545;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- 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; 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;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Oquendo Road, 5 feet for Rainbow Boulevard and associated spandrels;
- Install a median island in the Oquendo Road driveway to prevent left turns out of the driveway;
- Install "No Left Turn" signage at the Oquendo Road driveway to prevent left turns out of the driveway.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb, 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.

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 #0376- 2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 32 VS-23-0222-LV TEE PEE ROAD ONE, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Meranto Avenue and Serene Avenue, and between Newbattle Street and Tee Pee Lane (alignment) within Enterprise (description on file). JJ/al/syp (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

VOTING AYE: Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

CONDITIONS OF APPROVAL –
Comprehensive Planning

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

Public Works - Development Review

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

ITEM NO. 33 WS-23-0221-LV TEE PEE ROAD ONE, LLC:

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

DESIGN REVIEWS for the following: 1) a single-family residential development; 2) hammerhead turnaround; and 3) finished grade on 2.5 acres in an R-2 (Medium Density Residential) Zone. Generally located on the northwest corner of Meranto Avenue and Tee Pee Lane (alignment) within Enterprise. JJ/al/syp (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

VOTING AYE: Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY: None

ABSENT:
ABSTAIN:

William McCurdy II
None

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Expunge WS-20-0010 and TM-20-500001;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that 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;
- Right-of-way dedication to include 30 feet for Meranto Avenue.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

ITEM NO. 34 TM-23-500064-LV TEE PEE ROAD ONE, LLC:

TENTATIVE MAP consisting of 20 single family residential lots and 1 common lot on 2.5 acres in an R-2 (Medium Density Residential) Zone. Generally located on the northwest corner of Meranto Avenue and Tee Pee Lane (alignment) within Enterprise. JJ/al/syp (For possible action)

ACTION:

It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

VOTING AYE:

Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY:

None

ABSENT:

William McCurdy II

ABSTAIN:

None

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

Public Works - Development Review

- Drainage study and compliance;

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

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 #0024-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 35 VS-23-0245-COUNTY OF CLARK (AVIATION):

VACATE AND ABANDON easements of interest to Clark County located between Arby Avenue and Capovilla Avenue, and between Cameron Street and Rodgers Street and a portion of right-of-way being Ullom Drive located between Capovilla Avenue and Warm Springs Road within Enterprise (description on file). MN/rk/syp (For possible action)

ACTION: Deleted from the agenda (renoticed for July 19, 2023).

ITEM NO. 36 WS-23-0244-COUNTY OF CLARK (AVIATION):

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; 2) allow alternative landscaping and attached sidewalks; 3) reduce street intersection off-set; and 4) waive street dedication.

DESIGN REVIEWS for the following: 1) single family residential development; and 2) finished grade on 17.7 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the east and west sides of Cameron Street and the south side of Arby Avenue within Enterprise. MN/rk/syp (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

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

**CONDITIONS OF APPROVAL –
Comprehensive 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 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;
- Right-of-way dedication to include 30 feet to 60 feet for Cameron Street, 30 feet for Capovilla Avenue, 30 feet

for Arby Avenue and associated spandrels;

- Dedication and vacation of Ullom Drive to be coordinated with Public Works - Development Review.
- 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; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; that separate airspace determinations will be needed for construction cranes or other temporary equipment; that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com 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.

ITEM NO. 37 TM-23-500070-COUNTY OF CLARK (AVIATION):

TENTATIVE MAP consisting of 31 single family residential lots and common lots on 17.7 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the east and west sides of Cameron Street and the south side of Arby Avenue within Enterprise. MN/rk/syp (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

VOTING AYE: Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

CONDITIONS OF APPROVAL – Comprehensive 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 30 feet to 60 feet for Cameron Street, 30 feet for Capovilla Avenue, 30 feet for Arby Avenue and associated spandrels;
- Dedication and vacation of Ullom Drive to be coordinated with Public Works - Development Review.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com 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 #0133-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 38 WC-23-400051 (UC-0563-14)-TOP SHELF DEVELOPMENT, LLC:

WAIVER OF CONDITIONS of a use permit to remove the proposed drive-thru as shown on Future Pad #1 in conjunction with an approved retail center on 2.0 acres in a C-2 (General Commercial) Zone. Generally located on the west side of Fort Apache Road and north side of Huntington Cove Parkway within Enterprise. JJ/jor/syp (For possible action)

ACTION:

It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

VOTING AYE: Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

CONDITIONS OF APPROVAL –

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0153-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 39 WS-23-0203-TOP SHELF DEVELOPMENT, LLC:

WAIVER OF DEVELOPMENT STANDARDS to reduce the building height setback ratio.

DESIGN REVIEWS for the following: 1) a commercial center with a retail building and fast food restaurant with a drive-thru; and 2) alternative parking lot landscaping on 2.0 acres in a C-2 (General Commercial) Zone. Generally located on the northwest corner of Fort Apache Road and Huntington Cove Parkway within Enterprise. JJ/jor/syp (For possible

action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

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

CONDITIONS OF APPROVAL –
Comprehensive 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 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; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review
• Traffic study and compliance.

Clark County Water Reclamation District (CCWRD)
• Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0153-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 40 WS-23-0167-USA:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate street landscaping; 2) increase retaining wall height; and 3) reduce street intersection off-set.

DESIGN REVIEWS for the following: 1) single family residential development; and 2) finished grade on 5.0 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the east side of Egan Crest Drive and the north side of La Mancha Avenue (alignment) within Lone Mountain. RM/jor/syp (For possible action) (held from June 7, 2023)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

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

CONDITIONS OF APPROVAL –
Comprehensive Planning

- Per revised plans dated June 20, 2023;
- All perimeter walls shall be decorative.
- 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;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Right-of-way dedication to include 30 feet for El Campo Grande Avenue, 30 feet for Egan Crest Drive, 30 feet for La Mancha Avenue, and associated spandrels.
- 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.

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.

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 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.

ITEM NO. 41 TM-23-500045-USA:

HOLDOVER TENTATIVE MAP consisting of 8 residential lots on 5.0 acres in an R-E (Rural Estates Residential) Zone. Generally located on the east side of Egan Crest Drive and the north side of La Mancha Avenue (alignment) within Lone Mountain. RM/jor/syp (For possible action) (held from June 7, 2023)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

VOTING AYE: Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

CONDITIONS OF APPROVAL – Comprehensive Planning

- Per revised plans dated June 20, 2023.
- 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;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Right-of-way dedication to include 30 feet for El Campo Grande Avenue, 30 feet for Egan Crest Drive, 30 feet for La Mancha Avenue, and associated spandrels.
- 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.

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.

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 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.

ITEM NO. 42 WS-23-0193-NV LAS NAP 14-16, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) outside storage; 2) alternative building design standards; 3) lighting; 4) alternative trash enclosures; and 5) eliminate parking lot landscaping.

DESIGN REVIEWS for the following: 1) signage; and 2) data center warehouses in conjunction with an existing data center complex on 51.5 acres in an M-D (Designed Manufacturing) Zone and an M-D (Designed Manufacturing) (AE-60) Zone in the CMA Design Overlay District. Generally located on the north side of Badura Avenue, the east side of Jones Boulevard, the west side of Lindell Road, and the south side of the CC 215 within Enterprise. MN/hw/syp (For possible action)

ACTION:

It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

VOTING AYE:

Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY:

None

ABSENT:

William McCurdy II

ABSTAIN:

None

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area.
- Applicant is advised that the 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; 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

- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Beltway, Frontage Road improvement project.

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; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- 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.

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.

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 #0084-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 43 TM-23-500055-NV LAS NAP 14-16, LLC:

TENTATIVE MAP consisting of 1 industrial lot on 51.5 acres in an M-D (Designed Manufacturing) Zone and an M-D (Designed Manufacturing) (AE-60) Zone in the CMA Design Overlay District. Generally located on the north side of Badura Avenue, the east side of Jones Boulevard, the west side of Lindell Road, and the south side of the CC 215 Beltway within Enterprise. MN/hw/syp (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

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

CONDITIONS OF APPROVAL –
Comprehensive 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

- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Beltway, Frontage Road improvement project.

Fire Prevention Bureau

- Applicant is advised that dead-end streets/cul-de-sacs in excess of 500 feet must have an approved Fire Department turn-around provided.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0084-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 44 WS-23-0226-3450 S. MARYLAND PARKWAY, LLC:

WAIVER OF DEVELOPMENT STANDARDS to allow modified driveway design standards.

DESIGN REVIEWS for the following: 1) alternative parking lot landscaping; 2) public art; 3) gasoline station; 4) convenience store with vehicle (automobile) wash; 5) retail buildings and restaurants with drive-thrus; 6) signage; and 7) finished grade on a 5.3 acre portion of a 17.4 acre site in a C-2 (General Commercial) (AE-60) Zone and a C-2 (General Commercial) Zone in the Midtown Maryland Parkway District. Generally located on the east side of Maryland Parkway and the south side of Desert Inn Road within Paradise. TS/md/syp (For possible action)

ACTION:

It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

VOTING AYE:

Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY:

None

ABSENT:

William McCurdy II

ABSTAIN:

None

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; 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;
- 30 days to coordinate with Regional Transportation Commission (RTC) of Southern Nevada and to dedicate any necessary right-of-way and easements for the Maryland Parkway Bus Rapid Transit (BRT) 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.

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 #0192-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 45 TM-23-500065-3450 S. MARYLAND PARKWAY, LLC:

TENTATIVE MAP consisting of 1 commercial lot on 17.4 acres in a C-2 (General Commercial) (AE-60) Zone and a C-2 (General Commercial) Zone in the Midtown Maryland Parkway District. Generally located on the east side of Maryland Parkway and the south side of Desert Inn Road within Paradise. TS/md/syp (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

VOTING AYE: Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

CONDITIONS OF APPROVAL –
Comprehensive 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;
- 30 days to coordinate with Regional Transportation Commission (RTC) of Southern Nevada and to dedicate any necessary right-of-way and easements for the Maryland Parkway bus rapid transit (BRT) 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.

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 #0192-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO 46. WS-23-0249-DPIF 3 NV 15 NELLIS CARTIER, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) cross access; and 2) modified driveway design standards.

DESIGN REVIEWS for the following: 1) a proposed distribution center; 2) alternative parking lot landscaping; and 3) finished grade on 17.4 acres in an M-D (Designed Manufacturing) (AE-70 & APZ-2) Zone. Generally located on the west side of Nellis Boulevard and the south side of Cartier Avenue within Sunrise Manor. MK/rk/syp (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

VOTING AYE: Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

CONDITIONS OF APPROVAL –

Comprehensive 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 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; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

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

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 #0193-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 47 WT-23-0197-SHS 1, LLC:

WAIVERS for the following: 1) reduce street width; and 2) allow non-standard improvements (landscaping and off-sites) in the right-of-way in conjunction with an approved single family residential subdivision on 10.0 acres in an R-2 (Medium Density Residential) Zone. Generally located on the north and south sides of Chartan Avenue and the west side of Star Lily Street within Enterprise. JJ/hw/syp (For possible action)□

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

VOTING AYE: Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Landscaping shall be provided per revised plans.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that 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.

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 #0247-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 48 PA-23-700007-OLETA JONES 2.50, LLC:

PLAN AMENDMENT to redesignate the existing land use category from Business Employment (BE) to Industrial Employment (IE) on 2.3 acres. Generally located on the south side of Oleta Avenue, 300 feet west of Jones Boulevard within Enterprise. JJ/gc (For possible action)

ACTION:

It was moved by Commissioner Justin Jones, and carried by the following vote, that the recommendation (including the adoption of Resolution No. R-6-21-23-1) be approved.

VOTING AYE:

Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY:

None

ABSENT:

William McCurdy II

ABSTAIN:

None

ITEM NO. 49 ZC-23-0149-OLETA JONES 2.50, LLC:

ZONE CHANGE to reclassify 2.3 acres from an R-E (Rural Estates Residential) Zone to an M-1 (Light Manufacturing) Zone.

USE PERMIT to allow offices as a principal use.

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

DESIGN REVIEWS for the following: 1) office building; and 2) warehouse building with outside storage yard. Generally located on the south side of Oleta Avenue, 300 feet west of Jones Boulevard within Enterprise (description on file).

JJ/al/syp (For possible action)

ACTION:

It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

VOTING AYE:

Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY:

None

ABSENT:

William McCurdy II

ABSTAIN:

None

CONDITIONS OF APPROVAL –

Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the 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; 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 permit, 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.

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 #0124-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 50 VS-23-0150-OLETA JONES 2.50, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Oleta Avenue and Serene Avenue (alignment), and between Jones Boulevard and El Camino Road within Enterprise (description on file). JJ/al/syp (For possible action)

ACTION:

It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

VOTING AYE:

Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY:

None

ABSENT:

William McCurdy II

ABSTAIN:

None

CONDITIONS OF APPROVAL –

Comprehensive 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.

ITEM NO. 51 ZC-21-0004-MOAPA PIONEERS 1919 TRUST:

AMENDED HOLDOVER ZONE CHANGE to reclassify 12.0 acres (previously notified as 19.5 acres) from an R-U (Rural Open Land) Zone to an R-E (Rural Estates Residential) Zone for a single-family residential development. Generally located on the south side of McKnight Avenue and the west side of Henrie Road within Moapa (description on file). MK/jor/ja (For possible action) (held from May 17, 2023)

ACTION: Deleted from the agenda (held to August 16, 2023 per the applicant).

ITEM NO. 52 ZC-23-0223-CLARK COUNTY REAL PROPERTY MANAGEMENT:

ZONE CHANGE to reclassify 208.5 acres from an R-E (Rural Estates Residential) Zone to a P-F (Public Facility) Zone. DESIGN REVIEW for a park expansion (trail) with ancillary amenities and structures on a portion of 381.6 acres in an R-E (Rural Estates Residential) Zone and a P-F (Public Facility) Zone in the CMA Design Overlay District. Generally located on the east side of Durango Drive and the north and south sides of Robindale Road within Spring Valley (description on file). MN/mc/syp (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved subject to staff conditions.

VOTING AYE: Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

CONDITIONS OF APPROVAL –
Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- 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 design review must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Right-of-way dedication to include 30 feet to 60 feet for Cimarron Road and associated spandrel.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the CCWRD is unable to verify sewer capacity based on this zoning application; and may find instruction for submitting a Point of Connection (POC) request on the CCWRD's website; and that a CCWRD approved POC must be included when submitting civil improvement plans.

ITEM NO. 53 ZC-23-0262-COUNTY OF CLARK (AVIATION):

ZONE CHANGE to reclassify 6.1 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.

WAIVER OF DEVELOPMENT STANDARDS to increase wall height.

DESIGN REVIEWS for the following: 1) a single-family residential development; and 2) finished grade within the CMA

Design Overlay District. Generally located on the north side of Patrick Lane and the west side of Cimarron Road within Spring Valley (description on file). MN/rk/syp (For possible action)

AMUNDSEN

Next are Items 53, 54, and 55. Which we will hear with Items 88, 89, and 90, which will move forward.

Item 53 ZC-23-0262: zone change to reclassify 6.1 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone. Waivers of development standards to increase wall height. Design review is for the following: a single-family residential development, finished grade within the CMA design overlay district, generally located on the north side of Patrick Lane and the west side of Cimarron Road within Spring Valley.

Item 54 VS-23-0263: vacate and abandon a portion of a right of way being Oquendo Road located between Tomsik Street and Cimarron Road, a portion of Cimarron Road located between Oquendo Road and Patrick Lane and a portion of a right-of-way being Patrick Lane located between Tomsik Street and Cimarron Road within Spring Valley.

And Item 55 TM-23-50-0071: tentative map consisting of 47 lots and common lots on 6.1 acres in an R-2 (Medium Density Residential) Zone.

Then Item 88 ZC-23-0204: zone change to reclassify 3.2 acres, from a P-F (Public Facility) Zone to an R-2 (Medium Density Residential) Zone. Waiver of development standards to reduce street intersection offset. Design reviews for the following: single-family residential development, finished grade within the CMA Design Overlay District generally located on the northwest corner of Oquendo Road and Cimarron Road within Spring Valley.

Item 89 VS-23-0205: vacate and abandon a portion of a right-of-way being Cimarron Road, located between Quail Avenue and Oquendo Road and a portion of a right-of-way being Oquendo Road located between Cimarron Road and Tomsik Street alignment within Spring Valley.

And Item 90 TM-23-50-0058: tentative map consisting of 24 single-family residential lots and common lots on 3.2 acres.

GIBSON

Thank you. Good morning, Mister Celeste.

TONY CELESTE

Thank you, Mister Chairman, Commissioners. My name is Tony Celeste, address 1980 Festival Plaza Drive. Here on behalf of the applicant Pulte Homes for all six of the applications that were read into the record. I greatly appreciate you pulling these together and having them all heard together. I think when you see the two items together along with a little bit of history of the area, you can see the puzzle completed, and I think makes a lot more sense.

Just a little background. You can see right here I have labeled phase three. That phase was approved by this Board about six weeks ago, R-2 development for Pulte Homes. We have phase one and phase two, which are on your agenda. Phase two are the items that were on consent, that's 53, 54, and 55. Phase one are the items that have been pulled up, 88, 89, and 90. Here you can see the developments as they will all interact

CELESTE

together. Again, this is phase three to the west that was approved about six weeks ago.

Here is phase two, phase two again, Items 53, 54, and 55, is located on the south side of Patrick, the east side – the west side of Cimarron and south of Oquendo. It's a 47 lot single family subdivision, accessed off Cimarron, two large cul-de-sacs, on the north and the south with open space area. We appreciate staff's recommendation and approval of this as well as Spring Valley Town Boards.

Items 88, 89 and 90 is the proposed subdivision immediately to the north, on the north side of Oquendo, the south side of the Quail alignment and west side of Cimarron. We're proposing a total of 24 homes on about 3.2 acres. One of the issues that arose with respect to this is the location of our proposed entrance here. We have a waiver to provide offset from the proposed location of this entrance to the intersection of Oquendo and Cimarron. We had contemplated remote - moving the entrance off of Cimarron but we think this entrance where we're having it is better if we were to remove it and place it off Cimarron. What it would create is basically one cul-de-sac and a sub-street. We don't think that would look as good. And we think actually the location of it is fine for three primary reasons. One, Cimarron Road will dead end or turn into an elbow and turn it into Quail, heading east, it does not go farther north. The reason it will not go farther north is 'cause immediately north of phase one site is a regional detention basin. Can see phase two and phase three is bisected by a drainage channel that will empty into this detention basin here. Number two, I think what was very important why we combine these items at Town Board, so that Town Board could see, is that the development to the south here will not have any access - vehicular access to Oquendo Road. So that eliminates any type of conflicting traffic heading from this development onto Oquendo. And number three, Oquendo, itself is gonna be a lightly trafficked road.

So, for those three reasons, we do believe this design is best. And I think when you see all three, especially phase one and phase two and how they interact it does make sense. We appreciate Spring Valley Town Board's recommendation of approval on this. We agree with all the staff recommendations and all the if approved conditions on that. With that more than happy to answer any questions you may have.

GIBSON

Thank you. Are there people here to speak on 53, 54, 55, 88, 89, and 90? Is there anyone here if you would raise your hand? Just to be clear, we're hearing all of these items together. This is a public hearing. Anyone who wishes to speak is invited to come forward. There being none, the public hearing is closed. Commissioner.

MICHAEL NAFT

Thank you, Mister Chairman. I move for approval. I agree because Cimarron does elbow to the north, the waiver makes sense. Move for approval of Items 53, 54, 55, 88, 89, and 90.

GIBSON

There's a motion on the floor. If there's no discussion, please cast your votes. And that motion carries. Thank you.

CELESTE

Thank you, appreciate it.

ACTION:

It was moved by Commissioner Michael Naft, and carried by the following vote that the applications for Item Nos. 53, 54, 55, 88, 89, and 90 be approved subject to staff

conditions.

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

CONDITIONS OF APPROVAL –
Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- No roof top decks.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the waiver of development standards and design reviews must commence within 4 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Flamingo Wash, Cimarron Branch 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; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

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 at landuse@lasairport.com 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 #0130-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 54 VS-23-0263-COUNTY OF CLARK (AVIATION):

VACATE AND ABANDON a portion of right-of-way being Oquendo Road located between Tomsik Street and Cimarron Road; a portion of Cimarron Road located between Oquendo Road and Patrick Lane; and a portion of right-of-way being Patrick Lane located between Tomsik Street and Cimarron Road within Spring Valley (description on file).
MN/rk/syp (For possible action)

ACTION: It was moved by Commissioner Michael Naft, and carried by the following vote that the applications for Item Nos. 53, 54, 55, 88, 89, and 90 be approved subject to staff conditions.

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

CONDITIONS OF APPROVAL –
Comprehensive 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

- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Flamingo Wash, Cimarron Branch improvement project;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

ITEM NO. 55 TM-23-500071-COUNTY OF CLARK (AVIATION):

TENTATIVE MAP consisting of 47 lots and common lots on 6.1 acres in an R-2 (Medium Density Residential) Zone in the CMA Design Overlay District. Generally located on the north side of Patrick Lane and the west side of Cimarron Road within Spring Valley. MN/rk/syp (For possible action)

ACTION: It was moved by Commissioner Michael Naft, and carried by the following vote that the applications for Item Nos. 53, 54, 55, 88, 89, and 90 be approved subject to staff conditions.

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

CONDITIONS OF APPROVAL –
Comprehensive Planning

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an

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

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Flamingo Wash, Cimarron Branch 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; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

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 at landuse@lasairport.com 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 #0130-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 56 ORD-23-900130: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with CRP/PDC Badura & Cimarron Owner LLC for an industrial development on 26.8 acres, generally located south of Badura Avenue and west of Cimarron Road within Spring Valley. MN/dd (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote that the recommendation (including the adoption of Ordinance No. 5051) be approved.

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

ITEM NO. 57 ORD-23-900150: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with SDMI BD LLC for a commercial development on 2.7 acres, generally located south of Blue Diamond Road and west of Lindell Road within Enterprise. JJ/dd (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the recommendation (including the adoption of Ordinance No. 5052) be approved.

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

ITEM NO. 58 ORD-23-900171: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners through various zone change in Assessors Books 161, 162, 163, 176, 177 and 191. (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the recommendation (including the adoption of Ordinance No. 5053) be approved.

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

ITEM NO. 59 ORD-23-900195: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Silver Meadow Properties LLC for a commercial development on 3.4 acres, generally located south of Sunset Road and west of Buffalo Drive within Spring Valley. MN/jm (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the recommendation (including the adoption of Ordinance No. 5054) be approved.

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

ITEM NO. 60 ORD-23-900230: Conduct a public hearing on 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 April 5, 2023, April 19, 2023, and in Assessor's Books 140, 161, 162, 163, 176 and 177. (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the recommendation (including the adoption of Ordinance No. 5055) be approved.

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

ITEM NO. 61 ORD-23-900203: Receive a report on the Transform Clark County Development Code rewrite, and direct staff accordingly. (For possible action)

AMUNDSEN Next is Item 61 ORD-23 900203: receive a report on the Transform Clark County Development Code rewrite and direct staff accordingly.

GIBSON Good morning.

MATT GOEBEL Good morning. Testing, good?

GIBSON Yeah.

SAMI REAL Sorry, if the booth can put on the overhead. Not the overhead, but the presentation. Thank you.

GOEBEL

Alright. Good morning, Commissioners. Good to see you again. Matt Goebel and Jenny Baker from Clarion Associates. We've been working with you all on the Transform Clark County Project. Pleased to be here this morning at an important milestone as we're starting to get near the very end of this important project. This presentation is really to present the adoption version of the draft and give you an opportunity to find out what we've been up to and ask questions at this important stage.

The presentation is brief. We did wanna just put it in context that we're going to talk primarily about the development code and the new Title 30. But we wanted to talk, first of all, just about the overall project "Transform Clark County." It's been a multi-year effort. We started this back at the beginning of 2020 with you all, and now we're moving very close to the end stages. We've got two very important products that came out of this effort - the Transform Clark County Master Plan started back in 2020, which you all adopted in November of 2021.

And now, the development code, the new Title 30, which is a major comprehensive rewrite of your land use regulations – anticipated to be considered by you for adoption in August, with an effective date of January 1st 2024. And we'll talk more about that later in this presentation. Throughout this overall Transform Clark County Project, we've had a lot of public engagement. We've heard from a lot of different folks, we've had various surveys along the way, we've had over, you know, 4,700 responses, you can see there; 125 online and in person meetings, 700-plus folks have attended the meetings; 3,800 plus project information emails distributed.

So, a lot of times that we've reached out to the community to get feedback. This is for both the Master Plan and Title 30. This slide is just about Title 30. And this is just about some of the engagement that we've done on this piece. When we kick this off, to find out what people thought and what they wanted to see in a new code, we got 500 plus responses. Every time we've rolled out new material working with staff, we've had a whole series of meetings with the Town Boards and with you all and with the Planning Commission, and with the general public. So, every time we rolled something out, we've had 10-plus meetings on each installment.

The staff has been constantly available at the counter just answering a lot of detailed questions, "You know, what might this mean for my property? What might this mean for, you know, X neighborhood?" A lot of different visits to the website. You can see just in the past 30 days, there are over 450 responses. We've done a lot of general email notifications every time something has gone out. So, our email list right now is over 1,200 people getting notice about all these milestones. And then finally, we've rolled out that online commenting tool, and people have used this really well. So,

we've actually put drafts of the new code online, and people have been able to go in and put specific comments about what they liked, what they'd like to see changed. And just on the last consolidated draft, we got over 200 comments using that tool.

So, a lot of folks have been engaged, we've really tried to cast a broad net in getting people's feedback. Just a little bit more about the calendar for Title 30. Remember that we started this back in 2021, with that code assessment document, which summarized where we wanted to go, you know, the big - the big ideas. We move forward with drafting the code, all the different lines on this slide are just the different installments that we released. Again, we're moving forward with the presentation of this code now in June of 2023. There will be additional stakeholder meetings in July. And the goal is to consider this at adoption hearings in August, again, with an effective date of January 1st. And we'll - we'll talk a little bit more about that at the end of the presentation.

With that we just wanted to talk a little bit about the substance of the code. And you all have seen this before. We've talked about this at many meetings. So, we're not gonna hit you with everything. But Jenny and I just wanted to hit you with some of the substantive highlights of what we really thought was new and distinctive about the code. We laid out the roadmap back in the code assessment. And we were really looking at trying to improve Title 30 in a variety of ways. Y'all's current Title 30 was last comprehensively updated in 2000. It's gotten to be a big document. It's over 670 pages, I think. It's a challenging document to use. It's been amended many times. There's a lot of repetition in there. Um - everyone we talked to said, "What can you do to make this a simpler document to use and understand?"

It also just didn't really reflect a lot of the new planning ideas that were introduced in the Master Plan process, the whole focus on sustainability, the whole focus on protecting neighborhoods. You don't have those tools in the current Title 30. And so, the new Title 30, I think first of all, just from a user-friendly point of view, addresses a lot of those concerns. We've tried to work with you all to make it cleaner, more logically organized, better illustrated, shorter. We're down to 370 pages as opposed to 670 pages. It's got much less repetition. There's more illustrations, there's more graphics. It's written in a way that should be more accessible to more people. It should be more flexible to adapt to future changes, to unanticipated circumstances. And so, the intent is that this will be a living document. But it's a better, stronger, more flexible foundation to add to in the future.

The user-friendly piece, I mentioned that, but just on the left-hand side of the slide is a good example of how your current code is organized, you've got a lot of these really hyper detailed tables, which have a lot of repetition from table to table, that a lot of this stuff is repeated throughout the code. And that format that you've landed in, has led to a really challenging code to use. And we've tried to replace it with things like you see on the right, with a simpler, you know more clean presentation of a sample zoning districts there, more tables, more illustrations, things like that.

So, we've gotten a lot of good feedback just on the organization and format of the code, and how it's easier to use. But let's talk a little bit about the substance. And we just wanted to run through some of the big ideas in terms of the substantive improvements in Title 30.

JENNY BAKER

Great. Uh, my name is Jenny Baker. Good morning, Commissioners. I will talk to you about some things that we've talked about before, but we're emphasizing them today, because they are, we think, some of the most important changes to the code that will make it easier. But starting before that, one of the reasons for undertaking this project after the Master Plan was adopted, so that the two things occurred together, was to make sure that the code could support accomplishing the goals and the vision of the Master Plan.

So, what you're looking at here is a future land use map for Winchester and Paradise. And each area of the County has one of these where it says, "Here's where this kind of land use is appropriate. Here's where another kind is appropriate." I know it's a little tough to read here. But the different colors indicate different uses. And the way those came out in the plan didn't align at all anymore, or it didn't align well with what is in the current code. And so, one of the big efforts here was to make sure that the new zoning districts and land uses supported accomplishing what the Master Plan shows in terms of future land use.

And there are other things in the code that will help to accomplish that as well. The development standards will help to make sure that certain goals related to sustainability and connectivity also were supported through the code to accomplish the plan goals. So that's one really important thing that is not, you know, detail by detail, but it is a good way that the two go together and one can help to accomplish the other.

Residential neighborhood protection is something that we heard a lot about throughout this process through the plan and through the code. One particularly important thing was the RNP areas. Right now, the only protection for those areas really is that there are large lot sizes. So, if something shows up next door, that's incompatible, really what they're relying on, it's just that the lot is large, so it's not right there. But what this code has are rural neighborhood protections, and - sorry, residential neighborhood protections. There is, as you're probably aware, a residential adjacency section.

So that talks about if something shows up next door to a residential district or lot, there are certain standards that has to meet and that can be separation, it can be limitations on height, it can be requirements for buffering. So that can be a fence or some landscaping. But basically, it says more specifically, and this isn't just RNPs, it's anywhere that if something that is non-residential shows up next to that residential, it builds in some protections for those residential lots.

We've talked to you before about parking. We've mentioned that a few years ago, the County did some studies to see if parking was being over provided in certain instances, and in fact, it was. So, starting from there, we took a look at the base requirements now, and we made some reductions. They're not drastic. It doesn't reduce it, you know, 75%. But in most instances, the base minimum parking requirement has been reduced maybe 15 to 25%. Additionally, there's a maximum parking for non-residential uses. So, if a project believes that they need more than 125% of that minimum, it will come for approval. So that's not automatic anymore, that you can just put as much parking as you like.

There are additionally numerous options for flexibility. So, if somebody thinks that

BAKER

their development is not going to require as much parking as the minimum, there are options that they can choose to ask for less shared parking between two sites with different hours, proximity to transit, and there are a number of other things to find in there. They can ask to reduce the minimum parking requirement if they can demonstrate that it would still be adequate. An important thing is the addition of EV parking standards. As the use of EV cars expands the need to support them is increasing. And so, you have in this code specific standards for the number and how many EV spaces need to be installed for the different uses.

Building design is something that is much more clear and objective in this code that we believe, than in the current one. The current one has tables where things are often described as you have to do something that's compatible, or that's similar. And that means a lot of different things to different people. So, what this code does instead, is clearly says when the standards are going to apply and gives a menu of options for how to comply. So, the person who's doing the development isn't told you have to do these three things. There's a menu of six or eight, and you have to choose three, that would fit in with the project. So, it both increases the specific design standards that someone has to meet but offers flexibility in doing so.

Open space is new. It is very common in most communities for certain developments to have that open space built in. And so, this draft, this adoption version of Title 30, specifies when it needs to be provided and how much. It's typically for multifamily, and - and other larger developments, not single-family developments and mixed use. There are certain ways that can be provided that are specified plazas, gardens, amenities, zones, and mixed-use development. And so those things are more clearly specified than they had been in the past.

Sustainability is another new emphasis in this adoption version, as we've talked to you about before. There is a points system, and a development has to meet a certain minimum number of points. Again, there's some flexibility how you do it. You can do certain landscaping, renewable energy, cool roofs, but there are a number of things that have to be chosen to meet the minimum points, if someone chooses to go above that, there are some bonuses that they can receive, density bonuses and other things.

GIBSON

Got question, got question.

BAKER

Yes.

GIBSON

Commissioner Kirkpatrick has a question for you.

MARILYN KIRKPATRICK

Yeah. Thank you. Can you actually go back to the slide before 'cause I wanna make sure I heard you correctly. So, did you say that open space wasn't specific to residential, but more focused on the multifamily? Is that what I heard you said?

BAKER

It - so the common open space requirements apply to multifamily. They apply to manufactured home developments, RV parks, and mixed use and there may be one other thing, but a single-family subdivision, it doesn't apply that they have to do that in that instance. So, it's mainly like multiple residential development instances.

KIRKPATRICK

So is that and I'm asking 'cause y'all are looking at me like I'm crazy (laughs). But what if there's some neighborhoods where you want the trails to be contiguous, or you

KIRKPATRICK want some of that, I mean, we don't have a lot of space left for parks anymore. So, I'm just - I don't remember kind of wanting to go down that direction. But I just - I'm one person, but I just - I don't - in my district, you're gonna do some open space. So (laughs) I - but I don't wanna I just never heard that conversation.

AMUNDSEN So, one other component that Jenny didn't mention also was a PUD. So, if you're coming in for planned unit development, and you're doing a unique design, whether it be townhomes and that sort of thing, we also require some semblance of open space. In addition, we do have a trail plan. So, if someone comes in with a development that's adjacent to that, they're going to be required to provide that trail, provide that connectivity. So, it's not an all-or-nothing type situation. But generally, we want to make sure that we have specific boundaries for our open space, because a lot of times you, you will note, that open space is being called out, and it's a strip of landscaping that can't be used for anything. So, we're trying to be more specific as to what open space should be.

GIBSON But to be clear, we can condition the - an application with some open space, if we - if there are good reasons to do it. It's not as though we can't do that.

AMUNDSEN No, not at all. And you could - as you do today, you - there's a lot of developments that are coming in the southwest that open space such as trails or if they're taking advantage of density that includes a power line easement. The requirement is going to be that they're gonna put a trail section or some sort of open space as opposed to just leaving the power line easement open. So that has always been an option. And we will continue to work with applicants and work with the Board to make sure that those options are included in the development. We just want to be more specific when there is required open space. We don't want the open space to be not usable, not an amenity, something that is not helpful for the neighborhood that has been created.

KIRKPATRICK Well, I just - for me, I just hope that's because you know, on that first, it was messy on how to read it and figure it out. But sometimes there was information that was pertinent so that they knew, it wasn't just, you might have help district grows, you might have all these other districts, I just hope that there's a may in there that - may require additional open space. I mean, I get it for multi-family manufactured homes and all that. But I mean, you don't do a nice planned subdivision, you - you want some type of open space.

AMUNDSEN I understand that, we'll go back and look and make sure that that is included.

KIRKPATRICK Okay.

GIBSON Thank you. Jenny, go ahead.

BAKER Okay last thing, signs. The signs section is significantly different in the adoption version than it is in the current version. There are a lot of improvements there. One thing is that each sign type is defined. And as you can see, on the bottom of this slide, there's a table. So, whatever the sign type is, all of the standards are in that one place. So, at one glance, if you want to put up your monument sign, you can see what zoning district it is permitted in. You can see what's the area, how many you can have, and any other things that apply, illumination, other requirements, whatever that may be. There's some flexibility built into this section. There are larger allowances to

BAKER start with so that you may see fewer waivers, and there are other ways to ask for flexibility. As I mentioned, each sign type is defined, those definitions include a lot of illustrations and photos to make it more clear what a sign type means. There is a standard. There's a section on standard signs for specialty signs. And the last thing is that the procedures for how to get a sign approved are more detailed in this version. In the current code, it doesn't really say much about how you are going to get your sign permit approved. But this version does say that.

GOEBEL Mister Chairman, that's probably the last topic that we wanted to highlight for you specifically.

MICHAEL NAFT Just while you're still on the sign -

GIBSON Commissioner Naft, go ahead.

NAFT Thank you, Chairman. And I - while you're on the sign slide. So do you delineate between animated and stagnant, static?

GOEBEL We do. Each sign type has a little table like you see on the bottom of the side there - slide there, and those are given distinctive tables. (unintelligible) -

NAFT So is there consideration on the fully animated signs for traffic patterns nearby?

GOEBEL I think that's this sign type here on the slide. Yes, and I think there is. We don't have the full standards here.

NAFT Okay, so in other words, fully animated signs along heavily trafficked area would be - that would be a consideration.

GOEBEL Very much. So, you could only do those fully animated signs in very limited circumstances to begin with. I think the CR district is one.

BAKER Yeah, being the Resort District.

GOEBEL Virtual resort.

AMUNDSEN They didn't modify the restrictions that we have today.

NAFT Thank you.

AMUNDSEN I think that's what you're (laughs) asking.

GIBSON And Commissioner Kirkpatrick.

KIRKPATRICK Thank you. Sorry. I'm trying to remember back from our last meeting, I thought we were - you would probably update us on the sidewalk thing, 'cause we didn't really have that ironed out, the sidewalks -

NAFT I -

KIRKPATRICK - the detail sidewalk.

NAFT I've lots of questions if we're on general stuff.

KIRKPATRICK Okay.

NAFT Sorry.

KIRKPATRICK Well, no, I'm just trying to make sure we don't lose touch with some of the things, wanna be sure before we go out to put it out to the public.

GIBSON So not really knowing where you're going next. Is this the right time to, or do you have some explanation?

GOEBEL No, this would be fine. We actually just have like three more slides just to talk about the mechanics of the adoption process in next steps (unintelligible) -

GIBSON Why don't we do that? Let's finish your presentation.

GOEBEL Okay.

GIBSON And we've got a couple of questions for you.

GOEBEL Sure.

GIBSON Alright. Commissioner Naft.

GOEBEL Um - one thing we wanted to emphasize with this presentation is that while there's been a lot of work done here, there's new material, the material you have has been updated. This is by no means, you know, gonna be final for moving forward. You're still gonna wanna look at new projects and new ways to adjust the code to change the circumstances. We recognize very much that it's a living document, it is in every community. Hopefully it's more flexible foundation, it's easier to modify in the future. This slide is just identifying some of the things that we know will be looked at as potential changes in the future.

Some things you've already got underway such as the planning and the new regulations for the Stadium District, the tiny home regulations based on compliance with State law. Some things like that are already underway, and they'll be calling for code amendments probably in the next couple of years. You know, thinking about the administration of that tree fund, that's a new tool that you have, that's gonna require potentially some additional work internally. You know, always moving forward. You know, as we get to the end of the Legislative session, there could be things that your attorney's office and your staff think may require changes to the code as well.

So that's all underway. You're also just gonna have additional new policy priorities. And that's just what the examples are at the bottom of this slide. We've already heard that there is interest in maybe additional regulations for dark skies, in non-urban areas, AG regulations for animals. We introduced that new Neighborhood Protection Overlay District, and it's specifically for the RNPs in this document, but we've already heard that there is additional interest in using that NPO and other places as well. And so that might be additional work that is coming up in the future.

GOEBEL

So just to illustrate that this is a foundation and additional work is always being considered. So final slide post adoption. Again, the anticipation right now is that there will be an adoption hearing in August, effective date of January 1st, 2024. The strategy that you all have worked out is that applications can be submitted under the new code once it's adopted, even prior to that effective date. But no decision would be taken on such applications until the new code is affected. So, somebody could come in and say, "I wanna apply under the new code." And you could hear that, but the decision wouldn't be effective until the first part of 2024.

Applications will still be processed under the existing code until the end of the year, until that effective date unless the applicant likes to be reviewed under the new code. So, a bit of a hybrid situation, and this is not unusual, we've seen this before. You know, a lot of times, people like the new code. It provides more flexibility or more opportunity and they wanna take advantage of that. So, you're letting them do that. You let them have the choice of the existing code versus the new code.

Finally, the staff has definitely committed to, you know, workshops, educational workshops for the Town Board members, for the general public for the industry. Anyone that wants to learn more about the new code, what are the big changes from the current Title 30, I think that's gonna be an open-ended process where the staff is really just working to educate the public about all the opportunities under the new code. So, I think that's our last slide. Just wanted to emphasize that adoption is not the final step. And with that, questions?

GIBSON

Alright so, Commissioner Naft, you've got a few.

NAFT

Thank you, Chairman. I think Commissioner Kirkpatrick kind of teed up where I was heading. If we can just have an extended conversation really around the onsite circulation and what has changed with requirements for pedestrian realms onsite, on private property. I think that's page 164 that covers it, but specifically my issue under current code is we allow for things like paint and striping, striped crosswalks, so you typically have a situation where the public sidewalk just ends when you enter a shopping center, a commercial center. How does the current code or the update to Title 30 address that?

GOEBEL

I'm gonna need to grab my hard copy just so I don't misspeak, but I think generally speaking, the intent is that the onsite circulation system is intended to connect all the major pedestrian access points on that site. So major doorways to major buildings. And it's -

NAFT

Your definition of that, though, is not paint on the asphalt. It's curbing or protected sidewalk or something substantial.

GOEBEL

There's a list of techniques that can be used, and I would wanna look at my hard copy just to make sure that -

REAL

Commissioner Naft, to answer your question one of the methods in identifying these walkways or pathways and crosswalks is changing of paving material, pattern, and color, but not painting the material. So, we wouldn't allow painting of material, but we would want, again, a change in material type, material patterns, but not just simply painting these pathways.

Okay, and then I guess in that same section it's, I'm looking at Item 2, Section I, Sidewalks: Minimum 5-foot-wide sidewalks should be provided on both sides of all public streets in accordance with Title 30. Why didn't we specify detached?

So we're - what we have done differently from what we have today, so currently right now, attached and detached sidewalk requirements are outside of the Public Works development standards, and so what we've done, because sidewalks are a component of the right-of-way, in some cases, and in other cases, they're a component of the street type, so we'd move those sidewalks to that section of when attached and detached are required and that's 3408 - 34 - 30 - sorry, 0408c5. That's when attached and detached sidewalks are identified to be required. So instead of having different sections speak to when and where they are required, we condensed it to one section, and that's where the requirement for attached and detached sidewalks resides now.

And in addition to that, we also have certain areas where you might want an enhanced sidewalk more than just that five foot, and the code identified the mixed-use districts as the place where that was the best opportune - where that was really the most important, and so you can see on page 174, there's some enhanced sidewalk requirements for those areas. And that can be a platform moving forward, you know? You might wanna expand those enhanced sidewalk requirements to other places in the future. But for right now, the baseline is that five foot that you have, as Miss Real mentioned.

And I'll jump in on that, because I know that Commissioner Kirkpatrick is looking for wider than five feet, so we made sure that that is the minimum standard and we made it clear that that is the minimum standard. If they come in for an application for "x," something on North Hollywood shall we say, and there needs to be a larger sidewalk, that is going to be at the discretion of the Board, and because we made it a minimum standard, and we are clear throughout the code that these are minimum standards, realize that we can, the Board of County Commissioners, can require greater than this. That's where we think you're covered with the wider sidewalks, because they, making it a minimum, there's some places that 5-foot detached are perfect, but there are some places where you need a lot wider, and I understand that as well.

Anything? Okay, you're good. Commissioner Jones.

Thank you, Mister Chair. I know one of the things that has come up is townhomes and in other jurisdictions, they do have separate sections for townhomes. And it's certainly, as we're looking to fill that missing middle piece of things, and as our developers are trying to figure out how to get people into homes for less than \$400,000, I don't know that we need to have a long discussion today, but definitely know that's something that I wanna understand a little better as to why we wouldn't be a little more flexible to make sure that folks can get into that type of product.

And if I can interject in that is the reason that we've totally, I guess you can say annihilated our old PUD section. When folks came in for townhomes, they would come in for waivers of everything. And what we're saying is, show us a project. And this townhouse development, you get this approved, these are your standards, and then the next one is, these are gonna be your standards. So, it's a more flexible, but they have to also show us a little more design, maybe a little more open space, that sort of thing.

JONES But I guess I don't understand, like, how would, how are, why is it that townhouses are different than a single-family residential district in terms of requiring a PUD?

REAL Commissioner Jones, I would say they're not in the sense that our zoning districts allow for attached and detached housing. Some districts say that detached is appropriate. Some say that attached may be appropriate, and that's when we would require a special use permit, and then others say that attached single-family development is appropriate and doesn't require any type of special use permit. We have a wide variety of attached products, attached single-family products. They could be cluster homes, they could be townhome product that actually has larger driveways, where there's alleys in the back, and serve more as a quasi-single-family development, and then we have a lot of the townhome products that we see that are really compact, very little driveways, very little pathways. More of a multi-family type of feel.

And so, because of the wide variety that we have with townhomes, instead of having a townhome zoning district, a specific zoning district for townhomes or townhome rules and regulations that apply to maybe some of the townhomes, but then the other townhomes products would have to waive it just by virtue of their design. The idea was to create standards that could apply to any attached single-family development, but if those standards didn't meet their intended design or their goal on what they wanted to achieve within their community, then they could do a planned unit development, and that planned unit development is what they would use to establish their driveway lengths, to their setbacks, their lot sizes, and then we would look at it on the merits of that to say, "Is that an appropriate development for this site, this area?"

So, understanding what we're hearing from the home builders that our current PUD standards didn't allow for townhome products, on our current development standards didn't allow for townhome products, really what we look at is we look at as it's an attached housing product. It's a single family attached housing product. And again, recognizing that we have a variety of different types of product and proposals we heard, "We want more flexibility. We want this," so that's why we created a planned unit development section that doesn't have design guidelines in it. Again, the PUD is intended to be used so they can establish their design guidelines.

JONES Okay, thanks. And then I just wanna confirm, back to the open-space discussion. This does not modify the negotiated development agreement opportunities that we currently have?

AMUNDSEN No, it does not.

JONES Okay, alright.

GIBSON We raised that question on the townhomes couple months, a month ago or a month and a half ago when we met. So we're still talking about a boatload of waivers, or are we able to, with the PUD, just fill in the blanks, and then okay, that was what I took away from that conversation but I, maybe I confused myself.

AMUNDSEN There honestly is a confusion in how others might be reading the code and how the code is written. It's a new concept. It's a new way of looking at things. If you go to a

AMUNDSEN lot of the jurisdictions, again, go back to the East Coast 'cause I'm from the East Coast, you will see actual binders, and I think even in Southern California, you'll see binders of this PUD, and these are their design standards, and this is how they were approved. They didn't go through a whole bunch of waivers, but they created their own design, and they need to adhere to their own design. But it's a lot more flexible than what we have now, because as you see, when we have townhomes coming in now, they need waivers of everything.

GIBSON Yeah, okay, and then finally, we talked a little bit about the effective date. So let's say we get an application that comes in and is in the queue, but has not been yet determined, and there are things that need to be resolved that goes well past the first of January. If the application is filed, then I assume the standards that were in place at the time would apply.

WARHOLA That's correct, unless the applicant wants to opt into the new code, because there might be some advantages to doing that.

GIBSON Right. Just for clarity, alright. Are there other questions? Commissioner Kirkpatrick.

KIRKPATRICK Yeah, I just had a couple, and I really like the thought of the PUD, you know, PUDs actually started in North Las Vegas because it was so unique on how to do it. Then we tried to do the MUD which didn't work out so well for us, but because there are so - and especially for older neighborhoods trying to fit back in - at least a few of us up here have where there's empty lots next to an existing townhome product and how do you make that work? And I've had to do several where there's more waivers than on the three-acre parcel than are necessary, so I'm good for that.

There was – and I know that we have a list of the concerns that the home builders had again this time, and I've been through the list and I don't see any that are overbearing, you know what I mean? So, the one, the cul-de-sac prohibition in - under the RNP replace I don't understand why that's an issue. So if we go through them, when we have this open presentation, will people, again, be able to get more comments? Will they, and then what will we do with those? Because there are some pieces that I wanna look at in some of my very outlying areas that have even further outlying areas to allow some uses, and so when does the public comment, if we have to adopt it in August, does it stop in July?

AMUNDSEN Well, right now as was noted, it is open, and then we have July 10th and July 17th. I'm announcing them officially. We're having public meetings. One will be at Russell Road, and one will be here, so that -

GIBSON At what time?

AMUNDSEN Um -

GIBSON If you're gonna announce it. (laughing)

KIRKPATRICK We're not that far yet.

AMUNDSEN I have the rooms reserved. We were just waiting to get through this, and then we will send out the flyer and let everyone know. They don't need to come to both. They can

AMUNDSEN come to one or the other, but we're gonna have an open discussion, go through sections, have and hear what they have to say, take everything down, and then we will actually give you that feedback as well.

GIBSON Alright. Did you have anything more?

KIRKPATRICK No, and so we just will - I'll have time to add some additional things.

AMUNDSEN Absolutely.

KIRKPATRICK Okay perfect.

AMUNDSEN Absolutely, and the only thing, and I'm saying this so my District Attorney hears, we have to be cognizant if we're going to add things that are gonna be more constraining then we might have to reintroduce - introduce it, 'cause it was introduced once. If we make, provide for a little more flexibility, then that can be read into the record, and it can be changed before the public hearing. Am I correct, Rob?

ROBERT WARHOLA That's correct. If we're gonna make clarifications or if we're gonna make something that's less constraining, then we don't have to reintroduce, but there may be things that are more constraining we might have to reintroduce or come back with a follow-up ordinance to make that amendment, so -

KIRKPATRICK Okay, and so the last piece of it is, we had talked when we started this process and give Commissioner Jones a shoutout, 'cause I started it when we got here and then it got too hard, but he followed it through, so thanks for getting it going. But – so the thing is we talked about, for the older neighborhoods, that we would go and do a similar project? It - when would that be on the agenda?

AMUNDSEN That's one of our - our follow-up. We were talking about in your and Commissioner Segerblom's and Commissioner McCurdy's district to have a - I came up with a really cool name for it, and I absolutely forgot what it was. Um -

GIBSON First neighborhood?

AMUNDSEN Reinvision, I think it was. Something to that effect, but we were gonna try to figure out a way to provide even more flexibility in those older areas.

KIRKPATRICK No, that would be great, 'cause then we could at least work towards more grants and different things to kinda change the older neighborhoods and to repurpose them, right? Okay, thank you.

GIBSON Commissioner Segerblom.

TICK SEGERBLOM Thank you. So under the ordinance or - just under this ordinance, would you be able to do a townhouse like you have in D.C., where you would have the bottom's floor would be like an apartment that the owner could rent and then the top two or three would be owner occupied?

GOEBEL You could, but we also have a live work dwelling that also I think would cover that situation that you're describing. A live -work dwelling could be a commercial space

GOEBEL or some kind of working space on the first floor and residential above.

AMUNDSEN Or it could be a - on the first floor you could have a accessory apartment, and then the other floors would be your townhome, and that is, that's allowed today, but yes, you could do that.

GIBSON Commissioner -

GOBEL Generally speaking, we try to be much more expansive in the different types of residential uses that are allowed.

GIBSON Commissioner Miller.

MILLER If I read the current exemptions that apply to special events those seem to be limited to existing parks and schools and public facilities. Is there any consideration given to expanding it, so that it would allow for public exemption on - for special events on all government property? Notably like County parking lot?

AMUNDSEN If the Board so pleases and directs us to do that, we could expand it to all public, all County properties as opposed to just parks.

MILLER Yeah, I'd like that, for at least that to be considered. Dunno if the other Board members have an opinion on that one.

GIBSON Good, well, this is a meeting where they need to receive some direction from us. So, you're -

SEGERBLOM Well, makes sense to me that we could use the parking lot. I don't see why we - why you would limit it.

GIBSON (laughing) Is that something - are you looking forward or backward? (laughing) Alright.

MILLER Absolutely, and the other, the second question applies to how are we dealing with sidewalks in the rural neighborhoods? I know that we currently are asking for waivers, but there's some in the northwest, for example, where we explicitly don't want sidewalks so we can preserve the equestrian trails and the like. How's that dealt with in the code?

AMUNDSEN It's gonna be the same. You're - they're gonna have to come in and request, since we don't have a specific rural standard today, they have to come in and request the waivers, and we're gonna look for connectivity. We've worked with Commissioner Kirkpatrick to make sure there's connectivity for equestrian trails. We have also, in your district worked to make sure equestrian trails were preserved. We do have them in our trail documents, so it'll continue that same way until we come up with some rural standards. And the problem that we have today with rural standards is that we have - our rural districts, in fact, all Commissioners have areas that are rural districts. They're so different, and they have different needs. They have different stormwater management issues. They have different needs for the sidewalks or the trails and that sort of thing. It's hard to come up with just one standard. So, we will, that's something that we've been talking about working on in the future.

GIBSON Thank you. Other questions? Any other direction? Thank you very much.

GOEBEL Thank you.

AMUNDSEN And thank you all for helping us through this process. It has been a long one. So, we appreciate the Board for all your -

KIRKPATRICK May I ask, sorry, may I ask one more question? It just came to me real fast. So, I'm thinking of SB92 that passed for the open-air markets. Is that considered within our – code as allowable use, or is it a special use? I'm just trying to -

AMUNDSEN We're trying - we're trying to make it business license issued.

KIRKPATRICK Oh okay. Alright, perfect.

GIBSON We can't wait to see the resolution.

KIRKPATRICK (laughing) I can't wait. But they're gonna be in neighborhoods. I mean, that is what was -

AMUNDSEN What our concern goes back to we have - we may have food vendors, and Marilyn, you know that you have one in - at the corner of Rainbow and Grand Teton that is there every week. Our concern is having them come in and park on pristine lots and creating dust and having those kind of problems, and then they're in the right-of-way, and then it becomes an air quality problem, so we're gonna have to also work that out. Because although they're allowed, we have to also make sure they comply with some of our federal regulations as well.

KIRKPATRICK 'Kay.

GIBSON Alright, thank you.

SEGERBLOM Mister Chair, I just wanted to make a comment. I'm not sure if they're gonna be back, the Denver people, but have they met with the home builders - they were 99% positive about what you've accomplished, which is pretty amazing, because you never make those guys happy, so thank you.

AMUNDSEN And they don't make us happy, so we're all even on this one.

ACTION: No action was taken by the Board.

ITEM NO. 62 AR-23-400044 (WS-22-0466)-PRECISION PROPERTIES, LLC:
 WAIVERS OF DEVELOPMENT STANDARDS FIRST APPLICATION FOR REVIEW for the following: 1) eliminate street landscaping; 2) eliminate parking lot landscaping; 3) reduce setbacks; and 4) required trash enclosure.
 DESIGN REVIEW for a parking lot on 2.3 acres in an M-1 (Light Manufacturing) Zone. Generally located on the south side of Diablo Drive, 355 feet east of Wynn Road within Paradise. MN/jud/syp (For possible action)

AMUNDSEN Alright let's go to our agenda. Items 62, 63, and 64 can be heard together. They're all parking lots for the Raiders.

Item 62 AR-23-40044, waiver of development standards, first application preview for

AMUNDSEN

the following: Eliminate street landscaping, eliminate parking lot landscaping, reduce setbacks, and require trash enclosure. Design review for parking lot on 2.3 acres in an M-1 (Light Manufacturing) Zone. Generally located on the south side of Diablo Drive, 355 feet east of Wynn Road within Paradise.

Item 63 AR-234-00046, use permit first application for review for parking lot, waivers of development standards for the following: Eliminate street landscaping, eliminate parking lot landscaping, reduce setbacks, increase fence height, require trash enclosure. Design review for parking lot on 1.9 acres in an H-1 (Limited Resort in Apartment) (AE60) Zone. Generally located on the north side of Hacienda Avenue and the west side of Dean Martin Drive within Paradise.

And Item 64, WS-23-0238, waivers of development standards for the following: Reduce street landscaping, eliminate parking lot landscaping, reduce setbacks, trash enclosure. Design review for parking lot on 0.7 acres in an M-1 (Light Manufacturing) Zone and an M-1 (Light Manufacturing) (AE60) Zone. Generally located on the north side of Dewey Drive, 287 feet west of Polaris Avenue within Paradise.

GIBSON

Good morning.

DON BURNETTE

Good morning, Mister Chairman, Commissioners, for the record, Don Burnette, 12125 Los Arroyos Las Vegas, 89138, here today representing the LV Stadium Events Company, and continuing the conversation that we had back in November of 2022 when we had eight offsite stadium parking lots that were before the Board for an entitlement approvals.

Six of the eight, as you may recall, were approved at the time with the corresponding waivers that came with the submission. Two, I requested it be held for an application review of a period of six months, and as you might recall, that was to afford us an opportunity to see if we couldn't seek an extension to leases that were said to expire. And as a point of reference those two lots are here. And I'm happy to report this morning that we were successful in securing extensions to both leases. However, like the remaining six sites that you approved back in November, the extensions for both sites are, remain of a relatively short-term nature. The extension that we secured for what we refer to as Lot N was extended to July of 2025, and the extension that we secured for Lot Z was even shorter, July of 2024.

And as you might recall, much of the conversation that we had back in November centered on the waiver of petition that we submitted for the street facing landscaping and trying to find a way to balance the need to provide for that need with the fact that we're sitting on short-term leases that you know, were under no expectation that they're gonna turn into long-term assets. As you also might recall at that meeting, I had to provide some continuation to your previous conversation, the preceding item. The LV Stadium Events Company had offered to essentially serve as a pilot project for what your consultants referred to as a tree fund by making a financial contribution for the - for a number of the six sites that were before you that were short-term in nature. That's reflected, I brought a copy of one of the NOFAs from that meeting where it's the first bullet where the condition was to make a financial contribution working with staff to determine the amount based on code requirements and then some cost analysis that your staff had prepared to come up with a cost that would be

BURNETTE equivalent of providing, I think it's referred to as a street landscaping trees, and I'm happy to report that that has happened, that we have made that contribution.

And then going back to this item as I mentioned because our extensions, again, remain of a very short-term nature I guess what I'm asking the Board this morning is to treat these two items the same way that the Board treated the remaining items that were before you in November, and allow us to make a second financial contribution to your tree fund to address the needs that were stated at the previous meeting. And so with that, I'm happy to answer any questions. Obviously, the remaining conditions are the ones that you heard back in November, and nothing's changed in that regard.

GIBSON Thank you, Mister Burnette. This is a public hearing. Is there anyone here who wishes to speak on Items 62, 63, or 64?

BURNETTE Mister Chairman, I'll have a separate presentation for 64. Just wanted to tie up these two loose ends first.

GIBSON Alright.

NAFT And Mister Chairman, maybe if we could, for simplicity, take Items 62 and 63 and then discuss it.

GIBSON That's how we'll do it then. We called all three of them, but just two of them, 62 and 63. There being no one to speak, Commissioner Naft.

NAFT Thank you. Mister Chairman. For all of these applications, we've spent quite a bit of time working through some of this and in the Stadium District looking at trying to balance some practicality with some of the things we're holding everyone else to in the Stadium District and need to hold the stadium to as well. I guess, Nancy, for you, in the prior iteration of this, the suggestion for Mister Burnette about the tree fund, that worked reasonably okay last time, and you're able to come up with a formula?

AMUNDSEN Yes, we were.

NAFT Okay. That being the case, I move for approval of Items 62 and 63.

GIBSON There's a motion for approval.

AMUNDSEN Can we add that condition?

NAFT Oh absolutely. With the conditions that Mister Burnette presented.

GIBSON Just before we have any questions, do we know, can you tell us what the outcome was? I don't know that that's something that I've seen. There was a number. It was deposited. What happened?

AMUNDSEN Don, how much was the check?

BURNETTE Uh - it was in excess of \$31,000. I don't recall the exact figure.

AMUNDSEN It was - we had determined that it would be \$915 per tree if the County were to plant

AMUNDSEN them, and that's how it was calculated based on the required trees along each frontage for those pieces. But again, Don's better. He handed it to me, and I handed it to the Treasurer into a special fund, but I'm honestly wasn't sure how much it was.

NAFT Mister Chairman, we did that in consultation with RPM, so that would be our cost, not private cost.

GIBSON Right, right. Commissioner Kirkpatrick.

KIRKPATRICK Thank you. May - I just wanna ask a question and may - my question is really to Commissioner Naft. So, the Stadium's not going away for 20 years, so is this, I mean, at some point, we've heard that you gotta get some long-term parking land, so what, what is the plan? Is this only good until 2025? Or is there - what's the longer plan?

NAFT Well, we've tried to treat the lot - really, that's fine. I'd let Don answer that, 'cause he's the representative, but from my perspective, I can tell you, I've tried to treat the lots that have very short-term leases a little bit differently. And the applicant understands the strong desire for them to move from short-term leases, you can confirm that to long-term solutions – you want to address that -

BURNETTE Well, and again, you might recall from our conversation in November that one of the items that we submitted as part of that package in November, when we submitted it was under a lease agreement, another short-term lease agreement. I will - I shared with you back in November, we were fortunate enough to be able to acquire that piece of property, and when I shared that information with you, I also told you that we were withdrawing our street-facing waiver request for landscaping and that we would be putting in our landscaping ourselves. So, our hope and expectation is that we would be able to acquire some of these assets going forward. Obviously, we don't control that process but if we do, that we'll come back and look to make the kind of long-term commitments that we made for Lot S.

SEGERBLOM And if I could ask, so this, the money we're putting in today won't we get to keep it. And so, you'd have to put trees in in the future if it becomes a permanent lot?

BURNETTE That's what I'm saying.

GIBSON So, the approval then runs for the term of the lease, and then you'd be back? Or what happens if there's an extension of the lease? Does it run until the lease, extensions, all of them are -

AMUNDSEN No, we're, sorry, I was gonna be flippant and say we're arbiter - arbitrary and capricious, but we require that they come back in for reviews. We wanna make sure that it's working. So, and we update certain, it's not tied to the lease. We update certain review dates.

KIRKPATRICK Sorry, Commissioner, I just wanna make sure that they're a true community partner and everybody else, regardless of their lease, they still gotta put in landscaping, so I'll make sure that we get what we need. But it looks like that you're gonna come back next year in 2024 in June, so then you'll probably have some better idea of what the full-time parking situation is. I'm assuming.

GIBSON Anything more?

NAFT Yes, and perhaps this is a good opportunity -

KIRKPATRICK Okay, good.

BURNETTE Wasn't sure if that was rhetorical question?

NAFT In addition to Don, Chris is here, not to call you up, but just to maybe, you can make yourselves available between the next time you'll be back up to have this conversation with anybody from the Board who would like it.

BURNETTE Absolutely.

GIBSON Thank you. I think that'd be a good idea. There's a motion on the floor for approval of Items 62 and 63. Any more discussion? Please cast your votes. Motion carries.

ACTION: It was moved by Commissioner Michael Naft and carried by the following vote, that the applications for Item Nos. 62 and 63 be approved subject to staff and additional conditions.

VOTING AYE: Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

CONDITIONS OF APPROVAL –
Comprehensive Planning

- Until May 17, 2024 to review as a public hearing;
- Applicant offered and agreed to coordinate with County staff to determine a cost contribution for street landscaping based on the most current Job Order Contract - Construction Task Catalog for the rate and costs for specific tasks related to the installation of what would have been required street landscaping trees.
- 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 commenced or there has been no substantial work towards completion within the time specified.

ITEM NO. 63 AR-23-400046 (UC-22-0461)-ITAI INVESTMENTS, LLC:

USE PERMIT FIRST APPLICATION FOR REVIEW for a parking lot.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate street landscaping; 2) eliminate parking lot landscaping; 3) reduce setbacks; 4) increase fence height; and 5) required trash enclosure.

DESIGN REVIEW for a parking lot on 1.9 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the north side of Hacienda Avenue and the west side of Dean Martin Drive within Paradise. MN/jud/syp (For possible action)

ACTION: It was moved by Commissioner Michael Naft, and carried by the following vote, that the applications for Item Nos. 62 and 63 be approved subject to staff and additional conditions.

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

CONDITIONS OF APPROVAL –
Comprehensive Planning

- Until May 17, 2025 to review as a public hearing;
- Applicant offered and agreed to coordinate with County staff to determine a cost contribution for street landscaping based on the most current Job Order Contract - Construction Task Catalog for the rate and costs for specific tasks related to the installation of what would have been required street landscaping trees.
- 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 commenced or there has been no substantial work towards completion within the time specified.

ITEM NO. 64 WS-23-0238-LV STADIUM EVENTS COMPANY, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscaping; 2) eliminate parking lot landscaping; 3) reduce setbacks; and 4) trash enclosure.

DESIGN REVIEW for a parking lot on 0.7 acres in an M-1 (Light Manufacturing) Zone and an M-1 (Light Manufacturing) (AE-60) Zone. Generally located on the north side of Dewey Drive, 287 feet west of Polaris Avenue within Paradise. MN/md/syp (For possible action)

BURNETTE

So, under Items 64 Mister Chairman this is a new piece of property, if you will. Let me flip back.

So this parcel is represented right here. The 0.7 acre parcel that's immediately to the west of Lot S. It was acquired at the same point in time, as part of the same transaction as the acquisition for Lot S and it remained undeveloped until we got through the season last year, and early - earlier this year, we began the process of going through a design process to use it as another offsite lot, given its small size and its unique configuration, it yields relatively few parking spaces, but given proximity to the stadium, we thought it was probably the best and highest use for the stadium.

In designing the lot - in designing the lot, followed a lot of the same design principles as the other lots, and as a result, we have essentially the same waiver package as the previous seven lots that were before you, with one notable exception, and that is waiver number one on your list, and that's the request for 15 feet of, not the request, it's the waiver for 15 feet of landscaping behind the attached sidewalk. And I can tell you after looking at various alternatives, and of, and visiting with Commissioner Naft recently, and seeing the sign that was on his wall, that was essentially extolling the virtues of detached sidewalks and clearly hearing the conversation that preceded this item we came to the conclusion that a better alternative would be to incorporate a detached sidewalk here. I apologize for not having adequate time to show you how that might look from the site plan that was submitted but moving forward with this request, I think that would eliminate the need for waiver number one since we're willing to put in a detached sidewalk. You can see it's a – and the detached sidewalk is noted in the red.

BURNETTE

Given the really short width of this property, and the extreme jog, it kind of turned into a conversation about how we can improve the functionality of the detached sidewalk as it led us further east to Polaris, which, as you know, is a major pedestrian corridor. And we have also come to the conclusion that to improve the functionality, we'd like to also move forward with the detached sidewalk for Lot S. That was one of the lots that was before you and approved last November. In doing so we'll be able to provide the, at least for the Dewey lot before us, provide the adequate code-compliant landscaping that's required under 30 s - figure 30-64-17. But as I mentioned to staff before the meeting and to Commissioner Naft I just don't know if we have - not I just don't know - we don't have adequate space on Dewey abutting Lot S to meet the requirement of 30-64-17. So I just wanna make that clear but also express my commitment to provide five feet of street-facing landscaping abutting Dewey as part of the detached sidewalk configuration that we'll move forward with.

And with that I'm happy to answer any questions you may have.

GIBSON

Thank you. This is a public hearing, is there anyone who wishes to comment on Item 64? There being no one, the public hearing is closed. Commissioner Naft.

NAFT

Thank you, Chairman. So, to put that a little but more plainly, what we're doing, and if you're not, if you haven't spent a lot of time on Dewey, this is the street that has the parking garage coming up, this is a pretty heavy access point. On the other side of this property there's a 15-foot pedestrian realm coming through, and what essentially the applicant has offered here is to both provide the detached on what's before us, but also what is not before us - put a detached all the way through to Polaris. Is that, am I -

BURNETTE

That is correct.

NAFT

- recapping that appropriately? Okay. That is, I think there - if there's comments, I'm - feel free.

GIBSON

There may be a comment.

NAFT

(laughs).

JASON ALLSWANG

Just, Commissioners, just for the record, I just wanna clarify that that will take a vacation application so that we can vacate that excess right of way, and then they can put the landscaping where you want it.

NAFT

Okay.

JONES

Can I just ask a question? 'Cause it came up, actually yesterday, an unrelated application. Nancy, when there is an infill piece, and I'm not gonna categorize this as infill, but certainly where there are two existing properties, and they are attached sidewalks, is this kind of - is there a justification in those circumstances for thinking a little differently about attached versus detached? And you know I'm a lover of the detached just like all my colleagues, but is there, as we move forward and there are these types of situations where it's truly an infill -

JONES

Yes, there is justification, and, again, that whether it's - actually, you do have some older areas, in fact our Commissioners have some older areas that have some infill,

AMUNDSEN

AMUNDSEN and that is an absolute justification, if there is attached and attach, we might - again, we're gonna require a little more landscaping behind it, and that sort of thing. But yes -

JONES Right.

AMUNDSEN - there is absolute justification.

NAFT And that's the argument that we have every single day, is, if we just let everybody get away with infill, then we will never get where we wanna be. And that's why, while it is a little bit painful, to me, this makes sense, we're getting a whole lot more detached than we otherwise would because frankly that property is not before us today.

AMUNDSEN And if I could interject-

JONES (unintelligible) yeah.

AMUNDSEN In the Stadium District, absolutely we have an overlay, this is - if we don't start addressing the detached versus attached, we are not gonna have pedestrian realms that are safe, or it's gonna be very hard for us to redevelop that area. So again, different areas are gonna have different constraints.

JONES And to be clear, I told that developer to go back to the drawing board – the guy in the back there.

NAFT Thank you (laughs).

KIRKPATRICK And Commissioner Na -, I would just, you know, I'm trying to encourage people to put metal art or something in some of the landscaping, instead of waiving it because some of these older areas, it's hard to bring water, and very expensive. But I just think that we could bring some art to maybe where we start cutting all these, this landscaping. It just bugs me to cut the landscaping even with the tree thing, I just wish people would be creative and get some art. And especially because this is a truly walking area that we're sending thousands of people to.

AMUNDSEN And taking your lead that you've had in some of your areas that there's no water, and you're requiring some sort of - whether it be large rocks, or some - something, we are providing that in the code.

NAFT And I, to pick on Chris again, he has so graciously volunteered to serve on our arts committee and is helping with particularly the Zap! project, but also mural projects that the Board has approved the funding for within the Stadium District. If there's nothing further, I move for approval of Item 64 with the conditions offered by the applicant and stated by staff.

GIBSON Please cast your votes on the motion. The motion carries, thank you.

BURNETTE Thank you, Commissioners.

GIBSON Thank you.

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

VOTING AYE: Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

CONDITIONS OF APPROVAL –
Comprehensive Planning

- Areas for trash collection to be provided on-site;
- Detached sidewalks to be provided along Dewey Drive.
- 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.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

WAIVER OF DEVELOPMENT STANDARDS #1 WAS WITHDRAWN.

ITEM NO. 65 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) increase 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 63.0 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 September 20, 2023 per the applicant).

ITEM NO. 66 ET-23-400054 (VS-19-0063)-MOTOR HOLDINGS, LLC:

VACATE AND ABANDON SECOND EXTENSION OF TIME for easements of interest to Clark County located between Warm Springs Road and Capovilla Avenue, and between Windy Street and I-15 within Enterprise (description on file). MN/tpd/syp (For possible action)

AMUNDSEN

Next are Items 66 and 67, which can be heard together.

Item 66, ET-23-400054, vacate and abandon second extension of time for easements of interest to Clark County located between Warm Springs Road, and Capovilla Avenue, and between Windy Street and I-15 within Enterprise.

AMUNDSEN Item 67, ET-23-400055, use permit second extension of time to review a cannabis establishment (production facility) in conjunction with the proposed office warehouse building on a one-acre portion of a 2.1 acre parcel in the M-D (Design Manufacturing) (AE-65) Zone.

GIBSON Morning.

CHAD CHRISTENSEN Morning, Mister Chairman, Members of the Board. My name is Chad Christensen, address is 4110 South Maryland Parkway, Suite 1. And I'm here today to request a time extension on this development.

Our industry is heavily affected by the illegal cannabis market, and we've had some challenges keeping up with what we've committed to do on this property. We've been able to, since realign ourselves, and as I've met with the Town Advisory Board my understanding was that we were up to speed on some of the requests of the County, and I've since come to find out that we've got some catching up to do. Nonetheless, I'm standing here today to ask for this time extension so that we can get caught up, and we can continue forward with our development.

GIBSON Thank you. So, an extension of time is sought here. This is a public hearing, Item 66 and 67 are heard together, is there anyone here who wishes to speak on these items? There being no one, the public hearing is closed. Commissioner Naft.

NAFT Thank you, Mister Chairman, I move for approval with the understanding that there won't be a - you won't be back here again for a further extension.

CHRISTENSEN Understood.

NAFT Thank you. Move for approval of Item 66.

GIBSON Please cast your votes on the motion.

MILLER Chairman, just one, one quick question, I missed this one in my review, I apologize. Mister Christensen's a former client of mine, do I need do – to abstain or merely disclose?

WARHOLA The disclosure is sufficient, you do not need to abstain since he's a past client of yours.

MILLER Thank you.

GIBSON Please cast your votes.

AMUNDSEN For 66 and 67.

GIBSON Yes. And the motion carries. Thank you, Mister Christensen.

ACTION: It was moved by Commissioner Michael Naft, and carried by the following vote, that the applications for Item Nos. 66 and 67 be approved subject to staff conditions.

VOTING AYE: Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross

VOTING NAY:

Miller, Michael Naft, Tick Segerblom

ABSENT:

None

ABSTAIN:

William McCurdy II

None

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until April 3, 2025 to record.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that re-approval by the utility companies is required.

Public Works - Development Review

- Compliance with previous conditions.

ITEM NO. 67 ET-23-400055 (UC-19-0076)-MOTOR HOLDINGS, LLC:

USE PERMIT SECOND EXTENSION OF TIME to review a cannabis establishment (production facility) in conjunction with a proposed office/warehouse building on a 1.0 acre portion of a 2.1 acre parcel in an M-D (Designed Manufacturing) (AE-65) Zone. Generally located on the north side of Warm Springs Road, 145 feet west of Windy Street within Enterprise. MN/tpd/syp (For possible action)

ACTION:

It was moved by Commissioner Michael Naft, and carried by the following vote, that the applications for Item Nos. 66 and 67 be approved subject to staff conditions.

VOTING AYE:

Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY:

None

ABSENT:

William McCurdy II

ABSTAIN:

None

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until April 3, 2025 to obtain a valid Clark County business license for a cannabis production facility;
- Until April 3, 2025 to review.
- Applicant is advised that a subdivision map is required to be recorded prior to the issuance of any business license; 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 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.

Public Works - Development Review

- Compliance with previous conditions.

ITEM NO. 68 UC-23-0235-JD R OWNER, LLC:

USE PERMIT for deviations as shown per plans on file in conjunction with a resort hotel (Fontainebleau).

DEVIATIONS for the following: 1) reduce height/setback ratio; 2) increase projection of wall signs; 3) increase the height of directional signs; 4) increase the area of directional signs; 5) reduce setback; 6) allow temporary signs; and 7) deviations as shown per plans on file.

WAIVER OF DEVELOPMENT STANDARDS to reduce setback from the right-of-way.

DESIGN REVIEW for a comprehensive sign package in conjunction with an approved resort hotel (Fontainebleau) on 22.7 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the north side of Elvis Presley Boulevard and the east side of Las Vegas Boulevard South within Winchester. TS/md/syp (For possible action)

AMUNDSEN

Next is Item 68, UC-23-0235, use permit for deviations as shown per plans on file in conjunction with the resort hotel, the Fontainebleau, deviations for the following: Reduce height setback ratio, increase project- projection of wall signs, increase the height of directional signs, increase the area of directional signs, reduce setback, allow temporary signs deviations as shown per plans on file, waiver of development standards to reduce setback for the - from the right-of-way. Design review for a comprehensive sign package in conjunction with an approved resort hotel on 22.7 acres in an H-1 (Limited Resort Apartment) Zone generally located on the north side of Elvis Presley Boulevard and the east side of Las Vegas Boulevard South within Winchester.

GIBSON

Good morning.

LEBENE OHENE

Good morning Commissioners – Commissioner Gibson, and Commissioners. Lebene Ohene, 520 South Fourth Street, representing the Fontainebleau Resort Hotel. And with me, is Anthony Leone from the resort, and Rick Juleen from YESCO. This request is to consolidate the signage for the resort. The previous approval for the resort was in 2008, and this request will basically expunge that application, resulting in one overall application for the site.

To orient you to the site, which I know you all know where this is, it's on the north side of Elvis Presley Boulevard, and the east side of Las Vegas Boulevard, consisting of two tax parcels. The application, as proposed and previously stated, is to consolidate all the previous approvals. So, you would notice that there already some signage on the building and on the site. Now, staff has recommended approval for most of the signage, but the signage that a staff had some questions on and recommended denial, which was Deviation Number Six, and also applications I and K temporary signs that are typical for resorts - mostly during construction, and most people just construct the temporary signs without approvals. But in this case, the temporary signs exist along the frontage, which is along the west side of the parcel, and then along the north side. On the south side, which is along Elvis Presley, they're establishing the landscaping so it doesn't exist yet.

The reason for the request is normally up to - during construction and up to the opening of the resort, they put these temporary signs, and so the intent is to put the temporary signs in once they finish all the landsc - installation of the landscaping on, along the south side, and have signage, "Opening soon," those kind of signage, and actually maintain and improve what is along the frontage as they complete the frontage. On the north side, as you all know, we have this silver arena, silver stone, or Silver View Arena, which has – it's a hole. So, during opening, we of course need that temporary sign looking better as they open, as they finish and open. That's the reason for that temporary signage application.

OHENE And to walk you through some of the signage, we've been working with our neighbors to the east, which is the Turnberry Towers, and there was a question about a couple of the signs which – projection signs on the garage portions of it, on the northeast and the southeast. We worked with them and improved those signs which I'll show you know in a minute. There also a question about the signage on a portion of the tower, and just to present this picture because there was a confusion because it was flat, so it almost seemed like you could see those signs to the east. This FB sign is this visible - from Las Vegas Boulevard, from south, going north, the signage and the question is animated signs on the tower. And this picture shows the actual tower so the signage ends on this corner, and doesn't go to the east, and that was the concern. So basically, all that sign faces southwest, and not southeast just to explain that to -

GIBSON So, the white stripe is a sign?

OHENE The white stripe is basically - it's not the sign. The sign will be just above it. That's basically an architectural detail to give a break in the entire wall, because it's all glass, so the sign that goes in over on this side of it, and it's facing towards the Boulevard, not towards the residences. And this actually shows that it ends right here, so it doesn't go to the west. So that was the one, -

KIRKPATRICK Can I ask a -

OHENE - the applicants had a question on.

GIBSON Commissioner.

KIRKPATRICK Well I'm now more confused, 'cause I think thought you were alluding to that the Strip was the illuminated sign, but now you just said it isn't, so I'm confused. So, well then what would the signage be above it? What would that (unintelligible) -

OHENE It is an animated sign that points towards the Strip, not towards the residences.

GIBSON Do you have a drawing that shows that?

OHENE Yes let me go back. So, just a minute.

KIRKPATRICK I think I'm not the only that's, -

GIBSON Well, I asked the question, I -

KIRKPATRICK - confused.

OHENE Yes. So basically, these are some of the signs that our neighbors had questions on. This is way on top of the tower, and then we also have some wall signs that are animated sign. This animated sign is what is in question, I just -

KIRKPATRICK I know, but so I'm trying to visualize what that looks like, and so what I think is like the - little black kind of roll that goes across at the bottom of your TV or something that says that you're advertising all the stuff come in - well, I mean, I'm just trying to visualize what that looks like, because I thought that was the whole point of having

KIRKPATRICK the illuminated strip.

AMUNDSEN So, I think when looking at what Lebene is showing here, I would say that what you originally thought was the sign is the - is going to be the sign in that white strip. But I think that the perception is it's a lot narrower than it is. If you think about it, it looks like it might be a floor width, which could be - how high is that Lebene? 13, 15 feet height?

OHENE It's actually higher than that. It's-

AMUNDSEN So, I think - I think-

OHENE - 363 feet from grade.

AMUNDSEN No, no, no, no. The height of the red area.

OHENE The - you're talking about the width?

AMUNDSEN Is it 10 feet? Yeah, I can't see.

OHENE Yeah.

AMUNDSEN Okay, so but I think that it is within the white -

OHENE White area.

AMUNDSEN - that's what it looks like.

KIRKPATRICK Okay.

AMUNDSEN But it - the perception is that it's very narrow, but it's not because it's high, and that's a very tall building.

OHENE Because it's high up on the tower.

GIBSON Looks like it's a - it's a floor - it's a floor worth of window space -

AMUNDSEN I believe so, yes.

GIBSON - so it's about, what, 10 feet, yeah. Does it say 10 feet on there?

OHENE And so we clarified it, and I showed this so that the neighbors would know that it doesn't wrap all the way around the tower, it just ends where it faces southwest towards the Strip. And with that said, the only question staff had was -

UNIDENTIFIED SPEAKER (unintelligible)

OHENE Okay. The only question staff has was the temporary sign. They were alright with all the signs. And in creating one sign package with expunging the original 2008 it allows for ease of signage and research for staff, so they don't have to go through too many applications. So, the intent is to consolidate everything, and some of the

OHENE signage is actually already existing, like the FB that I showed, which was previously approved in 2008, and also the roof sign, which is already installed.

So, with that we would appreciate your approval of the application, and we accept staff's condition of approval. Thank you.

GIBSON Thank you. This is a public hearing, is there anyone here is who is, who wishes to speak on Item 68 or 69? There being no one, the public hearing is closed. Commissioner Segerblom.

SEGERBLOM Thank you. Nancy, or Public Works, can you explain the - your concern about the temporary sign, or is that gonna be okay as long as it's temporary?

AMUNDSEN We generally don't like temporary signs along the Las Vegas Boulevard in the Strip, but again, we - there have been some approved. And if you would, we don't have in our conditions any kind of limitation, but if you'd like to place a limitation on the signs, they can only be up X number of days after it opens, or something to that effect. But our main concern is we wanna make sure that the temporary signs that you see in some areas that stay up forever, and they don't look good, that we don't have that along the Strip.

SEGERBLOM Thank you. So, Lebene, can we put a condition on when the temporary signs would come down?

OHENE The intent is for them to come down, the ones on the west side, along the Boulevard, and along Elvis Presley through opening on the north side, which is interior to the parcel, which is basically north between us and Silver View, because they're not building anything, we will want that maintained, and we understand they're gonna be building a more permanent wall. So, we'll take that down once they build the wall, they claim they're building.

SEGERBLOM Okay, so if we say the west and the south is gonna, end on the - end of the year, that would get us through opening and -

OHENE Yeah, through the opening of the resort.

SEGERBLOM Yeah, then the north sign - can we condition it for the end of 2024, and then bring it back if there's a problem?

OHENE Yes, we're okay with that. We'll, we'll remove it by 2024, because we understand our neighbors are gonna build a wall. So. ..

SEGERBLOM Well, that's my goal, but, as we know, that wall has been go - (laughs) coming for a long time, so I don't wanna count on that wall.

GIBSON That's what we're saying today (laughs).

SEGERBLOM (laughs).

GIBSON Well, we want Fontainebleau to get open, so glad you're moving approval on this I - these items.

SEGERBLOM So, if that's clear, then I'd make that motion.

OHENE Yes. Thank you, sir.

GIBSON There's a motion for approval by Commissioner Segerblom with the conditions as noted. Any discussion? Please cast your votes. The motion carries, thank you.

OHENE Thank you, Commissioner.

ACTION: It was moved by Commissioner Tick Segerblom, and carried by the following vote, that the application be approved subject to staff and additional conditions.

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

CONDITIONS OF APPROVAL –
Comprehensive Planning

- Expunge UC-0489-08;
- Temporary signs on the south and west faces of the site must be removed by January of 2024 and those on the north faces of the site must be removed by December 31, 2024.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; 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.

ITEM NO. 69 UC-23-0267-CAMPUS VILLAGE GROUP, LLC:

USE PERMITS for the following: 1) dormitory; 2) eliminate portions of the pedestrian realms; and 3) eliminate portions of the development standards of the Midtown Maryland Parkway District.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) increase building heights; 3) reduce landscaping; and 4) alternative driveway geometrics.

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. TS/bb/syp (For possible action)

AMUNDSEN Next is Item 69 UC-23-0267, use permits for the following: dormitory, eliminate portions of the pedestrian realms, eliminate portions of the development standards of the Maryland - midtown Maryland Parkway District, waiver of development standards for the following: reduce setbacks, increase building heights, reduce landscaping, alternative driveway geometrics. Design reviews for the following: commercial complex finished grade on 3.4 acres in the 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 with Paradise.

GIBSON

Good morning.

JOHN T. MORAN III

Yes. Good morning, Mister Chairman – Membership. John Moran III with the law firm of Clark Hill, representing the applicant Campus Village LLC, on Item Number 69. I would like to first note – quickly that we have Brent Resh with my office here assisting us with the project. He was the one that worked directly with your staff on this particular item, both Public Works and Planning and Zoning. I also have, I believe, in the audience, Mister Frank Moretti, one of the strategic and joint venture partners of this particular project, which, as you know, is, in my opinion, I believe in yours as well, a project of regional significance because of the fact that it touches, and is so intimately entwined with what we are trying to do at UNLV on a more global basis from 50,000 feet. Also, for the technical questions, we have Julia Izzolo from Zenith she will be able to address technical questions if they come up.

I've been told specifically to keep it very, very short. And that did not come from Commissioner Segerblom, that actually came from my mother this morning, so we will go ahead and start with that, Mister Chairman. We provided a digital presentation, a digital deck to your IT department, and if I can go to page one of that deck, if it's downloaded, that would be great, if not we could do it the old-fashioned way, by pigeon and stagecoach.

GIBSON

Do we have that presentation, and if so, would you please get it up?

MORAN

And in the interest of time, Mister Chairman not a big deal, again, you've seen the digital deck, I provided copies to both your office, as well as the offices of all Commission membership so you have a copy of that digital deck – I believe it was several pages, maybe 10, but it went through some of the nuances of the project, it gave some proximity, and walked you through the details of the actual project. If I can just briefly start off, we'll go to the overhead, and take a look at the site plan, which also includes landscape buffering.

You'll notice this project is on Maryland Parkway, most of you are familiar with this particular area. This is directly east of the university campus, UNLV, formerly Nevada Southern. You'll notice that this piece is between both University Avenue, and Harmon Avenue, the hard corner, which I'm considering on the property that being the north east corner of the property, you will remember had a small strip mall articulated behind what was on that hard corner of that property, a former 7/11. That 7/11 has now been integrated back into the buildings, both Building A and Building B. I will get into those in just a moment to give the Board further reference. But we did end up taking out the gas pumps. The gas pumps number one they provided some issues with regards to aesthetic perception in that area and also they provided some issues with regards to site circulation, and fire safety. So, we went ahead, and corrected that issue.

Now, let me go back real quick just to give a quick history. This project was, in some form or fashion, approved this is going back to October of 2021, and there were a number of comments made by shareholders, stakeholders, and then obviously comments that were made by staff, and then also membership both now and at the time. The developer of this project, again, joint venture partnership between Woodbury corporation, and G2 Capital came together through our architects Hoefer and Welker to design a project that, again, took into consideration all of the issues

that were attendant going back to years essentially, upwards of two years ago and have now integrated those concerns, and those issues, or areas of concern, areas of interest into non-issues at this point in time, but consistent, compatible, and harmonious with your master plan, but also again, the thoughts and concerns of all stakeholders, all shareholders, both adjacent property owners, and administrative staff for Clark County, Public Works, and Planning and Zoning. On that note, I would be remiss not to mention that, I don't wanna forget, working with Director Amundsen and her department – um - Planning and Zoning, Public Works, and the folks at Building were professional, diligent, reasonable, and we appreciated their help and choreography, because this is an, a very, very big project, it's contemplating in excess of a half a million square feet of space. It is, as I pointed out earlier in proximity to the University, which is very, very important. And the shared uses throughout that area are, are important as well. And the developer, again, did take into consideration all of those issues.

Now, if I can, I'd like to give just a little bit more on the site plan that we have in front of you. We have a Building A, and a Building B. The Building A is on the north side of the parcel, that, and we're gonna see some elevations in just a moment. But Building A essentially is a - it's essentially a 15, 16, 17 story building it includes on the first floor, retail, at about 19 feet, and then we go into a linear parking garage from floors two, three, and four getting to floor five, going up, you know, five, all the way up to 15, you will have standard dormitory rooms that will be utilized by the folks choosing to avail themselves of our great higher ed institutions namely UNLV. Uh - we're looking at about 500 dormitory rooms maybe up to 700, I'm sorry, beds we're looking at about 326 units again, very, very big in size.

Going now to Building B. At the foot of the building in the retail on the first floor, again, 19 feet higher ceilings, what you'll find is a 7/11. We had that lease, we had to maintain the integrity of that lease, we pushed that lease back into the project. We went to, again, two, three, and four for parking, and then above that, you'll find the C-suite for UNLV's, again chief officers, and that will be where they will be housed at some point in time in terms of their office space, and you're gonna see that in two minutes.

Again, to give you a quick overview of the area involved you'll notice this is kind of a smattering of some of the other dormitories in the area, you'll notice the Degree, the U which is another project that was capped off by a G2 Capital and Mister Moretti, successfully so. You'll notice the Echo which is another project in that area, and you'll notice the areas where these are kind of popping up, very, very important.

And then I'm gonna go ahead and go to the overhead now on the local context in terms of our project. Again, trying to orient you, again, from an aerial standpoint to where the student housing would be contained in Building Number A, and then obviously the office building contained in Building B. This is what the project and the existing conditions look like as of today. We're getting ready obviously to raise the 7/11, and again, those gas pumps will go, and you'll notice the backend on the lower piece of that sheet which is the area on the eastern portion of that site going back into the neighborhood. And so that's pretty much what we have for you today to go ahead and show you that. I am here to answer any questions that you may have. I wanted to say one thing, I believe Mister Garcia is here. We work with Mister Garcia on this project based on the fact that his client is the owner of the parcel directly to the east,

MORAN

and adjacent to our parcel. We wanted to make sure that he, and his concerns, and the concerns of his client were met and addressed in every way, shape and form. They have been, I believe that Mister Garcia will be making those representations today. We are here to answer any questions.

We believe that this project is going to place us in a trajectory where we are on, essentially, a mission to get to where Arizona State University is in terms of their skyline. I had some comparisons in the digital presentation, you all have that presentation to note those. I wasn't really fond of them utilizing UCLA, but of course ASU is great because that's my alma mater. What Michael Crow has done at Arizona State, the President of Arizona State, is just incredible, he's put that institution essentially on the map during his tenure, and that is really what we wanna see. We want to become what Tempe has become here on that Maryland Parkway corridor. And we wanna create that skyline. This project, the way it's lined out from an elevation standpoint, from an aesthetic standpoint, and just from a substantive standpoint is exactly what Michael Crow and their Planning Commissions were contemplating in Tempe when they wanted to move forward with their master plan in that higher ed zone, so to speak.

So again, we're here to answer any questions, we appreciate your time, and we feel that we're coming with a really, really great project. And another thing I wanted to address too just real quick-

SEGERBLOM

Listen to your mother.

AUDIENCE

(laughs).

MORAN

I'm done. Shut it down. Thank you, Commissioner Segerblom. We're here to answer any questions.

GIBSON

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

GEORGE GARCIA

Chairman, Commissioners, George Garcia, 1055 Whitney Ranch Drive, Suite 210. Thrilled to be here before you with a great project. My client rep is Ashton Park Apartments next immediately to the east. We've been working with Commissioner Segerblom. More importantly, we've been working with Woodbury Companies and with Frank, I'm ready to make this campus village a reality that we just heard described. We had some issues that we had worked with them. We supported the project initially. We have a few issues we wanted to resolve. We've provided a letter of agreement that we have with the Woodbury and Frank that JT didn't introduce. If JT can come back and just tell you they're willing to proffer that, but that agreement contains the resolution because it -

At - currently, there's a block wall that encroaches on our property. That will be removed. There'll be some paving work done to fill in between the new wall and the old - where the old wall was, slurry coat the parking so it all looks uniform and matched. And in return we'll be doing some easements for them, both temporary and permanent to help facilitate their driveway and the construction of the retaining wall. So that - we've tried to work all that out to get everything resolved to make this project go forward but protect my client at the same time, and if JT comes back and offers that letter, we've provided a copy of that letter provided from Woodbury's

GARCIA Assistant General Counsel, Clay Stephenson, and provided that to the Commissioner's office, and that's what we'll, like, introduce and agree to hopefully with your support and JT's putting it on the record. Thank you.

GIBSON Thank you. Is there anyone else who wishes to speak on this item? The public hearing is closed, and I take it that you're willing to cede to the request that Mister Garcia has made?

MORAN Yes, Mister Chair.

GIBSON Alright. Commissioner Segerblom.

SEGERBLOM Thank you. I know staff had a couple of objections. Could you state those? I'm not sure if they're Public Works or they're...

AMUNDSEN I think Public Works had a couple – we - one point I wanna make and, you know, again, we're not splitting hairs, but the projects that were shown - that were shown in the general area are not as - this is a very tall building, and I think that was a concern that we had. It's just very big, very bulky, but I don't know if Public Works had additional concerns.

ALLSWANG No, we're fine with the project as shown.

SEGERBLOM Alright. I know we didn't - we weren't able to go to the Town Board 'cause we wanted to get this moving and the Knights game kinda interfered with that. But there was one issue that was raised by staff, which was the parking structure and not having some type of - a transparent -

AMUNDSEN Not having a barrier - being open - make it look nicer. Is that a good way to put it? Just -

SEGERBLOM Yes. This is really going to be a classic structure, as you said, it's very prominent, so I think we need to make sure that that at least is there a way to condition this on some type of – making the parking structure look better without delaying this process?

AMUNDSEN Yes, we can - we would have a condi- you can - you can say it however you want, but in essence, it's going to be the condition would be the parking structure must be designed or – in such a way that it is aesthetically pleasing and then we can work with them as to what that means.

SEGERBLOM Alright. And as far as the letter from Mister Garcia, or Mister Garcia has referenced, is that - have you seen that? Or can we introduce that at this time?

AMUNDSEN We can put it in the file. It is an agreement between - it's not a County agreement, so we would just note it in our file, but we would not make it referenced in the approval.

SEGERBLOM Alright. Alright.

GIBSON So, Rob, in terms of the definition of this aesthetically pleasing what can you give us?

WARHOLA Well, it's vague, so they'll have to work with staff and then staff will have to agree

WARHOLA that it's aesthetically pleasing. I don't know how else to do it. And then maybe work with the Commissioner's office also.

GIBSON Is there - are you looking to obscure something? Is that essentially what you're doing?

AMUNDSEN We're looking to make it - their adjacent property that actually Mister Garcia is representing; we want to make sure that they are not seeing this big ugly wall. We want it to look a little nicer, we want all sides of this development to be as, I guess you could say, nice looking, aesthetically pleasing as -

GIBSON You can use the word aesthetically.

AMUNDSEN Yeah.

GIBSON That's okay.

AMUNDSEN Yeah. Well, I had to say it right this time. But we want it - we want all of the adjacent properties to not be impacted by giant blank walls.

GIBSON Yeah, okay. And I – so Commissioner Segerblom, what are your thoughts about how you might want that to be reflected in the record you're making?

SEGERBLOM Just aesthetically pleasing, as you said, just not a blank wall or I thought maybe it was gonna just be open exposure with the cars, but we just want something which - some type of a -

AMUNDSEN You want some sort of design? Again, we don't want it to look like a basic parking garage adjacent to that multi-family residential to the east.

SEGERBLOM Like pornography, we'll know it when we see it.

AMUNDSEN [laughs]

SEGERBLOM So, we'll know when it's aesthetically pleasing.

WARHOLA If they can't work something out, then I'll have to come back. That's all I can tell you.

GIBSON Alright, so it would need to meet the approval of our -

AMUNDSEN How about the –

GIBSON staff and our - the Commissioner.

AMUNDSEN - the - we require an administrative design review for the final design of the parking garage, and then we'll work with them, but that way they would have to come in, have it administratively approved, it would get approved.

GIBSON That's a good way to say it. Is that - does that work for you?

SEGERBLOM That's perfect. Yeah. I don't want to delay anything, but I just want to make sure we can look at it before it's -

GIBSON Did you have a comment?

GARCIA Yeah – yeah - yes, Chairman and Commissioner Segerblom and the Board. The one thing we would request, if possible, is since the applicant proffered you the - to have that letter basically added to the record basically self-imposing those conditions as opposed to your exacting 'em out of them, we think it would be appropriate to add it to the record as a condition to the County, because they've agreed to do that on their own volition. So, if that's possible, we'd like to do that.

GIBSON Is that possible Rob?

WARHOLA It's possible but I haven't reviewed the conditions, I don't know if that's something the County could enforce or what the conditions are, if it's part of a private agreement. So, I haven't had a chance to review what they're talking about.

GIBSON What if we just simply say that you've submitted the record and we've received it? And then - you're not going to sue us anyway, you're gonna sue his client. So, I don't - I don't think we wanna be in a position where anybody gets confused about who should enforce the terms of the agreement.

GARCIA That's fine Chair - Chairman. I think, you know, and I understand Rob's concern, but with – I - obviously at the late moment we got all of this resolved, haven't had time to involve staff but appreciate the fact that it's introduced for the record.

GIBSON Okay.

GARCIA And - and on the record, the applicant has agreed to do this. Thank you.

GIBSON Well, we'll receive the - a copy of the letter.

SEGERBLOM Well JT needs to come back up and state that for the record too.

MORAN Yeah – yes and that's an accurate statement. By in three to Commissioner Segerblom, Mister Chair. Again, JT Moran for the record. We - what I was kinda thinking was – is - yes, number one on the letter, we can introduce that, we just got that letter inked as of yesterday, so I, again, I don't have a copy of it, but we do agree in theory, that's the terms and conditions that were in that letter that Mister Garcia has.

GIBSON Well, you're – so -

SEGERBLOM You're trying to get it.

GIBSON What you're saying JT - what you're saying is you agree in theory, but there probably is some detail there. Do you agree to the detail?

MORAN 100%.

GIBSON If you signed the letter you agreed to the detail that is in the letter, would that be fair to say?

MORAN That would be fair to say.

GIBSON Okay. Yeah.

SEGERBLOM I received a copy from your lawyer, so hopefully you agree with it.

MORAN Yes, no, 100%. We - no, we agree with it. It's not even an issue. And the secondary item, I think is important as well, and I think that perhaps another avenue to handle this garage issue we still have to come back with our master signed plan. So I don't want to slow down our project with regards to any of our building permits because we're currently in a design review phased project review submittal process, but I think that this item won't hold any of that back, and in the meantime, we won't have to come back forward for two different hearings, administrative or otherwise, we could just bring everything back during the timeframes that we move forward with our sign -

GIBSON So, on the administrative review, you submit, they review. We don't hear it.

AMUNDSEN No, it's within ten days JD, so - JT, we can get that done very quickly, but it eliminates the issue of you coming in for a building permit, having it approved and staff and the Commissioner feels that the lack of interesting design on that side of your proposal impacts the neighbors to the east. It's not - we're not bringing it back to the Board, it is a submittal, we'll work with you on it and it's - would be staff and the Commissioners' office would be reviewing it.

KIRKPATRICK So - so Nancy -

SEGERBLOM Right. And that's not going to delay anything.

KIRKPATRICK I'm trying to think of an example. So, we did this in our district. Right?

AMUNDSEN Correct.

KIRKPATRICK With the mini storage. And it really was moving everything along at the same time, so it really is just on your architects bringing something that incorporates it and then it was a matter of our office and the Planning staff getting together and reviewing it to see if it made sense and it took no time. So, I think you would - a timeframe if you -

AMUNDSEN No.

KIRKPATRICK Bring it in with the design plan, 'cause I think you're going to build the parking before you can build the rest of it.

AMUNDSEN And the other thing this developer has had noticed because staff has consistently said that because there was a request for a reduction in landscape into a less intense use. Our reason for recommending denial of that waiver was that there's nothing to buffer or there's no - nothing that, again, that word, aesthetically pleasing, it's just there's nothing that buffers the adjacent property owners. So, Commissioner Segerblom has been discussing with staff what the concern was, he even brought up, 'cause remember what we had discussed with him, so we're not trying to hold you out, that's why we're suggesting administrative.

GIBSON Okay. Let's - so are prepared?

SEGERBLOM Yeah, I'm prepared to make a motion. So, JT, you can accept it or not, but if you don't like it, we're gonna vote anyway.

MORAN All good with it.

SEGERBLOM Alright. So, anyway, we're going to put into the record the letter from your attorney, and that goes to Mister Garcia and Mister Duncan, Mister Lee, about the property and the moving the wall and sledging, or whatever you call it, the slurring, the surface of their parking lot and also they were going to have an administrative review of the design covering the parking lot to the east. So -

GIBSON Parking garage.

SEGERBLOM Parking garage. Parking garage.

AMUNDSEN Right. And it was one of our conditions, our, if approved conditions, we're just adding that it's through an ADR. We don't want to have the back and forth as to what decorative screening would be. So, it's been a condition. So again, this developer should've known that this is something that we were concerned about.

SEGERBLOM Yeah. And I apologize it wasn't brought up at the town hall, but we didn't have the town hall, but we're trying to get this moving. So, with that - if that's clear, I would make that motion.

GIBSON Alright. Rather than trying to restate the motion... I'll assume it's clear. Is there anyone who wishes to comment on that motion or ask a question? There being no one, please cast your votes. You understand what the motion is, do you not, JT?

MORAN (Laughs) I'm just, I don't need to be good with it, I'm just hoping that you guys -

GIBSON No, you understand. I know you don't have to be good with it, but you understand what it is.

MORAN Yes.

GIBSON You understand what we've said here?

MORAN Absolutely.

GIBSON Alright. Good, (unintelligible), thank you. You're good. Yeah. The motion carried. Thank you.

MORAN Thank you, Mister Chair. Thank you, members

ACTION: It was moved by Commissioner Tick Segerblom, and carried by the following vote, that the application be approved subject to staff conditions.

VOTING AYE: Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN:

None

**CONDITIONS OF APPROVAL –
Comprehensive Planning**

- Expunge the use permits, waivers of development standards, and design reviews associated with ZC-21-0451;
- Coordinate 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;
- Decorative screening to be provided for the east elevations of the podium parking levels for both buildings to be approved through an administrative design review;
- Appropriate land use application is required for the art plan, and art shall be installed prior to Certificate of Completion;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- 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; 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

- Comply with approved drainage study PW22-18770;
- 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 coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Harmon Avenue improvement project;
- 30 days to coordinate with Public Works and the Regional Transportation Commission and to dedicate any necessary right-of-way and easements for the Maryland Parkway BRT 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 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; and that the VS-21-0452 expires in October 2023.

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; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- 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 Noise Office at landuse@lasairport.com;
- Applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation Noise Office a;
- Applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation Noise Office when property sales/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.

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 #0018-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 70 VS-23-0192-LV-PCPS, LLC & LV-AM, LLC:

VACATE AND ABANDON a portion of right-of-way being Paradise Road located between Sahara Avenue and Karen Avenue (alignment) within Winchester (description on file). TS/gc/syp (For possible action)

ACTION: Deleted from the agenda (held to July 19, 2023 per the applicant).

ITEM NO. 71 UC-23-0191-LV-PCPS, LLC & LV-AM, LLC:

USE PERMIT for deviations as shown per plans on file.

DEVIATIONS for the following: 1) alternative street landscaping; 2) increase wall height; 3) reduce gate setback; and 4) all other deviations as depicted per plans on file.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce the setback from a street; and 2) allow alternative driveway geometrics.

DESIGN REVIEW for modifications (landscaping, screening, and driveways) to an existing resort hotel (Sahara) on 17.5 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the southwest corner of Sahara Avenue and Paradise Road within Winchester. TS/gc/syp (For possible action)

ACTION: Deleted from the agenda (held to July 19, 2023 per the applicant).

ITEM NO. 72 WC-23-400052 (ZC-1576-98)-BESEAU, CONCHITA:

WAIVER OF CONDITIONS of a zone change requiring no access to Horseshoe Drive in conjunction with a beauty salon on 0.5 acres in a C-P (Office and Professional) (AE-60) Zone in the Russell Road Transition Corridor Overlay District. Generally located on the north side of Russell Road and the west side of Horseshoe Drive within Paradise. JG/md/syp (For possible action)

ACTION: Deleted from the agenda (held to July 19, 2023 per the applicant).

ITEM NO. 73 UC-23-0209-BESEAUX, CONCHITA:

USE PERMIT for personal services (beauty salon).

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce trash enclosure setback; 2) reduce parking; 3) alternative street landscaping; 4) alternative landscaping adjacent to a residential use; 5) allow access to a local street; 6) allow modified street standards; and 7) allow modified driveway design standards.

DESIGN REVIEWS for the following: 1) alternative parking lot landscaping; and 2) beauty salon on 0.5 acres in a C-P (Office and Professional) (AE-60) Zone in the Russell Road Transition Corridor Overlay District. Generally located on the north side of Russell Road and the west side of Horseshoe Drive within Paradise. JG/md/syp (For possible action)

ACTION: Deleted from the agenda (held to July 19, 2023 per the applicant).

ITEM NO. 74 WC-23-400053 (ZC-1333-02)-MCM TOWER, LLC:

WAIVER OF CONDITIONS of a zone change not allowing the required parking behind buildings in conjunction with an office building and parking garage with restaurants on 4.2 acres in a C-2 (General Commercial) Zone in the CMA Design Overlay District. Generally located on the north side of Sunset Road and the east side of Riley Street within Spring Valley. JJ/md/syp (For possible action)

AMUNDSEN

Next are Items 74 and 75 which can be heard together.

Item 74 WC-23-400053 waiver of conditions of a zone change not allowing the required parking behind buildings in conjunction with an office building and parking garage with restaurants on 4.2 acres in the C-2 General Commercial Zone in the CMA Design Overlay District.

Item 75 WS-23-0211 waivers involves the standards to the following: increase building height, increase the height of exterior fixtures, luminaries mounted on buildings, allow modified driveway design standards, design reviews for the following: office building, parking garage with restaurants, sh - finished grade on 4.2 acres in the C-2 General Commercial Zone in the CMA Design Overlay District generally located on the north side of Sunset Road and the east side of Riley Street within Spring Valley.

GIBSON

Good morning.

LEXA GREEN

Good morning. Lexa Green, 1980 Festival Plaza Drive here on behalf of the applicant. This application is a request for an office and retail building. The subject's site is a 4.18 acre parcel located on the northeast corner of South Riley Street and West Sunset Road, just east of the 215 and northwest of the Ikea.

The site is zoned C-2 with the land east designation of corridor mixed use. With that – the applicant is proposing an eight-story office building, which will be located on the southern portion of the site as well as a five-level parking garage, which will be on the northern portion. On the top level of the parking garage will be some retail and restaurant space.

The applicant is providing 1,139 parking spaces where 1,104 are required. We feel that the site is appropriate for the proposed use, as it fronts onto Sunset which is a 120-foot right-of-way and it's also in close proximity to the 215 and surrounded to the east, west and south by commercial uses in C-2 zones.

The thing that we're seeing in this area is that it's urbanizing and due to scarcity of

GREEN

land, developers are looking to build up so with that, the applicant is requesting a waiver to increase the building height to 133 feet, where 50 feet is generally permitted within a C-2 zone.

Just to give you a little background on this site in particular; the site was previously approved for - back in March of 2016 for a five-story office space with a maximum height of 85 feet. That application has since expired. However, I have provided an exhibit here, which highlights some taller buildings in the area, so buildings over 50 feet aren't unusual along the 215 and in this area in particular, and I'm not going to go through all these, but there are a couple that I do wanna highlight.

Immediately adjacent to the east is a commercial development that's coming in with a maximum height of 59 feet. We have a hospital just west of the 215 with a maximum height of 130 feet. We have Ikea to the south of us, that's 53 feet with the Ashley Furniture Distribution Center that was approved for 60 feet. South of the 215 we have Uncommons a 75 feet and also the Durango's – Durango Casino – Stations Casino at 216 feet, just to highlight, but we can see some others highlighted in green there.

As far as the request for reduction in throat depths, we wanna thank Public Works for working with us and revising the site plan. We were able to remove about 11 parking spaces to increase - and will increase the throat depth and reduce the requested waiver, so I do want to, oops, excuse me, compare the previously submitted site plan with that of what we're proposing today.

So, as we can see here, thank you, highlighted in red, our parking spaces that we removed, so we've increased the throat depth on Riley here and we've removed about five spaces near the Sunset Drive - driveway as well to reduce the amount of traffic conflict and increase the throat depth there as well.

Lastly, the applicant is requesting to waive a previously approved condition. This condition relates to a planned commercial retail center that was approved with the intent to encourage shared parking, so it does restrict parking from being behind the building. As we can see here, we are proposing a parking garage and some surface parking that will be behind the building, so we are requesting that that condition be waived as well. We thank you for your time and consideration of this application and I'm here to answer any questions you may have.

GIBSON

Thank you. This is a public hearing. Is there anyone here who wishes to speak on these Items 74 and 75? There being no one, the public hearing is closed.
Commissioner Jones.

JONES

Thank you very much Mister Chair and thank you Miss Green for your presentation and for working closely with Public Works on to make sure that those concerns were addressed.

This is tall. But I, also, as we talked about, think that there, you know, we can - we really gotta grow up or grow out, and this is a location where I think it is appropriate to grow up, and so with that I'll go ahead and move for approval of Agenda Items Number 74 and 75.

GIBSON

There's a motion for approval, please cast your votes. Motion carries. Thank you.

GREEN

Thank you Commissioner Jones and you all have a good day.

ACTION:

It was moved by Commissioner Justin Jones, and carried by the following vote, that the applications for Item Nos. 74 and 75 be approved subject to staff conditions.

VOTING AYE:

Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY:

None

ABSENT:

William McCurdy II

ABSTAIN:

None

CONDITIONS OF APPROVAL –

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0160-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 75 WS-23-0211-MCM TOWER, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) increase the height of exterior fixtures (luminaries) mounted on buildings; and 3) allow modified driveway design standards.

DESIGN REVIEWS for the following: 1) office building; 2) parking garage with restaurants; and 3) finished grade on 4.2 acres in a C-2 (General Commercial) Zone in the CMA Design Overlay District. Generally located on the north side of Sunset Road and the east side of Riley Street within Spring Valley. JJ/md/syp (For possible action)

ACTION:

It was moved by Commissioner Justin Jones, and carried by the following vote, that the applications for Item Nos. 74 and 75 be approved subject to staff conditions.

VOTING AYE:

Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY:

None

ABSENT:

William McCurdy II

ABSTAIN:

None

CONDITIONS OF APPROVAL –

Comprehensive 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 installation and use of cooling systems that consumptively use water will be prohibited; approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- 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 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.

Fire Prevention Bureau

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

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 #0160-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 76 WS-23-0050-RW LV FUTURE LAND, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) building height; and 2) reduced throat depth. DESIGN REVIEW for a convention center in conjunction with an existing resort hotel (Resorts World) on a portion of 86.9 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the west side of Las Vegas Boulevard South, the east side of Sammy Davis Jr. Drive, and the north side of Genting Boulevard within Winchester. TS/bb/syp (For possible action)

AMUNDSEN

Item 76 WS-23-0050 waivers of development standards for the following: building height, reduced throat depth, design review for a convention center in conjunction with an existing resort hotel, Resorts World, on a portion of 86.9 acres and an H-1 Limited Resort and Apartment Zone generally located on the west side of Las Vegas Boulevard, south of the east side of Sammy Davis Drive - Sammy Davis Junior Drive and the north side of Genting Boulevard within Winchester. We request that you add a Public Works condition that reads: can coordinate with Public Works Development Review for on-site signage related to the maximum allowable truck size for the loading docks areas opposite the Sammy Davis Junior Driveway.

GIBSON

Good morning.

GREG BORGEL

Good morning, Mister Chair and Commissioners. I'm Greg Borgel, 3747 Heritage Avenue here representing Resorts World. The development in question is the provision of a convention center on the northwest portion of the property. The only issue that was raised was with the design of the entrance, which also incorporates extra laneage on Sammy Davis and internal design for deliveries. To reach to the bottom line directly we, the applicant, has accepted all of the - if the approved conditions of staff, and the applicant has also authorized us, me, to accept the additional condition just asked for - by staff – which resolves the question subject to additional directional signage which will be in place and which will regulate the size and location of the various truck loading facilities.

BORGEL

GIBSON

Does that complete your presentation Mister Borgel?

BORGEL

Yes sir.

GIBSON

Thank you. This is a public hearing on Item 76, is there anyone here who wishes to speak on this item? There being no one, the public hearing is closed. Commissioner Segerblom.

SEGERBLOM Thank you, and I wanna commend Mister Borgel, I think that's the shortest presentation he's ever made, so thank you. And -

BORGEL Like Mister Moran, who was told earlier I was cautioned in that regard, and I'm trying to do a better job of following the caution, but here we are.

SEGERBLOM Thank you. But with respect to that, I would move for approval, subject to staff's conditions and especially the Public Works that Miss Amundsen read into the record.

GIBSON There's a motion for approval, please cast your votes. And that motion carries. Thank you, Mister Borgel.

BORGEL Thank you again.

ACTION: It was moved by Commissioner Tick Segerblom, and carried by the following vote, that the application be approved subject to staff and additional conditions.

VOTING AYE: Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Prior to the issuance of building and grading permits, or subdivision mapping, mitigate the impacts of the project including, but not limited to, issues identified by the technical reports and studies, and issues identified by the Board of County Commissioners or commit to mitigating the impacts of the project by entering into a Development Agreement with Clark County.
- 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; 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

- Install a dedicated right turn lane on Sammy Davis Jr. Drive;
- Coordinate with Public Works - Development Review for on-site signage related to the maximum allowable truck size for the loading docks/areas opposite the Sammy Davis Jr. driveway.
- Applicant is advised that off-site improvement permits may be required.

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; applicant is advised that many factors may be considered before the

issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;

- 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.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that operational permits and fire protection may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316; and that fire/emergency access must comply with the Fire Code as amended.

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 #0063-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 77 WS-23-0107-GROUP XIII PROPERTIES, LP:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) modified driveway design; and 2) alternative landscaping along a street.

DESIGN REVIEWS for the following: 1) office/warehouse; 2) finished grade; and 3) alternative parking lot landscaping on 8.7 acres in an M-D (Designed Manufacturing) (AE-75, AE-80, & APZ-2) Zone. Generally located on the north side of Cheyenne Avenue and the west side of Marion Drive within Sunrise Manor. MK/bb/syp (For possible action) (held from June 7, 2023)

AMUDSEN

Next is Item 77 WS-23-0107 holdover waivers and development standards to the following: modified driveway design, alternative landscaping along the street. Design reviews to the following: office warehouse, finished grade, alternative parking lot landscaping on 8.7 acres on an M-D Design Manufacturing AE-75, AE-80 and APZ-2 Zone, generally located on the north side of Cheyenne Avenue and the west side of Marion Drive within Sunrise Manor.

GIBSON

Good morning.

DAMIEN DANIEL

Good morning. My name's Damien Daniel, I'm representing the applicant.

GIBSON

Do you have a presentation for us?

DANIEL

Yes. We - yeah, we have three industrial buildings that we're proposing. I'm not too familiar with the waivers, unfortunately, I'm filling in for somebody, I apologize (laughs). But we -

KIRKPATRICK

So Mister Chairman, can I ask? 'Cause this is in my district, but who came into our office and sat down and walked us through - okay, that person do the presentation.

DANIEL Yeah.

KIRKPATRICK Because you have to put some stuff on the record on what you're trying to do with that so that so that we could move forward.

JOHN WIGGINHUT Hi, John Wigginhut, 6671 South Las Vegas Boulevard. That -

GIBSON Will you speak right into that microphone please?

WIGGINHUT We've got a industrial facility here with three buildings. Do you know what the square footage is on that one?

DANIEL That one is 86,000.

WIGGINHUT 86,000. Go ahead.

DANIEL Building Two is 50,533 and Building Three is 23,280 square feet.

GIBSON So, we could not hear that. We're going to have you there's another microphone there if you want to speak, but please speak directly into it.

DANIEL Okay. Building One square footage is 86,284 square feet. Building Two's square footage is 50,533 square feet, and building Three's square footage is 23,280 square feet.

GIBSON Okay.

WIGGINHUT So, we've got three driveways off of Marion. There's a waiver for throat depth that we're requesting. We've addressed that by - can you hear me in this one? Removing the parking on either side and then on these two driveways here, the central one, we have stop signs on site that (unintelligible) address that. Is-

And then on waiver two, excuse me. Waiver two is for the detached sidewalk, which we have addressed by detaching the sidewalk from our previous site plan submission. I think that's all we have.

KIRKPATRICK Mister Chairman, if you open up the public hearing I'll help you afterwards (laughs).

GIBSON Yeah, I'm just trying to be clear here. So, well, okay. This is a public hearing, is there anyone here who wishes to speak on this item? There being no one, the public hearing's closed. Commissioner Kirkpatrick.

KIRKPATRICK Thank you Mister Chairman. So let me start by saying this is an infield project, which is next to the APZ-70, so there's not a lot of things that can go over there, so we have been focused on the industrial components, so there were a couple things, typically our office does not waive the throat depth, but they were able to work with Public Works because some of the driveways are - they think that they can do it. So, we also were not amenable to waiving the detached sidewalks and the developer came back and said that they could make that work just because it is a walkable area.

So with that, Mister Chairman, I - did I get it right?

WIGGINHUT That's correct.

KIRKPATRICK Okay.

WIGGINHUT That's correct.

KIRKPATRICK Perfect. You don't have to be scared of us, we're really nice people most of the time (laughs) so –

GIBSON Most of us are nice people.

KIRKPATRICK (Laughs) Hey, we're all nice (laughs) including myself. So, Mister Chairman, what I would do is make a motion for approval both allowing the waiver number one and the waiver number two for some alternative landscaping, and then denying oh, did we take that out? Yes, we took out the sidewalks. So I would make a motion to approve the waivers one, two and three. Is that correct?

WIGGINHUT That's correct.

KIRKPATRICK Did I make that right, Nancy?

AMUNDSEN I would just approve the application per plans presented.

KIRKPATRICK 'Kay. That would be my motion.

GIBSON Please cast your votes on that motion. Motion carries, thank you.

WIGGINHUT Thank you.

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

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Per plans presented;
- No gathering of individuals in an area that would result in an average density of greater than 25 persons per acre per hour during a 24 hour period, not to exceed 50 persons per acre at any time;
- Work with the Las Vegas Metropolitan Police Department for the installation and use 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 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; 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;
- Full off-site improvements.
- 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 Nevada Department of Transportation (NDOT) permits may be required.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0114-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 78 WS-23-0179-COUNTRY LIVING HOMES, LLC:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; 2) off-site improvements (curb, gutter, sidewalk, streetlights, and partial pavement); 3) non-standard improvements within the right-of-way; and 4) street landscaping.

DESIGN REVIEWS for the following: 1) single family residential development; and 2) finished grade on 4.1 acres in an R-E (Rural Estate Residential) (RNP-I) Zone. Generally located on the north side of Elkhorn Road and the east side of Rainbow Boulevard within Lone Mountain. MK/sd/syp (For possible action) (held from June 7, 2023)

AMUNDSEN

Items 78 and 79 can be heard together.

Item 78, WS-23-0179 hold over waivers of development standards for the following: Increased wall height, off-site improvements, curb, gutters, sidewalks, streetlights and partial paving, non-standard improvements within the right-of-way, street landscaping. Design review for the following: single family residential development, finish grade on 4.1 acres in a R-E Rural Estates Residential RNP-I Zone, generally located on the north side of Elkhorn Road and the east side of Rainbow Boulevard within Lone Mountain.

Item 79, TM-23-50051 hold over tentative map consisting of eight residential lots on 4.1 acres in an R-E Rural Estates Residential RNP-I Zone.

GIBSON

Good morning.

JEREMIAH JOHNSON

Good morning, Jeremiah Johnson, Taney Engineering, 6030 South Jones Boulevard here on behalf of the applicant.

GIBSON

Hold that microphone right here.

JOHNSON

Apologies. Jeremiah Johnson, Taney Engineering, 6030 South Jones Boulevard here on behalf of the applicant. So, to orient you to the site, we are north of Elkhorn Road and just directly east of Rainbow Boulevard on this approximately four-acre parcel. We are requesting a eight lot single-family residential subdivision. No changes to zoning or the land used, so there'll be a rural estates residential subdivision.

I'll quickly go over the waivers and design review and then some changes that we recently made to the site. We are requesting waivers of off-site improvements and non-standard improvements along Elkhorn and Rainbow. Elkhorn has a capital improvement plan in place, so we're complying with the requirements that is outlined in that.

Then along Rainbow, we are complying with the recently improved Lennar subdivision to the north. And then, additionally, we have a waiver and design review. A waiver for wall height and a design review for excess fill. Among the north side the property to the north that has been in title already increased the fill. Sort of saying, asking for a little bit of increase in fill and wall height to match into what has already been approved and started on.

Now since the staff report was published we did meet with Commissioner Kirkpatrick and had our Town Board meeting. Following that meeting, the general concern was that we weren't meeting the inter-local agreement, minimum 18,000 square foot and that's standard. So after that meeting, we did - we removed a sub-street here and previously included easement. We now have our water running a different route and increased all the lot sizes to a minimum of 18,000 square feet with 20,000 square foot net of course, or gross.

So with that we do ask for your approval. We agree with all staffs and conditions if approved, and I'm here to answer any questions you may have.

GIBSON

Thank you. This is a public hearing, is there anyone here who wishes to speak? There being no one, Commissioner.

KIRKPATRICK

Thank you Mister Chairman, and so thank you for keeping with the rules, so appreciate that. 18,000 square foot lots are part of the inter-local. We did not want to deviate for that, so thank you. I just wanna be clear for a couple of the residents that might be listening because I forgot to call them back. I spoke to them previously and told them why we wanted the - to allow for the rural standards to apply in this particular area, so I just wanna put it on the record.

So we've been working to be consistent from about Sisk all the way to Rainbow, all the way to Farm - and around and also Deer Springs to have a trail, the unimproved trail that's about 13 feet, which you'll be doing that. Correct?

JOHNSON

That is correct, along Rainbow Boulevard.

KIRKPATRICK

Uh - huh.

JOHNSON

Correct.

KIRKPATRICK

And on Elkhorn too because it's part of Elkhorn and the capital improvement's just outside of that. Correct?

JOHNSON So no, on Elkhorn.

KIRKPATRICK I know when you and I met, that there's already 13 feet from Sisk to this, so if we need to trail this item to be cleared, we already have a trail. It does me no good to have a trail on Rainbow by itself. Doesn't - I need people from Sisk to get over.

JOHNSON So, we are just...

KIRKPATRICK Do we need to trail this?

JOHNSON We are complying with the Public Works and I may have misunderstood our previous meeting but we do have the 50-foot landscaping, we can definitely add in a trail, an equestrian trail along that as well if that's part of the improvement project.

KIRKPATRICK I'm looking at you Mister Allswang 'cause you know the neighborhood, for one, and we've been pretty consistent from Jones all the way down.

ALLSWANG Yes, we – I don't have the capital improvement plans in front of me, but we do. And on the south side we had about 13 to 15 feet of dirt, in the right-of-way.

KIRKPATRICK And on the north side.

ALLSWANG And that, we were going to - I know on the south side, they were just, putting up trail signage. And that same thing can be done on the north side.

KIRKPATRICK Well I mean, it makes - I mean, at least with the capital plan - and Nancy, maybe you may remember, the capital plan, we did, Lennar had to do the 13 feet, and we did that consistently 'cause a lot of people have blue buckets over there, that they still gotta have.

ALLSWANG Yeah, if you want me to pull up the plans, we can trail this, and I can pull up the plans and ensure that we have enough room.

KIRKPATRICK Well, I want to trail this, just so that we're clear, because I made a commitment to the residents over there. And I wanted, this is why I wanted to put it on the record, so, if - can we just trail this, a couple items?

JOHNSON Yeah, that'd be wonderful.

KIRKPATRICK Okay, just to be safe, rather than sorry. But, when we built-out Elkhorn, we took all of this into consideration. So, I want to be sure that you know what we're doing. Okay.

GIBSON Then we'll trail this.

KIRKPATRICK Thank you.

JOHNSON Thank you.

Trailed item heard after Item Nos. 84 and 85.

AMUNDSEN So, we trailed, 78 and 79-

GIBSON We did.

AMUNDSEN Can we bring those back?

GIBSON Yeah.

AMUNDSEN Thank you.

GIBSON And are we ready to talk about 78 and 79?

KIRKPATRICK We are ready. (laughs).

GIBSON Alright.

KIRKPATRICK And it'll be easy, this time. (laughs).

GIBSON Let's do it.

SEGERBLOM She's loaded for bear.

KIRKPATRICK That's mine, huh.

AMUNDSEN (unintelligible)

KIRKPATRICK So Mister Chairman just to bring it back, we had opened the public hearing, closed the public hearing. So, my motion was to approve it, but I wanted some clarification for the residents. They are meeting the 18,000 square foot lots. They are - they will follow the capital improvement, which includes an unimproved trail system, correct, on both Elkhorn and Rainbow.

JOHNSON Correct.

KIRKPATRICK Yes. So that is currently what the capital improvement think means. And that they'll be no streetlights, and so we're approving those waivers. So -

ALLSWANG And did you want to do the rural signage -

KIRKPATRICK Correct.

ALLSWANG - on those streets.

KIRKPATRICK And the rural signage, which is consistent with what we did with Lennar. So, my motion - I don't have my paper here. My motion is for approval. Waivers number one, two, three and four, with the addition of the rural sign standards.

And then, the clarification on lots three and five, when you raise that fence, that it - that you have some decorative component to it, so that people are not just looking at a straight block wall.

JOHNSON Yes, we agree to that.

KIRKPATRICK Okay. Is that clear for staff and for everybody? Yeah, that's my motion, Mister Chair.

GIBSON There's a motion for approval with, subject to conditions, as indicated. Please cast your votes. And the motion carries.

JOHNSON Thank you.

GIBSON Thank you.

ACTION: It was moved by Commissioner Marilyn K. Kirkpatrick, and carried by the following vote, that the applications for Item Nos. 78 and 79 be approved subject to staff and additional conditions.

VOTING AYE: Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

CONDITIONS OF APPROVAL –
Comprehensive Planning

- Per revised plans;
- Perimeter wall along Lots 3 and 5 shall be decorative.
- 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

- Construct unimproved trail on the north side of Elkhorn Road and east side of Rainbow Boulevard with rural signage approved by Public Works;
- 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;
- Right-of-way dedication to include spandrel at the southwest corner of the site;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- Coordinate with Antonio Papazian - Development Review Division for the design of the Rainbow Boulevard improvements;
- 30 days to coordinate with Public Works - Construction Division and to dedicate any necessary right-of-way and easements for the Elkhorn 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.

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised that there is an active septic permit on APN 125-14-404-003; to connect to municipal sewer and 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 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.

ITEM NO. 79 TM-23-500051-COUNTRY LIVING HOMES, LLC:

HOLDOVER TENTATIVE MAP consisting of 8 residential lots on 4.1 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the north side of Elkhorn Road and the east side of Rainbow Boulevard within Lone Mountain. MK/sd/syp (For possible action) (held from June 7, 2023)

ACTION:

It was moved by Commissioner Marilyn Kirkpatrick, and carried by the following vote, that the applications for Item Nos. 78 and 79 be approved subject to staff conditions.

VOTING AYE:

Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY:

None

ABSENT:

William McCurdy II

ABSTAIN:

None

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Per revised plans.
- 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

- Construct unimproved trail on the north side of Elkhorn Road and east side of Rainbow Boulevard with rural signage approved by Public Works;
- 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;
- Right-of-way dedication to include spandrel at the southwest corner of the site;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- Coordinate with Antonio Papazian - Development Review Division for the design of the Rainbow Boulevard improvements;
- 30 days to coordinate with Public Works - Construction Division and to dedicate any necessary right-of-way and easements for the Elkhorn 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.

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, applicant is advised 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.

ITEM NO. 80 WS-23-0198-USA:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) lot area; 2) increase wall height; 3) street landscaping; 4) off-site improvements; and 5) street dedication.

DESIGN REVIEWS for the following: 1) single family residential; and 2) finished grade on 65.0 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the southeast corner of Ann Road and Grand Canyon Drive within Lone Mountain. RM/sd/syp (For possible action)

AMUNDSEN

Then next, are Items 80 and 81, which can be heard together.

Item 80, WS-23-0198, waivers of development standards for the following: lot area, increase wall heights, street landscaping, off-site improvements and street dedication. Design reviews to the following: a single-family residential, finished grade on 65 acres in R-E Rural Estate Residential RNP-I Zone, generally, located on the southeast corner of Ann Road and Grand Canyon Drive, within Lone Mountain.

Item 81, TM-23-500056, tentative map, consisting of 107 residential lots on 65 acres in an R-E Rural Estate Res - Residential RNP-I Zone, generally located on the Southeast corner of Ann and Grand Canyon, within Lone Mountain.

GIBSON

Morning. Yet, Mister Gronauer.

GRONAUER

Good morning Mister Chairman and Commissioners. My name's Bob Gronauer, 1980 Festival Plaza Drive. I'm here representing Lennar Homes on these matters.

On the overheard, here, I'll go through the site plan. We have approximately 65 acres of property, that Lennar purchased in the BLM Auction last year. The properties bounded to the north; we have Ann Road. To the east, is Fort Apache. Down south, is Hammer Lane, and to the west, is Grand Canyon.

The green area that you see here, are properties impacted the current river gas line that's located in this area. We're gonna use that area for development, for open space and a pathway in this area.

Earlier today, there are a few neighbors that there was one of the neighbors that spoke up here, in the public comment. And he had two other neighbors, over the last hour, so we were outside, going through some of the questions that they had with the application. 'Cause this is a big piece of property. But I'm gonna highlight a few things that's on the agenda, here.

First and foremost Lennar is building single-story homes. These are approximately, million-dollar homes in that area, from starting price point. These are single stories, they're gonna be up to about 24 feet in height. They're all designed today, to have a RV garage. That may change, as we go through that process.

We had a neighborhood meeting back in September of last year, when we submitted the application. Some time has changed, and it, which has happened, where we've changed our site plan, with respect to some changes, working with staff, because of the grading.

One of the important points I want to note, as the property, is you know, everything in the northwest, here - up in this area, slope severely. So, going from Grand Canyon, all

GRONAUER

the way down to Fort Apache, it's about a 60-foot slope. Mm-kay. So, so we are playing with some topography issues here, as we develop the property. That is why you see some of these applications that we're asking for, similar, that have been approved. Not only that you've approved from the Lennar, about a month and a half ago, but you've approved for other builders. Which is, wall heights. Some of our largest wall heights in this area, is down along the Fort Apache area, here, and some of our fill that we're asking for, is about 120 inches.

We are asking to reduce some of our lots adjacent to Ann Road and Fort Apache. Your code allows a 20% deviation. We only have 14 lots that are actually, impacted, where we're reducing it 20%. But that has been approved on our other projects, and that's been similarly situated.

With respect to the landscaping we are asking for no landscaping, where we have some of our homes being proposed out onto the streets. That's because we're landscaping the front yards and we're not gonna be landscaping anything else out there.

And we also, are asking for a waiver of - to allow rural standards. That means, we're gonna waive curb to gutter, sidewalk, lights and so on. And that's what the neighbors want out there. Which is nothing unusual.

But otherwise, we submitted landscape plans, revised landscape plans, trying to put landscaping on the perimeter, wherever we're able to to put some landscape. With that being said some of the neighbors that were here earlier, that we spoke to, and neighbors at the neighborhood meeting, wanted to ensure that we're gonna be making sure we were gonna have rural street standards.

And one of the other conditions that we wanted; there's two conditions that I think we sent into your staff, earlier, last week. One, is a requirement that we're gonna have single-story homes, on the entire development. And then, the added condition, that we'd like to also add, is that, if there are any perimeter walls that are over 9 feet, that we'd have view fencing. We're okay with that. We made those representations back in September when we met with the neighbors. There were the three neighbors I know that were here. I don't know if there's anybody else here. I mean, this is a large project but I wanted to give you some highlights, of some of the buzz issues, with that, we were discussing with the neighbors. I can answer any other questions that you may have.

GIBSON

Thank you. This is a public hearing. Items 80 and 81. Is there anyone here who wishes to speak on these items? Please come forward, give us your name. Please spell your last name. And please keep your comments to three minutes.

GINGER JACKS

My name is Ginger Jacks. I'm here as one of the neighbors. My address is 5535 North Tee Pee. There are five us along that street. Only one of us, was actually notified, that received anything in the mail about this.

There was also, I guess, a meeting that was canceled on June 13th. Again, unaware of that. I took off work today, was able to be here for this. I've been asked to put in the names of the other owners of homes, along that road on Tee Pee. Dave Bonnet, Tammy and Ru - , Tammy and Richard Cade, Bill Lawrence, myself, Ginger Jacks,

JACKS my husband Ronald Jacks, and Matt Davis, that we are all opposed to this.

We were under the understanding that this land is still owned by the BLM and, they're asking for waivers, before it being sold, or plans drawn up. I just found out about this last night. We oppose you changing the developmental standards for this new development. We live in this rural preservation. And all development needs to comply with these standards that were set to preserve the area. That's the general statement that I was asked to, to tell you. That's how the neighbors feel. If I can see -

GIBSON There's a handheld microphone, right there, if you'd please pick that up and speak into it.

JACKS Thank you. I'm sorry. So that, would actually be that my home is, right here. So, the homeowners I spoke, over here, here, here and here. I also understand that several of these homeowners, were also not notified. They actually had spoke to Tammy Cade and were told that they didn't know about this meeting either.

So, I don't understand if we're supposed to be notified, when something's gonna impact our surrounding area and our homes, why we are not notified. Thank you.

GIBSON Thank you. Is there anyone else here, who wishes to speak on these items? There being no one, the public hearing is closed. Commissioner Miller.

MILLER I think he has something to address, Mister Gronauer.

GRONAUER Yeah, if I can just make one clarification. The young lady that spoke as she mentioned, these are the five houses, that they have facing out, here on Tee Pee. What I think is important to note, that we have designed it with five houses that are also facing - and Tee Pee in this area. So, it's going to be, somewhat equal, with respect to the five homes facing the five homes out in this area on Tee Pee, in this area.

So, we wanted, as we were designing it, we didn't want to put a wall in this area, and just have the homes facing a wall. What we wanted to, to do, is create that openness in the R&P area, of having these large homes, single story homes, facing the existing homes that are out there.

GIBSON Are the grades, essentially -

GRONAUER Yeah, it's essentially, I was just, a bit, talking to the engineer. There's a - the flows about the same in this area, from across the street, from one side to the other side.

GIBSON Commissioner Miller, do you -

MILLER No, I think Commissioner Kirkpatrick. No, okay. Sorry. I think, well overall, I think this is a beautiful development that complies with the standards in the rural neighborhood. Obviously, very large lots and well-designed homes. So with that, I'll move for approval, as outlined in the agenda, subject to the additional conditions outlined by the applicant.

GIBSON Let me just ask, now, Missus Jacks, why don't you come up for just a moment.

JACKS Yes.

GIBSON So, you understand, then, that we've just heard that the lots that face, that are adjacent to your lots-

JACKS Mm-hmm.

GIBSON - face your homes. You understand that?

JACKS This is the first I'm hearing about it. Like I said, this is the first I knew about the meeting, last night, so -

GIBSON I understand. But you, you did catch that?

JACKS Yeah.

GIBSON Okay. And the elevations from your side of the street, to the newly developed side of the street, are essentially the same. So, it's not gonna be like this, it's gonna be, essentially, like a street that you might find inside your subdivision. Do you understand that?

JACKS Mm-hmm.

GIBSON Alright. I ju - no, I just wanted to make sure that you can hear, because it was important to be able to hear those two things, at least. In the context of what you just described for us -

JACKS Mm-hmm.

GIBSON Alright. Thank you.

JACKS Thank you.

GIBSON Did you end up making a motion, Commissioner?

MILLER Yes.

GIBSON There's a motion for approval. If there's no discussion on that motion, please cast your votes. And that motion carries. Thank you.

GRONAUER Thank you, Commissioners and have a good day.

GIBSON You, too.

ACTION: It was moved by Commissioner Ross Miller, and carried by the following vote, that the applications for Item Nos. 80 and 81 be approved subject to staff and additional conditions.

VOTING AYE: Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross

VOTING NAY:

Miller, Michael Naft, Tick Segerblom

ABSENT:

None

ABSTAIN:

William McCurdy II

None

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Limited to single story homes;
- Perimeter screen/retaining walls shall have a view fence for anything over 9 feet;
- 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;
- Right-of-way dedication to include 50 feet for Ann Road, 30 feet for Tee Pee Lane, 30 feet for Hammer Lane, 40 feet for Grand Canyon Drive, 30 feet for portions of Stephen Avenue, 50 feet for Fort Apache Road, 30 feet for a portion of Park Street, and associated spandrels;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Applicant to pay a contribution for local roadway, drainage, or trail related improvements in District C in lieu of constructing full off-site improvements, as determined by Public Works.
- 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 a vacation of the patent will be needed once the patent is issued.

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.

ITEM NO. 81 TM-23-500056-USA:

TENTATIVE MAP consisting of 107 residential lots on 65.0 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the southeast corner of Ann Road and Grand Canyon Drive within Lone Mountain. RM/sd/syp (For possible action)

ACTION:

It was moved by Commissioner Ross Miller, and carried by the following vote, that the applications for Item Nos. 80 and 81 be approved, subject to staff and additional conditions.

VOTING AYE:

Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY:

None

ABSENT:

William McCurdy II

ABSTAIN:

None

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Right-of-way dedication to include 50 feet for Ann Road, 30 feet for Tee Pee Lane, 30 feet for Hammer Lane, 40 feet for Grand Canyon Drive, 30 feet for portions of Stephen Avenue, 50 feet for Fort Apache Road, 30 feet for a portion of Park Street, and associated spandrels;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Applicant to pay a contribution for local roadway, drainage, or trail related improvements in District C in lieu of constructing full off-site improvements, as determined by Public Works.
- 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 a vacation of the patent will be needed once the patent is issued.

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, applicant is advised 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.

ITEM NO. 82 WS-23-0241-AMH NV14 DEVELOPMENT, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; and 2) non-standard improvements.

DESIGN REVIEW for finished grade on 5.5 acres in an R-2 (Medium Density Residential) Zone. Generally located on the east and west sides of Grand Canyon Drive and the south side of Ford Avenue within Enterprise and Spring Valley. JJ/sd/syp (For possible action)

ACTION:

Deleted from the agenda (held to July 19, 2023 per the applicant).

ITEM NO. 83 WS-23-0259-DMCH INVESTMENT, LLC:

WAIVER OF DEVELOPMENT STANDARDS for full off-site improvements adjacent to a materials recovery facility on 4.8 acres in an M-1 (Light Manufacturing) (AE-70, AE-75, & APZ-1) Zone. Generally located on the east side of Betty Lane, 300 feet south of Alto Avenue within Sunrise Manor. MK/rr/syp (For possible action)

AMUNDSEN

Next, is Item 83, WS-23-0259, waiver of development standards for full off-site improvements adjacent to materials recovery facility, on 4.8 acres in an M-1 Light Manufacturing, AE-70, 75, APZ tw-, 1 Zone, generally located on the east side of Betty Lane, 300 feet south of Alto Avenue, within Sunrise Manor.

GIBSON

Rob? Rob?

JOHNSON

I'm going again? Jeremiah Johnson, Taney Engineering, 6030 South Jones Boulevard.

JOHNSON

The applicant is in the audience, as well. Dave Chavez, so if you have any further questions on this.

We are just here applying for a waiver of development standards, for existing four-acre four-point eight-acre, materials recovery facility, located between Bledsoe Lane, to the east, and Betty Lane, to the west.

So, this request is to waive full off-site improvements along Betty Lane, here. A waiver was approved by this Board June 17th, 2015, with a five-year review. However, due to the pandemic, we were unable to complete the review and another waiver was required.

As Betty Lane currently exists with no curb, gutter, sidewalk, streetlights, and a minimum paved roadway of 32-feet adjacent to the site, we're requesting to maintain these standards. And, when Clark County proceeds with the construction off-site, by a special improvement district, the applicant agrees to contribute their fair share amount.

So with that, we do agree with all staffs conditions, if approved. And would appreciate and – a vote of approval, as well. Thank you.

GIBSON

Thank you. This is a public hearing. Is there anyone here who wishes to speak on Item 83? There being no one, the public hearing is closed. Commissioner Kirkpatrick.

KIRKPATRICK

Yeah, thank you. Mister Chairman, I just, Jeremiah, I was gonna go easy on you, but then you blamed it on COVID, which is a problem, because we were all here during COVID. But, so, but, Mister Chavez, we recognize what you're doing out there, and we know that you've done the landscaping on the one side, next to, this and that. And, we've been out there, ourselves. So, we just, when Betty Lane comes, we want you to participate in the SID which we're getting closer all the time, to having 50% of the folks.

So, with that, I'd make a Motion for Approval and that the applicant agrees to the SID when that time, it comes. So, I just want to make sure that won't stop them from getting their business licensing because we're not ready for the SID, yet. But at least we have him on the record, for supporting it.

JOHNSON

Yeah, we agree with the SID.

KIRKPATRICK

Okay.

GIBSON

There's a motion for approval, please cast your votes. The motion carries. Thank you.

JOHNSON

Thank you.

ACTION:

It was moved by Commissioner Marilyn Kirkpatrick, and carried by the following vote, that the application be approved subject to staff conditions.

VOTING AYE:

Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY:

None

ABSENT:
ABSTAIN:

William McCurdy II
None

CONDITIONS OF APPROVAL –
Comprehensive 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 Restrictive Covenant Agreement (deed restrictions);
- Applicant shall agree to participate in a Special Improvement District (SID) for off-site improvements, including, but not limited to, paving, curb and gutter, streetlights, and fire hydrants

ITEM NO. 84 PA-23-700002-ROUMANOS, PATSY SEPARATE PROPERTY TRUST & ROUMANOS, PATSY TRS:

PLAN AMENDMENT to redesignate the existing land use category from Business Employment (BE) to Industrial Employment (IE) on 5.0 acres. Generally located on the north side of Industry Center Drive and the east side of Industry Park Court (alignment) within Sunrise Manor. MK/gtb (For possible action)

AMUNDSEN

Next, are Items 84 and 85, which can be heard together.

Item 84 PA-23-700002, plan amendment to re-designate the existing land use, category from Business Employment, BE, to Industrial Employment, IE, on five acres, generally located on the north side of Industry Center Drive, in the east side of Industry Park Court, within Sunrise Manor.

Item 85, zone change, ZC-23-0026, amended zone change to re-classify five acres from an MD, Design Manufacturing Zone, to an M-1, Light Manufacturing Zone; use permits for the following: allow stacking above the height of the screen fence, previously not notified, allow outside storage, which is not screened from right of way, and an adjacent less intense use, a design review for an outside storage yard, generally located on the north side of Industry Center Drive, and the east side of Industry Park Court, within Sunrise Manor.

GIBSON

Good morning.

ARDE SHIRAZI

Good morning, Mister Chairman and Commissioners. My name is Arde Shirazi, with TWINSTEPS Architecture, 18872 MacArthur Boulevard, Irvine, California. We are the national architect for United Rentals and I'm representing United Rentals.

And the reason for this application our client, United Rentals, occurred tax land two years ago, and they applied for the business license. And then, we notice have to do this exercise for the zone, zoning change and use permit.

Pacson was the - more of a storage business, for the last for 15 years. And, and since 2020, United Rentals is doing the same business on this property. So, during the last 17 years, they have the same business on this land.

SHIRAZI

I'm gonna go over the site plan, with you guys. So the site is located on the north side of the Industry Center Drive, and east side of the Industry Park - Court. And the site's surrounded by eight-foot block wall on the east side and the north side. On the west side, you have the chain link fence.

There is existing office building, it's about, like 2,500 square feet, with the existing parking. We are not proposing any new building.

And we are requesting, again, the change of use, from MD to M-1, in order to have the outdoor storage on this property. Would be more than happy to answer any questions you have.

GIBSON

Alright, that, lo -

SHIRAZI

I have Chad from the - as a - and local Branch Manager, and I have Senior Development Manager from United Rentals, in the audience, Mister Phil Brown.

GIBSON

Thank you. This is a public hearing. Is there anyone here who wishes to speak on 84 or 85? There being no one, the public hearing is closed. Commissioner Kirkpatrick.

KIRKPATRICK

Thank you, Mister Chairman, so I guess, I want to ask you so you own the property, already?

SHIRAZI

They are trying to purchase the land.

KIRKPATRICK

Yeah, exactly. But you inferred -

SHIRAZI

But we are waiting for-

KIRKPATRICK

And I'm really frustrated with United Rentals. I don't feel like you're a good partner whatsoever.

SHIRAZI

Mm-hmm.

KIRKPATRICK

But I do, have worked with Chad, in - that is, probably the only reason that we're moving forward today, because there's a lot of insinuations that aren't true. Right? So, you don't own the property today. You're trying to acquire it. Pacson has been there, and yes, they have done some storage. And shame on the County for not citing you sooner. But it doesn't make it right. At the end of the day, we don't allow anybody to store three Conex boxes tall, ever. And that is exactly what I told you in my office. And you continue to move forward without me, right? You went to the Planning Commission. They overrode what we had requested, which is somewhat frustrating.

So, here's gonna be my motion. And if you don't follow it, you'll be back here, and I'll just revoke ya'. Because, you've already proven, not to be a good partner in District B, and that's not how we work. We work with almost everybody, but we are trying to get rid of the outdoor storage, for a variety of reasons.

So, just understand that we're not on the best of terms. So, we'll be watching. So, my motion would be to approve it. The condition is, that it won't, will not stack more than

KIRKPATRICK

two Conex boxes. They'll be no advertising on the Conex boxes. That, you'll submit to our staff, a traffic plan for emergency services, so that we can navigate inside of there. That you will meet the current setbacks, which means that you need to move some of those Conex boxes, this way, so that they're not up against the wall for the residential, at Nellis. And, that you will install cameras. And the last condition is, because there seems to be some gray area, that landscaping in front, belongs to you. And you're going to keep it up.

So, we've looked, we've looked at the LLC. We followed all those things. So, either you're gonna a partner of District B, or you'll be back here. So that's my motion.

GIBSON

Do you understand the motion?

SHIRAZI

Yes, sir.

GIBSON

Okay. Please cast your votes on the motion. And the motion carries.

SHIRAZI

Thank you so much for your time.

GIBSON

Thank you.

SHIRAZI

Thank you.

ACTION:

It was moved by Commissioner Marilyn K. Kirkpatrick, and carried by the following vote, that the applications for Item Nos. 84 and 85 (including the adoption of Resolution No. R-6-21-23-2) be approved subject to staff and additional conditions.

VOTING AYE:

Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY:

None

ABSENT:

William McCurdy II

ABSTAIN:

None

ITEM NO. 85 ZC-23-0026-ROUMANOS, PATSY SEPARATE PROPERTY TRUST & ROUMANOS, PATSY TRS: AMENDED ZONE CHANGE to reclassify 5.0 acres from an M-D (Designed Manufacturing) Zone to an M-1 (Light Manufacturing) Zone.

USE PERMITS for the following: 1) allow stacking above the height of the screen fence (previously not notified); and 2) allow outside storage which is not screened from right-of-way and an adjacent less intense use (previously not notified). DESIGN REVIEW for an outside storage yard (previously not notified). Generally located on the north side of Industry Center Drive and the east side of Industry Park Court (alignment) within Sunrise Manor (description on file). MK/rk/syp (For possible action)

ACTION:

It was moved by Commissioner Marilyn Kirkpatrick, and carried by the following vote, that the applications for Item Nos. 84 and 85 (including the adoption of Resolution No. R-6-21-23-2) be approved subject to staff conditions.

VOTING AYE:

Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY:

None

ABSENT:

William McCurdy II

ABSTAIN:

None

CONDITIONS OF APPROVAL –

Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Coordinate a traffic plan with emergency operations;
- All structures and outside storage shall meet zoning district standards for setbacks;
- Applicant shall maintain landscaping along site's frontage;
- No advertising on conex boxes;
- Stacking not to exceed 2 containers, with a maximum height of 10 feet each, for a total maximum height of 20 feet;
- Work with the Las Vegas Metropolitan Police Department for the installation of security cameras and surveillance operation.
- 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.

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. 86 ZC-23-0072-PROLOGIS, LP:

AMENDED HOLDOVER ZONE CHANGE to reclassify 8.7 acres from an R-E (Rural Estates Residential) (AE-70, AE-75, & APZ-2) Zone to an M-D (Designed Manufacturing) (AE-70, AE-75, & APZ-2) Zone.

USE PERMIT to waive an intense landscape buffer requirement for abutting residential uses (no longer needed).

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) throat depth; 2) parking lot landscaping; 3) cross access; and 4) allow an attached sidewalk (no longer needed) and alternative street landscaping.

DESIGN REVIEWS for the following: 1) distribution centers; 2) finished grade; and 3) lighting. Generally located on the north side of Alto Avenue and the west side of Lamb Boulevard within Sunrise Manor (description on file). WM/bb/syp (For possible action) (held from April 19, 2023)

ACTION: Deleted from the agenda (held to July 19, 2023 per the applicant).

ITEM NO. 87 VS-23-0073-PROLOGIS, LP:

AMENDED HOLDOVER VACATE AND ABANDON a portion of right-of-way being Alto Avenue located between Lincoln Road and Lamb Boulevard, and a portion of right-of-way being Lamb Boulevard located between Alto Avenue and Cecile Avenue (alignment), and a portion of right-of-way being Lincoln Road between Alto Avenue and Cecile Avenue (alignment) (previously not notified), within Sunrise Manor (description on file). WM/bb/syp (For possible action) (held from April 19, 2023)

ACTION: Deleted from the agenda (held to July 19, 2023 per the applicant).

ITEM NO. 88 ZC-23-0204-PN II, INC:

ZONE CHANGE to reclassify 3.2 acres from a P-F (Public Facility) Zone to an R-2 (Medium Density Residential) Zone. WAIVER OF DEVELOPMENT STANDARDS to reduce street intersection off-set.

DESIGN REVIEWS for the following: 1) a single-family residential development; and 2) finished grade within the CMA Design Overlay District. Generally located on the northwest corner of Oquendo Road and Cimarron Road within Spring Valley (description on file). MN/al/syp (For possible action)

AMUNDSEN Items 88, 89 and 90, can be heard together. Just wanted to make sure they weren't ones that were held last minute.

AMUNDSEN 88 ZC-23-0204, zone change request -

GIBSON Wait. We've heard -

AMUNDSEN Okay.

GIBSON - 88, 89 and 90-

AMUNDSEN That's right.

GIBSON (unintelligible)

AMUNDSEN See, I knew there was reason that I was thinking about that.

GIBSON 53 to 55.

ACTION: It was moved by Commissioner Michael Naft, and carried by the following vote that the applications for Item Nos. 53, 54, 55, 88, 89, and 90 be approved subject to staff conditions.

VOTING AYE: Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

CONDITIONS OF APPROVAL – Comprehensive Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Flamingo Wash Cimarron Branch 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; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

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 that dead-end streets/cul-de-sacs in excess of 500 feet must have an approved Fire Department turn-around provided.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0131-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis

ITEM NO. 89 VS-23-0205-PN II, INC:

VACATE AND ABANDON a portion of right-of-way being Cimarron Road located between Quail Avenue and Oquendo Road and a portion of a right-of-way being Oquendo Road located between Cimarron Road and Tomsik Street (alignment) within Spring Valley (description on file). MN/al/syp (For possible action)

ACTION:

It was moved by Commissioner Michael Naft, and carried by the following vote that the applications for Item Nos. 53, 54, 55, 88, 89, and 90 be approved subject to staff conditions.

VOTING AYE:

Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY:

None

ABSENT:

William McCurdy II

ABSTAIN:

None

CONDITIONS OF APPROVAL –

Comprehensive 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

- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Flamingo Wash Cimarron Branch improvement project;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Fire Prevention Bureau

- Applicant is advised that dead-end streets/cul-de-sacs in excess of 500 feet must have an approved Fire Department turn-around provided.□

ITEM NO. 90 TM-23-500058-PN II, INC:

TENTATIVE MAP consisting of 24 single family residential lots and common lots on 3.2 acres in an R-2 (Medium Density Residential) Zone within the CMA Design Overlay District. Generally located on the northwest corner of Oquendo Road and Cimarron Road within Spring Valley. MN/al/syp (For possible action)

ACTION:

It was moved by Commissioner Michael Naft, and carried by the following vote that the applications for Item Nos. 53, 54, 55, 88, 89, and 90 be approved subject to staff conditions.

VOTING AYE:

Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY:

None

ABSENT:

William McCurdy II

ABSTAIN:

None

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Flamingo Wash Cimarron Branch 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; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Comprehensive Planning - Addressing

- Streets shall have approved street names and suffixes.

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 that dead-end streets/cul-de-sacs in excess of 500 feet must have an approved Fire Department turn-around provided.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0131-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 91 ZC-23-0207-WINDMILL & PLACID, LLC:

ZONE CHANGE to reclassify 4.0 acres from a CRT (Commercial Residential Transition) Zone to a C-1 (Local Business) Zone.

USE PERMITS for the following: 1) convenience store; 2) reduce separation from a convenience store to a residential use; 3) gasoline station; 4) reduce setback from a gasoline station to a residential use; and 5) allow alcohol sales, liquor - packaged only where not in conjunction with a grocery store.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) landscaping; 2) allow a drive-thru talk box to face residential development; 3) allow modified street standards; and 4) allow modified driveway design standards.

DESIGN REVIEWS for the following: 1) convenience store; 2) gasoline station; 3) restaurants with drive-thru and outside dining; 4) retail building; and 5) lighting. Generally located on the north side of Windmill Lane and the east side of Placid Street within Enterprise (description on file). MN/md/syp (For possible action)

ACTION: Deleted from the agenda (held to July 19, 2023 per the applicant).

ITEM NO. 92 VS-23-0208-WINDMILL & PLACID, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Placid Street and Fairfield Avenue, and between Windmill Lane and Santoli Avenue (alignment) within Enterprise (description on file). MN/md/syp (For possible action)

ACTION: Deleted from the agenda (held to July 19, 2023 per the applicant).

ITEM NO. 93 ZC-23-0220-EHRLICH INVESTMENT TRUST 1979:

ZONE CHANGE to reclassify 5.0 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.

WAIVER OF DEVELOPMENT STANDARDS to allow alternative landscaping and attached sidewalk.

DESIGN REVIEW for a single-family residential development. Generally located on the south side of Russell Road and the west side of Conquistador Street within Spring Valley (description on file). JJ/rk/syp (For possible action)

ACTION: Deleted from the agenda (held to July 19, 2023 per the Board of County Commissioners).

ITEM NO. 94 TM-23-500061-EHRLICH INVESTMENT TRUST 1979:

TENTATIVE MAP consisting of 37 single family residential lots and common lots on 5.0 acres in an R-2 (Medium Density Residential) Zone. Generally located on the south side of Russell Road and the west side of Conquistador Street within Spring Valley. JJ/rk/syp (For possible action)

ACTION: Deleted from the agenda (held to July 19, 2023 per the Board of County Commissioners).

ITEM NO. 95 ORD-23-900254: Introduce an ordinance to consider adoption of a Development Agreement with SDP Development, LLC for a restaurant on 4.1 acres, generally located north of Sunset Road and west of Durango Drive within Spring Valley. JJ/jm (For possible action)

AMUNDSEN

And now, Item 95, Ordinance 23-900254, is a recommendation that you introduce an ordinance to consider adoption of a Development Agreement with SDP Development LLC, for a restaurant on 4.1 acres. We request this be set for public hearing for July 19th, 2023, at 9:00 a.m.

GIBSON

I'll introduce the ordinance and set the public hearing for July 19th, 2023, at 9:00 a.m.

ACTION:

There being no objections, Chair Gibson set the matter for public hearing on July 19, 2023 at 10:00 a.m.

PUBLIC COMMENTS

GIBSON

And that concludes the items on our agenda. This is the final public comment period. Anyone who wishes to make comment, is invited to come forward. Please state your name, spell your last name, and keep your comments to three minutes.

COLEMAN

Yes, my name is Margaret Ann Coleman. C-O-L-E-M-A-N. And the reason is, I stayed, is because I gave a deposition and proposal to Weekly, to open the doors for your position. And give you the opportunity to he - you all collected money, concerning my workman's comp and my pension, and you used it for your benefits. This court order, I have proven to you and I have shown it to you. Mister Tom Harper was Thomas D. Harper, was the attorney concerning the Golden Nugget. In order to pay me the money, in which I was credited and due, concerning that court order in 19 of 82, of March 4th. Whereas I received an injury on my job.

I had proven the fact, that Mister Tom Harper - I know, like work is involved upon this. Whereas he was supposed to do the collection and give me the check. I have pulled up information concerning, that Margaret Coleman pay name, pay out, on Case Number 2 04984, by Mister Tom Harper, and received by Deputy Shanna Mulhughes. There was a, none. As they said, they did not get any, but they did. And they released it to you all.

Now, Mister Tom Harper he's in charge of the oversee, of concerning payer, that was brought up, just a bunch of letters. And so, did not and say that it sold my property. That Kevin could Cal – Krin - Krumner, is in charge as a founder, concerning, hired by you, as a government worker. And that Tom Harper, that is Steven Wolfson, and see overseer.

Now, I've been to a different organizations that was supposed to help me, in the State, in order to do collections upon my court order - to stop me from coming here, being embarrassed for, and giving you an opportunity to have a job and money. You have placed me, to go there, whereas I went there concerning food. You have made me homeless, off of my property, of not accepting me, and having Cal – Krumsner, take over, with Tom Hopper, that is Steve Wolfson, that is on a TV series. I'll wrap it up.

GIBSON

Please hurry.

COLEMAN Loads of papers, that show that I only get \$47 a month, that is starving me in the streets, and I'm homeless. I went to Nevada Consumers Affair, to try to get their help. Internals Affair, Silver Review Board the State Bar Association, Aging and to the Disabled Services. I have - you are insensitive to my needs. I'm also, had went to Judge in North Las -

GIBSON Thank you, Miss Coleman. Thank you.

COLEMAN (unintelligible)

GIBSON So, Missus Coleman, I think you made your point. I think we understand what you -

COLEMAN (unintelligible)

GIBSON Thank you, Miss Coleman. I - thank you.

COLEMAN (unintelligible)

GIBSON Is there anyone else who wishes to speak during the final public comment period? There being no one, then Miss Coleman -

COLEMAN (unintelligible)

GIBSON The - this meeting is now adjourned, Miss Coleman.

COLEMAN Outside.

GIBSON This meeting stands adjourned.

There being no further business to come before the Board at this time, at the hour of 12:10 p.m., the meeting was adjourned.

APPROVED: /s/ James B. Gibson
JAMES B. GIBSON, CHAIR

ATTEST: /s/ Lynn Marie Goya
LYNN MARIE GOYA, COUNTY CLERK