



togetherforbetter

Board of County Commissioners

Clark County, Nevada

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

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 Clark County, Nevada, on Wednesday, September 4, 2024:

CLARK COUNTY GOVERNMENT CENTER
COMMISSION CHAMBERS
500 S GRAND CENTRAL PKWY
LAS VEGAS, NEVADA 89106

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SEC. 1. OPENING CEREMONIES

CALL TO ORDER

The meeting was called to order at 9:03 a.m. by Chair Segerblom with the following members present:

Commissioners Present:

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

Absent:

William McCurdy II, Vice Chair

Also Present:

Robert Warhola, Deputy District Attorney
Sami Real, Director, Comprehensive Planning
Antonio Papazian, Manager, Development Review
JaWaan Dodson, Assistant Manager, Development Review
Lynn Marie Goya, County Clerk
Michelle Hinkson, Deputy Clerk
Susan Wohlbrandt, Deputy Clerk
Robin Delaney, Deputy Clerk

SEC. 2. PUBLIC FORUM

1. Public Comment

TICK SEGERBLOM

Good morning. Welcome to the County Commission's Zoning hearing. First item – well, first item Ms. Real.

SAMI REAL

Commissioners, good morning. The first item on the agenda is public comment.

TICK SEGERBLOM

This is the first period for public comment. Anyone wishing to speak about an item on the agenda may come forward. Just so you know, we are going to take a couple items off of the Consent Agenda and so that if you want to speak when that item is heard, you're welcome to. Sami, which item was that?

SAMI REAL

So, there's been a request to pull Items 7 and 11 to be heard separately, and then I also saw that we have a card for somebody who wants to speak on Items 9 and 10 and I'm about to read in a request to hold Items 9 and 10 with the next agenda.

TICK SEGERBLOM

Yeah, so 9 and 10 will be – continue for 30 days. The Sphere item, it will be heard separately, not on the Consent Agenda if anyone want here to speak on that item. And what was the other item?

SAMI REAL

Item 7 will be pulled to be heard separately, as well.

TICK SEGERBLOM

Okay, and which item is that? Is that The Sphere?

SAMI REAL

Item 11 is The Sphere, yes.

TICK SEGERBLOM

Okay, that's Commissioner Naft. Okay. All right. With that said, anyone wishing to speak on public comment on an item on the agenda, please feel free to come forward now. You can speak for three minutes.

BRETT LARSON

My name is Brett Larson, my address is 3505 East Harmon Avenue, Suite B. I'm speaking on Agenda Item 21. I represent the Oasis Apartments that is adjoining this property. We don't oppose this. I just want to make it clear on the record that we've been told that the Airport will not be renewing the existing lease beyond September 30, when it expires, and with the expiration of lease there will be no further application for a use permit. I just wanted to put that on the record.

TICK SEGERBLOM

Thank you. Good morning.

NICK SCHNEIDER

Good morning, Chair Segerblom and Members of the Commission. For the record, my name is Nick Schneider representing the Vegas Chamber located at 575 Symphony Park Ave. Suite 100 89106 here today to speak on Item Number 11.

The Vegas Chamber is one of the largest and broadest business-based organizations in the state and we've long been advocates for economic development. This Strip representing one of the largest economic engines in the state. We believe it's absolutely essential to continue to keep the strip as fresh and current and The Sphere is a great example of how we do that. The Exosphere in particular, has generated millions of social media views, since it's opening, and we're here in support of the waiver for sound and we believe that the agreement that was reached with the 85-decibel sound limit between the local residents is a great example of how The Sphere is mindful of the community around them. Thank you.

TICK SEGERBLOM

Are you speaking for The Grateful Dead too? Anyone else wishing to speak on public comment to begin the items? See no one else will close the first period of public comment.

SEC. 3. AGENDA

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

SAMI REAL

The second item is the approval of the agenda. After considering any additions or deletions of items, staff has the following requests, which may require re-notification fees in accordance with Title 30.

- Hold to the September 18, 2024, Zoning Meeting; Item 33, UC-24-0268.
- Hold to the October 2, 2024, Zoning Meeting; Item 9, VS-24-0277 and Item 10, WS-24-0276.
- Hold to the November 6, 2024, Zoning Meeting; Item 35, WC-24-400060 for (NZC 22-0028),
- and then hold no date Item 46 ZC-24-0357, and Item 47 WS-024-0358.

The above public hearing items are going to be opened as a public hearing and immediately recessed until the dates as previously stated. With these deletions, which are Items 9, 10, 33, 35, 46 and 47, the agenda stands ready for your approval.

MOTION

MICHAEL NAFT

Mr. Chairman, I move for approval of the agenda with the requests to add or hold or delete the items as noted by Ms. Real.

TICK SEGERBLOM

There's a motion, cast your vote. Oh, and Commissioner McCurdy is absent but excused.

VOTE

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

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

TICK SEGERBLOM

That motion passes.

3. Approval of minutes. (For possible action)

SAMI REAL

The third item on the agenda is the approval of the minutes. The minutes of the August 7, 2024, Zoning Meeting are ready for approval.

MOTION

MICHAEL NAFT

Mr. Chairman, I move the approval of the minutes.

TICK SEGERBLOM

There's a motion, cast your vote.

VOTE

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

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

TICK SEGERBLOM

That motion passes.

SEC. 4. ROUTINE ACTION ITEMS 4 THROUGH 31

SAMI REAL

Next are the Routine Action Items which consist of Items 4 through 31 except items previously deleted and Item 7 and 11, which will be heard separately. These items may be considered together in one motion and are subject to the conditions listed with each agenda item. If there are no objections, the public hearing is now open, and the routine action portion of the agenda stands ready for approval.

MOTION

MICHAEL NAFT

Mr. Chairman, I move approval of the Routine Action Items, reflecting Item 7 and 11 will be heard separately.

TICK SEGERBLOM

There's a motion on Routine Action Items, cast your vote.

VOTE

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

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

TICK SEGERBLOM

That motion passes.

4. AR-24-400079 (UC-22-0190)-CIRCUS CIRCUS LV, LLC:

USE PERMITS SECOND APPLICATION FOR REVIEW for the following: 1) recreational facility (concerts/events); 2) live entertainment; 3) fairground; and 4) on-premises consumption of alcohol with accessory uses including food, beverage, and retail sales.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce separation from live entertainment to a residential use; 2) reduce parking; 3) reduce setback from the future right-of-way (Las Vegas Boulevard South); 4) allow alternative street landscaping and screening; 5) allow landscaping and structures within the future right-of-way (Las Vegas Boulevard South); and 6) allow non-standard improvements (landscaping and fences) within the right-of-way (Las Vegas Boulevard South).

DESIGN REVIEW for a recreational facility (concert/event/fairground/live entertainment) and all accessory buildings and structures on a portion of 77.4 acres in a CR (Commercial Resort) Zone. Generally located on the south side of Sahara Avenue, west side of Las Vegas Boulevard South, north side of Circus Circus Drive, and the east side of Sammy Davis Jr. Drive within Winchester. TS/tpd/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Remove the time limit.

Public Works - Development Review

- Compliance with previous conditions.

5. ET-24-400057 (NZC-21-0747)-RED ROCK RV PARK, LLC:

HOLDOVER ZONE CHANGE FIRST EXTENSION OF TIME to reclassify a 21.4 acre portion of a 23.6 acre site from an R-U (Rural Open Land) Zone and an H-2 (General Highway Frontage) Zone to an R-V-P (Recreational Vehicle Park) Zone.

USE PERMITS for the following: 1) management offices for a recreational vehicle park not within a centrally located service building; 2) convenience store; 3) gasoline station; 4) reduce the setback from a gasoline station to a residential use; 5) restaurant; 6) retail sales and services; 7) alcohol sales, beer and wine – packaged only; and 8) alcohol sales, liquor – packaged only.

WAIVER OF DEVELOPMENT STANDARDS for alternative landscaping.

DESIGN REVIEWS for the following: 1) recreational vehicle park; 2) convenience store; 3) gasoline station; 4) restaurant; and 5) retail sales and service on 23.6 acres in an R-V-P (Recreational Vehicle Park) Zone and an H-2 (General Highway Frontage) Zone in the Red Rock Overlay. Generally located on the north side of SR 160 and the west and south sides of SR 159 within Red Rock (description on file). JJ/jor/ng (For possible action)

ACTION: APPROVED WITH CONDITIONS

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Until March 16, 2027 to complete or the application will expire unless extended with approval of an extension of time.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a Master Plan Amendment may be required in the event

the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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; changes to the approved project will require a new land use application; and that the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions. Southern Nevada Health District (SNHD) - Engineering
- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

6. ET-24-400083 (DR-21-0400)-ALL TRUCK PARTS, LLC:

DESIGN REVIEWS FIRST EXTENSION OF TIME for the following: 1) retail/office and industrial buildings; 2) finished grade; and 3) lighting plan on 0.89 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-65) Overlay. Generally located on the south side of Holt Avenue, 500 feet west of Nellis Boulevard within Sunrise Manor. TS/nai/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until September 21, 2025 to commence or the application will expire unless extended with approval of an extension of time.
- Applicant is advised 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

7. UC-24-0359-DAVENPORT, NATHAN L.:

USE PERMIT for a transitional living facility for released offenders in conjunction with an existing single family residence on 0.5 acres in an RS20 (Residential Single-Family 20) Zone. Generally located on the south side of Robindale Road, 300 feet east of Ullom Drive within Enterprise. MN/mh/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- 24/7 on-site host manager;
- Full camera coverage of property, meaning front yard, side yards, and rear yard;
- 24/7 point of contact to be provided to the Commissioner's office with a copy to the Comprehensive Planning project file;
- No visitors;

- Maximum 6 residents;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

SAMI REAL

Next on the agenda is Item 7, UC-24-0359; use permit for a transitional living facility for released offenders in conjunction with an existing single-family residence on 0.5 acres and an RS20 (Residential Single-Family 20) Zone. Generally located on the south side of Robindale Road, 300 feet east of Ullom Drive within Enterprise.

FUNG JEFFERSON

First time hearing. This one?

TICK SEGERBLOM

Yes.

FUNG JEFFERSON

Thank you. Good morning, Commissioners. My name is Fung Jefferson. I am here as a representative for the Firebird, LLC, who is submitting this application, and I have a picture.

TICK SEGERBLOM

If you'd like to have something, put it in the middle there.

FUNG JEFFERSON

It's right here? Thank you.

TICK SEGERBLOM

Let's make sure it's –

FUNG JEFFERSON

Okay.

TICK SEGERBLOM

Yeah. Can you flip it around?

FUNG JEFFERSON

This? Like this?

TICK SEGERBLOM

No, keep going.

FUNG JEFFERSON

That better?

TICK SEGERBLOM

Keep going.

FUNG JEFFERSON

Okay. Thank you, Commissioners. So, this petition is requested to allow Firebird, LLC, to utilize this residential property which is right here. This is Robindale Road. This is Decatur Boulevard, and this is Arville. We were asking to allow us to use as a transitional living home. The home under the permit indicates it's for released offenders. I wanted to clarify that the offenders are actually juveniles who are under the juvenile courts. So, they are 18 to 21, but the juvenile courts have jurisdiction over them and so they are placed in transitional living because they have no other option to return home once they have been released from any juvenile facility. We have submitted our applications, and I'll submit for questions.

TICK SEGERBLOM

Okay, this is a public hearing. Anyone here wishing to speak on this item, please come forward.

FUNG JEFFERSON

Do I sit down?

TICK SEGERBLOM

Yeah, just step to the side or sit down.

BRANDY

Do I speaking to here? Can you hear me?

TICK SEGERBLOM

Yes.

BRANDY

Yes. Hello, my name is Brandy. I'm in a residence. My property is right across the street from this house. My questions and my concerns is who is observing these men living in this house? I've heard that they're able to stay in the backyard. The backyard, I can see them from chest up. They can view my property from half of the home, from the windows, from the whole backyard. They can observe my living patterns. They can see that my husband works graveyards and leaves every night at 10:40. They can see that I have a 14-year-old daughter that leaves for the bus at 6:10 in the morning. Sorry, I'm very nervous and this is very important to me. Again, with curious of who's observing the behavior of these young men in this house.

Last Thursday at 8:11 p.m. in my office, I hear noise, I hear music, I come out and from my front door I can see them with lights and music in the backyard. They proceeded to shoot fireworks over a wall of trees into my neighbor's yard. I just want to know, what are these young men convicted of? There's an elementary school less than a mile away. I don't know what my rights are or how to know who's there and who's observing them at what times. I'm just very concerned.

TICK SEGERBLOM

All right, thank you so much. Hopefully we'll be able to answer your questions. Anyone else here wishing to speak on this item? See no one will close the public hearing, then. Ms. Jefferson if you want to come back up, I'll turn over to Commissioner Naft.

MICHAEL NAFT

Thank you, Mr. Chairman. Ms. Jefferson, if you could just directly answer some of the questions that were raised in public comment and then I'll add in myself.

FUNG JEFFERSON

Okay. There is 24/7 staff, so their staff is there. There's three shifts. So, they work eight-hour shifts. So, there's an adult – when I say adult, there's an older adult who's over 30, generally, who's at the house. We can't lock them down. It's not a lock down facility. With regards to the incident, we do have cameras all around the house and inside the house. It is our intent if this is passed, and we have been permissioned to proceed forward to add at least one more camera to assist.

MICHAEL NAFT

Were you aware of that incident?

FUNG JEFFERSON

No. We do look at the cameras and if it was fire – I don't, no, just no –

MICHAEL NAFT

Yeah. Okay. A couple of things that I just want to respond to, and ma'am, thank you very much for being here and for being part of this process. I do want to make clear, you've already said it, but I'll reiterate it. These are juveniles that are in the juvenile system. They've been released from our custody, but they truly have nowhere else to go. The reason this is an option is because there is 24/7 on-site management. So, that would be a condition of your approval. I know you already do that, but that would carry with this application.

FUNG JEFFERSON

Yes.

MICHAEL NAFT

You understand that?

FUNG JEFFERSON

Yes.

MICHAEL NAFT

A couple other things, in response to the question that was raised in public comment, it's the – well, maybe I should let you add this. Who is the oversight? If you want to put that into the record of your operation but also of those in your custody.

FUNG JEFFERSON

Okay. Nevada Youth Parole and the judge. So, any incidents that occur, we have to report to Nevada Youth Parole because they're the law enforcement agency.

MICHAEL NAFT

Okay. These are all nonviolent offenders?

FUNG JEFFERSON

As far as we know, yes. To clarify, if they're in the juvenile system, there is a certain category under Nevada statute that keeps them in the juvenile system for a purpose. So, if they, for any reason, pick up any adult criminal charges, they are removed from our custody, or our placement because they no longer qualify because they're now outside of the juvenile system.

MICHAEL NAFT

Okay. So, in addition to the 24/7 on-site hostmanager, I just want to add a couple additional conditions. A condition of the application would be that there's full camera coverage of the property. So, your property front and back and side. So, you might need to add more than the one camera to the front.

FUNG JEFFERSON

Actually, there's already – yeah, we'll comply, but we do have that the camera's already in place.

MICHAEL NAFT

Okay. But just to make the record clear, I'm asking for full coverage of the property within your property line?

FUNG JEFFERSON

Correct.

MICHAEL NAFT

Okay. Then we're going to need a 24/7 point of contact. So, if anyone in the neighborhood wants to call, if I want to call to report something, I need a 24/7 individual who's going to be responsible. That can be the on-site host manager. It can be you. It can be someone else who has the ability to gain access to the property, but there needs to be a number that's made available, as a condition of the application.

FUNG JEFFERSON

We will have that, yes.

MICHAEL NAFT

Then also just to clarify, from my understanding, there are no visitors permitted?

FUNG JEFFERSON

Correct.

MICHAEL NAFT

There shouldn't be people coming and going other than the individuals who are residing on property and the host manager.

FUNG JEFFERSON

Visitors, correct. We do have people who come pick people up. Sometimes, the authorized people allowed to come pick them up, they're supposed to come to door, or they leave immediately. They do not hang out at the house.

MICHAEL NAFT

Okay, and then the last condition, the application calls for 10 individuals on property?

FUNG JEFFERSON

Yes.

MICHAEL NAFT

I've reviewed the site. I know the Town Board is asked for five, I'm going to allow six. You've got three bedrooms; I would allow two per bedroom. That seems reasonable to me. So, if there is nothing else, Sami, do I need to repeat any of that or is it clear in the record?

SAMI REAL

It's clear in the record. I have;

- 24/7 on-site host manager, full camera coverage and property that includes front back and sides. I have;
- 24/7 point of contact to be provided to the Commissioner's Office and then I'll add;
- with a copy to Comprehensive Planning, no visitors and then maximum of six residents.

MICHAEL NAFT

Thank you. Then ma'am who spoke, if you just wait, I'd like to come over and make sure you have my phone number as well, so that you can get me and talk to me about any concerns you have on site.

JIM GIBSON

Commissioner, could I just ask one question? So, you've heard those conditions, do you agree with those conditions?

FUNG JEFFERSON

The only condition I have concerns about is the six –

JIM GIBSON

He's not going to agree more. So, do you agree with six then?

FUNG JEFFERSON

No, I agree with it, but you asked me if I had any concerns and so I agree, but –

JIM GIBSON

Okay, I asked the question wrong.

FUNG JEFFERSON

Okay.

JIM GIBSON

Then the federal law is what preempts us so the neighbor can understand, it's a group home, essentially. I'm not sure the effect that this may have on it. So, it may not be one of those that is protected by federal law. Rob, what is the answer to that?

ROBERT WARHOLA

No, this is not a community residence or group home. So, it's not, doesn't fall under the federal law protection.

JIM GIBSON

So, what'll be important is for you and your neighbors to understand that there is – the reason I'm sensitive to this is that when I was Mayor in Henderson, we had a couple of these come up and it had never happened before and we ended up on the wrong side of it, and it was difficult for us, but the home worked just fine. What we learned was that you can actually coexist, and it can work. These are kids that

have paid the price and as the Commissioner says, there's a concern for kids that are either aged out or they're out now, but there is nowhere for them to go.

We appreciate your being here. It really means a lot to hear from neighbors because it's something that'll require, a communication and a real understanding of what's going on in the neighborhood, which is difficult. I appreciate the leadership that Commissioner Naft has shown on this item because I think that it shows that we do understand both needs, neighborhood needs for peace and quiet and the experience they want to have in their home, and neighborhood, and for these kids that don't have any other options. So, thank you and I support that.

MICHAEL NAFT

Thank you, Commissioner and exactly for those reasons are why I was able to place conditions on the application. So –

TICK SEGERBLOM

Can I just add, I assume it's intuitive, but the cameras are both monitored well not monitored, but they're taped so we can go back a week or two and see what happened?

FUNG JEFFERSON

We use a commercial from ADT. Or is it ADT or ADP, whichever one – ADT one.

TICK SEGERBLOM

Okay.

FUNG JEFFERSON

So, yes.

MOTION

MICHAEL NAFT

That's in the form of a motion of approval of Item 7.

TICK SEGERBLOM

All right. So, anything happens, you can call in, we can go back and see what happened and if things are not appropriate then obviously, this is conditional. All right, there's a motion, cast your vote.

VOTE

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

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

TICK SEGERBLOM

That motion passes, thank you so much.

FUNG JEFFERSON

Thank you, Commissioners.

8. UC-24-0378-TROCAM HOLDINGS, LLC:
USE PERMIT for a hotel with a mixture of transient and non-transient uses.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase retaining wall height; 2) eliminate loading spaces; and 3) reduce and eliminate parking lot landscaping.
DESIGN REVIEW for a hotel on 3.06 acres in a CR (Commercial Resort) Zone. Generally located on the west side of Cameron Street, 330 feet north of Tropicana Avenue within Paradise. MN/bb/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence, or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

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

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 30.02.26B 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; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0346- 2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

9. VS-24-0277-PALM PROPERTIES, LLC:

VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). TS/jor/syp (For possible action)

ACTION: HELD TO OCTOBER 2, 2024, PER THE APPLICANT.

10. WS-24-0276-PALM PROPERTIES, LLC:

WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.

DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)

ACTION: HELD TO OCTOBER 2, 2024, PER THE APPLICANT.

11. WS-24-0366-VENETIAN VENUE PROPCO, LLC:

WAIVER OF DEVELOPMENT STANDARDS to exceed the maximum permissible sound levels in conjunction with an existing recreational facility, fairground, and music venue (Sphere Las Vegas) on 18.51 acres in a CR (Commercial Resort) Zone. Generally located on the south side of Sands Avenue and the east side of Koval Lane within Paradise. TS/jor/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- 1 year to review;
- Allowance for greater noise will be limited to no more than 12 days a year;
- Increase in noise level on those dates will be limited to a frequency no greater than 85 decibels, measured at The Sphere’s property line;
- Park Towers and Meridian management will be notified no less than 14 days prior to each waiver event;
- Increase in noise shall be permitted to occur only between 9:00 a.m. and 11:30 p.m. on waiver days, except New Year’s Eve which will be 1:00 a.m.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Remove boulders in right-of-way on Sands Avenue.

SAMI REAL

The next item is Item 11, WS-24-0366, waiver of development standards to exceed the maximum permissible sound levels in conjunction with an existing recreational facility, fairground, and music venue, The Sphere Las Vegas, on 18.51 acres in a CR (Commercial Resort) Zone, generally located on the south side of Sands Avenue and the east side of Koval Lane within Paradise.

Commissioners, I have some conditions to read in at the request of the applicant and then also an added condition from Public Works. So, if you'll just bear with me for a second.

TICK SEGERBLOM

Sami let's go ahead and let Mr. Brown read those conditions in and then we'll just verify that that's what we have.

SAMI REAL

Okay, sounds good.

TICK SEGERBLOM

Thank you.

DAVID BROWN

Good morning. David Brown, 520 South Fourth Street on behalf of the applicant. Also with me today is Rich Constable, Executive Vice President at Sphere, in case you have any questions. We're happy to be in front of you today with both the staff's recommendation for approval and Town Board's recommendation of approval.

We tried to work with all the neighbors before the Town Board to reach a resolution. We were not able to do so. However, I'm happy to say as we sit here today after the Town Board, we met again with Mr. Garcia who represents Park Towers, which were the neighbors that had objections. We were able to get the approval of the HOA. I do think there might be a neighbor or two that wants to speak against it, but we did reach an agreement and with your permission I'll read those conditions in the record now. These are additional compromises that were made. Some of them were made at the Town Board and some of them after, but that we're all in agreement with;

- One, allowance for greater noise will be limited to no more than 12 days a year.
- Two, the increase in noise level on those dates will be limited to a frequency no greater than 85 decibels measured at Spheres property line.
- Three, Park Towers management will be notified no less than 14 days prior to each waiver event.
- Four, the increase in noise shall be permitted to occur only between 9 a.m. and 11:30 p.m. on waiver days except for New Year's, which will be 1 a.m.

In addition to those four requirements, we also know we'll be back here in one year for a review. Happy to hear from the neighbors and answer any questions if you have them.

TICK SEGERBLOM

All right. Mr. Garcia, can you come forward and indicate who you represent and verify that?

ED GARCIA

Yes, Mr. Chair. Ed Garcia 9555 Hillwood, here on behalf of the Park Towers Homeowners Association. Also with me is Larry May with General Manager of the Park Towers Homeowners Associations. We're in agreement with all of those conditions. Thank you. Happy we're able to get to resolution on this.

TICK SEGERBLOM

Thank you so much and thank you Mr. May.

All right, this is a public hearing. Anyone here wishing to speak on this item, please come forward.

SAGAR RAICH

Good morning, Commissioners.

TICK SEGERBLOM

Wait. Speak into the microphone, please.

SAGAR RAICH

Good morning, Commissioners, Sagar Raich, 2280 Poma Lane on behalf of James K., one of the unit owners at Park Towers.

TICK SEGERBLOM

Okay, can you spell your last name for the record?

SAGAR RAICH

Yes, R-A-I-C-H.

TICK SEGERBLOM

Okay.

SAGAR RAICH

I'm an attorney for Mr. K. As was mentioned to the Board here this morning, not all the property owners were in agreement with the conditions that were placed. Mr. K's main issues are Park Tower faces right spaces of Sphere, head-on. One of the issues has been that there should not have been any sound from the beginning and that's Mr. K's position, that the permits that were needed to obtain for any sound weren't obtained. So, all the conditions and everything we're talking about today should really be reviewed in more detail. The sound has violated my client's constitutional rights, as well as his ability to quietly use his property. There are issues of accountability as well. All the conditions that are placed, the number of days, decibel levels, etc., don't really have any measures for accountability. So, what happens if The Sphere violates those? Are there penalties?

Is there some discussion after? What happens if the conditions today, if the vote goes through are violated? Because of that, there are certain issues that we believe should be pushed out to give the homeowners that are not in agreement a more wholesome opportunity to work something out with The Sphere. We understand The Sphere is commercially very important to the area, but we do want to make sure that all the homeowners rights are protected. The other issue, there's some minor issues. For example, The Sphere's speakers are facing outward instead of inward and a few other things. Hopefully, we would like to request that the Board either vote no, or if not no, at least give the homeowners 60 to 90 days to work out these details with The Sphere. We understand that the HOA has reached an agreement or at least agrees to the conditions, but as this Board knows, the HOA doesn't represent each unit owner individually. So, with that, I'd like to see if you have any questions for me.

TICK SEGERBLOM

There doesn't appear to be any questions. Thank you so much.

SAGAR RAICH:

Thank you.

TICK SEGERBLOM

Next speaker.

CRYSTAL JUAREZ

My name is Crystal Juarez, work at Tacos and Beers, near The Sphere on Paradise.

TICK SEGERBLOM

Please speak up. Your voice is very soft.

CRYSTAL JUAREZ

Okay. My name is Crystal Juarez. I work at Tacos and Beers on Paradise, near The Sphere. I just want to say that I think The Sphere is a great addition to the Vegas experience, to tourists, locals, to kids growing up here. As you know, there's a lot of Vegas attractions that we have fond memories of, growing up. So, I think that adding an audio aspect to The Sphere is a great immersive experience. I've been by it recently, actually, and I've heard it, and it doesn't sound too loud. It sounds pretty decent when you're next to it. I even hear customers say all the time that they love The Sphere nearby, they ask questions about it. A lot of people even say that they come to Vegas just for The Sphere. I just want to say that it's a pretty amazing experience.

TICK SEGERBLOM

Great, thank you.

ROBERT COLLAZO

Hi. My name is Robert Collazo. I'm born and raised out here in Las Vegas, Nevada.

TICK SEGERBLOM

Can you spell your last name, please?

ROBERT COLLAZO

C-O-L-L-A-Z-O.

TICK SEGERBLOM

Great. Thank you.

ROBERT COLLAZO

I just want to say that I enjoy The Sphere, as well. My family does. My kids love to ask, "Oh, can we drive down the Strip so we can see The Sphere, hear the music?" It's good experience. So, I just want to put that out there. Thank you.

TICK SEGERBLOM

Thank you.

CHRISTINA FLORES

Hi everyone. My name is Cristina Flores. I'm actually a small-business owner here in Las Vegas. A lot of my exhibitors and attendees love to come to Vegas for The Sphere. They say that it's an incredible experience. They're excited, and being born and raised here in Las Vegas, I love when there's new experiences, especially with the music that I can drive by, I can listen to, and I have my attendees and family super excited for. Thank you.

TICK SEGERBLOM

Thank you.

ANN MCCORY

Hi, my name is Ann McCrory and I'm a resident in The Meridian, which is between Koval and Flamingo. We own a condo; my husband and I purchased three years ago and our balcony to our bedroom and our living room area oversees The Sphere. I open my blackout curtains in the morning to the emoji smiling at me. I love the visual that it's added to the area. We're so excited about The Sphere that we purchased another condo, in The Meridian to rent, but we're concerned about it bringing sound because it is a residential area in The Meridian. Which I didn't hear you include us as another participant in being informed, whether you're going to have outdoor sound.

Twelve sounds like a lot in the year, if they could at least reduce it. I appreciate that they're going to cut it off at 11. I know the lights don't ever end. So, we can handle that, but the sound we can't turn off. So, I appreciate they have a cutoff time, but if they could reduce the number of outdoor events to maybe one a year or two a year, that would be appreciated by the residents of Meridian, as well as if we could also be informed of the dates that are coming. We'd appreciate that, too. I wasn't aware of this through our HOA, we weren't notified. So, just here on my own.

TICK SEGERBLOM

Thank you.

ANN MCCORY

Thank you.

TICK SEGERBLOM

Seeing no one else, we'll close the public hearing and ask Mr. Brown to come back up. So, this is the first I've heard from The Meridian, are you willing to notify The Meridian residents also?

DAVID BROWN

We are. I just told the nice woman that we'd be happy to get her contact information. The condition was to notify any residents within 800 feet of the property line. We'll do that and we'll certainly be happy to notify her. It'll be an email, and we will work it out.

TICK SEGERBLOM

All right, thank you. Anyone else have any questions? This is my item. So, let me just say that we've worked with the Towers, that we worked with the Madison Square Garden. I think we've come up with a reasonable solution, but it also is subject to a one-year review. So, there's going to be 12 events in the year from now. If there's a problem, we can come forward and they won't get another 12 months, but we will also try to work on it. I've been out there; they have a sound machine so they can test it. We're going to be able to monitor this stuff.

It's all recorded. So, if someone complains and says, "Oh, on that Saturday night it was too loud," we can go back and actually look at the recording data to see if that's true. So, we've done a lot of work here, but as a couple of the people testified, The Sphere is fantastic. So, we don't want to unfairly inhibit them as long as it doesn't impact the residents, which I think this agreement doesn't. Make sure that the residents are protected.

MOTION

TICK SEGERBLOM

So, with that, I make a motion to approve, subject to the conditions.

SAMI REAL

Commissioner Segerblom. Sorry. We also got a request from Public Works to add a condition to remove –

TICK SEGERBLOM

Is this the rocks? The rock man wants you to remove the rocks that are on Twain.

SAMI REAL

Correct. So, the added conditional would be remove boulders in the right of way on Sands Avenue. Okay. The boulders, I'm sorry. And I think that's okay too.

DAVID BROWN

We're unaware of it, but of course, if –

TICK SEGERBLOM

Okay. All right. I talked to your boss. All right. All right. With that motion and those conditions, we move for approval.

VOTE

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

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

TICK SEGERBLOM

That motion passes.

DAVID BROWN

Thank you very much.

TICK SEGERBLOM

And again, for the people that came here, if any of these conditions are violated, come to my office or call my office. And if even with the conditions, in a year from now, you don't like it, we'll try to revisit it. But thank you so much for coming out. Okay.

12. PA-24-700014-SUNRISE 96C, LLC:

PLAN AMENDMENT to redesignate the existing land use category from Public Use (PU) and Neighborhood Commercial (NC) to Urban Neighborhood (UN) on 5.21 acres. Generally located on the west side of Eastern Avenue and the south side of Rochelle Avenue within Paradise. TS/rk (For possible action)

ACTION: ADOPTED (RESOLUTION NO. R-9-4-24-1).

13. ZC-24-0304-SUNRISE 96C, LLC:

ZONE CHANGE to reclassify 1.37 acres from a CC (Commercial Core) Zone to an RM32 (Residential Multi Family 32) Zone. Generally located on the west side of Eastern Avenue and the south side of Rochelle Avenue within Paradise (description on file). TS/hw (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

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.

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 #0275-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

14. VS-24-0306-SUNRISE 96C, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Channel 10 Drive and Eastern Avenue and between Rochelle Avenue and University Avenue (alignment) within Paradise (description on file). TS/hw/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

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.

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.

15. DR-24-0305-SUNRISE 96C, LLC:

DESIGN REVIEW for modifications to and an expansion of an approved multi-family residential development on 5.21 acres in an RM32 (Residential Multi-Family 32) Zone. Generally located on the west side of Eastern Avenue and the south side of Rochelle Avenue within Paradise. TS/hw/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised that all applications related to the proposed development, including ZC-22-0060, must remain active or additional land use applications may be required; that within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Comply with approved drainage study PW21-19925;
- Traffic study and compliance.

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.

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.

16. ZC-24-0307-MOUNTAIN VIEW DRS, LLC:

HOLDOVER ZONE CHANGE to reclassify 2.06 acres from an RS20 (Residential Single-Family) Zone to an IP (Industrial Park) Zone within the Airport Environs (AE-65 & AE-70) Overlay. Generally located on the south side of Sunset Road and the west side of Ullom Drive within Enterprise (description on file). MN/bb (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

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 30.02.26B 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 at landuse@lasairport.com;
- 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; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; 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.

17. VS-24-0309-MOUNTAIN VIEW DRS, LLC:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Decatur Boulevard and Ullom Drive, and between Sunset Road and CC 215 within Enterprise (description on file). MN/bb/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

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

18. UC-24-0308-MOUNTAIN VIEW DRS, LLC:

HOLDOVER USE PERMITS for the following: 1) hotel; and 2) transient and non-transient hotel with kitchens.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) eliminate loading spaces; 3) modify buffering and screening standards; and 4) modified driveway geometrics.

DESIGN REVIEWS for the following: 1) hotel; and 2) alternative parking lot landscaping on 2.06 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-60 & AE-65) Overlay. Generally located on the south side of Sunset Road and the west side of Ullom Drive within Enterprise. MN/bb/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Right-of-way dedication to include 30 feet for Ullom Drive.
- 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 30.02.26B 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 at landuse@lasairport.com;
- 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; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; 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.

19. ZC-24-0348-COUNTY OF CLARK (AVIATION):

ZONE CHANGE to reclassify 88.10 acres from a CR (Commercial Resort) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-60, AE-65, AE-70, & AE-RPZ) Overlay. Generally located on the south side of Sunset Road and the west side of Gilespie Street within Enterprise (description on file). MN/gc (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

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.

20. ZC-24-0349-COUNTY OF CLARK (AVIATION):

ZONE CHANGE to reclassify 3.76 acres from an RS5.2 (Residential Single-Family 5.2) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-60 & AE-65) and Maryland Parkway Overlays. Generally located on the east side of University Center Drive and the north side of Hacienda Avenue within Paradise (description on file). JG/gc (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

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.

21. ZC-24-0350-COUNTY OF CLARK (AVIATION):

ZONE CHANGE to reclassify 7.97 acres from a CR (Commercial Resort) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-60 & AE-65) Overlay. Generally located on the northwest corner of Four Seasons Drive and Haven Street within Paradise (description on file). JG/gc (For possible action)

ACTION: APPROVED.

22. ZC-24-0351-COUNTY OF CLARK (AVIATION):

ZONE CHANGE to reclassify 0.67 acres from a CR (Commercial Resort) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-60) Overlay. Generally located on the east side of Las Vegas Boulevard South, 100 feet south of Four Seasons Drive within Paradise (description on file). JG/gc (For possible action)

ACTION: APPROVED.

23. ZC-24-0352-COUNTY OF CLARK (AVIATION):

ZONE CHANGE to reclassify 1.22 acres from a CR (Commercial Resort) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-70 & AE-75) Overlay. Generally located on the west side of Las Vegas Boulevard South, 850 feet north of Sunset Road within Paradise (description on file). MN/gc (For possible action)

ACTION: APPROVED.

24. ZC-24-0363-WYKOFF NEWBERG CORP:

ZONE CHANGE to reclassify 0.50 acres from an H-2 (General Highway) Zone to a CG (Commercial General) Zone. Generally located on the south side of Oso Blanca Road, approximately 160 feet east of Grand Montecito Parkway within Lone Mountain (description on file). RM/Im (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

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 that for any sanitary sewer needs, applicant is 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.

25. WS-24-0364-WYKOFF NEWBERG CORP:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) street landscaping; and 2) reduce gate setback.

DESIGN REVIEW for a communication utility building on 0.50 acres in a CG (Commercial General) Zone. Generally located on the south side of Oso Blanca Road, approximately 160 feet east of Grand Montecito Parkway within Lone Mountain. RM/Im/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance.
- Applicant is advised that Nevada Department of Transportation (NDOT) permits may be required.

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 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.

26. ZC-24-0365-JAMESON K RICHARD FAMILY TRUST & VARGAS KIMBERLEE TRS:
 ZONE CHANGE to reclassify a portion of a 3.91 acre site from an H-2 (General Highway Frontage) Zone to an IL (Industrial Light) Zone within the Airport Environs (AE-75) Overlay for an existing commercial/industrial development. Generally located on the north side of Las Vegas Boulevard North, 150 feet east of Sandy Lane within Sunrise Manor (description on file). WM/gc (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

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.

27. ZC-24-0368-COUNTY OF CLARK (AVIATION) & MAJESTIC EJM ARROYO III, LLC (LEASE):
 ZONE CHANGE to reclassify 21.38 acres from a CG (Commercial General) Zone to an IP (Industrial Park) Zone within the Airport Environs (AE-60) Overlay. Generally located on the southeast corner of Tenaya Way and Badura Avenue within Spring Valley (description on file). MN/sd (For possible action)

ACTION: APPROVED WITH CONDITIONS.

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 #0324-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

28. VS-24-0369-COUNTY OF CLARK (AVIATION) & MAJESTIC EJM ARROYO III, LLC (LEASE):
 VACATE AND ABANDON easements of interest to Clark County located between Montessori Street and Tenaya Way, and between Badura Avenue and Arby Avenue; a portion of right-of-way being Montessori Street located between Badura Avenue and Arby Avenue; and a portion of right-of-way being Arby Avenue located between Montessori Street and Tenaya Way within Spring Valley (description on file). MN/sd/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended

with approval of an extension of time; 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

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;
- The installation of detached sidewalks will require the vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or the execution of a License and Maintenance Agreement for non-standard improvements in the right-of-way.

29. WS-24-0370-COUNTY OF CLARK (AVIATION) & MAJESTIC EJM ARROYO III, LLC (LEASE):

WAIVER OF DEVELOPMENT STANDARDS for modified driveway design standards.

DESIGN REVIEW for a warehouse/distribution center on 21.38 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-60) Overlay. Generally located on the southeast corner of Tenaya Way and Badura Avenue within Spring Valley. MN/sd/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

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 approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- The installation of detached sidewalks will require the vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or the execution of a License and Maintenance Agreement for non-standard improvements in 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 #0324-2024

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

30. TM-24-500072-COUNTY OF CLARK(AVIATION) & MAJESTIC EJM ARROYO III, LLC (LEASE):

TENTATIVE MAP consisting of 1 commercial lot on 21.38 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-60) Overlay. Generally located on the southeast corner of Tenaya Way and Badura Avenue within Spring Valley. MN/sd/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; 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 there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- The installation of detached sidewalks will require the vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or the execution of a License and Maintenance Agreement for non-standard improvements in 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 #0324-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

31. ORD-24-900325 Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with LJC Properties, LLC for a single-family residential development on 4.90 acres, generally located on the east of Buffalo Drive and north of Torino Avenue within Enterprise. JJ/dw (For possible action)

ACTION: ADOPTED (ORDINANCE 5174).

SEC. 5. NON-ROUTINE ACTION ITEMS 32 THROUGH 52

32. 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 per plans on 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: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until September 4, 2026 to commence.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County has adopted a rewrite to Title 30 effective January 1, 2024, 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.

Department of Aviation

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

SAMI REAL

Motion passed? Okay, so next is Item 32, ET-22-400017 for (UC-1721-06), Holdover use permit, sixth extension of time to commence the following: Resort condominiums in conjunction with an existing resort hotel (The Venetian); increased building height; associated accessory and incidental commercial uses, buildings, and structures; and deviations from development standards deviations for the following: reduce on-site parking requirements, reduce the height setback ratio from an arterial street, encroachment into airspace, and all other deviations as shown per plans on file.

And then, design reviews for the following: a 632-foot-high high-rise resort condominium tower including kitchens in rooms, all accessory uses, retail areas, and amenity areas, (The Venetian/Palazzo), and revisions to an already approved retail component associated with The Venetian/Palazzo (Walgreens) on a portion of 63 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the east side of Las Vegas. Boulevard South in the south side of Sands Avenue within Paradise.

Commissioners, due to the length of time that this application has been in process, we recommend changing the first bullet point under Current Planning Conditions to commence from two years from today's date. So, we would change the commence date to September 4, 2026.

TICK SEGERBLOM

Good morning.

LEBENE OHENE

Good morning, Commissioners. Lebene Ohene, 520 South 4th Street, representing the applicant for the sixth extension of time for the Palazzo Towers, which is located within the Venetian and Palazzo complex. This sixth extension of time, really, it's because our new client just took over, and there were issues over the two years that the application was in process with the FAA determination, which has been finalized. We appreciate staff changing the conditions to allow us two extra years to commence the project. And with that, we appreciate it, and I conclude my presentation.

TICK SEGERBLOM

Okay.

LEBENE OHENE

Thank you.

MOTION

TICK SEGERBLOM

This is a public hearing. Anyone here wishing to speak on this item? Seeing no one, will close the public hearing. And honestly, six years, six conditions is a long time, but the reality is you do have explanation, and we would love to see those things built. So, with that, I'd make a motion to approve.

VOTE

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

LEBENE OHENE

Thank you.

TICK SEGERBLOM

That motion passes.

LEBENE OHENE

Thank you, Commissioners.

33. UC-24-0268-LEXILAND, LLC ET AL & ROOHANI KHUSROW FAMILY TRUST:

USE PERMIT for outdoor storage and display.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) residential adjacency standards;) street landscaping; 3) buffering and screening; 4) off-site improvements (curb, gutter, sidewalk, streetlights and partial paving); 5) driveway geometrics; and 6) access gate.

DESIGN REVIEW for outdoor storage on a portion of 37.14 acres in a CG (Commercial General) Zone.

Generally located on the west side of Las Vegas Boulevard South and the north side of Pebble Road within Enterprise. MN/lm/syp (For possible action)

ACTION: HELD TO SEPTEMBER 18, 2024, PER THE APPLICANT.

34. UC-24-0367-COUNTY OF CLARK (LV CONV AUTH):

USE PERMITS for the following: 1) multi-family dwelling; 2) allow a mixture of transient and nontransient uses in conjunction with a hotel; and 3) allow outdoor dining, drinking, and cooking not in conjunction with a primary eating and drinking establishment.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) reduced parking; 3) reduced EV capable and EV installed parking spaces; 4) reduced loading spaces; 5) eliminate open space; 6) street landscaping; 7) buffering and screening; and 8) allow modified driveway design standards.

DESIGN REVIEWS for the following: 1) multi-family dwelling (tower); 2) hotel; 3) shopping center; 4) entertainment or recreational facilities (theater, amusement ride, and outdoor pool area); 5) outdoor dining, drinking, and cooking areas; 6) event plaza; 7) parking garage; and 8) all associated and accessory uses, structures, and incidental buildings and structures on 10.0 acres in a CR (Commercial Resort) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Elvis Presley Boulevard within Winchester. TS/md/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

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;
- Prior to the issuance of building and grading permits, enter into a Performance Agreement with Clark County which includes a Decommissioning Plan specifying the actions to be taken by the Developer or County in the event construction of the project is stopped or abandoned;

- Bond or other form of financial security, acceptable to Clark County, shall be provided with the Performance Agreement as security of the full and complete fulfillment of the decommissioning actions identified in the Decommissioning Plan;
- Administrative design review is required for the remainder of the LVCVA parcel (APN 162-09-703-025);
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised that a tree-fee in lieu shall be paid to the County for each street tree waived; approval of this application does not constitute or imply approval of a liquor license or any other County issued permit, license or approval; within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Coordinate with Public Works for the pedestrian bridge and if required execute an agreement;
- No advertising on pedestrian bridge;
- Allow the following permits prior to approval of off-site permits: all demolition, grading, including underground utilities, dewatering, foundation, and structural first lift with foundation;
- Coordinate with Public Works - Directors Office for any improvements on Las Vegas Boulevard South;
- Maintain the required width of all public access walkway segments so that a minimum Level of Service "C" is achieved under peak pedestrian volumes.
- Applicant is advised that off-site improvement permits may be required.

Department of Aviation

- Applicant may be required to file Federal Aviation Administration (FAA) Form 7480-1, "Notice of Landing Area Proposal" with the FAA, per 14 CFR Part 157;
- Applicant must comply with heliport conditions described in 30.03.06B5. "Heliport" of the Code, and any applicable conditions resulting from FAA approval;
- 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 30.02.26B 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 all helicopter noise complaints and inquiries regarding operations from this facility will be forwarded to the operator of this heliport; the FAA's determination is

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

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 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 #0109-2024 to obtain your POC exhibit; that flow contributions exceeding CCWRD estimates may require another POC analysis; and that the proposed development is anticipated to generate significant wastewater flows, which would require the following: the Developer is to install a wastewater meter to monitor the flows; the Developer is to ensure that all wastewater flows are routed to one discharge location from the site to flow through the wastewater meter under desirable hydraulic conditions (i.e., minimize bends from the upstream manhole); and wastewater meter monthly fees shall be billed to the facility.

TICK SEGERBLOM

So now, we're ready for the Nancy show.

SAMI REAL

Next is Item 34, UC-24-0367, use permits for the following: Multi-family dwelling; allow a mixture of transient non-transient uses in conjunction with the hotel; and allow outdoor dining, drinking, and cooking not in conjunction with a primary eating and drinking establishment. Waivers of development standards for the following: increased building height, reduce parking, reduce EV capable and EV installed parking spaces, reduced loading spaces, eliminate open space, street landscaping, buffering and screening, and allow modified driveway design standards.

Design reviews for the following: multi-family dwelling; a tower; a hotel; a shopping center; entertainment or recreational facilities consisting of a theater, amusement ride, and outdoor pool area; outdoor dining, drinking, and cooking areas; an event plaza; parking garage; and all associated and accessory uses, structures, and incidental buildings and structures on 10 acres in a CR (Commercial Resort) Zone. Generally located on the east side of Las Vegas, Boulevard South, and the south side of Elvis Presley Boulevard within Winchester.

TICK SEGERBLOM

Good morning. Welcome back.

NANCY AMUNDSEN

Good morning. My name is Nancy Amundsen. 520 South 4th Street in Las, Vegas. And I wasn't expecting to come back like this. I kind of was going to stay behind the scenes, but I have to say that I think this is an exciting project. Our firm has been working on it since March of this year, and we finally got it before you. The staff has recommended approval, as has the Winchester Town Board. And I want to thank Mark Donahue, who is the planner on it. I want to thank all of Antonio Papazian's, and I'm sorry, Antonio, if I

said that wrong. His staff, Sammy Real's staff. Everyone has worked very hard on this project, and I'm proud to bring it to you. We are thankful for the recommendation of approval. We concur with all of the conditions.

There's a couple of things that I would like to say. The Department of Aviation had mentioned a couple of times in the staff report about heliports. There are no heliports at this time being requested. If they are requested, of course, we do know that we have to come back. But that was a question that had come up. We're not asking for any heliports. This is a mixed-use development. It has FAA's approval for the 600 foot for both the hotel tower and the multi-family tower. The reason we're asking for the waiver for height has to do with the multi-family, which has a limitation of height in the CR district.

We're looking at 425 multi-family units, 750 hotel units. We have 3,310 seat theater in the back. And although all of the renderings that you will see in the file look like it's going to be a sphere, we're not proposing it to be a sphere. We're proposing it to be an entertainment venue. We have – and again, I'm nervous. Isn't it weird? I sat in Sammy's seat for so long. And now, I'm here on the other side and it's a little more nerve wracking I have to say. And I give every everybody credit who has ever been here.

TICK SEGERBLOM

It's weird for us too.

NANCY AMUNDSEN

Well, I guess that's kind of makes me feel better. There are a couple of things that we would like to point out, and I showed you the beautiful rendering. This is looking east from Las Vegas Boulevard. But I wanted to show you the site plan. We are not proposing any modifications to Las Vegas Boulevard. So, the improvements the Public Work has put in, the bollards, the sidewalks, the entrance way on the south side of the project will remain the same.

Our main entrance is going to be off of Elvis Presley. That's where the waiver is for the throat width or the entrance width is, and that's on our main entrance, and Public Works has been nice enough to recommend approval of that. You will see on this plan, and you'll see throughout the files that it shows connections across to Fontainebleau. Again, that would have to come back for approval through the Board for any – we'd have to work with Public Works for any connections, any bridges. They're just showing you possibilities of the future. They're not being requested today. I could go through every floor, but I'd like to open it up to you to ask questions. We have a representative of the owner, and we have the architect here, if you have any technical questions. And with that, I again thank you for recommendation of approval from Winchester and the staff, and we request approval. Thank you.

TICK SEGERBLOM

Thank you. This is a public hearing. Anyone here wishing to speak on this item? Looks like you've done your homework. Seeing no one, will close the public hearing, and turn it over to the Commissioners for comments?

MARILYN K. KIRKPATRICK

Commissioner Segerblom, and I just want to reiterate this. So, I did bring it up during my briefing that there is no evaporated cooling allowed per our Water District Service Rules. And I want to make sure that that's clear that it doesn't matter who you are, the rules are the rules. So, I just wanted to be clear with that.

NANCY AMUNDSEN

And Commissioner, we did speak with the developer, and he knew that all along.

MARILYN K. KIRKPATRICK

I know y'all got to talk to your engineers and architects and those companies.

NANCY AMUNDSEN

I will acknowledge that. But we do know that, and the owner does know that.

MARILYN K. KIRKPATRICK

Okay, thank you.

TICK SEGERBLOM

All right. With that, I would just say this is fantastic news for the north end of this Strip, so, very excited. Look forward to working with you and the architects in the coming years.

MOTION

TICK SEGERBLOM

I make a motion to approve.

VOTE

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

TICK SEGERBLOM

That motion passes. Congratulations, you won your first one, but don't expect to win all of them.

NANCY AMUNDSEN

I don't. And thank you very much. As I said, this was a project that I was excited about, so you got stuck seeing me. Thank you.

35. WC-24-400060 (NZC-22-0028)-AMH NV10 DEVELOPMENT, LLC:

HOLDOVER WAIVER OF CONDITIONS of a nonconforming zone change requiring no certificate of occupancy can be issued for any structure within this project unless and until a certificate of occupancy has been issued for the clubhouse (adjacent project to the north) for a previously approved single family residential development on 4.90 acres in an RS2 (Residential Single-Family 2) Zone. Generally located on the northwest corner of Oleta Avenue and Conquistador Street within Enterprise. JJ/rg/ng (For possible action)

ACTION: HELD TO NOVEMBER 6, 2024, PER THE APPLICANT.

36. WS-24-0312-STUSSY DIETER REVOCABLE TRUST & STUSSY DIETER TRS:

HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to eliminate full off-site improvements in conjunction with a minor subdivision map on 4.72 acres in an RS80 (Residential Single-Family 80) Zone. Generally located on the southeast corner of Tami Street and Ron Avenue within Moapa Valley. MK/jud/syp (For possible action)

ACTION: HELD TO SEPTEMBER 18, 2024, PER THE BOARD OF COUNTY COMMISSIONERS.

SAMI REAL

Next is Item 36, WS-24-0312, holdover waiver of development standards to eliminate full off-site improvements in conjunction with a minor subdivision map on 4.72 acres and an RS80 (Residential Single-Family 80) Zone. Generally located on the southeast corner of Tami Street and Ron Avenue within Moapa Valley.

DIETER STUSSY

Good morning, Dieter Stussy, applicant and effective owner. Last name is spelled S-T-U-S-S-Y. Address, 775 Ron Avenue, Logandale. I'm doing an Assessor's recombination. I have a residence lot and an empty lot, which I basically use as an extended backyard. The empty lot is not really buildable, and I am objecting to the Public Works requirement and seeking a waiver of the off sites. Public Works, in their staff report, or I should say in the staff report, I noted you've already agreed to or at least have no objection to waiving the sidewalks, street lighting, curbs, but you still want to pave the road.

Their position is based on Ron Avenue being paved east of Yamashita Street. I am west of Yamashita Street and not adjacent to it. And therefore, if I were to be required to pave the area, there would still be a dirt segment between the two paved areas. I'm also required, let me pick up this one. This one, required to pave Tami Street, and my property is the only property that would be served by paving that site of Tami Street. This is the line here that I wish to remove on the Assessor's map, to make the two properties one like they were before 1981.

TICK SEGERBLOM

All right, does that complete your presentation?

DIETER STUSSY

Unless you have further questions for me, yes.

TICK SEGERBLOM

All right. This is a public hearing. Anyone here wishing to speak on this item? Seeing no one, will turn it over to Commissioner Kirkpatrick.

MARILYN K. KIRKPATRICK

Thank you, Mr. Chairman, appreciate that. So, Mr. Stussy, you held it last time, and we were hoping that you would reach out with us, but I want to explain how they paving works out there in that valley.

So, the gas tax is collected, and it is a very small amount, and then Clark County subsidizes the rest of the paving. So, I've been to the Town Board myself in the last year, and asked people to stop waving the paving requirements because at the end of the day, it takes us a long time, and we get tons of complaints on the paving, so we are asking everybody to do their part on the paving. And so, we are more than willing, in our office, to waive the sidewalks, the curbs and gutter. But we do ask that you pave or that you contribute to the cost, which is the same way that it's done in town. But like it or not, at the end of the day, we get so many complaints about the paving that's not done after people move out there, and then the dirt kicks up, or a flood happens, or something. And so, we just are trying to be consistent, and have been consistent for the last few years.

So, what I would tell you, it's more expensive. If the County gives you a cost, it's probably way cheaper for you to do, but we're willing to work with you. But we just have been consistent the last year and a half on the paving out there.

DIETER STUSSY

And I would understand that argument better if I were actually adjacent to the paved area.

MARILYN K. KIRKPATRICK

And I understand that, Mr. Stussy, but I can agree to disagree with you. It's my choice. I can deny the whole project, or we can put something in there that allows you to go forward. I understand that. But at the end of the day, the way that it works out there is – I'll give you an example. Rice Street. Portions of it were paved, portions of it weren't paved, and Clark County was expected to go in and do that. And we were browbeat for years until it got done. At the end of the day, we want connectivity ourselves so if anybody else comes in, they'll be expected to do the same thing. So, Antonio, what did you have?

ANTONIO PAPAZIAN

Thank you, Commissioner. We're okay with not paving Tami, as it doesn't go anywhere to the south. It ends in a drainage facility. Our main concern was Ron Avenue. And just for clarification, he's not in with an assessor's combination. That has not allowed. The Assessor's Office doesn't do an assessor's combination. He's in to do a parcel map to combine the parcels, and that's what triggered the offsite condition.

MARILYN K. KIRKPATRICK

So, Mr. Stussy, which way do you want to go?

DIETER STUSSY

I just want to combine the two properties for property tax purposes.

MARILYN K. KIRKPATRICK

Okay. And in order to combine both of the properties, you'll be responsible, and the condition will read to put some type of paving on Ron Avenue or to put some costs towards that for future.

DIETER STUSSY

Even though it would be isolated, and not –

MARILYN K. KIRKPATRICK

Yep. Even though.

DIETER STUSSY

Okay. So, I would have to pave it eventually, you're saying?

MARILYN K. KIRKPATRICK

Antonio, how do we do that? Is it towards the end of the process?

ANTONIO PAPAZIAN

Actually, before the process or else – that's our hammer. We will not have a hammer if we allow him to move forward without the paving, then the possibility of him never paving is can happen.

MARILYN K. KIRKPATRICK

Okay.

DIETER STUSSY

I really don't like that. Until my neighbor paves, I'm not connecting to other pavement.

MARILYN K. KIRKPATRICK

So, Mr. Stussy, I can deny the whole thing, and we can not do that. But we have to be consistent out there. Until you walk a day in my shoes on roads across the valley, there's only a small amount of money. And I can tell you, the amount of calls that we get every single week about paving, especially out there, whether it be Moapa, whether it be Logandale, Overton. We're being consistent, and I consistently, I went to the town board and asked them to please stop waving the paving because we now have a good map, we now have a good process, to where back in the day, there was 5, 6, 7 different lists. Some roads were not paved at all. And so, we would spend all of our money paving the whole rocky thing. And now, we have a process to where we don't wave the paving, we put roads on there so they're connecting to other roads. We also then, if one road gets paved this time, we were able to pave seven roads because they had all been maintained for some time. So, we just want to be consistent.

DIETER STUSSY

I understand that, but without my neighbors on either sides having their sections paved, I see this as isolated. Plus, the Town Board did waive it.

MARILYN K. KIRKPATRICK

And I'm not – they're advisory to me, and I take the phone calls. So, I'm happy to deny it, or you can hold it, but I'm not going to change my position, because at the end of the day, we have to be consistent out there.

DIETER STUSSY

Well, I do want to combine the properties, so I'm not saying I'm agreeing to it, I'm saying we need to discuss what costs are, because I mean, I'm not doing any improvements to the properties. I'm just erasing a line on a map.

MARILYN K. KIRKPATRICK

Let's try this one more time. So, if I make a motion to say that I approve it, but you either have to give a cost allocation or paving it, you don't agree to that? Because that's what the motion would be.

DIETER STUSSY

I'm saying I haven't explored the cost allocation, so I don't know what I'm agreeing to.

MARILYN K. KIRKPATRICK

Okay, then here's what I'm going to do. Here's what I'm going to do is I'm going to hold it for only two weeks. When in two weeks, it'll be a denial if you don't come to some resolution with paving the road.

DIETER STUSSY

Okay, are you asking me to return on September 18 then, for your next hearing?

MARILYN K. KIRKPATRICK

Sure, but I'm not changing my position. I want you to understand it. And listen, you've lived there a short time but the roads is a big deal out there, and I only have a small amount of money. And honestly, with the fuel tax not being extended, there is no money for the next four to five years on paving any roads. So, we are consistent.

DIETER STUSSY

All right, I'll take this up with my survey company.

MOTION

MARILYN K. KIRKPATRICK

Okay, perfect. Mr. Chairman. I'll make a motion to hold this for two weeks.

TICK SEGERBLOM

All right, there's a motion, cast your vote.

VOTE

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

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

TICK SEGERBLOM

That motion passes.

(Companion Items 37 and 38)

37. WS-24-0354-USA:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce lot area; 2) reduce setbacks; 3) increase fill height; 4) reduce number of access drives; 5) increase retaining wall height; and 6) full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving).

DESIGN REVIEW for a single-family residential subdivision on 5.02 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Azure Drive, the north side of Bright Angel Way, and the east side of Park Street (alignment) within Lone Mountain. RM/bb/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEM 38).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Provide a 5 foot wide asphalt path along Bright Angle Way and Park Street;
- Drainage study and compliance;
- Right-of-way dedication to include 30 feet for Azure Drive, 30 feet for Bright Angel Way, 30 feet for Park Street, and associated spandrel(s);

- Execute a Restrictive Covenant Agreement (deed restrictions).

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.

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.

SAMI REAL

Next are companion Items 37 and 38.

- Item 37, WS-24-0354. Waiver of development standards for the following: reduced lot area, reduced setbacks, increased fill height, reduced number of access drives, increased retaining wall height, and full off-site improvements, curb, gutter, sidewalk, streetlights, and partial paving. Design review for a single-family residential subdivision on 5.02 acres and an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Azure Drive and the north side of Bright Angel Way and the east side of Park Street alignment within Lone Mountain.
- Item 38, TM-24-500069. Tentative map consisting of nine single-family lots on 5.02 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Azure Drive and the north side of Bright Angel Way and the east side of Park Street alignment within Lone Mountain.

TICK SEGERBLOM

Good morning.

JENNIFER LAZOVICH

Good morning. Jennifer Lazovich, 1980 Festival Plaza Drive here today on behalf of the applicant. The site is this portion of the site. It is not the entire portion that was shown on the screen right before. On our west boundary is Park Street, and on our south boundary is Bright Angel Way. The site plan will look like this, which is nine single-family home lots. There's essentially four lots on the east and west, and then one triangle shape lot at the top. The design of the subdivision matches the design of the two subdivisions that are located to the east of us. The site that we're talking about for this application would be sitting right in this area. And as you can see, the subdivision to the east has nine lots here. And then, if you keep moving east, has an additional subdivision with another nine lots in that location.

The waivers that we're asking for, essentially allow for us to have this subdivision. I can go through it in individual order, but suffice to say, it really describes what the site plan layout is today, which is again, similar to what's built immediately next to us, and in the general area.

We will be putting in our dedication of Park Street and as well our dedication of Bright Angel way on the south. Both this street, Bright Angel Way, separates the site from the school, which is located just to the south. So, while we do have a waiver for off sites as part of our application, if the commission was amenable to it, we could put in an asphalt pathway. Again, we'd still be asking for the waiver of offsites because of the rural area, but because we're so close to a school we could put in an asphalt pathway

along Park Street and our portion of Bright Angel, if that would make kids walking to school have a little bit easier time. And then, in terms of the elevation, this gives you an idea of the elevation for the subdivision. It would not be gated, it would be an open street coming off of Bright Angel. And with that, I'd be happy to answer any questions.

TICK SEGERBLOM

All right, this is a public hearing. Anyone here wishing to speak on this item? Yes, we have a neighbor. Good morning.

JANICE BIRD

Hi, my name is Janice Bird. I live at 6165 North Grand Canyon, a block just up the street. But my question is this, we just built a house three years ago, and we had to be eight feet above the street level because of the flooding. And the flooding, generally, we're on the downhill side of an alluvial fan, so east to west is where the flooding comes from. And so, I just want to make sure, because they show the corner, I just want to make sure that the flooding has a place to go. And I'm not sure why they need to increase the fill height, so that would just make the retaining walls that much higher. So, I'm concerned about the flooding, I want to know if that's addressed, and I want to know if the pavement is going to be such that the water has a place to go. That's all.

TICK SEGERBLOM

Thank you. Anyone else here wishing to speak?

JENNIFER WOZLEY

My name's Jennifer Wozley. I live at 6160 North Grand Canyon Drive.

TICK SEGERBLOM

I apologize, can you spell your last name, please?

JENNIFER WOZLEY

Sure. It's W-O-O-Z-L-E-Y.

TICK SEGERBLOM

Great, thank you.

JENNIFER WOZLEY

And I wanted to speak to a couple specific requests from the waiver regarding only paving half a street, is my understanding, connecting Azure to Bright Angel, extending Park, which is a very busy area at least twice a day, as it backs up to Darnell Elementary School. And the land immediately opposite of their proposed development is currently owned by the Bureau of Land Management still. So, my understanding is if they only pave half the street, that that could be left there indefinitely unpaved. And also, if there's no sidewalk there, there's concerns for children walking to and from school there. The other issue with the waiver is reiterating my neighbor's concerns regarding flooding and increasing the fill height, increasing the retaining wall, which could impact views of homes, neighbors that have lived there 15 to 20 years. Some of those homes have been there for these new homes. And looking at comps in the neighborhood, it doesn't seem to add any value to the homes in the proposed development.

TICK SEGERBLOM

All right, thank you. Anyone else here wishing to speak on this item? Seeing no one, we'll close the public hearing and turn it over Commissioner Miller.

ROSS MILLER

If we could have Ms. Lazovich, please respond to some of the comments regarding flooding, paving, and comps?

JENNIFER LAZOVICH

Sure. So, as it relates to drainage, first of all, which goes hand-in-hand with the drainage study, we are required to do a drainage study as a condition of approval. But preliminarily, our engineers are saying that the flow will come somewhat down Park Street, but also split. So, some of the water will go down Azure, some of it will continue down Park, and then go Bright Angel Way. Again, that's our preliminary analysis, but a condition of approval requires us to do a drainage study, which we'll submit to the County for review and approval to make sure that those preliminary analysis is correct. That drainage issue also drives the need for the retaining walls.

In terms of the pavement of the street, the lady who just spoke is correct, this land right here is still owned by the BLM. We will have to work with them on a little bit of an over-pave situation, so that when we do our half-street improvement for Park Street, which doesn't exist today, so when you come down Park Street here, and I understand the circulation around the school, which is why Public Works was very adamant in their requirement, to have Park Street put in, because of the need for circulation around that school. So, we're required, just like any other development, to do our half-street improvements. If and when the BLM site either sells in some way and it gets developed, then the other half-street improvement for Park Street would come in.

And then, in terms of kids walking to school, we have offered if it's acceptable to put in an asphalt path. We wouldn't do it a sidewalk; that would be unusual out here. But an asphalt path would at least create a pathway that's more defined for anybody who wants to walk out here.

And then, finally, in terms of the value, the developer of these sites is Toll Brothers. I think they do a great job with homes anywhere, but also in the rural areas. And so, I think that their homes will bring value to the overall area.

ROSS MILLER

Great. Could you just please pull up the map with the two adjacent parcels to the East? I think that's illustrative.

JENNIFER LAZOVICH

This is the site, right here.

ROSS MILLER

It's my understanding that there are no offsites on either of these other two developments there essentially identical, what we're trying to do. The dedication of Park Street, when Toll Brothers acquired the land wasn't immediately apparent, at least through the BLM disclosures. It's something Public Works added to put in. And Toll brothers has agreed to put in asphalt walkway in line with some of the concerns so that we've got access, for pedestrians and kids walking the school. Is that all accurate?

JENNIFER LAZOVICH

Yes, it is.

ROSS MILLER

Okay. I don't have anything else. Does Public Works have anything to add?

ANTONIO PAPAIZIAN

Thank you. Commissioner. I just want to add there is 18 feet of drop from the west side of this property to the east. So that's what they're going to need some fill and retaining wall. We do have drainage easements. Someone said something about some drainage. We do have drainage easements to the parcel to the west and we have drainage easements to the parcel to the east. So, when this subdivision goes in, there will be somewhere for the water to go, as we already have the easements in place for that water. And if you're so inclined to approve the waiver of offsites, I would like to add a condition that says, "Provide a five-foot-wide asphalt path along Park Street and Bright Angel Way."

ROSS MILLER

Both sides then?

ANTONIO PAPAIZIAN

Correct.

ROSS MILLER

Okay.

MOTION

ROSS MILLER

Great. I appreciate the neighbors coming out for this one and being engaged through this process. I think it's a great project. Toll Brothers, obviously a great builder. The drainage is something we always have to work through in this area. And in this instance, they've made additional accommodations beyond which were done in the other two identical developments immediately to the East. So that said, I'd move for approval of the waivers as outlined in the agenda, with the caveat and explanation that Antonio from Public Works provided.

TICK SEGERBLOM

There's a motion. Cast your vote.

VOTE

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

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

TICK SEGERBLOM

That motion passes.

JENNIFER LAZOVICH

Thank you.

TICK SEGERBLOM

Thank you.

38. TM-24-500069-USA:

TENTATIVE MAP consisting of 9 single-family lots on 5.02 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Azure Drive, the north side of Bright Angel Way, and the east side of Park Street (alignment) within Lone Mountain. RM/bb/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEM 37).

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; 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 there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Provide a 5 foot wide asphalt path along Bright Angle Way and Park Street;
- Drainage study and compliance;
- Right-of-way dedication to include 30 feet for Azure Drive, 30 feet for Bright Angel Way, 30 feet for Park Street, and associated spandrel(s);
- Execute a Restrictive Covenant Agreement (deed restrictions).

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

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 fire/emergency access must comply with the Fire Code as amended.

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.

(Companion Items 39-42)

39. PA-24-700011-TCB ENTERPRISES NV, LLC SERIES SILVERADO & RAINY DAY INVESTMENTS, LLC:

PLAN AMENDMENT to redesignate the existing land use category from Business Employment (BE) to Corridor Mixed-Use (CM) on 1.25 acres. Generally located on the northeast corner of Ullom Drive and Silverado Ranch Boulevard within Enterprise. JJ/gc (For possible action)

ACTION: ADOPTED (RESOLUTION NO. 9-4-24-2, COMPANION ITEMS 40, 41 AND 42).

SAMI REAL

Next are companion Items 39 through 42.

- Item 39, PA-24-700011. Plan amendment to redesignate the existing land use category from business employment to corridor mixed-use on 1.25 acres. Generally located on the northeast corner of Ullom Drive and Silverado Ranch Boulevard within Enterprise.
- Item 40, ZC-24-0265. Zone change to reclassify 1.25 acres from an RS-20 (Residential Single-Family 20) Zone to a CG (Commercial General Z). Generally located on the northeast corner of Ullom Drive and Silverado Ranch Boulevard within Enterprise.
- Item 41, VS-24-0267. Vacate and abandon easements of interest to Clark County located between Gary Avenue and Silverado Ranch Boulevard in between Ullom Drive and Arville Street within Enterprise.
- Item 42, WS-24-0266. Waiver of development standards for the following, increased retaining wall height and modified driveway design standards. Design review for a restaurant with drive-thru on 1.25 acres in a CG (Commercial General) Zone, and the Airport Environs AE-60 Overlay. Generally located on the northeast corner of Ilan Drive and Silverado Ranch Boulevard within Enterprise.

TICK SEGERBLOM

Good morning.

SUSAN FLORIAN

Good morning commissioners. My name is Susan Florian from Taney Engineering, 6030 South Jones Boulevard, here on behalf of the applicant. What we have here is a 1.25 gross acres located north of Silverado Ranch Boulevard and east of Ullom Drive. It is a one lot commercial development with a 3,700 square foot building. The proposed tenant improvement will be provided under separate submittal. We are proposing a drive-thru.

The first application is for a plan amendment. We are requesting to change it from a BE, business employment, to CM, corridor mixed use. We're also asking for another application for the zoning to change it from RS 20 to CG, commercial general. The third application is for a vacation along the north and the east for a three-foot path easement and eight foot along the west. And our fourth application is waivers of development standards to increase the retaining wall from three feet to four feet. This is necessary to maintain adequate drainage and matching to the existing grade. We also have a waiver for modified driveway design standards. The departure distance is not where it's supposed to be, but we have pushed the entrance all the way as far as it can possibly go. I also do have some renderings of the landscape and how the building is going to look. With that, I conclude my presentation and I'm here to answer any questions that you may have.

TICK SEGERBLOM

This is a public hearing. Anyone here wishing to speak on this item? Seeing no one, we'll turn over to Commissioner Jones.

MOTION

JUSTIN JONES

Thank you, Mr. Chair, and thank you for presentation. I appreciate this as a tight site, so appreciate that you've done the best you can to adjust to the requirements from Public Works, et cetera. So, with that I'll go ahead and move for approval of agenda items 39, 40 and 41. No, 39 and 40. 41. 39, 40 and 41.

SAMI REAL

And 42

JUSTIN JONES

And 42, sorry.

TICK SEGERBLOM

You got it. All right, there's a motion. Cast your vote.

VOTE

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

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

TICK SEGERBLOM

Motion passes. Thank you.

SUSAN FLORIAN

Thank you, Commissioners.

40. ZC-24-0265-TCB ENTERPRISES NV, LLC SERIES SILVERADO & RAINY DAY INVESTMENTS, LLC:
ZONE CHANGE to reclassify 1.25 acres from an RS20 (Residential Single-Family 20) Zone to a CG (Commercial General) Zone. Generally located on the northeast corner of Ullom Drive and Silverado Ranch Boulevard within Enterprise (description on file). JJ/rr (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 39, 41 AND 42).

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 #0274 2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

41. VS-24-0267-TCB ENTERPRISES NV, LLC SERIES SILVERADO & RAINY DAY INVESTMENTS, LLC:
VACATE AND ABANDON easements of interest to Clark County located between Gary Avenue and Silverado Ranch Boulevard and between Ullom Drive and Arville Street within Enterprise (description on file). JJ/rr/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 39, 40 AND 42).

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended

with approval of an extension of time; 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 25 feet to the back of curb for Ullom Drive, 45 feet to the back of curb for Silverado Ranch Boulevard and associated spandrel;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

42. WS-24-0266-TCB ENTERPRISES NV, LLC SERIES SILVERADO & RAINY DAY INVESTMENTS, LLC: WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase retaining wall height; and 2) modified driveway design standards.

DESIGN REVIEW for a restaurant with drive-thru on 1.25 acres in a CG (Commercial General) Zone in the Airport Environs (AE-60) Overlay. Generally located on the northeast corner of Ullom Drive and Silverado Ranch Boulevard within Enterprise. JJ/rr/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 39, 40 AND 41).

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 approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Ullom Drive, 45 feet to the back of curb for Silverado Ranch Boulevard and associated spandrel;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger.

- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

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 #0274-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

(Companion Items 43-45)

43. ZC-24-0324-LANDHOLDING SERIES OF SOPHINVEST, LLC:

ZONE CHANGE to reclassify 1.43 acres from an RS20 (Residential Single-Family 20) Zone to an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the east side of Randall Street and the north side of Tres Lobos Avenue within Moapa Valley (description on file). MK/hw (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 44 AND 45).

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 #0131-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

SAMI REAL

Next are companion Items 43 through 45.

- Item 43, ZC-24-0324. Zone change to reclassify 1.43 acres from an RS20 (Residential Single-Family 20) Zone to an RS3.3 (Residential single-family 3.3) Zone. Generally located on the east side of Randall Street and the north side of Tres Lobos Avenue within Moapa Valley.
- Item 44 WS-24-0325. Waivers and development standards for the following: reduced street landscaping, increased driveway width, eliminate streetlights and allow and attached sidewalk. Design review for a single-family attached duplex residential development on 1.43 acres in an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the east side of Randall Street and the north side of Tres Lobos Avenue within Moapa Valley. And then;
- Item 45, TM-24-500064. Tentative map consisting of five residential lots on 1.43 acres in an RS3.3 (Residential Single-Family) Zone. Generally located on the east side of Randall Street on the north side of Tres Lobos Avenue within Moapa Valley.

GENE GOTTSCHALK

I'm Gene Gottschalk, that's G-O-T-T-S-C-H-A-L-K from Moapa Valley Builders. We are the applicant for this project. So, for those who know Moapa Valley, this project is located immediately north of Lynn's Supermarket and east of the McDonald's. And what we're proposing to do there is to divide the site into five parcels. On these parcels we will build duplexes that look more or less like this. So, there will be five buildings with a total of 10 units, and these will be kept and operated as long-term rentals, which are

much needed in the area. We don't have enough rentals for young people that graduate from school there and want to stay in the area and can't quite afford to buy a house yet. So, should I just go through the different items here?

So, the first item is a zone change request from RS-20 to RS3.3 That's a conforming zone change request, and we need that for being able to build these duplexes because the RS3.3 allows for that. Then we're asking for some waivers. One is to reduce the width of the street landscaping from 10 feet to six feet along the street here on the west. This is so that we can have more backyard space for the resident of this unit here, because on each residence there will be a fence through the middle here that separates two backyards for the people that live there. The next waiver is to increase the driveway width. This is because these duplexes are built in the way that we have, there is a two-car garage for each resident. Those are located in the middle. This helps us mitigate noise from one side to the other from the residents. And because of how this is set up, it makes the driveway wider there in the middle than what is allowed in Title 30.

The next waiver is to eliminate the requirement for streetlights. We are not asking to waive the sidewalks because sidewalks unfortunately in that particular area are common and also, we have sidewalks on the other side of the street. So, we are not asking to waive that. We are asking to waive the streetlights, which I believe public works is recommending approval for that because there is sufficient light on other sides of the street already. And the last item is to ask for being able to build an attached sidewalk though instead of a detached sidewalk. And the attached sidewalk is what's common in this area and also located immediately across the street.

And then the last item is to approve the tentative map here that shows how we are proposing to cut this up into five lots.

TICK SEGERBLOM

Does that complete your presentation?

GENE GOTTSCHALK

Yes, I believe so.

TICK SEGERBLOM

All right, this is a public hearing. Anyone here wishing to speak? See no one here from Moapa Valley, we'll go ahead and close the hearing and turn it over to Commissioner Kirkpatrick.

MARILYN K. KIRKPATRICK

Thank you, Mr. Chairman. Antonio, you want to clarify. You said some contradicting information, so we just want to clarify what you're trying to do.

ANTONIO PAPZIAN

Thank you, Commissioner. We have contradicting conditions. So, if I can clarify, if you're so inclined to approve waiver standard number three, which is eliminate off-site streetlights. I have a condition for them to install all the off-sites so it's a little bit contradicting. So, if you are so inclined to approve that, I would like to clarify ours to say full off-site except for streetlights and install the conduit and pull boxes. So, if at a future date that we decide we need those streetlights, it would be nice that the conduit and the pull boxes are installed under the sidewalk.

MARILYN K. KIRKPATRICK

Okay, thank you. Mr. Gottschalk, do you understand that? We just want the infrastructure.

GENE GOTTSCHALK

Yes, and we'll have it all dug up so that should not be a huge problem to do. We will just need to know how far spaced these slides should-

MARILYN K. KIRKPATRICK

They're happy to share that information with you because it helps for the long run, so we appreciate that.

So, I am not opposed to this project. Thank you for doing some infill project. As you know we've just spent a lot of dollars out there trying to really modernize it.

GENE GOTTSCHALK

Thank you for that. It looks very nice. I drive personally down it every day.

MARILYN K. KIRKPATRICK

Well, I appreciate that. But I would ask that what I'd like you to do, and your word is good as far as the things that you've been part of out there. So, I don't mind eliminating the four feet of landscaping, but I still want it nice plush landscaping so that, you know that's a heat island out there, so we like to make sure that it stays cool.

GENE GOTTSCHALK

Yes. So, we are not planning on doing any grass for example because that requires more-

MARILYN K. KIRKPATRICK

I'm not asking for grass.

GENE GOTTSCHALK

So, do you want trees?

MARILYN K. KIRKPATRICK

I want to do what you do best. Make it nice and modern and plush because at the end of the day the more greenery that we have, the better it is for that entire area out there. And I'll take you on your word, so I don't have to put a condition, but I know how to get a hold of you, okay?

GENE GOTTSCHALK

Plush. Okay.

MOTION

MARILYN K. KIRKPATRICK

All right, so with that I'd make a motion to approve Items 42, 43, 44 and 45 (43, 44 and 45) and to amend to allow for the waiver development standards.

And do you want me, Antonio, so if I waive the development standards of reduced street landscaping, increased driveway, eliminate streetlights, and you also want me to clarify that on item number three as well? Okay, is that clear for the record? Right, that would be my motion, Mr. Chair.

TICK SEGERBLOM

There's a motion, cast your vote.

VOTE

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

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

TICK SEGERBLOM

That motion passes. Thank you.

GENE GOTTSCHALK

Thank you.

44. WS-24-0325-LANDHOLDING SERIES OF SOPHINVEST, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscaping; 2) increase driveway width; 3) eliminate streetlights; and 4) allow an attached sidewalk.

DESIGN REVIEW for a single-family attached (duplex) residential development on 1.43 acres in an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the east side of Randall Street and the north side of Tres Lobos Avenue within Moapa Valley. MK/hw/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 43 AND 45).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised that the California Pepper Tree is not permitted per the SNRPC Regional Plant and that a large tree, as defined by Title 30, permitted by the SNRPC Regional Plant List will need to be provided in its place; that within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Install conduit and pull boxes;
- Comply with approved drainage study PW24-11701;
- Full off-site improvements except streetlights.

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 #0131-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

45. TM-24-500064-LANDHOLDING SERIES OF SOPHINVEST, LLC:

TENTATIVE MAP consisting of 5 residential lots on 1.43 acres in an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the east side of Randall Street and the north side of Tres Lobos Avenue within Moapa Valley. MK/hw/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 43 AND 44).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; 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 there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Install conduit and pull boxes;
- Comply with approved drainage study PW24-11701;
- Full off-site improvements except streetlights.

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 #0131-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

46. ZC-24-0357-MILES AHEAD TRUCKING, LLC:

ZONE CHANGE to reclassify 0.25 acres from an RS80 (Residential Single-Family 80) Zone to an IL (Industrial Light) Zone within the Airport Environs (AE-75) Overlay. Generally located on the west side of Searchlight Street, 320 feet south of Washburn Road within Sunrise Manor (description on file). MK/rr (For possible action)

ACTION: HELD NO DATE, PER COMMISSIONER KIRKPATRICK.

47. WS-24-0358-MILES AHEAD TRUCKING, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) street landscaping; 2) fence; 3) off-site improvements (curb/gutter, sidewalks, streetlights and partial paving); and 4) detached sidewalks.

DESIGN REVIEW for a parking lot for commercial vehicles (trucks) on 0.25 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-75) Overlay. Generally located on the west side of Searchlight Street, 320 feet south of Washburn Road within Sunrise Manor. MK/rr/syp (For possible action)

ACTION: HELD NO DATE, PER COMMISSIONER KIRKPATRICK.

(Companion Items 48 and 49)

48. AG-24-900562: Approve the Settlement Agreement in the case LV Judson LP v. Clark County, District Court Case No. A-23-869800-J and Supreme Court Case No. 88450, authorize the Chair to sign the Agreement; and consider other matters properly related thereto. TS/sr (For possible action)
APPROVED.

ACTION: APPROVED (COMPANION ITEM 49).

SAMI REAL

Commissioners. Next are Items 48 and 49, which are companion and will be heard together.

- Item 48, AG-24-900562. Approve the settlement agreement in the case of L.B Hudson L.P versus Clark County District Court Case Number A-23-869800J and Supreme Court Case Number 88450. Authorize the Chair to sign the agreement and consider other matters properly related thereto.
- Item 49, WS-22-0147. Waivers of development standards for the following, reduced throat depth, reduced departure distance and off-site improvements, curb gutter, sidewalk streetlights and partial paving. Design reviews for the following office, warehouse facility and finished grade on a 6.2-acre portion of a 9.3-acre site and an MD (Design Manufacturing AE-65 and APZ-2) Zone. Generally located on the northwest corner of Lamb Boulevard in Judson Avenue within Sunrise Manor.

TICK SEGERBLOM

Good morning.

STEPHANIE ALLEN

Good morning, Mr. Chairman, Commissioners. Stephanie Allen, 1980 Festival Plaza Drive here on behalf of the applicant. We very much appreciate your staff working with us on this. I know my team as well as Rob and Lisa worked hard on this settlement agreement. We very much appreciate their efforts and would ask for your approval today.

TICK SEGERBLOM

All right, this is a public hearing. Anyone wishing to speak on this item, please come forward. And just line up and come on up and let us have it.

NORMA REICHENBACH

Norma Reichenbach, 2245 Moonlight Drive. I live on the west hand side of this property. Thank you for the opportunity to speak but beware this is not going to be a nice and politically correct speech so I'm going to apologize in advance, but this is honest and from me. The right to build on this land has never been in question. What is in question is the style and use of this colossal building. It is astonishing how someone who not only doesn't live in the city for the state or even a country from what I hear, with the financial means to override our existing elected officials, whose objective is to protect our local way of life, can be given the right to build a massive albatross in the middle of our rural preservation neighborhood with a complete lack of integrity, morals, scruples, and just plain blatant disregard for the surrounding lifelong hardworking blue collar property owners as proven by the history of the number of opposing signatures on file.

An elementary school and small business owners surrounding this land, the property sits in the middle, not on any outskirts, but in the middle of a vast majority of single story custom homes which homeowners built, and businesses which have been invested in and constructed by working class owners and their families over the last 30 to 60 years so that they could create a lifestyle and legacy not surrounded by environmental blocking and concrete buildings.

This particular style of building would bring down our property values and increase our interior street traffic by both individuals and major diesels emanating delivery vehicles in order to stay off the block long backed up traffic from the area of Lake Mead and Lamb. This is already happening now and will only increase by the building of this type of facility. Putting up a sign that says no big trucks allowed is only as good as the police officer sitting underneath that. The neighborhood has been in these chambers numerous times. This property was originally owned by the Catholic Church, then it was sold to an individual, then it was up for sale to be subdivided, rezoned and redesigned for a mini storage. Needless to say, it never got built on or ground broke. And we, the neighborhood, who don't have degrees in law or enough money to hire people to follow up on it daily, find out over seven years later it did not revert back to its original zoning as it should have.

It was underhandedly hard zoned with subdivided property lines not even close to what was promised. This was done corruptly and under the table by an unmentionable someone who thought he could run for governor, that stood in our homes and unashamedly lied to us, but who abused the power to do so based on deep pockets. One of the next potential buyers of this property held a neighborhood meeting with a local representative and turned down purchasing of this property due to the issues he would run into with blending into the neighborhood.

TICK SEGERBLOM

How much more time?

NORMA REICHENBACH

I'm almost done.

TICK SEGERBLOM

Okay, please.

NORMA REICHENBACH

It is believed that because the same local representative is involved in this issue that this present owner knew of the overwhelming amount and neighborhood involvement, he faced in protecting their way of life, and he felt he had enough money and time and didn't care about the neighborhood and he would not have to be concerned about it. This is not his neighborhood, his city, his state, or even the country he lives in. He would never allow this to be built in front of his house. Why do we have to allow it to be built in front of ours? These standards should not have been and should never have been overridden by the depth of a pocketbook. If this comes to fruition, it will only prove that the want of the one with money can far outweigh the hard work and wants of the many without.

TICK SEGERBLOM

Thank you.

NORMA REICHENBACH

And I have a (inaudible) report if I did it, in case anybody needs to fill it out and send it into their (inaudible)

TICK SEGERBLOM

Okay, thank you. Anyone here wishing to speak, please come forward.

JANIE WILDER

So, I apologize, I'm shaking because I'm freezing, but my name is Janie Wilder.

TICK SEGERBLOM

I need you to turn your map a little bit.

JANIE WILDER

I'm sorry?

TICK SEGERBLOM

Turn the map. I'm not sure which direction you're going to turn. There you go. Perfect.

JANIE WILDER

My name is Janie Wilder W-I-L-D-E-R. I live at 4165 Judson Avenue, three houses down from this place. First of all, I'd like to thank you. I know you're Democrats, Republicans sitting up there, but you all came together and not only did you listen to the lawyer, which when I was sitting there, I would've totally agreed to put one too, but you listened to the people out there and you made a wise choice. But then we get a card a week ago stating that they went to court and sued and won. We were never notified, and I guess as you can see, we're not rich. So, they probably figured it wasn't worthy to even let us know that this was happening. And it's been okay'd. I realize the City of Las Vegas here really doesn't care about us little people out here when it comes to big money. We showed you how this is all places for them and the streets are wide for the semi-trucks and they stay over there.

But when you get into our neighborhood, the streets are smaller, houses lined. A lot of people in their areas, they have to go out on Lamb. We have an elementary school which they've already built. You approved and they built a warehouse a block behind them in the middle of that neighborhood. Now it's going to be a block in front of this school, the elementary school. We explained to you that we have horses out there with all ages riding, we have all ages.

Our houses, the value will go down because this warehouse is going to be coming with semis, with the noise that they bring, the commotion that they bring. And like she pointed out; we don't care there's a sign. They will not abide by it because one of the ways, if they want to go one way, they're going to have to go through our neighborhood to get to a light, to get to that direction. Our Democrat City of Las Vegas let their people down when they decided to take money over the people that live here. But I do appreciate you guys because you are willing to hear it from both sides, which I guess our city isn't. Thank you very much. You all have a good day.

TICK SEGERBLOM

Thank you.

TOM ANDERSON

Good morning. My name is Tom Anderson. I live at 2265 Moonlight, which is right across the street from where this is being built. My card has the square shows, the whole property. Is this whole thing being developed commercial, because it's to have half acre lots on the backside on Moonlight. Is that still correct? Because it doesn't really specify.

TICK SEGERBLOM

Mister, this settlement allows them or requires them to have half acre lots on the other side, right?

ROBERT WARHOLA

Yes, it does.

TICK SEGERBLOM

Yeah. So, there will be a buffer on Moonlight.

TOM ANDERSON

Okay. Just like my neighbor, I didn't get a card, or I didn't know anything until four days ago. So, is this true, the owner took the county to court and beat them and that's why we're here? Because I'm just kind of curious. We didn't get any pre-meetings, nothing with Sunrise Manor, anything. And with me being here, does it even matter that I complain if this is a lost cause? I mean is there anything that can be done or can I be more informed with what exactly that they're planning on doing?

TICK SEGERBLOM

After you're done speaking, we'll address all those issues.

TOM ANDERSON

Okay, thank you. And then I pretty much believe that's about it. As far as, the building's supposed to be like 35 feet tall, but there's not going to be pumping stations for these trucks. So the foundation has to be elevated like 11 more feet, making the building probably 46 feet tall. And is the water going to be designed to run off toward Lamb? I'm sure you guys may know that or not because with us having rural properties, we don't have sidewalks and curbs to keep the water from coming in on our property. So this is just concerns of being a homeowner. And I don't know if you guys have answers to that at all. And that's it. I'll listen to what you guys have to say. And is there going to be any more meetings about this or this is just us complaining that we lost? Because last time I was in here we won.

TICK SEGERBLOM

Anyway, I apologize. Once you sit down, we'll go through, explain it all, what's happening. Thank you.

TOM ANDERSON

Thank you.

VAL HARDY

Hi, my name is Val Hardy. I live at 2334 Moonlight Drive where this developments may be made. I guess what I'm concerned with, I've never been against this development. Well, the only thing I'm against is the way that they position their property and what they're doing is yes, they give us four housing lots where if you look at the property lines, the rest of us exist back almost 150 feet back and they're encroaching in our neighborhood. And that's where I have my issues, is if they would put their development back to the east 150 feet, match it up with our property lines, then to me that's commercial. But when they encroach in our neighborhoods, that's when I have my issues because that's what they're doing.

These little dinky lots that they're doing aren't even comparable with what we're dealing with. And me as a homeowner, what you're doing is you're decreasing my value because you're going down sizing my lots. Because I have a 0.77 acres, and when you're going down to less than a quarter to a half, then guess what? That's have my issues. Because like I said, if they're taking, let me put it this way, we won the issue last time, they took it to court, we lost. Now we have to lick our wounds and say, "Okay, you guys get

whatever you want." Well, I don't like that approach. I'm a homeowner. Respect me as a homeowner, and at the same time respect me as a resident of that area because I raised my family there. I have my grandchildren come down and it doesn't seem like they're respecting any of us. They don't respect you and they don't respect us as homeowners. And that's all I have to say. Thank you.

MOTION

TICK SEGERBLOM

Thank you. Anyone else here wishing to speak? Seeing no one, will close to the public hearing and have the applicant come forward. So let me just go ahead and vent for a second. So just so you understand, you're right. When you were here last time we won, we defeated this project. It was totally inappropriate for that neighborhood and for that piece of property. Unfortunately, the developer went to court, we fought. I was sitting in the court when the judge ruled against us, but the judge ruled against us. And, as a lawyer, I'm ashamed to say that that's the way the legal process works, but that's what the judge says this is how it is, then you have to follow the law. Having said that, what's happened now is they've gone back because the judge ruled against us and said, here's our plan. We submitted it before and before us. We have really no choice because we're just voting to approve what the judge said.

But just know that going forward they still have to build this thing. And so, there's lots of hurdles that will come up and we're going to hold their feet to the fire and make sure that they do everything they've asked. There was a question about where the water's going to go. A drainage study has to be done appropriately, so we'll make sure that doesn't impact the neighborhood. They're not going to be allowed to, the trucks at least would come out on Judson. That doesn't mean they won't go down to Judson and come back through. So, we're going to have to really monitor that and make sure that trucks do not drive on Moonlight or Judson, that is not appropriate for that neighborhood. That neighborhood deserves to be protected and I will fight forever to protect it. But I apologize. I did the best I could do, but the truth is we're kind of between a rock and a hard place and so, today we're just affirming what the judge said we had to do. So having said that, I would make a motion to approve even though it kills me.

VOTE

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

TICK SEGERBLOM

All right, thank you. That motion passes. But again, neighbors, I will work with you forever. So, let's stay in touch. And thank you for coming down and expressing your opinions and concerns.

STEPHANIE ALLEN

Thank you very much. Appreciate it.

49. WS-22-0147-LV JUDSON, LP:

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

DESIGN REVIEWS for the following: 1) office/warehouse facility; and 2) finished grade on a 6.2 acre portion of a 9.3 acre site in an M-D (Design Manufacturing) (AE-65 & APZ-2) Zone. Generally located on the northwest corner of Lamb Boulevard and Judson Avenue within Sunrise Manor. TS/sr/jo (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEM 48).

CONDITIONS OF APPROVAL –

Current Planning

- The buildings shall be one story only with a maximum height of 35 feet;
- The building faces shall be constructed with enhanced articulation;
- The top of any windows facing west on the buildings shall not be placed above 12 feet in height;
- Lighting on the buildings shall not be placed more than 10 feet in height;
- Wall signs on the buildings shall not be illuminated;
- Monument signage only on N. Lamb Boulevard and Judson Avenue with a maximum height of 8 feet;
- No large truck access onto Judson Avenue whereas a large truck is defined as a truck having a gross vehicle weight rating (GVWR) of over 10,000 pounds - customer and employee vehicle access only;
- Add signage to prohibit large truck access onto Judson Avenue;
- No large truck access onto Moonlite Drive;
- A 10 foot high wall shall be constructed on the north and west sides of the property where it is zoned Industrial Park (IP);
- Intense landscaping shall be installed along the west property line inside the 10 foot high wall of the development where it is zoned IP with 24 inch box trees spaced 30 feet apart;
- Enhance the landscaping along N. Lamb Boulevard by adding 24 inch box trees spaced 30 feet apart;
- A double row of evergreen trees 24 inch box staggered/offset from one another planted 20 feet apart on center (per Clark County Code §30.04.02C2) shall be installed on the northwest corner of the property where it is zoned IP adjacent to APN 140-19-504-009;
- The residential lots shown on Exhibit Plan 1, included within the Settlement Agreement as Exhibit A, located on the west side of the property adjacent to Moonlite Drive shall be deed restricted as, and maintained as, Residential Single-Family 20 (RS20) lots and single-story homes to serve as a buffer to the RNP homes to the west;
- 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 for Lamb Boulevard and Judson Avenue;
- Right-of-way dedication to include 30 feet for Moonlite Drive and associated spandrel;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

SEC. 6. APPEALS

50. WS-24-0290-COSMIC DEVELOPMENT, LLC:

APPEAL WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow a gated community; 2) increase wall height; and 3) eliminate street landscaping in conjunction with a proposed single-family residential subdivision on 2.11 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Ann Road, 585 feet west of Grand Canyon Drive within Lone Mountain. RM/rp/syp (For possible action)

ACTION: APPROVED. APPEAL – DENIED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised a tree-fee in lieu shall be paid to the County for each street tree waived; within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Comply with approved drainage study PW23-17751;
- Traffic study and compliance.
- Applicant is advised that off-site improvement permits may be required.

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 to inquire with the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

SAMI REAL

Next on the agenda is Item 50, WS-24-0290. Appeal Waivers of development standards for the following: allow a gated community, increase wall height and eliminate street landscaping in conjunction with a proposed single-family residential subdivision on 2.11 acres and an RS-20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Ann Road, 585 feet West Grand Canyon Drive within Lone Mountain.

Commissioners, this is an appeal. The Planning Commission had approved the application, and it was appealed by an interested party who does not agree with the Planning Commission's decision to waive landscaping along and road and allow an eight-foot-tall perimeter wall.

TICK SEGERBLOM

Good morning.

PATRICIA LEE

Good morning.

TICK SEGERBLOM

Good morning.

PATRICIA LEE

My name is Patricia Lee, last name L-E-E.

TICK SEGERBLOM

Welcome to the other side of the bench.

PATRICIA LEE

I know. It's awkward.

DR. JOE JESSE OWENS III

All right, good morning. My name is Dr. Joe Jesse Owens III, last name O-W-E-N-S.

DR. JONATHAN LAMAR SNEAD

My name is Dr. Jonathan Lamar Snead. Last name S-N-E-A-D.

RONNIE LEE

My name is Ronnie Lee, last name L-E-E. I am the manager of the LLC Cosmic Development. We are working on Snowley Court, which is at 9748 West End Road. Parcel number 125-30-402-020. As a preliminary matter, I would like to make a record with respect to the issue of the appellants outstanding or rather the lack thereof. NRS 278.3195 only allows parties who have been aggrieved the right to initiate an appeal. To be aggrieved, the would-be appellant needs to have appeared either in person or in writing at the planning commission meeting. Here, the appellant neither appeared in person, nor did she submit anything in writing with respect to our request for a waiver.

The appellant who triggered this appeal hearing is therefore statutorily prohibited from bringing this appeal now. The legislature's logic in implementing this statute makes sense because it allows petitioners a pathway to finality. And if we had any notice of this appellant's grievances, we could have presented counterarguments and evidence to persuade the planning commission to grant the waiver notwithstanding the opposition. To allow this appeal to essentially interject, excuse me, to allow this appellant to essentially interject belated objections at the appellate stage is tantamount to sandbagging

the procedure in a post-hoc fashion, clearly frustrating the purpose of the statute. Having made my record of the procedural deficiencies of the appellant's claim, I will nonetheless move forward on the substance of addressing our initial waiver request, which was unanimously approved by the commission if the Commissioners so desire.

TICK SEGERBLOM

Commissioner Miller.

ROSS MILLER

Go ahead. If you could just, I think, briefly go through your presentation, which I've watched at the Planning Commission. You're correct. I didn't have the benefit of watching any objections, though I do understand that there were representatives at the town board. I understand that a particular concern is just the waiver of landscaping. I believe your presentation does have some slideshowing that landscaping throughout that area has been waived and is more imposing landscaping is more the exception than the rule and also the adjusted wall of length. I don't think we need a lengthy presentation, however.

RONNIE LEE

Yes, sir. I'll try to go through quickly. The three waivers that we were looking for was an entrance gate, waiving the landscaping requirement, and the height of the wall. I understand that the opposition is based on trying to keep this area rural and we understand what that looks like, but there's already language that indicates that there's an understanding that when you're on a major arterial that things are going to be slightly different.

We are on Ann Road. The property is located on Ann Road and Major four-lane arterial connected to the 215. The County has already completed urban improvements including six-foot sidewalks, streetlights, and curbs. Typically, not associated with the rural areas. Sewer, water, gas, and power utilities are all available directly in front of the property.

Currently, there are numerous developments in the area featuring high walls, no landscaping and gated entrances. Given the significant traffic, this area is no longer ideal for standard rural use. The installation of walls and gates would be necessary due to the traffic volume and there's no notable equestrian or horse activity along the portion of Ann Road.

Coming soon, there's a new development consisting of five communities built as estates that are under construction just east of our location. There's no agriculture here and there's no livestock. Directly across the street from us, there's a residence with over 150 half-acre estate homes. It's a gated community. Once again, there's no agriculture and there's no livestock.

Currently, this is what the parcel looks like. It's kind of an eyesore when you see the dilapidated wooden, probably non-permitted fence and the vehicles just sitting in the backyard. This is what we're trying to do, and I understand we're not Toll Brothers, it's just us trying to make our forever homes. We're just constituents in the community, citizens that are trying to do this. To be clear, there's two veterinarian doctors, a first responder, a real estate agent that's also a military veteran, a group of kids ranging from the ages of two to 16, including a child with special needs, a Nevada Supreme Court justice, and myself, who's also a military veteran.

Sorry about that. Jumped one. The homes will be two-story custom homes, and our plan is to have them fully move and ready with complete landscaping. I point out the landscaping because we're also doing the backyard landscaping, so they're going to be turnkey and the trees that are on the back wall of those yards will grow and also be visible from the street side and create shade, and we're planning on putting

40 trees instead of the nine that were requested. The estimated value of each property will be approximately \$4 million. I point this out because we're going to be increasing the overall value of our community right around us.

Again, this is the gate in question that's across the street from us. We didn't think this would be an issue. It was actually approved by all parties. We were going to put the gate, our own gate, across the street. Some of the reasons for the gate: the granted waiver would allow us to safeguard our families, increase privacy, and provide additional security. Located on a major four-lane roadway and road, we want to prevent people from mistakenly entering the cul-de-sac for safety reasons and ensure that our children, some of whom are younger, do not venture into the main street.

One of the residents is a special needs child making safety even more critical. Additionally, in Nevada Supreme Court justice resides in the cul-de-sac making the added sense of security paramount. Again, we're meeting all the specifications that are required for the building of the gate. We've also had approval from the fire department, the community board, which most of them are here, had also approved the gate portion of this and the Planning Commission approved it.

In regards to the landscaping, the granted waiver allows us to retain the use of 2,700 square feet that would have otherwise been lost to street-side landscaping. It also enables us to conserve water and maintain neighborhood continuity without diminishing the characteristics of the area in any way. According to the code, a detached sidewalk requires only a five-foot landscape strip, a five-foot sidewalk and five feet between the sidewalk and the property wall totaling 15 feet. For an attached sidewalk, the requirement is 10 feet from the back of sidewalk to the property line plus five feet sidewalk also totaling 15 feet. Therefore, it is unreasonable to require a ten-foot landscaping strip from the property line, as this would create a twenty-two-foot space from the street to our wall, the requirement would significantly increase project cost, reduce the size of two of the yards by approximately 2,700 square feet and cause unnecessary water waste without providing any real benefit to the community.

The wall height, the subdivision is adjacent to a major roadway. The configuration of the homes in approximately 14 feet grade from one side of the parcel to the other lends itself to higher perimeter walls on the southeast and north side. The higher walls will also reduce traffic noise reaching the homes and allow for greater privacy for the residents. This kind of shows you how the parcel will be divided.

Precedent. These parcels are all within walking distance of our future home. The properties have elevated walls along the property line without any landscaping, and this is up and down Ann Road. If I go off of Ann Road, I can find more. This was directly in walking distance. In summary, we hope you will agree with the Planning Commission's unanimous decision to approve our waivers and reject this appeal. It's important to note that our project will not harm the neighborhood area in any way and will benefit the community. The waivers allow us to avoid increased development costs, reduce water waste, and retain 2,700 square feet of usable space within our subdivision. Our project is located on a major four lane thoroughfare, and we are focused on addressing safety concerns, increasing security, reducing traffic noise, and enhancing privacy while still adding value and improving the community's appearance. Thank you for your time. Sorry if that was long.

TICK SEGERBLOM

Thank you. Is the appellant, the individual who appealed, here? Yes. Please come forward.

BRIGITTE SOLVIE

I think it's still morning. Good morning, commissioners. Yeah, I'm the appellant, Brigitte Solvie. 7030 North Conquistador Street. This parcel came to my attention. Yes, during both the Lone Mountain CAC

and I was unable to attend the Planning Commission because of family issues. However, I did file the appeal. I am not unopposed to the gate. I understand the gate on a main road, but what I am opposed to is the fact that we are still in a rural neighborhood preservation. It's an overlay and as long as we keep giving away our landscape strips, when we know that Las Vegas Valley Water District, Southern Nevada or SNWA have given us a plethora of trees that are both evergreen or deciduous that are water acceptable in their usage, that to deny just even nine trees on the outside of this property, if indeed it's going to be a white wall that's going to be very noticeable and stark.

Not to say that somewhere down the line it might get painted in another color, but that's still just, we're only talking nine trees. They have this property has unique benefit of having vacated a portion of road on the east perimeter, so they gained 30 feet back along that whole east line and have incorporated it into their lot design. We're only asking that they give back on Ann Road for the appropriate landscaping that should keep this area. Directly across the street is lush and beautiful. Yes, some of the homes up and down are without landscaping. They're much older. Long before complete streets came in and put in all the improvements on Ann Road--street lights, curb, gutter--which many meetings were held, and we had hoped that there would be some provisions for horse equestrian even if it was on the interior streets and those have been bypassed.

My appeal is asking for the RNP and the NPO, the low overlay, give back the landscaping along Ann Road because this is not a hard encumbrance for a very wealthy planned project, to just plant nine trees and give a little, the amount of water will be nominal to install some watering devices and water clocks and valves is nominal for this scale of a project. As to the height of the walls, we have coyotes. Coyotes will jump an eight-foot wall just as easily as they will six. I would personally suggest go back to a six-foot wall or maybe six and a half and top the perimeter outsides with some wrought iron, something that truly deters coyote activity, still gives plenty of potential for privacy.

They're going to have immense landscaping on the interior. Fine. That'll also deter a coyote jump, but an eight-foot around the whole perimeter is unacceptable for this neighborhood and if they're looking at security, each home will have its own security cameras, its own visuals, its own alarms. I'm just asking, let's try to keep this back in what the NPO, what the RNP area looks like. Let's dial it back a little bit. Stay within the ordinances and not give away and keep giving away and keep giving away. That's my appeal. Thank you for listening.

TICK SEGERBLOM

Thank you.

ROBERT WARHOLA

Commissioner Segerblom, can you open up the public hearing?

TICK SEGERBLOM

This is a public hearing. Anyone else here wishing to speak?

DON CAPE

Good morning, Commissioners. Don Cape, 4965 North Raleigh Street, also Chairman of the Lone Mountain CAC. It's unfortunate that the applicant has had to endure this additional step in their process. Know the CAC takes pride in working with the neighborhood to keep consistent with the rules and regulations that staff has put in place and it's been adopted. We actually worked with the applicant. We thought we had a resolution for their path forward to stay within parameters that are set forth within the Title 30 and the solution we came up with was instead of 10 foot landscape strip, we suggested a six-foot landscape strip and to avoid setting a precedent for an eight-foot screen wall, which is highly opposed in

the RMP, suggested if they did a two-foot retaining wall on the landscape side with a six-foot screen wall above that and burned the landscape on the street side that they would still appear to be an eight-foot wall on their property side. That was the compromise that we suggested to the applicant.

The upsetting part for me personally is that Planning Commission disregarded the notes that the CAC put forward for the applicant, which burdened them to have to come back here. That's our perspective as the CAC is not trying to set a precedent for an eight-foot screen wall and a compromise, which is a little bit of a trick to get the eight-foot wall for the applicant would be a two-foot retaining wall on the street side, burning the landscape up behind it, and a six-foot landscape because it is consistent with Ann Road with the additional landscaping that's been put on Ann Road. It's unfortunate they bought this property and didn't do it 10 years ago before Ann Road just put in, it wouldn't have mattered, but now we live in that current space, so we didn't feel it was too big of a hardship for the applicant based on what they're trying to accomplish here. Thank you.

TICK SEGERBLOM

Thank you.

CHRIS DARLING

Good morning, Commissioners. Chris Darling. 4785 Grand Canyon, Las Vegas, Nevada 89129. I'm part of the Low Mountain Community Advisory board as well. We thought we had a good meeting. We gave a couple of good suggestions and unfortunately, we're in the situation where we're at today. We're hoping that when it went to the Planning Commission, they would've helped enforce it, but I wanted to go over a couple details. They talked about high walls in the area. Yes, there's high walls in the area, but those high walls have a retaining wall in front of it, a small one and then a screen wall behind it with landscaping in front of them. That's one of the things we suggested. I personally own land on Ann Road. It's about, I don't know, 700 feet from this property and I have a small two-foot retaining wall. I stepped it back; I have landscaping there and then I went up with a six-foot wall.

It's not obnoxious. It's not eight foot tall, it's not bright and I try to keep in what the community has with the landscaping. Yes, there's some areas that are not going to go into it, but that don't happen because they're older. We're all neighbors in the area. We try to sit on the board. We want everything to look copacetic in the area and we live next to them. Some of us are doctors, some of us are lawyers, some of us are blue collar workers and we all want to try to live together in an area that is not full of walls where everybody just drives by a barren block wall. Thank you very much.

TICK SEGERBLOM

Thank you.

ALLISON BONANNO

Good morning Allison Bonanno 6950 Rome Boulevard. Bonanno, B-O-N-A-N-N-O. Ms. Kirkpatrick just spoke about earlier regarding paved road, about having consistency, and how important it is to be consistent and having standards. Also talking about reducing the heat islands. Landscaping is very important, and the standards were put in place to provide the uniformity. You guys worked tirelessly on Title 30 and everybody in the county had the opportunity to speak up and put their 2 cents in if they had a problem with it. And it's hard to make everybody agree on it and hard to make everyone happy, but the standards are put in place for that specific reason, and we should be abiding by that unless there are extenuating circumstances that are beyond normal. Everybody wants safety, everybody wants security. They want noise reduction. That is not something that is unique to this particular item. Ann road is an arterial and especially with an arterial, it is to keep it consistent.

When people are driving down Ann Road that they see that it's not one thing here, one thing there. A lot of money was put into this to make the aesthetics look good. Let's not go backwards. And when we allow those deviations, especially in those highly visible areas, we erode all of those efforts that we put forth into that area and we kind of thumb our nose at the Title 30 that we all worked so hard on. Another issue, and of course your phone went on lock mode, but I believe that these parcels are currently up for sale on Zillow and if that is the case, I don't know how we can already determine that the folks that are going to be living there need to have an extra level of security because of their profession or any children that have special needs. I could be wrong.

Just one property. Okay. One is at least one. Right? That's my plea to you and I'm also on the Lone Mountain Citizens Council. We deal with the folks there not just every two weeks, but we are in touch with them through social media. These are good people and we wouldn't be here if the folks in the Lone Mountain and the rural preservation areas didn't feel this way. We took time out of our day to come here to say that we speak with the people and for the people and they appreciate your leadership. Thank you very much.

TICK SEGERBLOM

Thank you. Anyone else here wishing to speak? Seeing no one. We'll close the public hearing. It's a public hearing, right? And turn it over to Commissioner Miller.

ROSS MILLER

Thank you. I think Mrs. Sully acknowledged that she was not present at the Planning Commission. Do we have any record of any written objections being filed at the Planning Commission?

SAMI REAL

We received some cards in protest, but none from the appellant.

ROSS MILLER

Okay. What's the legal implication of not having the appellant fail to appear at the Planning Commission and not submit written objections?

ROBERT WARHOLA

Right. In order to be agreed, the applicant's correct. In order to be agreed, the appellant has to appear in person or in writing at the Planning Commission meeting and since the appellant did not appear in person or in writing, then the appeal is not properly before you.

ROSS MILLER

So, I could make a motion then just on the basis of those procedural grounds to have it deny the appeal because it wasn't properly filed. Is that correct?

ROBERT WARHOLA

That's correct. Yes.

MOTION

ROSS MILLER

Great. Well, turning to the merits, I first had this item pulled when it came before the Planning Commission for a street name change. I have not seen the project, both myself and my Planning Commissioner, Tim Costello, who I had appointed, reviewed the project. I think it's a beautiful project. Obviously \$4 million homes along Ann Road are going to be an incredible addition. I appreciate the

concerns of the CAC, along with the Rural Preservation Association, that would like to see landscaping here. The reality is, if you look up and down Ann Road, there is no landscaping that has been mandated. This doesn't deviate any way. It's not going to impose any kind of eyesore. There's legitimate reasons for a gated community with the two-foot wall here. Frankly, I can't believe that the objections have gone this far. I just don't see any basis for it. This Commission routinely approves waivers of this type on all kinds of projects through the valley. These waivers are appropriate. I think it should have been appropriately left at the Planning Commission, who voted unanimously in favor of this. I think that also should be given some weight. The Planning Commission, of late, has not been voting unanimously. But then I think they saw the project for what it was. It was a lengthier presentation of the Planning Commission as to the detail about what is planned here.

Again, I think it's an incredible project, happy to see it go forward. They're putting 50 trees in, correct me if I don't have that number right, but in lieu of the nine trees that's mandated that will just be behind their walls, that wouldn't compromise their property line.

On that basis, I would make a motion to deny the appeal based upon the fact that it was not properly filed by virtue of the fact the appellant did not appear in person or object in writing of the Planning Commission and also on the basis of an independent review and finding the waivers to be appropriate.

TICK SEGERBLOM

Just make it clear, voting yes means we deny the appeal.

ROBERT WARHOLA

Yes, that's correct.

MARILYN K. KIRKPATRICK

May I ask a question? And I appreciate your comments Commissioner Miller, but I just want to... I've been here a while and I never seen this invoked on us because she used to appeal everything before the Planning Commission, and we never heard this before. I've appealed things, so I just want to understand, and maybe I need an offline briefing on it because I want to understand, because I also was here when we did the Complete Streets on Ann Road and look, those neighbors out there didn't want complete streets to begin with and they're shoved down their throat.

And so, there was the medians. We had to accommodate a lot of things. There's a lot of history on that road. I understand today that I'm somewhat forced to vote for it, but I want to understand going forward because, as a Commissioner, then I need to do something different in my District because I just have never heard this done so –

Offline, I suppose. I understand today I have to vote for it, at your recommendation, but I've been here a long time, never heard this invoked ever. I'll be supporting it. But I just want to understand because I just never heard this before.

TICK SEGERBLOM

And I think the motion was alternatively, so denied based on lack of jurisdiction but also based on the merits.

ROBERT WARHOLA

Correct.

TICK SEGERBLOM

There's a motion, cast your vote.

VOTE

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

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

TICK SEGERBLOM

That motion passes. Thank you so much.

ROSS MILLER

Thank you.

SEC. 7. ORDINANCES

- 51. ORD-24-900429: Conduct a public hearing on an ordinance to amend Title 30 to update various land use requirements and procedures and make corrections and clarifications as appropriate, and direct staff accordingly. (For possible action)

ACTION: ADOPTED AS AMENDED (ORDINANCE 5175).

SAMI REAL

Next is Item 51, ORD-24-900429. Conduct a public hearing on an ordinance to amend Title 30 to update various land use requirements and procedures and make corrections and clarifications as appropriate and direct staff accordingly. Commissioners this ordinance reflects changes as previously directed by the Board and those clarifications and corrections that we've been tracking since the effective date of the Title 30 rewrite.

Additionally, I have a clarification to read into the record related to a new exemption added under landscape standards Section 30.04.01D75. Staff requests a revision to the new exemption C to read as follows: street landscaping shall not apply to the front yards adjacent to a residential local street of a single-family residential development. This revision is intended to clarify that not all street landscaping in front yards is exempt from the standards and will align with Title 30, prior to the rewrite where landscaping was not required alongside walks of residential local streets, which are defined in part as public streets internal to residential subdivisions.

Moving forward, we would also like support from the Board to conduct a more focused analysis of the current landscaping standards to ensure that we're appropriately siting trees along streets within parking lots and in buffer areas. The goal here would be to improve upon current standards to create thriving landscape areas while balancing the ongoing efforts for water conservation and combating the effects of heat islands. So, with that staff requests that you conduct a public hearing.

TICK SEGERBLOM

This is the public hearing?

SAMI REAL

That is correct, yes.

TICK SEGERBLOM

Okay. It's a public hearing. Anyone wishing to speak? Don't shoot us. That was a joke. I guess they weren't here to testify. All right, seeing no one. We'll close the public hearing and vote.

SAMI REAL

We need a vote. Yes, vote please.

MARILYN K. KIRKPATRICK

May I ask a question? On this Title 30 updates, we are going to come back and address landscaping in the future and address some other things. This is just so we keep doing a little bit at a time?

SAMI REAL

Yes. Right now, it's mostly all the clarifications and corrections that we've been tracking since we've since the effective date. And then what we would like to do is a more focused effort on landscaping to make sure that we're appropriately citing street trees where they need to be, parking lot trees that we're appropriately designing these buffer areas, and work with the landscape architect to make sure that we're creating landscaped areas that will ensure the survival of trees. And also, that we will continue going with our efforts for water conservation and then reducing the heat island impact.

MARILYN K. KIRKPATRICK

Okay, thank you.

MOTION

MICHAEL NAFT

(inaudible)

TICK SEGERBLOM

All right, there's the motion. Cast your vote.

VOTE

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

TICK SEGERBLOM

That motion passed.

- 52. ORD-24-900490: Introduce an ordinance to consider adoption of a Development Agreement with SYA Group, LLC for a daycare facility on 1.30 acres, generally located north of Le Baron Avenue and east of Decatur Boulevard within Enterprise. JJ/Ig (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON SEPTEMBER 18, 2024, AT 9 A.M. (BILL 9-4-24-1)

SAMI REAL

Next is Item 52, ORD-24-900490. Introduce an ordinance to consider adoption of a development agreement with SYA Group LLC for a daycare facility on 1.3 acres. Generally located north of LeBaron Avenue in east of Decatur Boulevard with an enterprise. Commissioner staff request the Board set a public hearing for September 18, 2024.

TICK SEGERBLOM

All right, I'll introduce the ordinance and set the public hearing for September –

SAMI REAL

September 18, 2024.

TICK SEGERBLOM

Thank you so much.

PUBLIC COMMENTS

SAMI REAL

And then with that, this is the last time for public comments.

TICK SEGERBLOM

All right. This is the last period for public comment. Anyone wishing to speak? Speak now or forever hold your peace. All right. There's no one here. Meeting is adjourned or not adjourned. It's over. Thank you.

END PUBLIC COMMENTS

There being no further business to come before the Board at this time, at the hour of 11:01 a.m., the meeting was adjourned.

PLEASE NOTE: THE COUNTY CLERK KEEPS THE OFFICIAL RECORD OF ALL PROCEEDINGS OF THE COUNTY COMMISSION, THE CCWRD BOARD OF TRUSTEES, THE UMC HOSPITAL BOARD OF TRUSTEES, THE CLARK COUNTY LIQUOR AND GAMING LICENSING BOARD, AND THE CLARK COUNTY REDEVELOPMENT AGENCY. TO OBTAIN A COMPLETE AND ACCURATE RECORD OF ALL PROCEEDINGS, ANY PHOTOGRAPH, MAP, CHART, OR ANY OTHER DOCUMENT USED IN ANY PRESENTATION TO THE BOARD/TRUSTEES, REQUESTS SHOULD BE SUBMITTED TO THE COUNTY CLERK.

TO REFERENCE AGENDA ITEM ATTACHMENTS ONLINE: REFER TO THE MEETING LINK BELOW, SELECT THE ITEM (FILE # COLUMN), AND CLICK THE LINK FOR THE DESIRED ATTACHMENT.

[ONLINE MEETING LINK](#)

APPROVED: /s/ Tick Segerblom
TICK SEGERBLOM, CHAIR

ATTEST: /s/ Lynn Marie Goya
LYNN MARIE GOYA, CLARK COUNTY CLERK