

Board of County Commissioners

CLARK COUNTY, NEVADA

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COMMISSION CHAMBERS, GOVERNMENT CENTER
500 SOUTH GRAND CENTRAL PARKWAY
LAS VEGAS, NEVADA 89106
WEDNESDAY, APRIL 5, 2023

The Board of County Commissioners of Clark County, Nevada met in recessed regular session in full conformity with law and bylaws of said Board at the regular place of meeting in the Commission Chambers, Government Center, Las Vegas, Clark County, Nevada on Wednesday, the 5th day of April 2023 at the hour of 9:00 a.m. The meeting was called to order at 9:03 a.m. by Chair Gibson and on roll call, the following members were present, constituting a quorum of the members:

CALL TO ORDER

CHAIR AND COMMISSIONERS:

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

Absent:

None

Also Present:

Robert Warhola, Deputy District Attorney
Nancy Amundsen, Director, Comprehensive Planning
Sami Real, Deputy Director, Comprehensive Planning
Antonio Papazian, Manager, Development Review
Jason Allswang, Senior Plan Checker
Tammy McMahan, Office Services Supervisor
Robin Delaney, Deputy Clerk

ITEM NO. 1 Public Comment

JIM GIBSON

Good morning. This is our zoning meeting. We welcome you here this morning. The meeting will come to order, and the first order of business is public comment. We'd invite anyone who wishes to make a comment on any specific item that is on our agenda, to please indicate to us your name, spell your last name, tell us which item you're addressing, and please keep your comments to three minutes.

Miss Coleman?

MARGARET ANN COLEMAN

Yes, good morning.

GIBSON

Which item are you addressing today, Miss Coleman?

COLEMAN

The item I'm addressing is public comments and also -

GIBSON

Would you speak right into that microphone please?

COLEMAN

I said, the item that I'm speaking upon is public comments as well as property.

GIBSON

Property?

COLEMAN

Concerning 1316 Wizard. That should be on there. And it's concerning identity theft. As you know, this is a picture of myself. Where is it to stop identity theft. Up on your agenda has a vacancy and abandonment. Now, my property, 1316 Wizard was hand down to another ownership whereas it's been controlled by the HUD office.

Now, you know this lady right here. Her name is Shanta Coleman. But, during the time when Shannon Mulhughes took over the property, it's stating that she's Denise Watson and she worked in the accounting department. And then, she created this identity theft, whereas of today, she got Miss Atlantis involved and is in charge of the security division service solution. And she's not helping my situation because she works with Social Services. But she's putting threats like, you know, "Oh, you need to go to the crazy house." I don't need that kind of you know, statement made to me when I'm trying to make a point clear. My point is, I don't owe anybody anything. I worked a eight hour job to receive this workman's compensation. Now, I'm not saying everything that I really want to say. 28, I mean 12-26, was caused by the Thompsons and it caused me to have this setback that plays in a eviction notice to 1316 Wizard, that was created and diversion by Missus Perkin that collected \$18,000. That was a DVA worker and during the time, they took that money and refinanced 1316 Wizard. Now, I should have gotten the deed, and the reason why I'm here is to receive the deed from Marilyn. Now, I pointed out Shanta Coleman that was the accounting department employee, for 1316 Wizard.

GIBSON

Thank you, Miss Coleman.

COLEMAN I would like to wind this up in saying that I'm the owner. I need to get out of this.

GIBSON Thank you. Is there anyone else who wishes to speak during the public comment period this morning? There being no one, Miss Amundsen?

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

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

Hold to the April 19, 2023, BCC meeting, Item 5, ET-22-400136; Item 9, UC-23-0066.

Hold to the May 17, 2023, BCC meeting, Item 20, ET-21-400175, and Item 21, ET-21-400176.

Hold to the June 7, 2023, BCC meeting, Item 22, ZC-22-0413.

Withdraw without prejudice, Item 15, VS-22-0593.

The above public hearing items are going to be open as a public hearing and immediately recessed until the dates as previously stated, with these deletions, which are items 5, 9, 15, 20, 21, and 22. The agenda stands ready for your approval.

GIBSON Thank you. Are there other changes to the agenda at the pleasure of the Board?

JUSTIN JONES Move approval.

GIBSON There's a motion for approval. Any discussion on the motion? Please cast your votes. The agenda is approved.

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

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

AMUNDSEN The third item is the approval of minutes. The minutes of the March 8, 2023, Zoning meeting are ready for your approval.

JONES Move approval.

GIBSON There's a motion for approval on the minutes by Commissioner Jones. Any discussion? Please cast your votes. The motion carries.

ACTION: It was moved by Commissioner Justin Jones and carried by unanimous vote that the minutes for March 8, 2023 be approved.

ROUTINE ACTION ITEMS (4-19):

AMUNDSEN Next are the routine action items, which consist of Items 4 through 19, except those items previously deleted. These items may be considered together in one motion and are subject to the conditions listed with each agenda item unless modified.

Staff has the following modifications: For Item 14, NZC-22-0592, we would like to add the following conditions: Work with Public Works to address on site circulation, and coordinate construction schedule with the Commissioner's office.

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

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

GIBSON Okay. Are there any changes? In other words, would we pull anything to hear it?

AMUNDSEN Uh -

JONES Move to approve.

GIBSON There is a motion to approve the consent agenda. Excuse me. Yes, please come down. Morning, Mister Gronauer.

BOB GRONAUER Good morning. Bob Gronauer, 1980 Festival Plaza Drive. I'm here on Item 14, just want to clarify that that's per plans. Okay? That's all I needed, thanks.

GIBSON Thank you. There's a motion for approval of the consent agenda. Any discussion? Please cast your votes. Motion carries.

ACTION: It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the routine action items be approved.

ITEM NO. 4 AR-23-400005 (UC-21-0439)-EBRE, LLC:

USE PERMITS FIRST APPLICATION FOR REVIEW for the following: 1) expansion of a recreational facility; 2) major training facility; 3) camping in conjunction with a recreational facility; and 4) a heliport.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) landscaping; and 2) parking area paving and striping.

DESIGN REVIEWS for the following: 1) expansion of a recreational facility; 2) a major training facility; 3) camping cabins and accessory structures; and 4) grading plan in conjunction with a hillside development (slopes greater than 12%) on a portion of 375.3 acres in an R-U (Rural Open Land) Zone. Generally located 2.2 miles west of Kingston Road and 1.3 miles north of Sandy Valley Road within Goodsprings. JJ/jgh/syp (For possible action)

ACTION:

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that there are no public sanitary sewer facilities available in the area and none are planned within the next five years.

ITEM NO. 5 ET-22-400136 (UC-19-0668)-3900 PARADISE RESI OWNER SPE, LLC:

HOLDOVER USE PERMITS SECOND EXTENSION OF TIME for the following: 1) multiple family residential development; and 2) increase density.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; and 2) reduce parking lot landscaping.

DESIGN REVIEW for a multiple family residential development on 5.4 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located 250 feet east of Paradise Road, 625 feet south of Twain Avenue within Paradise. TS/dd/syp (For possible action)

ACTION:

Deleted from the Agenda (held to April 19, 2023 per the applicant).

ITEM NO. 6 ET-23-400015 (NZC-19-0881)-ZSKSMAZ TOWNSHIP FAMILY TRUST & MALIK UMER TRS:

ZONE CHANGE FIRST EXTENSION OF TIME to reclassify 2.0 acres from an R-E (Rural Estates Residential) Zone to a C-2 (General Commercial) Zone.

USE PERMIT to reduce the separation from a vehicle maintenance facility to a residential use.

DESIGN REVIEWS for the following: 1) restaurant buildings with drive-thru lanes; 2) retail building; and 3) vehicle maintenance facility. Generally located on the south side of Silverado Ranch Boulevard, 320 feet west of Arville Street within Enterprise (description on file). JJ/jud/syp (For possible action)

ACTION:

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until February 5, 2026 to complete.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

ITEM NO. 7 UC-23-0057-PARBALL NEWCO LLC:

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

DEVIATIONS for the following: 1) increase building height; 2) encroachment into airspace; and 3) all other deviations as depicted per plans on file.

DESIGN REVIEWS for the following: 1) pedestrian bridge; and 2) modifications to an existing resort hotel (Horseshoe) including back of house area, exterior, and site improvements on a portion of 54.0 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the south side of Flamingo Road and the east side of Las Vegas Boulevard South within Paradise. JG/md/syp (For possible action)

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

CONDITIONS OF APPROVAL –
Comprehensive Planning

- 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 two years of approval date or it will expire.

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

ITEM NO. 8 UC-23-0058-CASINO ROYALE:

USE PERMIT for deviations as shown per plans on file.

DEVIATIONS for the following: 1) allow retail uses not within a permanent enclosed building; 2) allow an accessory use not accessed through the interior of a resort hotel; 3) reduced parking; and 4) all other deviations as depicted per plans on file.

WAIVER OF DEVELOPMENT STANDARDS to reduce the setback from a future right-of-way (Las Vegas Boulevard South).

DESIGN REVIEWS for the following: 1) an outdoor sales structure/booth; 2) shade canopies; and 3) signage in conjunction with an existing resort hotel (Casino Royale) on 3.3 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the east side of Las Vegas Boulevard South, 1,800 feet south of Sands Avenue within Paradise.

TS/rk/syp (For possible action)

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Prominently display an original stamped copy of this Notice of Final Action on the front of the outdoor sales structure/booth during all times of business operation;
- No solicitation of customers outside of the outdoor sales structure/booth.
- 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 two years of approval date or it will expire.

Public Works - Development Review

- 30 days to coordinate with Public Works - Design and Construction Management Divisions and to dedicate any necessary right-of-way and easements for the Las Vegas Boulevard improvement project;
- Owner acknowledges that the proposed improvements are within a portion of the area planned for a 200 foot wide right-of-way per Title 30 and the Clark County Transportation Element;
- Future applications, whether individually or cumulatively (including this application), that are demonstrated to have a sufficient traffic impact upon Las Vegas Boulevard South may require the owner, or its successors, to dedicate its share of all or portions of the planned right-of-way for Las Vegas Boulevard South adjacent to its property according to the requirements of the Clark County Transportation Element and Title 30;
- Owners or its successors shall remove any improvements (buildings, structures, and improvements) related to this application or any future applications within the planned right-of-way at its own expense, in the event dedication of the planned right-of-way is required.

ITEM NO. 9 UC-23-0066-ELLIS FLORENCE TRUST & HILLCREST INVESTMENTS LTD:

USE PERMIT for a recreational facility (off-roading experience trails only) on a portion of 88.8 acres in an R-U (Rural Open Land) Zone. Generally located 1,900 feet east of Kingston Road and 1.5 miles northeast of Quartz Avenue within Sandy Valley. JJ/bb/syp (For possible action)

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

ITEM NO. 10 PA-23-700001-CIMARRON CAPITAL MANAGEMENT, LLC:

PLAN AMENDMENT to redesignate the existing land use category from Compact Neighborhood (CN) to Neighborhood Commercial (NC) on 1.4 acres. Generally located on the north side of Blue Diamond Road, 300 feet west of Cimarron Road within Enterprise. JJ/gtb (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the recommendation (including the adoption of Resolution No. R-4-5-23-1) be approved.

ITEM NO. 11 ZC-23-0004-CIMARRON CAPITAL MANAGEMENT, LLC:

ZONE CHANGE to reclassify 1.4 acres from an H-2 (General Highway Frontage) Zone to a C-1 (Local Business) Zone. USE PERMIT to reduce separation from outside dining to a residential use.

WAIVER OF DEVELOPMENT STANDARDS for alternative street landscaping.

DESIGN REVIEW for a commercial center (restaurants) with drive-thru services and outside dining areas. Generally located on the north side of Blue Diamond Road, 300 feet west of Cimarron Road within Enterprise (description on file).

JJ/rk/syp (For possible action)

ACTION:

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- No installation of talk boxes associated with any drive-thru services;
- Provide trees spaced 10 feet on center along the north and west property lines;
- Replace Shoestring Acacia trees with a different type of large Evergreen trees that provide a more dense buffer;
- Low level lighting throughout the entire project;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the use permit, waiver of development standards, and design review must commence within four years of approval date or they will expire.

Public Works - Development Review

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0022-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 12 TM-23-500001-CIMARRON CAPITAL MANAGEMENT, LLC:

TENTATIVE MAP for a commercial subdivision on 1.4 acres in a C-1 (Local Business) Zone.

Generally located on the north side of Blue Diamond Road, 300 feet west of Cimarron Road within Enterprise. JJ/rk/syp
(For possible action)

ACTION:

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

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

Public Works - Development Review

- Drainage study and compliance;

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0022-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 13 ZC-23-0049-COUNTY OF CLARK (PK & COMM SERV):

ZONE CHANGE to reclassify 8.0 acres from a C-2 (General Commercial) (AE-60 & AE-65) Zone, a C-P (Office and Professional) (AE-60) Zone, and an M-D (Designed Manufacturing) (AE-60 & AE-65) Zone to a P-F (Public Facility) (AE-60 & AE-65) Zone for an existing park. Generally located on the southeast corner of Russell Road and Surrey Street within Paradise (description on file). JG/mc/syp (For possible action)

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

CONDITIONS OF APPROVAL –
Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application.

ITEM NO. 14 NZC-22-0592-4350 NELLIS BLVD, LLC:

HOLDOVER AMENDED ZONE CHANGE to reclassify 20.0 acres from a C-2 (General Commercial) (AE-65 & AE-70) Zone to an M-D (Designed Manufacturing) (AE-65 & AE-70) Zone.

WAIVER OF DEVELOPMENT STANDARDS to allow a modified driveway design.

DESIGN REVIEWS for the following: 1) proposed distribution center; and 2) alternative parking lot landscaping.

Generally located on the east side of Nellis Boulevard and the south side of Craig Road within Sunrise Manor (description on file). MK/rk/syp (For possible action) (held from March 22, 2023)

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

CONDITIONS OF APPROVAL –
Comprehensive Planning

- Resolution of Intent to complete in three years;
- Per revised plans;
- Coordinate construction schedule with the Commissioners' Office;
- Work with the Las Vegas Metropolitan Police Department for the installation of security cameras and surveillance operation.
- 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 new application for a Master Plan area plan amendment and a zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Work with Public Works to address on-site circulation;
- Drainage study and compliance;
- If required by the Regional Transportation Commission (RTC), relocate the bus turnout on Craig Road east of Nellis Boulevard and dedicate right-of-way and construct the bus turnout including passenger loading/shelter areas in accordance with RTC standards.

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 #0034-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

ITEM NO. 15 VS-22-0593-4350 NELLIS BLVD, LLC:

HOLDOVER AMENDED VACATE AND ABANDON easements of interest to Clark County located between Craig Road and Las Vegas Boulevard North, and between Nellis Boulevard and Las Vegas Boulevard North within Sunrise Manor (description on file). MK/rk/syp (For possible action) (held from March 22, 2023)

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

ITEM NO. 16 ORD-22-900371: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Diamond Torino LLC for a single-family residential development on 1.4 acres, generally located south of Blue Diamond Road and east of Decatur Boulevard within Enterprise. JJ/dd(For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the recommendation (including the adoption of Ordinance No. 5030) be approved.

ITEM NO. 17 ORD-23-900030: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Jones Boulevard Partners, LLC for the expansion of a distribution facility on 26.6 acres, generally located north of Wigwam Avenue and east of Jones Boulevard within Enterprise. JJ/dd (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the recommendation (including the adoption of Ordinance No. 5031) be approved.

ITEM NO. 18 ORD-23-900038: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with I20 LLC & I20 @ Rainbow LLC for an industrial complex on 15.0 acres, generally located south of Levi Avenue and east of Rainbow Boulevard within Enterprise. JJ/dd (For possible action)□

ACTION: It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the recommendation (including the adoption of Ordinance No. 5032) be approved.

ITEM NO. 19 ORD-23-900080: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners through various zone change applications on December 7, 2022, December 21, 2022, January 4, 2023 and January 18, 2023. (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the recommendation (including the adoption of Ordinance No. 5033) be approved.

ITEM NO. 20 ET-21-400175 (UC-0492-15)-WESTWYNN, LLC:

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

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

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

DESIGN REVIEWS for the following: 1) High Impact Project; 2) resort hotel and all associated and accessory uses; 3) hotel towers and associated low-rise and mid-rise buildings and structures; 4) low-rise and mid-rise buildings including retail, restaurants, public, and back-of-house areas; 5) water features (man-made lake and decorative water fountains); and 6) all other accessory and incidental buildings and structures on 34.6 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the northwest corner of Las Vegas Boulevard South and Fashion Show Drive within Winchester and Paradise. TS/sd/jo (For possible action) (held from February 22, 2023)

ACTION: Deleted from the agenda (held to May 17, 2023 per the applicant).

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

HOLDOVER USE PERMIT SECOND EXTENSION OF TIME to expand/enlarge the Gaming Enterprise District by approximately 2.5 acres in conjunction with an approved resort hotel (Alon) on 34.6 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located between Sammy Davis Jr. Drive and Las Vegas Boulevard South and between Fashion Show Drive and Wilbur Clark Desert Inn Road within Winchester and Paradise. TS/sd/jo (For possible action) (held from February 22, 2023)

ACTION: Deleted from the agenda (held to May 17, 2023 per the applicant).

ITEM NO. 22 ZC-22-0413-SLETTEN CONSTRUCTION COMPANY:

HOLDOVER ZONE CHANGE to reclassify 2.1 acres from an M-1 (Light Manufacturing) (AE-60) Zone to an H-1 (Limited Resort and Apartment) (AE-60) Zone.

USE PERMIT to allow outside dining and drinking.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) encroachment into airspace; 3) reduce parking; 4) reduce throat depth; and 5) reduce departure distance.

DESIGN REVIEWS for the following: 1) alternative parking lot landscaping; and 2) hotel. Generally located on the southwest corner of Quail Avenue and Polaris Avenue within Paradise (description on file). MN/sd/jo (For possible action) (held from February 22, 2023)

ACTION: Deleted from the agenda (held to June 7, 2023 per the applicant).

ITEM NO. 23 ZC-23-0045-BLUE DIAMOND RESERVE HOLDINGS, LLC & DAMODICE HOLDINGS, LLC:

ZONE CHANGE to reclassify 19.9 acres from an R-E (Rural Estates Residential) Zone to an M-D (Designed Manufacturing) Zone.

USE PERMIT to allow loading spaces to not be screened from a public street.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall/fence height; 2) permit alternative street landscaping; and 3) reduced driveway throat depth.

DESIGN REVIEWS for the following: 1) a distribution center; 2) alternative parking lot landscaping; and 3) finished grade. Generally located on the northeast corner of Rainbow Boulevard and Richmar Avenue within Enterprise (description on file). JJ/al/syp (For possible action)

AMUNDSEN

Next are Items 23 and 24, which can be heard together.

Item 23, ZC-23-0045, zone change to reclassify 19.9 acres from an RE Rural Estates Residential Zone to an MD, Designed Manufacturing Zone. Use permit to allow loading spaces to not be screened from a public street. Waivers of development standards for the following: increase wall fence height; permit alternative street landscaping; reduced driveway throat depth. Design reviews for the following: a distribution center, alternative parking lot landscaping and finished grade. This is generally located on the northeast corner of Rainbow Boulevard and Richmar Avenue within Enterprise.

Item 24, VS-22-0046, vacant and abandon easements of interest to Clark County, located between Serene Avenue and Richmar Avenue and between Rainbow Boulevard and Redwood Street, and portions of right-of-way being a portion of Richmar Avenue, located between Rainbow Boulevard and Redwood Street, within Enterprise.

GIBSON

Good morning.

LIZ OLSON

Good morning. Can you hear me?

GIBSON

Yes.

OLSON

Okay. Liz Olson, 1980 Festival Plaza Drive here on behalf of the applicant. This is a 20-acre site. We're right on Rainbow and Richmar. We're currently zoned RE. This site is within the Arden Industrial Area. Everything around us is zoned for industrial or has existing industrial on it. The intent of this area was to have industrial uses. So, we believe that our requested zone change to MD for this project, for a distribution center, is appropriate.

We are requesting that MD to allow for a single building distribution center. Our layout of the site includes a single building in the center. We've provided several different access points to allow for better circulation through the site and on and off of the site. Working with staff, we have made a couple of proposed changes that we sent in for quick review.

The main concern from staff was along Rainbow Boulevard. We do have docks on both sides of the building, and we have three access points along Rainbow. The concern from Public Works was having the docks directly in front of the driveways here. And as staff, as part of their analysis here, they say under their throat depth waiver analysis with the loading docks and parking stalls directly opposite in four out of the five driveways, the likelihood is that vehicles will be stacking in the right of way causing potential collisions.

So, the proposed change that we would like to make - this is the revised plan that was sent in. We'd like to remove the southern driveway entirely so that would remove one of those access points. We'd also like to remove the docks that are directly adjacent to the center driveway. There are no docks directly in front of the northern driveway. We could also remove two additional docks if the Board deemed that – would be necessary. So, we can do that.

OLSON Those changes would mitigate and address concerns from staff for the - for their throat depth we believe and that also addresses the special use permit as we would no longer have any docks that are not screened towards the right-of-way.

So, with that, we're happy to discuss any questions but appreciate Enterprise's recommendation and happy to answer any questions.

GIBSON Thank you. This is a public hearing which is now open. Is there anyone who wishes to comment on this item, which is - these Items, 23 and 24? There being no one, the public hearing is closed. Commissioner Jones.

JONES Thank you, Mister Chair. And thank you, Miss Olson for your presentation. In speaking with Antonio there are remaining concerns with regards to the Rainbow access point there. I appreciate that you have removed the one driveway and removed some of the docks that are directly in front of the remaining entrance there. I think that despite that, there's still remaining concerns, so I'd ask that you consider also removing an additional dock door on each side of what's reflected in this latest set of plans.

Alright. And, so Antonio, would that help resolve those concerns?

ANTONIO PAPAZIAN Thank you, Commissioner. It's tough to say without actually seeing it on paper and without seeing it with dimensions with the size trucks that they're bringing in, it would be nice to see a set of plans with dimensions on it.

OLSON Okay. If I may just to clarify here. So, our distance between our docks and the parking spaces behind us is 130 feet. So, there's quite a bit of on-site circulation area for - to allow trucks to come in and utilize that open space to help mitigate any potential stacking on the right-of-way.

PAPAZIAN Commissioner, even though we have 130 feet, these trucks are pretty big. They're up to 73 feet long. So, even though we have the dimension that Miss Olson is saying that we have, you still need to pull forward far enough to be able to back up. So, they would be blocking the drive aisle, as the next person is trying to jockey their way in the driveway.

JONES So, I'm gonna go ahead and move for approval of Agenda Item Number 23 and 24, and I'm gonna condition or ask that the applicant accept the condition of removing two additional dock doors as reflected on what you've put up there. And also, to work with Public Works to consider whether additional dock doors need to be removed in order to accommodate the concerns that have been raised. Is that a -

OLSON Yes, that's okay. Thank you

JONES Accepted? Alright, that's my motion.

GIBSON There's a motion for approval as indicated by Commissioner Jones. Any discussion on his motion? Then, please case your votes. And the motion carries. Thank you, Miss Olson.

OLSON

Thank you.

ACTION:

It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the applications for Item Nos. 23 and 24 be approved subject to staff and additional conditions.

**CONDITIONS OF APPROVAL –
Comprehensive Planning**

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

Public Works - Development Review

- Remove one additional loading dock on each side of the pump house;
- Coordinate with Public Works to determine if additional loading dock doors need to be removed;
- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- 30 days to coordinate with Public Works - Construction Management Division and to dedicate any necessary right-of-way and easements for the Rainbow Boulevard improvement project.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

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 #0064-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 24 VS-23-0046-BLUE DIAMOND RESERVE HOLDINGS, LLC & DAMODICE HOLDINGS, LLC:
VACATE AND ABANDON easements of interest to Clark County located between Serene Avenue and Richmar Avenue, and between Rainbow Boulevard and Redwood Street; and portions of rights-of-way being a portion of Rainbow Boulevard located between Serene Avenue and Richmar Avenue and a portion of Richmar Avenue located between Rainbow Boulevard and Redwood Street within Enterprise (description on file). JJ/al/syp (For possible action)

ACTION:

It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the applications for Item Nos. 23 and 24 be approved subject to staff and additional conditions.

CONDITIONS OF APPROVAL –
Comprehensive Planning

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

Public Works - Development Review

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

ITEM NO. 25 AG-23-900105: Discuss temporary commercial events for properties within the Stadium District, and direct staff accordingly. (For possible action)

AMUNDSEN

Next is Item 25, AG-23-900105, to discuss temporary commercial events for properties within the Stadium District and direct staff accordingly. Commissioners, we have come before you three separate times to talk about temporary commercial events in the Stadium District at the same time that they are having large events. And you've asked us to bring it back every time.

Instead of continuing a moratorium, it might be a good idea to require properties in the Stadium District that want to have temporary commercial events to come in for a use permit for temporary commercial events and then, anyone else is not, you know, cannot get their temporary commercial events. That way there's a little more control and you can place additional conditions on that. But that's staff's recommendation. I will let Commissioner Naft speak.

GIBSON

Commissioner Naft, do you have thoughts about that?

NAFT

Thank you. This is, yes, this is after a lot of deliberation and an attempt not to punish (laughs) everybody just carte blanche. So the idea would be that they come through, with a use permit, and then, they would still have to, just like they do now, come for individual special event permits for each individual race that we would administratively approve. It's a pretty similar

NAFT model to how Town Square does it. They have a use permit - ongoing use permit. But, then for every single special event that they do, they come through and our office in that case signs off administratively.

GIBSON Anything further from others?

MARILYN KIRKPATRICK Uh -

GIBSON Commissioner Kirkpatrick?

KIRKPATRICK Thank you. And I was just gonna say, hopefully our special events calendar is out for a BIS now, so that should all kinda play into it, so that everybody can be notified in the area. So -

NAFT Thank you. And that would be limited to the Stadium Overlay District.

AMUNDSEN That's correct. And we just need, if we're so directed, we will initiate that now. So, it in a way, lifts the moratorium that we have, but requires them to come in for the use permits so that we can have an understanding of what properties might want to do temporary commercial events in the future.

NAFT And I would just ask, and we can work with you to make sure that we notify everybody that we can, and we can notify the Stadium District Business Group and the individuals who participated in the Overlay.

AMUNDSEN Yes.

NAFT Um -

AMUNDSEN Yes.

KIRKPATRICK Can I just ask a clarifying point? But then you'll also make sure 'cause what's happening today is when these events take place is not every agency is being notified. So, at least notify Business Licensing, so the Health District and the Fire and everybody knows about 'em.

AMUNDSEN Yes.

KIRKPATRICK Okay.

GIBSON Then you have some clarity?

AMUNDSEN Yes, I do, and I appreciate that.

GIBSON Alright, well then, thank you very much. We'll look forward to seeing what you come up with.

ACTION: No action was taken by the Board.

PUBLIC COMMENT

AMUNDSEN

And the last item is final public comments.

GIBSON

This is the final public comment. Invite anyone to come forward who wishes to speak. Please keep your comments to three minutes.

COLEMAN

I stayed due to the fact I didn't finish what I had to say.

I have proof of service concerning a 24-hour eviction notice. It's the reason why I'm needing the deed. Those papers was rendered and served to the defendant. Due to the fact they shouldn't have been in there in the first place. They're squatters and they're taking up my time and I keep coming here telling you the same thing. I want my reimbursement. I need my property that I paid out of my pocket. I come to Marilyn, due to the fact it states in my records that she's, was Melissa Anistein, whereas she worked for Creative Realities. I don't, and Shannon Mulhughes was the third party, upon on my and she's Shannon Mulhughes, through my records, whereas she's fictitiously changing her name, and she worked for the District Court during the time. They have paperwork, and evidence up on that.

I would like you to give that approval to give me the deed so I can serve it to the Constable to get the people out of my home. And that's the only way I can go back in. I'm tired of sleeping in my car. I have to keep coming up here for the same thing. Reimbursement on my money that you stole, and you have used on a continuous basis. And you won't return it.

And you look at me as though I don't belong here in the State of Nevada. If I don't, I did win a court order, and you guys have insulted me continuously in not giving it back. So, I wish you'd give approval for me to have what I'm entitled to.

GIBSON

Is there anyone else who wishes to speak during public comment? There being no one, public comment period is closed. And this meeting is adjourned.

There being no further business to come before the Board at this time, at the hour of 9:23 a.m., the meeting was adjourned.

APPROVED:

/s/ James B. Gibson
JAMES B. GIBSON, CHAIR

ATTEST:

/s/ Lynn Marie Goya
LYNN MARIE GOYA, COUNTY CLERK