

# **Board of County Commissioners**

CLARK COUNTY, NEVADA

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

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COMMISSION CHAMBERS, GOVERNMENT CENTER  
500 SOUTH GRAND CENTRAL PARKWAY  
LAS VEGAS, NEVADA 89106  
WEDNESDAY, OCTOBER 4, 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 4th day of October 2023 at the hour of 9:00 a.m. The meeting was called to order at 9:02 a.m. by Chair Gibson and on roll call, the following members were present, constituting all the members:

## **CALL TO ORDER**

### **CHAIR AND COMMISSIONERS:**

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

### **Absent:**

None

### **Also Present:**

Robert Warhola, Deputy District Attorney  
Sami Real, Director, Comprehensive Planning  
Antonio Papazian, Manager, Development Review  
JaWaan Dodson, Assistant Manager, Development Review  
Tammy McMahan, Office Services Supervisor  
Robin Delaney, Deputy Clerk

**ITEM NO. 1 Public Comment**

JIM GIBSON

Good morning. Our meeting will come to order. Welcome to the proceedings. We hope you have a good experience today.

The first item of business is public comment. I would invite anyone who wishes to make public comment on any specific item on our agenda to come forward. And I ought to tell you that, we'll in a few minutes will be approving an agenda that will remove from the Agenda Items 21, 22, 23, and 41. So, keep that in mind. If you wanted to comment on those items, now's the time. Morning.

MICHAEL PRIDE

Good morning. My name is Michael Pride. I would simply like to address the routine portion Items 4 through 26. Specifically, Item 19 EC-230-519 USA. We, as a community, do not agree with the -

GIBSON

(Unintelligible)

PRIDE

- recommendations by the staff and request-

GIBSON

Excuse me one minute. We're gonna pull that item and hear it separately.

PRIDE

Perfect.

GIBSON

So, it isn't going to be on the consent agenda.

PRIDE

Perfect.

GIBSON

Alright? Are there others who wish to speak? Come forward.

MARTIN KOPPEL

Good morning.

GIBSON

Good morning.

KOPPEL

I've got two items here. I don't know how to, exactly how to do this 'cause I haven't been in a meeting for a while.

GIBSON

Tell us your name. Spell your last name.

KOPPEL

My name is Martin Koppel, K-O-P-P-E-L. And the items that I want to talk to are ZC-23-0548 and 0550. But before I do that, I want to do a public comment, so I don't know how to do this.

GIBSON

You have three minutes.

KOPPEL

For what?

GIBSON

And those items, Z - 21, 22, and 23 are not gonna be heard at all today. So, if you want to comment on them now's the time.

KOPPEL

No, I want to comment on ZC-23-0548 and 0550.

GIBSON Yeah, those are Items 21 and 22.

KOPPEL Okay.

GIBSON Those are not gonna be heard today. If you want to comment on them now's the time.

KOPPEL Well, I was prepared to comment on it. Let me do the public comment first.

GIBSON Keep in mind you have a total of three minutes.

KOPPEL Yes.

GIBSON Okay.

KOPPEL It's time to get real about water. That's what the sign says that they send me all the time. I would have thought that by now they would have been a realization that no matter how much water is saved it's not going to fix the lack of water problem we're having. Save, save more. Save even more is not working and may lead to serious water disaster. Both myself and my wife have been duly elected Board members of our local water district in California and would have declared that there was not enough water to, available to keep issuing permits years ago.

There is only one solution. I believe, we can fix the problem we face and that is a water pipeline from the east where there is plenty of water in states like Kentucky, so much it's killing people. They need the control of their water. We need it. So, working together could be a win/win situation.

I would also suggest that the County Commissioners quickly start a County group to study how to get the pipeline started and other water issues and also consider many ways to save water that is not now being done. One of which is the water that falls on my backyard goes to waste. And I understand it is against the law for me to you use it. Can we really afford to waste that water?

There are many other such considerations such as do we really need to be walking and our children playing on hot crushed rock when we could have grass and enough trees to cool our property like other people do? If we do not move forward on this, I suggest an immediate moratorium should be put in place. Okay, that's one.

Now what about the ZC-0548?

GIBSON You have six seconds.

KOPPEL Six seconds?

GIBSON Yeah.

KOPPEL I can't do it in six -

GIBSON You have three minutes all together, sir. So that those items are not gonna be heard today. You can make a comment on them if you use your three minutes to do that. The items will be heard another time. I don't know when they're continued to. But

GIBSON they're being removed from the agenda today.

KOPPEL So, I have to come down again to just to do the three minutes?

GIBSON You're welcome to come down again or you can stay to the end of the meeting and make whatever comment you want to make.

KOPPEL Gotcha.

GIBSON Okay.

KEVIN FARO Good morning. My name is Kevin Faro. I have comments, public comments in regards to Item Number 7, Development of the Shopping Mall in Convention Center Drive.

The developer has applied for few exceptions here, and I ask the Board to consider a few items. Directly to the south of this development there are two residential properties, housing near 200 families.

We own about 30% of one of the residential complexes to the south of this community. And several concerns that we have are exemption to reduce separation to a residential use. And Waiver 4 reducing the setback to a residential - setback in the residential use. The developer has stated that they need this requirement to be waived because of noise level requirements. Well, we do have 200 families that live there. Many of them are elderly, veterans, and seniors. And our understanding is that the noise will continue until 12 p.m. The developer has stated that this is going to be ambience noise, which is great to hear. However, we ask the Board that if the setback requirements is being considered, that it accompanies a strict noise level cap so that it doesn't start as ambience and then end up being a rock concert similar to the Fremont Street.

And if there's any possibility to not waive the requirements, the residents in the south of this development will obviously appreciate it. We also have concerns about the location of the trash. It seems that, you know, this is going to be a large complex and the trash will be directly you know, within, you know feet of our building. So, we strongly ask the Board to consider you know, not allowing an exemption in both of these cases.

And in finally, the developer has applied for underground parking. There is - they also own an adjacent lot exactly to the east of the lot that's in question. That is a parking lot today. It's a fairly large parking lot. And they say they might develop that into something in the future. We ask that should that happen then they apply for exemption at that time. And because at this time there is enough parking to be considered there.

So, thank you for your time.

GIBSON Thank you. Are there others who wish to comment on any specific item on our agenda? There being no one. We'll move to the Item Number 2, the approval of the agenda.

**ACTION:** No action was taken by the Board.

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

SAMI REAL Good morning, Commissioners. The second item is the approval of the Agenda after considering any additions or deletions of items.

Staff has the following request, which may require additional re-notification fees of 85 days has passed since the initial notification, or there are modifications to the application.

Hold to the October 18th 2023 Zoning meeting: Item 21, ZC-23-0548; Item 22, ZC-23-0550; Item 23, VS-23-0551; and Item 41, WS-23-0340.

The above all be carrying items are gonna be open to the public hearing and immediately recessed until the dates as previously stated with these deletions which are Items 21, 22, 23, and 41. The Zoning agenda stands ready for your approval.

GIBSON Thank you. If there are no changes at the pleasure of the Board, I'll entertain a motion.

TICK SEGERBLOM I move to approve subject to those changes.

GIBSON There is a motion to approve as indicated by our director. Please cast your votes. The motion carries.

**ACTION:** It was moved by Commissioner Tick Segerblom, and carried by unanimous vote, that the agenda, subject to changes mentioned, be approved.

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

REAL The third item in the agenda is the approval of the minutes. The minutes of the September 6, 2023, Zoning meeting are ready for approval.

SEGERBLOM Approve.

GIBSON There's a motion for approval of the minutes. Please cast your votes. And the motion carries. Thank you.

**ACTION:** It was moved by Commissioner Tick Segerblom, and carried by unanimous vote, that the minutes be approved.

**ROUTINE ACTION ITEMS (4 - 26):**

REAL Next are the routine action items, which consist of Items 4 through 26, except items previously deleted and Item 19, 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 unless modified.

Staff has the following requests. Item 7 UC-23-0552 add, "A current Planning Condition" to read, "Report to Commission Office one year after issuance of a

REAL

business license to review live entertainment with a copy to be provided to Comprehensive Planning."

And then Item 8 UC-23-0592, replace "Public Works first condition" with, "Property shall be graded to allow runoff from Deckow Lane to pass through the site."

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 approval.

GIBSON

If there are no other changes or nothing else to be removed from the consent agenda.

SEGERBLOM

Move for approval but just to, in response to the person that just mentioned the thing on Convention Center Drive, we're gonna review the noise level after one year to determine whether the waiver is necessary. So feel free to, once it's completed to complain and what we'll monitor this very closely.

GIBSON

There's a motion for approval of the routine action items. Any discussion on that motion? Please cast your vote. The motion carries.

**ACTION:**

It was moved by Commissioner Tick Segerblom, and carried by unanimous vote, that the routine action items be approved, subject to staff conditions.

**ITEM NO. 4 ET-23-400120 (UC-19-0465)-CHURCH THE ROCK:**

USE PERMIT SECOND EXTENSION OF TIME for a place of worship.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) parking lot landscaping; 2) modified driveway design standards; and 3) full off-site improvements.

DESIGN REVIEW for a proposed place of worship on 2.5 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the south side of Pebble Road and the west side of Edmond Street within Enterprise. JJ/nai/syp (For possible action)

**ACTION:**

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

**CONDITIONS OF APPROVAL –**

**Comprehensive Planning**

- Until August 21, 2025 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.

**ITEM NO. 5 UC-23-0449-LAKE LAMB HOLDINGS REVOCABLE LIVING TRUST ETAL & MORADI HAMID TRS:**

USE PERMITS for the following: 1) allow a vehicle wash as a principal use within the APZ-2 Overlay District; 2) allow a service bay door facing a street without screening; and 3) reduce the separation of a vehicle wash from a residential use.

DESIGN REVIEWS for the following: 1) finished grade; and 2) a proposed vehicle wash facility on a portion of 3.8 acres

in an M-D (Designed Manufacturing) (APZ-2) Zone. Generally located on the east side of Lamb Boulevard and the north side of Lake Mead Boulevard within Sunrise Manor. TS/hw/syp (For possible action)

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

**CONDITIONS OF APPROVAL –**  
**Comprehensive Planning**

- Landscaping shall be provided per plans;
- No gathering of individuals in an area that would result in an average density of greater than 25 persons per acre per hour during a 24-hour period, not to exceed 50 persons per acre at any time;
- Work with the Las Vegas Metropolitan Police Department for the installation of security cameras and surveillance operation;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised approval of this application does not constitute or imply approval of any other County issued permit, license or approval; the installation and use of cooling systems that consumptively use water will be prohibited; the County 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; 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.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals: and that Nevada Department of Transportation (NDOT) permits may be required.

**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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0301-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**ITEM NO. 6 UC-23-0501-VENETIAN VENUE PROPCO, LLC:**

USE PERMIT for deviations as shown per plans on file.

DEVIATIONS for the following: 1) freestanding sign location; 2) directional sign area; 3) directional sign number; 4) directional sign height; 5) directional sign setbacks; and 6) wall sign setback intrusion; and 7) all other deviations as shown per plans on file.

DESIGN REVIEWS for the following: 1) animated sign number; 2) animated sign area; 3) wall sign area; and 4) a comprehensive sign package for a previously approved recreational facility, fairground, and music venue (Sphere Las Vegas) in conjunction with an existing resort hotel (Venetian/Palazzo) on 81.7 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the south side of Sands Avenue and the east side of Las Vegas Boulevard South within Paradise. TS/hw/syp (For possible action)

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

**CONDITIONS OF APPROVAL –**

**Comprehensive Planning**

- Applicant is advised approval of this application does not constitute or imply approval of any other County issued permit, license or approval; 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; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**ITEM NO. 7 UC-23-0552-305 CCD, LLC:**

USE PERMITS for the following: 1) on-premises consumption of alcohol (tavern, supper club, service bar); 2) alcohol sales (beer, wine, liquor) – packaged only; 3) retail sales and services; 4) restaurants; 5) outside dining, drinking, and cooking areas; 6) office; 7) reduce separation to a residential use; and 8) reduce setback to a residential use.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce parking; 2) alternative parking design (tandem valet); 3) cross access; 4) reduce trash enclosure setback; 5) signage; and 6) reduce driveway throat depth.

DESIGN REVIEWS for the following: 1) a shopping center with a subterranean parking garage; 2) signage; and 3) finished grade on a 2.6 acre portion of 6.1 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the southwest corner of Convention Center Drive and Debbie Reynolds Drive within Winchester. TS/jor/syp (For possible action)

**ACTION:**

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

**CONDITIONS OF APPROVAL –**

**Comprehensive Planning**

- Report to Commission office 1 year after issuance of a business license to review live entertainment with a copy to be provided to Comprehensive Planning;
- Live entertainment to be daytime hours only Sunday to Thursday, and until midnight on Friday and Saturday;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a new design review is required for the hotel, spa, and underground garage, approved per UC-18-0753; approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; the 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 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; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- Drainage study and compliance;
- Traffic study and compliance;
- Applicant to install a crosswalk with pedestrian flashers across Convention Center Drive, as required by Public Works – Development Review.
- Applicant is advised that any future development may require additional throat depth.

**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 #0040-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**ITEM NO. 8 UC-23-0592-UNIVERSITY BOARD OF REGENTS:**

AMENDED USE PERMITS for the following: 1) temporary construction storage; and 2) temporary parking lot.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) waive noise standards; and 2) allow temporary construction, storage, and staging activities beyond daytime hours (no longer needed).

DESIGN REVIEW for a temporary construction storage, staging, and parking lot on 36.8 acres in an H-1 (Limited Resort and Apartment) (AE-60, AE-65, & AE-70) Zone. Generally located on the north side of Tropicana Avenue and the east side of Deckow Lane within Paradise. JG/jor/syp (For possible action)

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

**CONDITIONS OF APPROVAL -**

**Comprehensive Planning**

- 1 year review as a public hearing to evaluate the continued use of the site.
- 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 substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

**Public Works - Development Review**

- Property shall be graded to allow run-off from Deckow Lane to pass through the site;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Howard Hughes Parkway improvement project;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Tompkins Avenue improvement project.

**Department of Aviation**

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

**ITEM NO. 9 UC-23-0599-PARADISE 12, LLC:**

USE PERMITS for the following: 1) caterer; 2) temporary construction activities; and 3) temporary construction storage. WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow a catering facility within a membrane structure (tent); 2) eliminate parking and loading spaces; 3) eliminate landscaping and screening; 4) allow alternative site design standards; and 5) waive noise standards.

DESIGN REVIEW of a temporary catering facility (6 tents) and temporary construction activities and storage in conjunction with a racetrack on 12.0 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the west side of Paradise Road, 540 feet south of Flamingo Road within Paradise. JG/lm/syp (For possible action)

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

**CONDITIONS OF APPROVAL –**

**Comprehensive Planning**

- 1 year to review as a public hearing to evaluate the continued use of the site.
- 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 application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

**Public Works - Development Review**

- Drainage study and compliance;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Paradise Road improvement projects;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Howard Hughes Parkway improvement project;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for the above mentioned projects;
- 90 days to record required right-of-way dedications and any corresponding easements for the above mentioned projects.

**ITEM NO. 10 VS-23-0494-TENAYA LOFTS, LLC:**

VACATE AND ABANDON easements of interest to Clark County located between Arroyo Springs Street and Tenaya Way, and between Sunset Road and Post Road within Spring Valley (description on file). MN/sd/syp (For possible action)

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

**CONDITIONS OF APPROVAL –**

**Comprehensive Planning**

- Satisfy utility companies' requirements.
- 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 substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the

recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

#### Public Works - Development Review

- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Sunset Road improvement project;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

#### Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions; and that fire/emergency access must comply with the Fire Code as amended.

#### **ITEM NO. 11 DR-23-0491-TENAYA LOFTS, LLC:**

DESIGN REVIEWS for the following: 1) minor training facility with accessory retail uses (dog training); and 2) finished grade on 1.8 acres in a C-1 (Local Business) (AE-60) Zone within the CMA Design Overlay District. Generally located on the northwest corner of Sunset Road and Tenaya Way within Spring Valley. MN/sd/syp (For possible action

**ACTION:** It was moved by Commissioner Tick Segerblom, and carried by unanimous vote, that the application be approved subject to staff 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 final zoning inspection.
- 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; 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;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Sunset Road improvement project.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate

design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

#### Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions; and that fire/emergency access must comply with the Fire Code as amended.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0284- 2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

#### **ITEM NO. 12** VS-23-0516-CPT 2644 N. LAMB BLVD., LLC:

VACATE AND ABANDON a portion of right-of-way being Lamb Boulevard located between Cartier Avenue and Alto Avenue; a portion of right-of-way being Cartier Avenue located between Lamb Boulevard and Abels Lane; and a portion of right-of-way being Abels Lane located between Cartier Avenue and Alto Avenue within Sunrise Manor (description on file). MK/md/syp (For possible action)

#### **ACTION:**

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

#### CONDITIONS OF APPROVAL – Comprehensive Planning

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

#### Public Works - Development Review

- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for bus turnout including passenger loading/shelter areas on Lamb Boulevard, in accordance with RTC standards;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

#### **ITEM NO. 13** WS-23-0515-CPT 2644 N. LAMB BLVD., LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) allow access to a local street; and 3) allow modified driveway design standards.

DESIGN REVIEWS for the following: 1) distribution center; and 2) finished grade on 18.4 acres in an M-D (Designed Manufacturing) (AE-70) Zone. Generally located on the east side of Lamb Boulevard and the north side of Cartier Avenue within Sunrise Manor. MK/md/syp (For possible action)

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

**CONDITIONS OF APPROVAL –**  
Comprehensive Planning

- Work with the Las Vegas Metropolitan Police Department for the installation of security cameras and surveillance operation;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County 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; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 4 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for bus turnout including passenger loading/shelter areas on Lamb
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

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 #0291-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**ITEM NO. 14** TM-23-500108-CPT 2644 N. LAMB BLVD., LLC:

TENTATIVE MAP consisting of 1 industrial lot on 18.4 acres in an M-D (Designed Manufacturing) (AE-70) Zone. Generally located on the east side of Lamb Boulevard and the north side of Cartier Avenue within Sunrise Manor. MK/md/syp (For possible action)

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

#### Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for bus turnout including passenger loading/shelter areas on Lamb Boulevard, in accordance with RTC standards.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

#### 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 #0291-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

#### **ITEM NO. 15 VS-23-0555-NAMAZ, LLC:**

VACATE AND ABANDON easements of interest to Clark County located between Blue Diamond Road and Meranto Avenue, and between Tenaya Way and Montessouri Street and a portion of right-of-way being Tenaya Way located between Blue Diamond Road and Meranto Avenue and a portion of right-of-way being Belcastro Street located between Blue Diamond Road and Meranto Avenue within Enterprise (description on file). JJ/jor/syp (For possible action)

#### **ACTION:**

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

#### CONDITIONS OF APPROVAL –

##### Comprehensive Planning

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

#### Public Works - Development Review

- Right-of-way dedication to include spandrel at Tenaya Way and Blue Diamond Road if required by Public Works - Development Review or Nevada Department of Transportation (NDOT);
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

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 the CCWRD has existing or proposed assets within the area proposed to be vacated per VS-23-0555; that the vacation of the existing Belcastro Avenue (60 foot wide right-of-way) from Blue Diamond Road to Meranto Avenue is subject to the CCWRD being granted easement rights to construct, maintain, operate, repair, relocate and remove sanitary sewer lines and appurtenances from all surrounding parcels, and to avoid land locking the other parcels; and that sewer easements must meet all the requirements of the CCWRD's design and construction standards for wastewater collection systems (DCSWCS), including H20 all-weather maintenance vehicle access drive

**ITEM NO. 16 UC-23-0554-NAMAZ, LLC:**

USE PERMITS for the following: 1) allow retail sales and service; and 2) allow restaurants.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate sidewalk and allow reduced street landscaping; and 2) reduce the driveway throat depth.

DESIGN REVIEWS for the following: 1) a shopping center; and 2) finished grade on 3.7 acres in an H-2 (General Highway Frontage) Zone in the Mountain's Edge Master Planned Community. Generally located on the south side of Blue Diamond Road and the east side of Tenaya Way within Enterprise. JJ/jor/syp (For possible action)

**ACTION:**

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

**CONDITIONS OF APPROVAL –**

**Comprehensive Planning**

- Relocate southeast loading zone to ensure vehicular maneuverability;
- 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 if APN 176-22-701-030 is developed as a commercial use, applicant to provide cross access; 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; the rewrite to Title 30 eliminates the H-2 zone which was removed from Title 30 in June 2000; the installation and use of cooling systems that consumptively use water will be prohibited; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include spandrel at Tenaya Way and Blue Diamond Road if required by Public Works - Development Review or Nevada Department of Transportation (NDOT).
- Applicant is advised that Nevada Department of Transportation (NDOT) permits may be required.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark

County Code Title 13, 13.04.090 Fire Service Features.

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 #0293-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**ITEM NO. 17** WS-23-0532-AMH NV 15 DEVELOPMENT, LLC:

WAIVER OF DEVELOPMENT STANDARDS to increase retaining wall height.

DESIGN REVIEW for finished grade in conjunction with a previously approved single family residential development on 5.0 acres in an R-2 (Medium Density Residential) Zone. Generally located on the southeast corner of Big Park Avenue and Tee Pee Lane within Enterprise. JJ/jud/syp (For possible action)

**ACTION:** It was moved by Commissioner Tick Segerblom, 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 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; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Comply with approved drainage study PW22-16692;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

**ITEM NO. 18** ZC-23-0513-SCHOOL BOARD OF TRUSTEES:

ZONE CHANGE to reclassify 17.8 acres from an R-E (Rural Estates Residential) (AE-65 & AE-70) Zone to a P-F (Public Facility) (AE-65 & AE-70) Zone.

WAIVER OF DEVELOPMENT STANDARDS to allow modified driveway standards.

DESIGN REVIEW for a proposed middle school (Von Tobel Middle School - relocation). Generally located on the south side of Alto Avenue and the west side of Walnut Road within Sunrise Manor (description on file). WM/lm/syp (For possible action)

**ACTION:** It was moved by Commissioner Tick Segerblom, 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 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; the extension of time may be denied if the project has not



commenced or there has been no substantial work towards completion within the time specified; and that the waiver of development standards and design review must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements.

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 #0180-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**ITEM NO. 19 ZC-23-0519-USA:**

ZONE CHANGE to reclassify 19.7 acres from an R-E (Rural Estates Residential) Zone to a P-F (Public Facility) Zone.

WAIVER OF DEVELOPMENT STANDARDS to allow modified driveway standards.

DESIGN REVIEWS for the following: 1) school; and 2) finished grade. Generally located on the south side of Starr Avenue and the west side of La Cienega Street within Enterprise (description on file). MN/lm/syp (For possible action)

REAL

Next on the agenda is Item 19, ZC-23-0519, Zone Change to Re-Classify 19.7 acres from an RE Real Estates Residential Zone to a PF Public Facility Zone. Waivers of development standards to allow modified driveway standards, and design reviews for the following: a school and finished grade, generally located on the south side of Star Avenue and the west side of La Cienega Street within Enterprise.

GIBSON

Morning.

BRANDON MCLAUGHLIN

Good morning. This here? Fantastic. Well good morning, Chairman, members of the Commission. My name's Brandon McLaughlin with the Clark County School District. I'm our Director of Construction and Design. Address is 1180 Military Tribute Place, Henderson, Nevada 89074.

I have the privilege this morning of presenting the application for our South Career and Technical Academy. I have two colleagues here that'll introduce themselves throughout the presentation about what we're gonna cover. And really, we're gonna emphasize the South Career and Technical Academy why here, why now.

And I want to first start with our Liberty High School. Liberty High School, and for those who don't know where this site specifically is at, we're proposing a Career and Technical Academy approximately at Starr and Giles pie on the southern part of the County.

Now Liberty High School is a high school we have about a quarter mile of the way. That school is currently at 130% over its capacity. So, they're at slightly under 3300 students enrolled for a school that was built for approximately 2700 students.

Next is Coronado High School. Coronado High School's approximately three miles away at 123% over capacity with just under 3200 students enrolled, again, for a building that was intended for 2700 students.

MCLAUGHLIN

Last, I'll cover Desert Oasis. They are at 124% over capacity with just under 3200 students. They're four miles to the west.

And I say all that for the why behind this project and we'll cover more of the technical aspects as we go. But this additional high school is a focused offering in this area that would provide the needed relief to this extreme over-crowding these three neighboring high schools are experiencing, and some of the negative impacts associated with over-crowded schools.

So currently, and you're gonna hear through public comment likely and some of our other staff presentations that this school, this site was supposed to be a middle school. And I can say with certainty that we tracked this month over month. And middle schools are, we're experiencing an abundance of seats. So, we have no need for a middle school at this site in the foreseeable future. And when that need is there, we'll determine at that point, but it's not in the near term or at a medium or long-term future for this area.

Alright, and last the neighborhood. So, within a two-mile radius and my colleague will emphasize why that two-mile radius matters, but within a two-mile radius of this specific site there are over 2,300 families and students that are high school eligible for this specific school. And that's a five percent increase just from last year of available - of high school eligible students within this specific two-mile range of this site.

And within a one-mile radius we have over 850 students eligible to receive high school education at a campus such as this that would be able to walk to a campus like this that reside in the neighborhood that makes this school of the neighborhood, and it's not like the - so, magnet offerings do tend to grab students from across the district which is true in terms of what technical academies do do.

But with the concentration of students, we have in this specific location we feel this is gonna be a lot more of a neighborhood career and technical academy than many of our school's experience. So, I'm gonna pass it to my colleague. She'll go through more of the operational and programmatic elements of this site.

GIA MOORE

Good morning, Chairman, members of the Commission. My name is Gia Moore. I'm the Director of College and Career Readiness and School Choice in the Clark County School District. And I oversee the District's magnet programs.

The South Career and Technical Academy will be a magnet school as mentioned which means students wishing to attend the school must complete an application and they are selected through a lottery process. Students within the geographic vicinity of the school will receive an additional 25% preference in that process.

This school will serve grades 9 through 12 and have approximately 1,800 students. This is a non-traditional high school, which means that there are no athletics and the typical facilities and, that generally accompany athletic programs at larger, comprehensive high schools.

As mentioned, this school is a career and technical academy similar to the award-winning counterparts. Currently there are eight others serving the entire span of

MOORE

Clark County. And because of the success of these types of schools we are making a concerted effort to expand these options as well as other choice options based upon the demand of the community that they have for these types of programs.

These schools are consistently the top performing schools in the state. The programming of the school comes from a well-considered place and well-researched. In programming the school, I met with the City of Henderson, as well as other economic development groups such as the Las Vegas Global Economic Alliance to determine what our State and local needs are in terms of a workforce.

As such, we will be offering the following programs at the school: advanced manufacturing, business management, transportation logistics, cyber security, computer science, energy technologies, engineering, human and social services, health science, which includes sports medicine and pharmacy practice, multimedia communications, and lastly one of our larger needs is teaching and training. That comes with a on-site pre-school or kindergarten which will be approximately 20 to 40 students that will be in that program as kindergartners or pre-K students.

So, thank you for your time this morning in consideration to allow more students to have access to these programs. And I'll pass it over to my colleague.

CHRIS DINGELL

Good morning, Chairman, Commissioners.

GIBSON

Good morning.

DINGELL

My name is Chris Dingell, 1180 Military Tribute, Henderson, Nevada 89074. I am with the Clark County School District. I am the Director of Real Property Management. One of the things that I'd like to speak on today is the Recreation and Public Purpose Lease that we, the District, asked for this site.

The Recreation and Public Purpose Act is an Act, it's a federal law that allows the BLM to lease property to public agencies for public uses. The School District applied for the lease back in 2005. It was granted in 2008. And the Plan of Development, as mentioned by Brandon is for a middle school.

However, the Clark County School District has applied for a Plan of Development Amendment with the BLM. The BLM has actually indicated that such a change is appropriate under the Recreation and Public Purpose Act, and I'd like to submit this memo from the BLM to the record.

Okay, since 2005 the Clark County School District building program has changed in order to meet the current needs of students, academic and space requirements. The buildings have increased. Since 2010 every school that has been built, every middle school, elementary school, high school and addition, has had a two-story element. The last single-story school built by the Clark County School District opened in the 2009-2010 school year. The last middle school that was open for the 2021-22 school year is a two-story, 39 feet, 6-inch maximum height school that was built on 20 acres for 1,750 students. We also are looking to design right now, we have in design, a three-story middle school. We do have a similar project to this. And I want to put this up.

GIBSON

Wow. This new District -

DINGELL

That is the Northeast Career Technical Academy. It opened this August in North Las Vegas. It is similar to the South CTA as in capacity, space programming, acreage, and height. It has the capacity of 1,800 students. It's three stories and has a maximum height of 60 feet.

So that's all I have. I want to turn it back over to Brandon, who's gonna go over some other things.

MCLAUGHLIN

Alright. So, this should be the close out of our portion here. We only got a few more things. First, we're gonna go through the site plan. Clarify, you guys can see it in all in entirety?

GIBSON

We can. It's upside down. Maybe you can have, turn it around. Thank you.

MCLAUGHLIN

Fantastic. So, we'll walk through a few elements of it. I want to first highlight that we've worked with Public Works staff, and we've been able to eliminate many of the waivers that this application started out with.

The few of the remaining we'll highlight here are school bus - both the bus drop-off and parent pick-up and drop-off lanes. So, they are one way in, one way out situations. So, I'll point these out real quick. Here. Here. For the reduction in throat depths.

Now over half of the waivers that we started with have been removed thanks to cooperation and coordination – collaboration with Public Works. So, we appreciate their spirit of partnership.

Now, numerous driveways are strategically located to safely disperse traffic and minimize impact to the surrounding communities. Also, we'll highlight parking. Parking is predominantly to the north side here with 463 stalls. And really, this is in frankness, this is under park relative to Title 30. But we did do a thorough investigation of all of our Career and Technical Academies across the Valley and most of them are supposed to be parked for 500 to 600 stalls. We consistently see no more than 400 cars parked in any of these schools. So, we felt, and staff recommended approval, of this reduced parking. But we believe this parking count will still have spaces for even people at the height of pick-up and drop-off that parents can safely get to the schools and park, receive kids, and get out.

So next I want to touch on complexes of schools. It's not uncommon for the Clark County School District to have schools that are close to one another. And this would be no different. There is Schorr Elementary School about less than an eighth of a mile to the east. And there is Liberty, like I said, a quarter of the mile away.

Now how we achieve success with these is we stagger start times. And this is something we do each and every day. There's, like I said, numerous occasions of this throughout the District. I just want to highlight Schorr starts at 8:50 in the morning, dismisses at 3:11 in the afternoon. Liberty starts at 7 a.m., dismisses at 1:11 p.m. This school, consistent with what Mister Dingell just shared, that NECTA, Northeast Career and Technical Academy, is close by to other adjacent campuses and has had

MCLAUGHLIN

to stagger their typical high school start times. So, they start at 7:15, they dismiss at 1:40. So we see something very similar to this that if Liberty is starting at 7, dismissing at 1:11, their start time would be slightly adjusted so that we don't compound traffic in the area.

Last one to touch on, kindergarten, pre-K, so like Miss Moore mentioned, there is gonna be a kindergarten, pre-K, pre-school element to this to feed our teacher pipeline. Many of these kids are students or are children of our teachers and staff on these, on this campus. But, just to highlight the logistics on site for these, they start about 30 minutes after when the high schoolers arrive, and they dismiss about an hour after the Academy's dismissal time. And they utilize this specific drop lane here.

So more of the nuts and bolts, the building. The building is set in the middle of the site. And you'll see right here on a 20-acre site, like we covered, 1,800 students. There are PE-related fields towards the south. These are for daytime use only for physical education coursework. These are not intramural level athletics and no sports lighting is provided.

And then, again, the parking lot. We will be providing parking lot lighting, meeting all County approved requirements for minimizing light pollution, hoods, sensors, all that standard requirement issues.

And the palette of the building is a three-story structure. Like we said, that's a trend we're going towards because of land availability and the constraints of our construction projects. But is a palette, a mixture of decorative metals, elevated concrete masonry block as well as two tones of grays and whites throughout the building. So, it's not anything incompatible with the area.

And on this last one, I'll highlight the windows are limited to the north and south so therefore, the east and west where the neighbors are closest to the building we have eliminated most window openings to provide privacy to those neighborhoods.

And so, just to conclude, I simply want to emphasize the points made throughout my colleague and I's presentations. The three neighboring comprehensive high schools in this area are overcrowded. This choice option that aligns with needed career pipelines in our local economy will make a difference.

Gone are the days of single-story middle schools. And these career and technical academies like the one we just opened in North Las Vegas of equal size, equal acreage and building footprint are the future for some of our CCSD developments. Now CCSD has this site under lease now, can start constructing now, and improving available options to at least over 23,000 families, or 2,300 families in the area.

Now we appreciate Staff recommendation of approval. And we respectfully request the same from this Board.

GIBSON

Thank you very much. This is a public hearing. I'd invite anyone who wishes to comment on this item, to come forward. The public hearing is open.

GIBSON

There are two microphones so you can position yourselves so that we're able to move through your comments. Please give us your name, spell you last name. Please keep your comments to three minutes.

PRIDE

Okay. My name is Michael, last name is Pride. That's P-R-I-D-E. I want to directly to Commissioner Naft.

As an elected representative of District A, your role in our community is vital. You have championed traffic safety for all road users while advocating for better roadways and pedestrian safety since 2013, and it hasn't gone unnoticed. Your office went the extra mile by seeking the community input of those 2,300 families in our area. You sent out 611 notices to gauge public opinion.

The response was overwhelming with 501 emails as of this morning, four written letters expressing strong opposition to the proposal. Notably, there was not a single response in favor of Item 19. This clear and resounding feedback underscores the unified stance of our community and reflects the strong sentiments of your constituents. Your constituents, who entrusted you with their votes have made their perspective on Item 19 abundantly clear. Your role in this manner is clear cut, representing the united voice of our community in furthering your agenda for the betterment of our district.

Now, I'd also like to draw attention to the specific condition for your County staff recommendations. And that placed a significant burden of proof on the developers that any of these waivers were not going to have any substantially adverse effects on the traffic of the surrounding area. The whole reason that the waivers were even put in place was because the County Engineer said that they were going to have adverse effects because they're gonna back up cars more than eight car lengths, which is 80 feet.

So, this condition places the responsibility on the developers to demonstrate that the request will not have a negative impact on the surrounding area. However, upon close examinations of Item 1A through F, it becomes evident that none of them meet the standard and are all likely to have a substantially adverse effect. This was noted to them at the Town Board meeting, and they were supposed to have a traffic study done before today. I don't know if they've done that or not. We've looked through the area, we haven't seen any people doing traffic studies.

In this case – or sorry. We find ourselves in a situation where we cannot justify in any way putting children's lives and the lives of others in harm's way. The safety of our children should be paramount, and for that reason alone, we earnestly request that all waivers be denied.

We implore the Commissioners to uphold the uniform standards meticulously outlined in accordance with Title 30.16.010 of the Unified Development Code in the Master Plan of the Greater Las Vegas area. As Commissioners, you were elected to prioritize the welfare and safety of our community, and we urge you to do just that by rejecting these waivers and the school.

The lives of our children and the integrity of our community depend on it. Let us prioritize the wellbeing of our residents, especially our children, by refusing to

PRIDE compromise on safety standards. Thank you for your time.

GIBSON Good morning.

STERLING KAVITKY Good morning. My name is Sterling Kavitzky. I'm the Vice-President of the Tierra Linda Board of Directors. We represent the largest subdivision in the area, 905 homes. We haven't -

GIBSON Will you spell your last name for us?

KAVITKY Absolutely, it's K-A-V, as in Victor, I-T, as in Tom, K-Y, like Kilo Yankee. As mentioned, I represent the Tierra Linda Board of Directors. I am the Vice-President. We have 905 homes in our subdivision. We are the largest subdivision in that area.

And we had a meeting to discuss this very topic on September the 28th where myself and the other Board members vehemently opposed this zoning change. We have not seen a traffic study. And as Michael just mentioned, that was something that at the Town Hall they said was going to be conducted by today. So, we have yet to see that come to life.

Additionally, with the reduction of throat depths, we believe that this will put our community members as well as children at risk. My wife and I walk through our community and walk by this location every single day, and with the increase in traffic and increase in buses, we see all kinds of other people walking every single day and we think that it'll put ourselves and those people at risk. So, we believe that this is not the right location.

Additionally, there is an extra, or not extra. I apologize. Additionally, there is a separate piece of land in Inspirada area that has been considered for this project. However, it hasn't even come to light as to building there, and it's much more suitable, from my understanding, for this project. So again, on behalf of myself, the Tierra Linda Board of Directors and the vast majority of homeowners in our area, I oppose this zoning change. Thank you very much.

GIBSON Thank you.

KOPPEL Martin Koppel, K-O-P-P-E-L. And these are my neighbors. In fact, they left a handout on the lamp in front of my house. And it comes to me that it's in the wrong place, and it could easily, easily be put in the right place. If they would put this on Las Vegas Boulevard on the other side of the M Casino where there are just businesses and a lot of empty land, if they would put it there, they would not have this traffic problem and it would be much easier to get to. And I think this something that ought to be considered before you okay this thing. Thank you.

GIBSON Good morning.

KEVIN PAULSEN Good morning. I'm Kevin Paulsen, P-A-U-L-S-E-N. My address is 196 Ned Lagrotta Avenue, and I am the President of the Indigo Ridge Homeowners Association. Our community is situated on the west side of the property for the proposed school. We are a community of 66 families. As you know, there's already a high school less than a mile away from us and, of course, there is the elementary school, which is a half

PAULSEN

mile away from us.

Our HOA maintains three private streets that run between Giles pie and Rancho Destino. This project will probably pose a significant expense to our homeowners. The congestion caused by school-related drop-offs and pickups will strain the association's roads and affect our access to parking on our own streets, not to mention the children who play there. We suspect that students and their parents will try to use our self-maintained streets for shortcuts to school property and will park their cars on our streets. Such activities will decrease safety, increase wear on the pavement, and impact the upkeep of those streets with our families in the community bearing those cost.

And let me state that I am for this kind of school. I just think it's an undersized lot. And even in their presentations, they said that they had to reduce the size of the athletic courts outside, because of the size of the lot. So, they already know this is too small of a lot. Thank you.

GIBSON

Thank you. Good morning.

ELISHA HARSMA

Good morning. My name is Elisha Harsma. I live at 274 Maddelena Drive, Las Vegas, Nevada, 89139. The proposal to construct a 238,000 square-foot high school on 19.7 acres is not beneficial for the existing residence of the immediate and surrounding neighborhoods. The proposed magnet school with a projected enrollment of 1,800 students is based on an application and lottery process that does not guarantee the students residing in our area can or will attend as the CCSD justification states.

CCSD stated at the Enterprise Town Board meeting on September 13th that the selected students will be bused in from other areas of town or districts. Again, not benefiting the students that reside in this area. CCSD is asking for 100% reductions to throat depths at three of the four streets that directly side the proposed school, reducing the safe entrance and exit from the property to the surrounding public streets.

Furthermore, asking for reductions in driveway departure distances up to 86%. These standards are in place for public safety and CCSD is willing to risk the safety of its students, its faculty, the residents in the area, members of the surrounding neighborhoods that utilize these roads to access the I-15 freeway and the lives of kindergarten children that are onsite as part of the curriculum for career learning.

Having a kindergarten on premise at this site amplifies the need for additional safety, not a massive reduction. As if 1,800 students plus faculty, plus parent pickup, drop-off, plus 17-plus school buses is not enough, the plan also illustrates a location for future portable classrooms to add even more overcrowding to this modest to 19.7 acres parcel.

CCSD's justifications states, and I quote, "The applicant also indicates that the site was redesigned to incorporate detached sidewalks, which reduces the available area for parking while maintaining required program and capacity metrics. It is anticipated that most students will be bused or dropped off, where the proposed reduced parking will not have an adverse effect on the operation of the school," end



HARSMA quote. I ask you, what about the adverse effect on the residents and/or our neighborhood with yet another short fall for this proposed project? Our once quiet streets will be inundated with traffic. I oppose the waiver of development standards for ZC-23-0519 due to the significant and obvious safety issues presented today and for the best interests of the residents in our area of District A.

GIBSON Thank you.

A. HARSMA Thank you for your time.

JOSE F. ARGUELLO Good morning, Board.

GIBSON Good morning.

ARGUELLO My name is Jose, middle initial is F, last name is Arguello, A-R-G-U-E-L-L-O. I live at 230 Seven Valleys Court, Las Vegas, Nevada, which is one street south of this monstrosity.

Let me start by saying that I agree. You know, schools are needed every single day, no doubt. But I don't think you would like, as the Board, to have something like this built in the middle of your neighborhood.

Secondly, I'm a 34-year retired police deputy sheriff. I have worked close with School District, police district before in another state. I did a little research. What I'm addressing here is not only the traffic problem that this is gonna create. It is gonna increase the traffic in our neighborhoods, specifically the areas surrounding the school.

The other thing I wanna address is the crime element. I just did a little, like I said, a little survey, a little - and I saw that Clark County School District Police had over 5,000 calls for service last school year. Half of those were violent crimes. So, are we gonna get more school police, more teachers? And that's my concern is not anything else. I'm not about the views, I'm not anything like that the concern of the citizens that live or the residents that live in that area.

I don't think that's been taken in consideration. I mean, agree, you know? Children need schools, no doubt. But I think, like somebody stated, there's hundreds of acres along Las Vegas Boulevard, south of the M Resort. The South Academy is within Clark County. That's all. Thank you.

GIBSON Thank you. Morning.

HARSMA Good morning, Commissioners. As per the proposed site plan, there are only -

GIBSON Would you tell, tell us who you are?

HARSMA Oh, my name is John Harsma. I live at 274 Maddelena Avenue.

GIBSON Spell your last name for us, if you would.

HARSMA H-A-R-S-M-A.

GIBSON Thank you.

HARSMA Thank you. As per the proposed site plan, there are only 17 bus parking stalls. Sorry, I'm a little nervous.

GIBSON That's alright.

HARSMA These 17 buses would be able to transport approximately 850 students. However, the school is being developed to accommodate a total of 1,800 students and staff. This leaves us a substantial number of students needing alternative transportation methods. And also, to add on that, the buses, when they come out of the stalls, they'll be turning on to Neal Avenue and to oncoming traffic. It's a two-lane road there.

The road surrounding the school, particularly Giles pie, will bear the brunt of the increased traffic. Giles pie, as indicated on the proposed site plan, is slated to be a major thoroughfare for student pickup and drop-off. However, it's important to note that Giles pie has posted No Parking signs from Starr all the way to Neal Avenue on the other side, because it's private parking. It's private street (unintelligible) side. So the restriction will likely force parents to wait for their children in front of residential homes leading to an inundation of our streets with parked vehicles. This isn't a speculative concern. We have video and photographic evidence that supports this scenario at their other locations. With an influx of traffic from parent drop-off and pickup, pedestrian crossing, and a new stop light, Giles pie will likely come to a standstill during the morning hours. In the afternoon, the neighborhood west of Giles pie will come a parking lot.

This situation is not in alignment with the Master Plan Title 30, specifically Item 5, which emphasizes the importance of minimizing negative as - impacts on the traffic conditions. And so now that they've stated they'd eliminate all the windows on the east and the south side facing the homes, now we have to look at a 70-foot block wall. We also would probably need to address the teacher shortage and the teacher pay before we build any type of new schools. Thank you.

GIBSON Thank you. Morning.

ROSEMARY STANDAERT Good morning. My name is Rosemary Standaert, S-T-A-N-D-A-E-R-T. I live at 274 Maddelena Avenue in Las Vegas, which is a half a block southeast of the proposed South Career and Technical Academy magnet school site.

I am not in favor of construction of a magnet high school on a 19-acre parcel bordering Starr, Giles pie, La Cienega, and Neal Avenues. My primary concern is the safety of children walking or riding their bikes to and from existing schools and additional traffic created by the proposed project, which is expected to bring 1,800 additional children plus staff, vendors, and visitors to the area from all parts of Las Vegas.

Presently, there are three schools within a five-block radius to the site, being The Goddard School, which is a daycare and preschool located across the street from the proposed magnet school's parking lot; Steve Schorr Elementary, which is located one block east to the proposed school; Liberty High School, which is four and a half blocks to the northeast of the school site. A number of children from the elementary

STANDAERT

and high schools currently walk or ride their bikes to and from school along the roadways that border the proposed magnet school. The balance of students are dropped off on neighboring streets by their families or bused to their respective school sites.

It's a complete nightmare to drive pass Liberty High School when groups of students are crossing Bermuda, seeking out their rides home that are parked along the busy streets. Currently, Starr Avenue is overwhelmed by the convoy of Amazon and FedEx delivery trucks, as well as commercial semi-trucks entering and exiting their warehouses on Saint Rose or as a direct cut through to the I-15.

Additional traffic entering their proposed parking lot from Starr and exiting the parking lot onto Starr will create a serious traffic gridlock, interrupting traffic flow on Starr. Installing a traffic signal at Starr and Giles pie will not resolve this issue. The planned 17 buses will provide transportation for only 50% of the students at the completed capacity. The remainder of the students, approximately 984, will have to drive or be individually dropped off to attend the school since the majority of students will be coming from outside of the immediate area and will be unable to walk to school.

So, my suggestion that the magnet high school be developed on a larger lot between Las Vegas Boulevard and Interstate 15, which will be more appropriate than dumping it in the middle of a multiple congested, established residential subdivisions. That way, a future expansion at school as necessary will have the room to make those improvements without disturbing the lifestyles or safety of the residents in the surrounding homes. A common sense regarding the safety of our children and families in the development of this site must be an absolute priority. Thank you.

GIBSON

Thank you. Morning.

NICHOLAS PRIEST

Good morning. Thank you, Council for hearing us today.

GIBSON

Please speak as directly into that microphone as you can. You can move it to where it'll fit you.

PRIEST

Alright. So, my name is Nicholas Priest, P-R-I-E-S-T. Once again, I like to thank you guys for hearing us on this issue today. I do oppose the building of this magnet school. I'm actually a new homeowner in that area and I will say selfishly that view looks right over that plot of land and those mountains. And this will be the largest building in the area. You'll probably be able to see it from blocks away and it will interrupt the natural community as we have it now.

When I moved there that plot of land actually still, if you go to BLM, is slated for - or it was slated for single-family homes. They had just rezoned it, but when I purchased there was no mention or any inkling that there was going to be a school there until we started to get information about this. We had to dig and found out this is actually been in the works for quite a long time. So, I don't know if it's my due diligence that I couldn't find it, but I'm willing to state that a lot of people didn't know that this was happening and how forthcoming this deal between CCSD and the Bureau of Land Management was.

PRIEST

We have yet to see an impact study on the surrounding area. When I did move there, I realized, "Schorr is right around the corner from me." I bought into that. I did not buy into this school being here adding additional traffic in the area. Now, my experience living there has been - there's actually not just a pickup and drop-off, you know, half-hour period. It typically runs over an hour before people are showing up, an hour after people are still leaving. So, if we want to overlay the new school and Schorr being there already, there are gonna be times when there are double traffic. Not to mention - I believe there's been a report that CCSD has talked about changing the start times to their high schools. So, that could also impact. That's something else they didn't mention that I think should be brought to light.

The sports programs they're stating that the sports programs are not going to be initialized for this school, but their sisters' schools have brought these programs on. So, they might not be planned for it right now, but I can expect to see that in the future. And I really want everybody to consider that what is before you is gonna impact us for a very long time, and things may change down the road and we're gonna have to deal with it. We would appreciate your help stopping that. Thank you.

GIBSON

Thank you. Good morning.

MARCILLA GRANDQUIST

Good morning. My name is Marcilla Granquist. G-R-A-N-D-Q-U-I-S-T. I live at 278 East Neal Street. And I am a retired federal-level ship inspector, marine casualty investigator, and I hold a master's in industrial administration, so I understand this trade school. And I know it is desperately needed, but not in this neighborhood. I speak for my family now. The Grandquist-Waller-Smith family one house over from this plot strongly opposes establishing a trade school inside our neighborhood. Trade schools contain hazardous materials, like welding gases in machinery, oils, and cleaners, just to name a few.

This community is filled with multi-generation families that have children of all ages. Their safety is our absolute priority. Not only does this school contain HazMat, but trade schools require a delivery of those materials. This will increase our homeowner's insurance policies and decrease our neighborhood safety. Are you going to pay the difference each year? We will be. Most families these days budget their lives. The property value of our homes will decrease along with community taxes, which will impact the entire state.

Also, asking to waive all standards for traffic and development as designed will greatly increase traffic issues and safety in our neighborhood. You've already heard a number of specifics, but standards are designed for safety reasons. And waiving a plethora of them for this trade school shows that safety is not a priority. Adding 500 or just hundreds of parking spaces and 17 buses to our current traffic, plus HazMat delivery trucks on our narrow neighborhood streets, will cause chaos with our current neighborhood, elementary school, private school, and high school traffic. Will there be increased crosswalks? Slow Down signs on every corner? Stoplights on every block? This will only cause students to be late, parents to be late to work, and increased risk of all kinds of accidents. The proposal keeps reiterating that this is for our neighborhood, for our community, but what effect is it gonna have on our community? Wouldn't a park or a community center for families to spend time together be more useful or a workout park station to promote healthier outdoor lifestyles? The only ones that truly benefit from this trade school proposal on this

GRANDQUIST plot is the school itself, the kids that do not live in our neighborhood, and anyone receiving incentives to approve this.

GIBSON Thank you.

GRANDQUIST Thank you.

GIBSON Is there anyone else who wishes to comment on Item 19? There being no one, the public hearing is closed. Commissioner Naft?

NAFT Thank you, Chairman. If I could ask the School District to come up and respond to some of the questions that were raised.

CHRIS DINGELL Here, grab that. For the record - for the record, I don't -

NAFT You're good.

DINGELL Oh, I'm good? Okay. Chris Dingell with the Clark County School District. The one thing I'd like to go over, and I want Public Works to be able to chime in. I don't mean to put you on the spot over there, but the waivers were brought up. A lot of the waivers as far as departure distance and things like that. The school has been redesigned. The driveway on Starr was eliminated. That means two of the waivers that were originally applied for are gone. The driveways here off of Giles pie and La Cienega, we have extended the median here so there's no longer the need for waivers for departure distance and throat depth, because we meet the current standards. What the waivers are for are for these four driveways here, which are the bus parking and the parent drop-off. And one of the things that was brought was the buses coming out. Well, this is gonna be right turn only. We have learned over the years, you know, buses are better when they turn right, and that's what we're planning on right now. We can control that because they're our buses. The plan is to have them come in here, park, depart here, and then make a right turn only. They're not gonna be making lefts into the traffic right there.

Some of the other things that were brought up were Las Vegas Boulevard. Why don't we go there? It's cost prohibitive. That's also the Las Vegas gaming corridor. A school would be incompatible in the gaming corridor. The fields. The way it works at Career and Technical Academies are they don't offer varsity sports, junior varsity sports like that. They don't play other schools, and so that's the way they're set up. That's not to say that students can't choose to participate if they want to, but what they do is they have to go to the school that they're zoned for, and those schools are set up a comprehensive school that they're zoned for. And if they wanna play sports in a varsity, junior varsity, freshmen level, they can go do that. These fields are truly only for P.E. We don't have room for a football field or anything like that.

Let's see. So, I just - if we could get staff maybe to help us clarify which waivers are still needed and which ones aren't, and then -

NAFT Yeah. Sure. So, I well I guess I would say just to take a step backward, I think, Chris, what you're getting at is after working with us, it's been clear that some of these waivers are needed because of my desire not to see any access in Public Works - desire not to see any access off of Starr. I think, especially to Mister Pride's point

NAFT about traffic safety, Starr, just so everybody knows, Starr is in the process of being redesigned. It's going to be a two-lane road with a dedicated protected bicycle lane and a detached sidewalk. Those are all best safety practice measures. And because of that protected bike lane that the County has planned for Starr, we didn't wanna see that interrupted for two ingress and egress onto the property. Antonio, is that - you wanna expand on that?

ANTONIO PAPAZIAN Thank you, Commissioner. That's absolutely correct. I would like to add, they are getting - because of the redesign of the driveways off of Starr, they don't need three of the waivers. So, Waiver Standard Number 1B, which was the reduce the throat depth to zero feet along Starr is no longer required. Waiver Standards Number 1D, reduce departure distance to Starr to 119 feet, is no longer needed. And Waiver Standard Number 1F, reduce approach distance to Starr to 116 feet is no longer needed as well.

NAFT Thank you. And I think that's probably a good segue way into actually understanding What we're being asked to vote for or vote against are these waivers of development standards now, only leaving three, only related to the bus stop and the pickup/drop-off for the school.

Because of the nature of the land use, the public facility, we don't get to dictate the height on that. So, you'll notice that's not one of the waivers they're asking for. They're entitled to do what they want because it's a public facility. And trust me, I have had a lot of issue with this and frustration with it. And other waivers like the parking requirements, you don't see a waiver for it because it's not in our purview.

I do have a couple pretty significant issues, though, that were raised today that I need a really good understanding of if I'm gonna move to advance this in. That is, why did your engineer go to a Town Board meeting and promised to do a traffic study that they haven't done? Was that - that's how I understand it to be.

MCLAUGHLIN I'd have to look through the minutes. I don't recall us committing to that, but at the - where we're at in the Public Works process and one of the conditions of approval is the traffic study and we fully anticipate to comply with that. I don't -

NAFT But what you did and it was Lochsa and I know this for a fact they were there and they did commit to providing that traffic study at today's meeting. So, that makes it really difficult for people to have good faith in what you're doing if that was committed to and not done.

The other issue is our Planning Department doesn't have this on file. When was this revised plan submitted and to who?

MCLAUGHLIN I believe it was submitted to Lorna, the assigned planner Tuesday morning.

NAFT (unintelligible)

MCLAUGHLIN Yesterday.

NAFT Yeah, yesterday. So, it really hasn't - go ahead, Miss Real.

REAL I was gonna say trying to confirm with the planner, but as of yesterday I haven't heard yet.

NAFT It's not on the file.

REAL But if we have them on the file, then that's fine. Or if we, if they've been passed to the planner, then that's good.

NAFT Okay. The other significant issue that I have is the intersection of Starr and Giles pie and my belief that a signal will be needed there. And I would condition this application to have a 50% contribution from the School District for that signal and I would also want that signal to be operational before the school opens. Now, that's kind of complicated territory, so I'm gonna ask Mister Warhola to chime in on whether that's in my purview.

ROBERT WARHOLA Yes, it is. And I believe that the contribution should be made at the - either the grading permit or the building permit issuance for vertical construction. So that way, the contribution is made and there's time to actually install the signal.

NAFT Okay. And then you made - thank you. You made a lot of comparisons to other schools, but what I don't understand is those other schools seem to have a lot greater acreage. Am I looking up the wrong - am I looking at something wrong? You referenced Liberty. Liberty is on 45 acres; Sierra Vista is on 35 acres. The other next school is on 80 acres, is that right?

MCLAUGHLIN I don't know. We don't have any schools on 80 acres. With the - we might have control of 80 acres nearby -

NAFT Okay.

MCLAUGHLIN - adjacent schools, but our schools are pretty restricted to 40 acres on a comprehensive high school. So those are built for 2,700 to 3,000 students and include all of those varsity level athletics and activities on those sites. So, tennis courts, basketball courts, football fields, soccer fields, baseball fields, softball fields.

NAFT What about the population of the schools?

MCLAUGHLIN Of those schools on 40 acres?

NAFT Say, let's compare it to Liberty on 45 acres since that's in the neighborhood.

MCLAUGHLIN Yeah. So those, they have over 32, almost 3,300 students at a 40-acre site.

NAFT So that would be the - your rationale for why it's required twice the acreage?

MCLAUGHLIN Yeah. Yeah. I mean, it's really driven by the site amenities for those varsity and - varsity level athletics.

NAFT Okay. And then there were some good questions raised about the 17 bus stalls, how that has the capacity to move enough students the 463 parking stalls. Anything you wanna add or address?

MCLAUGHLIN                      Yeah. So CCSD transportation does have yield projections based on the transportation zone this school would have. And they ultimately arrived at this, and that bus population would be able to offer the number of trips that this school would need for this. A transportation zone may establish that if - so, how these schools are setup, they establish a zone. Those kids in those areas go to hotspots of schools in their neighborhoods, you know, and then bus to the school in some instances. But if you're outside of that transportation zone, you drive or have a parent take you. So ultimately, they, based on what their transportation zone and establishes what that 17-bus figure arrived at.

NAFT                                  Okay. And then the comments that were made about hazardous materials on the site, you wanna get into that?

MCLAUGHLIN                      Absolutely. That was one I wanted to cover. So, yes, some of these programs - welding does have hazardous materials, but these are high school age students. We do not have high enough concentrations that would classify this as a high hazardous industrial level facilities. So, it's comparable to many other high school offerings with welding and other specialty programs even in a comprehensive setting.

NAFT                                  Okay. And then there was a question raised about portables. What's that about?

MCLAUGHLIN                      So, our common practice is to project out where our portables could be. Obviously, we don't wanna open day one with portables on site. That's not the intention, but more often than not, we see influxes and reductions in students over the lifespan of these facilities. So, on all of our sites, we just designate that that there's an obstruction that say there are some when happens and an additional four classrooms are utilized. And that doesn't even necessarily mean additional students are on the campus; that could mean that we're reducing the number of students that are in each classroom in the buildings, then we need additional space to house the 1,800 in those portable classrooms. That's a curricular instruction determination, but it doesn't necessarily mean additional students are at the campus.

NAFT                                  Miss Real, is that part of the design?

REAL                                  I don't see that as part of the plans at this time, at least what has been presented.

NAFT                                  So sorry, so where is that?

WARHOLA                          Yeah, so on the zoning submission, it does indicate portables. And on this presentation level plan it's right where south courtyard is.

NAFT                                  Okay. So, I guess, Rob, is there, so I - so I wouldn't be inclined to let you expand any further. I think you're already pushing your luck on this site. Can I restrict that?

WARHOLA                          Yes, you can. It -

NAFT                                  Okay. So, restrict it to no additional space that's not part of the application. Or -

WARHOLA                          So, you wanna restrict the temporary structures or the number of students that can attend this campus?



NAFT Well, I think that's kind of a good point. I wouldn't want, I think I believe that 1,800 is already maxed out here, right? That's half as many at Liberty on a little less than half the acreage. Can I limit the capacity of the students?

WARHOLA Yes, to 1,800, no more than 1,800 students can -

NAFT So, in good faith, since that's what the applicant is indicating they're going to house there, we could limit the application that way.

WARHOLA Yes.

NAFT Okay. Mister Chairman, if I - maybe I could pause there if anybody else has any comments they wanted to add before I make a motion.

GIBSON Are there other questions or comments that other members of the Board have? I have just one question. You've told us about the population circumstances at surrounding high schools. But you've told us there are seats at the middle schools. What are you projecting coming into this high school? I guess because it's a school that recruits or allows students from all over, that standard doesn't really matter. You're gonna get people who are attracted to the offering that you have there. What do you imagine the first-year population as?

MCLAUGHLIN So, Gia would be able to get in the more particularities, but we're experiencing this on northeast CTA, so the first year they start out with 9th and 10th graders. That's approximately 600 to 700 students in year one. And then we build out the grade levels as it advances to the full four years. So, four years from now is when they would actually see 1,800 students at this campus.

GIBSON The full school is directed and -

MCLAUGHLIN Correct.

GIBSON Okay. I don't have anything.

KIRKPATRICK Mister Chairman, may I ask a question? So, in North Las Vegas, we just opened the new school that Commissioner McCurdy and I - and so we have about 700 kids I think that are there.

MCLAUGHLIN Right. Yep.

KIRKPATRICK What is the project, and so for me, I feel a little conflicted because in North Las Vegas they turned down the career and tech school and we waited 20 years to get one. So, I know the consequences of what happens. But they also, what we see, or at least in the northwest part of the Valley, is a lot more kids are staying in their neighborhood and having the opportunity to go to these, and we're not seeing near as many buses. But what concerns me is the middle school numbers because if the middle school numbers are low today, and the District, in all fairness, is not good at projections, right? Because the number is 2.5 - I mean, but you can control it at the - at magnet schools, which we can't control at the regular schools. So, right?

MCLAUGHLIN Yeah.

KIRKPATRICK So, what is the projected build out for like the first school year? I'm assuming it's 2027 or something down the road. And what is the growth around that area?

MCLAUGHLIN So, like I mentioned, in the area of the two-mile radius of this, we've already seen a 5% increase in available student population within that two-mile radius just since last year. We'd have to follow up with you of what that projection is as of this moment from - for the next couple years. But a little more pipeline, and to Mister Gibson's question, this thing is anticipated, upon approval today, would be operational by school year '25-'26, so summer of '25 this would open. And year one you'd see 700 students and then on upwards to 1,800 over the four years preceding that.

KIRKPATRICK So, let me ask this. In a three-mile radius, well, maybe five-mile radius 'cause that's probably where your two middle schools are.

MCLAUGHLIN Yep.

KIRKPATRICK 'Cause I know your elementaries are pretty crowded, so that means your middle school numbers are gonna change. What is the current - what do you see for kids around there? So, what are your 7th grade numbers? Because those would be your first students in there. So -

MCLAUGHLIN I'd have to follow up with what that figure is, but we can certainly do that.

KIRKPATRICK But, well, I just think that it's important, right?

MCLAUGHLIN Yeah.

KIRKPATRICK For the residents, because here's what I would say is, we want all kids to have opportunity to the exposure in Northwest Career and Tech. When that started, we had kids from all over the Valley -

MCLAUGHLIN Oh, yeah.

KIRKPATRICK come there. And so, I thought that the goal of the School District was to build them, because it wasn't fair, right? Not every kid had the same opportunity, was to start building these opportunities closer in the neighborhood.

MCLAUGHLIN Right.

KIRKPATRICK Which I thought that we were trying to get to. So, but I think it's important. Middle school numbers may be low today because of the way that the ebbs and flows, but the elementary numbers out there are pretty high, so you must have an idea, but if you limit the amount of students, you can control that and you can control that the local kids get those opportunities first.

MCLAUGHLIN Yeah. I would say the - the middle schools and elementaries because we have a deficiency of students in middle school seats, that's not indicative of the population coming up, it's really actually a symptom of an overabundance of seats available. So, yes, we're experiencing overcrowding at the elementaries. We will see it actually right size into the middle schools, and then when we get into the high schools, with this kind of - schools like this included coming online over the next couple years,

MCLAUGHLIN we'll start to see again a stabilization at the high school level as well. So really, it's making the full picture at a - as close to 100% utilization across all of our facilities, is the goal.

NAFT Thank you. So, you, I think the point is we obviously have a strong desire to see kids in that neighborhood get to benefit from that school.

MCLAUGHLIN Absolutely.

NAFT And that's what you're trying to achieve with the 25% preferential acceptance.

MCLAUGHLIN Absolutely. Yep.

NAFT Okay. Alright. If there are no questions further, I'm prepared to make a motion. I'm gonna try and go over this in detail and recognizing that my motions are regarding pretty well what's in front of us only will be, the motion for approval will require a maximum capacity of 1,800 students, no portables or additional structures, a 90-day review of the traffic plan after commencement of school. Meaning that'll be a 90-day review where individuals in the neighborhood will be asked for input on how the traffic flow is going and the School District will be accountable for things like ensuring that you're not backing up onto public right-of-way. Did you wanna -

MCLAUGHLIN No.

NAFT Okay. We will, at the School District's expense, post "No Parking" signs around the perimeter of the school. Again, making sure that you're being compliant in controlling the traffic on your own property. Antonio, the traffic study, when is that typically? Aside from the commitment that was made when is that typically supposed to be accepted?

PAPAZIAN They could submit it at any time. We typically review it after entitlements, just in case we change something, you change something as the Board – so that traffic study reflects that change. We will review it as the entitlements are approved, any traffic study.

NAFT Okay. Did you have a condition that needs to be deleted?

PAPAZIAN Thank you, Commissioner. I would like to, because of the redesign and the removal of the driveways on Starr, we had a condition I'd like to delete that says, "Coordinate with Public Works Development Review for driveway access on Starr Avenue." Since they don't have that access, we don't need that condition.

NAFT Thank you.

PAPAZIAN Thank you.

NAFT And then continuing along my conditions there'd be the 50% contribution towards the signal at Gillespie and Starr. To be paid, Rob -

WARHOLA Prior to building permit issuance.

NAFT Prior to building permit issuance. Yes, sir.

MCLAUGHLIN If I can clarify; CCSD has their own building and on-site agency, so we don't pull permits from Clark County Building and Permits. So, simply if I can have that reworded at another amicable point where we're gonna have the ability to condition that.

NAFT What's an appropriate place to tie it to, Antonio?

PAPAZIAN Typically, Commissioner we get the contribution prior to civil permit. He'll have to show us the traffic signal on the civil plans, so when they submit the civil plans, that traffic signal should be included, and the contribution should be included as well.

NAFT Does that make sense?

MCLAUGHLIN Yeah. An offsite permit. Perfect.

NAFT Correct. And then approval would be per revised plans on 10/3. And that would be for waiver of development standards 1A, C and E with the deletion of 1B, 1D and 1F. Have I missed anybody? No. We're good. Yep, Rob?

WARHOLA Did you want the traffic signal to be installed and operational at a certain point?

NAFT Prior to the school opening. And I don't know who we're compelling to do that, other than ourselves, but I don't want the school to open without a traffic signal there.

WARHOLA Okay.

MCLAUGHLIN Yes, sir.

NAFT Alright. That's my motion for Item 19.

GIBSON There is a motion for approval. We've heard considerable detail about the aspects of that motion. If there are any questions, now's the time. Otherwise, please cast your votes. The motion carries.

GIBSON Thank you.

MCLAUGHLIN Thank you, Commissioners.

**ACTION:** It was moved by Commissioner Michael Naft, and carried by unanimous vote, that the application 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 dated October 3, 2023;
- Maximum capacity of 1,800 students;
- No portable classrooms or additional structures.
- 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; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the waiver of development standards and design reviews must commence within 2 years of approval date or they will expire.

#### Public Works - Development Review

- Review of the traffic plan 90 days after commencement of the school;
- Applicant to post “No Parking” signs along the perimeter of the school;
- Applicant to contribute 50% of the cost of a traffic signal at Gilespie Street and Starr Avenue to be paid prior to issuance of an off-site permit;
- Traffic signal to be installed and operational prior to commencement of school;
- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- 30 days to coordinate with Public Works - Design Division for the Starr Avenue improvement project.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0266-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Waiver of Development Standards #1B, #1D, and #1F were withdrawn.

#### **ITEM NO. 20 ZC-23-0531-BOULDER CAPITAL MANAGEMENT, LLC:**

ZONE CHANGE to reclassify 0.5 acres from an H-2 (General Highway Frontage) Zone to a C-2 (General Commercial) Zone.

WAIVER OF DEVELOPMENT STANDARDS for reduced landscaping.

DESIGN REVIEWS for the following: 1) restaurant; and 2) outside dining and drinking. Generally located on the northwest corner of Boulder Highway and Glen Avenue within Winchester and Sunrise Manor (description on file).

TS/bb/syp (For possible action)

#### **ACTION:**

It was moved by Commissioner Tick Segerblom, 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;
- 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 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; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the waiver of development standards and design reviews must commence within 2 years of approval date or they will expire.

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 #0184-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**ITEM NO. 21** ZC-23-0548-LV BARBARA, LLC:

ZONE CHANGE to reclassify 9.0 acres from an H-2 (General Highway Frontage) Zone and an R-E (Rural Estates Residential) Zone to an H-1 (Limited Resort and Apartment) Zone. USE PERMIT for a multiple family residential development.

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

DESIGN REVIEWS for the following: 1) a multiple family residential development; 2) alternative parking lot landscaping; and 3) finished grade. Generally located on the northwest corner of Las Vegas Boulevard South and Barbara Lane (alignment) within Enterprise (description on file). MN/al/syp (For possible action)

**ACTION:** Deleted from the agenda (held to October 18, 2023 per the applicant).

**ITEM NO. 22** ZC-23-0550-LV BARBARA, LLC:

ZONE CHANGE to reclassify 9.3 acres from an H-2 (General Highway Frontage) Zone and an R-E (Rural Estates Residential) Zone to an H-1 (Limited Resort and Apartment) Zone.

USE PERMIT for a multiple family residential development.

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

DESIGN REVIEWS for the following: 1) a multiple family residential development; 2) alternative parking lot landscaping; and 3) finished grade. Generally located on the southwest corner of Las Vegas Boulevard South and Barbara Lane (alignment) within Enterprise (description on file). MN/al/syp (For possible action)

**ACTION:** Deleted from the agenda (held to October 18, 2023 per the applicant).

**ITEM NO. 23** VS-23-0551-LV BARBARA, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Barbara Lane (alignment) and Desert Palm Drive (alignment), and between Parvin Street (alignment) and Las Vegas Boulevard South; and portions of rights-of-way being Barbara Lane located between Las Vegas Boulevard South and Parvin Street (alignment), and Gabriel Street located between Barbara Lane (alignment) and Desert Palm Drive (alignment) within Enterprise (description on file). MN/al/syp (For possible action)

**ACTION:** Deleted from the agenda (held to October 18, 2023 per the applicant).

**ITEM NO. 24** ORD-23-900339: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Mak Zak LLC (a Nevada Limited Liability Company), Khusrow Roohani Family Trust, Jones Ford Lindell LLC (a Nevada Limited Liability Company), and ZSKSMAZ Township Family Trust for a single-family residential development on 16.9 acres, generally located north of Silverado Ranch Boulevard and east of Arville Street within Enterprise. JJ/jm (For possible action)

**ACTION:** It was moved by Commissioner Tick Segerblom, and carried by unanimous vote, that the recommendation (including the adoption of Ordinance No. 5074) be approved.

**ITEM NO. 25** ORD-23-900409: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Cactus Commons LLC for a commercial development on 0.6 acres, generally located south of Cactus Avenue and west of Dean Martin Drive within Enterprise. JJ/jm (For possible action)

**ACTION:** It was moved by Commissioner Tick Segerblom, and carried by unanimous vote, that the recommendation (including the adoption of Ordinance No. 5075) be approved.

**ITEM NO. 26** ORD-23-900424: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Ft. Apache Dev LLC for a commercial center on 1.0 acre, generally located north of Huntington Cove Parkway and west of Fort Apache Road within Enterprise. JJ/jm (For possible action)

**ACTION:** It was moved by Commissioner Tick Segerblom, and carried by unanimous vote, that the recommendation (including the adoption of Ordinance No. 5076) be approved.

**ITEM NO. 27** UC-23-0540-GOMER ROAD 6670, LLC:

USE PERMIT to allow a cannabis establishment (cultivation) in conjunction with an existing office/warehouse building. WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate street landscaping and detached sidewalk; 2) security fence setback; 3) full off-site improvements; 4) unscreened mechanical equipment; and 5) access gate setback.

DESIGN REVIEW for cannabis establishment (cultivation) on 2.7 acres in an M-1 (Light Manufacturing) Zone. Generally located on the north side of Gomer Road, 775 feet east of Redwood Street within Enterprise. JJ/bb/syp (For possible action)

**REAL** Commissioners, next is Item 27, UC-23-0540, use permit to allow cannabis establishment cultivation in conjunction with an existing office warehouse building. Waivers of development standards for the following, eliminate street landscaping and detach sidewalk, security fence setback, full off-site improvements, unscreened mechanical equipment, and access gate setback. Design review for cannabis establishment cultivation on 2.7 acres in an M1 Light Manufacturing Zone, generally located on the north side of Gomer Road, 775 east of Redwood Street within Enterprise.

**GIBSON** Good morning.

**ADAM FULTON** Good morning. Chairman, Commissioners, we appreciate you having us here today. My name is Adam Fulton, I'm with the law firm of Jennings and Fulton. My address is 2580 Sorrel Street, Las Vegas, Nevada, 89146. I'm counsel of record for Gomer Road 6670 LLC and The Cure Company, who have a Nevada cannabis cultivation license. We are requesting approval of a special use permit for cannabis cultivation in an M1 Zone with additional requests for waivers as identified in the agenda item and staff report. We would like to thank staff for working with us through this matter and the recommendation for approval of the special use permit itself. At this time, we are requesting the Commission's approval for both the SUP and the waivers.

The landowner and licensee have common ownership. We are excited to have the

FULTON

Cure Company join us here in the Nevada in the cannabis industry. We have many different cannabis clients. And the Cure Company, I can tell you, I've been impressed by their processes, procedures and their reputation throughout the country as an operator of a high-end cannabis company.

The company has been recognized in Forbes as one of the leading cannabis companies in the United States. They currently operate, its cultivation, production and cannabis dispensaries in California, Florida and Massachusetts, and employs approximately 600 people around the country, and we're excited to have additional employment opportunities here in Nevada for this high-end branded company.

I have brought with me today, Paul Thiscano, who is the owner's representative. John Jannotta is our architect, and Mike Swift is our architectural project manager to answer any questions that you may have.

The project is located at 6670 Gomer Road. It is a proposed 40,840 square foot cultivation facility. The Cure anticipates it will employ approximately 20 employees with two security guards, and the security guards will be there 24/7 at all times.

At this time, we are requesting a waiver of the development standards. With regards to the landscaping requirements, my client would like to contribute \$915 to the tree fund for every tree that would've been required for the landscaping. Due to the location of the facility, we believe the money will better be used to support the community in Clark County if the funding is used elsewhere for other - some more applications. We're here to answer any questions you may have and request that you approve the application. Thank you.

GIBSON

Does that complete your presentation?

FULTON

It does.

GIBSON

This is a public hearing. Is there anyone here who wishes to speak on Item 27? Please come forward. Please give us your name, spell your last name, and please keep your comments to three minutes.

THOMAS TRENHOLM

Yes. My name is Thomas Trenholm, T-R-E-N-H-O-L-M. I am the property directly south of this property. We came in to develop the property about two years ago and it's on Gomer Road. We were required to put in a curb and offset cul-de-sac because we - the Gomer Road is only 60 feet, so we had to put 85 foot in there for offset cul-de-sac onto our property. We also were required to put a commercial approach in a recess driveway full street improvements, extending the water line to put in landscaping that was required. Now, to go to this point, that area out there is this developed that way, but Mister Jones, has made a policy in the past years to try to improve the area by requesting and requiring improvements to be made. It's really unfair for somebody to come in, their address is on Gomer Road, and I don't even see an access from Gomer Road. If you're gonna improve an area, let's improve it.

GIBSON

Thank you. Is there anyone else who wishes to speak on Item 27? There being no one, the public hearing is closed. Commissioner Jones?

JUSTIN JONES

Thank you, Mister Chair. Mister Papazian, can you comment on the last speaker?



PAPAZIAN Thank you, Commissioner. The reason they were required to put an approach or a driveway to their parcel is because they were taking access off of the road. This application does not have access off of that road, therefore not required to construct an approach or a driveway.

JONES Okay. And Mister Fulton, just to clarify, this is kind of a funky entrance into the parcel, so if you can just clarify on the map where exactly the entrance is.

FULTON Correct. And the entrance is up off of Arden Road. That is correct, it's to the north of the property.

JONES Okay, and there's no, there's only the single entrance there and no entrance or exit onto Gomer?

FULTON Correct. The staff has recommended and we're okay with providing a closed gate but fire access in the event the Fire Department needs it off of Gomer, but the only access point that would be used for employees, for anyone coming or entering, would be off Arden Road.

TRENHOLM Which is Arden?

JONES Very good. I appreciate working with Public Works to try and understand this and certainly with regards to the tree fund, appreciate, you know, we're not waiving the requirements for landscaping very often, but the reason why we set up the tree fund, or are in the process of setting up the tree fund, is for projects like this where they're in end of the road industrial areas and it just doesn't really make sense to put in a lot of landscaping in those types of areas. So, I appreciate the fact that you're doing what you can in order to be good neighbors. And I will just note that there's irony in the fact that there were dozens of people here today opposing a school and only one person who showed up in opposition to this cultivation facility. So, with that, I will go ahead and move for, sorry, Antonio?

PAPAZIAN Thank you, Commissioner. If I can delete Bullet Number 2 under Public Works that says, "Execute a restrictive covenant agreement." It's not needed.

JONES Okay. Very good. Then I'll go ahead and move for approval of Agenda Item Number 27. With the if approved staff conditions, less the one stated by Mister Papazian and with the commitment to pay \$915 per tree that would otherwise be required.

FULTON Thank you.

GIBSON We have a motion. I have a question, just one question. The crash gate, so-called that looks like it's on the south side there. Is there anything that typically we have done to enable our fire equipment for instance, if necessary to transition from the roadway to the gate and then onto the property? Have we required anything like an approach? You know, is that something that we have required in the past? And if not, what is it - what are the conditions here that make it not necessary?

PAPAZIAN Commissioner, we make them work with Fire and Fire approved this application as is and as shown.

GIBSON Okay.

PAPAZIAN So that, that's more of a Fire question. So, if Fire is good with what they have shown, and in this instance, they were, then Public Works is okay with it.

GIBSON Alright. Then there's a motion on the floor. Please cast your votes. And the motion carries. Thank you.

FULTON Thank you very much.

**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 to pay \$915 per required tree towards the tree fund for waived street and parking lot trees;
- A valid Clark County business license must be issued for this cannabis establishment (cultivation facility) within 2 years of approval or the application will expire;
- Security wire located on the property line must be slanted inward or above the security fence, and not project into the right-of-way;
- To prevent odor nuisances, an odor control plan must be submitted to the Clark County Business License Department;
- Provide an emergency access at Gomer Road with a gate to remain closed during business hours, and only used for emergency access;
- If no access is provided from Gomer Road, the owner shall obtain a change of address prior to the issuance of a certificate of occupancy;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that address will be reassigned, this application is contingent upon obtaining a license from the State of Nevada and Clark County Business License Department; failure to abide by and faithfully comply with the conditions of approval, Clark County Code, and the provisions of the Nevada Revised Statutes or Nevada Administrative Code may result in revocation of this application; 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**

- Drainage study and compliance;
- Applicant to pay a contribution for local roadway, drainage, or trail related improvements in District F in lieu of constructing full off-site improvements, as determined by Public Works.
- Applicant is advised that off-site improvement permits may be required.

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

- Applicant is advised that the property appears to have an existing septic system; and to contact the Southern Nevada Health District when modifying existing plumbing fixtures

**ITEM NO. 28 VS-23-0192-LV-PCPS, LLC & LV-AM, LLC:**

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

from September 20, 2023)

REAL

Next are Items 28 and 29, which will be heard together.

Item 28 VS-23-0192, holdover vacate and abandon a portion of ride-away being Paradise Road, located between Sahara Avenue and Karen Avenue, alignment within Winchester.

29 is UC-230-191, holdover use permit for deviations shown per plans on file. Deviations for the following: Alternative street landscaping, increase wall height, reduce gate setback, and all other deviations as depicted per plans on file.

GIBSON

It's this here.

REAL

Waivers of development standards for the following -

GIBSON

This is reduce the -

REAL

- reduce the setback from the street and allow alternative driveway geometrics. And then design review for modifications, landscaping, screening and driveways to-

GIBSON

Yeah.

REAL

- an existing resort hotel, The Sahara, on 17.5 acres -

GIBSON

Yeah. No, it's a good plan.

REAL

- in an H1 Limited Resort and Apartment Zone, generally located on the southwest corner of Sahara Avenue and Paradise Road within Winchester.

GIBSON

Morning Mister Borgel.

GREG BORGEL

Good morning, Mister Chairman and members of the Board. I'm Greg Borgel, 3747 Heritage Avenue here representing the Sahara Hotel in this matter.

And I have put before you right now the general initial intention of the submission, which was basically to enhance the appearance of the property on its Paradise Road accesses. And that was generally well received by everyone. However, the Department of Public Works in the course of our presenting this had some issues that they wanted us to address with respect to the access to the loading areas that are part of the application being proposed.

And responsive to that the applicant has provided through the Planning Department in the ordinary course an amended plan which shows significant changes to access off of Paradise, and critically, I think, the provision of additional on-site storage areas to if not preclude, at least sharply limit any opportunities for deliveries to otherwise interfere with the operation of Paradise itself.

And I believe that's been generally acceptable to Public Works, and we would ask that you recognize that amended plan which as I said, was properly submitted in the ordinary course to the planners. We'd ask that you recognize that this change has been committed to by the applicant as an additional amenity, frankly, of what he

BORGEL originally proposed, which was just landscaping and attractive wall areas.

GIBSON Does that complete your presentation, Mister Borgel?

BORGEL It does.

GIBSON Thank you very much. This is a public hearing on these two items, Item 28 and 29. Is there anyone here who wishes to speak on them? There being no one, the public hearing is closed. Commissioner Segerblom?

SEGERBLOM Thank you, Mister Chair. Rob, and Antonio, are we clear on the - there's a side agreement to make sure that there's no liabilities to the County for trucks that might be backed up on Paradise.

PAPAZIAN Yes. We have a signed agreement.

SEGERBLOM Great. With that agreement, I would move for approval.

GIBSON There's a motion by Commissioner Segerblom for approval of Items 28 and 29. Or yes, 28 and 29. Please cast your votes. The motion carries. Thank you.

BORGEL Thank you very much and thank you for your patience in holding the matter several times so we could get everything right.

SEGERBLOM We got it right.

BORGEL Thank you.

**ACTION:** It was moved by Commissioner Tick Segerblom, and carried by unanimous vote, that the applications for Item Nos. 28 and 29 be approved subject to staff conditions.

**CONDITIONS OF APPROVAL –**  
Comprehensive Planning

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

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

**ITEM NO. 29 UC-23-0191-LV-PCPS, LLC & LV-AM, LLC:**

HOLDOVER USE PERMIT for deviations as shown per plans on file.

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

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

DESIGN REVIEW for modifications (landscaping, screening, and driveways) to an existing resort hotel (Sahara) on 17.5 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the southwest corner of Sahara Avenue and Paradise Road within Winchester. TS/gc/syp (For possible action) (held from September 20, 2023)

**ACTION:** It was moved by Commissioner Tick Segerblom, and carried by unanimous vote, that the applications for Item Nos. 28 and 29 be approved subject to staff conditions.

**CONDITIONS OF APPROVAL –**  
**Comprehensive Planning**

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the 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; 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**

- Applicant must enter into a written agreement that Applicant will, at a minimum, indemnify, hold harmless, and defend Clark County and its employees and add "Clark County" as an additional insured on a commercial general liability insurance policy with insurance limits as specified and required by Clark County; absent the aforementioned written agreement, vehicles shall not queue in the public right-of-way;
- Applicant must post "No Parking" and/or "No Loading or Unloading" signs on the southbound curb of Paradise Road;
- Applicant will only propose gates with retractable doors as opposed to swinging doors to avoid interference with pedestrians and vehicular traffic in the public right-of-way;
- Applicant must have and provide to Clark County set hours for use of the driveway to the service area that avoids the busiest and most congested days and times for pedestrian and/or vehicular traffic in the public right-of-way.
- Applicant is advised that signs, structures, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones; and that off-site improvement permits may be required.

**ITEM NO. 30 VS-23-0521-DECATUR POST, LLC:**

VACATE AND ABANDON easements of interest to Clark County located between Post Road and Teco Avenue (alignment) and between Decatur Boulevard and Hauck Street (alignment); a portion of right-of-way being Decatur Boulevard located between Post Road and Teco Avenue (alignment); and a portion of right-of-way being Post Road located between Decatur Boulevard and Hauck Street (alignment) within Spring Valley (description on file). MN/hw/syp (For possible action)

**REAL** Alright. Next are items 30, 31 and 32, which will be heard together.

Item 30, VS-23-0521, vacate and abandon easements of interest to Clark County located between Post Road and Teco Avenue alignment and between Decatur Boulevard and Hauck Street alignment, and a portion of right-of-way being Decatur Boulevard located between Post Road and Teco Avenue alignment, and a portion of right-of-way being Post Road located between Decatur Boulevard and Hauck Street alignment within Spring Valley.

Item 31, WS-23-0520, amended waivers of development standards for the following: Alternative street landscaping which is no longer needed. Reduced drive-thru landscaping. Access from a local street. Overhead doors. Architectural compatibility.

REAL

Allow non-subdued exterior building tones. Site orientation and driveway geometrics. And then, design reviews for the following. Alternative parking lot landscaping and a proposed retail complex with restaurants, retail, vehicle maintenance, convenience store and gasoline station uses on 2.9 acres in a C2 General Commercial AE65 Zone in the CMA Design Overlay District, generally located on the east side of Decatur Boulevard and the south side of Post Road within Spring Valley.

Last is Item 32, TM-23-500110, tentative map consisting of one commercial lot on 2.9 acres in a C2 General Commercial AE65 Zone in the CMA Design Overlay District, generally located on the east side of Decatur Boulevard and the south side of Post Road -

GIBSON

I'll have to reach -

REAL

- within Spring Valley.

GIBSON

Good morning, Mister Celeste.

TONY CELESTE

Good morning, Mister Chairman and Commissioners. My name is Tony Celeste, address, 1980 Festival Plaza Drive. Here on behalf of the applicant.

As you can see from the overhead, our site is located on the southwest corner of Decatur and Post. It is just shy of three acres.

Before I get into the design review application just a quick background. Earlier this year in February I believe, we came before this Board for a plan amendment and zone change from Commercial General and to C2. This Board did support that. At that time, we said we would come back with the design review on the specifics of the site and that is what we're here today to discuss, is the design review for this commercial shopping center.

We are proposing a little over 10,000 square feet of shopping center on the three acres. You can see we are providing access off of Decatur and Post Road. The uses will be a convenience store with a gas pumps at the hard corner. Part of this building also will have a 12 - 1200 square foot drive-thru and will have a second drive-thru restaurant just south of that. We're also proposing an auto shop on the western portion of the property here. We are holding out this portion right here to the south for future use, and we will come back at a time that we know what type of use we're gonna put at this location.

We do have a couple of waivers with respect to this application. One of them is with respect to our access point off of Post Road. Post is a local road, so we were asking to provide commercial access to a local road. Even though it is a local road, as you can see by this aerial, it is predominantly used by other commercial industrial users and does terminate at the drainage channel and does not go across where then the residential is to the west. So, we appreciate staff's favorable support of that.

We did submit revised, a landscape plan, which is why we no longer need waiver number one that is identified in your staff report. We were able to accommodate additional landscaping along Post Road as well as internal parking lot landscaping.

CELESTE Really the only waiver that I guess would be at issue is with respect to our landscaping along the drive-thrus here. You can see the first drive-thru right here is on the back side of the property where there is a wall and really not gonna be highly visible from the right-of-way. The second one occurs right here at this drive-thru along Decatur. As indicated though, we are providing intense landscaping along Decatur here to help shield that.

We do have additional waivers with respect to the color hues. We are proposing a Checkers, you can see, Checkers does have kind of their trademark color logo, but it is nonetheless a little bit lighter and do incorporate some of the beige colors that are compatible with the entire area.

We appreciate Spring Valley Town Board's unanimous recommendation of this application. As part of this, we do have vacation and abandonment to remove patent easements that are no longer necessary, as well as to provide detached sidewalks along Post and Decatur. And we do have a tentative map to consolidate the two lots into one. And like I said, Spring Valley did recommend approval of everything, and I'm more than happy to answer any questions you may have.

GIBSON Thank you. This is a public hearing on Items 30, 31 and 32. Is there anyone here who wishes to speak on these items? There being no one, the public hearing is closed. Commissioner Naft.

NAFT Thank you, Mister Chairman. I'd just add on all gas stations, I add the condition that there be either brickwork or stonework all the way up the length of the pillar. Sami, is that the appropriate way to phrase that condition?

REAL Yes.

NAFT With that condition I move for approval of Item 30, 31 and 32.

GIBSON There is a motion for approval, as noted. Any discussion? Please cast your votes.

SEGERBLOM Why does everybody wanna (unintelligible)

GIBSON The motion carries.

CELESTE Thank you.

GIBSON Thank you.

SEGERBLOM - 10 years and I don't even think you did anything. (pounding) Most gas stations are car washes.

**ACTION:** It was moved by Commissioner Michael Naft, and carried by unanimous vote, that the applications for Item Nos. 30, 31, and 32 be approved subject to staff and additional conditions.

**CONDITIONS OF APPROVAL –**  
 Comprehensive Planning  
 • Satisfy utility companies' requirements.

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

#### Public Works - Development Review

- Right-of-way dedication to include a radius or chord in the northeast corner of APN 163-36-801-008 to encompass traffic components;
- Dedicate a 3-foot-wide streetlight and traffic control easement in addition to the above condition, concentric with the radius or parallel to the chord;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for a bus turnout including passenger loading/shelter areas on Decatur Boulevard in accordance with RTC standards;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

#### **ITEM NO. 31** WS-23-0520-DECATUR POST, LLC:

AMENDED WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) alternative street landscaping (no longer needed); 2) reduce drive-thru landscaping; 3) access from a local street; 4) overhead doors; 5) architectural compatibility; 6) allow non-subdued exterior building tones; 7) site orientation; and 8) driveway geometrics.

DESIGN REVIEWS for the following: 1) alternative parking lot landscaping; and 2) a proposed retail complex with restaurants, retail, vehicle maintenance, convenience store, and gasoline station uses on 2.9 acres in a C-2 (General Commercial) (AE-65) Zone in the CMA Design Overlay District. Generally located on the east side of Decatur Boulevard and the south side of Post Road within Spring Valley. MN/hw/syp (For possible action)

#### **ACTION:**

It was moved by Commissioner Michael Naft, and carried by unanimous vote, that the applications for Item Nos. 30, 31, and 32 be approved subject to staff and additional conditions.

#### CONDITIONS OF APPROVAL -

##### Comprehensive Planning

- Design review as a public hearing for final plans of future pad site;
- Gas canopy columns to be finished with decorative brick or stonework for entire height of pillar;
- Landscaping per plans;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised approval of this application does not constitute or imply approval of any other County issued permit, license or approval; the installation and use of cooling systems that consumptively use water will be prohibited; the County 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; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 4 years of approval date or it will expire.

#### Public Works - Development Review

- Drainage study and compliance;



- Traffic study and compliance;
- Full off-site improvements;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for a bus turnout including passenger loading/shelter areas on Decatur Boulevard in accordance with RTC standards;
- Right-of-way dedication to include a radius or chord in the northeast corner of APN 163-36-801-008 to encompass traffic components;
- Dedicate a 3-foot-wide streetlight and traffic control easement in addition to the above condition, concentric with the radius or parallel to the chord;
- No additional driveway will be granted for this site.
- 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.

#### Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; that separate airspace determinations will be needed for construction cranes or other temporary equipment; that 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 owners wish to have their buildings purchased or soundproofed.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0058-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Waiver of Development Standards #1 and Design Review #1 were withdrawn.

#### **ITEM NO. 32** TM-23-500110-DECATUR POST, LLC:

TENTATIVE MAP consisting of 1 commercial lot on 2.9 acres in a C-2 (General Commercial) (AE-65) Zone in the CMA Design Overlay District. Generally located on the east side of Decatur Boulevard and the south side of Post Road within Spring Valley. MN/hw/syp (For possible action)

#### **ACTION:**

It was moved by Commissioner Michael Naft, and carried by unanimous vote, that the applications for Item Nos. 30, 31, and 32 be approved subject to staff and additional conditions.

## CONDITIONS OF APPROVAL –

### Comprehensive Planning

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

### Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for a bus turnout including passenger loading/shelter areas on Decatur Boulevard in accordance with RTC standards;
- Right-of-way dedication to include a radius or chord in the northeast corner of APN 163-36-801-008 to encompass traffic components;
- Dedicate a 3 foot wide streetlight and traffic control easement in addition to the above condition, concentric with the radius or parallel to the chord;
- No additional driveway will be granted for this site.
- 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.

### 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 #0058- 2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

### **ITEM NO. 33** VS-23-0545-MARIANO, MARILOU:

VACATE AND ABANDON easements of interest to Clark County located between Spencer Street and Bruce Street, and between Robindale Road and Sur Este Avenue (alignment) within Paradise (description on file). MN/al/syp (For possible action)

REAL

Commissioners, next are Items 33 and 34, which will be heard together.

33, VS-23-0545, vacate and abandon easements of interest to Clark County, located between Spencer Street and Bruce Street, and between Robindale Road and Sur Este Avenue alignment within Paradise.

34 is WS-23-0544, waivers of development standards for the following: Eliminate trash enclosure setbacks. Screening mechanical equipment. Eliminate street landscaping. Eliminate parking lot landscaping. Eliminate landscaping adjacent to a less intensive use single family residences. Reduce the drive aisle width and allow modified driveway design standards. Design review for a place of worship on .8 acres in an RE Real Estates Residential Zone, generally located on the east side of Spencer Street, 440 north of Robindale Road within Paradise.

GIBSON

Good morning.

PHIL WAKEFIELD

Good morning. Phil Wakefield, W-A-K-E-F-I-E-L-D. 9816 Gilesie Street, Suite 120. Here to represent the application.

First of all, I wanna give a brief history of this project. This is our second submission. The first submission we did have a use permit, which has already been approved. We're now going for, looking for an approval on a vacation and some design waivers.

This project we did go back to the drawing board. We had a neighborhood meeting to hear the neighbors - any concerns with our first submission in the neighborhood meeting. The thing we did hear from these meetings was parking. So, we actually went back to the drawing board and included that information into our design. We actually had one person show up for the neighborhood meeting, they actually liked what we did.

So, first let me address the vacation. What we have here is this area right here is the area we're looking to be vacated. It - currently there's a drainage channel in this area here. They don't need the additional drainage easement, so we're looking - it makes sense to vacate that portion of the drainage easement.

Next, I wanna go over these - the waivers that we have. So, the first waiver is concerning the trash enclosure where 50 feet is required. Based on the site we move this trash enclosure as far north as possible away from residential uses. It still does not meet that because our lot is only 50 feet wide, but it is to the north and adjacent to this drainage channel, so we think that's the most practical place for it. Again, moving this as far north as possible we're looking for a waiver of the setback, which five feet is required.

Next are the waivers for landscaping. This site is encumbered by this channel here, so we had a minimal amount of frontage here and based on providing all the parking on site and already have well maintained and mature landscaping on the site. So, we were looking to waive that 'cause we could not meet that based on the parking requirement. We pushed all the parking on site here. We have 37 parking stalls; we meet that requirement.

Based on our site layout, we are looking for to minimize the one-way drive through to some areas where we had 10 feet; most of its 12 or more.

And again, the last waiver is concerning this driveway here. We have - we don't have a whole lot of frontage along this - this property here. Based on the frontage we're looking to provide the standard driveway of 20 feet wide here to allow for access. Typically, you'd put in a commercial driveway, but we just don't have that frontage along this property.

I think that concludes everything I have to present to you all. If I can answer any questions, I will do so at this time.

GIBSON

Alright. This is a public hearing, and the items we're discussing now are Items 33 and 34. I'd invite anyone who wishes to speak on these items to come forward. There being no one, the public hearing is closed. Commissioner Naft.

NAFT Thank you, Mister Chairman. Phil, thank you for your presentation and to the congregation for persevering on this. It's been a long, long time since the initial denial, and you have made some real significant improvements and I appreciate that and clearly the neighborhood does as well.

The only thing I didn't hear on the landscaping discussion is the condition that you - Sami, I don't know how we're doing the condition that Commissioner Jones just stated, the \$915 per tree. That's something that you all are offering up.

WAKEFIELD I believe that that sort of fee is something that we could -

NAFT I agree that it's pretty prohibitive on this small site to put the landscaping there. It's not really possible.

WAKEFIELD Yes.

NAFT So, assuming you're willing to comply with the tree fund, I'd move for approval of Items 33 and 34.

GIBSON And you understand that commitment? You understand the commitment on the table?

WAKEFIELD We discussed that with the leadership of the church here.

GIBSON Alright.

WAKEFIELD And they've - they're aware of that tree fund.

GIBSON Alright. Is there no other questions?

NAFT You're just giving a thumbs up, is that okay?

GIBSON Okay, good.

NAFT Thank you.

GIBSON Thank you. There's a motion for approval. Please cast your votes. That motion carries. Thank you.

WAKEFIELD Thank you very much.

**ACTION:** It was moved by Commissioner Michael Naft, and carried by the following vote, that the applications for Item Nos. 33 and 34 be approved subject to staff conditions.

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Right-of-way dedication to include a portion of the Duck Creek Channel;
- Grant necessary easements and/or right-of-way;
- Applicant shall perform a topo survey to determine the limits of the Duck Creek Channel in relationship to the on-site and off-site improvements.

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.

**ITEM NO. 34 WS-23-0544-MARIANO, MARILOU:**

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate trash enclosure setbacks; 2) screening mechanical equipment; 3) eliminate street landscaping; 4) eliminate parking lot landscaping; 5) eliminate landscaping adjacent to a less intensive use (single family residences); 6) reduce drive aisle width; and 7) allow modified driveway design standards.

DESIGN REVIEW for a place of worship on 0.8 acres in an R-E (Rural Estates Residential) Zone. Generally located on the east side of Spencer Street, 440 feet north of Robindale Road within Paradise. MN/al/syp (For possible action)

**ACTION:**

It was moved by Commissioner Michael Naft, and carried by the following vote, that the applications for Item Nos. 33 and 34 be approved subject to staff conditions.

**VOTING AYE:**

Jim Gibson, Justin Jones, William McCurdy II, Ross Miller, Michael Naft, and Tick Segerblom

**VOTING NAY:**

None

**ABSENT:**

Marilyn K. Kirkpatrick

**ABSTAIN:**

None

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant to pay \$915 per required tree towards the tree fund for waived street and parking lot trees;
- Existing carport to be removed prior to building permits;
- 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 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; 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;
- Right-of-way dedication to include a portion of the Duck Creek Channel;
- Grant necessary easements and/or right-of-way;
- Reconstruct driveway as a commercial pan driveway per Uniform Standard Drawing 224;
- Applicant shall perform a topo survey to determine the limits of the Duck Creek Channel in relationship to the on-site and off-site improvements.

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 the property appears to have an existing septic system; and to contact the Southern Nevada Health District when modifying existing plumbing fixtures.

**ITEM NO. 35** VS-23-0546-DBAC, LLC:

VACATE AND ABANDON a portion of right-of-way being Valley View Boulevard located between Warm Springs Road and Eldorado Lane and a portion of right-of-way being Eldorado Lane located between Valley View Boulevard and Procyon Street (alignment) within Enterprise (description on file). MN/bb/syp (For possible action)

REAL

Next are Items 35, 36, and 37, which will be heard together.

Item 35, VS-23-0546, vacate and abandon a portion of right-of-way being Valley View Boulevard located between Warm Springs Road and Eldorado Lane and a portion of right-of-way being Eldorado Lane located between Valley View Boulevard and Procyon Street alignment within Enterprise.

Item 36, WS-23-0543, waivers of development standards - waivers of development standards to increase wall height, design reviews for the following: single-family residential subdivision, w- finish grade and hammerhead design cul-de-sacs on 7.1 acres in an RE Rural Estate Residential (RNP-1) (AE-60) Zone, generally located on the east side of Valley View Boulevard and the north side of Eldorado Lane within Enterprise.

Item 37, TM-23-500115, tentative map consisting of 12 residential lots on 7.1 acres in an RE Rural Estates Residential (RNP-1) (AE-60) Zone generally located on the east side of Valley View Boulevard and the north side of Eldorado Lane within Enterprise.

GIBSON

Good morning again Mister Celeste.

CELESTE

Good morning again, Mister Chairman, Commissioners. My name is Tony Celeste address 1980 Festival Plaza Drive. I'm here on behalf of Blue Heron Homes.

As you can see, our site is highlighted here on yellow. It's about seven acres located on the northeast corner of Valley View and Eldorado. This is a site that has had a

CELESTE

colorful history over the last decade and a half from proposed uses to expand existing warehouses to some higher density residential uses.

I am happy to report today that we are not requesting a zone change. We are happy to be building in the RNP and to RNP standards. We did have a couple of neighborhood meetings with respect to this, and I think the fact that we don't have any neighbors here speaks that we've done a good job on designing this and meeting some of the neighbors' expectations.

This site was most recently approved for a 14-lot subdivision. Blue Heron is coming in and actually reducing that density to 12. So, we're proposing 12 homes, all minimum half acres, access off of Eldorado here, kind of shaped in a Y-shaped development here.

We appreciate Enterprise Town Board's recommendation of approval. We appreciate their part of this application also consists of vacation and abandonment of five feet along Valley View and Eldorado to provide for detached sidewalks and the tentative map for the 14 lots.

This will be a combination of one and two-story homes. You can see it'll be part of how Blue Heron has established themselves as one of the premier builders with nice landscaping on the entryways and common areas. And then you can see some of their homes that they're going to build. These are homes that they're building in Section 10 right now in the County and basically will be looking forward to developing in the southwest portion of town here. With that we agree with all the conditions of approval and I'm more than happy to answer any questions you may have.

GIBSON

Thank you. This is a public hearing on Items 35, 36, and 37. Is there anyone here who wishes to speak on these items? There being no one, the public hearing is closed, and Commissioner Naft, this is your item.

NAFT

Thank you. I move for approval of Item 35, 36, and 37.

GIBSON

There's motion for approval. Please cast your vote. And the motion carries. Thank you.

CELESTE

Thank you.

**ACTION:**

It was moved by Commissioner Michael Naft, and carried by unanimous vote, that the applications for Item Nos. 35, 36, and 37 be approved subject to staff conditions.

**CONDITIONS OF APPROVAL –**  
Comprehensive Planning

- Satisfy utility companies' requirements.
- 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 substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the

approval date or the application will expire.

**Public Works - Development Review**

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

**ITEM NO. 36 WS-23-0543-DBAC, LLC:**

WAIVER OF DEVELOPMENT STANDARDS to increase wall height.

DESIGN REVIEWS for the following: 1) single family residential subdivision; 2) finished grade; and 3) hammerhead design cul-de-sacs on 7.1 acres in an R-E (Rural Estates Residential) (RNP-1) (AE-60) Zone. Generally located on the east side of Valley View Boulevard and the north side of Eldorado Lane within Enterprise. MN/bb/syp (For possible action)

**ACTION:** It was moved by Commissioner Michael Naft, and carried by unanimous vote, that the applications for Item Nos. 35, 36, and 37 be approved subject to staff conditions.

**CONDITIONS OF APPROVAL –**

**Comprehensive Planning**

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the 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; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 4 years of approval date or it will expire.

**Public Works - Development Review**

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

**Department of Aviation**

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to



Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;

- For that portion in the AE-60, 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](mailto:landuse@lasairport.com);
- For that portion in the AE-60, 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](mailto:landuse@lasairport.com);
- For that portion in the AE-60, 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;
- For that portion in the AE-60, incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the FAA 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.

#### **ITEM NO. 37** TM-23-500115-DBAC, LLC:

TENTATIVE MAP consisting of 12 residential lots on 7.1 acres in an R-E (Rural Estates Residential) (RNP-I) (AE-60) Zone. Generally located on the east side of Valley View Boulevard and the north side of Eldorado Lane within Enterprise. MN/bb/syp (For possible action)

#### **ACTION:**

It was moved by Commissioner Michael Naft, and carried by unanimous vote, that the applications for Item Nos. 35, 36, and 37 be approved subject to staff conditions.

#### CONDITIONS OF APPROVAL –

##### Comprehensive Planning

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

##### Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements.

- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

#### Comprehensive Planning - Addressing

- Revise map to show street names with correct suffixes.

#### Department of Aviation

- For that portion in the AE-60, 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](mailto:landuse@lasairport.com);
- For that portion in the AE-60, 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](mailto:landuse@lasairport.com);
- For that portion in the AE-60, 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;
- For that portion in the AE-60, 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 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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0292-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis

#### **ITEM NO. 38** WC-23-400092 (ZC-18-0621)-VACCARO, LOUIS & LINDA REV TR & VACCARO, LOUIS C. & LINDA L. TRS:

HOLDOVER WAIVER OF CONDITIONS of a zone change requiring to relocate the convenience store so it is a minimum of 100 feet from the existing residential development in conjunction with a retail center on 2.4 acres in a C-1 (Local Business) Zone. Generally located on the east side of Fort Apache Road and the south side of Blue Diamond Road within Enterprise. JJ/lm/syp (For possible action) (held from September 20, 2023)

REAL

Next are Items 38, 39, and 40, which will be heard together.

Item 38, WC-23-400092, holdover waiver conditions of the zone change requiring to relocate the convenience store so that it is a minimum of 10 feet from the existing residential development in conjunction with the retail center on 2.4 acres in the C-1 Local Business Zone generally located on the east side of Fort Apache Road and the south side of Blue Diamond Road within Enterprise.

REAL

Item 39 VS-23-0324, holdover vacate and abandon easements of interest to Clark County, located between Fort Apache Road and Quarterhorse Lane and between Blue Diamond Road and Serene Avenue alignment within Enterprise.

And then Item 40 UC-23-0323, holdover use permits for the following: convenience store, gas station, reduce separation from a convenience store to a residential use, and reduce separation from a gasoline station to a residential use.

Waivers of development standards for the following: alternative landscaping, alternative driveway geometrics, and reduced driveway approach distance from the intersection; and design reviews for the following: retail center and finished grade on 2.4 acres in the C-1 Local Business Zone, generally located on the east side of Fort Apache Road and the south side of Blue Diamond Road within Enterprise.

GIBSON

Good morning, Mister Gronauer.

BOB GRONAUER

Good morning, Mister Chairman, and Commissioners. Bob Gronauer, 1980 Festival Plaza Drive. I'm here representing Speedy Mart on this matter. This is an application that we're asking for a convenience store. It was - it's located on Fort Apache and Blue Diamond Road. It's approximately about two and a half acres of property. This was previously approved for a commercial subdivision or a commercial center where we had a restaurant and more square footage along with a convenience store that was previously approved.

Excuse me, over the last year, Speedy Mart and their consultants have been working with your staff on the, excuse me, on the design of the project. What we're proposing today is just the convenience store, as you can see here, we have some about 1,200 square feet for another retail pad – retail located adjacent to the building, and we have our gas pumps that are located as far as we can make it north as close to Blue Diamond.

Some of the impacts that we've had since the previous approval from the application, we are now giving approximately 15 more feet for future dedication for Fort Apache in this area. So, although we have about 28 feet of landscaping, this is planned for a future right turn lane with any expansion on Blue Diamond. And as I mentioned we do have some drainage issues that have impacted the property with the design that we have.

So, last night we had a neighborhood meeting with the neighbors. One of the ladies, Linda Evans, that lives here, and then another neighbor that lives up on Blue Diamond over in this area here about a few hundred feet away from the property, but within the same subdivision. So we met with them last night we went through the application.

One of the adjustments that they've asked us to make is with respect to our locations of the trash enclosures. As you can see here on the east side of the building of the proposed C-store, we have a trash enclosure here located more or less on the southeast portion of the property. What Miss Evans has asked us to do is move that trash enclosure over here to the back of the property, which would be located on the south side of the property, as I'm showing you on the overhead. The other location for the trash enclosure that was asked - requested, the one that's located here in the

GRONAUER southwest corner and behind the building to be located over here more - a little bit further to the west in this parking area here.

So, with those two changes, we're gonna ask you to approve the application of what we are proposing. And again, this was requested by the neighbors last night, our neighborhood meeting, is to move the location of this trash enclosure to be located here and move that trash location to be located here. With those two changes, we'd ask you to approve the applications that we are proposing for the convenience store and the gas pumps.

GIBSON Thank you. This is a public hearing on Items 38, 39, and 40. Is there anyone here who wishes to speak on these items? There being no one, the public hearing is closed. Commissioner Jones.

JONES Thank you, Mister Chair. Thank you, Mister Gronauer, for your work on this and for meeting with the neighbors again yesterday. Based on the additional changes that have been made, are there any waivers based on Fort Apache that are being withdrawn in terms of the dedication or anything like that?

GRONAUER No, we're asking in advance for the driveway through a waiver I believe Public Works is gonna be okay with because we currently we have the 28 feet, but we're asking for the waiver that's not needed today but for the future if and when you take the additional 15 feet to build for the road.

JONES Okay, and that if that happens then the sidewalk would be rebuilt?

GRONAUER Yes, yes, I'm sorry. Yes, the sidewalk will be rebuilt and this whole area will be redone.

JONES Okay. Alright. Then I'll go ahead and move for approval of Agenda Items 38, 39, and 40, with the commitment to move to trash enclosures as detailed by Mister Gronauer.

GIBSON There's a motion for approval by Commissioner Jones. There's no discussion, please cast your votes. Motion carries.

GRONAUER Thank you. Have a great day.

GIBSON Thank you.

**ACTION:** It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the applications for Item Nos. 38, 39, and 40 be approved subject to staff and additional 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 #0216- 2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**ITEM NO. 39** VS-23-0324-VACCARO, LOUIS & LINDA REV TR & VACCARO, LOUIS C. & LINDA L. TRS: HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Fort Apache Road and

Quarterhorse Lane, and between Blue Diamond Road and Serene Avenue (alignment) within Enterprise (description on file). JJ/lm/syp (For possible action) (held from September 20, 2023)

**ACTION:** It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the applications for Item Nos. 38, 39, and 40 be approved subject to staff and additional conditions.

**CONDITIONS OF APPROVAL –**  
Comprehensive Planning

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

Public Works - Development Review

- Right-of-way dedication to include 50 feet for Fort Apache Road and associated spandrel, together with a right turn lane per the Uniform Standard Drawings;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

**ITEM NO. 40 UC-23-0323-VACCARO, LOUIS & LINDA REV TR & VACCARO, LOUIS C. & LINDA L. TRS:** HOLDOVER USE PERMITS for the following: 1) convenience store; 2) gasoline station; 3) reduce separation from a convenience store to a residential use; and 4) reduce separation from a gasoline station to a residential use. WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) alternative landscaping; 2) alternative driveway geometrics; and 3) reduce driveway approach distance from the intersection. DESIGN REVIEWS for the following: 1) retail center; and 2) finished grade on 2.4 acres in a C-1 (Local Business) Zone. Generally located on the east side of Fort Apache Road and the south side of Blue Diamond Road within Enterprise. JJ/lm/syp (For possible action) (held from September 20, 2023)

**ACTION:** It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the applications for Item Nos. 38, 39, and 40 be approved subject to staff and additional conditions.

**CONDITIONS OF APPROVAL –**  
Comprehensive Planning

- Trash enclosures located at southeast and southwest corners of building to be relocated south and west of building respectively;
- 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 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; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this

application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 50 feet for Fort Apache Road and associated spandrel, together with a right turn lane per the Uniform Standard Drawings;
- Construction of the dedicated right turn lane to be coordinated with Public Works;
- Coordinate with Public Works - Development Review for a median in Fort Apache Road.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that Nevada Department of Transportation (NDOT) permits may be required.

**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 #0216- 2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**ITEM NO. 41 WS-23-0340-HALLEWELL, MICHAEL H. & NANCY L.:**

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; 2) reduce setback; 3) allow alternative yards; and 4) allow an attached sidewalk and alternative landscaping.

DESIGN REVIEWS for the following: 1) single-family residential development; and 2) finished grade on 4.6 acres in an R-1 (Single Family Residential) Zone. Generally located on the west side of Phyllis Street, 125 feet north of Orange Tree Avenue within Sunrise Manor. TS/jud/syp (For possible action) (held from September 6, 2023)

**ACTION:** Deleted from the agenda (held to October 18, 2023 per the applicant).

**ITEM NO. 42 WS-23-0534-DBAC, LLC:**

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate sidewalks and allow reduced street landscaping; 2) allow access to a collector street; and 3) full off-site improvements.

DESIGN REVIEWS for the following: 1) single-family residential subdivision; and 2) finished grade on 1.9 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the southeast corner of Hinson Street and Maule Avenue within Enterprise. MN/mh/syp (For possible action)

REAL

Next is Item 42, WS-23-0534. Waivers of development standards for the following: eliminate sidewalks and allow reduced street landscaping, allow access to a collector street, and full off-site improvements. Design reviews for the following: single-family, residential, subdivision, and finished grade on 1.9 acres in an R-E Rural Estates Residential, RNP-1 Zone, generally locate - located on the southeast corner of Hinson Street and Maule Avenue within Enterprise.

GIBSON

Good morning.

SUSAN FLORIAN

Good morning, Commissioners. My name is Susan Florian from Taney Engineering, 630 South Jones Boulevard here on behalf of the applicant.

The subject that we have right here is a 1.99 acreage site. It is located on Maule Avenue and east of Hinson Street. It is zoned R-E, Rural Estates Residential, with a

FLORIAN

planned use of RN, Ranch Estates. We are requesting a three-lot single-family subdivision with a density of 1.51 lots per acre. They range from 22,930 square feet to 42,000 square feet with an average lot of 29,652 square feet.

The two lots on the front, number one and number two, will be facing Maule Avenue, while the third lot will be facing Hinson Street. It will remain in its rural conditions. However, there will be a perimeter of a six-foot landscape buffer on facing Hinson Street. There will be planted every 20 feet center trees and bushes. We're proposing a landscape that looks like this, that's right next to the subdivision on the east side.

We are asking for waiver of development standards and design reviews. The first waiver development is for alternative landscaping. This is to maintain the existing rural character of the area. As I stated before, we are requesting a six-foot landscape buffer with no sidewalks along Hinson Street. The front yards will comply with landscaping standards. But right when we went to Town Board, they did recommend a 15-foot landscape on Maule Avenue and Hinson Street. However, on Maule Avenue that cannot be obtained because the houses will be fronting Maule Avenue and the third lot will be facing Hinson Street.

The second waiver of development standards is sole access to a collector street. I said - as I stated before, Lots 1 and 2 are proposed to have sole access to Maule Avenue, an 80-foot collector street to meet the desired density and comply with R-E Rural Standards. It is not feasible to design the site around an internal street cul-de-sac. Accessing Lots 1 and 2 from Maule Avenue will also provide a better drainage.

The last waiver of development standards is off-site improvements. The proposed development is within an RNP-1 rule, neighborhood preservation overlay, where rules for each standard have been previously accepted. To maintain the character of the neighborhood and match it to the existing development, we propose no curb, gutter sidewalk, streetlights, and a minimum paved roadway of 32 feet. Staff did recommend denial on all these items, though, Town Board did approve them.

The last one is for a design review of the access fill. The access fill is needed for Lot Number 2. This is to maintain adequate drainage for the site. We do not believe that it will have an impact on the neighboring neighborhoods.

And with that, I'm respectfully ask that you approve these items, and with that I'm ready to answer any questions that you may have.

GIBSON

Thank you very much. This is a public hearing on Item 42. Is there anyone here who wishes to speak on this item? There being no one, the public hearing is closed. Commissioner Naft.

NAFT

Thank you, Mister Chairman. Thank you, Susan. I agree that 6 feet over 15 feet makes more sense and move for approval of Item 42.

JONES

Can- could I ask a question real fast?

GIBSON

Yes.

- JONES As we're sort of moving to the new Title 30 and we're trying to have fewer of these types of applications come up to us, are any of the changes that we made would eliminate some of these coming up to us or this type of application is still always coming up to us?
- REAL So, Commissioner, I think this type of application is primarily because of two things. One is the increased finished grade which we modified how we're doing increase in finished grade in the rewritten code. And then with regards to how the subdivision is designed to allow access onto a collector street, we kept that in the code because we understand that collector streets are larger streets generally that carry more volume with it.
- And so, the last thing that we want is for residential homes to just access straight onto a collector street. So, we have kept the access to a collector street. We made changes to how we do finished grade. And then with regards to off-site improvements, I think we'll still see waivers to certain off-site improvements, but as it relates to landscaping where detached sidewalks are required. The idea would be is that we're not requiring all the landscaping that we are today, that it would be a reduced area of landscaping right along the property line.
- JONES Okay. But we could have further discussions about these types of applications in RNP's where perhaps we give additional direction so that fewer of them have to come up to us.
- REAL Yes.
- JONES Yeah.
- GIBSON Yeah. Good. There's a motion for approval. There's no discussion. Please cast your votes. Motion carries.
- FLORIAN Thank you, Commissioners.
- GIBSON Thank you.
- ACTION:** It was moved by Commissioner Michael Naft, and carried by unanimous vote, that the application be approved subject to staff conditions.

#### CONDITIONS OF APPROVAL –

##### Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that access to Maule Avenue shall include a circular driveway design or on-site turnarounds to preclude the backing of vehicles onto the street; 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; 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;
- 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.

#### 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](mailto:landuse@lasairport.com) is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

**ITEM NO. 43** AG-23-900477: Discuss the creation of a rural neighborhood association and direct staff accordingly. (For possible action)

REAL

Next is Item 43, AG-23-900477, discuss the creation of a rural neighborhood association and direct staff accordingly.

Commissioners, this item was requested by Commissioner Kirkpatrick who - wanted to discuss the creation of a new well - we'll say a neighborhood association group that can be comprised of residents theoretically or possibly within each of your Districts who live in a rural area whether it be a RNP with an RNP-1 Overlay or in areas that are rural in nature that may not have an overlay. So, I'll let Commissioner Kirkpatrick take it over from here.

KIRKPATRICK

Thank you, Sami. So all of us represent a little bit of rural preservation, but more importantly, rural estates, which seems to be - seems to be that folks think that you can't ever change the zoning, you can't ever do these. But what I wanted to do, and especially for Commissioner Miller and I in the northwest, we believe -right, Rob, I'm gonna say my opinion is I don't think that the city is gonna re-up that inter-local agreement. And the reason why I say that is currently they're already asking for every little plan that we do, they're questioning every little thing. And at least when I got to this Board, the City was annexing every street, everything, every single day. And so, I'd like to protect many of those areas and to the point where, you know, North Las Vegas annexed a portion of Sunrise Mountain, right, because we don't have the ability to de-annex any of it, so then we become stuck. So, my thought was I have some little rural preservation areas in my District, NARA, which is a little neighborhood that is preserved, and they kind of all get together and talk about the zoning within a five-mile radius.

So, my thought was that if each Commissioner appointed someone, then we could have a holistic unincorporated Clark County view of what we wanted to do to kind of protect it and at the same time educate folks on what ranch estates was, what rural preservation was, so that we could keep it going, so. But I'm open for thought. I just thought it's not just my District, we all have something, but and the goal is to kind of preserve it. And as you all see from the amount of acres that are left, it's really not that much. So, food for thought. What do you guys think?

GIBSON

Other thoughts? Commissioner McCurdy?

WILLIAM MCCURDY II

Yes, thank you, Mister Chairman. I think it's a great idea. I have a small Rural Preservation Neighborhood in my Commission District. Actually, I have a couple of them. But I'm wondering about those that are in city proper, like Bonanza Village that may have, you know, similar or shared interests with other, you know, Rural Preservation Neighborhoods that are in the County but I'm wondering how can they have an opportunity to participate in the conversations that they share with unincorporated areas.

KIRKPATRICK

So at least my thought is if we create a committee that can meet quarterly or something, that they could have some inputs. But I mean, at the end of the day the City doesn't take our input quite well when it comes to rural preservation or ranch estates. So, I mean, but it's an opportu - but they can still be engaged and be part of the conversation because it just doesn't matter what entity that we're in, we gotta preserve some of this because when it's all gone, I don't know what happens.

And I'll just say for myself I always try to push the no HOA so that they can have animals because what we've seen is everybody then had HOA with no animals and large lots. But I mean, people, if you have goats and chickens and all that, you should be able to keep them. But what's happening is they get code complaints. So, I'm - here's what I would say, I think you could appoint anybody, preferably someone from unincorporated Clark County, but then maybe just invite them to all the meetings. Because NARA have fully planned to come to the meetings, and they're in the City of Las Vegas.

JONES

Mister Chair?

GIBSON

Yes.

JONES

I think that's a good idea. We saw when we were going through the Title 30, right? Obviously, the folks from the RNP neighborhoods were overrepresented many times in terms of the comments that were provided. I think that the one thing we need to be cognizant of is that we need to be pushing down what we want their input on and not just letting a group run free and setting their own agenda. So, I think that would be my only caveat is let's tell them, "Hey, we want your input on X," whatever "X" is, and then they provide it back to us instead of just letting them set their own agenda.

KIRKPATRICK

Oh, I agree, 'cause they'd fight each other at the end of the day 'cause they and I agree, and my whole thought was maybe we start with something so simple as somewhat registering your neighborhood so that we know that it exists, and we create a historical document. But I'm all good for that.

GIBSON

Anything that enhances the cooperative spirit is good. And one - the voice of the public is important to us, so. You have some direction. Does that give you enough that you can -

REAL

It does. I'll talk to Les Lee and we'll go from there.

GIBSON

Alright.

KIRKPATRICK Listen, I'm happy to staff the meeting and do my own minutes if that's the case. If it becomes a problem that Administrative Services says they don't have any staff to staff it, I'm happy to do it. I don't want that to be the reason why we don't do things, is because it's always a staff issue.

GIBSON Well, if we're going to, if we're going to adopt something like this it's we're gonna be working on the budget for next year sometime. So, it would be a good idea to make note of that so that we don't have to worry about who staffs it up. Thank you.

SEGERBLOM Mister Chair, if I could just add a comment. I actually don't have any of these areas technically in my district, but I have areas I think would wanna know what you're doing and hopefully participate to what we call the rural-esque districts, so.

KIRKPATRICK But I think though, Commissioner, you should appoint someone from the rural-esque community.

SEGERBLOM Yeah. That's what I'm asking.

KIRKPATRICK Just so that they have a -

SEGERBLOM If I can do that.

KIRKPATRICK - so that they have a say on it.

SEGERBLOM Yeah, if I can do that, I'd like to do that.

GIBSON (Unintelligible)

KIRKPATRICK Uh - well, I think everybody should, I mean, give someone from the rural component, whether it's in all fairness, there's not a lot of RNPs, period, left, but I mean, there's a lot of rural areas, so I think we should do that.

GIBSON Well, and as we get deeper into infill development in some of the areas of the Valley, they're impacted more than they might otherwise have been. So, you'll bring something to us. Thank you.

**ACTION:** No action was taken by the Board.

**ITEM NO. 44** AG-23-900478: Discuss the creation of the Zoning Meeting agenda, and direct staff accordingly. (For possible action)

REAL Alright, Commissioners, next is Item 44, discuss the creation of the zoning meeting agenda and direct staff accordingly.

So, this was a request from the Board to put an item on where we can talk about what items get put on the routine part of the portion or routine portion of the agenda and the non-routine portion of the agenda.

Staff, when creating the agenda, any applications where we're recommending approval of the entire application gets put on routine. We also put some ordinances for public hearing on routine. Any application where a – that is being recommended

REAL for denial either in part or in whole that is put on the non-routine portion in addition to ordinances for introduction and then obviously discussion items as we're having now and then other items as they came - as they come up. So, this was a request again from your Board to discuss what gets put on the non-routine portion in case there are more items that should consistently be placed on the non-routine portion of the agenda.

GIBSON Alright, so I have heard some discussion. What are your thoughts?

KIRKPATRICK Well, I just wanna be consistent on the consumption lounge piece because I thought we had a robust conversation. I'm never supporting any, but if we're - if they're gonna be administrative or not, or if we're gonna provide waivers, everybody else gets to. So, I would for sure like to have a real discussion so that we're consistent on consumption lounges, my personal.

GIBSON Yes, Commissioner Naft.

NAFT Yeah, I guess I would just wonder it - so typically it's off-consent if it's denied by staff, but there's not a - well, I guess it's a question, there's no consideration for Town Board or Planning Commission's denials?

REAL Planning Commission denials, I think, generally go on the non-routine portion of the agenda as well.

NAFT Okay.

REAL As for Town Boards, we don't always get the Town Board recommendations in time before we're finalizing and creating the agenda, so that wouldn't always be a guarantee that if the Town Board's recommending denial -

NAFT Doesn't the Planning Commission come after Town Board?

REAL Sorry, I'm - yes, but I'm for those applications where they go to the Planning Commission for a recommendation and then the Board. However, we have a lot of applications that don't go to the Planning Commission before they come to the Board.

NAFT Mm-hmm.

REAL And those applications sometimes - um -

NAFT I see.

REAL - the Town Board holds either to the next meeting, which is really the last week, for instance. And so, we don't get those recommendations in time. And then also, depending on the turnaround time in which we get the results back, it may or may not meet the deadline for the creation of the agenda.

NAFT And the other, I guess, example I would give is Item 19 from today, which, while it was technically supported by staff, all of staff told me that they took issue with different portions of the application, both Public Works and Planning, and it had over

NAFT 500 people in opposition. So, is there a consideration for that?

REAL We can keep track of that. Generally, the cards don't start rolling in until after the Town Board meeting and then depending on that. For instance, it was not until probably about a week ago that we started really seeing the number of opposition cards come in. So again, it's the agenda that you're seeing today was created two and a half weeks ago. So, it's whatever information is known at that time that helps us formulate the agenda.

NAFT Thank you.

JONES Mister Chair. I would say personally I think definitely consumption lounges should be off-routine but frankly all cannabis establishments I think should just go to the Board anyways on non-routine and then also high impact projects and projects that require negotiated development agreements. There aren't that many of them, but they should come to the Board no matter what.

NAFT How -

GIBSON Commissioner Naft.

NAFT How will we do that now with the high impact definition?

REAL So, we -

NAFT I agree. Impact should certainly be offered to you.

REAL So, in the rewritten code, what we did is we removed the name "high-impact project," but we kept the qualifiers. So, anything that still meets what today's definition of a high-impact project, it would require a pre-submittal. And so, what I would probably recommend is anything that warrants a pre-submittal, which is a new resort hotel, very large project, projects of regional significance but only not the ones that are within I think it's the mile of the city. But anything that is - that requires a pre-submittal by our code, I think, is probably worthy enough to obviously, they all come to the Board of County Commissioners because of the level of projects that they are, but that we could also place those on the non-routine portion, very easily.

NAFT Thanks.

GIBSON I think that makes a lot of sense, and particularly if we're gonna call them a high-impact or see them as a high-impact or project of regional significance, we probably ought to treat them that way when we consider them. Yes, Commissioner Kirkpatrick?

KIRKPATRICK And I just have one other thing, and, Rob, I don't know if this agenda item is broad enough for me to bring this question up, so, you tell me if it's not. But Sami, when we were meeting and talking about the sidewalk vendors, one of the conversations that came up is the allowable use on detached sidewalks. And we've been pushing for detached sidewalks, but not if we're gonna have a bunch of sidewalk vendors. So, is that just a topic that you can talk to us about so that we can take that into consideration? Is this broad enough?

REAL

It is. I guess to not talk about sidewalk vending but talk about it. My understanding is the bill as it was written has – it says "public sidewalks." Antonio, if he was here, he could help, but maybe JaWaan can instead.

So, attached sidewalks are within the public right-of-way. Detached sidewalks are not within the public right-of-way, but there is an easement over those sidewalks for public access. The bill has a provision that says that a private property owner in such case can prohibit sidewalk vending on those detached sidewalks.

That bill does not take away a property owner's right. So, that is a conversation that we could have either with the sidewalk vending ordinance as we get to the next phase of it, or we could bring it back specifically with a discussion with the Business License Department. So, I'm happy to do either one.

KIRKPATRICK

Well, and maybe we bring it back because there's a couple of other things. So, I didn't - what we're seeing today is so many mobile, I'll say mobile vendors are setting up in commercial centers, which is creating some havoc with parking. So, I went to a commercial center this past weekend, and there was about 15 vendors. So, if we're going to start reducing the parking lots, then we gotta look at that, too, if it's an allowable use.

Then I just hope that Zoning can weigh in when we do an ordinance so that we know kind of – um - at least to educate people, right? On the business owner, on the private rights person, so that we could have the conversation.

REAL

I'll talk to Business License. We'll come forward together with something.

GIBSON

But we should definitely bring the street vendor item along as we consider whatever that ordinance is going to look like.

REAL

Yes.

GIBSON

Yeah. If there's nothing further -

**ACTION:**

No action was taken by the Board.

**ITEM NO. 45** AG-23-900479: Discuss temporary signage related to major events, and direct staff accordingly. (For possible action)

REAL

And then last discussion item is Item 45, AG-23-900479: discuss temporary signage related to major events and direct staff accordingly.

Commissioners, if you recall, back in March, we brought forward an item for temporary structures related to the major events. Major events being Formula 1 and the NFL Super Bowl that's coming in February. And there was a request at that time to allow these temporary structures to be done. We'll say the ones that aren't associated with Formula 1, to be done with temporary commercial event permits, even though the setup and take-down time would be longer than what our code allows for. And you had directed us to go ahead and allow for that type of submittal, understanding that these are temporary structures just for those specific events, even though, again, the setup and take-down time would be longer.

REAL

We received a similar request for temporary signage. I think most of the signage that we've been approached with has to do with building wraps. So, big, gigantic signs over the facades of buildings. And the request is to allow signs that are greater than the quantity that we allowed, pursuant to our temporary commercial signage application. And then also - so, in greater number and greater size than what our current code allows.

And so, this is just a discussion item for the Board to consider whether or not you want to allow these, again, these one-off temporary – temporary signage for these major events that are coming to unincorporated Clark County.

GIBSON

I appreciate that this item is on. I do know that some of the properties have expressed what they consider a need to be able to wrap buildings. They're also concerned about the timing of an application because there isn't any way in the world that they can figure it out and then come forward depending upon the event, right and process something quickly enough to be able to make arrangements to get it done.

I remember going to Salt Lake during the Olympics. And I spent a week in Salt Lake City. I don't remember a single, I probably shouldn't say this, but I don't remember a single advertiser, but boy, the building wraps were impressive. And I remember the scenes, you know, the jumper, the skiers, the skaters, and all the rest of it. And it was fun, and exciting, and I think it did nothing to detract from whatever their other standards were.

And I think that the Super Bowl is such a unique opportunity that there - we ought to be able to do something that would enable that kind of addition. So, I - what I'm concerned about is that if it isn't administratively done, it can't be done.

So, I think that the way to approach it is to continue the additional size and timing all of that and enable the same thing we've been doing to be possible for a special large event, like the Super Bowl. I haven't talked to colleagues about it, but that's -

KIRKPATRICK

Can I ask a question?

GIBSON

Mm-hmm.

KIRKPATRICK

So, would it be something that we would tie to the \$250 million? Would it be something that we would tie to a time frame? Because I could see every special event becoming a reason to wrap. So, I'm curious. I don't know.

GIBSON

I think we ought to keep the standard that we have. I think the \$250 million is - ought to be something. And the - we have the capacity here to make a judgment about that. We've done that. So, yeah, I think it ought to continue, in every respect. Commissioner Jones?

JONES

Thanks, Chair. What is the – what do you actually look at when these temporary signage packets come in? I'm - are we, like, actually regulating content? Or what are we actually doing?

REAL

So, we look at the location, we look at, well, you know, obviously, conformance with our code. We don't get into content. However right now, the only uses that are

REAL allowed to advertise off-premise are uses that are in conjunction with a non, sorry, a non -restricted gaming license, and then any establishment or any recreational facility that is governed by a board that was created through NRS. So, those are the only properties that are allowed to advertise off-premise. Otherwise, nobody else is allowed to advertise off-premise. But we don't get into the content. That's just our general rule.

GIBSON That's what you meant, though, right? You meant -

JONES Yeah. Yeah. I'm just-

GIBSON - premises versus - yeah.

JONES So, it's not a rubber stamping, but it is somewhat cursory?

REAL Correct. I guess, it would be if the Board directs us to allow for these administrative applications for signs that are larger in size and in greater quantity than code allows, then we wouldn't necessarily look at those provisions of code -

(Nationwide text messaging alert drill commencing)

GIBSON Hmm. It's that time.

JONES Is that everybody's phone going off?

GIBSON Yeah, the whole United States.

REAL Yep. And you can't turn it off.

GIBSON Yeah, the timing is interesting, isn't it?

KIRKPATRICK It is.

GIBSON I shut mine off.

KIRKPATRICK I turned mine down.

GIBSON Commissioner Miller?

MILLER Is there a restriction on content, but it can be advertised that they can only advertise for services that are offered on-premises? Like, you have a big sign for Bud Light, or something that -

REAL For the properties that aren't allowed to advertise off-premise, they would only be allowed to advertise for whatever business, operations, whatever they have on-site.

Granted, we'll just say, if it's a convenience store, right, convenience store has lots of product inside. They can advertise whatever is in their convenience store. That would be considered off - on-premise.

So, the ability for somebody to advertise could vary greatly, depending on the – uh -



REAL operations that are happening on that site.

MILLER Okay. That makes sense to me. I mean, the proposal makes sense to me. You know, I would just suggest that we may wanna look at some opportunity to have some public notification or provide enough transparency in the process that other stakeholders and interested parties would at least be able to see what type of content, what size of a sign and the like are being proposed, so that they have - each to the extent that they have any objections to it, we'd be able to learn about that.

REAL What I would say is if – so, the only time that we notice anybody surrounding the property is when it's an actual land use application, which is the crux of the reason that we're here is because the timing of the land use application, we're already taking in applications for, I think, the November meetings. And so, the request is to allow this to be done administratively.

If we require a administrative application, then just as any administrative application does, it get routed to the Commissioner's office, we have record of it through our files. It's not something that we're just allowing without any type of cursory review.

But it is a application where we would have that information on file, so, if somebody wanted to see it, they could see what was being requested versus what actually got put up.

MILLER The likelihood of somebody being able to dig that up I think is very low. Do you know, is it available online? I - is there not some kind of intermediary process? There's, you know, some streamlined process that they could be suggested, short of a full-blown application? I mean, what's the difference in the administrative approval process in terms of what's submitted and what would be required to bring something forward to the Board, and do we need all those steps?

REAL So, generally, any application that requires a public hearing before the Board of County Commissioners also goes to the Town Board. So, we have the time that it takes to not just accept the application, but write up the application for the staff report, and then we have to send it to the Town Boards in advance so that they can prepare their agenda for their meeting to meet their statutory deadlines for posting agendas, and then it comes to either the Planning Commission or the Board thereafter.

The administrative process that we set up is an application process where we're collecting same application, same plans, however, the process is, we'll just say it's a 10-day turnaround, versus the 65-day NRS state-mandated turnaround time that we have.

MILLER Okay. Is there not potentially a way to designate it as you know, something that wouldn't require the notification and the ultimately hearing before the Town Board, and until this you know, these potential applications en masse and have it brought forward to the Commission? Even if it's just for information only.

REAL I guess we could come up with a streamlined process that fits the Boards direction that we bring these applications forward. We can bring them forward possibly on an agenda item, just for consideration, if that's what the Board directs and we could do

REAL that at a future meeting or the meeting afterwards, but then we're also limited to the time that we're required to post, which would probably take longer than the time frame that we could administratively do it. But if that's the direction from the Board, then we're happy to do that.

GIBSON What if we agreed that not just the Commissioner and the District, but all of us would receive notice of these applications so that we could take a look at what's there?

KIRKPATRICK Can I ask a question? So, we're only doing this - we're only talking about two events for \$250 million or above, right? So, why couldn't you do it the way we do the other administrative stuff, where you, to Commissioner Gibson's point, notify everybody and give us a link that, if you wanna see what the content is, we can do it, because here's what I do know about these big events; this is, like, the last thing on their list and they're going to forget. It's going to be messy, and then I feel like we'll be doing, much like we do with Feast or the pumpkin patches, right? "Oh, my god, it's October! I better get my pumpkin patch permit in!"

So, I'm just saying this is not going to happen very often. We're likely not gonna see it after February. We're gonna see it again maybe next October, right, if they come? So, we probably at least should - so that everybody kind of knows what's coming, I would - I wouldn't wanna be shocked or caught off-guard with the media saying, "Oh, my gosh, did you approve the content?" Just so we kind of know what's coming.

But, I mean, I just - it's not gonna be - you're gonna get a plethora of administrative applications. It'll take up one whole agenda if that's how we try to streamline it. I'm just trying to make it - talk - and it shouldn't. I thought the thought was it's not gonna happen very often. It's -

REAL That correct. We're just talking about, basically, the Formula 1 and the NFL Super Bowl right now. Again, all of our administrative applications are automatically sent to each of the Commissioners' district, whose district it's in. If the request from the Board is to instead of just the Commissioners whose district it's in, then what we can do is we can have staff send it to all of the Commissioners and the liaisons, and then that way, it is available for all of you to see during that time.

Granted, we, again, still have our 10-day processing timeline. So, it would still then, at that point in time, be administrative, and that would be our goal for processing the applications.

KIRKPATRICK So, let me ask - so, let's just say when you followed up with folks, three or four didn't like it, then you could still have time to put it on the next agenda, right, if that were the case? Or we'd just have to suck it up?

REAL Possibly. I guess it depends on when it's submitted and where it falls on the agenda deadline, but -

KIRKPATRICK Right.

REAL - we can do that.

GIBSON Well, the other thing that can happen, the staff can work to try and figure out what the objections are. I mean, I don't see a problem with that. I think we all ought to know what's going on. This is brand new for us. We've regulated signage. We got out-slicked a time or two, but in the end, we're pretty careful about the signage. There is an exemption for the resort hotels. That's something that we all know about.

I think that it makes sense for us to share the information. There shouldn't be any surprises to members of the Board. People all around the community call us about things that they drive by or that they see, and if we haven't seen anything about it, and they don't know what to say, and they don't understand why we wouldn't know what to say about that.

So, I think it makes sense to give an opportunity to each one of our offices to take a look at things, but I don't think we ought to make this tougher. I think this is one of those things that really makes sense for us to do. So, unless there's serious objection, I'd hope that we could continue to act as we've been doing.

SEGERBLOM Can I raise a question?

GIBSON Yes. Commissioner Segerblom.

SEGERBLOM Yeah. So, my question is: is there a way we can make some revenue off this? I mean, the reality is, this is found money for a hotel. They wrap their building, make a million bucks. It's not like they - if they're in the stadium, where they have to pay entertainment tax, or they have to pay sales tax. So, that's just - is there a way we could charge a sales tax, or an entertainment tax, or even the gross revenue 3% or something? And I'm not sure if Rob is qualified to answer, but it just seems like going forward, this would be a great opportunity for us to share in because we have to spend so much money of these events, why should we benefit from them?

KIRKPATRICK You could call it an expedited service and get the \$5,000 - no.

GIBSON Well, the fee for handling the – these -

KIRKPATRICK And we'd have to do an impact statement and all that other -

GIBSON The difficulty is that, how did you vote when you were in the Legislature, on such things?

SEGERBLOM Every tax, I voted for.

GIBSON No, I mean, what about giving us authority -

KIRKPATRICK No, he - none.

GIBSON - to do - (laughs)

KIRKPATRICK He voted against it.

SEGERBLOM And I'm saying maybe we should go back to the Legislature and just raise this issue, 'cause it's again, it's not like they have to do a lot and they're gonna make a fortune

SEGERBLOM off of it, and why couldn't we get a little piece of the pie.

KIRKPATRICK But Commissioner last session, they passed a bill that says that we have to let them advertise other things. So, I mean, it's an -

SEGERBLOM But that didn't say we couldn't take a piece of it.

KIRKPATRICK Yes, it well, we - it doesn't-

GIBSON Well, the - I'm not sure what the process is-

KIRKPATRICK Let me - I'll let Rob answer.

GIBSON - that enables us to have that conversation. That's the problem. And if they don't wanna have the conversation, then where do we go? I think that there's - are opportunities to have a conversation with the Resort Association and with the properties. Right now, I think we probably need to make sure that we enable them to do the things that will really make successful on every level, the event. And we're proud to have the Super Bowl here. It's gonna be a fun and exciting time, and I don't think any of them wanna violate anything.

There is gonna be increased room tax revenue. We don't get much of that. There will be increased sales tax revenue. We do get a share of that. And so, there - all of these things provide some boost to the economic capacity of each of the entities, and I think that some of these things could be worked out, but we gotta go to the Legislature to really change anything. I don't know. If there's not serious heartburn, then let's keep doing what we've been doing. Are you alright with that, Commissioner Miller, to keep doing what we've been doing? Except that all - each of us will get a copy of what is submitted?

Alright. Thank you very much.

**ACTION:** No action was taken by the Board.

**ITEM NO. 46** ORD-23-900276: Introduce an ordinance to consider adoption of a Development Agreement with Cimarron Capital Management LLC for a commercial development on 1.4 acres, generally located north of Blue Diamond Road and west of Cimarron Road within Enterprise. JJ/jm (For possible action)

REAL Alright. Next are ordinances for introduction. Item 46, ORD 23-900276: Introduce an ordinance to consider adoption of a Development Agreement with Cimarron Capital Management, LLC, for a commercial development on 1.4 acres, generally located north of Blue Diamond Road and west of Cimarron Road, within Enterprise. Staff recommends the Board set a public hearing for October 18th, 2023.

GIBSON I'll introduce the ordinance and set the public hearing for October 18, 2023.

**ACTION:** There being no objections, Chair Gibson set the matter for public hearing on October 18, 2023, at 9:00 a.m.

REAL	Item 47, ORD 23-900326: Introduce an ordinance to amend the official zoning map, reclassifying certain properties as approved by the Board of County Commissioners through their zone change applications on May 3rd, 2023; May 17th, 2023; and June 7th, 2023. Staff recommends the Board set a public hearing for October. I almost wanted to say August. October 18th, 2023.
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**ACTION:** There being no objections, Chair Gibson set the matter for public hearing on October 18, 2023, at 9:00 a.m.

REAL	Item 48, ORD 23-900361: Introduce an ordinance to consider adoption of a Development Agreement with Magpie Investments 2, LLC and CFT Lands, LLC, for a single-family residential development on 9.4 acres generally located south of Pyle Avenue and west of Polaris Avenue, within Enterprise. Staff recommends the Board set a public hearing for October 18th, 2023.
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**ACTION:** There being no objections, Chair Gibson set the matter for public hearing on October 18, 2023, at 9:00 a.m.

REAL	Item 49, ORD 23-900386: Introduce an ordinance to consider adoption of a Development Agreement with Tzortzis Survivors Trust, and Tzortzis Survivors Trust sorry, Trust A and Trust B for a commercial development on 3.7 acres, generally located south of Jonathan Drive and west of Las Vegas Boulevard South, within Enterprise. Staff recommends the Board set a public hearing for October 18th, 2023.
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**ACTION:** There being no objections, Chair Gibson set the matter for public hearing on October 18, 2023, at 9:00 a.m.

REAL Item 50, ORD 23-900444: Introduce an ordinance to amend the official zoning map

REAL reclassifying certain properties, as approved by the Board of County Commissioners through various zone change applications on June 21st, 2023; July 19th, 2023; and August 2nd, 2023. Staff recommends the Board set a public hearing for October 18th, 2023.

GIBSON I'll introduce the ordinance and set the public hearing for October 18, 2023.

**ACTION:** There being no objections, Chair Gibson set the matter for public hearing on October 18, 2023, at 9:00 a.m.

**ITEM NO. 51** ORD-23-900469: Introduce an ordinance to rename existing zoning districts pursuant to the recently adopted Title 30, modify the effective date for the repeal of Title 30, and make corrections and clarifications as appropriate, and direct staff accordingly. (For possible action)

REAL Last is Item 51, ORD 23-900469: Introduce an ordinance to rename the existing zoning districts pursuant to the recently adopted Title 30. Modify the effective date for the repeal of Title 30 and make corrections and clarifications as appropriate and direct staff accordingly. Staff recommends the Board set a public hearing for October 18th, 2023.

GIBSON I'll introduce the ordinance and set the public hearing for October 18, 2023.

**ACTION:** There being no objections, Chair Gibson set the matter for public hearing on October 18, 2023, at 9:00 a.m.

## **PUBLIC COMMENTS**

GIBSON This is the last time for public comment. Sir? This is your opportunity. You have three- three minutes, please. Give us your name, spell your last name.

KOPPEL My name is Martin Koppel, K-O-P-P-E-L. And I as far as ZC-23-0548 and 0550 on May 5th, 2021, I came before you on application ZC-21-0118 on Las Vegas Boulevard, which is a lot to the north and next to the two you were supposed to have before you today.

I said then and say it again today that the for-rent properties are detrimental to the homeowner properties now in that area. So, I have concerns that I will address and will ask that they put a hold on ZC20 –and those two – the - I'm told ZC-21-0118 is complete and working, so we can see if there is a detriment to the existing homeowner properties from adding 370 more units.

The second concern, of course, has to do with the water availability. Every week, I get one of these in the mail, and I agree that water is the most important problem that we have. Save is not working and may lead to a catastrophic and even possibly deadly consequences.

So, I again ask, the only moratorium on these applications 'til the water problem can be solved. The only real solution I feel will work is a water pipeline. When the pipeline is complete, we could remove the moratorium without the fear of not having enough water to safely serve the community.

Now I will not be able to be here on October 18th because my birthday is October 17th and I've also already got plans. So, I ask that what I have said here today will be considered on October 18th, with respect to ZC-23-0548 and 0550. I've got three sentences. Can I figure - can I end them?

Go ahead and finish them.

I also ask that you will not ignore our most serious problem facing us. And I thank you for listening to me.

Thank you. And we'll incorporate, we'll ask the Clerk to incorporate your comments on Items 21 and 22, which are the items that you spoke to into the record to be created on the 18th of October for those items.

Thank you.

Thank you. Is there anyone else who wishes to speak during in the public comment period? There being none, this meeting is adjourned.

APPROVED:

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JAMES B. GIBSON, CHAIR

/s/ Lynn Marie Goya

LYNN MARIE GOYA, COUNTY CLERK