

Board of County Commissioners

CLARK COUNTY, NEVADA

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

COMMISSION CHAMBERS, GOVERNMENT CENTER
500 SOUTH GRAND CENTRAL PARKWAY
LAS VEGAS, NEVADA 89106
WEDNESDAY, MAY 8, 2024

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, May 8, 2024, at 9:03 a.m. The meeting was called to order at the appointed hour by Chair Segerblom and on roll call, the following members were present, constituting all the members:

CALL TO ORDER

CHAIR AND COMMISSIONERS:

Tick Segerblom
William McCurdy II
Jim Gibson
Justin Jones
Marilyn K. Kirkpatrick
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
Jennifer Penney, Deputy Clerk

ITEM 1 Public Comments.

ACTION: No action taken by the Board.

TICK SEGERBLOM All right. Good morning. Running a little late. Mister Gibson is on the way, but we'll go ahead and start. So, Miss Real.

SAMI REAL Good morning, Commissioners. The first item on the agenda is public comment.

SEGERBLOM All right, anyone wishing to make a public comment on one of the items on the agenda? For your information, there's a couple items that are on the consent agenda that will be pulled and heard. That's 5 and 6 will be heard and also Item 11 will be heard. And if someone's here on 43, I think that item has been held, so that will not be heard today.

Is anyone here on 43?

UNIDENTIFIED SPEAKER (Inaudible)

SEGERBLOM Okay, so is that okay with you? I mean we're going to hold it but just wanted you to know you don't need to stick around. All right.

All right. So, anyone here wishing to speak about an item on the agenda that you don't want to speak about at the time the agenda item is pulled or heard, I mean.

Seeing no one, we'll go ahead and close the public comment.

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

ACTION: Approved (Items 35, 41, 42, 43 and 44 deleted; Items 5, 6 and 11 heard separately from routine action items).

REAL The second item is the approval of the agenda after considering any additions or deletions of items. Staff has the following requests, which may require renotification of fees in accordance with Title 30:

- Hold to the May 22, 2024, Zoning Meeting, Item 41 PA-23-700055 and Item 42 ZC-23-0931;
- Hold to the June 5, 2024, Zoning Meeting, Item 35 UC-24-0089; and
- Hold no date, Item 43 ZC-24-0085 and Item 44 WS-24-0086.

The above public hearing items are going to be opened as a public hearing and immediately recessed until the dates is previously stated. With these deletions, which are Items 35, 41 through 44, the agenda stands ready for your approval.

WILLIAM MCCURDY II I move for approval of the agenda with the recommended changes.

SEGERBLOM There's a motion to approve the agenda and cast your vote.

ROSS MILLER Could I just ask for a clarification? Did you say Item 14?

| | | |
|------------------------|--|---|
| REAL | So, the Items that are being held are Items 35, and 41 through 44. | |
| MILLER | Okay. Could we also hold for 14? | |
| REAL | Hold 14? | |
| MILLER | For one month. Yes. | |
| REAL | For one month? | |
| MILLER | Yes. | |
| REAL | Until June 5th? | |
| MILLER | Yes, please. | |
| REAL | Okay. All right, so I revise my list. | |
| SEGERBLOM | I amend your motion. | |
| REAL | Item 14, 35, 41 through 44. | |
| JUSTIN JONES | Is that in my District that you're holding the motion? | |
| MILLER | Sorry. | |
| MARILYN K. KIRKPATRICK | Item 11, I think. | |
| MILLER | Item 11, yeah. | |
| KIRKPATRICK | Right? | |
| MILLER | Yeah. Sorry, it's 44. Where else? | |
| REAL | 43 and 44. Yes, those are requested to be held no date. | |
| MILLER | Okay. | |
| REAL | Okay, so no additional items. Items 35, 41 through 44 proposed to be held and removed from the agenda. | |
| SEGERBLOM | All right, the motion stands and cast your vote. | |
| VOTE: | VOTING AYE: | Tick Segerblom, William McCurdy II, Marilyn K. Kirkpatrick, Justin Jones, Ross Miller, Michael Naft |
| | VOTING NAY: | None |
| | ABSENT: | Jim Gibson |
| | ABSTAIN: | None |
| SEGERBLOM | That item passes. | |

ITEM 3 Approval of minutes. (For possible action)

ACTION: Approved.

REAL The third item on the agenda is the approval of the minutes. The minutes of the April 3, 2024, Zoning Meeting are ready for approval.

MCCURDY II Mister Chairman, I move for approval of the minutes.

SEGERBLOM There's a motion to approve the minutes. Cast your vote.

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

SEGERBLOM That motion passed.

ROUTINE ACTION ITEMS (4-30)

ACTION: Approved (Items 5, 6 and 11 taken separately).

REAL Next are the routine action items which consists of Items 4 through 30 except Items 5, 6 and 11, which will be heard separately. These items may be considered together in one motion and are subject to the conditions listed with each agenda.

Additionally, staff has the following requests:

- Item 7, ET-24-400030 for NZC-20-0545, add a Current Planning condition to read, "Annex into the Mountains Edge Master Homeowners Association"; and
- Item 23, VS-24-0043, add Public Works conditions to read, "Right of away dedication to include 25 feet to the back of curb for post road and 45 feet to the back of curb for Fort Apache and associated spandrel; 30 days to submit a separate document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector, street or larger; and 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger; and then lastly, coordinate with Public Works Traffic Management Division for the design and construction of a worm island on Fort Apache Road."

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

MCCURDY II Mister Chairman, I move for approval of the routine action items with the recommended changes read into the record.

SEGERBLOM There's a motion cast your vote.

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

VOTING NAY:

ABSTAIN:

None

None

That motion passes.

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

DESIGN REVIEW for a place of worship on 5.0 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the west side of Buffalo Drive and the north side of Wigwam Avenue within Enterprise. JJ/nai/ng (For possible action)

Approved with conditions.

VOTING AYE:

VOTING NAY:

ABSENT:

ABSTAIN:

None

Jim Gibson

None

Comprehensive Planning

- Until June 16, 2026 to commence or the application will expire unless extended with approval of an extension of time;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

COMPANION ITEMS (5-6)

DESIGN REVIEWS THIRD EXTENSION OF TIME for the following: 1) a proposed shopping center; and 2) finished grade on 3.8 acres in a CG (Commercial General) Zone. Generally located on the north side of Blue Diamond Road and the east side of Durango Drive within Enterprise. JJ/my/ng (For possible action)

Approved with conditions (Companion Item 6).

REAL

The next item on the agenda are Items 5 and 6, which are companion items and will be heard together:

- Item 5, ET-24-400025 for ZC-18-0118, design reviews third extension of time for the following: A proposed shopping center and finished grade on 3.8 acres in a CG (Commercial General) Zone. Generally located on the north side of Blue Diamond Road on the east side of Durango Drive within Enterprise.
- Item 6, ET-24-400026 for UC-20-0240, use permit second extension of time for the following: alcohol sales liquor package only liquor store, not in conjunction with a grocery store, convenience store, gasoline station. Waivers of development standards for the following: reduce setback for convenience store, reduce setback for gasoline station and alternative driveway geometrics; design review for modifications to an approved shopping center on 3.8 acres in a CG (Commercial General) Zone. Generally located on the north side of Blue Diamond Road 610 feet east of Durango Drive within Enterprise.

SEGERBLOM

Good morning.

LIZ OLSON

Good morning. Liz Olson, 1980 Festival Plaza Drive here on behalf of the applicant and property owner. This site is just under 4 acres. We're located along Blue Diamond just east of Durango. The site was previously approved for Commercial Zoning back in 2018 for a commercial shopping center. In 2020 it was redesigned to include a gas station on the north-east corner. With that redesign, what we have done is added an intense landscape buffer along the entire perimeter of the property to appropriately buffer those adjacent property owners to the north and to the east of us. This is our second extension of time for the site plan that you see in front of you today. The applicant has received all of its approvals for their studies, they have their offsite permit, and they plan on pulling their grading permit by this week or next week. We expect the development to be under construction within the next month or two. We do not recall any neighbors coming out for any of the prior approvals. I know there are some neighbors here though, so we'll turn it over to you and I'll be happy to answer any questions.

SEGERBLOM

Thank you. This is a public hearing. Anyone wishing to speak on Items 5 or 6, please come forward, state your name, spell your last name please.

Each person is entitled to three minutes, but you don't have to use it if you're just repeating what the other people said. Please come forward and state your name and spell your last name.

MICHAEL DICAMILLO

Michael DiCamillo. M-I-C-H-A-E-L. DiCamillo. D-I-C-A-M-I-L-L-O. I live at 9211 Red Knoll Street, zip code 89113. My house is approximately 40 feet from where they want to develop and build a gas station, which is totally unacceptable. With the chemicals, the fumes and everything else under consideration that is way too close for anything like that to be built next to an entire housing community. And we found the code that was passed this past February that states that this cannot be done this close to a housing community. I want you to please take this into consideration. We went out and we just found out about this recently and we went for our community, and we have over 300 petitions against this. Only a

DICAMILLO

handful of us were able to show up today due to taking time off and other restraints, but this needs to be seriously looked at. We understand yeah, a strip mall was planned on being built there, but somehow this gas station got snuck in underneath the radar and it's just a major concern. The chemicals, we just don't want a cancer cluster in our backyard. I've lived there for over 16 years, done my time in the military as I'm a retired veteran and this is just totally upsetting. Thanks for your time.

SEGERBLOM

Thank you.

LARAE DICAMILLO

My name is LaRae DiCamillo, D-I-C-A-M-I-L-L-O and I also am opposing the permit for the gas station within 40 feet of our homes.

Gas stations are a known source of air pollution. They emit volatile organic compounds that can cause serious health problems such as respiratory issues, headaches and even cancer over time. And that source is the U.S. Environmental Protection Agency. Moreover, gas stations pose a risk to groundwater contamination due to potential fuel leaks. In Nevada alone there have been numerous cases where underground storage tanks at gas stations have leaked hazardous substances into the soil. And the source is the Nevada Division of Environmental Protection.

We understand that businesses need places to operate but not at the expense of residence as health and peace. We urge you to reconsider this decision and find an alternative location for this gas station away from residential areas. We also have the code here, and it is code number 30.44.010, uses allowed in zoning districts. And here it says that the transient commercial use in residential areas, Ordinance number 5056 enacted on October 4, 2023, permits the remunerative, I hope I said that right, transient commercial use within Residential Zoning Districts of Miscellaneous Zoning Districts except as expressly permitted or licensed. This means that gas stations being commercial enterprises would not be allowed to operate right next to residential properties.

The pollution from that, instead of taking in a breath of fresh air, we would be breathing in gasoline. The fumes from the gas, the benzene. If there's one crack in the sidewalk, which there will be because this is Vegas. The benzene, which is a known carcinogen, is known to leak into the soil, adhere to the outside of pipes and wiring and can literally find its way into our homes and we would have no way of knowing it. This would not just be the homes right next to the border. These could be homes throughout our entire development. I do have a petition here with 323 signatures and like it says here, prohibited uses, and one of them is a gas station and it's okay for apartments but not residential. And we are residential. And cancer is the second leading cause of death in America.

SEGERBLOM

Could you give us those petitions?

DICAMILLO

Yes, sir.

SEGERBLOM

Can somebody go up. Thank you. That was your three minutes, so thank you so much.

DICAMILLO

Yes, sir. Thank you. Thank you all for listening.

ALLISON WELSH

My name is Allison Welsh, W-E-L-S-H. My address is 9215 Red Knoll Street, 89113. I'm directly across from the DiCamillo's. My wall would be up against the lot where the development is taking place. I have four kids and I've been there for seven years, and I definitely don't want to a gas station. I understand development at some point of something, but I don't agree with the gas station at all. And she already spit coded at you guys, so I'm sure I don't need to do that again. Thank you for your time.

SEGERBLOM

Thank you.

SHANNON WEBER

Hi, my name is Shannon Weber. I live at 9060 Mount Wilson Street in Trowbridge community.

SEGERBLOM

Could you spell your last name please?

WEBER

Weber, W-E-B-E-R. I'm definitely opposed to this. With health and safety, I come from a very strong background of environmental scientists and all the ramifications of this gas station and health and safety of everyone, so I am definitely opposed to it. That's all I have to say.

SEGERBLOM

Thank you.

MICHAEL SHIZURU

Good morning. My name is Michael Shizuru, M-I-C-H-A-E-L S-H-I-Z-U-R-U. I live at 9223 Red Knoll Street. I'm very much opposed to the gas station as well. I was surprised to find out within a five-mile radius of my home there are 15 available gas stations, so I'm not quite sure why we need another one. Thank you.

SEGERBLOM

Thank you.

MICHAEL HULETT

Hello, my name is Greg Hulett and I live at 9207 Red Knoll Street, last name spelled H-U-L-E-T-T. I just wanted to come here in the opposition of granting an extension of this project. I know that the applicant's representative mentioned that there had been no previous opposition to this, and I simply think that it is because people didn't know what they were looking based on the postcards that are mailed to us. So, I really encourage you to not grant an extension with the use that they are requesting. According to – and this is in layman's terms, I'm not an expert in this, but in looking at the County's website, a gas station needs to be built 200 feet from a residential neighborhood, an existing residential neighborhood which has been here much longer than the applicant has owned the property. And they are requesting a waiver to that of 40 feet for the gas station and 17 feet for the convenience store, which a convenience store also has the same regulation of 200 feet. So, I really encourage you to not move forward with this project. My understanding is it should have been kicked off or further along at this point and that's why they're asking for an extension. I'll also make note that the Enterprise Town Board on Item number 6 did recommend not moving this along. That's all I've got. Thank you.

SEGERBLOM

Thank you. Anyone else here wishing to speak on this item? If not, we'll close the public hearing.

JONES Thank you, Mister Chair and Miss Olson. Can you just in terms of the gas station and previous notices that were sent to the residents, just identify the time frames for the prior notices that were sent on the prior applications and extensions of time?

OLSON Yes. So, the first extension of time was approved in June of 2020. The second extension of time was approved in June of 2022. That was for the zone change. The first extension of time for the gas station and revisions to the commercial was approved in June of 2022 as well. So those notices would have gone out about two months before that, right before the Town Board hearings for each of those.

JONES Good. And those went to every resident within 1,500 feet of the development?

OLSON For the gas station it would've been 500 feet. So, everybody directly adjacent.

JONES Sami, do you want to chime in?

REAL Yeah, so the use permit that was approved for the gasoline station in August of 2020 did have public notices that were sent out for that application. However, the extension of time did not have notices. That was when our code didn't require extensions of time to be by a public hearing unless it was specifically stated in the original approval. So, the extension of time that was approved in June of 2022 did not have public notices that went out. But the use permit that was approved in 2000, did.

JONES Okay. All right. Thanks for the clarification. I certainly sympathize with the sentiments. It is unfortunate that there was no opposition at the time. That said, I did impose a significant landscape barrier to address the concerns that I had at the time. And given that they are literally at the point of grading, I don't really see that I have a lot of deference at this point or ability to simply cancel their existing development. And so, with that, I understand that that is not satisfactory to you, but I'm going to go ahead and move for approval agenda Items 5 and 6.

SEGERBLOM There's a motion. Cast your vote.

VOTE:

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Marilyn K. Kirkpatrick, Justin Jones, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

SEGERBLOM That motion passes.

OLSON Thank you.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until April 4, 2025 to commence or the application will expire unless extended with approval of an extension of

time;

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

ITEM 6 ET-24-400026 (UC-20-0240)-MEQ-BD & D II, LLC:

USE PERMITS SECOND EXTENSION OF TIME for the following: 1) alcohol sales, liquor – packaged only (liquor store) not in conjunction with grocery store; 2) convenience store; and 3) gasoline station.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setback for a convenience store; 2) reduce setback for a gasoline station; and 3) alternative driveway geometrics.

DESIGN REVIEW for modifications to an approved shopping center on 3.8 acres in a CG (Commercial General) Zone. Generally located on the north side of Blue Diamond Road, 610 feet east side of Durango Drive within Enterprise.

JJ/my/ng (For possible action)

ACTION: Approved with conditions (Companion Item 5).

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until April 4, 2025 to commence or the application will expire unless extended with approval of an extension of time;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area.
- Applicant is advised a substantial change in circumstances or regulations 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

ITEM 7 ET-24-400030 (NZN-20-0545)-M E 52 PARTNERS, LLC:

ZONE CHANGE FIRST EXTENSION OF TIME to reclassify 8.6 acres from an R-E (Rural Estates Residential) Zone and RUD (Residential Urban Density) P-C (Planned Community Overlay District) Zone to an RUD (Residential Urban Density) Zone and RUD (Residential Urban Density) P-C (Planned Community Overlay District) Zone.

USE PERMIT for an attached (townhouse) planned unit development (PUD).

WAIVER OF DEVELOPMENT STANDARDS to reduce setbacks for residential units to a street.

DESIGN REVIEWS for the following: 1) an attached single family residential planned unit development; and 2) increased finished grade. Generally located on the west side of Rainbow Boulevard and the north side of Erie Avenue

within Enterprise (description on file). JJ/mh/ng (For possible action)

ACTION: Approved with conditions.

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until March 3, 2026 to complete or the application will expire unless extended with approval of an extension of time;
- Annex into the Mountain's Edge Master Homeowner's Association;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

ITEM 8 UC-24-0078-NEVADA SPEEDWAY LLC:

USE PERMITS for the following: 1) outdoor storage; and 2) auction in conjunction with an existing motor vehicle racetrack on a portion of 990.2 acres in a CG (Commercial General) Zone within the Airport Environs (AE-65, AE-70, AE-75, AE-80, APZ-4) Overlay. Generally located on the north side of Las Vegas Boulevard North and the east side of Hollywood Boulevard within Sunrise Manor. MK/nai/ng (For possible action)

ACTION: Approved with conditions.

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Within the Accident Potential Zone (APZ), 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.
- Applicant is advised that within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in

circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Clark County Water Reclamation District (CCWRD)

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

COMPANION ITEMS (9-10)

ITEM 9 VS-24-0076-LVS MOB, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Sahara Avenue and Laredo Street, and between Miller Lane and Buffalo Drive and a portion of a right-of-way being Laredo Street located between Miller Lane and Buffalo Drive within Spring Valley (description on file). JJ/rr/ng (For possible action)

ACTION: Approved with conditions (Companion Item 10).

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

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

Fire Prevention Bureau

- 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 10 WS-24-0075-LVS MOB, LLC:

WAIVER OF DEVELOPMENT STANDARDS for alternative driveway geometrics.

DESIGN REVIEW for an office and retail complex on 1.7 acres in a Commercial General (CG) Zone. Generally located on the west side of Buffalo Drive and the north side of Laredo Street within Spring Valley. JJ/rr/ng (For possible action)

ACTION: Approved with conditions (Companion Item 9).

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements for Laredo Street.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb, vacation of excess right-of-way, and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated County; and for any sanitary sewer needs, to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

ITEM 11 WS-24-0006-COUNTY OF CLARK (PK & COMM SERV):

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce departure distance; 2) reduce approach distance; 3) driveway width; and 4) throat depth.

DESIGN REVIEW for a proposed fire station on a 1.0 acre portion of 4.5 acres in a PF (Public Facilities) Zone. Generally located on the Northeast corner of Lana Drive and Pancho Villa Drive within Paradise. TS/sd/ng (For possible action)

ACTION: Approved with conditions.

REAL

Next on the agenda is Item 11, WS-24-0006. Waivers of development standards for the following: reduced departure distance, reduce approach distance, driveway width and throat depth. Design Review for a proposed fire station on a 1-acre portion of 4.5 acres in a PF (Public Facilities) Zone. Generally located on the northeast corner of Lana Drive and Pancho Villa Drive within Paradise.

SEGERBLOM

Good morning.

CHRIS LUJAN

Good morning, everyone. My name is Chris Lujan, L-U-J-A-N, 314 South Water Street. I'm here on behalf of the Clark County Real Property Management and Clark County Fire Department. Today we're sharing the new fire station number 62, which is to be located at the southwest corner of Pancho Villa and Lana Drive next to Maslow Park. This facility, 11,000 square feet occupies just under an acre of area in general and we agree with the staff recommendation report that was recently submitted. And I'm here if you have any questions. Thank you very much.

SEGERBLOM

This is a public hearing. The gentleman who filed number 11.

SALVADOR MACIAS

Salvador Macias, M-A-C-I-A-S, 5400 Mountain Vista. So, I went to the County or the community meeting last week and the applicant before me, they were harassed about parking and tree preservation. On this application, they're cutting down trees that have been there for 50 years and on that picture, there is no trees, no shrubs that they're replacing those trees with. I've yet to hear of a business take over a parking lot of a establish business and not create any parking for the parking lot that they're taking over. They have not talked about wheelchair access once they take over the parking lot, and with the trash once that the parking lot has taken over, is that going to be on the residents' dime? Is a cleanup crew going to clean it up or are the firefighters going to clean it up before morning chow?

There was a water park there that at the community meeting was made to seem like it was a money drain. The water park is no longer there, it's just an area for kids to run around and there is no money being wasted on that on that part of the park.

And also, one other thing that hasn't been brought up, where are you guys going to place Hector Perez's plaque. You guys honored the little kid that passed away at the park and nothing's been said about Hector Perez. Hector Perez died on October 9, 2001, and maybe they didn't see that there was a plaque there because that plaque was stolen, and it hasn't been replaced to honor the little kid. So how come the little kid is not being mentioned in this applicant?

And how is it that we got this far without them having to have a waiver for parking or tree preservation? I'm a first-time Dad and I use that park on a daily basis. That parking lot, while it doesn't seem that it's being used, can be used for RC driving, or showing your kid how to ride a bike, or just if people for quinceañeras and dance. I mean another thing that you guys need to work on is you guys need to open up the school play areas. In my generation you were able just to walk into school and play and shoot hoops. You can't do that anymore. So, let's think about the kids. Thank you.

SEGERBLOM

Thank you. You're speaking to the choir.

You want to come on? Anyone else here?

GIBSON

He's right.

MACIAS

(Inaudible)

SEGERBLOM

Okay, thank you.

Can you address some of the issues he raised, like the trees and the parking lot and the garbage?

LUJAN

Certainly. In the due diligence process in which we ran several site studies for the fire station, again, this is a county property, in an area that is within need for heavy response time improvements. And so, if you notice the existing parking lot. You go there throughout the day, oftentimes is relatively empty. Understand at large events you might have that. However, given our current zoning for public, we've ensured that you maintain parking along the street side. The width of Pancho Villa accommodates dual-sided parking, no problem. Overall, to the site, we have provided secure staff parking as well as open visitor parking, which has ADA amenities immediately adjacent to the ball fields. So, we've accounted for the required number of ADA parking in this location.

Understood that there's a concern for moving these existing trees. The existing trees are large pine trees, two of which are started to show signs of blight. We understand that as we continue to face water challenges that these species are going to be impacted. With that said, here on the landscape plan we are following current landscaping requirements to replace trees on site where we provide these buffers. So, understand again, an existing parking lot is being upgraded on behalf of Public Safety. This is an area in fact, near Boulder Highway in Nellis, which receives quite a number of calls. It is in between three nearby station response areas, but really serves a need in that community.

SEGERBLOM

Were you aware of this plaque for the boy?

LUJAN

Sir, I was not.

SEGERBLOM

Yeah, I was not aware of that either, but I promise you we'll take care of that.

So let me just address your issues. First, trees are our foremost issue, and even though we're having to take out mature trees, we will put better trees in there and make sure that there are trees on every inch. So going forward, this is going to be the most trees of any park – and even if we have to steal the EDC trees.

And then with respect to the boy, I didn't realize that, but I will find out what that was. We'll create another plaque, and we'll make sure that it is prominently displayed in the park, and I apologize for that issue. That was just something we were unaware of.

SEGERBLOM

The truth is the station is very necessary for that area. Actually, your property tax, I mean your homeowners rates are probably going to go down having the station nearby. There's not a lot of places to put these, so it's just something we have to do. And as far as the schools go, we are always working with the schools to try to open up their space, which are great. That's an ongoing problem. We don't control the schools, but we are going to try to continue to work on that led by again, Commissioner Kirkpatrick.

But you raised some good issues, but we are going to go forward. I would make a motion to go forward. This thing is necessary. We've worked on it as far as the design goes, and I think it really – we did the best we could do to fit into that neighborhood, and I think the neighbor's going to love having firefighters in there on a daily basis. It's just nothing better than having – this is like an old precinct in New York or something where you have the firefighters walking around the community showing their face and the park is going to be much better in my opinion.

So, with that, I'd move for approval.

LUJAN

Thank you.

VOTE:

VOTING AYE:

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

VOTING NAY:

None

ABSENT:

None

ABSTAIN:

None

SEGERBLOM

That motion passes, but my office will reach out to you and work with you as we go forward. Thank you so much for your interest.

CONDITIONS OF APPROVAL –

Comprehensive Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Applicant to coordinate with Public Works - Development Review Division for the location of the trash enclosure.

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 #0361-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

COMPANION ITEMS (12-16)

ITEM 12 PA-23-700050-MOSAIC LAND 1 LLC & BALELO 2012 IRREVOCABLE TRUST:

PLAN AMENDMENT to redesignate the existing land use category from Open Lands (OL) to Compact Neighborhood (CN) on 1.9 acres. Generally located on the south side of Cactus Avenue, 300 feet east of Durango Drive within Enterprise. JJ/rk (For possible action)

ACTION: Adopted as recommended (Resolution R-5-8-24-1; Companion Items 13-16).

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

ITEM 13 ZC-24-0014-MOSAIC LAND 1, LLC & BALELO 2012 IRREVOCABLE TRUST:

ZONE CHANGE to reclassify 1.9 acres from an RS20 (Residential Single-Family 20) Zone to an RS3.3 (Residential Single-Family 3.3) Zone for a proposed single family subdivision. Generally located on the south side of Cactus Avenue, 300 feet east of Durango Drive within Enterprise (description on file). JJ/hw/ng (For possible action)

ACTION: Approved with conditions (Companion Items 12 and 14-16).

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

CONDITIONS OF APPROVAL –

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0483-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM 14 WS-23-0865-MOSAIC LAND 1, LLC & BALELO 2012 IRREVOCABLE TRUST:

AMENDED WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) street landscaping (no longer needed); 2) wall height; 3) reduce lot area (no longer needed); 4) reduce setbacks; 5) increase fill; 6) attached sidewalks; and 7) driveway geometrics.

DESIGN REVIEWS for the following: 1) alternative building design standards; and 2) a detached single family residential subdivision on 1.9 acres in an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Cactus Avenue, 300 feet east of Durango Drive within Enterprise. JJ/hw/syp (For possible action)

| | | |
|----------------|---|---|
| ACTION: | Approved with conditions (Companion Items 12, 13, 15 and 16). | |
| VOTE: | VOTING AYE: | Tick Segerblom, William McCurdy II, Marilyn K. Kirkpatrick, Justin Jones, Ross Miller, Michael Naft |
| | VOTING NAY: | None |
| | ABSENT: | Jim Gibson |
| | ABSTAIN: | None |

CONDITIONS OF APPROVAL –

Comprehensive Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements;
- No additional drivable surfaces to be installed on each side of the driveways.
- 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 #0483-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM 15 VS-23-0866-MOSAIC LAND 1, LLC & BALELO 2012 IRREVOCABLE TRUST:

VACATE AND ABANDON easements of interest to Clark County located between Durango Drive and Lisa Lane and between Cactus Avenue and Levi Avenue, and a portion of right-of-way being Cactus Avenue located between Durango Drive and Lisa Lane within Enterprise (description on file). JJ/hw/syp (For possible action)

| | | |
|----------------|--|---|
| ACTION: | Approved with conditions (Companion Items 12-14 and 16). | |
| VOTE: | VOTING AYE: | Tick Segerblom, William McCurdy II, Marilyn K. Kirkpatrick, Justin Jones, Ross Miller, Michael Naft |
| | VOTING NAY: | None |
| | ABSENT: | Jim Gibson |
| | ABSTAIN: | None |

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- 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 16 TM-23-500183-MOSAIC LAND 1, LLC & BALELO 2012 IRREVOCABLE TRUST:

TENTATIVE MAP consisting of 19 detached single family residential lots and 2 common lots on 1.9 acres in an RS3.3 (Residential Single Family 3.3) Zone. Generally located on the south side of Cactus Avenue, 300 feet east of Durango Drive within Enterprise. JJ/hw/syp (For possible action)

ACTION: Approved with conditions (Companion Items 12-15).

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements;
- No additional drivable surfaces to be installed on each side of the driveways.
- 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.

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided;
- Remove Silent Peak Court from the map, bubble streets less than 100 feet in length shall not be named;
- Tranquil Cove Street is a cul-de-sac and shall have the suffix of Court.

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 #0483-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

COMPANION ITEMS (17-19)

ITEM 17 PA-24-700001-SK INC PROFIT SHARING PLAN & TRUST & KRYGARD, LLC:

PLAN AMENDMENT to redesignate the existing land use category from Corridor Mixed-Use (CM) to Business Employment (BE) on 6.5 acres. Generally located on the south side of Las Vegas Boulevard North and the west side of Nellis Boulevard within Sunrise Manor. MK/rk (For possible action)

ACTION: Adopted as recommended (Resolution R-5-8-24-2; Companion Items 18 and 19).

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

ITEM 18 ZC-24-0037-SK, INC PROFIT SHARING PLAN & TRUST & KRYGARD, LLC:

ZONE CHANGE to reclassify 6.5 acres from a CG (Commercial General) Zone to an IL (Industrial Light) Zone for a proposed office/warehouse and distribution complex within the Airport Environs (AE-70) Overlay. Generally located on the south side of Las Vegas Boulevard North and the west side of Nellis Boulevard within Sunrise Manor (description on file). MK/hw/ng (For possible action)

ACTION: Approved with conditions (Companion Items 17 and 19).

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

CONDITIONS OF APPROVAL –

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions; 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 #0066-2024 to obtain your POC exhibit; and

that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM 19 DR-24-0038-SK INC PROFIT SHARING PLAN & TRUST & KRYGARD, LLC:

DESIGN REVIEW for an office/warehouse and distribution complex on 6.5 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-70) Overlay. Generally located on the south side of Las Vegas Boulevard North and the west side of Nellis Boulevard within Sunrise Manor. MK/hw/ng (For possible action)

ACTION: Approved with conditions (Companion Items 17 and 18).

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

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

Public Works - Development Review

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

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions; 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 #0066-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

COMPANION ITEMS (20-21)

ITEM 20 ZC-23-0665-WHTBX DECATUR, LLC:

HOLDOVER ZONE CHANGE to reclassify 1.0 acre from a C-2 (General Commercial) (AE-65) Zone to an M-D (Designed Manufacturing) (AE-65) Zone.

WAIVER OF DEVELOPMENT STANDARDS to reduce parking.

DESIGN REVIEW for an office/warehouse facility on 4.4 acres in an M-D (Designed Manufacturing) (AE-65) Zone. Generally located on the northeast corner of Decatur Boulevard and Post Road within Paradise (description on file). MN/sd/syp (For possible action)

| | | |
|----------------|---|---|
| ACTION: | Approved with conditions (Companion Item 21). | |
| VOTE: | VOTING AYE: | Tick Segerblom, William McCurdy II, Marilyn K. Kirkpatrick, Justin Jones, Ross Miller, Michael Naft |
| | VOTING NAY: | None |
| | ABSENT: | Jim Gibson |
| | ABSTAIN: | None |

CONDITIONS OF APPROVAL –

Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County 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

- Comply with approved drainage study PW23-15174;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Post Road;
- Applicant to construct a median on Post Road at signalized intersection.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way, dedication to back of curb 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;
- 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;
- 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 and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the 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 #0362-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM 21 VS-23-0666-WHTBX DECATUR, LLC:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Decatur Boulevard and Cameron Street and between Post Road and Sobb Avenue, and a portion of right-of-way being Post Road between Decatur Boulevard and Cameron Street, and a portion of right-of-way being Decatur Boulevard between Sobb Avenue and Post Road within Paradise (description on file). MN/sd/syp (For possible action)

ACTION: Approved with conditions (Companion Item 20).

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

- Right-of-way dedication to include 25 feet to the back of curb for Post Road;
- 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, dedication to back of curb 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.

COMPANION ITEMS (22-24)

ITEM 22 ZC-24-0041-HUNTINGTON, LLC SERIES VI & LET IT GROW, LLC:

ZONE CHANGE to reclassify 1.5 acres from RS20 (Residential Single-Family 20) Zone to CN (Commercial Neighborhood) Zone. Generally located on the northwest corner of Fort Apache Road and Post Road within Spring Valley (description on file). JJ/sd/ng (For possible action)

ACTION: Approved with conditions (Companion Items 23 and 24).

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

CONDITIONS OF APPROVAL –

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0067-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM 23 VS-24-0043-HUNTINGTON, LLC SERIES VI & LET IT GROW, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Fort Apache Road and Dollar Court (alignment) and between Post Road and Sobb Avenue (alignment) within Spring Valley (description on file). JJ/sd/ng (For possible action)

ACTION: Approved with conditions (Companion Items 22 and 24).

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording;
- Right-of-way dedication to include 25 feet to the back of curb for Post Road, 45 feet to the back of curb for Fort Apache Road and associated spandrel;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- Coordinate with Public Works - Traffic Management Division for the design and construction of a worm island on Fort Apache Road.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb, the

recordation of this vacation of excess right-of-way, and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

ITEM 24 WS-24-0042-HUNTINGTON LLC SERIES VI & LET IT GROW LLC:

WAIVER OF DEVELOPMENT STANDARDS for driveway geometrics.

DESIGN REVIEW for a daycare facility on 1.5 acres in a Commercial Neighborhood (CN) Zone. Generally located on the northwest corner of Fort Apache Road and Post Road within Spring Valley. JJ/sd/ng (For possible action)

ACTION: Approved with conditions (Companion Items 22 and 23).

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of an application for a zoning inspection.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Post Road, 45 feet to the back of curb for Fort Apache Road and associated spandrel;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- Coordinate with Public Works - Traffic Management Division for the design and construction of a worm island on Fort Apache Road.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb, vacation of excess right-of-way, and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

ITEM 25 ZC-24-0074-KANTOR, RANDY & JOEY:

ZONE CHANGE to reclassify 0.7 acres from an H-2 (General Highway Frontage) Zone to a CG (Commercial General) Zone for a future commercial development. Generally located on the west side of Boulder Highway and the north side of English Avenue within Whitney (description on file). JG/rk/ng (For possible action)

ACTION: Approved.

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

COMPANION ITEMS (26-29)

ITEM 26 ZC-24-0100-CMR REALTY, LLC:

ZONE CHANGE to reclassify 7.1 acres from an Industrial Light (IL) Zone and a Commercial Resort (CR) Zone to a CG (Commercial General) Zone. Generally located 135 feet south of Spring Mountain Road and the west side of Procyon Street within Paradise (description on file). JJ/md (For possible action)

ACTION: Approved with conditions (Companion Items 27-29).

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

CONDITIONS OF APPROVAL –

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code. Applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant 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.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0121-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM 27 VS-24-0101-CMR REALTY, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Spring Mountain Road and Twain Avenue, and between Valley View Boulevard and Procyon Street within Paradise (description on file). JJ/md/ng (For possible action)

ACTION: Approved with conditions (Companion Items 26, 28 and 29).

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

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

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 28 WS-24-0102-CMR REALTY, LLC:

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

DESIGN REVIEWS for the following: 1) alternative landscape plan; and 2) a commercial complex on 7.1 acres in a CG (Commercial General) Zone. Generally located 135 feet south of Spring Mountain Road and the west side of Procyon Street within Paradise. JJ/md/ng (For possible action)

| | | |
|----------------|---|---|
| ACTION: | Approved with conditions (Companion Items 26, 27 and 29). | |
| VOTE: | VOTING AYE: | Tick Segerblom, William McCurdy II, Marilyn K. Kirkpatrick, Justin Jones, Ross Miller, Michael Naft |
| | VOTING NAY: | None |
| | ABSENT: | Jim Gibson |
| | ABSTAIN: | None |

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of an application for a zoning inspection.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Reconstruct any unused driveways with full off-site improvements.
- Applicant is advised that off-site improvement permits may be required.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code. Applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant 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.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0121-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM 29 TM-24-500027-CMR REALTY, LLC:

TENTATIVE MAP consisting of 1 commercial lot on 7.1 acres in a CG (Commercial General) Zone. Generally located 135 feet south of Spring Mountain Road and the west side of Procyon Street within Paradise. JJ/md/ng (For possible action)

ACTION: Approved with conditions (Companion Items 26-28).

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Reconstruct any unused driveways with full off-site improvements.
- Applicant is advised that off-site improvement permits may be required.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised 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 #0121-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM 30 ORD-24-900010: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Fairmont Plaza Partners LLC for an industrial development on 5.0 acres, generally located north of Warm Springs Road and east of Buffalo Drive within Spring Valley. MN/lg (For possible action)

ACTION: Adopted (Ordinance 5128).

VOTE:

VOTING AYE:

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

VOTING NAY:

None

ABSENT:

Jim Gibson

ABSTAIN:

None

NON-ROUTINE ACTION ITEMS (31-54)

ITEM 31 SDR-24-0099-LODGE AT BLUE DIAMOND LAND, LLC

SIGN DESIGN REVIEWS for signage in conjunction with an existing restaurant and related services on 1.5 acres in a CG (Commercial General) Zone. Generally located on the north side of Blue Diamond Road, 350 feet west of Chieftain Street within Enterprise. JJ/jba/ng (For possible action)

ACTION:

Approved with conditions.

REAL

Next is Item 31, SDR-24-0099. Sign design reviews for signage in conjunction with an existing restaurant and related services on 1.5 acres in a CG (Commercial General) Zone. Generally located on the north side of Blue Diamond Road, 350 feet west of Chieftain Street within Enterprise.

SEGERBLOM

Good morning.

MICHAEL KORN

Good morning. My name is Michael Korn, spelled K-O-R-N, representing Patrick Signs, 5115 Arville Street. We are talking today about the Lodge at Blue Diamond, a project that we were already permitted for last year. We're asking for waivers of standards for the animation on the beer mugs, which is a changing neon for a video EMU on the freestanding sign. Currently, we have multitenant panels, as you can see in this photograph.

We are also seeking waiver of standards for the freestanding height of the sign. Current code states 20 feet. However, when this was permitted and accepted, the code was 35 feet. And we're also requesting a waiver of standards for the illumination between 10:00 and 6:00 a.m. or 10:00 p.m. and 6:00 a.m. Again, when we built this and when we put everything in, it was done to code and to standard. I'm available for any questions.

SEGERBLOM

This is a public hearing anyone hear wishing to speak on this item. Seeing no one, we're going to close the public hearing and turn it over to Commissioner Jones.

JONES

Thank you, Mister Chair. Can you just clarify, I know you said it was permitted previously, can you explain a little bit about what happened and why it's already built?

KORN

Yes, sir. We obtained our permits prior to the County Planning and Zoning issuing us a request for a design review. They admitted that that was a clerical error on their part. They did, however, issue us the permits. In fact, the permit for the building signage itself is closed. It has been approved. The only thing that is standing from us completing this project altogether is the freestanding sign, which we're waiting just for the design review to be completed.

JONES Very good. I'll go ahead and move for approval of agenda Item 31.

SEGERBLOM There's a motion. Cast your vote.

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

SEGERBLOM That motion passes. Thank you.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

ITEM 32 ET-24-400027 (UC-18-0235)-BP DURANGO LP:

USE PERMITS THIRD EXTENSION OF TIME for the following: 1) reduce the setback to a residential use; and 2) allow a service bay door to face a street.

WAIVER OF DEVELOPMENT STANDARDS for modified street standards.

DESIGN REVIEW for a vehicle wash facility on a portion of 2.5 acres in a CG (Commercial General) Zone. Generally located on the west side of Durango Drive, 427 feet north of Russell Road within Spring Valley. JJ/rp/ng (For possible action)

ACTION: Approved with conditions.

REAL Next is Item 32, ET-24-400027. Use permits third extension of time for the following: Reduce the setback to a residential use and allow a service bay door to face a street. Waivers of development standards for modified street standards. Design review for a vehicle wash facility on a portion of 2.5 acres in a CG (Commercial General) Zone. Generally located on the west side of Durango Drive, 427 feet north of Russell Road within Spring Valley.

CLEMENT BALSER Morning, Commissioners. My name is Clement Balser, B-A-L-S-E-R, 1129 Industrial Avenue, 94952. Thank you for your time. This is a third extension is noted however for us it's our first. We purchased – I represent the applicant.

SEGERBLOM Can you turn the exhibit?

BALSER Oh, yes. Excuse me. Is that okay? We received our ADR approval for a notably improved car wash project here in November of last year. Have since worked very diligently with the Public Works and Building Departments on a submittal of new building drawings that again improved upon the previous use permit. We're

currently responding to third round comments as well as have a grading permit in for imminent approval. Working with Public Works on additional sidewalk, especially notable is the number of additional trees, the improvement of safety, circulation, smaller building, much more landscaping.

So, we really need very little more time in order to receive our building permit and start construction. We certainly look forward to building here. We won't need any more time, and I'm here to answer any questions as well as, of course, seek approval. Thank you.

This is a public hearing. Anyone wishing to speak on this item please come forward. Seeing no one, we'll close the public hearing and turn it over to –

Thank you, Mister Chair.

– Commissioner Jones. I was looking at the RP and thinking, "Who the hell is RP?"

Mister Papazian, any comments?

Thank you, Commissioner. We were just reviewing to see when the last time they submitted off-site. So, we do have a few items in the works.

Okay.

We are waiting for them to resubmit.

Okay, very good. Then I'll move for approval of agenda Item 32.

There's a motion. Cast your vote.

Thank you, Commissioners.

VOTE:

VOTING AYE:

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

VOTING NAY:

None

ABSENT:

None

ABSTAIN:

None

That motion passes.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until November 16, 2025 to commence to match the expiration date of ADR-23-900496;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or

there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

ITEM 33 UC-24-0013-LEADING EDGE VENTURES LLC:

HOLDOVER USE PERMIT for an airstrip.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase non-decorative security fence height; 2) eliminate on-site landscaping; 3) eliminate parking area landscaping; and 4) eliminate buffering and screening.

DESIGN REVIEW for an airstrip on a 40.2 acre portion of a 242.4 acre site in an RS80 (Residential Single-Family 80) Zone. Generally located 4.1 miles east of the Nye/Clark County border and 1.1 miles north of SR 160 within the Northwest County Planning Area. JJ/md/ng (For possible action)

ACTION: Approved with conditions.

REAL Next is Item 33, UC-24-0013. Holdover use permit for an airstrip, waivers of development standards for the following: increase non-decorative security fence height, eliminate on-site landscaping, eliminate parking area landscaping, and eliminate buffering and screening. Design review for an airstrip on a 40.2-acre portion of a 242.4-acre site in an RS80 (Residential Single-Family 80) Zone. Generally located 4.1 miles east of Nye/Clark County border and 1.1 miles north of SR 160 within the Northwest County Planning Area.

SEGERBLOM Good morning.

GEORGE GARCIA Commissioners, George Garcia, 1055 Whitney Ranch Drive, Suite 210. Pleasure to be before you. Certainly not something you see every day, but this is an airstrip and I think we all know that given recent major events in Las Vegas and the Valley, as part of our brand we've run short of a landing area. So, for capacity we had quite a few people parking in St. George and other places outside the state.

So, this is in part to help improve this general aviation availability. It improves the capacity for both in the air as well as on the ground. So, creating jobs to help create the construction of the airport and the facilities, or the air strip in the facilities and then also to maintain those facilities and bring those jobs and economics here.

In addition, of course it helps support the tourism that we have as well as general aviation. People want to do training, touch-and-go, those sorts of things.

So, creating a new airstrip. This airstrip as you can see, as staff indicated, quite a way outside the Valley here you see on the right side the edge of Summerlin and of course on the left, you see where we're approaching Pahrump quite a way outside the developed area. In fact, we're so far outside sort of the mainstream of development, that we're also well outside here, the disposal boundaries shown in the green boundary.

So, we're outside of where anything can be built currently. We'd all like to see the BLM change that, but right now currently that's the case. So, we're quite a way outside the disposal area.

GARCIA

This is an area that's essentially the only privately owned piece surrounded by a lot of BLM lands. And part of that BLM land, there's a lot of solar going on the south side of the Pahrump where we're out of here or outside of the Pahrump Valley highway. And then we're outside the ACEC (Areas of Critical Environment Concern) as well.

So, we're not affecting critical environmental areas, and we're an area that's under development but not for residential, even though the zoning designation out in this area is for the RS80, but not going to be anytime soon. This is hard to imagine how this fits out there because you can't – it's like just a drop in all of that vacant land. But this is the runway depiction next to the channel that's out there for drainage for the wash.

So, as we know that from a land use planning standpoint, the code allows us to make this request of you for this as a special use permit, in the code here in the zoning designation for the RS80. You can see here at the top for that. And then this is the airstrips and airports is a special use permit. So, it is a permissible with your consent.

The other thing I'd point out is, and this is an area of concurrent jurisdiction, that is the County has to approve it, FAA (Federal Aviation Administration) has to approve it. We provided an application that we indicated to the County to show we've made that application. That's pending, where we've gone through a couple of rounds with them, and we'll complete that effort.

One of the things they asked us to do, although they then withdrew that requirement was an aerospace analysis. We provided that to them as well. I won't go into the details, but happy to come back if there's any questions or you want to go into that deeper.

We also have a letter from the Lieutenant Governor's Office indicating the need for this facility, and I'll quote here, from Stavros Anthony, our Lieutenant Governor, "Increasing aviation capacity is critical to meet the growing demand of our state and for our state's future economic development." Which is kind of what I touched on initially that we have there.

We think this is totally appropriate. We clearly – you wouldn't want to put an airstrip close to residential so you can't get much further away from residential than where we're at, and certainly none anticipated in the near future.

As I said, this is great economic opportunity, a service and capacity opportunity, and we'd be happy to answer any questions and if there's any comments, I'll be happy to come back and respond to those as well.

SEGERBLOM

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

JONES

Thank you, Mister Chair. Mister Papazian?

PAPAZIAN

Thank you, Commissioner. Since they are coming off of State Route 160, I would like to add a condition, more of an advisory that says applicant is advised that

PAPAZIAN NDOT permits may be required to give them that allowance to come off of the state route.

JONES Very good. Mister Garcia, just to clarify have you applied for a BLM access easement to get to the property?

GARCIA Yes. We already have that BLM access granted, and we've also had discussions with NDOT on the access connection to the state highway. So obviously subject to this approval, we'll have to finalize that design and submit it to NDOT. But we've had those preliminary conversations and we do have the –

SEGERBLOM Somebody's whispering in your ear.

GARCIA Yeah, so he was just reminding me. So, as I said, we do have the approval on the BLM, that's recorded at the BLM Office. You can obtain a copy of that agreement between us and the BLM.

JONES Very good. Miss Real, did you want to speak to some of the additional as approved conditions?

REAL Yes, please. So, working with the Department of Aviation, we have a recommendation to change, just modify and clarify some of the conditions. So, under the first bullet point that requires the FAA approval, the letter of objection or no objection with provisions from the FAA. Just want to add some clarifying language to ensure that that is noted and required prior to the issuance of any construction permits. So, we'd like to add the language prior to the issuance of any construction permits to the beginning of that first bullet.

And then in the third bullet, because they are not proposing any spacecraft at this time or spaceport at this time, we would strike out the language in the third bullet point and just leave it to aircraft and airstrip.

We do have conditions under the Comprehensive Planning that says basically any change of use to the airstrip facility would require new land use application as well as the addition of any buildings. I would like to ask that for the third bullet under Comprehensive Planning, that we strike that and instead add a requirement for a development agreement, because of the facilities and services out there.

And then should the fire department or any other agency want a response plan that we can definitely include that as part of the development agreement.

JONES Very good. Mister Garcia, do you understand those modifications of the conditions?

GARCIA I do, and clearly think those are all appropriate in light of what we're actually requesting.

JONES All right, and just for its –

GARCIA We agree to those.

JONES Yes. Just so it's 100% clear on the record, your client is only applying for an airstrip and not a spaceport.

JONES Thank you. With that, I'll go ahead and move for approval of agenda Item 32, sorry, 33.

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

GARCIA Commissioners, thank you.

Comprehensive Planning

Public Works - Development Review

Department of Aviation

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 34 UC-24-0054-J P MORGAN BRIDGE IRREVOCABLE TRUST & WOODARD TARNITA TRS:

USE PERMIT for an exotic/wild animal in conjunction with an existing single family residence on 2.6 acres in an RS20 (Residential Single-Family 20) Zone. Generally located on the south side of Oquendo Road, approximately 620 feet east of Lamb Boulevard within Paradise. JG/dd/ng (For possible action)

ACTION:

Approved with conditions.

REAL

Next on the agenda is Item 34, UC-24-0054, use permit for an exotic wild animal in conjunction with an existing single-family residence on 2.6 acres and an RS20 (Residential Single-Family 20) Zone. Generally located on the south side of Oquendo Road, approximately 620 feet east of Lamb Boulevard within Paradise.

SEGERBLOM

Good morning.

TARNITA WOODARD

Good morning. My name is Tarnita. Last name Woodard. W-O-O-D-A-R-D.

SEGERBLOM

I'm sorry we couldn't hear you. Can you speak a little louder or a little closer to your face?

WOODARD

Yes. My name is Tarnita Woodard. Last name W-O-O-D-A-R-D. And we are requesting a special use permit for an exotic animal.

JAMAL RASHID

How you doing? I'm Jamal Rashid as well. I'm at the residence. We're here. I have my property manager Robert, and we have our assistant as well, Nico Tello.

SEGERBLOM

We're having a hard time hearing you. Can you hold it closer or speak louder?

RASHID

Yeah, sorry about that. Yeah, we're here. We wanted to come a little more prepared this time. So, Mister Gibson – Commissioner Gibson, I sent a package. I don't know if you got it. To you a little while ago. We spoke to a lot of our neighbors. We have six signatures from our neighbors approving in support of this use permit. And we just wanted to extend and go a little bit further this time. We've had this license from 2009 until 2017.

In 2019, we had a little discrepancy as far as the extension was. There was a problem with the payment being mailed late. I had an assistant with cancer at the time and we had a copy of the check that was printed out to the County, that was a year sitting there for a year the whole time, due to me traveling and stuff like that. That's what happened.

My partner, she has lupus. We got letters from doctors, and we got a federal approved emotional support animal that we would like. I suffer from a lot of anxiety and stuff like that, and I've had these animals, me, and her, for over 10, 12 years. My property manager is an animal lover. He has three dogs and we're more homebodies. We stay home, we don't go a lot of places. Even our neighbors, we have neighbors here, kids that come over. And when we did have the exotic

RASHID

animals there, we had three or four at the time.

Now we're just asking for just one. We have cages built, everything's secure, everything under code and I'm sure the County can come and approve that and stuff like that. But we're just here to answer any questions and let you guys know that we're here to comply with whatever you guys need. Like I said, we spoke to our neighbors, we spoke to Chris, who's basically the governor of our neighborhood, and we just wanted to make everybody feel comfortable and let you guys know that we're just trying to do it the right way, and make sure that any questions you guys have, concerns, we're here to address them.

SEGERBLOM

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

JIM GIBSON

Thank you, Mister Chair. Who owns this cat?

RASHID

Me and her.

GIBSON

The reason I ask that question is at the Town Board Meeting, the Town Board got really interested in the fact that the person who was there knew no detail about the life of the cat. The food the cat eats, the caring of the cat – just didn't know anything. And it was hard to believe much else –

RASHID

I understand.

GIBSON

– when that's the kind of testimony that comes in. Now here's the problem that we face. And if you look at the report starting with your original use permit in 2008, the site was approved – has been approved for six separate use permits that allowed various exotic wild animals within the past 16 years. Every single one of those permits has been allowed to expire, and you have not complied with the requirement that you bring forward an application for a review, ever. So, every single time there was required a brand-new use permit, which takes staff time, it takes our time, it creates an environment where it feels like you're willing to come and ask us for something, but you're not willing to do your part.

And quite honestly, I came in here committed to just simply denying this application, simply because you've never shown that you're willing to stand up and take responsibility. And I'm sure in other aspects of your life you're a very responsible person. But when it comes to the dealings with Clark County, it is like you just blow it off, and you're unwilling to do the things that you commit to. Right here, right now, I'm sure you're willing to commit to do everything, but we've heard that before.

RASHID

I completely understand.

GIBSON

So why should we do this today? When the history is, we could predict, I think, that you won't do what you're required to do.

RASHID

First, I want to apologize for that and take accountability. I'm in the music industry so I would travel a lot. I would do a lot of things. So, I depended on somebody to handle things for me. This time I wanted to come myself here and

RASHID take accountability. Like I said, I apologize for that. I went on from the last two weeks I've been talking to neighbors, walking, seeing the neighbors, explaining to them everything, sharing any concerns, questions. I've taken pictures. I've even had some come to the property and walk the property. This property used to be a horse ranch before where we had horses. We have a 32-horse stable where we can have horses and animals.

We're not asking for any of that. And I understand completely what you're saying. That's why I'm going to take it upon myself every time to come here myself and do this myself. And I want to prove to you guys, starting now, that I'm taking accountability. We'll make sure that that issue does not happen again. And like I said, I love my animals. I treat them like they're part of the family, and there's no excuse for any of that.

All I can tell you is now and moving forward, I'll be here. I'll show up. I'll make sure that everything's done right. And you can count on that for me 100%. I got my whole staff here, and it is the first time we actually went to the neighbors, got signatures, got pre-approved. I can show you guys here, do I put this right here?

GIBSON No, in the middle of where you're standing there.

RASHID I gave you a copy, but I just wanted to show you. This is all our neighbors, even the kids, Adrian, Ricky, Sophie, everybody. We've talked to everybody and we just – I wanted to go above and beyond this time to show you that I'm taking accountability and I'm here and I would really appreciate it if you guys consider approving this.

GIBSON Well, I can't even believe I'm considering approving it to be honest with you, because we have to be dealt with as if we're partners and this hasn't worked. This hasn't been a good partnership.

RASHID I can understand.

GIBSON When you look at the prior acts, it's so hard for us to imagine you're a different guy today, right? Now no one's disputing what you accomplish in your professional life. But I'm really concerned about how you've conducted yourself.

What additional condition might we have to put on this if we were to approve it?

REAL So, Commissioners, I got a request from Clark County Animal Protection Services that if this is approved, they'd like a condition to be added that states, "Applicant must obtain an exotic or wild animal permit from Clark County Animal Protection Services prior to transporting, exhibiting in public or private, or the keeping of the animals within Unincorporated Clark County."

GIBSON So, keeping the animal within Unincorporated Clark County is what he's applying for right now. So, what different kind of activities are we talking about?

REAL So, it sounds as if prior to even bringing the animal into Clark County, they are supposed to have a permit. Prior to –

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RASHID A hundred percent we will not do that.

GIBSON And then, at the will, effectively, of our Animal Control people, you'll have to allow an inspection. And what better not happen is that the cat has been removed without permission.

RASHID The cat will not be removed.

GIBSON There's a reason why we track all of this.

RASHID Yes, sir.

GIBSON Okay. You understand the condition that was read?

RASHID A hundred percent. Like I said, and –

GIBSON You agree to the things that were read and the thing – obviously, there's catch up that has to be done because nothing that would've been required previously in every other case has been done. And you agree to the things that I mentioned in terms of the inspections.

WOODARD A hundred percent Commissioner Gibson. As well, just to let you know, we have started the application. We've paid everything, we've done everything so far. We're all the way to the point of just having to come see you guys.

REAL I have a copy of it.

GIBSON Okay, you're on the clock now. So, it's like this is the final opportunity that I'll be a part of. Okay?

RASHID Yes, sir.

GIBSON I move approval subject to the conditions that have been discussed here on the record.

REAL And to clarify. So that was within 40 days of approval and Clark County Animal Protection Services to inspect the property, and then with the added condition from Animal Protection Services?

GIBSON Yes.

REAL Okay.

WOODARD Thank you so much. I really appreciate you guys and we won't let you guys down. Thank you, Commissioners.

SEGERBLOM There's a motion.

GIBSON So – let me yield.

KIRKPATRICK May I ask a question? I'm sorry, Commissioner. So, we went through this exotic animal stuff in District P in more ways than one. So, one of the things that we did to that I didn't hear today, so they'll have to fill out a state application in order to have the exotic animal tracked. But one of the things that we also required were that they give a safety plan to Animal Control in the event that the animal got loose.

GIBSON Has that been done?

WOODARD Yeah. So, the application that I gave you guys, there actually is a safety plan and I can show it.

GIBSON I got this this morning as I was walking in, so I've leafed through it, but.

KIRKPATRICK Well just so we have one on file outside of code enforcement and outside of the state, so that you have it in your office. So, a lot of people know what happens if the animal does get out.

WOODARD So that form was also given to all the neighbors as well as given to you guys. And so, every cat in the past has been microchipped. So, if the cat was to get loose, we would notify –

GIBSON I need you to speak in –

SEGERBLOM Yeah, speak into the microphone.

GIBSON You need to speak into that microphone because I can't –

WOODARD – we would notify the neighbors in the event that the cat was to get loose. But the cats have, in the past, have been microchipped. And we gave a copy of the safety plan to all the neighbors as well as you guys, which is what it showed here.

RASHID And Mister Gibson, just stating back to what you said, we don't even plan on transporting the animal anywhere. We don't plan on doing any of that, is staying home on almost 3 acres. And I totally agree with everything you said and that's why we've done this. When you were talking about – I wanted you to know that we did start this process. We've explained this to the neighbors, they were very impressed and like I said, we won't let you down.

GIBSON Well, County staff needs to be impressed.

RASHID Got you.

GIBSON And there's some work to be done.

RASHID Yes, sir.

GIBSON I've made my motion.

SEGERBLOM There's a motion. Cast your vote.

VOTE:

VOTING AYE:

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

VOTING NAY:

None

ABSENT:

None

ABSTAIN:

None

SEGERBLOM

That motion passes. But I would say this is your last chance.

RASHID

Thank you very much. I won't disappoint you guys. Thank you.

SEGERBLOM

Thank you.

RASHID

Thank you, Commissioners. You guys have a good day.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- 1 year to commence and review as a public hearing;
- Applicant to provide a copy of safety plan, submitted to and approved by Clark County Animal Protection Services, to Comprehensive Planning for addition into the project record.
- Applicant is advised within the specified time the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Southern Nevada Health District (SNHD) - Engineering

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

Clark County Animal Protection Services

- Inspection by Animal Protection Services to be conducted within 40 days of approval of the special use permit;
- Applicant must obtain an exotic or wild animal permit from Animal Protection Services prior to transporting, exhibiting in public or private, or keeping the animal(s) within unincorporated Clark County.

ITEM 35 UC-24-0089-NEVADA SPEEDWAY, LLC:

USE PERMIT to allow outdoor storage.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) buffering and screening; 2) street landscaping; and 3) off-site improvements.

DESIGN REVIEW for outside storage areas in conjunction with an existing motor vehicle racetrack on portions of 990.2 acres in a CG (Commercial General) Zone and an RS80 (Residential Single Family 80) Zone within the Airport Environs (AE-65, AE-70, AE-75, AE-80, & APZ-4) Overlay. Generally located on the north side of Las Vegas Boulevard North and the east side of Hollywood Boulevard within Sunrise Manor. MK/jud/ng (For possible action)

ACTION:

Item 35 deleted from the agenda (Held to June 5, 2024, per the applicant).

ITEM 36 UC-24-0098-ANNIE OAKLEY INVESTORS, LLC:

USE PERMITS for the following: 1) vehicle rental; and 2) outdoor storage and display.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce landscape area; 2) eliminate significant trees; 3) reduce throat depth; 4) reduce driveway departure; and 5) reduce driveway approach distance.

DESIGN REVIEW for a proposed electric vehicle (automobile), maintenance, and repair/paint and body shop on 5.4 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-65) Overlay. Generally located on the northwest corner of Annie Oakley Drive and Post Road within Paradise. JG/jor/ng (For possible action)

ACTION: Approved with conditions.

REAL Next is Item 36, UC-24-0098. Use permits for the following: vehicle rental and outdoor storage and display facility. Waivers of development standards for the following: reduce landscape area, eliminate significant trees, reduce throat depth, reduce driveway departure, reduce approach distance. Design review for a proposed electric vehicle (automobile) maintenance, and repair/paint and body shop on 5.4 acres in an IP (Industrial Park) Zone within Airport Environs (AE-65) Overlay. Generally located on the northwest corner of Annie Oakley Drive and Post Road within Paradise.

MARISSA FEHRMAN Good morning, Marissa Fehrman, 1980 Festival Plaza Drive, here this morning on behalf of the applicant. Good morning. We are here for a proposed collision center for an electric vehicle company. As for the site, we are on the northwest corner of Annie Oakley and Post. This is approximately 5.4 acres. It is part of a previously approved industrial subdivision complex. Since it's been an underutilized parking lot, you can see that here to the east of the industrial building here.

The site is zoned IP and it's surrounded by all IP to the north, east and west and multifamily to the south. It is planned business employment. This collision center is comprised of one building. It's one story. Max height is 25 for the bulk of the building. At certain points it reaches 31 feet. It's roughly over 41,000 square feet. As you can see here, the building is central to the site. There is customer parking to the south here. The main access points for customers are off of Post Road and Annie Oakley here. And customer parking also expands up to here.

North of the site is additional parking spaces. However, those will be limited to the operation of the site, meaning it's going to be outdoor storage for the vehicles that are being serviced.

The northern portion of the site will be enclosed by chain link fencing with vinyl slats here. There are gates that secure the employee area and limit customer access to the above.

We have a number of waivers. First is a reduced throat depth for the entryways off of Annie Oakley. We're requesting waivers for 13 feet 6 inches, where 25 feet is required. We also have waivers for reduced departure and approached distances along Annie Oakley here.

Those two, staff is fine with, they're recommending approval. In addition to that, we have waivers for reduced landscaping around the site, and that is going to be

FEHRMAN

for future utility easements that may arise.

Here you can see this is a colored site plan. The green is representing the landscaping that's going to go in. We have more than enough parking. We have about 320 spaces, where 225 are required. Parking will not be an issue. We have an additional waiver for tree preservation, and this is kind of the main portion of my presentation.

So, the code requires that significant trees be preserved when they can. Here we have a number of significant trees around the site. So, we had our consultant go out to the site and evaluate the trees. They've located 31 significant trees that meets the definition under Title 30. 22 of the 31 are not able to be preserved due to health damage or proximity to the curb or sidewalk.

The remaining nine are going to be split into two groups. You'll see here there are five trees in green. Those five will remain and be preserved. Those will not be touched. They will stay in place during construction and will be protected. The remaining four here, although viable, they will have to be removed because of the civil improvements.

Just based on the design of the site, there's no way that they could keep those in place. For example, the entry point that's coming in on the southeast entry, for example.

We also are requesting use permits for vehicle rental and outdoor storage. As I mentioned, the outdoor storage is going to take place to the north. There will be a number of stalls, about 20 stalls, reserved for rental for customers that are getting their car serviced and simply need to rent a car.

So, with that, that is the meat of our application. With respect to the tree preservation issue, we have proposed a condition to staff, which they have. Essentially, the applicant shall provide a report depicting the number of significant trees and the number of trees that can be saved and preserved on the property. So that's where we are. We know that preserving these significant trees is an important issue, and the applicant is more than willing to save what they can and what makes sense for this site. So, I will answer any questions that you may have. Thank you.

SEGERBLOM

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

GIBSON

Thank you. The primary concern, as you mentioned, has been the preservation of the significant trees. I had asked the question, what does the proximity to the curb all by itself mean? And apparently, well, you have an answer for that, I take it.

FEHRMAN

Sure. So, I discussed this with our landscape architect yesterday. Essentially, proximity to the curb is evaluated by the ability of a tree to be able to be boxed up and set aside during construction. Because of these mature trees and their proximity to the curb, essentially the roots being underneath or engaged with the adjacent sidewalk or curb, they're simply not going to make it to be boxed and set aside and put back into place.

GIBSON Well, I understand that challenge now, and I'm going to move approval subject to, if approved, conditions. I think that I would say this to you, that to the extent that they discover out on the site that there are additional, a tree or other trees, that are significant under our definition that can be preserved, that they be preserved. And then, of course, your landscape plan suggests that you're going to really tree this place up, and you must do that under our code, so I'll expect that you'll comply with the code in every way when it comes to the trees that you plant.

FEHRMAN Absolutely.

GIBSON Do you understand then the conditions that are proposed here?

FEHRMAN Yes.

GIBSON Okay. I move approval.

SEGERBLOM There's a motion for approval. Cast your vote.

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant shall submit a zoning compliance to ensure landscaping that cannot be planted due to utilities is planted elsewhere on the site;
- Applicant shall provide a report depicting the number of significant trees and the number of trees that can be saved and preserved on the property;
- Certificate of Occupancy and/or business license shall not be issued without approval of an application for a zoning inspection.
- Applicant is advised a tree-fee in lieu shall be paid to the County for each street tree waived; within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Gate at the northern driveway on Annie Oakley Drive to remain egress only;
- Internal gate adjacent to the southern driveway on Annie Oakley Drive to remain egress only.
- Applicant is advised that off-site improvement permits may be required.

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 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 #0119-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

SEGERBLOM

That motion passes. Thank you.

FEHRMAN

Thank You.

COMPANION ITEMS (37-38)

ITEM 37 VS-24-0056-ST SHARBEL MARONITE CATHOLIC MISSION TR:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Rancho Destino Road and Giles pie Street, and between Frias Avenue and Rush Avenue (alignment) within Enterprise (description on file). MN/bb/ng (For possible action)

ACTION:

Approved with conditions (Companion Item 38).

REAL

Next are Items 37 and 38, which will be heard together.

- Item 37, VS-24-0056. Holdover vacate and abandon easements of interest to Clark County located between Rancho Destino Road and Giles pie Street, and between Frias Avenue and Rush Avenue (alignment) within Enterprise.
- Item 38, UC-23-0591. Holdover use permits for the following: existing place of worship; reduce separation to property lines; reduce separation to abutting residential uses; reduce separation to live entertainment; and extend live entertainment outside daytime hours. Waivers of development standards for the following: eliminate street landscaping; eliminate parking lot landscaping; eliminate landscaping adjacent to a residential use; alternative driveway geometrics; fence setback; increase fence height; and full off-site improvements. And design review for a parking lot in conjunction with a previously approved place of worship on 4.6 acres in a P-F (Public Facility) Zone and an R-E (Rural Estates Residential) Zone. Generally located on the southwest and southeast corner of Frias Avenue and Rancho Destino Road within Enterprise.

SEGERBLOM

Good morning.

JOE DAGHER

Morning, Mister Chairman, Commissioners. My name is Joe Dagher, address 1980 Festival Plaza Drive, here representing the applicant and the property owner.

SEGERBLOM

Did he even spell his last name? Can you spell your last name please?

DAGHER

Yeah, D-A-G-H-E-R. Couple of quick introductions. With me is the Parish Priest for this facility here, Father Nadim, as well as the Parish Administrator, Juliet, and Project Engineer Mark Bangan from WLB. The two sites we're discussing today are on Rancho Destino, bound by Frias to the north, Cactus to the south, and we have Las Vegas Boulevard west of us, and Gillespie here to the east. This property is approximately 2 acres, and this is the existing place of worship that the church acquired in 2002. 20 years later, in 2022, the church acquired this site, a 2.5-acre site east of the existing place of worship, from the Clark County School District. So, agenda Item 37 is just a simple vacation item to vacate patent easements that we no longer need along Frias and Rancho Destino.

Agenda Item 38 has a little more meat to it, and it relates to two things. Number one is the annual festival that the church has had on this property for the past 15 years, and number two is the temporary parking lot that is being proposed on this site here. Let me first address the festival. The festival is the Lebanese American Festival, very similar to the Greek Festival that takes place once a year every fall. This would be the 16th year that we've had this festival, and it is by far, by far, the church's largest fundraising event of the year.

There are five use permits on this application, which all primarily relate to the festival, and I'll just quickly touch on a few of them. Use permit number one simply expands the place of worship to include this parking lot. Use permits two through four relate to reducing the distance separation requirement from our residential neighbors. And the justification there is that this is a once-a-year event that will take place over a weekend in the fall. It's not something that is happening every weekend. And what we did here to justify this request is we went to our immediate neighbors directly impacted by these use permits, and we sought their blessing, which they graciously gave us through support letters. And with respect to use permit number five, on Friday's and Saturday's during this annual festival, the DJ, there's live entertainment until 11:00 p.m., and your code allows live entertainment to be conducted until 10:00, so we're just asking for that extra hour consistent with what we've done in the past and also other similar festivals in the community.

The church is in growth mode, and the intent for this parcel that's highlighted in yellow here is to rezone it to a public facility, which will conform to the Master Plan of a public use. When we come in for entitlements for this future building, we envision a multi-use building. We will, of course, have a neighborhood meeting and we'll work with the Commissioner's office on what the improvements on this site should look like in light of the rural neighborhood that we have here.

And so, the waivers that we're requesting are primarily due to the fact that this lot is temporary in nature, and it's being utilized only for the weekend masses, mostly Sunday's. During the week it's completely closed off. And let me stress this, this will not be a permanent parking lot. It's not going to be a parking lot forever. We initially submitted a plan that had no landscaping whatsoever, but we have since revised this plan to address some of the Commissioner's concerns. And so, what we're going to do is we're going to have a 15-foot-wide landscaping perimeter with 24-inch box trees that will be planted 30-foot on center. We're not going to have any interior landscaping at this juncture given the temporary nature of the lot. And to establish the connectivity that your Master Plan contemplates as well

DAGHER

as the Commissioner's desire, we will have a 5-foot paved asphalt pedestrian access walkway along the perimeter here.

With respect to the fence and fence height, what the church has done is install a brand-new chain-link fence around the perimeter, primarily to secure the site and for safety reasons. It is not the permanent fence that will be on the site, and the church understands that when we finalize development plans, we will have to have a fence that conforms to code, probably a wrought iron fence of some sort, similar to what's on the existing church.

Finally, I will be withdrawing waiver number five without prejudice because we do not need it based on this revised plan. Again, the design of this lot is what it is because it's temporary in nature. We do understand that parking has become a problem along the right-of-way on Rancho Destino as well as Frias. And so, what we're going to do is we're going to install no parking signs along both Rancho Destino and Frias to make Antonio happy. And we also started announcing to our parishioners that parking on the streets is prohibited, and we will continue to remind our parishioners at masses, in our newsletter, that parking on the street is strictly prohibited.

We accept all of staff's if approved conditions and I would like to propose additional conditions that we have discussed and agreed to, starting with planning, if we can add to planning the following items. So, the first bullet would be three years to review. Second bullet, in addition to what planning is already proposing for special use permits two to through five, only one temporary commercial event per calendar year shall be allowed for any event relying upon one or more of said special use permits. And the idea here is that this is a once-a-year festival, so we really don't need these use permits beyond that. And then finally, the last bullet point that I'd like to add on their planning is live entertainment pursuant to special use permit number five shall be allowed until 11:00 p.m. on Friday and Saturday. Those are the planning if approved conditions that we would like to add.

And under Public Works, we would also like to add applicant to install no parking signs along the perimeter fence of its property lines abutting Frias Avenue. There is already a condition requiring us to put no parking signs along Rancho Destino, so we're also going to do that along Frias.

I want to thank you all. I want to thank the Commissioner and his office for their patience, as well as the staff that has worked on this application. That concludes my presentation and I'm happy to answer any questions you may have. Thank you.

SEGERBLOM

This is a public hearing. Anyone here wishing to speak on this item? Seeing no one, we'll close the public hearing and turn it over to Commissioner Naft. And we all try to keep Antonio happy.

MICHAEL NAFT

That's right. Thank you for your presentation. I think the most significant thing is the condition that there would be a three-year review because, as you made very clear and I'll do right now, this is a temporary use. We don't really have an effective way to control temporary uses other than putting a review on, but you've clearly stated on behalf of the church for the record that that's the intention, and

NAFT that's my belief on this item.

I guess I also want to make clear, when there is a development on this site, you will have to comply with, of course, the revised Title 30, but also any requirements of landscaping.

DAGHER Yes. Understood.

NAFT Okay. And so, in addition to the three-year review, you reference that special use permits two through five, only one temporary outdoor commercial event per calendar year shall be allowed for any event relying upon one or more of said special use permits. We're on the same page there?

DAGHER We're on the same page.

NAFT And the live entertainment pursuant to special use permit number five shall only be allowed until 11:00 p.m. Friday and Saturday. And just for the Board's clarification, he referenced the Greek Orthodox church, these are the same conditions that do apply to their annual event.

And then Public Works, I know, Mister Papazian, you have an Item on 37 you want to add, but related to 38, the applicant shall install the no parking signs along the perimeter fence of its property line abutting Frias. Mister Papazian?

PAPAZIAN Thank you, Commissioner. It's actually Item 38. I'd like to revise bullet number two to read "right-of-way dedication to include 25 feet for Frias Avenue, 25 feet for Rancho Destino Road, and associated spandrels," and with that they'll have to dedicate the easements that will be required. The reason why we're making this change is because our current condition reads 30 feet on those two roads, and the 30 feet –

DAGHER It's to accommodate my sidewalks, right?

PAPAZIAN – is to accommodate some sidewalks.

DAGHER Right.

NAFT Thank you.

PAPAZIAN And because they're building a detached product, we only need right-of-way to the future backup curb. So that's what the changed condition, revised condition will reflect.

Also, I'd like –

DAGHER (Inaudible)

PAPAZIAN 37 and 38. And I'd also like to reflect bullet number four, which I think Mister Dagher read in, but I'd like to change it a little bit, "applicant to install no parking signs on streets running APNs 177-28-401-005 and 006," and that will also accommodate no parking on Frias and Rancho Destino.

NAFT Is all of that understood by the applicant?

DAGHER Understood and happy to comply.

NAFT Okay, if there's nothing further, I move for approval of Item 37 and 38, noting that waiver number five has been withdrawn.

SEGERBLOM There's a motion. Cast your vote.

VOTE: **VOTING AYE:** Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: None

ABSTAIN: None

SEGERBLOM That motion passes.

DAGHER Thank you very much and have a good day.

SEGERBLOM Thank you, and it sounds like a great event.

DAGHER You're invited, Commissioner.

SEGERBLOM Thank you.

DAGHER I'll see you there.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 25 feet for Rancho Destino Road, and 25 feet for Frias Avenue and associated spandrel;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

ITEM 38 UC-23-0591-ST SHARBEL MARONITE CATHOLIC MISSION LV RL EST TR & ZAIDEN A ELIAS TRS:

HOLDOVER USE PERMITS for the following: 1) existing place of worship; 2) reduce separation to property lines; 3) reduce separation to abutting existing residential uses; 4) reduce separation to live entertainment; and 5) extend live entertainment time outside daytime hours.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate street landscaping; 2) eliminate parking lot landscaping; 3) eliminate landscaping adjacent to a residential use; 4) alternative driveway geometrics; 5) fence setback; 6) increase fence height; and 7) full off-site improvements.

DESIGN REVIEW for a parking lot in conjunction with a previously approved place of worship on 4.6 acres in a P-F (Public Facility) Zone and an R-E (Rural Estates Residential) Zone. Generally located on the southwest and southeast corner of Frias Avenue and Rancho Destino Road within Enterprise. MN/bb/syp (For possible action)

ACTION: Approved with conditions (Companion Item 37).

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- 3 years to review;
- For Special Use Permits #2 through #5, only 1 temporary outdoor commercial event per calendar year shall be allowed for any event relying upon one or more of said Special Use Permits;
- Live entertainment pursuant to Special Use Permit #5 shall only be allowed until 11:00 p.m. on Friday and Saturday;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Right-of-way dedication to include 25 feet for Frias Avenue, 25 feet for Rancho Destino Road and associated spandrels;
- Applicant to install "No Parking" signs on streets fronting APNs 177-28-401-005 and 177- 28-401-006.

WAIVER OF DEVELOPMENT STANDARDS #5 (FENCE SETBACK) WAS WITHDRAWN.

ITEM 39 WS-24-0071-MOAPA VALLEY PROPERTIES, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) attached sidewalks; 2) full off-site improvements; and 3) parking lot landscaping.

DESIGN REVIEWS for the following: 1) restaurant with drive-thru and outdoor seating; and 2) fuel canopy addition on 8.9 acres in a CG (Commercial General) Zone. Generally located on the east side of Lewis Ranch Road and the south side of Interstate 15 within Moapa. MK/rr/ng (For possible action)

ACTION: Approved with conditions.

REAL Next is Item 39, WS-24-0071. Waivers of development standards for the following: attached sidewalks; full off-site improvements; and parking lot landscaping. Design reviews for the following: restaurant with drive-thru and outdoor seating; and fuel canopy addition on 8.9 acres in a CG (Commercial General) Zone. Generally located on the east side of Lewis Ranch Road and the south side of Interstate 15 within Moapa.

SEGERBLOM Good morning.

BRIAN BIETSCH All right, good morning, Commissioners. My name is Brian Bietsch. I'll spell that, B-I-E-T-S-C-H, 813 West Randolph, here on behalf of the applicant. So, the applicant is proposing to use the property as the location for a new retail shell building. The property is located in the CG (Commercial General) Zone directly adjacent to the Terrible Herbst C-store and gas station at 900 Lewis Ranch Road. There are currently no other adjacent properties.

GIBSON It's a gas station.

BIETSCH The applicant is also proposing an addition to the existing diesel gas canopy and two fueling islands at the Terrible Herbst site on the north.

So, the waivers we are looking to request, one is to allow attached sidewalks along Lewis Ranch Road. And this is due to the fact that the Terrible Herbst currently has attached sidewalks along Lewis Ranch Road, and we would just be continuing those sidewalks through the new retail building along that road.

The other waiver we are looking to apply for is partial off-site improvements along the new road called Rhine Avenue along this end of the location, if we pull this back up. So, we're looking to just provide paving curbs and gutters along the portion just adjacent to our proposed property, along here, and then it goes to our access road, knowing that this parcel here would be future development. Now, we're also providing private access easement for any future development that may happen in this neighboring parcel.

And then the last item we are applying for is the waiver to not include a landscape island in the parking row on the east side of our building. So that could be seen better right here. The requirement is to provide a landscape parking island every eight spaces. What we are trying to do is provide additional parking at the front of our building, and we think we have provided ample landscaping, more than required, in all of the other parking islands. And that concludes our presentation.

SEGERBLOM

Thank you. This is a public hearing. Anyone here from Moapa Valley? Seeing no one, we'll close the public hearing and turn it over to Commissioner Kirkpatrick.

KIRKPATRICK

Thank you, Mister Chairman. And we are excited about this Starbucks. The additional thing, the closest Starbucks, just for everybody to get an idea, is on Craig Road and actually Losee. And then the next closest one is 26 miles in Mesquite, so people like Antonio and I that drive down I-15 are looking forward to being able to stop somewhere in between.

And thank you for going to the Town Board. So, we agree with waiver number one. We'd like you to continue what you have so it doesn't look hodgepodge. Number two, Antonio and I agree with that waiver because, what I think would happen is what happens today, it's like a silt sand out there for my colleagues, and it would be a nightmare every time it rained for Clark County to have to go out there and try and clean it up. So, if we just leave it in its natural state, it'll be in a better spot.

So, with that, I would make a motion for approval with allowing for waivers number one and two and three of the reduced landscaping.

BIETSCH

Great, thank you.

KIRKPATRICK

Thank you.

SEGERBLOM

All right, there's a motion. Cast your vote. And I'll say that she must really want that Starbucks, because I've never seen her let anybody off so easy.

BIETSCH

It looks like it.

VOTE:

VOTING AYE:

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

VOTING NAY:

None

ABSENT:

None

ABSTAIN:

None

SEGERBLOM

That motion passes. Thank you.

BIETSCH

Thank you, Commissioners.

CONDITIONS OF APPROVAL –

Comprehensive Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements for Lewis Ranch Road;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- Applicant is advised that Nevada Department of Transportation (NDOT) permits may be required.

Southern Nevada Health District (SNHD) - Engineering

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that there are no public sanitary sewer facilities available in the vicinity of the parcel and none are planned within the next 5 years.

ITEM 40 WS-24-0091-RUSSELL DECATUR CROSSING, LLC:

WAIVER OF DEVELOPMENT STANDARDS for driveway geometrics.

DESIGN REVIEW for a modification to an approved shopping center on 12.4 acres in a CG (Commercial General) Zone within the Airport Environs (AE-60) Overlay. Generally located on the south side of Russell Road, 270 feet west of Decatur Boulevard within Spring Valley. MN/jud/ng (For possible action)

ACTION: Approved with conditions.

REAL Next is Item 40, WS-24-0091. Waiver of development standards for driveway geometrics. And the design review for modification to an approved shopping center on 12.4 acres in a CG (Commercial General) Zone within the Airport Environs (AE-60) Overlay. Generally located on the south side of Russell Road, 270 feet west of Decatur Boulevard within Spring Valley.

SEGERBLOM Good morning.

KERRY SHAHAN Hi, good morning. My name is Kerry Shahan. I'm representing the applicant.

SEGERBLOM Can you spell your last name please?

SHAHAN S-H-A-H-A-N, 4301 Cameron Street. Again, we're proposing a McDonald's restaurant to be located on the intersection between Russell and South Decatur. The proposed restaurant is to be located within this whole area that was previously approved for a shopping center. We have worked with both staff and Public Works to comply with the latest Title 30 requirements. The building meets all the setbacks, all the landscape has been provided, and we've met the seven points required for sustainable design.

Well, the access to the site, there is a median here. We have agreed to not break that median in order for incoming traffic and then exiting traffic to work properly.

The building provides public parking with handicap access to the front of the store. And we are proposing a drive-thru that is accessed through the back of this property and the back of the store.

SHAHAN This is the design to the restaurant, that it incorporates various materials and meets the latest McDonald's brand standards. If you have any other questions, please let me know, and I kindly ask for your approval.

SEGERBLOM Thank you. This is a public hearing. Anyone here wishing to speak on this item? Seeing no one, I'll turn it over to Commissioner Naft.

NAFT Thank you, Mister Chair. I guess the two things that I just want to point out are: it's hard to see on paper, but there's an enormous amount of queuing at this site, which I think is really important; and I think you've done a good job with that. On the issues with Public Works, I believe, Mister Papazian, correct me if I'm wrong, but the inclusion of that median essentially solves your problem, though the waiver is still necessary.

PAPAZIAN The waiver is still necessary. With the installation of the median, we're okay with, you're absolutely right.

NAFT Okay, thank you. That being said, I move for approval of Item 40.

SEGERBLOM There's a motion. Cast your vote.

VOTE: **VOTING AYE:** Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: None

ABSTAIN: None

SEGERBLOM That motion passes. Thank you.

SHAHAN Okay. Thank you all very much. Appreciate it.

CONDITIONS OF APPROVAL –

Comprehensive Planning

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

Public Works - Development Review

- Traffic study and compliance.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;

- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code. Applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

COMPANION ITEMS (41-42)

ITEM 41 PA-23-700055-GTL PROPERTIES, LLC:

HOLDOVER PLAN AMENDMENT to redesignate the existing land use category from Corridor Mixed-Use (CM) to Entertainment Mixed-Use (EM) on 2.8 acres. Generally located 145 feet south of Charleston Boulevard and 300 feet east of Lamb Boulevard within Sunrise Manor. TS/rk (For possible action)

ACTION: Item 41 deleted from the agenda (Held to May 22, 2024, per the applicant; Companion Item 42).

ITEM 42 ZC-23-0931-GTL PROPERTIES LLC:

HOLDOVER ZONE CHANGE to reclassify 2.8 acres from a C-2 (General Commercial) Zone to an R-5 (Apartment Residential) Zone.

WAIVER OF DEVELOPMENT STANDARDS for reduced parking.

DESIGN REVIEWS for the following: 1) alternative parking lot landscaping; 2) a restaurant; and 3) a multiple family residential development on 3.2 acres. Generally located on the south side of Charleston Boulevard, approximately 300 feet east of Lamb Boulevard within Sunrise Manor (description on file). TS/hw/ng (For possible action)

ACTION: Item 42 deleted from the agenda (Held to May 22, 2024, per the applicant; Companion Item 41).

COMPANION ITEMS (43-44)

ITEM 43 ZC-24-0085-HUANG SUJUAN:

ZONE CHANGE to reclassify 1.0 acre from an RS20 (Residential Single-Family 20) Zone to an RM18 (Residential Multi-Family 18) Zone and an RS10 (Residential Single-Family 10) Zone. Generally located on the west side of Hauck Street and the north side of Edna Avenue within Spring Valley (description on file). RM/hw/ng (For possible action)

ACTION: Item 43 deleted from the agenda (Held to no date, per the applicant; Companion Item 44).

ITEM 44 WS-24-0086-HUANG, SUJUAN:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) setbacks; 2) landscaping; 3) buffering and screening standards; 4) residential adjacency standards; 5) sidewalks; and 6) driveway geometrics.

DESIGN REVIEW for a multiple family residential development on a portion of 1.0 acre in an RM18 (Residential Multi-Family 18) Zone. Generally located on the west side of Hauck Street and the north side of Edna Avenue within Spring

Valley. RM/hw/ng (For possible action)

ACTION: Item 44 deleted from the agenda (Held to no date, per the applicant; Companion Item 43).

ITEM 45 UC-23-0858-ADRAS FAMILY TRUST & ADRAS PAUL J & SUSAN A TRS:
HOLDOVER APPEAL AMENDED USE PERMITS for the following: 1) increase the area of a proposed casita; and 2) allow an accessory structure not architecturally compatible with the principal building.
WAIVER OF DEVELOPMENT STANDARDS to reduce setbacks in conjunction with a single family residential development on 0.5 acres in an R-E (Rural Estates Residential) Zone. Generally located on the north side of Coley Avenue, 110 feet west of Rosanna Street within Spring Valley. JJ/dd/ng (For possible action)

ACTION: Approved with conditions; Appeal denied.

REAL Next is Item 45, UC-23-0858. Holdover appeal amended use permits for the following: increase the area of a proposed casita; and allow an accessory structure not architecturally compatible with the principal building. Waivers of development standards to reduce setbacks in conjunction with a single-family residential development on 0.5 acres in an R-E (Rural Estates Residential) Zone. Generally located on the north side of Coley Avenue, 110 feet west of Rosanna Street within Spring Valley.

Commissioners, if you remember, this is a holdover item. The Planning Commission had approved the application with the exception of waiver of development standards 4B, which was denied, and the application was appealed by a neighbor.

WENDY TREAT Three neighbors.

SEGERBLOM Three neighbors. Good morning.

TANYA GONZALEZ Good morning. My name is Tanya Gonzalez and I –

SEGERBLOM Okay, I need you to spell your last name and hold the microphone real close to your face.

GONZALEZ Okay. Gonzalez, G-O-N-Z-A-L-E-Z. Address is 6445 West Sunset Road, 89118.

SEGERBLOM Oh, speak very loudly please.

GONZALEZ Okay.

TREAT That's the wrong place. We're on 45. She just gave her own address.

GONZALEZ No, I gave my address.

TREAT Oh, sorry.

GONZALEZ Okay. So, the property is located on 7030 Coley Avenue. It's a Residential Estate Zoning classification on the old code that we submitted this plan back in August 2023. On the current code is an RS20. It's a 0.47-acre property. The request that

GONZALEZ

we're asking you guys is the use permit for allow an extra 160 square feet of square footage. On the previous code, the maximum allowed was 1,500 square feet. This will put us on a total of 1,660 square feet.

And the other request is to allow a detached accessory structure, which is a shed, that is not compatible with the principal building. Shed was built prior for the current owner owning the property. And we also are asking for a waiver of development standards to reduce that shed's rear setback from five feet to three feet and nine inches. On the previous meetings, on the TAB meeting, back on April, the three items were approved. On the County Planning Commission on Tuesday, March 5, it was approved by the condition to remove the balcony.

On the shed, the shed was built back in 2001. We found records. This is a photo, an aerial image from 2001, from spring, and the shed was already built back then. These are the current pictures of the shed. It does match the property line wall color and the shingle on the existing house. It is used as a storage. Unfortunately, the neighbors on the previous meeting, they were confused thinking that someone was living inside of the shed, but this is just storage.

TREAT

No, we're not.

GONZALEZ

There's only been a –

SEGERBLOM

Please, you'll have your chance to comment, so please –

TREAT

She says it wrong every time.

SEGERBLOM

Please, you can come up and talk, but you can't talk – or if you're going to keep talking, we're going to have to put you out, so please.

GONZALEZ

The shed has been maintained. We have records of the maintenance done to the shed.

For the casita, considering the neighbor's concerns about the privacy, we have removed the balcony, so we are waiving that previous request of the use of the balcony. So, we don't have that anymore. The current location of the casita, it's around 60% above the requested setbacks. The setbacks on rear and side are five feet. We are proposing this casita to be at eight feet, two inches and seven feet and two inches on the side.

Yeah, so the red line indicates the setback required, and this dimension, that eight and two inches, is what we have proposed. Oh, and the same thing on the side. It's a five feet setback and we are pushing the casita inside the property of the house. We have removed that balcony. These are the elevations of the casita.

There was a previous concern from one of you Commissioners on last time of the casita having to be connected to sewer. The family has enrolled into the program to be converted into sewer when it's available to that zone. We have applied or talked to the Health District, and we have an application that is conditionally approved. The condition will be removed after there's proof that the plumbing of the casita is going to be connected to the existing property. And to be able to get

GONZALEZ that, there are requirements where they do have to inspect the conditions of the septic, and it has to be approved to be used. Same thing by the Water District. They have reviewed the plumbing, the site plan, and the septic system, and they have allowed this to continue on the permitting process.

That's it. We do have a letter from –

Received where they have added to the fully funded septic conversion interest list. So, that's one of the concerns of Miss Kirkpatrick last time.

SEGERBLOM Okay. Commissioner Kirkpatrick, can you understand that?

KIRKPATRICK Yeah, but I was just saying to Commissioner Jones, I just want to be clear, so currently they're getting municipal water today, right?

GONZALEZ Yeah.

KIRKPATRICK Yeah, although you've applied for this, I just think that the Health District's going to have some questions, but I'll save those for my Health District hat.

GONZALEZ Yeah.

SEGERBLOM All right, does that complete your presentation?

GONZALEZ That complete my presentation.

SEGERBLOM All right. Anyone here wishing to speak on this?

GONZALEZ Oh, can I add something else?

SEGERBLOM Yes.

GONZALEZ I think there was a confusion last time from the neighbors on the setbacks. They kept referring to the setback of the casita being three feet, and that's for the shed. So, just want to clear that to them.

SEGERBLOM All right, thank you.

GONZALEZ Thank you.

TREAT Hello, my name is Wendy Treat.

SEGERBLOM Okay, I need you to hold the microphone close to your face. Spell your last name.

TREAT T-R-E-A-T, like the holiday.

SEGERBLOM Okay.

TREAT I'm one of three opposing neighbors. I'm a little upset today because she's repeating the same thing from last time, and the Health Commissioner over here didn't want the septic tank, okay? This house is 1,600 square feet, which is 60%

TREAT

bigger – well, 60% of their current house, okay, on one septic; and her septic is the same size as mine. That's no way. And she already has problems with the septic.

Number two, they want to build three feet against the wall, unacceptable. Everybody else in the neighborhood has to comply. That's one of the reasons why I'm angry. Why do I have to be here to enforce something that I already have? Okay? Three feet against the wall, her back wall is going to be against my neighbor's house, okay? His kitchen is right there. He spent lots of money putting in foliage and beautiful things to buffer the zone, and now she wants to push the house right against that. She's doing that for the pool.

Number two, they had a camper in their backyard for nine months for which somebody was living in, which is 100% illegal, okay? It was in their driveway before that. So, I've been looking at a camper for over a year with somebody living in it. Unacceptable.

It is bringing down the value of my home. I'm going to stare at this big, giant house with a pitched roof. A casita is considered a small space. How is 1,600 square feet considered a small space?

Number two, last time we fought to get rid of the balcony. That's why it got rid of. She's saying they just took it off. No, we won that one. I'm sorry, I'm hoping you'll favor with me today because I'm fighting something that should already be in regulations in my favor.

Up the street from me, there's \$2 million houses going in to be built, less than a half a mile. Okay? Now Section 10 is a beautiful neighborhood. Everybody has a half-acre to three-quarters acre. I struggle to be able to pay for my land, but it's my retirement house someday.

I have a huge yard, half acre. I have dogs. I garden. I do all these things in my yard. Now I have to stare at this house? They're taking down substantial trees in their yard, which again, their trees but it's just going to ruin the whole outlook of the neighborhood and the foliage.

The neighbor to the right-hand side is elderly.

There is quite a bit of noise because they do use their pool. I don't mind that, but they will be renting out the space. That's not what Section 10 is meant for. You're not supposed to build two houses, right? So, is somebody with an acre, can they build three houses on their property? I just don't get it. I don't understand how you approve these regulations. So, I'm just fighting for all three of our neighbors to adamantly oppose this.

SEGERBLOM

Thank you.

TREAT

Oh, one other thing. My neighbor has not chose to show up at any of these meetings when all three of us have come wanting to discuss it. It's just nice that they don't have to show up. They can just send a representative. It's just bad business. It's bad neighborship.

SEGERBLOM All right, your three minutes is up. Thank you so much. All right, anyone else here wishing to speak on this item? Seeing no one. We'll turn it over to Commissioner Jones.

JONES Thank you. Miss Gonzalez, if you can come back up. Can you put the map back up of the site and just clarify where the existing septic system and leach field is?

TREAT The front yard.

GONZALEZ It's in the front yard.

JONES It's in the front yard. So, the proposed structure would not be over the existing leach field?

GONZALEZ Sorry?

JONES The proposed structure would not be over the existing leach field?

GONZALEZ No, that's what the Health District evaluates when you do your count fixtures, and they do the evaluation of the current septic system size. So, it does comply and their requirement is for the casita to be connected to the main house and therefore the septic.

JONES Okay, so you're withdrawing waiver of development standard 1B for the rooftop balcony. Is that correct?

GONZALEZ Mm-hmm. Yeah, we are not continuing with the balcony anymore.

JONES Okay. And then the neighbor again, I think to reiterate what you had said previously, you're not proposing to build anything less than 5 feet from the wall. You're not seeking a setback waiver for the new structure. It's simply for the existing shed.

GONZALEZ Yeah, the existing shed is the one that's inside of the setback and the existing shed has been there since 2001. The setback requires five feet for the casita, and we are at eight feet and two inches.

JONES Okay, so you're exceeding the five-foot current setback standards?

GONZALEZ Yes, on both sides. Backyard and side yard.

JONES Great. Okay. I had strongly suggested when you were here before that you consider reducing the footprint from 1,660 down to 1,500 square feet. I'm going to continue to maintain that. I understand that under our current code that it is permissible to go larger than that but I'm going to recommend denial of the use permit to exceed 1,500 square feet. So, you'll need to redesign it a little bit in order to address that concern.

GONZALEZ Yeah, could be that a condition, so once we have that we can just – will there have to be another meeting, or we just submit it to building?

JONES No.

GONZALEZ Just submit it?

JONES You just resubmit it.

GONZALEZ Okay.

JONES Okay. And then I'm going to reiterate also that you've shown that you've submitted some documents to the Health District. So, I think you've started that process but I'm going to condition this on approval by the Health District before a construction permit is issued.

GONZALEZ Mm-hmm.

JONES Okay.

All right. So, my motion would be to – the applicant has withdrawn request for waiver of development standards 1B. I'm going to recommend denial of use permit number one and approval of use permit number two and waiver of development standards 1A with the additional condition that Health District provide approval before a construction permit is issued.

GONAZALEZ I'm not sure how that is because the Health District, it states over here that the condition from them – wait. So, it says the tenant improvement for the casita with plumbing is conditionally approved. The proposed casita will contain, and it just tells what it says. It says that the existing septic system appears to be adequate for the proposed plumbing additions. So, by reducing, I'm not really sure if this goes before the building permit being given or if this is prior to the building permit.

KIRKPATRICK So, it appears that there's a couple of things that you have to do. So, first of all, you got to remove that tree that was in the leach field that you didn't do before, right?

GONZALEZ Yeah. That was prior to the owner's buying property.

KIRKPATRICK I get it. But they're still telling you that you got to comply with those things, which is why they're not giving you an approval through the plans check process.

So typically, the way that it works, you do everything simultaneously. So, you submit to the Building Department, the Health District, the Water District, all of those people at the same time. I think Commissioner Jones is just saying that before you can walk in and pay your fees with the Building Department to start grading or whatever you're going to do, you got to have something from the Health District that says that your plans are actually approved.

Because hypothetically this is on a high level that the Health District said, "Well, it doesn't look like there's any problems." But they don't know until they get into your plans. So, I think that there's going to be a couple things you're going to have to do to go through the process and you may even need a waiver.

So, I think Commissioner Jones is just telling you before you pull that initial permit from the building, you got to give them a piece of paper that says that we've been through plan review at the Health District.

Okay.

Very good. That's our motion.

A question, just for clarity. Is the three-foot setback approved on the casita?

We're done as far as – there's a motion pending, and we'll go ahead and ask for the vote.

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

None

None

None

That motion passes.

- Certificate of Occupancy and/or business license shall not be issued without approval of an application for a zoning inspection;
- Casita limited to 1,500 square feet;
- Prior to the issuance of a grading or building permit, approval from the Southern Nevada Health District for septic is required.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

• Applicant is advised that the property appears to have an existing septic system; to contact the Southern Nevada Health District with regard to modifying existing plumbing fixtures; location of existing public sanitary sewer is greater than 400 feet from the parcel; and upon approval of change in use of the property and if connecting to public sanitary sewer, CCWRD requires submittal of civil improvement plans and estimated wastewater flow rates to determine sewer point of connection.

WAIVER OF DEVELOPMENT STANDARDS #1B WAS WITHDRAWN.

ITEM 46 WS-24-0026-VELAZQUEZ, RODOLFO & PEREZ, ARELYS ARJONA:

APPEAL WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced setbacks; and 2) exterior colors. DESIGN REVIEWS for the following: 1) an attached addition; and 2) an accessory structure in conjunction with a single family residence on 0.2 acres in an RS5.2 (Residential Single-Family 5.2) Zone. Generally located on the north side of Desmond Avenue, 120 feet west of Skyland Drive within Paradise. JG/tpd/ng (For possible action)

ACTION: Approved with conditions; Appeal Granted.

REAL Next is Item 46, WS-24-0026. Appeal waivers of development standards for the following: reduced setbacks and exterior colors. Design reviews for the following: an attach addition and an accessory structure in conjunction with a single-family resident on 0.2 acres and an RS5.2 (Residential Single-Family 5.2) Zone. Generally located on the north side of Desmond Avenue, 120 feet west of Skyland Drive within Paradise.

ARLEYS ARJONA PEREZ VELAZQUEZ Hello, we are Arelys Arjona Velazquez, V-E-L-A-Z-Q-U-E-Z property 3144 Desmond Avenue.

SEGERBLOM Can you spell your last name.

PEREZ VELAZQUEZ My last name? A-R-J-O-N-A.

SEGERBLOM All right, thank you.

HENRY GUTIERREZ My name is Henry Gutierrez and I'm here translating and representing the homeowners. Gutierrez is G-U-T-I –

SEGERBLOM We need you to hold it close and speak loudly.

GUTIERREZ Yeah, my name is Henry Gutierrez. I'm here translating for the homeowners. And my last name is spelled G-U-T-I-E –

SEGERBLOM Hold on one second. Can you up in the box turn up the microphones at the podium? We're having a hard time hearing. I'm sorry. Go ahead. Thank you.

GUTIERREZ Last name G-U-T-I-E-R-R-E-Z, address 3144 Desmond Avenue. So, we're here today to get hopefully an approval for this shed addition that Mister and Missus Velazquez constructed. And the reason that they built this addition was that when they purchased the home in 2022, they were doing great. They were running their handyman business, and everything was going fantastic for them. They had a large contract for the property management company. But then in 2023 when that contract was set to renew, unfortunately the property management company opted to not renew that contract which caused them to essentially lose their livelihood and their job. So, facing great financial uncertainty and insecurity and potential financial hardship, they used some of the savings they had accrued to construct this shed and to maintain their business, to store their supplies, to store their materials. Without this storage space in their new home, they would have had to forego their business as they did not have any other income coming in at the time.

And they have two dependents at home, two young children. So that is the reason for the construction of the shed. It was something that was extremely necessary

GUTIERREZ

for them to be able to continue operating and try to rebuild their business after losing their main source of income. So last time we were here we had some letters from the neighbors. One of the signatures did not reflect the name of the owner on record and that was because the husband of the owner was the one who signed the letter. So, this time around we were able to get in contact with the owner on record and we have this new letter signed by that owner. The owner from the very beginning since before the shed was constructed, they both expressed their approval of the shed. They actually expressed interest in coming here today, but the only reason they didn't was because they had medical emergency where they had to be in the hospital for something very personal to them.

But we do have their signature here. Miss Blanca Vazquez was there to verify that it was indeed the owner of the property who signed this letter of approval. And I can hand this letter of approval to you if you require it. So, we have requested the removal of waiver number two exterior colors. That waiver had been originally applied because construction of the shed had halted. It had been paused due to the notice of violation, but if approved that shed will be painted and the exterior colors will match the rest of the home. And we've also requested the removal of a design review number two an accessory structure in conjunction with single family residence. That was in regard to a plastic shed that was there before, but that shed has been totally removed and we have a picture here showing how the yard looks now. So, no more accessory structure there. So that's why we have requested the removal of that design review.

There's some pictures here. The shed does have a zero-foot setback from the property line, which is why we are here hoping to be approved for this construction. And it was all constructed per code. It does have a one-hour fire rating wall construction, which IBC does have an exception where they would allow a zero-foot setback separation with a one-hour fire rating wall. And so, these are some pictures of the interior where they are currently housing their tools, their materials and everything they need to run their business. If this project were not to be approved, it would pose a significant financial crisis for Mister and Mrs. Rodolfo as they would be facing the loss of quite a lot of money invested in this project and they would also potentially have to lose their business. So, we are hopeful that with the approval of the neighbors and we are more than willing to meet any condition necessary, if we may obtain an approval today. Thank you.

SEGERBLOM

This is a public hearing. Anyone here wishing to speak on this item? Please come forward.

JOHN ROSCOE

Good morning, Commissioners. My name is John Roscoe, R-O-S-C-O-E. The waivers for the side yard, well they already dropped the one for the back. First thing is zero, they want, it's against the fire code and where he said for one hour, the codes two hours for that. I know because I built my own garage in my backyard and everything and I did go through all of them. There was no structural engineering done on it. There was no Planning Commissioners. Now we're going with the County Commissioners. There was no Building Department, no permits, no fire inspection and the drainage on that side of the house goes into their next-door neighbor's yard.

It was built illegally. So, if you pass it, you're going to open a basket of worms

ROSCOE and people are going to say, "Hey, if they can do it, why can't we?" I do feel sorry for them because it looks like the contractor took advantage of them.

SEGERBLOM Does that complete your argument? Is that all you have to say?

ROSCOE Yes, sir.

SEGERBLOM Okay. All right. Thank you so much. Anyone else here to speak on this item?

ROSCOE Thank you.

SEGERBLOM Thank you. See no one. Have everybody come back up and turn over to Commissioner Gibson.

GIBSON In the first instance, why didn't you come forward with an application before building the structure? Give him a microphone. You can stand at the other microphone. We'll let him go ahead and speak in his language and you can translate it for us.

PEREZ VELAZQUEZ No, no you, what was said?

GUTIERREZ Why didn't you file an application for permission?

RODOLFO VELAZQUEZ Okay.

GIBSON You need to speak louder.

VELAZQUEZ Okay.

(As translated by Gutierrez; audio recording available.) So, Mister Rodolfo contacted the County and there must have been a language barrier. He had understood that under 599 square feet that he didn't need a permit to construct. So, he was just unaware and misinformed, and it sounds like there was a language barrier there.

GIBSON Let me ask this question. Do we have anybody in this room who knows about this question or about the fire code and the wall and that sort of thing, which is more of a building thing, do you know the answer to that question?

GUTIERREZ I can't quote the –

GIBSON Please just a minute. I'm talking to the staff.

PAPZIAN Thank you, Commissioner. Even when they get approved here, they do have to work with the Building Department. They do have to submit the plans. There will need to be inspections. I see there's some electrical. I see there's a restroom, there's going to be plumbing. All of that will have to be submitted to the Building Department for review and inspection.

GIBSON Yeah, I'm aware of that. I just wondered if you happen to know the – we're hearing two different things, two hours versus one hour.

PAPZIAN

I don't, I'm sorry.

GIBSON

I just wondered if you knew the answer. So, this is very difficult because when I look at it actually looks pretty nice and all too often when we see these things, all they do is – they're run down; they're an afterthought. This doesn't really appear to be an afterthought. You haven't got the color coat on the stucco yet. So, you decided that if you were to finish it, you would color it with the same color of stucco that's on the home.

I guess I'm in one of those soft moments today. It must be the moon, but at this point I'm going to move – you've withdrawn waiver number two because you don't need it any longer. You're withdrawing a design review on an accessory structure because that's not what we're talking about. And you understand that you're going to have to submit plans that will have to be approved. There will be inspections that will have to be passed. And if there are any deficiencies, you'll have to make changes. You have to comply fully. How long will it take you to submit plans?

GUTIERREZ

Plans, I believe, should be ready to submit within two months, if not sooner. If you require it to be submitted sooner, we should probably make that happen.

GIBSON

I'll give you 60 days to submit them. Yes?

REAL

Can I clarify? So, because this is a code violation, we do have a condition on here that they have one year to complete the building permit and inspection process.

GIBSON

But I want this. I want it – maybe that they have a year to complete everything, but I want an application for a building permit with drawings and everything that is required by the Building Department on file within 60 days.

GUTIERREZ

Yes, sir.

GIBSON

You understand that?

GUTIERREZ

Yes, sir.

REAL

And then can I also clarify?

GIBSON

Yes.

REAL

So, the shed that was in the back is related to waivers of development standards 1C, number two and design review number two. I think some of the confusion is they're calling that long expansion to the house a shed and that is not a shed by our definition or by Building's definition. And so, as part of the withdrawals of part of the application, I would say waiver of development standards, again 1C, two and design review number two can be withdrawn since that plastic shed in the back is no longer there. All the other waivers and design reviews are still necessary.

GIBSON

You understand that?

GUTIERREZ

Yes, sir.

GIBSON

All right. So, there are conditions. There are requirements that must be met. One of the problems we have is that too many people think they can just pull out their hammer and start building onto things without any approval. It's not safe, it's not orderly. And we very often hate what it looks like, and neighbors complain. And this neighbor lives four blocks away from you, the one who is here today. But he reports to my office that there are a number of projects that are being built over in that area that are not permitted. And so, if you'll give us addresses, we'll inspect those, we'll make a determination as to whether or not they need to be called forward. In your case, I'm going to move approval subject to the conditions that you have heard here today. And those that are in the, if approved, things that are in the report that the staff has done. You have 60 days to get plans and an application for a building permit in. You understand that?

GUTIERREZ

Yes, sir.

GIBSON

And then you have a year to get this completed. So don't drag your feet. That's my motion.

SEGERBLOM

There's a motion, cast your vote. And everybody got Commissioner Gibson on his good day.

GIBSON

My good day.

GUTIERREZ

Thank you.

PEREZ VELAZQUEZ

Thank you very much.

VELAZQUEZ

Thank you.

GIBSON

You're welcome.

VOTE:

VOTING AYE:

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

VOTING NAY:

None

ABSENT:

None

ABSTAIN:

None

CONDITIONS OF APPROVAL –

Comprehensive Planning

- 1 year to complete the building permit and inspection process or the application will expire unless extended with approval of an extension of time;
- Applicant to submit for all necessary building permits with the Building Department within 60 days from date of approval of this application.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved

project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Clark County Water Reclamation District (CCWRD)

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

WAIVERS OF DEVELOPMENT STANDARDS #1C AND #2, AND DESIGN REVIEW #2 WERE WITHDRAWN.

ITEM 47 ORD-24-900058: Introduce an ordinance to consider adoption of a Development Agreement with Diamante Canyon LLC for a Commercial Development on 2.6 acres, generally located south of Blue Diamond Road and west of Grand Canyon Drive within Enterprise. JJ/lg (For possible action)

ACTION: Public hearing set for May 22, 2024, at 9 a.m. (Bill No 5-8-24-1).

REAL

Next are ordinances for introduction. Commissioners, Items 47 through 53 are for standard development agreements, and Item 54 is to amend the official zoning map:

- Item 47, ORD 24-900058, is for a development agreement with Diamante Canyon, LLC for commercial development on 2.6 acres.
- Item 48, ORD- 24-900081, is for a development agreement with LH Ventures, LLC and Cankids Investments 2012, LLC for a single-family residential development on 22.5 acres.
- Item 49, ORD-24-900097, is a development agreement with LV WS Cimarron, LLC for a multiple family residential development on 13.7 acres.
- Item 50, ORD- 24-900117, is a development agreement with Richmond American Homes of Nevada Inc. for a single-family residential development on 4.4 acres.
- Item 51, ORD 24-900141, is a standard development agreement with Toll South LV, LLC for a single-family residential development on 5 acres.
- Item 52, ORD- 24-900159, is a development agreement with Beazer Homes Holdings, LLC for a single-family residential development on 2.4 acres.
- Item 53, ORD-24-900160, is a development agreement with Beazer Homes Holding, LLC for a single-family residential development on 6.3 acres.
- And then lastly, Item 54, ORD-24-900185, is to amend the official zoning map, reclassifying certain properties as approved by the Board of County Commissioners through various zone change applications on February 7, 2024, February 21, 2024, and March 6, 2024.

Commissioners, we request that you set the public hearing for May 22, 2024.

SEGERBLOM

I'll introduce the ordinances and set the public hearing for May 22, 2024.

REAL

Perfect. And then last is the last public comment.

ITEM 48 ORD-24-900081: Introduce an ordinance to consider adoption of a Development Agreement with LH Ventures, LLC & Cankids Investments 2012, LLC for a single family residential development on 22.5 acres, generally located south of Wigwam Avenue and west of Cimarron Road within Enterprise. JJ/lg (For possible action)

ACTION: Public hearing set for May 22, 2024, at 9 a.m. (Bill No 5-8-24-2).

ITEM 49 ORD-24-900097: Introduce an ordinance to consider adoption of a Development Agreement with LV WS Cimarron, LLC for a multiple family residential development on 13.7 acres, generally located south of Warm Springs Road and east of Cimarron Road within Spring Valley. MN/lg (For possible action)

ACTION: Public hearing set for May 22, 2024, at 9 a.m. (Bill No 5-8-24-3).

ITEM 50 ORD-24-900117: Introduce an ordinance to consider adoption of a Development Agreement with Richmond American Homes of Nevada, Inc for a single family residential development on 4.4 acres, generally located east of Haven Street and north of Frias Avenue within Enterprise. MN/lg (For possible action)

ACTION: Public hearing set for May 22, 2024, at 9 a.m. (Bill No 5-8-24-4).

ITEM 51 ORD-24-900141: Introduce an ordinance to consider adoption of a Development Agreement with Toll South LV LLC for a single family residential development on 5.0 acres, generally located south of Windmill Lane and east of Cimarron Road within Enterprise. JJ/lg (For possible action)

ACTION: Public hearing set for May 22, 2024, at 9 a.m. (Bill No 5-8-24-5).

ITEM 52 ORD-24-900159: Introduce an ordinance to consider adoption of a Development Agreement with Beazer Homes Holdings, LLC for a single family residential development on 2.4 acres, generally located north of Richmar Avenue and west of Valley View Boulevard within Enterprise. JJ/lg (For possible action)

ACTION: Public hearing set for May 22, 2024, at 9 a.m. (Bill No 5-8-24-6).

ITEM 53 ORD-24-900160: Introduce an ordinance to consider adoption of a Development Agreement with Beazer Homes Holdings, LLC for a single family residential development on 6.3 acres, generally located north of Pyle Avenue and west of Valley View Boulevard within Enterprise. JJ/lg (For possible action)

ACTION: Public hearing set for May 22, 2024, at 9 a.m. (Bill No 5-8-24-7).

ITEM 54 ORD-24-900185: Introduce an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners through various zone change applications on February 7, 2024, February 21, 2024, and March 6, 2024. (For possible action)

ACTION: Public hearing set for May 22, 2024, at 9 a.m. (Bill No 5-8-24-8).

PUBLIC COMMENT

SEGERBLOM This is the last period for public comment. Anyone wishing to speak? Okay.

MARGARET ANN COLEMAN Good afternoon. My name is Margaret Ann Coleman. I had to come forward this morning due to the fact is I'm dealing with taxes. I'm at 1316 Wizard. I'm trying to get tax refund and you all are involved with Pega Smarts Funding Property, whereas it's trying to take over my ownership whereas it's taking over my taxes. I'm entitled to tax refund, and I'm entitled to (inaudible) Complex Home. That

COLEMAN

was supposed to have been a new move in for me from 1316 Wizard, 2007 instead of an illegal eviction notice. Oh, this is my ownership papers. That is my grant deed to that property, whereas it gives me the option to put in the records. And you all are getting Brittany Johnson that is involved on the illegal matter of putting liars and thieves.

And you guys' accepted Wallace Muhammad. That was my kid's father as being the controller after they put me outside. Now this overthrow must stop. I must go forward. I need my money. You won't give me my money. 1316 Wizard belongs to me to move into or sell, but I can't do either one due to the fact you all are overthrowing me with Pega. I need you to release this Pega program that I had developed as a charity program under that name, that Cal Kressner that looks like a Michael Knapp. And as the owner of Pega being over sealed with Tom Hopper, that was the attorney concerning my court order that lives next door. That was overthrowing me with Edward Moody. All I can do is submit these paper works and all I can – I had to go back to my storage space. I was thrown in the street 13 years living in my car due to you all illegal procedures or throwing me out and discriminating. I need money.

SEGERBLOM

Thank you.

COLEMAN

Why don't you guys stop it and give me my money.

SEGERBLOM

Anyone else here?

COLEMAN

Patrick– (inaudible)

SEGERBLOM

Anyone else here to speak? If not, we'll close the hearing. And that's it for this week.

There being no further business to come before the Board at this time, at 11:10 a.m., the meeting was adjourned.

APPROVED:

/s/ Tick Segerblom

TICK SEGERBLOM, CHAIR

ATTEST:

/s/ Lynn Marie Goya

LYNN MARIE GOYA, COUNTY CLERK