

Board of County Commissioners

CLARK COUNTY, NEVADA

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COMMISSION CHAMBERS, GOVERNMENT CENTER
500 SOUTH GRAND CENTRAL PARKWAY
LAS VEGAS, NEVADA 89106
WEDNESDAY, NOVEMBER 8, 2023

The Board of County Commissioners of Clark County, Nevada met in recessed regular session in full conformity with law and bylaws of said Board at the regular place of meeting in the Commission Chambers, Government Center, Las Vegas, Clark County, Nevada on Wednesday, the 8th day of November 2023 at the hour of 9:00 a.m. The meeting was called to order at the appointed hour by Chair Gibson and on roll call, the following members were present, constituting a quorum of the members:

CALL TO ORDER

CHAIR AND COMMISSIONERS:

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

Absent:

Tick Segerblom

Also Present:

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

Commissioner Segerblom entered the meeting during Public Comment.

ITEM NO. 1 Public Comment

JIM GIBSON

Good morning. I want to welcome you to our Zoning meeting today. The meeting will come to order.

The first item of business is public comment. This is a time when you're invited to come forward and speak on any specific item on our agenda. So, we would need you, after you give us your name and spell your last name for our clerk, to also tell us which agenda item you're speaking on. There are a couple of items that when we approve our agenda will not be heard today. And I'm going to ask Sami just to read those off so that if any of you are here on an item that is not going to be acted upon today, you'll know that, and you can make a decision as to whether you comment on it now or you come back at a later date. Sami, would you please review those items?

SAMI REAL

Commissioners, this morning we have the following items that will be held to a later date. We have Item 44, 28, Item 29, Item 30, Item 38, Item 39, 40, 42, and 48, and I'll read the specific dates when we get to that part of the agenda.

GIBSON

Oh, good. So, we'd invite anyone who wishes to make a public comment on a specific agenda item to please come forward now. And please give us your name, spell your last name for our clerk, and please keep your comments to three minutes. Either side.

STEVEN SMITH

Good morning, Commissioner.

GIBSON

Good morning.

SMITH

I'm Steven Smith. I reside at 1472 Silver Mesa Circle. My last name is spelled S-M-I-T-H.

GIBSON

Would you say your name again right into that microphone?

SMITH

Steven Smith.

GIBSON

Thank you.

SMITH

So, I'm here to speak in opposition to Item Number 35, or at least a part of it; Sunrise Hospital's planned development in our neighborhood. I'm a resident and property owner that's directly impacted by this plan. They intend to extend the cul-de-sac of Silver Mesa Circle and make it a connecting route between La Canada and Desert Inn. Those streets already have an intersection, and those streets already have a bypass on Sombrero Road, which is only 100 feet away from my street, so they don't demonstrate any kind of a need to extend our cul-de-sac. We, the residents, do not want to have this cul-de-sac extended. I've had several of the other residents sign this petition saying that we don't want the cul-de-sac extended.

At the most recent meeting of the Winchester Town Board, we found out for the first time that Sunrise Hospital is planning on converting our street to the connecting road. This is the only information I've been able to get out of the hospital in over three years of trying. Three years ago, they bought and tore down 30 of these affordable housing units. And at that time, I started contacting the hospital at their corporate headquarters in Tennessee. My representative, Tick Segerblom, said he was going to be here this

SMITH morning.

GIBSON He will be. He's had a family issue and he'll be a few minutes late, but he'll be here.

SMITH Anyway. They bought those units and tore them down. During the deconstruction of those units, their contractor blocked access to our alley and frequently prevented Republic Service from emptying our garbages. When I contacted the hospital, nobody there could tell me anything. Nobody could say anything or do anything about it, because it's all through their corporate headquarters. I contacted a man there named Sam Burgess, and he referred me back to the hospital here, and they referred me back to him. I contacted the contractor, and they said I had to take it up at the hospital. So, they have not been acting in good faith as a good faith neighbor. There's no need -

GIBSON Let me just say this. The Commissioner isn't here. He will be here in a few minutes, but I'm going to ask Bea, who is his liaison, if you and she could speak. She's right there and you can speak to her. You can continue for your three minutes. We've paused the clock so you can finish out your three minutes, but after you're finished with you, please would talk to the lady just to your left, okay?

SMITH Okay. Okay. She was at the Town Board meeting. She heard me speak on this subject once before. The hospital hasn't acted as a good neighbor. They haven't contacted us even though I've made repeated attempts to contact them. And they don't demonstrate a need. When I spoke with Mister Segerblom, I had to explain why we didn't want the cul-de-sac extended. And the hospital doesn't explain the need for the changes to the street in the community. They haven't justified it. There's no need for it because the two streets already connect and there's already a bypass to those two streets connecting.

GIBSON Alright, thank you. Yeah. Is there anyone else who wishes to comment on a specific agenda item?

ALICE TIDWELL My name is Al -

GIBSON Now, I just need to say this. If you comment now, this is your one opportunity if it is not on a consent agenda. So, if it's Item 39 or later, you'll have an opportunity when the item is called during the public hearing to speak on the item. If you choose to speak now on something, then you won't have that option. So, if your item is something after 38, so 39 and beyond, then that's an item that you'll have an opportunity.

TIDWELL I wanted to speak on Item 35.

GIBSON 35, speak away.

TIDWELL Okay. My name is Alice Tidwell and I reside in Casa Vega, and I'm in opposition to it unless there is some acceptable solutions to, one, if there's going to be an additional heliport built to the hospital, because of all the noise, it's creating a problem, even health-wise, for hearing. Are they going to soundproof our windows like they do the hospital? They already have two. They also have this media interference when you're trying to watch television. And then most importantly, how tall is this building going to be? We have a location, we know they want to do this construction, but actually

TIDWELL what are they doing there? Would that be explained? At what point? When will I know? All I know is they want to buy the property. I want to know what are they going to do. Do you have an answer?

GIBSON During the public hearing there will be an opportunity to exchange and provide some answers. This is not something that we would be answering in any case.

TIDWELL Oh.

GIBSON This is public comment. We can't have an exchange under the law, under our rules.

TIDWELL Do I have to wait for them to comment?

GIBSON So, you can tell us what your concerns are -

TIDWELL Yes.

GIBSON - and then the Commissioner can address them, or we can address them when we have the hearing on the item.

TIDWELL Oh, okay. Thank you.

GIBSON Thank you. Item 35 is going to come off the consent agenda, so we'll have a separate public hearing for it then.

 Is there anyone else who wishes to speak during this public comment period? Then we'll move on. Miss Real?

ACTION: No action was taken by the Board.

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

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 fees if 85 days has passed since the initial notification or there are modifications to the application.

 Hold, no date, Item 44, WC-23-400131 for DR-19-0906.

 Hold to the November 21st 1:00 p.m. Zoning meeting Item 28, ZC-23-0571; Item 29, VS-23-0572; Item 30, TM-23-500121; Item 38, ORD-23-900438; Item 39, ET-23-400129, and that is for UC-0568-14; Item 40, ET-23-400128 for UC-0519-17; and then Item 42, UC-23-0637.

 Hold to the December 6th, 2023 Zoning meeting Item 48, WS-23-0340.

 And the above public hearing items are going to be opened as a public hearing and immediately recessed until the dates as previously stated. With these deletions, which are Items 28, 29, 30, 38, 39, 40, 42, 44 and 48, the Zoning agenda stands ready for your approval.

GIBSON Are there any other changes to the agenda this morning? Commissioner Naft, did you?

MICHAEL NAFT No.

GIBSON Okay. And Commissioner Jones, nothing more? Then I'll entertain a motion on the agenda if there's nothing more.

TICK SEGERBLOM Move to approve subject to the conditions or the changes she made.

GIBSON So, there's a motion to approve as suggested by Miss Real. Please cast your votes. The motion carries.

ACTION: It was moved by Commissioner Tick Segerblom, and carried by unanimous vote, that the agenda be approved subject to the conditions or changes read into the record.

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

REAL The third item on the agenda is the approval of the minutes. The minutes of the October 4th, 2023 Zoning meeting are ready for approval.

NAFT Move for approval.

GIBSON There is a motion for approval of the minutes. Anything more on them? Please cast your votes. And the motion carries.

ACTION: It was moved by Commissioner Michael Naft, and carried by unanimous vote, that the minutes be approved.

ROUTINE ACTION ITEMS (4-38):

REAL Next are the routine action items, which consists of Items 4 through 38, except the items previously deleted and Items 20, 34, 35, and 36, which will all 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 request: Item 26, ZC-23-0550, add a current planning condition to read, "Pedestrian connectivity shall be provided internal to the development between the residential and commercial components to better connect the two uses together."

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

GIBSON Thank you. If there's nothing more, I'll entertain a motion on the routine action items.

SEGERBLOM Move to approve routine action items.

GIBSON There's a motion for approval. Any discussion? Please cast your votes. The motion carries.

ACTION: It was moved by Commissioner Tick Segerblom, and carried by unanimous vote, that the Routine Action Items be approved.

ITEM NO. 4 DR-23-0630-VENETIAN PROPCO, LLC:

DESIGN REVIEWS for the following: 1) wall sign area; 2) animated sign area; 3) animated sign number; and 4) modifications to an approved sign package in conjunction with an existing resort hotel (Venetian/Palazzo) on 63.2 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Sands Avenue within Paradise. TS/hw/syp (For possible action)

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

ITEM NO. 5 DR-23-0636-FLAMINGO LV OPERATING CO, LLC:

DESIGN REVIEWS for the following: 1) facade remodel; 2) addition; and 3) modification to an approved comprehensive sign plan in conjunction with a restaurant within a resort hotel (Flamingo) on a portion of 19.4 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the east side of Las Vegas Boulevard South, 200 feet north of Flamingo Road within Paradise. TS/sd/syp (For possible action)

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Clark County Water Reclamation District (CCWRD)

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

ITEM NO. 6 AR-23-400125 (WS-21-0525)-LMG LAS VEGAS, LLC:

WAIVER OF DEVELOPMENT STANDARDS APPLICATION FOR REVIEW for landscaping in conjunction with an existing distribution facility and outside storage yard on 4.6 acres in an M-D (Designed Manufacturing) (AE-65) Zone. Generally located on the east and west sides of Windy Street and the north side of Arby Avenue within Enterprise. MN/rp/syp (For possible action)

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

CONDITIONS OF APPROVAL –
Comprehensive Planning

- Until February 19, 2025 to review landscaping.
- 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 or applications for review, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

ITEM NO. 7 ET-23-400126 (VS-21-0124)-PN II, INC.:

VACATE AND ABANDON FIRST EXTENSION OF TIME easements of interest to Clark County located between Chartan Avenue and Terrill Avenue, and between Placid Street and Bermuda Road within Enterprise (description on file). MN/nai/syp (For possible action)

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

CONDITIONS OF APPROVAL –
Comprehensive Planning

- Until October 2, 2025 to record.
- 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 re-approval by the utility companies is required.

Public Works - Development Review

- Compliance with previous conditions.

ITEM NO. 8 ET-23-400127 (VS-19-0145)-PN II, INC.:

VACATE AND ABANDON SECOND EXTENSION OF TIME easements of interest to Clark County located between Chartan Avenue and Terrill Avenue, and between Placid Street and Bermuda Road, and a portion of right-of-way being Chartan Avenue located between Placid Street and Bermuda Road within Enterprise (description on file). MN/rp/syp (For possible action)

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

CONDITIONS OF APPROVAL –
Comprehensive Planning

- Until April 3, 2025 to record.
- 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 re-

approval by the utility companies is required.

Public Works - Development Review

- Compliance with previous conditions.

ITEM NO. 9 ET-23-400134 (UC-18-0874)-CLAYTON PLAZA, LLC:

USE PERMITS SECOND EXTENSION OF TIME for the following: 1) convenience store; 2) gasoline station; 3) reduce the separation from a proposed convenience store to a residential use; and 4) reduce the separation from a proposed gasoline station to a residential use.

DESIGN REVIEW for a convenience store and gasoline station on a portion of 3.9 acres in a C-1 (Local Business) Zone. Generally located on the south side of Windmill Lane and the west side of Buffalo Drive within Enterprise. JJ/tpd/syp (For possible action)

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until February 20, 2025 to commence;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

ITEM NO. 10 UC-23-0616-SHAO LILY SAU-CHU:

USE PERMIT for a veterinary clinic on a portion of 7.6 acres in a C-P (Office and Professional) Zone. Generally located on the southeast corner of Sahara Avenue and Tenaya Way within Spring Valley. JJ/bb/syp (For possible action)

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Clark County Water Reclamation District (CCWRD)

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

addressed.

ITEM NO. 11 UC-23-0631-BUDGET RENT A CAR SOUTHERN CA:

USE PERMIT for a monorail on 11.2 acres in an M-1 (Light Manufacturing) Zone and a C-2 (General Commercial) (AE-70, AE-65, & AE-60) Zone. Generally located between Desert Inn Road and Warm Springs Road, and between Maryland Parkway and Valley View Boulevard within Paradise and Enterprise. MN/JG/JJ/bb/syp (For possible action)

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

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 for the use of cranes and potentially, future proposed structures (including temporary structures) and temporary construction equipment on parcel 162-22-402-001;
- 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 for the use of cranes and potentially, future proposed structures (including temporary structures) and temporary construction equipment on parcel 162-22-402-001; 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 for the use of cranes and potentially, future proposed structures (including temporary structures) and temporary construction equipment on parcel 162-22-402-001;
- 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; the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; the FAA will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Plan review requirements regardless of discharge location: 1) show connection location on these plans of where the drainage system for the tunnels, tunnel side structures, stations, and any other structure will discharge; 2) reference the Building Department permit numbers on these plans for all proposed structures (such as foundation, structural and/or build-out); 3) tunnels are required to be at least 40 feet deep at major streets or as determined by the agency; and 4) it is assumed that every underground structure is going to have perforated pipe around it, show otherwise or show where this pipe is discharging to, no groundwater is allowed to discharge to sewer;
- If discharging into storm drain: upload supplemental plans approved by the Building Department and/or Public Works to the PIPES portal for CCWRD review;

- If discharging into sanitary sewer; ensure the following is addressed on these plans: 1) a sand/oil interceptor is required before connecting to sewer, any pressurized flows need to discharge to a gravity MH first before going through the interceptor; 2) a rain diversion structure (trench drain) is required at every ramp entrance; 3) have an approved POC # and proposed average flow (in MGD or number of ERUs) listed on the general notes sheet; and 4) have an Executed Sump Connection Agreement between CCWRD and The Boring Company for each project.
- Applicant is advised that the CCWRD has existing sanitary sewer infrastructure within the project boundaries; continue coordination efforts as project progresses; the CCWRD requires submittal of civil improvement plans for review and approval by the CCWRD (Plan Review Requirements noted below); if a POC is required, find instructions for submitting a Point of Connection (POC) request on the CCWRD's website and a signed Sump Connection Agreement will be required; during plan review, all CCWRD public sanitary sewer facilities that are found to need relocation or abandonment to accommodate the Developer's project shall be done solely at the Developer's expense; any new relocation of sewers, along with the granting of any needed sanitary sewer easements, shall be constructed and flows diverted into the new relocated facilities prior to the old sanitary sewers being removed; to protect the integrity of CCWRD sewers, PRE and POST construction televising of CCWRD sewers is required for sewers in close proximity of the Developer's project. Tunnels are required to be at least 40 feet deep at major streets.

ITEM NO. 12 VS-23-0621-ROMAN CATHOLIC BISHOP LAS VEGAS:

VACATE AND ABANDON easements of interest to Clark County located between Lindell Road and Mohawk Street and between Agate Avenue and Serene Avenue (alignment) and a portion of right-of-way being Lindell Road located between Agate Avenue and Serene Avenue (alignment) within Enterprise (description on file). JJ/jor/syp (For possible action)

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

CONDITIONS OF APPROVAL –
Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

- Right-of-way dedication to include 35 feet to the back of curb for Lindell Road, 60 feet for Oleta Avenue, 30 feet for Mohawk Street and associated spandrels;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

ITEM NO. 13 WS-23-0620-ROMAN CATHOLIC BISHOP LAS VEGAS:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) retaining wall height; and 2) eliminate sidewalks and reduce street landscaping.

DESIGN REVIEWS for the following: 1) single-family residential subdivision; and 2) finished grade on 9.8 acres in an R-E (RNP-I) Zone. Generally located on the north and south sides of Oleta Avenue, the west side of Mohawk Street, and

east side of Lindell Road within Enterprise. JJ/jor/syp (For possible action)

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

CONDITIONS OF APPROVAL –
Comprehensive Planning

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 4 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Full off-site improvements on Lindell Road;
- Right-of-way dedication to include 35 feet to the back of curb for Lindell Road, 60 feet for Oleta Avenue, 30 feet for Mohawk Street and associated spandrels.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and 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.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

ITEM NO. 14 TM-23-500128-ROMAN CATHOLIC BISHOP LAS VEGAS:

TENTATIVE MAP consisting of 16 single-family residential lots on 9.8 acres in an R-E (RNP-I) Zone. Generally located on the north and south sides of Oleta Avenue, the west side of Mohawk Street, and east side of Lindell Road within Enterprise. JJ/jor/syp (For possible action)

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

CONDITIONS OF APPROVAL –
Comprehensive Planning

- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added

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

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Full off-site improvements on Lindell Road;
- Right-of-way dedication to include 35 feet to the back of curb for Lindell Road, 60 feet for Oleta Avenue, 30 feet for Mohawk Street and associated spandrels.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and 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.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0213-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 15 WC-23-400107 (NZC-21-0020)-WEST SAHARA SENIOR HOUSING LIMITED PARTNERSHIP: AMENDED WAIVER OF CONDITIONS of a nonconforming zone change requiring a 36-inch box African Sumac and pine trees to be planted 10 feet on center along the south property on Laredo Street (previously not notified) and revised building elevation to include varied elevations, roof forms, and surface planes with a desert earth tone color scheme (no longer needed) in conjunction with an approved senior housing facility on 4.5 acres in an R-4 (Multiple Family Residential - High Density) Zone. Generally located on the south side of Sahara Avenue, the west side of Meyers Court (alignment), and the north side of Laredo Street within Spring Valley. JJ/rp/syp (For possible action)

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

CONDITIONS OF APPROVAL – Comprehensive Planning

- 36 inch box trees to be planted 10 feet on center along the south property on Laredo Street.

ITEM NO. 16 WC-23-400143 (ZC-21-0633)-SLOAN ARVILLE, LLC: WAIVER OF CONDITIONS of a zone change requiring to construct per revised plans in conjunction with a proposed distribution center on 5.0 acres in an M-D (Designed Manufacturing) Zone. Generally located on the east side of Arville Street, 787 feet south of Sloan Road (alignment) within South County. JJ/bb/syp (For possible action)

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

ITEM NO. 17 DR-23-0530-SLOAN ARVILLE, LLC:

DESIGN REVIEW for modifications to a previously approved distribution center on 5.0 acres in an M-D (Designed Manufacturing) Zone. Generally located on the east side of Arville Street, 787 feet south of Sloan Road (alignment) within South County. JJ/bb/syp (For possible action)

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 40 feet for Arville Street;
- Provide paved legal access.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that VS-21-0367 must remain current.

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 #0289-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 18 WS-23-0593-MGP LESSOR, LLC:

WAIVER OF DEVELOPMENT STANDARDS for reduced driveway throat depth.

DEVIATION for existing sidewalk and landscaping.

DESIGN REVIEW for an update to a previously approved resort hotel (Hard Rock Hotel Casino) with all associated and accessory uses, structures, and incidental buildings and structures on 69.8 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the west side of Las Vegas Boulevard South, 1,300 feet south of Spring Mountain Road within Paradise. TS/jor/syp (For possible action)

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; water features must comply with Chapter 30.64; the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Applicant is advised that signs, structures, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones.

Department of Aviation

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

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 #0246-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 19 WS-23-0606-SOUTHERN HILLS MEDICAL CENTER, LLC:

WAIVER OF DEVELOPMENT STANDARDS to allow roof signs.

DESIGN REVIEWS for the following: 1) lighting; and 2) signage for a previously approved emergency medical care facility on a portion of an approved shopping center on 4.5 acres in a C-2 (General Commercial) Zone. Generally located on the south side of Blue Diamond Road and the west side of El Capitan Way within Enterprise. JJ/lm/syp (For possible action)

ACTION:

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

CONDITIONS OF APPROVAL –
Comprehensive Planning

- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

ITEM NO. 20 WS-23-0607-WINDMILL LANE SERIES SIERRA INVESTMENT PROPERTIES:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) architectural compatibility; and 2) reduce throat depth.

DESIGN REVIEWS for the following: 1) alternative parking lot landscaping; and 2) proposed office buildings on 1.1 acres in a CRT (Commercial Residential Transitional) Zone. Generally located on the south side of Windmill Lane, 660 feet east of Spencer Street within Paradise. MN/lm/syp (For possible action)

REAL

Alright. With that, we'll go on to our first item, which is Item 20, WS-23-0607, Waivers of development standards for the following: architectural compatibility; and reduce throat depth. Design reviews for the following: alternative parking lot landscaping; and proposed office buildings on 1.1 acre in a CRT (Commercial Residential Transitional) Zone generally located on the south side of Windmill Lane, 660 feet east of Spencer Street, within Paradise.

GIBSON

Is there someone here on behalf of the applicant?

RUDOLFO HERNANDEZ

My name is Rudolfo Hernandez. Last name, H-E-R-N-A-N-D-E-Z. Address, 3121 Flower Garden Court, North Las Vegas, Nevada.

My client proposes to develop two structures on this parcel. Basically, he wants this to be from a commercial off - basically, it was zoned for office commercial, I believe, or something like that, or it's CP-1. Anyway, he wants to propose these two buildings. We have residents flanking on either side. We have commercial next to us. And that's basically it.

GIBSON

If that concludes your presentation, we'll open the public hearing. The public hearing is open. We'd invite anyone who is here to speak on Item 20 to come forward. In fact, if there are a number of you, you can line up on the stairs there and come forward and give us your name and spell your last name. Please keep your comments to three minutes.

So, we'll call you back up, Mister Hernandez.

HERNANDEZ

With the site planner?

UNIDENTIFIABLE SPEAKER

We could-

HERNANDEZ

Do I need the site plan?

GIBSON

What's that?

UNIDENTIFIABLE SPEAKER

We could use your-

HERNANDEZ Do I need to leave the site plan?

GIBSON You can leave - it would be best to leave it there I think, yeah.

EDWARD COTTER Hey, my name is Edward Cotter. I live -

GIBSON Your last name?

COTTER Cotter, C-O-T-T-E-R.

GIBSON Thank you.

COTTER I live in this home right here on this side of his project. This is 8148 Echo Valley Way, Las Vegas, Nevada. I object to one of - you approved the setback in the last meeting that this was held at under false and misleading information provided by the developer. He said that all these walls on this side of the -

GIBSON Sir, if you're going to move away from that microphone, would you pick up the handheld microphone that should be right there on the desk? Yes. And then speak into that so we don't lose your voice.

COTTER Okay. Okay. They indicate that the walls on these three properties are eight feet tall, and they are not, and they have never been. The wall on my side starts at five-and-a-half at one end of the property and then ends at six at the other end of the property. This is zoned residential or commercial residential estate, and they used portions of the Title 30 that do not apply to this particular situation.

In 3064-12, it refers to proposed residential and proposed commercial. Therefore, neither one of those plots would've been zoned CRT. They would've been plain commercial and plain residential because there's nothing there yet, so it wouldn't have been CRT. And then in – so, in figure 30-56-10, the high setback, only item number 1 applies. And there is a formula for figuring the distance, and the distance should be 40-some feet, not 10. And then because of the size of the building and where he wants to put it, my view from my house, where I sit and see the sunrise in the morning, goes from this to this if he builds that building 10 feet from that wall. And this is what it is if it goes to the 40-something feet. I don't have a good view, but at least I will have a view. And I don't think any of you would like to have that done to your property. You go out and enjoy your backyard. Would you want to have that happen to your backyard? This project is too big for the lot he wants to put it on. And then this, where he's proposing this, this would be the view for people pulling out of the parking lot just to see the oncoming traffic. Who's going to take down that wall, so he has that view?

GIBSON Thank you, sir. Others who wish to offer testimony, you can use either side.

TODD GADD Good morning, Commissioners. My name is Todd Gadd, G-A-D-D. I am one of the residents to the side. I do apologize if I go over three minutes. I should be allowed, because we were denied the Town Board meeting, or my partner can come up here and take the other three minutes. Either way is up to you guys.

And I first of all need to thank Commissioner Naft and his team, because they have

GADD actually been very accommodating where the builder of the property has failed to get ahold of us. Can everybody see this okay? Is it oriented correctly?

GIBSON Yes, no, yes.

GADD Okay. And so -

GIBSON Pick whichever answer you want. Your arrows are going in a different direction.

GADD Which this is North, this is South, which would be -

GIBSON That's the right way to have it up there then, and I can see that the bathrooms are right.

GADD Okay.

GIBSON Okay.

GADD So right here, if you notice their shading area, they are creating a blind spot. There is a wall there that is nine feet, or excuse me, seven feet high. So, I don't know if they've developed, or anybody's developed, a vision to see through walls, but you cannot. You're going to create a lot of accidents.

They've also incorrectly placed a stop sign on Windmill, a six-lane highway. They're going to stop oncoming traffic from going in there. They do have the other stop sign over here. They do not meet U.S. driving code. They've got their arrows in the wrong. That's kind of besides the point.

Over here, the 10-foot variance away from the wall for a parking structure next to a residence, they've encroached on the 10 feet. They're already pushing it into seven feet. I don't care that they have cement barriers right there to stop that. That doesn't stop people.

There, if you look at this year's version of the plan versus last year's version of the plan, there are minor differences. They're going to find loopholes and send information through with the old design in there. Because I'm looking at a copy of the new versus the old, and it's not the same. Some pages are some are not. So, they haven't even updated that.

If you look at the titles - let me read it first. So, this is from Section 30.48.650, Number 2, "Any new proposed buildings shall serve as an orderly transition in scale to existing buildings on adjacent properties in the area immediate. Building heights for non-residential developments, when adjacent to a residential use along the street, shall have an appropriate transition or step-down of building scale to reduce the mitigation." The size of these buildings are over that. This one is 7,000, this one is 4,000 respectively. The largest house in our development is 2,222 square feet. The buildings need to be reduced. That's number one. Number two... Can I continue?

UNIDENTIFIABLE SPEAKER He can go ahead.

GIBSON I'll give you another half minute.

GADD The parking structure, according to the Title Code, so you can see this code that I was referencing. You can see this code; it actually is supposed to be when it's within 30 feet of a residence should be 15 feet away. So, they're already breaking that. We would love to meet with them and propose this, we would rather have the buildings near us. Not too near, because, according to Ed, he does want the buildings far away. But again, the builders will not meet with us.

GIBSON Thank you.

GADD This would solve our problems. This would solve the neighboring businesses' problems. It may not solve theirs, but they do need to reduce the scale of their buildings. My house was built, the middle one right here, it was a setback. That was when this location was zoned as a residential estate. It was changed to a commercial residential transitional. Without taking that into consideration, the wall height that they're saying is 10 feet back here and eight feet along here, it is seven feet, six feet, four feet, four feet, eight feet by mine, because I did raise the wall. They're not in compliance with any of this.

GIBSON Thank you. Thank you.

GARRETT LIGHT Hi, there. Garrett Light. Again, 8136 Echo Valley Way. Short story is I believe this needs to be delayed for review with the builder. Despite the inconsistencies already on the design plans, there is a proposal that we'd like to present to them. He began to go into it, but I believe a meeting would address the majority of the concerns of the neighboring residences.

Let's see. Besides the traffic, so the setback, I can already tell you that, having driven that Windmill Road personally coming here, there's cars already going 45 miles an hour. I've tried to turn, even down the road further where there's businesses, and if you can't see that immediate lane, then there's really a high risk for accident. I don't think this was designed with safety in mind.

That's one of the points with the proposed rearrangement of the buildings. If we can have that discussion with the property owner, that would place this entryway further out, thus fixing for that.

Again, there are other things that we'd like to bring up like that one that are safety issues, but also for convenience issues for the surrounding businesses, the surrounding residences if possible. Yeah, I think I'll just end on that point. Thanks.

GIBSON Thank you.

JOSEPH SPENCER Good morning, everyone. My name is Joseph Spencer. I represent a company, TT&M Holdings. We actually own and operate the buildings here, right next to the property being discussed today. I just wanted to point out the fact that there is an easement agreement that I have a certified copy of. And basically, this road here has been in use and maintained since 2008. The easement agreement was formulated between the two former property owners, Hurtado and Chandler. And within that easement agreement, it does state that this easement agreement would follow every subsequent owner of the property that we own here, which is 2009 and 2015 East Windmill Lane.

SPENCER

So, I just wanted to – I understand it's a private matter, but I just wanted to point that out. And that's kind of an ongoing conflict. And like the neighbors previously, we also have had a hard time communicating. We've had some difficulty communicating I should say. We reach out and we converse, but we don't hear back as to what their future plans may hold. This easement agreement is definitely going to cause them a problem, and so I just wanted to point that out to everyone here today. So, thank you for your time. Appreciate it.

GIBSON

Thank you. Is there anyone else who wishes to speak on this item? Then the public hearing is closed, and we'd invite you, sir, back to the microphone. Commissioner Naft.

NAFT

Thank you, Mister Chairman. And Mister Hernandez, I'm going to recommend you let me speak first if that's okay. I think that might help you out.

I don't entirely put the blame on your shoulders, because you didn't represent this in the past, but there's a lot of history on this item, starting-

HERNANDEZ

Yeah, I was just recently put on this.

NAFT

Let me finish. I'll let you speak, but I don't think it's going to be in your interest to go first.

In December of '22, this item came up, and the one thing that I put very clearly on the record was to go and work with the neighbors. That hasn't happened. Nobody came back and talked to me about the project. I didn't know what I was seeing until just now, other than what I pulled the plans and put together myself. Our office had to do all of the applicant's job on this item. And several of the issues they brought up are really imperative to moving this item forward. So, I'm going to go over a couple of those things, because some of what the neighbors brought up just needs to be discussed and put on the record, because I don't want to relive this when you come back. Which was going to be my suggestion, that this item not be moved forward today, but rather be held indefinitely until such time as you can actually host a neighborhood meeting. But in the meantime, I just wanted to address some of the comments.

Mister Cotter indicated that this body had approved the setbacks. We denied those setbacks when this item came in December. Those were not approved. Most of the items related to that application at that time were denied. And then, again, just in the interest of moving things forward, you indicated this, Mister Cotter, the view is not protected. We can't consider that, as much as we all would want to. Your view is not protected there.

And then Mister Spencer, again, well, I certainly have empathy for the issue, and that is, I believe, personally I believe, an issue that has to be worked out, and I have tried to impress upon the applicant the need to do that. This body can't consider the private easement agreement as related to this item.

And then to Mister Gadd's point, before you have another neighborhood meeting, you have to clean this up. You've got arrows directing traffic in the wrong direction. You have stop signs where they don't belong. It just doesn't make any sense. And you're

NAFT asking people and this body to consider a site plan that is just inaccurate.

And then the other thing else I'll sug - I won't suggest, but before this item is to be heard again, I would want a neighborhood meeting to take place. Tiffany Hesser from my office has to be there and our schedule has to be considered, but I also want somebody from the Planning Department there. I believe, Miss Real, there's a mechanism for the applicant to pay a fee to have a planner there or to arrange that with the Planning Department.

REAL That is correct.

NAFT Okay. So, I'll pause, let you ask any questions, or anything you want to put on the record, feel free, but that's where I'm at right now.

HERNANDEZ No, again, like I said, I was just previously brought onto this project. I wasn't aware of the history behind it. I was just told that you guys weren't happy with the design people, so they brought me on board. And I agree with you, there is a lot of issues on this site plan that I personally don't agree with. But again, I was just here to represent my client and -

NAFT Well, that's why I don't blame you one bit. And the honesty is refreshing, thank you.

HERNANDEZ I'm the guy that has to stand before the man, so I'm the (indistinguishable)

NAFT I think they put you in a bad spot, but I appreciate you being upfront.

HERNANDEZ Yeah, they did. We will comply with the neighborhood meeting. And again, I thought that all that was taking place -

NAFT Sure.

HERNANDEZ - where they were just having discussions with the neighbors and all that. But as far as that transpiring, I didn't know that that didn't happen. But now that I'm on board, I will make sure that happens and make sure we go forward with everyone on board being as happy as we can possibly make them.

NAFT Okay. Thank you. And then, so my motion would be to hold the item indefinitely. But I just want to be clear, I don't want to waste everybody's time again, I don't want this to be agendized again if none of these issues have been resolved.

HERNANDEZ No, at the next meeting - Oh.

NAFT So, and I'd say that both to you and to our planning department, because I don't know what a mechanism is to make sure this doesn't get back on the agenda until I've seen it, but is there a way to do that in my indefinite hold?

REAL I will take that, and I will pass it on to the planner who's working on this, who'll make sure that happens.

NAFT That's perfect. Thank you very much. So, Mister Chairman, my motion is to move forward with an indefinite hold on Item 20.

There's a motion on the floor. Please cast your votes. The motion carries. Thank you, sir.

Thank you, Commission.

It was moved by Commissioner Michael Naft, and carried by unanimous vote, hold the application to no date certain. Applicant is advised that renotification fees are required prior to the item placed on an agenda.

ITEM NO. 21 WS-23-0638-CFT LANDS, LLC:

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

DESIGN REVIEW for finished grade in conjunction with a previously approved residential subdivision on 9.3 acres in an R-2 (Medium Density Residential) Zone. Generally located on the southwest corner of Pyle Avenue and Polaris Avenue within Enterprise. JJ/jud/syp (For possible action)

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

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

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

ITEM NO. 22 PA-23-700025-BWNV, LLC:

PLAN AMENDMENT to redesignate the existing land use category from Business Employment (BE) to Industrial Employment (IE) on 7.7 acres. Generally located on the south side of Las Vegas Boulevard North, 250 feet west of Lamb Boulevard within Sunrise Manor. WM/gc (For possible action)

It was moved by Commissioner Tick Segerblom, and carried by unanimous vote, that the redesignation be approved.

ITEM NO. 23 ZC-23-0541-BW NV, LLC:

ZONE CHANGE to reclassify 1.8 acres from an H-2 (General Highway Frontage) (AE-70 & APZ-2) Zone and 5.9 acres from an M-D (Designed Manufacturing) (AE-70, AE-75, & APZ-2) Zone to an M-1 (Light Manufacturing) (AE-70, AE-75, & APZ-2) Zone.

USE PERMITS for the following: 1) vehicle repair; and 2) vehicle (trailer) sales and rental in conjunction with a trailer display and outside storage use.

WAIVER OF DEVELOPMENT STANDARDS for alternative landscaping.

DESIGN REVIEWS for the following: 1) office/warehouse, vehicle repair, and vehicle (trailer) sales and rental; and 2) finished grade. Generally located on the south side of Las Vegas Boulevard North, 250 feet west of Lamb Boulevard within Sunrise Manor (description on file). WM/rr/syp (For possible action)

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Design review as a public hearing for future development;
- No outside repair of vehicles;
- 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 person per acre at any time;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that certain uses are not permitted in the airport environs and certain uses will require a special use permit; 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 use permit, waiver of development standards, and design reviews must commence within 4 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; that Nevada Department of Transportation (NDOT) permits may be required; and that off-site improvement permits may be required.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0285-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 24 TM-23-500113-BW NV, LLC:

TENTATIVE MAP consisting of 1 commercial lot on 7.7 acres in an M-1 (Light Manufacturing) (AE-70, AE-75, & APZ-2) Zone. Generally located on the south side of Las Vegas Boulevard North, 250 feet west of Lamb Boulevard within Sunrise Manor. WM/tr/syp (For possible action)

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; that Nevada Department of Transportation (NDOT) permits may be required; and that off-site improvement permits may be required.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0285-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 25 ZC-23-0548-LV BARBARA, LLC:

HOLDOVER ZONE CHANGE to reclassify 9.0 acres from an H-2 (General Highway Frontage) Zone and an R-E (Rural Estates Residential) Zone to an H-1 (Limited Resort and Apartment) Zone.

USE PERMIT for a multiple family residential development.

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

DESIGN REVIEWS for the following: 1) a multiple family residential development; 2) alternative parking lot landscaping; and 3) finished grade. Generally located on the northwest corner of Las Vegas Boulevard South and Barbara Lane (alignment) within Enterprise (description on file). MN/al/syp (For possible action) (held from October 18, 2023)

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the 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 use permit, waivers of development standards, and design reviews must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Barbara Lane, 25 feet to the back of curb for Parvin Street, and associated spandrels;
- Right-of-way dedication for Las Vegas Boulevard South to accommodate a proportionate share of a 200 foot wide right-of-way;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Fire Prevention Bureau

- Access to all points of buildings within 250 feet.
- 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 #0294- 2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis

ITEM NO. 26 ZC-23-0550-LV BARBARA, LLC:

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

USE PERMITS for the following: 1) multiple family residential development; 2) offices (previously not notified); 3) retail sales and services (previously not notified); and 4) personal services (previously not notified).

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) allow non-standard improvements (landscaping) within a right-of-way; 3) reduce driveway approach distance (previously not notified); and 4) reduce driveway throat depth (previously not notified).

DESIGN REVIEWS for the following: 1) a multiple family residential development; 2) a commercial development (previously not notified); 3) alternative parking lot landscaping; and 4) finished grade. Generally located on the southwest

corner of Las Vegas Boulevard South and Barbara Lane (alignment) within Enterprise (description on file). MN/al/syp
(For possible action) (held from October 18, 2023)

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Pedestrian connectivity shall be provided internal to the development between the residential and commercial components to better connect the 2 uses together;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the 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 use permits, waivers of development standards, and design reviews must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Barbara Lane, 25 feet to the back of curb for Parvin Street, and associated spandrels;
- Right-of-way dedication Las Vegas Boulevard South to accommodate a proportionate share of a 200 foot wide right-of-way;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Fire Prevention Bureau

- Access to all points of buildings within 250 feet.
- 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 #0295- 2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 27 VS-23-0551-LV BARBARA, LLC:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Barbara Lane

(alignment) and Desert Palm Drive (alignment), and between Parvin Street (alignment) and Las Vegas Boulevard South; and portions of rights-of-way being Barbara Lane located between Las Vegas Boulevard South and Parvin Street (alignment), and Gabriel Street located between Barbara Lane (alignment) and Desert Palm Drive (alignment) within Enterprise (description on file). MN/al/syp (For possible action) (held from October 18, 2023)

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

CONDITIONS OF APPROVAL –
Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

- Right-of-way dedication to include 25 feet to the back of curb for Barbara Lane, 25 feet to the back of curb for Parvin Street, and associated spandrels;
- Right-of-way dedication Las Vegas Boulevard South to accommodate a proportionate share of a 200 foot wide right-of-way;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Fire Prevention Bureau

- Access to all points of buildings within 250 feet.
- 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 has existing or proposed assets within the area proposed to be vacated per VS-23-0551; CCWRD has no objection to the request for vacation as presented; however, CCWRD requests all existing rights granted to us within the rights-of-way are reserved; it is understood that this vacation shall not reduce our rights to operate and maintain our facilities; CCWRD also requests that drivable access be able to handle H-20 loading and is maintained by fee owner; and that the CCWRD requests no gates or fences are allowed to be installed across the subject parcel as a condition of the rights granted to the CCWRD.

ITEM NO. 28 ZC-23-0571-I15 MOUNTAIN, LLC:

HOLDOVER ZONE CHANGE to reclassify 49.9 acres from an R-E (Rural Estates Residential) and an R-E (Rural Estates Residential) (AE-60) Zone to an M-D (Designed Manufacturing) and an M-D (Designed Manufacturing) (AE-60) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) modified driveway design; 2) waive street dedication; and 3) retaining wall height.

DESIGN REVIEWS for the following: 1) office/warehouses and distribution centers; and 2) finished grade. Generally located on the south side of Serene Avenue and the east side of Decatur Boulevard within Enterprise (description on file). JJ/bb/syp (For possible action) (held from October 18, 2023)

ACTION: Deleted from the agenda (held to November 21, 2023 at 1:00 p.m. per the applicant).

ITEM NO. 29 VS-23-0572-I15 MOUNTAIN, LLC:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Serene Avenue and Silverado Ranch Boulevard, and between Decatur Boulevard and Arville Street; a portion of right-of-way being Meranto Avenue located between Decatur Boulevard and Arville Street; a portion of right-of-way being Ullom Drive located between Gary Avenue and Richmar Avenue; a portion of right-of-way being Decatur Boulevard located between Richmar Avenue and Serene Avenue; a portion of right-of-way being Serene Avenue located between Decatur Boulevard and Arville Street; a portion of right-of-way being Gary Avenue between Decatur Boulevard and Arville Street; and a portion of right-of-way being Richmar Avenue located between Decatur Boulevard and Arville Street within Enterprise (description on file). JJ/bb/syp (For possible action) (held from October 18, 2023)

ACTION: Deleted from the agenda (held to November 21, 2023 at 1:00 p.m. per the applicant).

ITEM NO. 30 TM-23-500121-I15 MOUNTAIN, LLC:

HOLDOVER TENTATIVE MAP consisting of 1 industrial lot on 49.9 acres in an M-D (Designed Manufacturing) and an M-D (Designed Manufacturing) (AE-60) Zone. Generally located on the south side of Serene Avenue and the east side of Decatur Boulevard within Enterprise. JJ/bb/syp (For possible action) (held from October 18, 2023)

ACTION: Deleted from the agenda (held to November 21, 2023 at 1:00 p.m. per the applicant).

ITEM NO. 31 ZC-23-0635-5590 FLAMINGO, LLC:

ZONE CHANGE to reclassify 1.0 acre from a C-P (Office and Professional) Zone to a C-1 (Local Business) Zone.

WAIVER OF DEVELOPMENT STANDARDS for reduced street landscaping.

DESIGN REVIEWS for the following: 1) alternative parking lot landscaping; 2) lighting; and 3) a commercial (retail/office) building in conjunction with an existing commercial complex on 4.0 acres in a C-P (Office and Professional) Zone, a C-1 (Local Business) Zone, and a C-2 (General Commercial) Zone. Generally located on the north side of Flaming Road, 430 feet west of Lindell Road within Spring Valley (description on file). JJ/md/syp (For possible action)

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the waiver of development standards and design reviews must commence within 2 years of approval date or they will expire.

Public Works - Development Review

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

Department of Aviation

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

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

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 #0333-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 32 ZC-23-0639-SAMERTHAI, RANEE & GONZALES, TANYA SAMERTHAI:

ZONE CHANGE to reclassify 1.3 acres from an H-2 (General Highway Frontage) Zone and an R-E (Rural Estates Residential) Zone to a C-1 (Local Business) Zone.

USE PERMIT for a vehicle wash.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow service bay doors to face a street; 2) increase wall height; and 3) reduce driveway throat depth.

DESIGN REVIEWS for the following: 1) a vehicle wash; and 2) finished grade. Generally located on the southeast corner of Wigwam Avenue and Arville Street within Enterprise (description on file). JJ/al/syp (For possible action)

ACTION:

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

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

- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 35 feet to the back of curb Wigwam Avenue, 35 feet to the back of curb for Arville Street and associated spandrel.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

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

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 #0334-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 33 VS-23-0640-SAMERTHAI, RANEE & GONZALES, TANYA SAMERTHAI:

VACATE AND ABANDON easements of interest to Clark County located between Arville Street and Schirlls Street (alignment), and between Wigwam Avenue and Cougar Avenue within Enterprise (description on file). JJ/al/syp (For possible action)

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

CONDITIONS OF APPROVAL – Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

- Right-of-way dedication to include 35 feet to the back of curb Wigwam Avenue, 35 feet to the back of curb for Arville Street and associated spandrel;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

ITEM NO. 34 ZC-23-0643-SUNRISE HOSPITAL & MEDICAL CENTER, LLC:

ZONE CHANGE to reclassify 37.6 acres from a C-2 (General Commercial) (AE-60) Zone, an R-1 (Single-Family Residential) (AE-60) Zone, and an H-1 (Limited Resort and Apartment) (AE-60) Zone to a C-1 (Local Business) (AE-60) Zone.

USE PERMITS for the following: 1) parking garage; and 2) waive design and development standards in the Midtown Maryland Parkway District.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase height; 2) reduce parking lot landscaping; 3) allow non-standard improvements within the right-of-way; and 4) allow modified driveway design standards.

DESIGN REVIEWS for the following: 1) proposed parking garage and surface parking lot modifications; and 2) finished grade in conjunction with an existing hospital site in the Midtown Maryland Parkway District. Generally located on the east side of Maryland Parkway and the north side of Desert Inn Road within Winchester (description on file). TS/rk/syp (For possible action)

REAL

Commissioners, next are Items 34, 35 and 36 which are companion items that'll be heard together.

Item 34; ZC-23-0643 zone change to reclassify 37.6 acres from a C-2 General Commercial, AE-60 Zone and R-1 Single-Family Residential AE-60 Zone and an H-1 Limited Resort and Apartment AE-60 Zone to a C-1 Local Business AE-60 Zone. Use permits for the following, parking garage, wave design and development standards in the Midtown Maryland Parkway Overlay District. Waivers of development standards for the following: increase height, reduce parking lot landscaping, allow non-standard improvements within the right-of-way and allow modified driveway design standards. Design reviews for the following, proposed parking garage and surface parking lot modifications and finished grade in conjunction with an existing hospital site in the Midtown Maryland Parkway Overlay District. Generally located on the east side of Maryland Parkway and the north side of Desert Inn Road within Winchester.

Item 35 is VS-23-0644. Vacate and abandon easements of interest to Clark County located between Maryland Parkway and La Canada Street and between Desert Inn Road and Vegas Valley Drive. A portion of right-of-way being Arabella Street located between Desert Inn Road and Vegas Valley Drive; a portion of right-of-way being Sombrero Drive located between Maryland Parkway and La Canada Street. A portion of Serape Circle located between Maryland Parkway and La Canada Street, and a portion of Silver Mesa Court located between Maryland Parkway and La Canada Street within Winchester.

TM-23-50130 tentative map for a commercial subdivision. This is Item 36 if I didn't say it, but a commercial subdivision on 37.6 acres in a C-1 Local Business Zone, AE-60 in the Midtown Maryland Parkway Overlay District. Generally located on the east side of Maryland Parkway and the north side of Desert and Road within Winchester.

GIBSON

Thank you. Good morning, Mister Borgel.

GREG BORGEL

Good morning, Mister Chairman and Commissioners. Greg Borgel, 3747 Heritage Avenue representing on this matter.

First, I think a brief description of what the project is and then based upon the comments I heard from the opening of the agenda, perhaps we could get a list of the issues and then we can come back and respond to those.

The project is very simple. The project is additional parking for Sunrise Hospital. There is a parking structure on the north part of the property and there is new surface parking on the south part of the property.

That is the extent of the project and having heard one of the comments that was made, let me say, there's nothing about expanding the heliport or relocating the heliport or anything to do with the heliport. Our project is additional parking in a structure here on the north and surface parking on the south. At that point I'm inclined to say that there isn't a great deal for me to say until there are points made on the record that we could respond to. If you prefer me to do it in another way and jump ahead to what I think the complaints were, I could do that.

GIBSON

I think it makes sense to have the public hearing now and hear the comments. You heard the comments from one gentleman, Mister Smith, and we'd invite the lady who stood up before I interrupted her to come back up and finish her comments, and then anyone else who's here to speak on the item to speak during the public hearing.

BORGEL

We have other people who might speak, to respond to concerns that are raised. Just for the record, this was recommended by the staff. All conditions have been accepted by the developer and the Town Board unanimously recommended approval of the project as well. So, let's make that my record for the time being and reserving a moment to respond to the concerns that might be raised.

GIBSON

Very well. This is a public hearing. Ma'am, would you please step back up here? I wanted to give you an opportunity to finish your comments.

TIDWELL

Thank you. I wanted -

GIBSON

You have - I don't know if it'll be helpful to you, but you see the map that has been placed there? If you're going to step over and use the map while you talk, please pick up that microphone so that we don't lose your voice.

TIDWELL

- Okay. I am trying to find out exactly if -

GIBSON

And speak right into that microphone.

TIDWELL

- Okay. Number one, I wanted to know would there be any additional heliports. Number two, I wanted to find out about the media disturbance from the helicopters if there were going to be additional ones, because of all the noise. The other thing I wanted to know was the height of any new structures, how high it was going to be. So, those were my three points I wanted to know.

GIBSON I need you to tell us who you are and spell your last name.

TIDWELL Okay. My name is Alice Tidwell. That's T-I-D-W-E-L-L and I live in Casa Vega.

GIBSON Okay, thank you. Now you can keep going. Do you have other issues?

TIDWELL No, those were just my three main issues.

GIBSON Alright, thank you.

TIDWELL Thank you.

GIBSON Is there anyone else here who wishes to speak on these items which are 34, 35 and 36? There being no further testimony, the public hearing is closed. Commissioner Segerblom.

SEGERBLOM Mister Borgel, I guess first can you address, we already mentioned it, but will you address again the teleport question and then how high is the parking structure to the north of the property?

BORGEL Yes, answering the heliport question again though, there is nothing being done that would cause any change to the heliport operations. This is a project strictly to do the additional parking garage on the north of the property and the surface parking here, and I think the lady had previously expressed an interest in this area. This is all basically single-story construction and so there's no height issue there. The height on the - first of all, the overall height on the property is being reduced by this action, because some portions of the property are currently zoned H-1 or C-2 and in the end the effect of the zoning change is to lower the zoning to C-1, which limits the height automatically. However, because of the height of the parking structure, which has not previously been raised as an issue and that means that the easy way for me to answer that is to say that -

SEGERBLOM When in doubt, ask the staff.

BORGEL - it's to say that it's 109 feet on this structure, this structure is 109 feet.

SEGERBLOM So, approximately 10 stories?

BORGEL That would be the - yes. It doesn't mean that it is 10 stories, because parking structures have an odd design that can change that number. But yeah, it's basically 109 feet is the required waiver, then (inaudible).

SEGERBLOM You can say yes. Anyway, madam, it's the parking garage is at the top, north of the building where the building was torn down and that's going to be a 10-story garage, parking garage down south where I think you live. It is all surface parking. There is no, and part of the conditions is going to be, there can't be a parking structure to the south of the hospital.

With respect to the teleport, if you would reach out to my office, we're monitoring that very closely if you're having complaints about the helicopters and if there's been a frequency in that, I'd like to know that, because we're trying to monitor that very

SEGERBLOM closely.

Also, Antonio, would you explain the driveway situation to Desert Inn at the bottom?

ANTONIO PAPAZIAN Sure, Commissioner, thank you. They are removing one of their driveways off of Desert Inn and relocating it and aligning it with Oneida Way, which is signalized. When you - did you want me to go into the cul-de-sac as well?

SEGERBLOM Please.

PAPAZIAN So, the cul-de-sac off of, I don't know if we have street names, Mister Borgel, it's Silver Mesa Circle off of La Canada right now has a cul-de-sac and the reason the cul-de-sac is there because it's a dead-end street. Fire needs a turnaround, it's a County approved turnaround required by fire, because the homes in that area have been purchased. The cul-de-sac's not required anymore. The trash, they have an alleyway just north of this street, which is a public alleyway. That's where their dumpsters are. We need connectivity, because the trash trucks travel the alleyway, that's where the trash - dumpsters are located, so we need to make sure that the trucks are not backing out of that alleyway. So, we need connectivity. So, since the alleyway is changing, the cul-de-sac is being removed, we needed that connectivity to make sure that the garbage trucks and that fire trucks have that connectivity and that out without backing out into La Canada.

SEGERBLOM And one of the issues with the concern was that because the cul-de-sac right now, kids that are playing in that street don't have to worry about cars or anything, but as I understand it, even though the cul-de-sac's going to be removed and you'll be able to make a through street out of it because it's a turn there and there's nowhere where the - this street is not draining anybody from the site, there shouldn't be a lot of traffic on that street.

PAPAZIAN That is correct Commissioner. There are no driveways off of the new street alignment to the parking lot. I just don't see that much cut through traffic happening with no driveways to this parking lot.

SEGERBLOM And again, as far as Desert Inn goes, there's still going to be one road connecting to Desert Inn from this area.

PAPAZIAN That is correct.

BORGEL Mister Chairman, I would like the opportunity to respond to things that were said by the other concern that came up at the approval of the agenda if I might.

SEGERBLOM Alright.

BORGEL Very simply put, there were complaints concerning, by the neighbor Mister Smith, concerning the operation of a construction area in this facility, which did obstruct, as we understand it, the operation of the trash pickup. That was a given and -

SEGERBLOM That's fine. He has my cell phone. I told him if there's a problem with construction, call me and I'll be over there and stand in front of the bulldozer. So, that's not a problem.

BORGEL - well, what I wanted to make a record of is that number one, that's not associated with this project. There's other work and this was another contractor and not only were -

SEGERBLOM Well, whatever it is, Mister Smith, you call me, and I'll make sure it doesn't interfere with your life.

BORGEL Well, we reached ahead on that. We want our contractor who's here today if you wanted his testimony. He took the lead on this to fix the problem and he visited the other contractor.

SEGERBLOM Mister Borgel, you're ahead. When you're ahead -

BORGEL Thank you.

SEGERBLOM Anyway, I'm going to make a motion to approve. The reality is now is that part of the motion is there's no - all the parking in the south part of this project is all surface, right?

BORGEL Yes, sir.

REAL I think what you had also said is that conditions would include no parking garage south of the hotel, so, or hotel hospital. So, no parking garage on the south side of the hospital.

SEGERBLOM Right. So, with that additional qualification, I move for approval.

GIBSON There's a motion for approval of these items with the additional condition that there be no structure to the south of the hospital. Any discussion? Please cast your votes. And the motion carries. Thank you.

BORGEL Thank you.

ACTION: It was moved by Commissioner Tick Segerblom, and carried by unanimous vote, that the applications for Item Nos. 34, 35, and 36 be approved subject to staff and additional conditions.

CONDITIONS OF APPROVAL – Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- A new parking garage shall not be constructed in the parking lot located south of the hospital;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the undeveloped pad site in front of the proposed parking garage shall meet the development standards of the Midtown Maryland Parkway Overlay; 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 use permits, waivers of development standards, and design reviews must commence within 4 years of approval date or they will expire

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Full off-site improvements;
- Right-of-way dedication to include 60 feet for Serape Circle, 60 feet for Oneida Way and associated knuckles and spandrels;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- 30 days to coordinate with Regional Transportation Commission (RTC) of Southern Nevada and to dedicate any necessary right-of-way and easements for the Maryland Parkway bus rapid transit (BRT) improvement project;
- Coordinate with Jim Benoit with Public Works - Traffic Division for traffic signal rehabilitation project for Oneida Way.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Clark County Water Reclamation District (CCWRD)

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

ITEM NO. 35 VS-23-0644-SUNRISE HOSPITAL & MEDICAL CENTER, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Maryland Parkway and La Canada Street, and between Desert Inn Road and Vegas Valley Drive; a portion of right-of-way being Arabella Street located between Desert Inn Road and Vegas Valley Drive; a portion of right-of-way being Sombrero Drive located between Maryland Parkway and La Canada Street; a portion of Serape Circle located between Maryland Parkway and La Canada Street; and a portion of Silver Mesa Court located between Maryland Parkway and La Canada Street within Winchester (description on file). TS/rk/syp (For possible action)

ACTION:

It was moved by Commissioner Tick Segerblom, and carried by unanimous vote, that the applications for Item Nos. 34, 35, and 36 be approved subject to staff and additional conditions.

CONDITIONS OF APPROVAL – Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

- Right-of-way dedication to include 60 feet for Serape Circle, 60 feet for Oneida Way and associated knuckles and spandrels;
- 30 days to coordinate with Regional Transportation Commission (RTC) of Southern Nevada and to dedicate any necessary right-of-way and easements for the Maryland Parkway bus rapid transit (BRT) improvement project;
- Coordinate with Jim Benoit with Public Works - Traffic Division for traffic signal rehabilitation project for Oneida Way;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

ITEM NO. 36 TM-23-500130-SUNRISE HOSPITAL & MEDICAL CENTER, LLC:

TENTATIVE MAP for a commercial subdivision on 37.6 acres in a C-1 (Local Business) (AE-60) Zone in the Midtown Maryland Parkway District. Generally located on the east side of Maryland Parkway and the north side of Desert Inn Road within Winchester. TS/rk/syp (For possible action)

ACTION: It was moved by Commissioner Tick Segerblom, and carried by unanimous vote, that the applications for Item Nos. 34, 35, and 36 be approved subject to staff and additional conditions.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Full off-site improvements;
- Right-of-way dedication to include 60 feet for Serape Circle, 60 feet for Oneida Way and associated knuckles and spandrels;
- 30 days to coordinate with Regional Transportation Commission (RTC) of Southern Nevada and to dedicate any necessary right-of-way and easements for the Maryland Parkway bus rapid transit (BRT) improvement project;
- Coordinate with Jim Benoit with Public Works - Traffic Division for traffic signal rehabilitation project for Oneida Way.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

ITEM NO. 37 AG-23-900558: Authorize the termination of a Development Agreement and signature of a Termination Agreement between the County of Clark and the Las Vegas Convention and Visitors Authority for the Las Vegas Convention Center Expansion. Generally located on the southeast corner of Las Vegas Boulevard South and Elvis Presley Boulevard within Winchester. (For possible action)

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

ITEM NO. 38 ORD-23-900438: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Jose Avila for a single-family residential development on 0.9 acres, generally located south of Levi Avenue and west of Haven Street within Enterprise. MN/jm (For possible action)

ACTION: Deleted from the agenda (held to November 21, 2023 at 1:00 p.m. per staff).

ITEM NO. 39 ET-23-400129 (UC-0568-14)-ALL NET LAND DEVELOPMENT, LLC:

USE PERMITS FOURTH EXTENSION OF TIME to commence the following: 1) a High Impact Project; 2) a recreational facility (a multi-function events arena) and incidental uses; 3) increased building height; 4) retail sales and service; 5) restaurants; 6) on-premises consumption of alcohol; 7) alcohol sales, beer & wine - packaged only; 8) alcohol sales, liquor - packaged only; 9) outdoor live entertainment; 10) personal services (salon and spa); 11) club; 12) nightclub; 13) food carts/booths; 14) grocery store; 15) kiosks/information (outdoor); 16) offices; 17) theater (Cineplex); 18) outside dining, drinking, and cooking; 19) farmer's markets; 20) arcade; and 21) motion picture production/studio.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced setback to a parking structure from a residential use; 2) waive the required landscaping when adjacent to a less intensive use; 3) permit a variety of outdoor commercial/retail uses not within a permanent enclosed building; and 4) non-standard improvements (fences/walls, planters, and landscaping) within the future right-of-way (Las Vegas Boulevard South).

DESIGN REVIEWS for the following: 1) a recreational facility (multi-function events arena) with ancillary uses and structures and overall site design; 2) hotel; 3) retail establishments; 4) theater (Cineplex); and 5) parking structures on 27.0 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located between Las Vegas Boulevard South and Paradise Road, 900 feet south of Sahara Avenue within Winchester. TS/tpd/syp (For possible action)

ACTION: Deleted from the agenda (held to November 21, 2023 at 1:00 p.m. per the applicant).

ITEM NO. 40 ET-23-400128 (UC-0519-17)-ALL NET LAND DEVELOPMENT, LLC:

USE PERMITS THIRD EXTENSION OF TIME to commence the following: 1) modifications to an approved High Impact Project (All Net Arena); and 2) convention facilities/exposition halls.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced on-site parking; and 2) increased building height.

DESIGN REVIEWS for the following: 1) modifications to an approved High Impact Project; 2) hotel tower and associated low-rise and mid-rise buildings and structures; 3) convention center facilities; and 4) all other accessory and incidental buildings and structures on 27.0 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located between Las Vegas Boulevard South and Paradise Road, 900 feet south of Sahara Avenue within Winchester. TS/nai/syp (For possible action)

ACTION: Deleted from the agenda (held to November 21, 2023 at 1:00 p.m. per the applicant).

ITEM NO. 41 ET-23-400137 (UC-0762-17)-GRACE PRESBYTERIAN CHURCH:

USE PERMIT FOURTH EXTENSION OF TIME to increase the height of an ornamental spire.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase block wall height; 2) eliminate cross access; 3) reduce parking; and 4) parking lot landscaping.

DESIGN REVIEW for a proposed place of worship on 4.2 acres in a C-2 (General Commercial) Zone within the CMA Design Overlay District.

WAIVERS OF CONDITIONS of a zone change (ZC-1744-03) for the following: 1) landscaping widths and detached sidewalk as depicted per plans along Oquendo Road and Durango Drive with medium trees, 24-inch box in size, with shrubs to cover 50% of the landscape area, as shown on plans; 2) 10 foot wide landscape area along the west property line with an intense buffer per Figure 30.64-12; 3) redesigning the site to eliminate and relocate two-way drive and parking directly west of in-line retail Building E to make the parking more useable and reduce any noise impacts that may affect future residential development to the west; 4) recording perpetual cross access, ingress/egress, and parking easements with the property to the north; 5) repositioning the proposed Building G to the south of Building F (mirror image) so that the proposed roll-up doors will not face the north property line and the roll-up doors facing the west property line will be screened by Building E; 6) all proposed roll-up overhead doors to be painted a light, warm color consistent with the color palette used on all buildings; 7) all building elevations visible from a public right-of-way to have a landscape area or raised sidewalk along the base of the buildings to separate buildings and parking areas (no pavement intended for parking adjacent to buildings) with exception permitted for drive-thru lanes; 8) providing consistent architecture with enhanced architectural elements that unify the site, such as the roof elements, stucco pop-outs, and cornice details, as depicted per

plans, and consistent landscaping throughout with enhanced paving at vehicular entrances and pedestrian crossings; 9) rear elevation on Building E (façade facing future residential development to the west) to have stucco pop-outs and other creative enhancements to further articulate that elevation and ensure consistency with primary elevation; 10) design review as a public hearing on all future buildings to ensure compliance and consistency with these conditions; and 11) Buildings A and C may require additional land use applications and any architectural elements, including roof element for gasoline canopy to be consistent with all buildings on-site. Generally located on the northwest corner of Durango Drive and Oquendo Road within Spring Valley. JJ/nai/syp (For possible action)

REAL

Commissioners, the next item is 41 ET-23-400137 for UC-0762-17; use permit fourth extension of time to increase the height of an ornamental spire. Waivers of development standards for the following: increase block wall height, eliminate cross access, reduce parking and parking lot landscaping, design review for a proposed place of worship on 4.2 acres in a C-2 General Commercial Zone within the CMA Design Overlay District. Waivers of conditions of a zone change ZC-17-4403 for the following: landscaping widths and detached sidewalks as depicted per plans along Oquendo Road and Durango Drive with medium trees, 24-inch box size with shrubs to cover 50% of the landscape area as shown on plans, 10-foot-wide landscape area along the west property line with an intense buffer per figure 3064-12, redesigning the site to eliminate and relocate two-way drive and parking directly west of the inline retail building to make the parking more usable and reduce any noise impacts that may affect future residential development to the west, recording perpetual cross access, ingress, egress, and parking easements with the property to the north. Repositioning the proposed Building G to the south of Building F mirror image so that the proposed roll-up doors will not face the north property line and the roll-up doors facing the west property line will be screened by Building E. All proposed roll-up overhead doors will be painted a light warm color consistent with the color palette used on all buildings, all building elevations visible from a public right-of-way to have a landscape area or a raised sidewalk along the base of the buildings to separate buildings and parking areas.

No pavement intended for parking adjacent to buildings with exception permitted for drive-thru lanes. Providing consistent architecture with enhanced architectural elements that unify the site such as roof elements, stucco, pop outs, and cornice details as depicted per plans and consistent landscaping throughout with enhanced paving at vehicular entrances and pedestrian crossings. Rear elevation on Building E, facade facing future residential development to the west to have stucco pop outs and other creative enhancements to further articulate that elevation and ensure consistency with primary elevation. Design review as a public hearing and all future buildings to ensure compliance and consistency with these conditions and Buildings A and C may require additional land use applications and any architectural elements including roof element for gasoline canopy to be consistent with all buildings on site. Generally located on the northwest corner of Durango Drive and Oquendo Road within Spring Valley. Done.

GIBSON

So, we're going to give Miss Real an opportunity to catch her breath. Mister Celeste?

TONY CELESTE

Yes, thank you. Good morning, Mister Chairman and Commissioners. My name is Tony Celeste, address 1980 Festival Plaza Drive, here on behalf of the applicant, Grace Presbyterian Church.

This is our fourth extension of time for an approved church located on about five acres

CELESTE

on the northwest corner of Durango and Oquendo. I will make this a brief with respect to why we are here for our fourth extension of time. First, the existing churches along Charleston and MLK where the Project Neon exists. They went through a lengthy eminent domain process, are now having to move in or relocating to this site. It took a little bit of time for that litigation to settle, so the proceeds are now with the church, and they now have the funding to move forward with this site. More recently, we have been working extensively with Public Works drainage, as you can see on the corner of the site right here, the Southeast corner.

A lot of topography issues here. They have been going back and forth with Public Works on redesigns of this area for the better part of eight or nine months. We're continuing to work with them. I think we are pretty close to our resolution. With all of that, Spring Valley Town Board was very supportive of this application as one of the things they noted is that having a church at this location is much better than trying to have a church coming in RNP or some other residential areas. So, they like the location, they like what the church is trying to do, encourage us to keep working on this. They did recommend approval. They gave us a little bit longer runway, they recommended until December 31st of 2024, so we'd greatly appreciate that as well. So, more than happy to answer any questions that you have, and we agree with all the staff conditions. Thank you.

GIBSON

Thank you. This is a public hearing. Is there anyone here who wishes to offer testimony on this item? Which is Item 41. There being no when the public hearing is closed. Commissioner Jones.

JUSTIN JONES

Thank you, Mister Chair. Thank you, Mister Celeste. This has been going on a while. We've had the discussion before. There obviously were extenuating circumstances that led to the need for the prior extensions. My one question with regards to the if approved conditions, I understand the Town Board had recommended December 31st, 2024, for commencing instruction with regards to the drainage study condition. Is April 17th, 2024, going to be sufficient to get that done? I don't want to see it. Let me just put it this way. I don't want to see again. So, is that going to be?

CELESTE

If we could have until the same date, that would be great. December of 2024 so that we can have more time. I don't - there's substantial issues on that corner. I know they've been working on different resolutions with Public Works, so the more time we would have that would be better, but not in a position to argue anything.

JONES

Antonio.

PAPAZIAN

Thank you, Commissioner. I just wanted to point out that we do have an approval for drainage study with us. We're just waiting for RFCD (Regional Flood Control District) concurrence.

JONES

Okay. So, it's literally at the finish line? Okay.

PAPAZIAN

Close.

JONES

Alright, well I'll go ahead and make the motion for approval of Agenda Item Number 41 with the condition that the drainage study be completed not later than June 30th, 2024 and that commencement begin no later than December 30th, 2024.

CELESTE

Thank you.

GIBSON

You've heard the motion. Please cast your votes. The motion carries. Thank you, sir.

ACTION:

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

CONDITIONS OF APPROVAL –
Comprehensive Planning

- Until December 30, 2024 to commence.
- Applicant is advised that the County has adopted a rewrite to Title 30, effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Drainage study to be complete no later than June 30, 2024;
- Compliance with previous conditions.

ITEM NO. 42 UC-23-0637-LAS VEGAS VALLEY WATER DISTRICT:

USE PERMIT for public utility structures consisting of a pumping station, electric substation, fences, and walls.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) waive off-site improvements (sidewalk); 2) reduce throat depth; 3) increase driveway width; and 4) allow pan driveways.

DESIGN REVIEWS for the following: 1) public utility and structures (pumping station and electric substation); and 2) finished grade on a 5.9-acre portion of 18.2 acres in a Public Facility (P-F) Zone. Generally located on the north side of Monthill Avenue, 105 feet east of Hazelcrest Drive within Paradise. TS/jba/syp (For possible action)

ACTION:

Deleted from the agenda (held to November 21, 2023 at 1:00 p.m. per Commissioner Segerblom).

ITEM NO. 43 UC-23-0648-SKY HI, LLC:

USE PERMITS for the following: 1) cannabis establishment (consumption lounge); and 2) modify design and development standards for the Midtown Maryland Parkway Design Overlay District.

WAIVER OF DEVELOPMENT STANDARDS to reduce the separation for outside cannabis consumption to a residential use.

DESIGN REVIEWS for the following: 1) a cannabis consumption lounge; 2) additions to an existing commercial building; and 3) site modifications to include but not limited to façade changes, parking, and landscaping on 1.6 acres in a C-1 (Local Business) (AE-60) Zone in the Midtown Maryland Parkway Design Overlay District. Generally located on the north side of Desert Inn Road, 500 feet west of Maryland Parkway within Winchester. TS/al/syp (For possible action)

REAL

Next item is Item 43, UC-23-0648. Use permits for the following: cannabis establishment, a consumption lounge and modify design and development standards for the Midtown Maryland Parkway Design Overlay District. Waivers of development standards to reduce the separation for outside cannabis consumption to a residential use. Design reviews for the following: a cannabis consumption lounge, additions to an existing commercial building and site modifications to include, but not limited to facade changes, parking and landscaping on 1.6 acres in a C-1 Local Business AE-60 zone in the Midtown Maryland Parkway Design Overlay District. Generally located on the North side of Desert Inn Road and 500 feet west of Maryland Parkway within Winchester.

GIBSON

Good morning, Mister Gronauer.

BOB GRONAUER

Good morning, Mister Chairman, Commissioners. My name's Bob Gronauer, 1980 Festival Plaza Drive, and with me here in the audience, I also have Michael Cristalli who's here, who's one of the owners of the application that we're asking for here. So, if you have any questions that I'm not able to answer, Michael's here to answer those questions, I'm sure.

So, the first thing that I'd like to do is get you oriented to the location of the property here. As you can see highlighted in yellow, this is a property that is on the north side of Desert Inn. We are several hundred feet away from Maryland Parkway to the west. Currently, Mister Cristalli and his partners own the Jade Dispensary and Retail Shop that is located to the west of the property here. So, we have cross access to the existing site that's located here.

This property that you see highlighted in yellow is approximately 1.6 acres of property. This is an old bank building that was constructed in 1975. It is shuttered now, and it's been closed for a while, and it's been more or less an eyesore in the area here with a closed down building. What we're asking for here is for a cannabis consumption lounge on the property. What we are looking to do, and I'll show you on the next set of plans here, is this is in the light pink area, is the existing building of the bank building, which is approximately 4,800 square feet. What we are proposing to do is in the red area here that I'm showing you just to the north of the bank building and along the east side of the bank building and a little bit to the north is an additional square footage, about 6,200 square feet of additional square footage space. The idea is to have the consumption lounge approximately 6,600 square feet total, along with about 4,600 or 4,500 square foot area for future retail space on the property. So, you would have some retail space that would not be associated with the consumption lounge or what we're proposing. We also have a patio area that we're proposing for the outside consumption. The ingress and egress, we have two points of ingress and egress coming off of Desert Inn.

One of the things about revitalizing this piece of property, we are adding a lot of landscape as if you're familiar with this area. The landscape in this area has been dead or needs some serious upgrade. So, in this area here to the north of the property, we are adding some landscaping. There's no landscaping there, which is across the way where the Las Vegas Country Club is located. At a minimum it's about 12 feet in width, but we are doubling up on the trees of two rows of trees in that area to add into with respect to the existing landscaping that is just on the other side of the property of what we are proposing.

This is a single-story building. The addition is also a single story. I know the Las Vegas Country Club Homeowners Association Board is here or members of the board. I want to personally and Michael wants to thank them. We were able to meet with the homeowner's association board on Monday afternoon. They kindly let us come into their property and present our project to them to provide more information. Some of the issues that were brought up as number one was security. The concern is, which is no different than if you recall, when we went through with dispensary stores, the retail stores many years ago about the concern about security. As you know from just the dispensary stores, as we explained to the neighbors and the board, the security program by the CCB is pretty onerous. We will have 24-hour security. We have

GRONAUER

personnel, live people security along with camera security per regulations within CCB. So if anything, as we explain to the neighbors as this area that you know, this area is an older area, you do have with this use coming in, if it was approved along with the dispensary, some of the more secure places in the entire area of the D.I Maryland corridor because of the amount of security that's required by CCB and just what's natural with these type of businesses.

The other issue that was brought up by the board was noise. This is not a use permit for live entertainment and confirming with your staff we're not allowed to do anything outside that has noise, even ambient noise that we were told. So, anything on the inside itself, we don't have anything, use permits on this application for any type of live entertainment for noise. So, we addressed that with the homeowners association.

The third issue that came up that was a concern was any type of lighting. For us, we are not looking to light this facility up. If anything, low level lighting, the lighting that was on the bank building previously and or whatever's required for security purposes is a low-level lighting that we would be providing on the property itself. There is no intent, as I said, as to light this property up.

From an odor standpoint we had a long discussion about odor, about if we were to have any consumption on the outside, we did explain that we would be providing some type of filtration systems and plus there is a condition that you'd be required by air quality control to address any of the potential odors that may be out there on the patio area.

And then finally, one of the other issues we talked about is there's a review for a two-year review as a public hearing. We mentioned to the homeowners association that we'd be willing to do a one-year review to shorten the timeframe to show that we are actually good neighbors.

Unfortunately, I'd like to tell you that based on our meeting most of the time, I'm happy to stand up here and tell you we got everything resolved with the homeowners association or the neighbors in the area, because that's our goal, is to be a good neighbor and try to address as many concerns. Unfortunately, I know they're here and in opposition still to the use that we're proposing, but I did want to make mention to our effort in working with the neighbors and trying to address some of the major high level concerns that they brought to our attention that we wanted to address that they'll probably still bring up, but I wanted to at least let you know that's how we've addressed it or how we can answer those questions. So, with that being said, I'll come back up after they make their presentation to answer any other questions that you may have and we'll go from there, okay?

GIBSON

Thank you. This is a public hearing. I'd invite anyone who wishes to speak on Item 43 to come forward. State your name, spell your last name, please keep your comments to three minutes. Good morning.

SEGERBLUM

Bob, can you leave that map there, or do you have a map?

GRONAUER

Actually, I've got a map.

ALAN STAMM

Okay. Good morning, Commissioners. First of all, I would like to thank

STAMM Commissioner Segerblom and his liaison, Miss Martinez, as well as Mister Gronauer and Mister Cristalli for meeting with us Monday to discuss this application.

GIBSON Will you tell us who you are? Will tell us who you are, please?

STAMM I'm sorry, Alan Stamm, S-T-A-M-M.

GIBSON Thank you.

STAMM 2855 Geary Place, Las Vegas, Nevada. Along with me is Bette Leal, another of our board members.

This application requires a waiver of distance to the residential property, is that the rest requirement is 1500 feet. The applicant is requesting over a 95% reduction in that distance. If you see on the map here, County is saying it's 67, using the County's own measuring tool. Legs have as close as 51 feet here. Our neighborhood of 1,337 parcels and over 2000 residents will negatively be impacted by any reduction in the distance requirements. Our most impacted residents on Pinehurst will adversely be affected by noise, light, and odor from a cannabis lounge that is proposed to have outdoor use.

Our residents walk on our historic streets 24/7 with their children and their pets. A lounge that is close and allows parking adjacent to our surrounding wall. You can see how close our wall is here to the proposed area. The surrounding wall will present additional noise and security issues.

The applicant plans to include parking, a loading dock, trash containers that will be very noisy near these residents on Pinehurst. Additionally, the dozens of residences in the apartment complex that are across the street; this is our wall here, so you can see what the residence is directly behind it; and that's from our side of the wall. The residences in the apartment complex also will be affected, as they frequently use the sidewalk in front of the proposed site.

88 of our residents have already signed a letter of opposition to a cannabis lounge at the proposed location. We would have more but of residents received the Winchester Town Advisory Board notice late, so actually the day over the day after. So, we could not attend that hearing. Longtime professional real estate brokers have also stated they believe this use would be negative impact on our property values. We as the community see no benefit to a lounge being in our neighborhood. We as the community therefore oppose any allowance of a cannabis lounge and request the County Commissioners to deny this application. And I simply would ask, would you like a cannabis lounge 67 feet or less for your home? Thank you.

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

STAMM If I can leave this with the court for all the proposals. Thank you.

GIBSON There being no one else who wishes to speak, the public hearing is closed. Commissioner Segerblom.

SEGERBLOM Thank you, Mister Chair. And thank you Mister Stamm for presenting, for also meeting with me, or at least discussing this on the phone. Honestly, I apologize for the late notice everyone got, so we couldn't have an in-person meeting earlier.

I am, as you know, a big proponent of marijuana. I've seen it as a legal substance and something that is actually less harmful than alcohol. So, I look at this as like, would this be a good place for a bar? The reality is this site has been vacant for years, and there's lots of homeless issues around there. Just across the street on south side Desert Inn, we've had murders, several just within the last year, just up the street. We had a murder or two in that high-rise building. So, this is not necessarily a perfect neighborhood.

You're also very close to the Strip, where you have 40 million tourists a year. The other problem we have in Clark County is that the hotels have said none of this can be within 1,500 feet of them. So, we have people that are buying marijuana on the Strip, need someplace to use it. There's a convention center right there where there's hundreds of thousands of people on a regular basis. And if they're not using it here, where are they going to use it?

So, I view this as something which all in all is a positive thing for Nevada and for Clark County and for Las Vegas. And so, I'm looking at why this would not be a good spot for it. The wall, there's a road between you and the wall. I agree that outdoor consumption at this point would be inappropriate. We don't know how that would work out. But if it's inside the building, again, it's no different than any other store.

There's been no complaints by the dispensary next door, which is again, a place where marijuana is purchased; maybe not used, but it's where it's purchased. So, my proposal would be even subject to the applicant's approval. But if they don't wanna approve it, I'll propose it anyway. So, no outside consumption. That's off the table; we're not going to allow that.

Let's get this business up and running. But there should be no smoke, no odor. If Mister Stamm or the members of the HOA have seen, but the Cannabis Control Board has enacted very strict odor requirements for these lounges. They have to have super air filtration systems. So, there can't be any odor or smoke coming out of the building at all. It's incredibly expensive what they have to put in. So, if there's no outside consumption, there's not going to be any smoke, there's not going to be any smell for you.

The landscaping plan: I know there's some questions about landscaping along the back wall. That's going to have something where the owner has to work with the HOA. You guys decide what you want. You come to me if there's a problem, but they're going to put in whatever you want: so that whatever kind of trees you want, whatever, just reach out to them. They have to work with you. If they don't agree with you, then come to me and I'll make it happen.

Back parking: you're concerned about parking along the wall. That's going to be limited to people that work there. It cannot be people that come to the location.

Republic Services: I know there's a question about the trash. We'll make sure that they don't come in the middle of the night. We don't want them waking up your neighbors. I don't want them waking up my house. And so that's going to be one of the things we'll make sure. Again, the dispensary, which is next door, I assume they have Republic come to them. It hasn't been bothering you so far, so I don't see why we couldn't have the same schedule for this location.

SEGERBLOM One-year review: they're going to come back in one year. You can be here. We'll meet in the neighborhood beforehand, see what issues have risen, if anything has happened. But honestly, I think you're going to find this is actually a perfect business for this area. Because again, it's going to keep homeless out. It's going to pep up the neighborhood. All the studies show that dispensaries and these kinds of things actually have improved neighborhoods.

And again, you're not like you're out in Summerlin in the middle of somewhere. You're right next to the Strip where there's all kinds of things happening. This is a positive aspect to your neighborhood, from my perspective.

As far as hours of operation, I would agree to limit it to 2:00 - they have to close by 2:00 p.m.

GIBSON 2:00 a.m.

SEGERBLOM 2:00 a.m., sorry. I'm not sure what time they'd want to open, but I don't know if anyone wants to be smoking marijuana at seven o'clock in the morning, but maybe Marilyn would know that.

MARILYN K. KIRKPATRICK Exactly.

SEGERBLOM And then as far as lighting goes, no outdoor lighting or anything that would other than what a normal business would have. So again, there's not going to be anything, anyone outside smoking doing anything as far as your background. So, they'll drive up to the front. Most of the people that would use this would be Ubering or taxiing. This is not going to be something where locals visit, it's going to be really for tourism.

But again, you have a convention center, a quarter of a mile down the road, you have the strip. Those people need somewhere to go, and this is going to be a high-quality thing. This is not some street bar. This is like the highest quality you're going to find. So, you're going to be very proud of this and I can't wait to take you there, not to consume with you, but we'll go there together, and you can see it. And again, in one year we're going to come back here and look at it and if you don't like it then bam. So that would be, Now, first off, Mister Gronauer, is your client willing to make those, accept those conditions?

GIBSON What more could you possibly have to say, Mister Gronauer?

GRONAUER I'm not going to say anything. Say yes. I heard the last presentation you said I'm not going to say anything.

GIBSON Mister Cristalli, you're the owner. Are you willing to just say yes?

MICHAEL CRISTALLI Yes Commissioner, we are.

SEGERBLOM Alright. I realize that this is controversial, but again, this is something where this is a lawful business that's licensed by the State. Licensed by the County, and it's been designed to be low impact and it's going to actually benefit you because you're going to have lots of security there. We're going to have, it's going to take that empty building, so it's going to resolve a lot of your problems.

JONES What is it then?

SEGERBLOM That would be my motion.

JONES Can I ask the question?

SEGERBLOM Any comments?

GIBSON Commissioner Jones.

JONES Okay, your motion is to prohibit outdoor consumption?

SEGERBLOM Correct.

JONES So, is this plan designed for indoor consumption right now?

GRONAUER Yes.

JONES Okay, so it's both indoor and outdoor?

GRONAUER Yeah, it's indoor outdoor, yes.

JONES And our current standards are 1,500 feet for outdoor consumption. What are they for indoor consumption?

REAL It is for indoor consumption, it's for indoor and outdoor, it's consumption lounge.

GIBSON This use is...

JONES Separate. So even getting rid of the outdoor consumption, this is still a 95.5% variance from our distance separation requirement.

REAL So the difference being is that because this is a, or theoretically is what the State considers to be an attached facility because it's adjacent to a retail store, the separations that are in our code are allowed to be reduced down to what the separations would be by the state and that would be the separations that were in place at the time that the retail store was given its license. So, the waiver applies to both the - it should apply to the consumption lounge both internally and externally. So, I think what the motion should be is that there's just no outside consumption because they would still need the waiver to reduce down to the 1,500 feet to meet what the State law allows, which is a waiver down to essentially nothing if that's what it was at the time that the license was granted.

JONES Okay, I'm extra confused now.

GRONAUER Yeah, if I might, I'm sorry. I don't mean to be. My understanding is the outside consumption is the reason why we're asking for the waiver. That's how it's noticed in the staff backup. And the 1,500 feet is to make sure you're not within 1,500 feet of a school or a community center is my understanding. I'm sorry, I don't mean -

REAL And this is the one time I'll say that Mister Gronauer is correct. So, I forgot about the residential piece. Just the one time.

SEGERBLOM Take that down.

REAL So, I forgot about the residential piece. So, it is just a community facility and a school that is required to be 1,500. We don't have the separation to residential. The outside consumption is the only separation to residential that we have for consumption lounges. So, if the motion is made to deny the or to not allow the outside consumption, then that would just be to deny the waiver of development standards to not allow for the outside consumption. Since I think the whole property is within 1,500 feet of the residential use.

GRONAUER If it makes it easier, I can withdraw the waiver of development standard and then just vote on the use permit, whatever, which way we still get to the end. But I'm trying to clarify this just to make sure we're all on the same page. That's all.

GIBSON Are there other questions?

JONES Is it within 1,500 feet of a school or community center?

GRONAUER No, we did had to send in a survey or we had a surveyor complete the analysis.

JONES Okay. Alright.

GIBSON So, in the end, which version of the motion do you want to offer?

SEGERBLOM I would say withdraw the waiver, make simplest and then along with the conditions I did read into the record.

GRONAUER Yes.

GIBSON Alright, because we've now been through all of this, why don't we make clear what those conditions are again? Would you read those again Sami?

SEGERBLOM Sure.

REAL The conditions that I have are, so if the waiver development standards is being withdrawn, then we have one year to review as a public hearing. I have that the applicant is to work with the Las Vegas Country Club HOA on a landscape pallet along the north property line. I have no 24-hour operation and that the establishment is to close by 2:00 a.m.

GIBSON 2:00 a.m., yeah.

GRONAUER And then you want to add low level lighting? That's one of the concerns that they had also.

SEGERBLOM And also, we'll work with Republic Services to make sure that there's no traffic pickups in the middle of the night.

GRONAUER And then one last one. Employee parking to be on the north side of the property.

SEGERBLOM Yeah, Employee parking only on the north side.

GRONAUER And that's all that I got from what you said.

GIBSON Alright, I think that's clear. Please cast your votes. The motion carries.

GRONAUER Thank you very much.

GIBSON Thank you.

CRISTALLI Thank you, Commissioners.

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

VOTING AYE: Jim Gibson, Tick Segerblom, Justin Jones, Ross Miller, William McCurdy, Michael Naft

VOTING NAY: Marilyn K. Kirkpatrick

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL – Comprehensive Planning

- 1 year to review as a public hearing;
- Applicant to work with Las Vegas Country Club Homeowner's Association on selection of landscaping along north property line;
- Parking along north property line limited only to employees;
- Applicant to work with Republic Services on pick-up schedule to correspond with pick-up schedule for the adjacent cannabis retail store and dispensary;
- No 24-hour operation and establishment to close by 2:00 a.m.;
- All building and site lighting to be low level lighting;
- A valid Clark County business license must be issued for this cannabis consumption lounge within 2 years of approval, or the application will expire;
- To prevent odor nuisances, an odor control plan must be submitted to the Clark County Department of Air Quality;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that this application is contingent upon obtaining a license from the State of Nevada and Clark County Business License Department; failure to abide by and faithfully comply with the conditions of approval, Clark County Code, and the provisions of the Nevada Revised Statutes or Nevada Administrative Code may result in revocation of this application; the installation and use of cooling systems that consumptively use water will be prohibited; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Traffic study and compliance.

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.

WAIVER OF DEVELOPMENT STANDARDS WAS WITHDRAWN.

ITEM NO. 44 WC-23-400131 (DR-19-0906)-MANDALAY PROPCO, LLC:

WAIVER OF CONDITIONS of a design review requiring full animation allowed only when Mandalay Bay Road is closed to vehicle traffic, with animation at other times to consist of static images that are displayed for a minimum of 1 hour before transitioning to the next static image in conjunction with an existing Resort Hotel (Mandalay Bay) on 124.1 acres in an H-1 (Limited Resort and Apartment) Zone and an H-1 (Limited Resort and Apartment) (AE-60 & AE-65) Zone. Generally located on the north and south sides of Mandalay Bay Road and the west side of Las Vegas Boulevard South within Paradise. MN/mh/syp (For possible action)

ACTION:

Deleted from the agenda (held to no date certain per the applicant). Applicant is advised that re-notification fees are required prior to this item being placed on an agenda.

ITEM NO. 45 WC-23-400136 (ZC-1254-06)-MTL TRUST:

WAIVERS OF CONDITIONS of a zone change requiring the following: 1) right-of-way dedication to include 30 feet for Mann Street and associated spandrels; and 2) construct full off-site improvements in conjunction with a towing services yard with ancillary office and storage building on 4.3 acres in an M-1 (Light Manufacturing) Zone. Generally located on the north side of Oleta Avenue, 328 feet east of Torrey Pines Drive within Enterprise. JJ/sd/syp (For possible action)

REAL

Commissioners, next are Items 45, 46 and 47.

Item 45 WC-23-400136 for ZC-1254-06. Waivers of conditions of a zone change requiring the following: right-of-way dedication to include 30 feet for Mann Street and associated spandrels and construct off-site improvements and conjunction with the towing services yard with ancillary office and storage building on 4.3 acres in an M-1 Light Manufacturing Zone. Generally located on the north side of Oleta Avenue, 328 feet east of Torrey Pines Drive within Enterprise.

Item 46 VS-23-0598 vacate and abandon easements of interest to Clark County located between Blue Diamond Road and Oleta Avenue and between Mann Street and Torrey Pines Drive and a portion of right-of-way being Mann Street. Located between Oleta Avenue and Blue Diamond Road within Enterprise.

And Item 47 WS-23-0597. Waivers of development standards for the following: parking lot landscaping, eliminate street landscaping and detached sidewalk and not construct a commercial driveway. Design review for a towing services yard with ancillary office and storage building on 4.3 acres in an M-1 Light Manufacturing Zone. Generally located on the north side of Oleta Avenue, 328 feet east of Torrey Pines Drive within Enterprise.

GIBSON

Good morning.

DUSTIN ELLIS

Good morning, Mister Commissioner and Commissioners. Dustin Ellis. E-L-L-I-S. 719 Seacoast Drive. We're represent Snap Towing. Brief description of what the operation will be there is, we're looking mainly for storage for Las Vegas Metro

ELLIS

Police Department Highway Patrol storage vehicles for their impounds and hold vehicles to clear up some space for our other lot when it comes to some of the Constable tows that come through and more of the wrecker stuff on our older lot. We're looking to abandoned portion of Mann Street as we have BLM land all to the left of us or right, sorry, abandoned Mann Street so that we can come through, use this as a driveway for the trucks to come through and around to exit out a driveway here. And additionally add parking right here through Mann Street to allow us to let customers in that can come see their vehicles and for police departments also park to see their vehicles.

We're looking to waive the landscaping on the inside of the parking lot or not parking lot the storage as it won't be accessed to the public. It'll inhibit greatly our storage capacity in the lot. Everything's M-1 here in industrial in this zone.

We're looking to desert landscaping on the outside, just rocks and bushes to match the surrounding area on it. And that's about what we're looking at here. Any other questions? We have our contractor as well.

GIBSON

Alright, thank you. That complete your presentation?

ELLIS

Yes.

GIBSON

Alright. This is a public hearing on Items 45, 46 and 47. Is there anyone here who wishes to speak on these items? There being no one, when the public hearing is closed and Commissioner Jones.

JONES

Thank you, Mister Chair. Can I get a clarification? You mentioned a waiver of landscaping internal; I don't see that on the actual application. Sami, can you help me out on that?

DUSTIN POLINSKY

Can you guys hear me? This is Dustin Polinsky, 104 Laurel Avenue. Good morning. So, this is a tow yard. It's fully fenced and excluded from street views. Can be a lot of vehicles, could be car accident vehicles, things like that, that are under basically the authority of whichever police agency has it towed. So, it doesn't suit us to have any landscaping in there. Nobody outside's going to see it. And so -

JONES

So, I understand that it's just not on the application. So that's why I'm trying to -

POLINSKY

The landscaping particularly actually applies to the perimeter areas outside. So, this is generally the Arden area. It's very undeveloped.

JONES

I'm very familiar with it.

POLINSKY

Yeah.

JONES

I'm going to ask Sami.

POLINSKY

So that's - oh, you're asking her? I apologize.

JONES

Hear from Sami.

REAL So, the request for landscaping applies to a couple of things. One is there's a requirement to have detached sidewalks with landscaping along Oleta Avenue and Blue Diamond Road, which they're requesting to waive. And then there's parking lot landscaping. So, the parking lot, not necessarily for the storage area, but for the parking that's in front, they're not installing any landscaping for that parking. So those are the requests for waivers.

JONES Okay. So, what's before us today is not a waiver of landscaping internal to the site itself. Only for the external part?

REAL Yeah. So again, the detached sidewalk requirement and then also along Mann street, it looks like it would just be those parking spaces in the front that would require, since the rest of the area where the vehicles are going to be, would be considered more of a storage yard.

JONES Okay. I think as we discussed, we have a tree fund and so in areas like this where understandably it might not make sense to have landscaping, we are asking for contribution to the tree fund for the number of trees that would've otherwise been planted per our requirements. So, Sami, do we have a sense for how many trees that would be?

REAL I do not. I apologize.

JONES Okay. So, I'm going to ask that you'll accept a condition to work with staff to provide a contribution to the tree fund for landscaping that would've otherwise been required?

POLINSKY Absolutely. I have no problem with that.

JONES Okay. Alright then with that one additional condition, I will go ahead and move for approval of Agenda Item Numbers 45 and 46.

GIBSON There's a motion for approval subject to the conditions as noted. Sami, did you have something more?

REAL And I would ask that Item 47 also be added. So, it was 45, 46 and 47.

GIBSON 47. Yes, there's a motion for approval. Please cast your votes. Have we all voted? There we go. Motion carries.

POLINSKY Thank you very much Commissioner.

GIBSON Thank you.

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the applications for Item Nos. 45, 46, and 47 be approved subject to staff and additional conditions.

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

VOTING NAY: None

ABSENT: Ross Miller

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 #0201-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 46 VS-23-0598-MTL TRUST:

VACATE AND ABANDON easements of interest to Clark County located between Blue Diamond Road and Oleta Avenue, and between Mann Street and Torrey Pines Drive and a portion of right-of-way being Mann Street located between Oleta Avenue and Blue Diamond Road within Enterprise (description on file). JJ/sd/syp (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the applications for Item Nos. 45, 46, and 47 be approved subject to staff and additional conditions.

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

VOTING NAY: None

ABSENT: Ross Miller

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

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

ITEM NO. 47 WS-23-0597-MTL TRUST:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) parking lot landscaping; 2) eliminate street landscaping and detached sidewalk; and 3) not construct a commercial driveway.

DESIGN REVIEW for a towing services yard with an ancillary office and storage building on 4.3 acres in an M-1 (Light Manufacturing) Zone. Generally located on the north side of Oleta Avenue, 328 feet east of Torrey Pines Drive within Enterprise. JJ/sd/syp (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the applications for Item Nos. 45, 46, and 47 be approved subject to staff and additional conditions.

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

VOTING NAY: None
ABSENT: Ross Miller
ABSTAIN: None

CONDITIONS OF APPROVAL –
Comprehensive Planning

- Pay tree-fee in lieu for waived street and parking lot trees;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance.

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 a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0201-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 48 WS-23-0340-HALLEWELL, MICHAEL H. & NANCY L.:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; 2) reduce setback; 3) allow alternative yards; and 4) allow an attached sidewalk and alternative landscaping. DESIGN REVIEWS for the following: 1) single family residential development; and 2) finished grade on 4.6 acres in an R-1 (Single Family Residential) Zone. Generally located on the west side of Phyllis Street, 125 feet north of Orange Tree Avenue within Sunrise Manor. TS/jud/syp (For possible action) (held from October 18, 2023)

ACTION: Deleted from the agenda (held to December 6, 2023 per the applicant).

ITEM NO. 49 WS-23-0601-BM HIGHLAND, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) street landscaping; 2) parking lot landscaping; 3) pedestrian walkways; 4) modified commercial driveway standards; and 5) full off-site improvements. DESIGN REVIEW a proposed expansion to an existing contractor's office within an existing commercial/industrial complex on a portion of 6.7 acres in an M-1 (Light Manufacturing) Zone. Generally located on the east side of Highland Drive, 700 feet south of Edna Avenue within Winchester. TS/lm/syp (For possible action)

REAL

Next is Item 49, WS-23-0601. Waivers of development standards for the following: street landscaping, parking lot landscaping, pedestrian walkways, modified commercial driveway standards, and full off-site improvements. Design review for proposed expansion to a contractor's office within an existing commercial industrial

REAL

complex on a portion of 6.7 acres in an M-1 Light Manufacturing Zone. Generally located on the east side of Highland Drive, 700 feet south of Edna Avenue within Winchester.

GIBSON

Good morning.

BRIAN HENLEY

Good morning. My name is Brian Henley. I'm with KGA; we're the architects. The address is 9075 West Diablo Drive, Suite 300. Also, with me seated to my left here, just in case we need him is Paul Toplic with Martin Harris Construction.

So, the project we have here today is an expansion of the Martin Harris Construction office building, which is one of three buildings on the subject parcel along Highland Drive, generally north of Desert Inn. So, what we are asking to do is to expand the existing Martin Harris building, which is same use just a little more space and additional 8,900 square feet approximately for a total of 92,000 square feet on the site once it's constructed; just to give you a sense of the magnitude of the expansion.

We are asking for a few waivers as mentioned essentially because this section of Highland Drive is part of an older area of town developed prior to a lot of the current standards related to things like sidewalks and street landscaping and parking setbacks and all of that. Essentially what we are requesting to do is to generally leave the property as is for the most part by way of those waivers. However, there are a few items that we are doing in regards to the site in addition to the building expansion itself. The existing parking striping is faded and has some conflicts with some of the onsite storage uses that are part of the property. So, we are re-striping the parking throughout the property to clarify the circulation. And with that adjustment we do have more than the required parking, even with the building expansion.

There are also a few conditions, and we had the opportunity to meet with Commissioner Segerblom and we thank you for that. A few conditions based on that discussion that we would like to add into the record and agree to. So, the first one is that six existing tall palm trees, which are part of the landscaping along Highland Drive, would be removed and replaced with, and I should read this exactly, replaced with six trees, which are currently allowable on the SNWA approved planting list via revisions to the plans to be coordinated with staff subsequent to approval. We also, we have agreed the next condition is six trees are to be added along the south side of the Martin Harris building and north of the adjacent driveway in lieu of including landscape islands in a portion of the parking lot proportional to the size of the building expansion area via revisions to plans to be coordinated with staff subsequent to approval.

Essentially what we're saying there is we will be the trees that would've been required for a portion of the parking lot proportional to how much building area we're adding, we'll place them along the building rather than in islands to cast shade on the building is the intent. And the third one is a striped walkway is to be added within the parking lot, which will connect the Martin Harris building and the northernmost outside storage fenced enclosure via revisions to plans to be coordinated with staff subsequent to approval. So, what we're talking about there is here's the Martin Harris building, here is that outside storage area, which is used by Martin Harris. We'll add a striped walkway connecting those and add a pedestrian connection there. With that, are there any questions?

GIBSON We'll see. Does that complete your presentation?

HENLEY Yes.

GIBSON Thank you. This is a public hearing on Item 49. Is there anyone here who wishes to offer, comment or testimony? There being no one? The public hearing is closed. Commissioner Segerblom.

SEGERBLOM Thank you. So, it's my understanding that the original proposal was they're going to make you put sidewalks in, but you agreed to do that when Highland is done in the future?

HENLEY Yes. Yes, that is the intent. And that was per a meeting that the owner had with Public Works previously. So, the owner...

SEGERBLOM And there's also, there was a question about grass at the entryway, but since that's still legal, you're going to hang onto it for a couple more years?

HENLEY Thank you, Commissioner. And actually, yes, there is a modification to that effect that we'd like to propose to one of staff's conditions, which is to remove existing turf and replace with artificial turf prior to the implementation of the Southern Nevada Water Authority mandate, which takes effect January 1st, 2027. So essentially, we will comply with that mandate.

SEGERBLOM You'll have the only grass until 2027 in the valley. I appreciate the driveway. I'm looking at the map, it looks like that's actually, or the walkway looks like that's actually the storage locations in the city. But we'll go ahead and tell the city they have to make sure you do that.

HENLEY Okay. Yeah, absolutely. We do agree to do that.

SEGERBLOM Do we have that authority?

GIBSON You probably have the authority to tell him to do it.

SEGERBLOM Alright. With those conditions, I would move for approval.

GIBSON Any questions or comments about the motion? Please cast your votes. The motion carries. Thank you.

HENLEY Thank you.

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

CONDITIONS OF APPROVAL –
Comprehensive Planning

- 6 existing tall Palm trees in the landscape areas adjacent to the Martin Harris Building are to be replaced with 6 trees currently allowable on the Southern Nevada Water Authority approved planting list, via revisions to plans to be coordinated with a planner;
- 6 trees are to be added along the south side of the Martin Harris Building, and north of the adjacent driveway, in

lieu of including landscape islands in a portion of the parking lot proportional to the size of the building expansion area, via revisions to plans to be coordinated with a planner;

- A striped walkway is to be added within the parking lot which will connect the Martin Harris Building and the northernmost outside storage fenced enclosure, via revisions to plans to be coordinated with a planner;
- Remove existing turf and replace with artificial turf prior to the implementation of the Southern Nevada Water Authority mandate which takes effect on January 1, 2027;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Full off-site improvements shall be required with future development as determined by Public Works - Development Review.

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 #0329-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 50 PA-23-700022-RMR GOWAN, LLC:

PLAN AMENDMENT to redesignate the existing land use category from Business Employment (BE) to Industrial Employment (IE) on 3.7 acres. Generally located on the southeast corner of Gowan Road and Lamont Street within Sunrise Manor. MK/gc (For possible action)

REAL

Next are Items 50 and 51, which will be heard together.

Item 50, PA-23-700022. Plan amendment to re-designate the existing land use category from Business Employment (BE) to Industrial Employment (IE) on 3.7 acres. Generally located on the southeast corner of Gowan Road and Lamont Street within Sunrise Manor.

Item 51 ZC-23-0477. Zone change to reclassify 3.7 acres from an M-D Design Manufacturing Zone (AE-70 and AE-75) to an M-1 Light Manufacturing (AE-70 and AE-75) Zone. Waivers of development standards for the following: allow an attached sidewalk, eliminate landscaping and eliminate trash enclosure. Design review for an outside contractor storage yard. Generally located on the south side of Gowan Road and the east side of Lamont Street within Sunrise Manor.

GIBSON

Good morning.

MELISSA EURE

Good morning, Chair, Commissioners. Melissa Eure, E-U-R-E, 1055 Whitney Ranch Drive, Suite 210, here on behalf of the applicant. So, as you can see the project site here, it's on Gowan just behind the convenience store here off Nellis, and right across the street there is the Air Force Base, one of the Air Force base entries for Nellis. So, we're discussing the plan amendment, and as you can see, it's currently planned for BE, Business Employment, and we are requesting to go to the Industrial Employment.

EURE

It's hard to discuss the plan amendment without discussing a little bit of the project specifics. So, part of this is we are also asking for a re-zoning from the current M-D to an M-1, and this is to allow for the contractor's yards, which is what the proposed project is.

What has happened is that Gowan was originally anticipated to dead end further to the east, and now it's going to go through and connect with Marion, which is going to allow a lot of the industrial that's along Las Vegas Boulevard to kind of have a back entrance for their traffic. So there, a lot of the trucks will be able to come down through Marion and use Gowan to exit out. So Gowan is now going to be an 80-foot right-of-way, so we have this exceptionally long narrow piece. 40 feet of this is also going to be dedicated to Gowan, so it'll slim that piece down even further.

The reason for the M-1 is that there is no contractors' yard in the code, so the outside storage really is the closest, which requires M-1 to be the primary use. So, as you can see on the site plan here, it's proposing eight individual contractors' yards. They're going to range from about 9,500 square feet, right here you can see it's 9,575, up to almost 12,000 square feet per yard. And then we do have one yard here at the end that's going to be the 27,534, and that is because the owner is also going to police their business here on the property. So, they will utilize that large yard and rent out the other yards for contractors.

So, as you can see, there are four individual driveways. There will be two yards accessed off of each drive. Each owner will have their own individual clicker to be able to access their gate. Gates may be open during business hours. They may be closed just depending on how they utilize that property. So, they will be able to store their construction vehicles and they will be able to keep their materials there. So, vehicles like this, we're not talking 53-foot trailers. We're talking about actual construction vehicles that are used for construction sites.

So, as a part of this we did meet with Metro, given the area, and we are requesting a zero waiver for the landscaping on the back of the property. So, there is, here, the manufactured home park, and we are waiving that so that way there's no place for trash to go. There's also no place to place a new homeless encampment in there and create this no man's land back behind it, so we are requesting the zero waiver on the landscape. We are placing in 10-foot walls and gates to help with security. We are also putting in the lighting and cameras that meet with Metro's requirements. And then on the front, because of the amount that we're dedicating to Gowan and the exceptional narrowness of the parcel after that, we are requesting a reduction of the landscape on the front from 15 to 6 feet to allow for additional space on that side. And with that, happy to answer any questions.

GIBSON

Thank you. This is a public hearing as to Items 50 and 51. Is there anyone here who wishes to speak on these items? There being no one, the public hearing is closed. Commissioner Kirkpatrick.

KIRKPATRICK

Thank you, Mister Chairman. And it's not often that I go against staff, but I understand why staff had to recommend the denial. But this is an odd shape of land, and it is going to be perfect for this particular use, but I just want to make sure that we have the ability to put some conditions on it. Sami, correct?

REAL Yes, you can add conditions to Item 51.

KIRKPATRICK Okay, so on Item 51, the conditions will read as follow. So, I guess I'll go ahead and make a motion for approval on 50 and 51 with the conditions to read as follow. One is to require lighting and security cameras per Metro. Two is to require that the primary use be by the owner's business and that the other lot rentals not be less than 8,000 square feet, which is what we discussed. That there will be no vehicles parked adjacent to the residential, because we want to make sure that they don't have to wake up to a diesel motor in the morning. The hours of operations will be from 7:00 a.m. to 9:00 p.m., and that you install a fence that can be maintained.

EURE Agreed.

KIRKPATRICK But you're already going to do that, right? But we're going to put it on the record just to be sure.

GIBSON Do you understand those conditions?

EURE Yes, and then we accept them.

GIBSON Okay. There's a motion for approval with these additional conditions that have just been noted by Commissioner Kirkpatrick.

REAL Commissioner, can I just make one suggestion on the hour? So, I was just reading how we wrote it as well, and it's almost like we're mandating the hours to be open between 7:00 a.m. and 9:00 p.m., but maybe it's no later or earlier than 7:00 a.m. and 9:00 p.m.?

KIRKPATRICK Okay. No, that's fine. I just -

REAL That way we're not requiring any -

KIRKPATRICK I mean, I know the neighborhood so I want to make sure that we and Metro, we can determine who's supposed to be there. So, no earlier than 7:00 a.m. and no later than 9:00 p.m. because that gives them time to go in and out.

GIBSON With that clarification, please cast your votes. Yeah, she said they would as a requirement. And the motion carries. Thank you.

ACTION: It was moved by Commissioner Marilyn K. Kirkpatrick, and carried by unanimous vote, that the application for Item No. 50 be adopted and the application for Item No. 51 be approved subject to staff and additional conditions.

ITEM NO. 51 ZC-23-0477-RMR GOWAN, LLC:

ZONE CHANGE to reclassify 3.7 acres from an M-D (Designed Manufacturing) (AE-70 & AE-75) Zone to an M-1 (Light Manufacturing) (AE-70 & AE-75) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow an attached sidewalk; 2) eliminate landscaping; and 3) eliminate trash enclosure.

DESIGN REVIEW for outside contractor storage yards. Generally located on the south side of Gowan Road and the east side of Lamont Street within Sunrise Manor (description on file). MK/rk/syp (For possible action)

ACTION:

It was moved by Commissioner Marilyn K. Kirkpatrick, and carried by unanimous vote, that the application for Item No. 50 be adopted and the application for Item No. 51 be approved subject to staff and additional conditions.

CONDITIONS OF APPROVAL –
Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Work with the Las Vegas Metropolitan Police Department for the installation and use of lighting, and security cameras and surveillance operation;
- Storage yard operation is limited to only those hours between 7:00 a.m. and 9:00 p.m.;
- Primary use be owner's business and any lease/rental spaces shall not be less than 8,000 square feet;
- Vehicle parking is prohibited adjacent to the manufactured home park to the south;
- Fence to be installed and maintained;
- 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 waivers of development standards and design review must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 40 feet for Gowan Road and associated spandrel.

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.

A REQUEST FOR RECONSIDERATION agenda item has been scheduled for the 12/06/23 BCC meeting.

ITEM NO. 52 PA-23-700024-STORYBOOK INVESTMENTS, LLC:

PLAN AMENDMENT to redesignate the existing land use category from Compact Neighborhood (CN) to Urban Neighborhood (UN) on 9.6 acres. Generally located on the north and south sides of Ford Avenue and the east side of Maryland Parkway within Paradise. MN/rk (For possible action)

REAL

Next are Items 52, 53, and 54. 52 is PA-23-700024, Plan Amendment to re-designate the existing land use category from Compact Neighborhood, CN, to Urban Neighborhood, UN, on 9.6 acres. Generally located on the north and south sides of Ford Avenue and the east side of Maryland Parkway within Paradise.

Item 53, ZC-23-0538, zone change reclassify 9.6 acres from an R-3 Multiple Family Residential Zone to an R-5 Apartment Residential Zone. Waivers of development standards for the following: increased building height, signage, trash enclosure, attached sidewalk with alternative landscaping, reduced street width and modified driveway design standards. Design reviews for the following: proposed multiple family residential development, signage and lighting, alternative parking lot landscaping, and finished grade. Generally located on the north and south sides of Ford Avenue and the east side of Maryland Parkway within Paradise.

REAL

And then last is 54, which is VS-23-0539, vacate and abandon easements of interest to Clark County, located between Maryland Parkway and I-215 and between Wigwam Avenue and Pebble Road, and a portion of right-of-way being Ford Avenue located between Maryland Parkway and I-215 within Paradise.

GIBSON

Good morning, Miss Stewart.

LUCY STEWART

Good morning. Lucy Stewart, 1930 Village Center Circle, representing the items. And this is about a 9.65 acre parcel, which is between Maryland Parkway and the 215, and it's bifurcated by Ford Avenue. Well, to the north of us is a three-story apartment complex, to the southeast is a three-story senior housing apartment complex, and then immediately south and to the west is a C-1 Commercial Development, which has some restaurants and churches and a few offices.

Item Number 52 is our amendment to the master plan, and that's where we're requesting to amend from Compact Neighborhood to Urban Neighborhood, and we appreciate staff's recommendation for approval and the Town Board, and the Planning Commission's recommendation for approval.

Agenda Item number 53 is the zone change design review and the waivers. And this is a project that has a total of 272 residential units, which include 168 one-bedroom units, 88 two-bedroom, and 16 three-bedrooms. On the north side of Ford, this multifamily building is four stories in height, it's 53 feet, plus or minus, but only 41 feet of it is for inhabited and the remainder of it is architectural enhancements. Same with the building on the south. It's four stories in height, it's 53 feet, plus or minus, but 41 feet is the inhabited part, sorry. On the north side there are 188 units and 231 parking spaces. We have two outside courtyard areas. One's a dog park and the other one is active courtyard. On the south side is the community center that has for the leasing space, it's got a gym in it. It's got a massage room. It's got all the activities for the whole community. There's a pool and a spa to the south of it. And then this area has 84 units.

So, we appreciate staff's recommendation for approval on almost all of our waivers. We do have waiver number three, which was originally, we had shown the trash enclosure at this location, and we needed a waiver because this is multifamily that wraps around the site. We've moved it over to this location. We still need the waiver because we're adjacent to residential. But to the north of us, basically it's a mirror image here. It's a row of parking, a drive aisle, and another row of parking. So even though we need the waiver, we're away from where anybody actually lives. The other one is 6C, which is this driveway in this location. We're asking to widen it to allow for the firetrucks to maneuver in and out. It allows for a wider radius. I know staff had indicated their concern about the, maybe, conflicts with pedestrians. But this driveway here is an exit only, and then to the east of us is the 215, so I don't know that there'll be much traffic in this area. There's also a sidewalk on the north side of the parking here, so if there's cars coming in and out of that driveway, there's still ample opportunity for pedestrians to be clear of that area.

The only other thing I would point out is that we did submit plans yesterday, which we did revise - we originally had submitted this with an attached sidewalk. We did turn it in yesterday. We've moved the sidewalk, made it detached, have the five feet of landscaping, the five-foot sidewalk, and then the landscaping behind that. And with

STEWART that, Item 54 is the vacation where we're asking to vacate patent easements and reduce the right-of-way for Ford because, again, it dead ends into the 215. So, with that, I'm happy to answer any questions.

GIBSON Thank you. This is a public hearing as to Items 52, 53 and 54 is there anyone here who wishes to speak on these items? There being no one, when the public hearing is closed. Commissioner Naft.

NAFT Thank you, Mister Chairman. Thank you for revising the plans. So, you can withdraw waiver number four then?

STEWART I believe so.

REAL Correct. That's what we have in our notes for the revised plans.

NAFT Perfect. Then I'll move for approval of Items 52, 53, and 54 noting that the applicant's withdrawal to waiver development standard number four.

GIBSON There's a motion for approval of these three items as noted. Please cast your votes. Motion carries. Thank you.

STEWART Thank you very much.

ACTION: It was moved by Commissioner Michael Naft, and carried by unanimous vote, that the application for Item No. 52 be adopted and the applications for Item Nos. 53 and 54 be approved subject to staff and additional conditions.

ITEM NO. 53 ZC-23-0538-STORYBOOK INVESTMENTS, LLC:

ZONE CHANGE to reclassify 9.6 acres from an R-3 (Multiple Family Residential) Zone to an R-5 (Apartment Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) signage; 3) trash enclosure; 4) attached sidewalk with alternative landscaping; 5) reduce street width; and 6) modified driveway design standards.

DESIGN REVIEWS for the following: 1) proposed multiple family residential development; 2) signage and lighting; 3) alternative parking lot landscaping; and 4) finished grade. Generally located on the north and south sides of Ford Avenue and the east side of Maryland Parkway within Paradise (description on file). MN/rk/syp (For possible action)

ACTION: It was moved by Commissioner Michael Naft, and carried by unanimous vote, that the application for Item No. 52 be adopted and the applications for Item Nos. 53 and 54 be approved subject to staff and additional conditions.

CONDITIONS OF APPROVAL –
Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Relocate the trash enclosure on APN 177-14-301-016 to meet or exceed the 50-foot requirement from the western boundary;
- Provide a pedestrian crossing between the project sidewalk and the trash enclosure located at the southeast portion of APN 177-14-301-019;
- 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 waivers of development standards and design reviews must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 18 feet to 30 feet for Ford Avenue and an off-set cul-de-sac at the east end of Ford Avenue;
- Coordinate with Public Works for the dedication of right-of-way for the Beltway on APNs 177-14-401-031 and 177-14-301-027.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised that there is an active septic permit on APN 177-14-301-016; to connect to municipal sewer and remove the septic system in accordance with Section 17 of the SNHD Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management; and to submit documentation to SNHD showing that the system has been properly removed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0288-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #4 WAS WITHDRAWN.

ITEM NO. 54 VS-23-0539-STORYBOOK INVESTMENTS, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Maryland Parkway and I-215, and between Wigwam Avenue and Pebble Road, and a portion of right-of-way being Ford Avenue located between Maryland Parkway and I-215 within Paradise (description on file). MN/rk/syp (For possible action)

ACTION:

It was moved by Commissioner Michael Naft, and carried by unanimous vote, that the application for Item No. 52 be adopted and the applications for Item Nos. 53 and 54 be approved subject to staff and additional conditions.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant

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

Public Works - Development Review

- Right-of-way dedication to include 18 feet to 30 feet for Ford Avenue and an off-set cul-de-sac at the east end of Ford Avenue;
- Coordinate with Public Works for the dedication of right-of-way for the I 215 on APNs 177-14-401-031 and 177-14-301-027;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

ITEM NO. 55 ZC-23-0625-DIAMOND WINDMILL, LLC:

ZONE CHANGE to reclassify a 0.6 acre portion of 1.0 acre from a C-P (Office and Professional) Zone to a C-1 (Local Business) Zone. Generally located on the southwest corner of Windmill Lane and Gillespie Street within Enterprise (description on file). MN/sd/syp (For possible action)

REAL

Next is Item 55, ZC-23-0625, zone change to reclassify a 0.6-acre portion of a one-acre site from a C-P Office and Professional Zone to a C-1 Local Business Zone. Generally located on the southwest corner of Windmill Lane and Gillespie Street within Enterprise.

GIBSON

Good morning.

JENNIFER LAZOVICH

Good morning. Jennifer Lazovich, 1980 Festival Plaza Drive, here today on behalf of the applicant. On the overhead is the master plan for where the site is. This is Windmill. This is Gillespie. There is a traffic light that is going in. The application before you today is to take just the northern half on the true, hard corner of Windmill and Gillespie and change it to C-1. The southern half down here will remain C-P. And the Enterprise Town Board did recommend approval and I'd be happy to answer any questions.

GIBSON

Thank you. This is a public hearing. Is there anyone who wishes to speak on Item 55? There being no one, the public hearing is closed. Commissioner Naft.

NAFT

Thank you, Mister Chairman. I move for approval of Item 55.

GIBSON

There's a motion for approval of Item 55. Please cast your votes. Motion carries. Thank you, Miss Lazovitch.

ACTION:

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning.

- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications will be reviewed for conformance with the regulations in place at the time of application.

Public Works - Development Review

- Drainage study shall be required with future development as determined by Public Works - Development Review;
- Traffic study shall be required with future development as determined by Public Works - Development Review;
- Full off-site improvements shall be required with future development as determined by Public Works - Development Review.

ITEM NO. 56 NZC-23-0471-REDWOOD B DIAMOND LLC:

ZONE CHANGE to reclassify 9.5 acres from an R-E (Rural Estates Residential) Zone and an H-2 (General Highway Frontage) Zone to a C-2 (General Commercial) Zone.

USE PERMITS for the following: 1) assisted living facility; and 2) permit outside dining and drinking in conjunction with a tavern where only permitted in conjunction with a supper club, tourist club, mixed-use development, or restaurant.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) dedication of right-of-way; and 2) allow modified driveway design standards.

DESIGN REVIEWS for the following: 1) assisted living facility; 2) vehicle (automobile) wash; 3) hotel; 4) retail building; 5) restaurant with drive-thru; 6) on-premises consumption of alcohol establishment (tavern); and 7) finished grade. Generally located on the east side of Redwood Street and the south side of Blue Diamond Road within Enterprise (description on file). JJ/md/ja (For possible action)

REAL

Next are Items 56 and 57, which will be heard together.

Item 56, NZC-23-0471, zone change to reclassify 9.5 acres from an R-E, Real Estates Residential Zone, and an H-2, General Highway Frontage Zone, to a C-2, General Commercial Zone. Use permits for the following: assisted living facility and permit outside dining and drinking, in conjunction with the tavern, were only permitted in conjunction with the supper club tourist club, mixed use development or restaurant. Waivers development standards for the following: dedication of right-of-way and allow modified driveway design standards. Design reviews for the following: assisted living facility, vehicle automobile wash, a hotel retail building, a restaurant with drive-thru, on-premises consumption of alcohol, establishment of tavern, and finished grade. Generally located on the east side of Redwood Street and the south side of Blue Diamond Road within Enterprise.

Item 57, VS-23-0472, vacant and abandon easements of interest to Clark County located between Blue Diamond Road and Serene Avenue, in-between Redwood Street and Torrey Pines Drive within Enterprise.

SIMONA STEPHENS

Morning. Simona Stephens, 1950 -

GIBSON

Would you speak up just a little bit? I think the mic is on but -

STEPHENS

Is it on?

GIBSON

Oh, there. It wasn't on. Thank you.

STEPHENS

Simona Stephens, 1950 East Warm Springs, on behalf of the owner and the applicant. We are proposing to develop this nearly 10-acre lot, located on the southeast corner of Blue Diamond and Redwood. Currently consists of four separate parcels, zoned either

STEPHENS

H-2 or R-E, so we're proposing to rezone it for C-2.

We are proposing retail and tavern, hotel, carwash. A variety of uses, just kind of following the trend of what is going on along Blue Diamond. We did receive denial at the Town Board, and the main concern over there was the rezone because they said that it's supposed to be more industrial. And then we came to a Planning Commissioner's meeting, and they seemed to be okay with the zone change, however, they were not happy with the assisted living facility over there. So, we did work with the staff, and we did remove the assisted living facility, so we're just proposing as of right now, it's just an empty future lot. I'll answer any questions.

GIBSON

Alright, that completes your presentation?

STEPHENS

Yes.

GIBSON

Thank you. This is a public hearing as to Items 56 and 57. Is there anyone here who wishes to offer testimony on these items? There being no one, the public hearing is closed. Commissioner Jones.

JONES

Thank you, Mister Chair. I just want to note my understanding from the applicant is although there's no frontage on Blue Diamond, that there was a request to the BLM to put that parcel along Blue Diamond up for the auction, and the applicant intends at some future date to be looking at that parcel to incorporate into this design.

STEPHENS

That is correct.

JONES

Okay. With the withdrawal of the use permits for assisted living facility and the design review for assisted living facility, I'll go ahead and move for approval of Agenda Items 56 and 57.

GIBSON

There's a motion for approval of these items. Please cast your votes. The motion carries. Thank you.

STEPHENS

Thank you.

ACTION:

It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the applications for Item Nos. 56 and 57 be approved subject to staff conditions.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Resolution of Intent to complete in 3 years;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a Master Plan Amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no

substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Redwood Street and associated spandrel;
- Coordinate with Public Works - Development Review to apply for a BLM right-of-way grant for Redwood Street.
- Applicant is advised that Nevada Department of Transportation (NDOT) permits may be required; that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

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 #0365-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

USE PERMIT #1 AND DESIGN REVIEW #1 WERE WITHDRAWN.

ITEM NO. 57 VS-23-0472-REDWOOD B DIAMOND, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Blue Diamond Road and Serene Avenue, and between Redwood Street and Torrey Pines Drive within Enterprise (description on file). JJ/md/ja (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the applications for Item Nos. 56 and 57 be approved subject to staff conditions.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

- Right-of-way dedication to include 25 feet to the back of curb for Redwood Street and associated spandrel;

- Coordinate with Public Works - Development Review to apply for a BLM right-of-way grant for Redwood Street;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Fire Prevention Bureau

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

ITEM NO. 58 UC-23-0502-TAKACH, ROBERT & CAYME:

APPEAL USE PERMIT to allow alternative design standards for an accessory structure (carport).

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce side street setback; and 2) allow alternative driveway geometrics on 0.5 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the west side of Tenaya Way, approximately 200 feet south of Darby Avenue within Spring Valley. JJ/tpd/syp (For possible action) (Appealed by the applicant)

REAL	Commissioners, next is Item 58, UC-23-0502, appeal use permit to allow alternative design standards for an accessory structure carport. Waivers of development standards for the following: reduce side street setback and allow alternative driveway geometrics on 0.5 acres in an R-E, Real Estates Residential, RNP-1 Zone. Generally located on the west side of Tenaya Way, approximately 200 feet south of Darby Avenue within Spring Valley.
BOB TAKACH	Good morning.
GIBSON	Good morning.
TAKACH	Bob Takach, 3245 South Tenaya Way. I tried to withdraw this appeal after speaking with Justin and Mike, and I was not able to do that, but I'm asking to go back to the original judgment and what I would like -
GIBSON	When you say go back to the original judgment, what do you mean by that?
TAKACH	The original ruling that I actually filed the appeal on, and I sent a letter to several people about. I would like to go back to that, and I would like to get the "not for vehicle parking" removed that the property was branded because the gate was illegally on public Tenaya, and I would like to put it on private Tenaya. I'm sorry, I don't have any ...
GIBSON	So, the way I understand what you're saying is that effectively, you'll accept the fact that you can't access Tenaya.
TAKACH	Yes, I would block that up.
GIBSON	Okay.
TAKACH	I would block that opening up as requested, and I would like my structure, and I will gain access from private Tenaya and block in the opening on public Tenaya.

GIBSON So, it sounds, Counsel, as though we're essentially upholding the decision and denying the appeal?

ROBERT WARHOLA Yes, that's correct.

GIBSON Okay. Does that complete your presentation? Do you have anything more you want to-

TAKACH I think so. Yeah, I'll go along with what the previous ruling was, and I would just like to get that property unbranded for "not for vehicle parking" because I will put a proper entrance in from the private side and not on the public side of Tenaya. And I talked to Public Works about that, and they said it would be no problem as long as I didn't interfere with the line of sight and the fire hydrant that is on the property.

GIBSON Alright. Do you have anything more we need to know?

TAKACH I think that'll be all.

GIBSON Okay. Let's see if anything else comes up. So, this is a public hearing. Is there anyone who wishes to speak on this appeal on Item 58? There being no one, the public hearing is closed. And Commissioner Jones, this is your appeal.

JONES Thank you, Mister Chair. Antonio.

PAPAZIAN Thank you, Commissioner. Excuse me. I just want to point out that even though it's a private road, there are still standards that he needs to go off of to construct an opening off of private Tenaya.

JONES Okay. So then, Rob, if I'm correct, my motion is to deny the use permit for access onto the public side of Tenaya?

WARHOLA The Planning Commission, with my understanding, approved the use permit and waiver number one, but denied waiver number two.

JONES Got it. Okay. So, then my motion will be to uphold the Planning Commission's ruling and grant waiver number one and deny waiver number two.

WARHOLA Yes.

JONES Okay. Alright. That's my motion.

GIBSON Okay, so there's a motion to approve, subject to the - is that Town Board?

JONES Planning Commission.

GIBSON Planning Commission. Subject to the Planning Commission conditions. Alright, does anyone have any questions. Then please cast your votes on Commissioner Jones' motion. And the motion carries. So, you understand now what we've done, right?

TAKACH Not necessarily. What was the denial part? I didn't -

GIBSON Okay, so maybe we could have our lawyer explain to you what just happened. Yeah. He'll do that after.

TAKACH Okay.

GIBSON Yeah. Thank you.

TAKACH Thank you.

GIBSON Thank you.

ACTION: It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the appeal be denied; upholding the Planning Commission decision approving waiver number 1 and the denial of waiver number 2.

CONDITIONS OF APPROVAL –
Comprehensive Planning

- Applicant to remove gate along Tenaya Way (public) and provide a slump stone wall.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Applicant is advised that signs, structures, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones; and that off-site 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.

WAIVER OF DEVELOPMENT STANDARDS #2 WAS DENIED.□

ITEM NO. 59 ORD-23-900186: Introduce an ordinance to consider adoption of a Development Agreement with William Lyon Homes Inc. for a single-family residential development on 8.9 acres, generally located north of Shelbourne Avenue and west of Decatur Boulevard within Enterprise. JJ/jm (For possible action)

REAL Next is Item 59, ordinance for introduction. ORD-23-900168, introduce an ordinance to consider adoption of a development agreement with William Lyon Homes, Inc. for a single-family residential development on 8.9 acres. Generally located north of Shelbourne Avenue and west of Decatur Boulevard within Enterprise. Staff recommends the Board set a public hearing for November 1st, 2023, and that would be for the 1:00 p.m. Zoning meeting.

GIBSON I'll introduce the ordinance and set the public hearing for December 1st. Is that what you said?

REAL November 21st.

GIBSON Oh, I'm sorry.

REAL For the 1:00 p.m. Zoning meeting.

GIBSON November 21st for the 1:00 p.m. Zoning meeting.

ACTION: There being no objections, Chair Gibson set the matter for public hearing on November 21, 2023 at 1:00 p.m.

ITEM NO. 60 ORD-23-900542: 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 August 16, 2023, September 6, 2023, September 20, 2023 and in Assessors Book 176. (For possible action)

REAL And then next is Item 60, ORD-23-900542, 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 August 16th, 2023, September 6th, 2023, September 20th, 2023, and in Assessor's Book 176. Staff recommends the Board set a public hearing for November 21st, 2023. And again, that would be for the 1:00 p.m. Zoning meeting.

GIBSON I'll introduce the ordinance and set the public hearing for November 21st, 2023, and at the 1:00 p.m. Zoning meeting.

ACTION: There being no objections, Chair Gibson set the matter for public hearing on November 21, 2023 at 1:00 p.m.

PUBLIC COMMENTS

GIBSON And that appears to conclude our agenda. The final item is public comment. Is there anyone here who wishes to make public comment? If you do, please come forward. State your name, spell your last name, and please keep your comments two to three minutes.

SAMANTHA FEELEY Good morning. I'm Samantha Feeley. I live at 7753 Tempest Sol Avenue. Actually, this is all new to me. So, I kind of came in for Item Number 9, and I assume that's kind of too late already. It's an extension of a use permit, I believe, for a gas station and a convenience store.

GIBSON Yeah, the item was heard as a part of the consent agenda and was one of the first actions we took, and we approved what was recommended there.

FEELEY Okay. May I still put my comments on the record, even though it was approved?

GIBSON Sure.

FEELEY Sure. Okay. So basically, my comments are – so, I live in a neighborhood and it's been developed more in the last two years. It's for a convenience store and a gas station that's smack dab in the middle of a residential area. My main concern is that we've got gas stations and convenience stores all around. We've got four, almost five that are being built. And so, I guess my main concern is that they are building this right in the middle of all residential areas.

FEELEY And then also, just because numbers kind of alarm me, one of the requests was to make an 81% reduction in the 200 feet between the residential and the convenience store, which, to me, is a big percentage. Because if the minimum set by the County is 200, then why reduce it by 81%? My husband, who's here, would like to say that's fairly inconvenient for a convenience store. But also, my comment is that if it doesn't fit, then why put it in there? And I guess then, also, why haven't they built it out yet? Since I think this was approved in 2018 or 2019 to begin with, when it was not developed as much, and now it's 2023 and they're asking for an extension. So, I kind of want to know if this does get built, when to expect the traffic in that area.

GIBSON Does that complete a list of your concerns, and do you want your husband to come up?

FEELEY No, it was just the joke that I wanted to make for him.

GIBSON Oh, okay. Well, we're going to insist that he come up.

FEELEY Thank you. I would love that.

GIBSON No, I'm kidding. I'm sorry.

FEELEY But yeah, that concludes my comments and my concerns.

GIBSON Alright, thank you. And I think, if you'll be patient, Commissioner Jones' office can help you understand what the effect of all of this was.

FEELEY Perfect. Thank you.

GIBSON You bet. Thank you. Is there anyone else who wishes to make public comment? There being no one, this meeting is adjourned. Thank you.

There being no further business to come before the Board at this time, at the hour of 10:58 a.m., the meeting was adjourned.

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

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