



togetherforbetter

Board of County Commissioners

Clark County, Nevada

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

The Board of County Commissioners of Clark County, Nevada met in recessed regular session in full conformity with law and bylaws of said Boards, at the regular place of meeting in Clark County, Nevada, on Wednesday, October 2, 2024:

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

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SEC. 1. OPENING CEREMONIES

CALL TO ORDER

The meeting was called to order at 9:01 a.m. by Chair Segerblom with the following members present:

Commissioners Present:

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

Absent:

None

Also Present:

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

SEC. 2. PUBLIC FORUM

1. Public Comments.

TICK SEGERBLOM

Good morning. This is the continuation of the Clark County Commission. Today we're dealing with Zoning issues. Well –

SAMI REAL

Commissioners –

TICK SEGERBLOM

Ms. Real, I'll turn it over to you now.

SAMI REAL

Commissioners, the first item on the agenda is public comment.

TICK SEGERBLOM

This is the first period of public comment. Anyone wishing to speak about an item on the agenda, you can come forward now and speak for three minutes. If you speak now, you can't speak when that item comes up. If it's on the consent agenda, there won't be a chance to speak, so that would be the time. But seeing no one wants to speak at this point, we'll close the public comment period, and turn it over to Ms. Real.

SEC. 3. AGENDA

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

SAMI REAL

The second item is the approval of the agenda. After considering any additions or deletions of items, staff has the following requests, which may require renotification fees in accordance with Title 30, hold to the November 6, 2024, Zoning Meeting:

- Item 4, AR-24-400-090 for WC-0174-16 and UC-0849-14,
- Item 8, BS-24-277,
- Item 9, WS-24-276,
- Item 16, SC-24-0261 and
- Item 20, WS-240-419.

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 4, 8, 9, 16 and 20, the agenda stands ready for your approval.

MOTION

WILLIAM MCCURDY II

Mr. Chair, I move for approval with the recommended deletions read into the record by Ms. Real.

TICK SEGERBLOM

There is a motion, cast your vote.

VOTE

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

TICK SEGERBLOM

That motion passes.

3. Approval of minutes.

SAMI REAL

The third item on the agenda is the approval of the minutes. The minutes of the September 4, 2024, Zoning Meeting are ready for your approval.

MOTION

WILLIAM MCCURDY II

Mr. Chair, I move approval of the minutes.

TICK SEGERBLOM

There's a motion to approve the minutes, cast your vote.

VOTE

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

TICK SEGERBLOM

He made the motion, but he forgot to vote. It's okay. Motion passes.

SEC. 4. ROUTINE ACTION ITEMS 4 THROUGH 15

SAMI REAL

Next, are the Routine Action Items, which consist of Items 4 through 15 except items previously deleted. These items may be considered together in one motion and are subject to the conditions listed with each agenda item. In addition, staff has the following requests:

- Item 5, UC-24-0387, the applicant requests to withdraw without prejudice the motel portion of the application being used, permit number three, in design review number two.
- Item 7, UC-24-0399, staff requests to add current planning conditions from the applicant to read, "Developer agrees to plant ivy on the northern elevation of buildings F-1 and D-1 which face the residential development to the north. Developer will ascertain whether the six-foot block wall, the existing six-foot block wall to the north of the site is engineered as to allow an additional two courses to be added to the overall height of the wall. If engineering allows, developer agrees to provide and install the two additional courses for residents who request an increase in height. Developer agrees to limit construction to Monday through Friday within normal daytime hours as defined by Title 30. And then lastly, developer agrees to secure the 10-foot-wide landscape area between buildings F-1 and D-1 by a locked gate."

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

MOTION

WILLIAM MCCURDY II

Mr. Chairman, approval of the routine action items.

VOTE

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

TICK SEGERBLOM

There's a motion to approve the routine action. That motion passes.

4. AR-24-400090 (WC-0174-16 (UC-0849-14))-MGM GRAND PROPCO, LLC:
WAIVER OF CONDITIONS SIXTH APPLICATION FOR REVIEW of a use permit for live entertainment limited to daytime hours (6:00 a.m. to 10:00 p.m.) for a recreational facility (golf driving range) with accessory retail, eating and drinking facilities, live entertainment, and other accessory uses, and structures in conjunction with a resort hotel (MGM Grand) on a portion of 102.7 acres in a CR (Commercial Resort) Zone within the Airport Environs (AE-60 & AE-65) Overlay. Generally located on the southwest corner of Harmon Avenue and Koval Lane within Paradise. JG/bb/syp (For possible action)

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

5. UC-24-0387-SIENA 52 HOLDING LIMITED PARTNERSHIP & SIENA 53 HOLDING LIMITED PARTNERSHIP:
HOLDOVER USE PERMITS for the following: 1) emergency/urgent care facility; 2) gas station; and 3) motel with transient and non-transient stays.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) alternative parking lot landscaping; 2) eliminate and reduce buffering and screening; 3) modify residential adjacency standards; and 4) reduce driveway departure distance.
DESIGN REVIEWS for the following: 1) shopping center; and 2) motel on 14.12 acres in a CG (Commercial General) Zone. Generally located on the south side of Charleston Boulevard and the west side of Broadalbin Drive within Sunrise Manor. TS/hw/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Provide screening on the egress gate along the western property line;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised that within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; a fee-in-lieu for reduced landscaping per Section 30.04.01E may apply; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- Drainage study and compliance;
- Traffic study and compliance.
- Applicant is advised that off-site improvement permits may be required; and that Nevada Department of Transportation (NDOT) permits may be required.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- 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 initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0174-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

USE PERMIT #3 AND DESIGN REVIEW #2 WERE WITHDRAWN WITHOUT PREJUDICE.

6. TM-24-500076-SIENA 52 HOLDING LIMITED PARTNERSHIP & SIENA 53 HOLDING LIMITED PARTNERSHIP: HOLDOVER TENTATIVE MAP consisting of 1 commercial lot on 14.12 acres in a CG (General Commercial) Zone. Generally located on the south side of Charleston Boulevard and the west side of Broadalbin Drive within Sunrise Manor. TS/hw/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way.
- Applicant is advised that off-site improvement permits may be required; and that Nevada Department of Transportation (NDOT) permits may be required.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0174-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

7. UC-24-0399-TENAYA LOFTS, LLC:

HOLDOVER USE PERMIT for live-work dwellings.

WAIVER OF DEVELOPMENT STANDARDS to reduce buffering and screening.

DESIGN REVIEW for an office/warehouse complex with live-work dwelling units on 5.60 acres in an IP (Industrial Park) Zone in the Airport Environs (AE-60) Overlay. Generally located on the west side of Tenaya Way, 660 feet north of Sunset Road within Spring Valley. MN/rg/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Developer agrees to plant ivy on the northern elevation of Buildings F1 and D1, which face the residential development to the north;
- Developer will ascertain whether the existing 6 foot block wall to the north of the site is engineered as such to allow an additional 2 courses to be added to the overall height of the wall and if the engineering allows, developer agrees to provide and install the additional 2 courses for residents who request an increase in height;
- Developer agrees to limit construction to Monday through Friday within normal “Daytime Hours” as defined by Title 30;
- Developer agrees to secure the 10 foot wide landscaped area between Buildings F1 and D1 by a locked gate;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Department of Aviation

- Applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation Noise Office at landuse@lasairport.com;
- Applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation Noise Office at landuse@lasairport.com;
- Applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation Noise Office when property sales/leases commence;
- Incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height;
- Compliance with most recent recorded airport-related deed restrictions for APN's 163-34-411-011, 163-34-411-012.
- Applicant is advised that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0219-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

8. VS-24-0277-PALM PROPERTIES, LLC:
HOLDOVER VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file).
TS/jor/syp (For possible action)

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

9. WS-24-0276-PALM PROPERTIES, LLC:
HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.
DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)

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

10. WS-24-0362-WIGWAM-PARVIN LIMITED PARTNERSHIP:
AMENDED WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) reduce street landscaping (no longer needed); and 3) reduce parking lot landscaping (no longer needed).
DESIGN REVIEW for modifications to a previously approved senior housing project on 5.0 acres in an RM32 (Residential Multi-family 32) Zone. Generally located on the north side of Arby Avenue and the west side of Torrey Pines Drive within Enterprise. MN/bb/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

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

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;

- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that 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.

11. ZC-24-0394-O'BRIEN, PATRICK T. TRUST & O'BRIEN, PATRICK T. TRS:

ZONE CHANGE to reclassify 11.73 acres from an RS80 (Residential Single-Family 80) Zone to a CG (Commercial General) Zone for a future commercial development. Generally located on the north side of Cottonwood Cove Road and the east side of Gasline Road within Searchlight (description on file). MN/rk/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Public Works - Development Review

- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements; and 90 days to record said separate document for the Cottonwood Cove improvement project.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD is unable to verify sewer capacity based on this zoning application; and may find instruction for submitting a Point of Connection (POC) request on the CCWRD's website; and that a CCWRD approved POC must be included when submitting civil improvement plans.

12. ORD-24-900412: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with MTL Trust for an industrial development on 4.3 acres, generally located west of Mann Street and north of Oleta Avenue within Enterprise. JJ/dw (For possible action)

ACTION: ADOPTED (ORDINANCE 5180).

13. ORD-24-900463: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Diamond Cactus LLC for an industrial development on 3.8 acres, generally located west of Redwood Street and north of Cactus Avenue within Enterprise. JJ/dw (For possible action)

ACTION: ADOPTED (ORDINANCE 5181).

14. ORD-24-900551: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on July 17, 2024. (For possible action)

ACTION: ADOPTED (ORDINANCE 5182).

15. ORD-24-900578: Conduct a public hearing on an ordinance to amend the official zoning map reclassify certain properties as approved by the Board of County Commissioners on June 5, 2024, June 18, 2024, July 3, 2024, and Assessor's Books 125, 163, 176 and 177. (For possible action)

ACTION: ADOPTED (ORDINANCE 5183).

SEC. 5. NON-ROUTINE ACTION ITEMS 16 THROUGH 24

16. SC-24-0261-WESTERN IRA FUNDING LTD RTMT PL:

HOLDOVER STREET NAME CHANGE to change the name of Gagnier Boulevard to Dynamite Drive. Generally located on the south side of Roy Horn Way and the west side of Gagnier Boulevard within Spring Valley. MN/sd/syp (For possible action)

**ACTION: HELD TO NOVEMBER 6, 2024 - PER THE APPLICANT. APPLICANT IS ADVISED THAT RE-NOTIFICATION FEES ARE REQUIRED PRIOR TO THIS ITEM BEING PLACED ON THE AGENDA.
(COMPANION ITEMS 17-19)**

17. VS-24-0390-DBAC, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Eldorado Lane and Maulding Avenue and between Valley View Boulevard and Procyon Street within Enterprise (description on file). MN/jor/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 18 AND 19).

CONDITIONS OF APPROVAL –

Comprehensive Planning

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

Public Works - Development Review

- Right-of-way dedication to include 45 feet to the back-of-curb for Valley View Boulevard, 25 feet to the back-of-curb for Maulding Avenue, 25 feet to the back-of-curb for Procyon Street, 25 feet to the back-of-curb for Eldorado Lane and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;

- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map;
- 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.

SAMI REAL

Next are companion Items 17 through 19.

- Item 17, VS-24-0390, vacate and abandon easements of interest to Clark County located between El Dorado Lane and Maulding Avenue between Valley View Boulevard and Procyon Street within Enterprise.
- Item 18, WS-24-0391, waivers of development standards for the following: increased retaining wall height, reduced front setback, reduced net lot size, and eliminate off-site improvement streetlights. Design review for a proposed single-family residential subdivision on 10.06 acres in an RS-20 (Residential Single-Family 20) Zone located within the Airport Environs (AE-60) and the Neighborhood Protection (RNP) Overlays. Generally located on the east side of Valley View Boulevard and the south side of El Dorado Lane within Enterprise.
- Item 19, TM-24-500-078, tentative map consisting of 18 single-family lots on 10.06 acres in an RS-20 (Residential Single-Family) 20 Zone within the Airport Environs (AE-60) and Neighborhood Protection (RNP) overlays generally located on the east side of Valley View Boulevard and the south side of El Dorado Lane within Enterprise.

TICK SEGERBLOM

Good morning.

STEPHANIE ALLEN

Good morning, Mr. Chairman, Commissioners. Stephanie Allen, 1980 Festival Plaza Drive. Here on behalf of the applicant, Richmond American Homes. We're here for a site located at El Dorado and Valley View located down here on the bottom of the map. I want to show this larger map, just because there are three projects in this general area where Richmond is picking up the property and planning to do half-acre lots to conform with the current zoning on all three of these developments. We had a neighborhood meeting for all three developments, since they're all in the general area so I just wanted to orient you, mostly in case there's neighbors. We had a large meeting, there were about 50 - 40 to 50 people all on these three projects and all with one-story, half-acre lot developments. The one that's before you today is this El Dorado Valley View property, and here's a zoomed in aerial.

You can see it's about 10 acres on the southeast side of El Dorado and Valley View. And you can see there's half-acre homes on all three sides of the property. There's a significant history with the parcel to the north, and so the neighbors at the neighborhood meeting were ecstatic to hear that we're conforming with the RE zoning and doing half-acre lots. In addition, one-story homes as well.

We have an 18-lot development. This is the layout, with homes that will front on to Maulding to the south as well as on Procyon to the east. And then we have an 8-lot cul-de-sac that'll access off of El Dorado. At the meeting, the neighbors did ask if we would do a waiver for streetlights because we are proposing full

off sites right now on the plan. So, we did add a waiver for streetlights on Maulding and on Procyon they'd like to keep it dark, and so we added that as a request and would very much appreciate the commission's approval on that.

The other waivers were withdrawing waiver number one, which is the wall height waiver without prejudice. Waiver number two was with respect to just these internal eight lots for the front yard setback. You used to be able to measure your setback to the center line of the street, and so we'll have 20-foot setbacks on these eight homes. If you were able to measure to the center line of the street, we'd meet that 40 feet. All of the out exterior lots have the 40-foot front yard setbacks, so it's just on the eight internal lots and the Town Board recommended approval of that waiver, because it is internal to the project.

The last waiver is a couple of lot sizes. They all meet the gross size so they're all half-acre lots from a gross standpoint. However, there are a few corner lots that fall below the net lot size that's allowed, and we would very much appreciate this Commission's approval on those lots.

We do have detached sidewalk on the project which encroaches a little bit into that setback, and we think it's important to have those detached sidewalks for the safety of the kids in the area, but we would like a little flexibility on those lot sizes. I did bring an exhibit, just again, of the larger area, showing there are a number of communities here that have net lot sizes that are well below half acre lots. There's some pockets here. You can see several homes in the area that fall below that net lot size requirement that have previously been approved. So, it fits in with the area. It won't impact anyone adversely, and again, from the big picture perspective, the neighborhood is ecstatic that these are half-acre homes, all one stories. Richmond does a great job with their big one-story homes, expensive homes, and will be a nice addition to the area.

So, with that said, I'm happy to answer any questions and we'd very much appreciate your approval.

TICK SEGERBLOM

This is a public hearing. Anyone here wishing to speak on this item? I see no one. I will close the public hearing and turn it over to Commissioner Naft.

MICHAEL NAFT

Thank you, Mr. Chairman. Thanks, Ms. Allen for the presentation. I agree coming from the neighborhood meeting of 50-plus people to where we're at now demonstrates that people are pretty excited that this is going residential. I do just want to ask Mr. Papazian to clarify a condition related to Maulding and Procyon improvements.

ANTONIO PAPAIZIAN

Thank you, Commissioner. We do have a contradicting condition to what they're asking for and if I could clarify, I would like to delete the full offsite improvements because they are asking for a waiver to not include streetlights on two of the streets. My condition is for them to construct all of the improvements that would include the streetlights. So, if I could add three conditions, the first one would be full offsite improvements on Valley View Boulevard and El Dorado Lane, which is where they're proposing to do the full improvements. And the second condition, full offsite improvements except for streetlights on Procyon Street and Maulding Avenue and install conduit and pull boxes for streetlights for Procyon Street and Maulding Avenue. And that's just in case in the future if we decide to put up those streetlights, that the conduits are in the ground, and we don't have to rip up anything to install those.

MICHAEL NAFT

Great. Thank you. Ms. Allen, the client understands that?

STEPHANIE ALLEN

Yes, we're fine with that.

MOTION

MICHAEL NAFT

Wonderful. And I move for the approval of Item 17, 18 and 19 reflecting the amended condition by Mr. Papazian.

TICK SEGERBLOM

There's a motion cast your vote.

VOTE

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

TICK SEGERBLOM

That motion passes. Thank you.

STEPHANIE ALLEN

Thank you very much.

18. **WS-24-0391-DBAC, LLC:**

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase retaining wall height; 2) reduce front setback; 3) reduce net lot size; and 4) eliminate off-site improvements (streetlights).

DESIGN REVIEW for a proposed single-family residential subdivision on 10.06 acres in an RS20 (Residential Single-Family) Zone within the Airport Environs (AE-60) and Neighborhood Protection (RNP) Overlays. Generally located on the east side of Valley View Boulevard and the south side of Eldorado Lane within Enterprise. MN/jor/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 17 AND 19).

CONDITIONS OF APPROVAL –

Comprehensive Planning

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

Public Works - Development Review

- Full off-site improvements along Valley View Boulevard and Eldorado Lane;
- Full off-site improvements, except streetlights, on Maulding Avenue and Procyon Street;
- Install conduit and pull boxes for streetlights on Maulding Avenue and Procyon Street;
- Drainage study and compliance;
- Right-of-way dedication to include 45 feet to the back-of-curb for Valley View Boulevard, 25 feet to the back-of-curb for Maulding Avenue, 25 feet to the back-of-curb for Procyon Street, 25 feet to the back-of-curb for Eldorado Lane and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map.
- 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.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;
- For that portion that lies within the AE-60, the applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation Noise Office at landuse@lasairport.com;
- For that portion that lies within the AE-60, the applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation Noise Office at landuse@lasairport.com;
- For that portion that lies within the AE-60, the applicant must provide a map to futurebuyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation Noise Office when property sales/leases commence;
- For that portion that lies within the AE-60 incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any

interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0134-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #1 WAS WITHDRAWN WITHOUT PREJUDICE.

19. TM-24-500078-DBAC, LLC:

TENTATIVE MAP consisting of 18 single-family residential lots on 10.06 acres in an RS20 (Residential Single-Family) Zone within the Airport Environs (AE-60) and Neighborhood Protection (RNP) Overlays. Generally located on the east side of Valley View Boulevard and the south side of Eldorado Lane within Enterprise. MN/jor/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 17 AND 18).

CONDITIONS OF APPROVAL –

Comprehensive Planning

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

Public Works - Development Review

- Full off-site improvements along Valley View Boulevard and Eldorado Lane;
- Full off-site improvements, except streetlights, on Maulding Avenue and Procyon Street;
- Install conduit and pull boxes for streetlights on Maulding Avenue and Procyon Street;
- Drainage study and compliance;
- Right-of-way dedication to include 45 feet to the back-of-curb for Valley View Boulevard, 25 feet to the back-of-curb for Maulding Avenue, 25 feet to the back-of-curb for Procyon Street, 25 feet to the back-of-curb for Eldorado Lane and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map.
- 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.

Building Department - Addressing

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

Department of Aviation

- For that portion that lies within the AE-60 the applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation Noise Office at landuse@lasairport.com;
- For that portion that lies within the AE-60 the applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation Noise Office at landuse@lasairport.com;
- For that portion that lies within the AE-60 the applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation Noise Office when property sales/leases commence;
- For that portion that lies within the AE-60, incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0134-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

20. WS-24-0419-MEEKRAT HOLDINGS, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) modify residential adjacency standards; and 2) reduce throat depth.

DESIGN REVIEW for restaurant buildings on 2.12 acres in a CG (General Commercial) Zone within the Airport Environs (AE-60) Overlay. Generally located on the north side of Quail Avenue and the east side of Jones Boulevard within Spring Valley. MN/sd/syp (For possible action)

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

21. WS-24-0437-MFE, INC.:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscaping; 2) alternative parking lot landscaping; 3) reduce buffer landscaping; 4) modify residential adjacency standards; and 5) alternative driveway geometrics.

DESIGN REVIEWS for the following: 1) lighting; and 2) modifications and additions to a previously approved shopping center on a 2.75-acre portion of 3.79 acres in a CG (Commercial General) Zone. Generally located on the west side of Jones Boulevard and the south side of Cactus Avenue within Enterprise. JJ/hw/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance.
- Applicant is advised that off-site improvement permits may be required.

Fire Prevention Bureau

- Applicant to show fire hydrant locations on-site and within 750 feet.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; and that operational permits may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

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 #0373-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #4C WAS WITHDRAWN.

SAMI REAL

Next on the agenda is Item 21, WS-24-0437, waivers of development standards for the following: reduced street landscaping, alternative parking lot landscaping, reduced buffer landscaping, modified residential adjacency standards and alternative driveway geometrics. Design reviews for the following: lighting and modifications and additions to a previously approved shopping center on a 2.75 acre portion of 3.79 acres in a CG (Commercial General) Zone. Generally located on the west side of Jones Boulevard in the south side of Cactus Avenue within Enterprise.

TICK SEGERBLOM

Good morning.

ROBERTO PIEDRA

Good morning. My name is Roberto Piedra with SCA Design, 2525 West Horizon Ridge.

TICK SEGERBLOM

Can you spell your last name, please?

ROBERTO PIEDRA

P-I-E-D-R-A.

TICK SEGERBLOM

Thank you.

ROBERTO PIEDRA

2525 West Horizon Ridge Parkway, Henderson, Nevada 89052. We're proposing to build two retail buildings and then two QSR buildings on the southwest corner of Jones and Cactus. During our town board meeting, one of the waivers that we were requesting was to have a trash enclosure within 10 feet of the residential. We have revised the trash enclosure to be well out of the 50-foot setback requirement, and we also added an additional landscape finger to remove the other waiver for reduced landscape fingers.

TICK SEGERBLOM

Did you complete your presentation?

ROBERTO PIEDRA

Yes.

TICK SEGERBLOM

All right, this is a public hearing. I have a card here. So, Mr. Allen, if you want to come forward, and anyone else.

MARK ALLEN

Good morning, Commissioners. My name is Mark Allen, last name A-L-L-E-N, 10544 Narssa Ridge Street, Las Vegas 89141.

I want to emphasize that I'm not against this development as a whole, however I must voice my concerns regarding the proposed placement of vacuum stalls directly behind my home. The proposed vacuum stalls on the south end of the car wash are another major concern. The noise generated by these machines running at all hours is too much for anyone living in the neighborhood. There needs to be some space between the residential neighborhood and the businesses. Please do not override these guidelines. I propose a condition be added to this plan so that they only have vacuum stalls on the north end of the car wash along West Cactus. Typically, a car wash this size has only three or four stalls and this area could accommodate those stalls. It's my understanding that they're requesting like 13, which would be like for a truck stop or something like that. I request that a condition be added to eliminate any vacuum stalls on the south end of the car wash.

Secondly, I propose that the trash dumpster be moved, which they've already recognized. By compromising in a small way. In making these changes, we can have a positive impact for the neighborhood while also maintaining development objectives. This condition of the vacuum stalls would foster a more harmonious relationship between corporate development and the residential environment.

By addressing these concerns proactively, we can ensure that our neighborhood remains peaceful and still create a positive outcome for the businesses, rather than only considering the corporation at the

expense of the neighborhood. I encourage you to consider a win-win for both the businesses in the neighborhood. Thank you for your consideration in this matter.

TICK SEGERBLOM

Thank you. Anyone here? Anyone else here?

YESENIA ALLEN

Yesenia Allen, 10544 Narssa Ridge Street.

TICK SEGERBLOM

Can you pull the microphone a little closer to your face, please?

YESENIA ALLEN

Oh, sorry. Yesenia Allen, 10544 Narssa Ridge Street. I just want to enter this into the record. The signatures we have from our neighbors are with us and recognize the issue that we're dealing with right now. Thank you.

TICK SEGERBLOM

Anyone else here wishing to speak? Seeing no one, I will close the public hearing and turn it over to Mr. Jones.

JUSTIN JONES

Thank you, Mr. Chair. Just to clarify, it's not my understanding that the car wash is part of this application; that was part of a prior application. Is that accurate?

ROBERTO PIEDRA

Correct.

JUSTIN JONES

Okay. So, I appreciate your concern. That is not part of this application. This is essentially a Phase II of this development, and the car wash part of it was approved quite some time ago, several years ago. So unfortunately, I can't really help you on that one here today, because it's not before us.

MARK ALLEN

It does state in the proposal that we read that the vacuum stalls are included in this, and it's stated 13 vacuum stalls, which I can't imagine in any development within five miles of our home there's 20 car washes and none of them have 13 car vacuum stalls. It would be very simple to be cooperative with the citizens in our community-

TICK SEGERBLOM

I apologize.

MARK ALLEN

-and just allow four stalls along the Cactus Street and not additional ones. Thank you.

JUSTIN JONES

Thank you. The time for public comment - if you can state your name though, we have to have record for it.

MARK ALLEN

Yes, sir. My name is Mark Allen, A-L-L-E-N.

MICHAEL NAFT

Thank you very much. Sami, can you clarify?

SAMI REAL

There are vacuum stalls shown on the plans, however the plans don't indicate whether or not they're existing or proposed vacuum stalls. So, maybe the applicant can clarify whether or not they're existing or proposed?

ROBERTO PIEDRA

The vacuum stalls are being proposed.

JUSTIN JONES

Okay, well then, I'm going to have to hold this. That was not part of my understanding of what was before us today, because the car wash was part of a prior application. Gurdev, if you want to clarify, that's fine, but that wasn't what we talked about.

GURDEV KULAR

Yeah, we're okay with doing the vacuums just along Cactus to appease their concerns, if that's okay to move forward with the rest of the application, then.

TICK SEGERBLOM

I apologize, you need to state your name for the record.

GURDEV KULAR

Sorry. Gurdev Kular, K-U-L-A-R.

JUSTIN JONES

Okay. Sami, does he need to submit new plans? Because that's different than what we have.

SAMI REAL

We can accept a condition to say that the vacuum stalls - because they are located along the residential, they're perpendicular to the residential on the south. So, we can add a condition saying that the vacuum stalls shall be placed along Cactus, and then they can accommodate that through subsequent plan revisions.

JUSTIN JONES

All right. And then to clarify with regards to waiver of development standard number two, I know that there was, in response to the Town Board, an effort to add additional landscape fingers. Is it correct to say that that does not result in the making waiver condition number two unnecessary? It's still necessary, although it addresses it in part.

SAMI REAL

Correct. So, the addition of the two landscape fingers is a positive attribute to the changes. However, it still requires the waiver of development standards. But the applicant was correct that the trash enclosure waiver, so that would be waiver 4-C, is no longer needed as a result of those revised plans.

MOTION

JUSTIN JONES

Okay. All right, well, then, with that clarification I will go ahead and move for approval of Agenda Item Number 21 with the withdrawal of waiver 4-C, and the additional condition that all vacuums be placed along Cactus Avenue.

TICK SEGERBLOM

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

VOTE

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

VOTING NAY: None

ABSENT: None

ABSTAIN: None

TICK SEGERNLOM

That motion passes. Thank you, Mr. Allen, for coming and clarifying that.

SEC. 6. AGENDA ITEM

- 22. AG-24-900634: Discuss potential amendments to Title 30, and direct staff accordingly. (For possible action)

ACTION: STAFF DIRECTED.

SAMI REAL

Next is Item 22, AG-24-900-634, discuss potential amendments to Title 30 and direct staff accordingly. Commissioners, we have received two requests for discussion by the County Commissioners. The first request is to discuss possibly, in the non-urban areas, not requiring either street trees or having some additional flexibility, given that in the non-urban areas of the County there are large lots that may not be either appropriate or necessary to plant street trees.

And then the second request is related to our provision in Title 30 that allows for manufactured housing to be located on residential parcels if it's older than six years old when located in the RS-80 and RS-40 in the non-urban area. This exception is different than what NRS requires. NRS requires that the age of manufactured housing and on residential lots be no less than six years of age when it's being placed on a lot. So, those are the two items for discussion. And then I also welcome any other suggestions from the commissioners on other potential amendments that you would like us to look into.

MARILYN K. KIRKPATRICK

Thank you, Mr. Chairman. And so, I'm willing to - here's the issue that we have. So, in Logandale, Moapa and Overton they have existing one-acre farmland, and everybody is trying to combine their lots. It's like a \$7 savings, but the subdivision then requires them to put trees along the streets, and it doesn't allow for us - or the understanding was that they couldn't waive the fee. If it's already farmland, I'm willing to make it as narrow as possible, but it would be the same for Sandy Valley, Searchlight, but if it's already

farmland, those trees aren't going to really make a difference. But I do want to say if they're creating a subdivision map, they got to have trees. I don't want to waive that.

MICHAEL NAFT

Sure. I'll go next. That seems very reasonable to me. My item came to me from Searchlight, speaking of, which has just become basically a dumping ground for old manufacture homes. And so, we're trying to clean up the area and do better there. Discovered that in 2013 the Board at that time adopted a provision to navigate NRS. So, all I'm asking is that we close that up.

MARILYN K. KIRKPATRICK

I agree. I probably had the second most amount of manufactured homes. If they're there today, they're probably not licensed, and probably not permitted by the State.

SAMI REAL

So, can I ask a clarifying question? So then would the proposal for the manufactured homes then be to mirror what NRS states, and to no longer allow any manufactured homes regardless of what zoning district or where in the County so that they are all within six years of age when they're placed on the lot?

MICHAEL NAFT

Yeah, I'll let others speak to their district. I think it probably has to be Countywide, or else it gets more complicated. Really, I guess, for the Board's consideration would be whether or not there's a waiver process. My concern if we do that is that everyone's going to get a waiver and we're in the same position we are in now. So yes, my objective would be to mirror NRS.

SAMI REAL

I did research the other jurisdictions in Northern Nevada, and I know that Washoe County and also Reno, they require the age of manufactured homes to be no less than six years when they're placed. So, making these modifications would bring us in line with other jurisdictions in Nevada.

TICK SEGERBLOM

I'm not sure what my position would be, but I have some really old mobile homes and people come in and buy them and then they have to - the people that own the homes have to move them somewhere. But it sounds like they won't be able to move them anywhere.

MARILYN K. KIRKPATRICK

Well, you're not allowed by State today, anyways. That's why I was kind of shocked. So, State law - and this goes back to - Mr. Carpenter changed it, and Mark Menendo. So, the law - because at the time we were seeing a lot of sixties and seventies manufactured homes and they were filled with asbestos, so they were trying to take them down and they were not energy efficient and so many other things. So, today what I was saying to Commissioner Naft is if they're moving them today, they're probably not licensed by the State. The State requires a State manufacturer licensed person to come work on them. So, at least what I'm seeing in my district is, in many cases people are just stuccoing them, and people are - you can't even get a loan for them, an FHA loan. So, I don't know where they would move them to that they would actually be licensed by the State like they're supposed to. And I have tons of - some from the 50s, over by Nellis.

SAMI REAL

And I do want to clarify, this provision in NRS that's reflected in our Title 30, is it just applies to single-family residential lots. It doesn't apply to manufactured homes within manufactured home parks.

TICK SEGERBLOM

Oh.

SAMI REAL

So, I wanted to make that was clear.

TICK SEGERBLOM

They could move to another mobile home park.

SAMI REAL

Excuse me? I'm sorry.

TICK SEGERBLOM

They could move to another mobile home park.

SAMI REAL

Again, there's rules and requirements on moving manufactured homes, so they would still need to comply with that. But this age requirement in NRS only applies when the manufactured home is on a single-family residential lot, not within a manufactured home park.

MARILYN K. KIRKPATRICK

Well, yeah, listen, I'd go one step further and make them convert to real property, because they don't even pay real property tax. But I'll take this as a start.

TICK SEGERBLOM

All right, I was just worried because developers come in and buy these lots. These people have lived there for quite a while, but they own the house, but they can be evicted because they don't own the land. So, it sounds like they can find another place to go, which has been the issue, then they can still do that. All right, so anyway –

JUSTIN JONES

Sorry, sorry. Yes, I just had a clarifying question. So, I just want to - with regards to the residential lots, so for example, someone has a manufactured home in a place like Sandy Valley on a rural lot, and their manufactured home is six years and six months old. They can't physically move that to another lot in Sandy Valley?

SAMI REAL

That would be correct.

MICHAEL NAFT

Under current State law.

JUSTIN JONES

Okay. Well, I would say I'm fine with converting it to what State law is. Obviously, we should always be doing that. I would say from a policy perspective, there's probably a discussion to be had when it comes to housing affordability at the Legislature for whether that's really where we should be.

MICHAEL NAFT

And I think our action today will probably trigger that follow-up conversation.

TICK SEGERBLOM

And going back to the tree issue, so how will we decide whether it's land – it's waivable not for Moapa Valley, areas like that that we designate, or anybody can come in and say they're a farm and they don't have to do the trees?

SAMI REAL

The thought would be in the non-urban area, we have large lot zoning districts, we have RS-80, RS-40, so those are two-acre, one-acre lots. We also have an agricultural and open space zoning district that we would say in those zoning districts, street trees wouldn't apply unless it's a subdivision. We want subdivided lots or newly subdivided lots to comply. But if it's a major subdivision. Maybe we should clarify that versus a parcel map, because some of your parcel mergers are coming in as subdivisions.

MARILYN K. KIRKPATRICK

Right? Because that's the system that we have, right?

SAMI REAL

Correct.

MARILYN K. KIRKPATRICK

So, I mean my whole point is to put a waiver in so that we could look at them case by case or something, but it just seems silly to allow someone that has a two-acre parcel to become lined to trees because they're combining a couple lots.

SAMI REAL

Then no street trees. And then if there's anything else that the Board would like to direct us to look at coming up?

MICHAEL NAFT

Yes, actually, thanks for asking. We adopted a few years ago now the Stadium District Overlay Plan. We never moved forward with any tangible action on it. I'd like the Planning staff to move forward with developing concrete standards for the area if there's no objections.

JUSTIN JONES

Mr. Chair, also, I would say, sort of in line with the tree fee and lieu fee, I think when it comes to out of the urban area, industrial-type areas, we should probably take a look at what that means. Particularly in South I-15 corridor, which is going to be the subject to a lot of development in the future. Whether we have a different requirement for those industrial type areas, they're going to be part of new development that came up in Sloan recently and trying to find the right balance there. So, I don't know what the answer is, but maybe take a look at what's possible.

TICK SEGERBLOM

All right, I think that's just direction.

SAMI REAL

Yeah.

TICK SEGERBLOM

Okay.

SAMI REAL

Thank you very much.

SEC. 7. INTRODUCTION OF ORDINANCES

23. ORD-24-900471: Introduce an ordinance to consider adoption of a Development Agreement with ME 52 PARTNERS, LLC for a residential subdivision on 8.6 acres, generally located west of Rainbow Boulevard and north of Erie Avenue within Enterprise. JJ/dw (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY OCTOBER 16, 2024, AT 10 A.M. (BILL 10-2-24-1)

SAMI REAL

And then the next item on the agenda, we have two ordinances for introduction. Item 23 is ORD-24-900-471. Introduce an ordinance to consider adoption of a Development Agreement with ME 52 PARTNERS, LLC for a residential subdivision on 8.6 acres. Generally located west of Rainbow Boulevard and north of Erie Avenue within Enterprise.

24. ORD-24-900591: Introduce an ordinance to amend Title 30 to clarify the process for appeals and providing for other matters properly related thereto; and set a public hearing. (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY OCTOBER 16, 2024, AT 10 A.M. (BILL 10-2-24-2)

SAMI REAL

And then Item 24, ORD-24-900-591. Introduce an ordinance to amend Title 30 to clarify the process for appeals and providing for other matters properly related that to set a public hearing. Commissioners, we ask that you set a public hearing for October 16th, 2024. Item 24, I just want to clarify that we are now mirroring the language in NRS for who can file an appeal. So, we have carried forward the language that says that a grieved person can file an appeal and then again mirror the language in NRS. So, a grieved person is somebody who either shows up in person or through writing or through some other representation, and then we are clarifying that the applicant can file an appeal and that also a County Commissioner, County Manager, department head or their designee can also file an appeal.

TICK SEGERBLOM

You agree with that?

ROSS MILLER

Thank you. This one's moving a little quickly, and since I've been on the Board I think we've only had a handful of appeals, so I want to make sure we get the language right. I appreciate the mirroring of the definition of a grieved party. That certainly makes sense. Somebody that shows up and objects either in person or writing would be able to appeal an applicant, and then a County Commissioner, which I believe to have always been the case. But if that's not the case then we could correct that. But what instance would we need the County Manager or the director of the County department or their designee to be able to file an appeal? If either the applicant doesn't want to file the appeal, no aggrieved party wants to file the appeal. In what instance would you in the staff couldn't find a single Commissioner who was willing to support the appeal putting on the agenda? What's the rationale for including those other individuals? In my view, it should just be the applicant, somebody aggrieved by the appeal, or if staff can find even one Commissioner who would support an appeal, because it's not without hardship to the

applicant. In instances - the one that we just saw was 7-0 in front of the Planning Commission. They certainly didn't have my support because I had toured the project, seen it, my Planning Commissioner had weighed in, it was placed on the agenda, and it was 6-0 in front of - to deny the appeal. In the meantime, the applicant had to hire an attorney, they had to delay their plans, et cetera. There's additional hardship. There was not one single County Commissioner who supported that appeal being placed on the agenda.

MARILYN K. KIRKPATRICK

Well, I will just - and I don't care either way. Just as a County Commissioner, I want to be able to appeal things. But I can give you a couple of examples, and Antonio maybe has one where a road got vacated because the Planning Commission had changed something, and Airport has appealed on a couple since I've been here. And it may be a timing issue whether or not they can put it in at the same time. But those are the two that I know off the top of my head that I've seen since I've been here. But I'm not - I don't care either way. Just as a County Commissioner, if I want to appeal something then I want the ability to do that.

ROBERT WARHOLA

No, we can modify the language. But yes, Public Works has appealed on occasion, and the Airport has, and those are the two. I agree.

TICK SEGERBLOM

But arguably, they could reach out to one of us and ask us to appeal it.

ROBERT WARHOLA

Yes, they could. So, we can either modify the language now or we can modify it at the public hearing, and we can do that by eliminating, because the language at the public hearing, if you want to think about it for two weeks and then we could do that if you want or leave it the way it is. Or we can modify it now and delete County Manager and departments. So however, you want to handle it.

JUSTIN JONES

I would just say, just sort of devil's advocate here, I get that a department could go to a particular Commissioner, but the appeal time is very short, and so that might be a limiting factor in terms of if it comes to Airport's attention or somebody else's attention, they got to then go find a Commissioner to support it, as opposed to you only got five days in order to file an appeal. So, it might be an issue to –

MARILYN K. KIRKPATRICK

Maybe a compromise is just having the County Manager or his designee, because department heads meet with the County Manager often. I don't foresee us, I see Commissioners wanting to appeal more than our departments, but I don't –

ROBERT WARHOLA

Well, if we change it now, we probably can't go back in two weeks, but in two weeks we can do it at a public hearing. So, it gives you two weeks to think about it or to discuss it with staff or however you want to. Or we can make the change now.

TICK SEGERBLOM

That's okay. Let's just wait, keep it the way it is and raise the issue in two weeks. We can talk - not among ourselves, but we can talk to G-d if we want.

SAMI REAL

And then with that, we would ask you to set the public hearing for October 16, 2024, for Items 23 and 24.

TICK SEGERBLOM

Okay, I'll introduce the items and set the public hearing for October 16.

PUBLIC COMMENTS

SAMI REAL

And then this is the last time set aside for public comment.

TICK SEGERBLOM

This is the last time for public comment. Looks like somebody wants to complain about something.

LISA MAYO-DERISO

Good morning, Chairman, Commissioners. I want to put a couple of (inaudible). Good afternoon, I'm Lisa Mayo-DeRiso. I'm here today to update the public and you on 2024 F-1 from the perspective of small businesses and those trying to navigate the Las Vegas Strip. As everyone can see, construction and disruption has begun yet there has not been a public hearing on the traffic study that apparently was issued in April. We were able to find it online, but there was really no public comment given into that traffic study. And on or about August 26, F-1 applied for their special event permit. My efforts to get a copy were denied via FOIA request that I applied for. So, on September 4 I went down to Public Works, and I met with Scott, and he told me that it was a work in process and could not be shared.

I would argue that the second a document hits the desk of a public entity and has public entity letterhead on it, is a document the public has a right to see, but this is not the case associated with almost every F-1 document study. We can never get a copy of it. You are allowing the bridge bankruptcy to be constructed again. You're allowing trees to be removed and the Strip to be closed, and small businesses are already feeling the effect of this. Some restaurants and businesses are saying, "We're just going to close for two or three weeks because we can't observe the losses."

I want to put also into the public record today, the RTC survey I have here for public record. This survey was conducted with the culinary workers. It's very telling. This is probably why the public hasn't seen it. We're not a world-class destination without the culinary workers. They are usually the first and last person our tourists interact with while we're in our City. They're our brand. However, this study shows that 66% of them spent extra time getting to work. 31 minutes to 90 minutes more time during F-1 2023. 64. 22% of them were late to work. 35% of them at least once a week late to work. They were not compensated by F-1 for this extra time, anxiety, and stress it puts on the workers.

Last, we're 52 days from the F-1 race, and my clients are already experiencing canceled reservations due to transportation. Here's a picture of Gino Ferraro 20 seat reservation canceled. We are also having blocked driveways into the 24-hour casino. At Stage Door. It's blocked for 12 hours. Their driveway is blocked from traffic. Make no mistake, there'll be losses in 2024.

All I want to say to you is, what is the definition of insanity? This is happening again, and we still haven't known if a special event permit has been approved by you, you have the ability to deny the special event permit. Thank you very much.

TICK SEGERBLOM

Thank you. If you want to enter that the record, somebody will take that.

SAMI REAL

Thank you very much.

TICK SEGERBLOM

All right, anyone else here wishing to speak?

JIM GIBSON

If I might just make a public comment, clarifying comment. I don't know if they're reference to 12 hours of closure at Stage Door as the pictures that Ms. Mayo circulated yesterday, but that was about an hour. There was a collar, there had been paving done, and when the lids to things that are in the street, the utilities, are finished off with the surface, once it's established, a concrete collar has to be poured. What I was informed of is that the collar had to be poured yesterday at 7:30. The cones were there in that intersection at 8:30. An hour later, the paving contractor and the inspector from the Water District confirmed that they'd been removed. So, I don't know about the rest of it. If it's not that, then that's all I would say. I just want to make clear that yesterday was a Water District issue. There are no closures on Flamingo that were in effect yesterday for Formula 1.

TICK SEGERBLOM

And was that dealing with the water line they had to replace?

JIM GIBSON

Well, the paving ended up being occasioned, because there was a lot of work including what had been done to replace the broken water line.

TICK SEGERBLOM

All right, thank you. Anyone else wishing to make public comment? Seeing no one, we'll close the public hearing and close the meeting. See you in two weeks.

END PUBLIC COMMENTS

There being no further business to come before the Board at this time, at the hour of 9:40 a.m., the meeting was adjourned.

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

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APPROVED: /s/ Tick Segerblom
TICK SEGERBLOM, CHAIR

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