

Board of County Commissioners

CLARK COUNTY, NEVADA

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

COMMISSION CHAMBERS, GOVERNMENT CENTER
500 SOUTH GRAND CENTRAL PARKWAY
LAS VEGAS, NEVADA 89106
TUESDAY, JUNE 18, 2024

The Board of County Commissioners of Clark County, Nevada met in recessed regular session in full conformity with law and bylaws of said Board at the regular place of meeting in the Commission Chambers, Government Center, Las Vegas, Clark County, Nevada on Tuesday, June 18, 2024, at the hour of 1 p.m. The meeting was called to order at 1:03 p.m. by Chair Segerblom and on roll call, the following members were present, constituting all the members thereof:

CALL TO ORDER

CHAIR AND COMMISSIONERS:

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

Absent:
None

Also Present:

Kevin Schiller, County Manager
Lisa Kremer, Deputy County Manager
Robert Warhola, Deputy District Attorney
Lisa Logsdon, Deputy District Attorney
Sami Real, Director, Comprehensive Planning
Antonio Papazian, Manager, Development Review
Sarah Y. Mabry-Padovese, Development Review
Tammy McMahan, Deputy Clerk
Jennifer Penney, Deputy Clerk

ITEM 1 Public Comments.

ACTION: No action taken by the Board.

TICK SEGERBLOM Good afternoon. This is the resumption of the County Commission meeting today. This afternoon is our Zoning meeting, which normally would be on Wednesday, but because of Juneteenth, we're calling it this afternoon. Ms. Real.

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

SEGERBLOM This is the first period for public comment. Anyone wishing to speak on an item on the agenda can come forward now. Also, if it's not on the consent agenda, you can be able to speak at the time that item is heard. Anyone wishing to speak at this time? Seeing no one, we'll close the first period of public. Oh, wait a minute. I'm sorry. SEIU is in the house. Sorry. I thought that was a ACES player, but I guess it's—

DEBBIE SPRINGER Lord knows we could use the help. Good afternoon, Mr. Chair, Vice Chair and County Commissioners. My name is Debbie Springer and I'm SEIU 1107s Executive Vice President for public sector and I also work at the District Attorney's Office Family Support Division.

SEGERBLOM Ms. Springer—

SPRINGER I come before you today—

SEGERBLOM Ms. Springer. I'm sorry, just for the record, will you spell your last name?

SPRINGER S-P-R-I-N-G-E-R. I come before you to speak on Item Agenda 34. Earlier today we had Clark County employees and our community partners rallying to bring attention to the County's management and demand they fix the County staffing crisis. As you know, 20% of all County positions are unfilled and that is having a big impact on the services that we provide our community. We've heard stories from child protection workers that are carrying double the number of cases they should. This results in not being able to provide the quality care that our most vulnerable population needs.

We told you at previous Board meetings about the severe mismanagement at the airport. Subcontractors being hired to take jobs and County funds away from dedicated County workers, resulting in insufficient staffing leading to one of our vital tourist infrastructures not being able to function properly. It's not my job to decide whether this \$80 million settlement is a good idea, but it's my job to make sure that this settlement is not made on the backs of workers and the services that this community so desperately needs.

Last week upper management issued a statement that said that the funds for the settlement could potentially come from capital improvement funds, but we all know that the money sitting in that fund is simply the money saved at a result of not hiring the staff that was originally budgeted for. County management has claimed this \$80 million settlement won't affect operations or undercut public services. Great. But the only way to accomplish this is for the settlement to come

SPRINGER

out of the County's reserve funds. Anything else will take away money that is needed to fix our staffing crisis, which would hurt both workers and the community. Thank you.

SEGERBLOM

Thank you.

JOHN RITSKO

Good afternoon, Chairman and Commissioners. My name is John Ritsko, R-I-T-S-K-O. My address, 7013 Winstar Street. I'm here to speak about Item Number 4, AR-24-400047, GreenGale Properties. I'm here to strongly oppose this item. First and foremost, we met weeks ago. We were disheartened that Commissioner Kirkpatrick wasn't there as we'd met previously a few years ago to display our dissatisfaction of what's going on with this property and not a single person typically in that meeting was approving this.

During the initial meeting we were even told so much so that we should be glad that it's going to be a farmer's market because they could build apartments. That was disheartening to us as neighbors. When this initial property was brought to our attention, it was told to us it's going to be a farmer's market and they were going to be putting on displays with goods were going to be sold. Again, all of this is in a residential zoned area, not a single farmer's market of the likes thereof has been offered to the property or only parties and events have been held. The property is supposed to be residential land use in a rural area. Instead, they're hosting large events with noise violations, and I have a sound bite here I'll play you. This is from when I called Metro and filed a police report.

(AUDIO PLAYED)

This is 1,400 feet away from the property where this event was held. We filed a police report with LVMPD. Our property is 800 feet roughly from this and you could still hear it. To give you some context of how far that is, if you go from the entrance to this building behind the RTC and Regional Flood to almost the back of that parking lot, that is the sound we're dealing with.

I can only feel so sad for the neighbors that live directly next to this property. The land use is zoned for a ranch, estate neighborhood up to two dwellings per acre foot, zoning classification, residential single-family RS-40. We're trying to change that with some of their guidelines that go from 40 acres to 25 to host these events. As well, according to 30.0203 of the adopted Clark County Title, there's also a specific note when referencing structure heights. And I quote, "Accessory structures may be 25 feet or up to the primary structure that is built, whichever is greater."

The parcel has no primary structure on it, only the parcel style south of it, which is also owned by GreenGale Properties. That property itself is roughly 13 feet tall and the structure they built is roughly 50 feet in height. My other concern is regarding sound on this property. Right on the Clark County website, it states, and I quote with sound. This also states on the website about lighting violation. "All lights must be shielded from shining into adjacent properties on a residential neighbor." I would look to know how they're going to stop that with the stage they're creating and I'm not sure if the overhead is even working. This is the size of the stage they're building. And with only a few seconds left, this is how bright

RITSKO the lighting is. This is a rural neighborhood with residents, not a Coachella party. Thank you for your time, Commissioners.

SEGERBLOM Thank you. And that item is being held until the July 17 meeting. Anyone else here wishing to – if you can stand in front of the microphone to your right, there.

KACY CURRY Thank you, ladies and sir, my name is Kacy Curry. K-A-C-Y C-

SEGERBLOM I'm having a hard time hearing you. Could you hold the microphone or get close to the microphone?

CURRY Thank you, ladies, and sir. My name is Kacy Curry. K-A-C-Y C-U-R-R-Y. Thank you for bringing this up but please remember master plan not there. This is not from any master plan. There should have been a master plan. There is no master plan. These are not master plan things obviously from what we've heard today. No, because there's no planning properly master way. Thank you.

SEGERBLOM Thank you. Anyone else wishing to speak on public comment? Seeing no one. We'll close the public comment and turn it over to Ms. Real.

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

ACTION: Approved (Items 4, 18, 39, and 40) deleted.

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

- Hold to the July 3, 2024, Zoning Meeting; Item 18, WS-23-0766.
- Hold to the July 17, 2024, Zoning Meeting; Item 4, AR-24-400047 for UC-22-0081, Item 39, EG-24-900342, and Item 40, EG-24-900379.

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, 18, 39 and 40, the agenda stands ready for your approval.

WILLIAM MCCURDY II Mr. Chairman, I move for approval with the recommended deletions.

SEGERBLOM There's a motion for approval of the agenda, cast your vote.

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

SEGERBLOM That matter passes.

ITEM 3 Approval of minutes. (For possible action)

ACTION: Approved.

REAL The third item is the approval of the minutes. The minutes of the May 22, 2024, Zoning Meeting are ready for your approval.

MCCURDY II Mr. Chairman, I move approval of the minutes.

SEGERBLOM There's a motion for approval of 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

SEGERBLOM That motion passes.

ROUTINE ACTION ITEMS (4-6)

ACTION: Approved.

REAL Next to the Routine Action Items, which consist of Items 4 through 11 except those items previously deleted. These items may be considered together in one motion and are subject to the conditions listed with each agenda.

Additionally, staff has the following requests:

- Item 6, ET-24-400051 for WS-0793-16, add a Public Works condition to read: "Applicant to install detached sidewalks along Durango Drive." Item 8, UC-24-0178, add a Current Planning condition to read: "Entire length of fuel pump canopy columns and any columns on future signage to be finished with masonry or other decorative materials."

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

MCCURDY II Move approval of the Routine Action Items.

SEGERBLOM There's a motion, cast your vote.

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

SEGERBLOM

That motion passes. And I forgot to mention, because of the interest of today's agenda, we're limiting public comment at two minutes for each person.

ITEM 4 AR-24-400047 (UC-22-0081)-GREENGALE PROPERTIES, LLC:

USE PERMITS SECOND APPLICATION FOR REVIEW for the following: 1) recreational facility; 2) sale of produce/crops not grown on-site; 3) allow customers on-site; 4) farmer's market; 5) allow live entertainment; 6) food processing; 7) retail sales and services; 8) major training facility; and 9) allow temporary outdoor commercial events without a timeframe limit and extended hours.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce the separation of proposed live entertainment from a residential use; 2) alternative landscaping along all property lines; 3) allow existing landscaping adjacent to Elkhorn Road; 4) allow alternative landscaping adjacent to a less intense use; 5) eliminate landscape finger islands; 6) waive on-site loading requirements; 7) reduce parking; 8) allow alternative paving; and 9) waive off-site improvements (curbs, gutters, sidewalks, streetlights, and partial paving).

DESIGN REVIEWS for the following: 1) recreational facility; and 2) finished grade in conjunction with a proposed recreational facility on 25.0 acres in an RS40 (Residential Single-Family 40) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Elkhorn Road and the west side of Rainbow Boulevard (alignment) within Lone Mountain. MK/nai/ng (For possible action)

ACTION: Deleted from the agenda (held to July 17, 2024, per the applicant).

ITEM 5 ET-24-400049 (ZC-22-0154)-KNG LLC:

USE PERMITS FIRST EXTENSION OF TIME for the following: 1) vehicle (recreational vehicles and watercraft) sales; 2) vehicle (recreational vehicles and watercraft) repair; 3) vehicle (recreational vehicles and watercraft) wash; and 4) vehicle (recreational vehicles and watercraft) storage.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce the separation for a vehicle (recreational vehicles and watercraft) wash from a residential use; and 2) allow a fence where not permitted.

DESIGN REVIEW for a recreational vehicle and watercraft services center on 3.5 acres in a CG (Commercial General) Zone. Generally located on the southwest side of Boulder Highway, 900 feet southeast of Desert Inn Road within Paradise. TS/my/ng (For possible action)

ACTION: Approved with conditions.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until May 18, 2026 to commence or the application will expire unless extended with approval of an extension of time.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

ITEM 6 ET-24-400051 (WS-0793-16)-TPG/CORE ACQUISITIONS, LLC:

WAIVERS OF DEVELOPMENT STANDARDS FOURTH EXTENSION OF TIME for the following: 1) increase building height; and 2) alternative landscaping.

DESIGN REVIEWS for the following: 1) multi-family residential development; and 2) finished grade on 10.5 acres in an RM32 (Residential Multi-Family 32) Zone. Generally located on the east side of Durango Drive and the north side of Badura Avenue within Spring Valley. MN/nai/ng (For possible action)

ACTION: Approved with conditions.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until April 19, 2026 to commence or the application will expire, unless extended with approval of an extension of time.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Applicant to install detached sidewalks along Durango Drive;
- Compliance with previous conditions.

ITEM 7 ZC-24-0177-COLTON CORPORATION LLC:

ZONE CHANGE to reclassify 10.37 acres of a 16.51 acre parcel from a CR (Commercial Resort) Zone, an H-2 (General Highway Frontage) Zone, and an RS80 (Residential Single-Family 80) Zone to a CG (Commercial General) Zone. Generally located on the east side of US 95 South, 670 feet south of Main Street within Searchlight (description on file). MN/rr (For possible action)

ACTION: Approved with conditions.

CONDITIONS OF APPROVAL –

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0208-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM 8 UC-24-0178-COLTON CORPORATION LLC:

USE PERMIT for a truck stop.

DESIGN REVIEWS for the following: 1) truck stop and vehicle maintenance and repair facility; and 2) final grading plan for hillside development on 16.51 acres in a CG (Commercial General) Zone. Generally located on the east side of US 95 South, 670 feet south of Main Street within Searchlight. MN/rr/ng (For possible action)

ACTION: Approved with conditions.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Entire length of fuel pump canopy columns, and any columns on future signage, to be finished with masonry or other decorative material(s);
- 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 Nevada Department of Transportation (NDOT) permits may be required.

ITEM 9 ORD-24-900134: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Durango 215 Residential, LLC for a multi-family residential development on 13.0 acres, generally located south of Roy Horn Way and west of Durango Drive within Spring Valley. JJ/lg (For possible action)

ACTION: Adopted (Ordinance 5147).

ITEM 10 ORD-24-900144: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Namaz LLC for a commercial development on 3.71 acres, generally located south of Blue Diamond Road and east of Tenaya Way within Enterprise. JJ/lg (For possible action)

ACTION: Adopted (Ordinance 5148).

ITEM 11 ORD-24-900154: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Kether LLC for a commercial development on 3.54 acres, generally located south of Cactus Avenue and west of Rainbow Boulevard within Enterprise. JJ/lg (For possible action)

ACTION: Adopted (Ordinance 5149).

COMPANION ITEMS (12-13)

ITEM 12 ET-21-400175 (UC-0492-15)-WESTWYNN, LLC:

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

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

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

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

ACTION: Approved with conditions (Companion Item 13).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until April 20, 2026 to commence.

- Applicant is advised that the installation and use of cooling systems that consumptively use water are 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.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77;
- Applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 PART B of the Clark County Unified Development Code;
- 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 and is still valid.
- 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.

REAL

Next are companion Items 12 and 13.

- Item 12, ET-21-400175 for UC-0492-15, holdover use permit. Second extension of time for the following: high-impact project, resort hotel, public areas including the casino, showrooms, live entertainment, retail center, indoor and outdoor dining, entertainment, offices, convention, back-of-house, and parking structures. Increase the height of high-rise towers, associated accessory and incidental commercial uses, buildings and structures, and deviations from development standards.

Deviations for the following: reduce on-site parking requirements, allow primary access to outside dining and drinking areas, restaurants, retail buildings and uses from the exterior of a resort hotel, encroachment into airspace, alternative landscaping, and all other deviations as shown per plans on file. Waivers of development standards for the following: reduce setbacks and non-standard improvements, landscaping, and fencing, within the right-of-way. Design reviews for the following: high-impact project resort hotel and all associated and accessory uses, hotel towers and associated low-rise and mid-rise buildings and structures, low-rise and mid-rise buildings including retail, restaurants, public, and back-of-house areas, water features, man-made lake, and decorative water fountains, and all other accessory and incidental buildings and structures on 34.6 acres in an H-1 Limited Resort and Apartment Zone. Generally located on the northwest corner of Las Vegas Boulevard South and

REAL

Fashion Show Drive within Winchester and Paradise.

- Item 13, ET-21-40176, holdover use permit. Second extension of time to expand/enlarge the Gaming Enterprise District by approximately 2.5 acres in conjunction with an approved resort hotel, Alon, on 34.6 acres and an H-1 Limited Resort and Apartment Zone. Generally located between Sammy Davis Jr. Drive and Las Vegas Boulevard South and between Fashion Show Drive and Wilbur Clark Desert Inn Road within Winchester and Paradise.

SEGERBLOM

Good afternoon.

LIZ SOROKAC

Good afternoon, Commissioners. Liz Sorokac here on behalf of the applicant. This is an extension of time for the property that's west of Las Vegas Boulevard across from the existing Wynn and Encore, north of the Fashion Show Mall and then south of Resorts World. This is an extension of the prior approvals for Resort Hotel of approximately 1,100 rooms and all of the other amenities that would come with a resort hotel on the strip. Wynn remains committed to developing the site and is requesting an extension of time on these existing approvals. Winchester and Paradise recommended approval of these applications and I'm here if you have any questions.

SEGERBLOM

Thank you so much. This is a public hearing. Anyone here wishing to speak on this item? Seeing no one, we'll close the public hearing. And since it's my item, I'll go ahead and make a motion to approve. Approve 12 and 13.

VOTE:

VOTING AYE:

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

VOTING NAY:

None

ABSENT:

None

ABSTAIN:

None

SEGERBLOM

That motion passes. Thank you so much.

SEROKA

Thank you. Have a good afternoon.

ITEM 13 ET-21-400176 (UC-0045-16)-WESTWYNN, LLC:

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

ACTION:

Approved with conditions (Companion Item 12).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until April 20, 2026 to commence.
- Applicant is advised that the land subject to this application will not officially be within the Gaming Enterprise District until the gaming establishment has been issued a non-restricted gaming license; 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 14 UC-24-0166-EARTH MOVING LLC:

USE PERMIT for outdoor storage.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate landscaping; 2) eliminate gate setback; 3) eliminate parking; 4) eliminate trash enclosure; and 5) off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) on 8.84 acres in an IL (Industrial Light) Zone. Generally located on the south side of Serene Avenue and the east side of Redwood Street within Enterprise. JJ/bb/ng (For possible action)

ACTION: Approved with conditions.

CONDITIONS OF APPROVAL –

Comprehensive Planning

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

Public Works - Development Review

- 2 years to review off-sites.

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.

REAL

Next is Item 14, UC-24-0166, use permit for outside storage. Waiver of development standards for the following: eliminate landscaping, eliminate gate setback, eliminate parking, eliminate trash enclosure, and off-site improvements, curb, gutter, sidewalk, streetlights, and partial paving on 8.84 acres in an IL Industrial Light Zone. Generally located on the south side of Serene Avenue and the east side of Redwood Street within Enterprise.

RON THOMPSON

Good afternoon, Commissioners. I'm Ron Thompson on behalf of the applicant. T-H-O-M-P-S-O-N. 300 South Fourth Street, Suite 1600, Las Vegas. I'm here with Mr. Paul Truman who's one of the owners of the applicant.

PAUL TRUMAN

Paul Truman, T-R-U-M-A-N. 9390 Redwood Street, Las Vegas Nevada 89139.

THOMPSON

The applicant has used this property continuously since 1999 for the same use,

THOMPSON

storage and staging of tractors and trailers. The property had the appropriate zoning number years ago. It lapsed, which is why we're here. In conformance with all the other surrounding properties, today I'll use it for the same use. There's no landscaping. This property is not connected to the water system, it's all well water. The Enterprise Town Board unanimously recommended approval with a two-year review cycle, and we are urging you all to adopt the Town Board's recommendation. We're here to answer any questions you might have.

SEGERBLOM

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

JUSTIN JONES

Thank you, Mr. Chair. Antonio, do you want to comment on the if approved bullet points?

ANTONIO PAPAZIAN

Thank you, Commissioner. We have a condition that says applicant to pay a contribution for local roadway drainage or trail related improvements in District F in lieu of constructing full off-site improvements as determined by Public Works. We would like to piggyback on what Town Board recommended and we will revisit the off-site improvements in this area and delete the condition I just read for the record. So, two-year review for those off-site improvements.

JONES

Very good. Based on our conversation, it's my understanding that you intend to move into a permanent facility that's on the other side of Redwood Road in the near future. Based on that representation, I'm going to go ahead and move for approval of this agenda item, subject to Town Board's recommendations and Mr. Papazian's note on the record today. That said, when the two-year review comes around, the owner of the property will need to come in and have a serious discussion because traffic on both Serene and Redwood is increasing as a result of significant development in the area. That's my motion.

SEGERBLOM

There's a motion. Cast your vote.

VOTE:

VOTING AYE:

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

VOTING NAY:

None

ABSENT:

None

ABSTAIN:

None

SEGERBLOM

That motion passes. Thank you.

TRUMAN

Thank you, ladies, and gentlemen.

ITEM 15 UC-24-0214-KG REAL ESTATE, LLC:

USE PERMITS for the following: 1) office as a principal use; and 2) outside storage.

WAIVER OF DEVELOPMENT STANDARDS to reduce street landscaping.

DESIGN REVIEW for office/warehouse with outside storage on 3.04 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-70) Overlay. Generally located on the south side of Las Vegas Boulevard North, 280 feet east of Pecos Road within Sunrise Manor. WM/lm/ng (For possible action)

ACTION:

Approved with conditions.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Remove the temporary modular office within 3 months of obtaining a certificate of completion for the office/warehouse building;
- Work with the Las Vegas Metropolitan Police Department for the installation and use of security cameras and surveillance operation;
- 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 and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Cecile Avenue improvement project.
- Applicant is advised that Nevada Department of Transportation (NDOT) permits may be required.

WAIVER OF DEVELOPMENT STANDARDS #2 WAS WITHDRAWN.

REAL

Next is Item 15, UC-24-0214, use permits for the following: office as a principal use and outside storage. Waivers of development standards to reduce street landscaping. Design review for office/warehouse with outside storage on 3.04 acres in an IP Industrial Park Zone within an Airport Environs Overlay AE-70. Generally located on the south side of Las Vegas Boulevard North and 280 feet east of Pecos Road within Sunrise Manor.

KERRY SHAHAN

Hi, good afternoon. My name is Kerry Shahan, architect representing the owner that's 4310 Cameron Street. Today we're proposing primarily office warehouse for a local barricade company located on North Las Vegas Boulevard at the aerial that was shown earlier, and Pecos is the main other cross street. We're asking again for office as a principal use and then also the use for outside storage. There will be a temporary building located there but it'll only be through– It'll be removed after they get the certificate of occupancy for the new project building that will be built there.

We did address some Town Board comments and we provided compliant landscaping along this portion of the site against the residential because that was a concern for the neighbors. So, all the landscaping is compliant with Title 30, and in addition to that we've complied with all the sustainability requirements for this project. And I could just give you a quick glimpse of the exterior elevations.

So just in general, we've provided a building that's articulated and has architectural features and I think it'll be a nice addition to the area. If you have any further questions of me, please let me know.

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

MCCURDY II I just want to say thank you for working with me and my office during the course of this project. I know we've come quite a ways. It's my understanding that you will no longer need the waiver of development centers for the street landscaping, that's correct?

SHAHAN Yeah, that's correct, sir.

MCCURDY II And also, lastly, I want to make sure that we are, and I spoke to this in our meeting yesterday, making sure that we're working with Metro with the camera access as well. I know the security was an issue.

SHAHAN Absolutely, yes.

MCCURDY II Okay. All right, that being said, I'll move for approval of Agenda Item 15.

SEGERBLOM There's a motion, cast your vote. Don't forget to cast.

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

SEGERBLOM That motion passes. Thank you.

SHAHAN Okay, I thank you very much.

COMPANION ITEMS (16-17)

ITEM 16 VS-24-0164-RUSSELL DAREL:

VACATE AND ABANDON easements of interest to Clark County located between Eldorado Lane and Mardon Avenue, and between Hinson Street and Schuster Street within Enterprise (description on file). MN/dd/ng (For possible action)

ACTION: Approved with conditions (Companion Item 17).

CONDITIONS OF APPROVAL –

Comprehensive Planning

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

Public Works - Development Review

- Right-of-way dedication to include 30 feet for Hinson Street and 30 feet for Eldorado Lane and associated

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

REAL

Next are companion Items 16 and 17.

- Item 16, VS-24-0164, vacate and abandon easements of interest to Clark County located between Eldorado Lane and Mardon Avenue and between Hinson Street and Schuster Street within Enterprise.
- Item 17, WS-24-0163, waivers of development standards for the following: eliminate street landscaping, non-decorative wall and off-site improvements, curb, gutter, sidewalks, streetlights, and partial paving in conjunction with a proposed single-family development in an RS20 Residential Single-Family 20 Zone within the neighborhood Protection RNP Overlay. Generally located on the north side of Eldorado Lane in the east side of Hinson Street within Enterprise.

ALI TOGHANIPOUR

Ali Toghanipour. Good afternoon, Art Consulting Engineers.

SEGERBLOM

I apologize, can you spell your last name?

TOGHANIPOUR

Toghanipour. T-O-G-H-A-N-I-P-O-U-R.

SEGERBLOM

Thank you.

TOGHANIPOUR

On the 2.5-acre lot I'm placing three residential, and based upon the Town Board recommendation, I'm adding a four-foot paved sidewalk along the Hinson and Eldorado. No wall will be adjacent to Hinson and Eldorado and I'm requesting waiver of sidewalk, curb and gutter, and a streetlight. Since there is no sidewalk, curb and gutter and streetlight within the vicinity of that project. Thank you.

SEGERBLOM

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

MICHAEL NAFT

Thank you, Mr. Chairman. I'm going to approve those waivers but add the condition of the asphalt path as Town Board asked for. Won't limit it to 48 inches, I'll let you work with staff on that. Typically, we like to see five-foot sidewalks but there will be a required detached asphalt path as you indicated in your presentation. If there is nothing more, I move for approval of Item 16 and 17 with the additional condition.

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

TOGHANIPOUR

Thank you.

SEGERBLOM

That motion passes.

ITEM 17 WS-24-0163-RUSSELL DAREL:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate street landscaping; 2) non-decorative wall; and 3) off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) in conjunction with a proposed single family development in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Eldorado Lane and the east side of Hinson Street within Enterprise. MN/dd/ng (For possible action)

ACTION:

Approved with conditions (Companion Item 16).

CONDITIONS OF APPROVAL –

Comprehensive Planning

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

Public Works - Development Review

- Coordinate with Public Works - Development Review on installation of an asphalt path along Hinson Street and Eldorado Lane;
- Drainage study and compliance;
- Right-of-way dedication to include 30 feet for Hinson Street and 30 feet for Eldorado Lane and associated spandrel.

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 #0205-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM 18 WS-23-0766-CLARK PAT GST TRUST & CLARK PAT TRS:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate sidewalks and street landscaping; 2) increase wall height; 3) allow sole access from a collector street; 4) reduce gate setback; and 5) waive full off-site improvements.

DESIGN REVIEW for finished grade in conjunction with a proposed single family residential subdivision on 2.1 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the east side of Torrey Pines Drive and the south side of Maggie Avenue within Lone Mountain. MK/lm/syp (For possible action)

ACTION: Deleted from the agenda (held to July 3, 2024, per the applicant).

ITEM 19 WS-24-0172-SC 2006 LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce and eliminate parking; 2) reduce and eliminate landscaping; and 3) residential adjacency standards.

DESIGN REVIEW for modifications to an existing multiple family residential development on 5.36 acres in an RM32 (Residential Multi-Family 32) Zone within the Maryland Parkway Overlay. Generally located on the north side of Viking Road, approximately 100 feet west of Spencer Street within Paradise. TS/hw/ng (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.

WAIVER OF DEVELOPMENT STANDARDS #1C WAS WITHDRAWN.

REAL Next is Item 19, WS-24-0172, waivers of development standards for the following: reduce and eliminate parking, reduce, and eliminate landscaping, and residential adjacency standards. Design review for modifications to an existing multiple family residential development on 5.36 acres in an RM32 Residential Multi-Family 32 Zone within the Maryland Parkway Overlay. Generally located on the north side of Viking Road, approximately 100 feet west of Spencer Street within Paradise.

DAVID BROWN David Brown, 520 South Fourth Street on behalf of the applicant. Staff and the Town Board supported most of the waivers as well as the design review. There were two waivers that weren't supported by either. One of those was waiver 1C, which was to eliminate the bike parking. We have agreed to withdraw that waiver request, so 1C is no longer applicable. The only other waiver that we didn't have the support was for 1B. We would ask for the waiver of needing the EV parking stalls. At this time there's not one EV vehicle in that complex. If in the future it becomes necessary, they will certainly install it.

SEGERBLOM This is a public hearing. Anyone here wishing to speak? Seeing no one, I will close the public hearing. I've thought about this as far as the electric charging station and since this is new construction, I think you're probably right as far as you don't need to add one now, but hopefully sometime in the future there will be a need for it. And you promised to put one in at that time. So, with that I would move for approval. You're going to put in the bikes but you're not going to do the electric?

BROWN Right. We will withdraw waiver request 1C.

SEGERBLOM Motion for approval. Cast your vote.

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

SEGERBLOM That motion passes. Thank you.

COMPANION ITEMS (20-21)

ITEM 20 ZC-24-0085-HUANG SUJUAN:
HOLDOVER ZONE CHANGE to reclassify 1.0 acre from an RS20 (Residential Single-Family 20) Zone to an RM18 (Residential Multi-Family 18) Zone and an RS10 (Residential Single-Family 10) Zone. Generally located on the west side of Hauck Street and the north side of Edna Avenue within Spring Valley (description on file). RM/hw/ng (For possible action)

ACTION: Approved with conditions (Companion Item 21).

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 #0120-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

REAL Next are Items 20 and 21.

- Item 20, ZC-24-0085, holdover zone change to reclassify 1.0 acre from an RS20 Residential Single-Family 20 Zone to an RM18 Residential Multi-Family 18 Zone and an RS10 Residential Single-Family 10 Zone. Generally located on the west side of Hauck Street and the north side of Edna Avenue within Spring Valley.
- Item 21, WS-24-0086, holdover waivers of development standards for the following: setbacks, landscaping, buffering, and screening standards, residential adjacency standards, sidewalks and driveway geometrics. Design review for a multi-family residential development on a portion of 1.0 acre and an RM18 Residential Multi-Family 18 Zone. Generally located on the west side of Hauck Street and the north side of Edna Avenue within Spring Valley.

SEGERBLOM Good afternoon.

SHAHAN Good afternoon again, my name is Kerry Shahan, architect representing the applicant. 4310 Cameron Street, Las Vegas, Nevada. So, we are proposing apartment use on this property. We've situated the building, it's an L-shaped lot and we've situated the building and broke it into two buildings with a pool and recreational areas in the middle. It is a three-story residential use, and the

SHAHAN requested use change is conforming with the land use and we're not exceeding the allowable occupants with that use for the amount of units that we're providing.

Since we had the Town Board, we've increased the landscape between us and the residential neighbors on both the north and the south sides. And we've also worked with Public Works in order to situate the driveway, which is now compliant with the throat depths and the proximity to the intersection to Edna, given that distance. And that said, if there's any other questions that you may have, concerning this application.

SEGERBLOM That complete your presentation?

SHAHAN Yes, sir.

SEGERBLOM All right, this is a public hearing. Anyone here wishing to speak on this item? Seeing no one, I'll turn over to Commissioner Miller.

ROSS MILLER Move to approval of agenda Items 20 and 21.

SEGERBLOM There's a motion. Cast your—

PAPAZIAN Commissioner, if I may?

SEGERBLOM Oh, I'm sorry.

PAPAZIAN Thank you. They do comply.

SEGERBLOM We always have to ask Public Works. He always has to get the last word.

PAPAZIAN Sorry. This is going to be good for them. They did comply with one of the waivers they originally had because they worked with us and moved the driveway. They don't need waivers to enter number 6B anymore, which is the reduction of the approach distance. They actually meet it now. So, we'd like to delete waiver standard number 6B.

MILLER I'll amend my motions for approval of agenda Item 20 and with respect to 21, approve the item with the waivers of development standards as outlined in the packet with the exception of Item 6B, which was withdrawn.

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

SEGERBLOM That motion passes. Thank you.

SHAHAN I appreciate it. Thank you very much.

ITEM 21 WS-24-0086-HUANG, SUJUAN:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) setbacks; 2) landscaping; 3) buffering and screening standards; 4) residential adjacency standards; 5) sidewalks; and 6) driveway geometrics. DESIGN REVIEW for a multi-family residential development on a portion of 1.0 acre in an RM18 (Residential Multi-Family 18) Zone. Generally located on the west side of Hauck Street and the north side of Edna Avenue within Spring Valley. RM/hw/ng (For possible action)

ACTION: Approved with conditions (Companion Item 20).

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Provide staff with the final plans for the formal planting area;
- Subdivision map to be recorded prior to the issuance of building permits;
- Certificate of Occupancy and/or business license shall not be issued without approval of an application for a zoning inspection.
- Applicant is advised that additional approvals may be required to map the proposed parcels; 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;
- Full off-site improvements.

Fire Prevention Bureau

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0120-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #6B WAS WITHDRAWN.

COMPANION ITEMS (22-24)

ITEM 22 ZC-24-0155-COUNTY OF CLARK (AVIATION) & MAJESTIC EJM ARROYO III, LLC (LEASE):

ZONE CHANGE to reclassify 8.21 acres from a CG (Commercial General) Zone to an IP (Industrial Park) Zone within the Airport Environs (AE-60) Overlay. Generally located on the southwest corner of Tenaya Way and Badura Avenue within Spring Valley (description on file). MN/sd (For possible action)

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

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 #0207-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

REAL

Next are Items 22, 23 and 24 which companion and will be heard together.

- Item 22, ZC-24-0155, zone change to reclassify 8.21 acres from a CG Commercial General Zone to an IP Industrial Park Zone within the Airport Environs AE-60 Overlay. Generally located on the southwest corner of Tenaya Way and Badura Avenue within Spring Valley.
- Item 23, VS-24-0157, vacate and abandon a portion of right-of-way being Badura Avenue located between Tenaya Way and Pioneer Way and a portion of right-of-way being Tinea Way located between Arby Avenue and Badura Avenue within Spring Valley. Tenaya Way located between Arby Avenue and Badura Avenue within Spring Valley.
- And then, Item 24, WS 24-0156, waivers the development standards for the following: reduced street landscaping, reduced throat depth, and reduced departure distance. Design review for a distribution center on 8.21 acres in an IP Industrial Park Zone within the Airport Environs AE-60 Overlay. Generally located on the southwest corner of Badura Avenue and Tenaya Way within Spring Valley.

SEGERBLOM

Good afternoon.

JOHN VORNSAND

Thank you, Mr. Chairman, Commissioners. John Vornsand, 62 Swan Circle Henderson, representing Majestic Realty. We are–

SEGERBLOM

I'm sorry. Will you spell your last name?

VORNSAND

V as in Victor, O-R-N-S-A-N-D.

SEGERBLOM

Thank you.

VORNSAND

We are requesting a conforming zone change to IP in an area that is master-planned for BE to construct a 127,500-square foot warehouse and distribution center. Our parking is in conformance to code, including EV charging stations and bicycle parking. Our landscaping exceeds Title 30 requirements. We're providing 18 to 35 feet in depth along the street frontages of landscaping, and we have ample landscaping throughout the parking area. We're providing 32% more street trees along the street frontages and 17% more parking lot trees than required by code. Our mature tree canopies within the parking areas cover 62% of that parking area. We are also applying for a vacation abandonment of public right-of-way. This is to allow for detached sidewalks. It's only excess right-of-way.

VORNSAND

We're requesting three waivers. The first is to reduce the landscaping along portions of the street frontage to accommodate utility infrastructure. That landscaping is offset elsewhere on the property.

Next is reducing the throat depths on two driveways, one on Arby and one on Badura. Our design provides additional landscaping on the drive aisles, and that mitigates any conflicts with traffic that Public Works is concerned with so Public Works has no objection with our design.

Lastly, we're requesting to reduce the departure distance for our eastern-most driveway on Arby from Tenaya to 118 feet. We've been working with Public Works, and I believe they may have additional input at this time.

SEGERBLOM

If that completes your presentation, I'll open this up for a public hearing.

VORNSAND

It does, yes.

SEGERBLOM

Anyone here wishing to speak on this item? Seeing no one, I'll turn over to Commissioner Naft.

NAFT

Thank you, Mr. Chairman. I appreciate your sensitivity to the Heat Island Impacts over there with the over landscaping. Related to the departure distance, I'm not sure there is anything more that Public Works wants to add. I think you've worked with them pretty effectively, particularly as it pertains to that waiver, so I'll move for approval of Items 22, 23, and 24.

SEGERBLOM

There's a motion, cast your vote.

VOTE:

VOTING AYE:

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

VOTING NAY:

None

ABSENT:

None

ABSTAIN:

None

SEGERBLOM

That motion passes.

VORNSAND

Thank you very much.

ITEM 23 VS-24-0157-COUNTY OF CLARK (AVIATION) & MAJESTIC EJM ARROYO III, LLC (LEASE):
VACATE AND ABANDON a portion of a right-of-way being Badura Avenue located between Tenaya Way and Pioneer Way and a portion of right-of-way being Tenaya Way located between Arby Avenue and Badura Avenue within Spring Valley (description on file). MN/sd/ng (For possible action)

ACTION:

Approved with conditions (Companion Items 22 and 24).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office

of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 25 feet to the back of curb for Arby Avenue and associated spandrel;
- 30 days to coordinate with Public Works - Construction Division and to dedicate any necessary right-of-way and easements for the Badura Avenue improvement project;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- The installation of detached sidewalks will require the vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

ITEM 24 WS-24-0156-COUNTY OF CLARK (AVIATION) & MAJESTIC EJM ARROYO III, LLC (LEASE):
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscaping; 2) reduce throat depth; and 3) reduce departure distance.
DESIGN REVIEW for a distribution center on 8.21 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-60) Overlay. Generally located on the southwest corner of Badura Avenue and Tenaya Way within Spring Valley.
MN/sd/ng (For possible action)

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Arby Avenue and associated spandrel;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Badura Avenue improvement project.
- The installation of detached sidewalks will require the vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

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 #0207-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

COMPANION ITEMS (25-28)

ITEM 25 PA-24-700003-DAF HOLDING, LLC ETAL & JGF LIVING TRUST:

PLAN AMENDMENT to redesignate the existing land use category from Neighborhood Commercial (NC) to Mid-Intensity Suburban Neighborhood (MN) on 3.5 acres. Generally located on the south side of Warm Springs Road, 300 feet east of Topaz Street within Paradise. JG/rk (For possible action)
PC Action - Adopted

ACTION: Adopted (Resolution R-6-18-24-7; Companion Items 26-28).

REAL Next are companion Items 25 through 28.

- Item 25, PA 24-700-03, plan amendment to redesignate the existing land use category from Neighborhood Commercial to Mid-Intensity Suburban Neighborhood on 3.5 acres. Generally located on the south side of Warm Springs Road, 300 feet east of Topaz Street within Paradise.
- Item 26, ZC 24-0095, zone change to reclassify 3.5 acres from a CP Commercial Professional Zone to an RS3.3 Residential Single-Family 3.3 Zone. Generally located on the south side of Warm Springs Road, 300 feet east of Topaz Street within Paradise.
- Item 27, WS 24-0096, waivers of development standards for the following: alternative yards, increase fill height, increase wall height. Design review for a single-family residential development on 3.5 acres in an RS3.3 Residential Single-Family 3.3 Zone. Generally located on south side of Warm Springs Road, 300 feet east of Topaz Street within Paradise.
- And then last, Item 28, TM 24-500025, tentative map consisting of 20 residential lots in common lots on 3.5 acres in an RS3.3 Residential Single-Family 3.3 Zone. Generally located on the south side of Warm Springs Road, 300 feet east of Topaz Street within Paradise.

SEGERBLOM Good afternoon.

ROBERT CUNNINGHAM Good afternoon. Robert Cunningham, 6030 South Jones Boulevard, C-U-N-N-I-N-G-H-A-M, I'm here representing Summit Homes. First, I'd like to draw your attention to where our site is at on this aerial. The site is located just to the south of Warm Springs, approximately a third of a mile east of Eastern, just off the page here. Sunset Park Baseball Fields and Dog Park are to the northwest of the site, Union Pacific Railroad's is located to the northeast of the site, and residential homes approximately one acre in size exist to the south with many animals are located on these properties, horses, and others.

The site is very uniquely shaped as you can see with limited access to Warm

Springs about 250 feet. The land use of the site is currently planned for office and commercial professional. We're requesting to put a 20-lot single family residential development on the project. There's very large office park located just to the east of our site from here to Pecos, and with the current trend of working remotely, office is just not viable for the small parcel with very limited access.

We held two neighborhood meetings, one in September of 2023, one in February 2024. At the first meeting held, it was in a neighbor's garage located in the large rural estate's homes to the south. We had about 15 neighbors attend. We proposed the site plan at that time consisting of 27 single family lots, all with two story homes. As a result of the first neighborhood meeting and hearing many of the issues and comments brought from the neighbors, many changes were made to the plan.

The second neighborhood meeting resulted in most of the neighbors being satisfied with the proposed plan. Some of the changes we made are that we reduce the total lot count from 27 to 20, the lots along the south boundary of the site, which there's four of them here up against five existing lots located to the south. They're side loaded, meaning that the homes here will only have a side view of the adjacent lot and there'll be rear yard and front yard and street adjacent to it.

We agreed to make these lots, single-story homes as well, all the way along that property line. At the request of several neighbors, it was agreed too that we would make or agree to if the neighbors wanted, an eight-foot-high CMU wall all along this boundary to protect any neighbors or provide additional protection and separation between some of the neighbors that have animals in their yards. That would be on top of any required retaining walls that we would need on our property. We've applied for the correct waivers to allow that today.

Two lots are being requested to have alternative setbacks. As you may have heard in the staff report, we have a triangular shaped lot here and more of a triangular shaped lot here. Because of the shape of these lots, they kind of have nonstandard setbacks. We've requested to have those allowed in this configuration. The developers are proposing three homes, different homes in the community, ranging from 1,900 square feet to 3,200 square feet.

One of the things that was addressed in the design review and was conditioned at Planning Commission is that we will adhere to all of the architectural features and requirements, now allowed or required by Title 30 on the plans. The plans that were submitted initially didn't have all those on them, and we agree that there'll be updated and have all of the requirements on them.

Developers also agreed to have all the buyers proposed for this project sign a disclosure that they're adjacent to properties with animals as those allowed by County code and make sure that they understand that there are noises and odors that are aware of those. This way when they go to buy their home, they're signing a piece of paper, and having disclosure making them aware of it.

We believe that with all these concessions and that given the configuration of the lot and the adjacency of it being primarily residential all the way around it, that this is very appropriate for the area and provides a great infill project and we'll

CUNNINGHAM

bring a great needed project for housing to the area. With that, I'll conclude my presentation and answer any questions. Thank you.

SEGERBLOM

Thank you. This is a public hearing, anyone here wishing to speak on this item? Seeing none, we'll close the public hearing. Turn it over to Commissioner Gibson.

JIM GIBSON

Thank you. Mr. Cunningham, you and your client and the neighbors have worked really hard to come to us today with something that is agreed upon and that has taken a lot of work. It sounds to me like you understand that the architectural feature design needs to be submitted and you'll provide that, and the disclosure about livestock, odors, insects, and lighting. The eight-foot wall, there's an eight-foot wall that separates the existing large homes and lots. There is one gentleman, Mr. Tilly, who has suggested he doesn't want an eight-foot wall, so I would have that condition read, "An eight-foot wall will not be provided for any adjacent existing neighbor that does not want an eight-foot wall along its northern boundary." You'll understand that that means that there'll have to be some discussion with the Tilly's to determine what they want over there. Do you understand that?

CUNNINGHAM

Understood, yes.

GIBSON

With all of that, I move approval subject to the conditions with the additional conditions that I have just reviewed with Mr. Cunningham of each and all of the four items.

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

SEGERBLOM

That motion passes. Thank you.

GIBSON

Thank you.

CUNNINGHAM

Thank you.

ITEM 26 ZC-24-0095-DAF HOLDING, LLC ETAL & JGF LIVING TRUST:

ZONE CHANGE to reclassify 3.5 acres from a CP (Commercial Professional) Zone to an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Warm Springs Road, 300 feet east of Topaz Street within Paradise (description on file). JG/md (For possible action)

PC Action - Approved

ACTION:

Approved with conditions (Companion Items 25, 27, and 28).

CONDITIONS OF APPROVAL –

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.

Fire Prevention Bureau

- 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 #0302-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM 27 WS-24-0096-DAF HOLDING, LLC ETAL & JGF LIVING TRUST:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow alternative yards; 2) increase fill height; and 3) increase wall height.

DESIGN REVIEW for a single family residential development on 3.5 acres in an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Warm Springs Road, 300 feet east of Topaz Street within Paradise. JG/md/ng
(For possible action)

PC Action - Approved

ACTION: Approved with conditions (Companion Items 25, 26, and 28).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Work with Comprehensive Planning to comply with architectural features on all facades;
- Disclosure to be provided to future homebuyers informing them of neighboring agricultural uses, including but not limited to horses and other livestock and associated odors, insects, and lighting;
- Disclosure to be at the beginning pages of the contract;
- 8 foot wall will not be provided for any adjacent existing neighbor that does not want an 8 foot wall along their northern wall;
- 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

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

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.

Fire Prevention Bureau

- 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 #0302-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM 28 TM-24-500025-DAF HOLDING, LLC ETAL & JGF LIVING TRUST:

TENTATIVE MAP consisting of 20 residential lots and common lots on 3.5 acres in an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Warm Springs Road, 300 feet east of Topaz Street within Paradise.

JG/md/ng (For possible action)

PC Action - Approved

ACTION: Approved with conditions (Companion Items 25, 26, and 27).

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.
- Applicant is advised that off-site improvement permits may be required.

Building Department - Addressing

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

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.

Fire Prevention Bureau

- 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 #0302- 2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

COMPANION ITEMS (29-33)

ITEM 29 PA-24-700004-DOGWOOD HICKORY, LLC & BENTULAN, ROSS:

PLAN AMENDMENT to redesignate the existing land use category from Open Lands (OL) to Low-Intensity Suburban Neighborhood (LN) on 8.59 acres. Generally located on the southeast corner of Cactus Avenue and Quarterhorse Lane within Enterprise. JJ/gc (For possible action)
 PC Action - Adopted

ACTION: Adopted (Resolution R-6-18-24-8; Companion Items 30-33).

REAL Next are companion Items 29 through 33.

- Item 29, PA 24-700004, plan amendment to redesignate the existing land use category from Open Lands to Low Intensity Suburban Neighborhood on 8.59 acres. Generally located on the southeast corner of Cactus Avenue and Quarterhorse Lane within Enterprise.
- Item 30, ZC 24-0136, zone change to reclassify 8.59 acres from an RS20 Residential Single Family 20 Zone to an RS10 Residential Single Family 10 Zone. Generally located on the southeast corner of Cactus Avenue and Quarterhorse Lane within Enterprise.
- Item 31, VS 24-0135, vacate and abandon easements of interest to Clark County located between Cactus Avenue and Conn Avenue alignment and between Quarterhorse Lane and El Capitan Way and a portion of right-of-way being Cactus Avenue located between Quarterhorse Lane and El Capitan Way within Enterprise.
- Item 32, WS 24-0134, waivers of development standards for the following: reduce street landscaping, increase retaining wall height, increase fill height, waive full off-sites, and allow a non-standard improvement within the right-of-way. Design reviews for the following: alternative landscape plan and single-family residential development on 8.59 acres in an RS-10 Residential Single-Family 10 Zone. Generally located on the southeast corner of Cactus Avenue and Quarterhorse Lane within Enterprise.
- And then last, Item 33, TM 24-500034, tentative map consisting of 24 single family residential lots on 8.59 nine acres in an RS10 Single-Family Residential Zone. Generally located on the southeast corner of Cactus Avenue and Quarterhorse Lane within Enterprise.

SEGERBLOM

Good afternoon.

STEPHANIE ALLEN

Good afternoon, Mr. Chairman, Commissioners. Stephanie Allen, 1980 Festival Plaza Drive, here on behalf of the applicant, Richmond American Homes. This property is located at the southeast corner of Quarterhorse and Cactus. We were actually before you a couple of years ago, almost two years ago, with an application for a non-conforming zone change on this property where we worked for a long time with the neighbors in this area to come up with a plan that they would be agreeable to or amenable to, to act as a buffer with all of the open lands that surrounds this property to the south and to the west, and make a compatible community with Mountain's Edge that's to the north of the project.

The non-conforming zone change was approved with a bunch of conditions that we had agreed upon with the neighbors, and it was with a minimum 10,000-square foot lots, so quarter acre lots. It was for 27 lots, and this is the approval letter. A couple of the conditions I just want to note before I get into the project that's before you today because we will carry those over into the proposal that we have for you today.

One of them was that we agreed to do single-story homes. We will do that same condition today. The second was that we would coordinate with Public Works on a landscape barrier on the west side of the equestrian trail along Quarterhorse. You'll see on our site plan we do have an equestrian trail proposed on Quarterhorse and we'll agree to that same condition today. Finally, that we would install no parking signs on Quarterhorse Lane. Again, we'll carry that condition over and offer that today as well. The reason for that was my understanding is there's a school to the east of this property where they park up and down Quarterhorse and that's been a real concern for the residents in the area.

That project that was approved two years ago, as I mentioned, had 27 lots but because it was part of a non-conforming zone change, we couldn't make any changes to that site plan without coming back before you. Richmond American Homes is now buying the land and they actually want to do less lots, but because we've amended the plan, we have to be back before you. That is why we're here today.

We have a 24-lot plan before you. This is the site plan. The density is about 2.79 units per acre. As I mentioned, three lots less than was previously approved two years ago. The minimum lot size is about 12,000 square feet up to a maximum of 16,000 square feet, so this is really more almost a third acre lot development. Again, extremely compatible with the area that's to the south and the west, which has the half acre lots and the more rural lifestyle, and then Mountain's Edge to the north that has mostly R-2 zoning to the north of Cactus.

Staff is recommending approval of most of the applications. I'll walk through a couple of the waivers, but I would like to tell the Town Board and Planning Commission we appreciate their recommendations of approval after they understood the history of it. The waivers that we have before you were also previously approved as part of the non-conforming zone change. Really for the most part the majority have to do with the fact that this is really as far west as you almost can get in the valley at Quarterhorse and Cactus. There's a significant

ALLEN

difference in elevation from west to east on this property, so it does require some retaining and some fill. Those are two of the waivers that we have before you. The other waivers deal mostly with Quarterhorse, and we do have a waiver to keep this rural and that was at the request of the neighbors. I know at least one, if not more of the neighbors, are here today to tell you that that's very important to them. We have a waiver for off-site improvements on Quarterhorse to keep that rural. We also have an equestrian trail as I mentioned that we have proposed on Quarterhorse, a portion of which would be in the right-of-way. That is one of the waivers and design reviews that's before you.

We'll have five feet of landscaping and 10-foot equestrian trail and then a landscape barrier, as I mentioned, in that condition on the west side of the equestrian trail. The idea is just if there ever is development to the south of this, that this would set a precedent for the area so that when development does come, if it does come further south or to the west of this, that we've set some larger lots to act as a buffer and a transition and then also some standards with respect to development for what is appropriate in this area.

With that said, I'm happy to answer any questions. As I mentioned, we will be doing all one-story homes. We'll meet those prior conditions of approval. They're already in your staff report and your staff recommendation. We appreciate Town Board and Planning Commission's recommendations of approval, and I'm happy to answer any questions.

SEGERBLOM

This is a public hearing, anyone here wishing to speak on this item?

LAUREL GRANTHAM

Laurel Grantham, 10752 South Dapple Gray Road.

SEGERBLOM

Could you spell your last name, please?

GRANTHAM

G-R-A-N-T-H-A-M.

SEGERBLOM

Thank you.

GRANTHAM

My residence is off this map, I am about as far south as you can get into the desert. I just wanted to come here to support this as presented with the waivers. I know we've worked a lot in the past on getting to this point. I appreciate all that effort, again, that Ms. Allen has put into connecting with us and meeting with us to make sure that the vision for the future of this area is kind of held up. We're on 2.5 acres right across the street, the desert surrounding that, is still currently protected BLM land. It is in an ACEC and I'm not saying that's going to last forever, but hopefully as the development moves forward out in our area, we can set this precedence of larger rural areas where horses and things can actually still be in our city. With that, I don't know if we can request – because this was approved as almost stated last time and then with the, I don't know what you would call it, where if it changes from this in density or design, that we can ask to be re-done again. This has been going on for eight years now. I appreciate your time and thank you very much.

SEGERBLOM

Anyone else here who wishes to speak on this item? Seeing no one, I turn over to Commissioner Jones.

JONES Thank you very much. Ms. Allen, if any changes are made, I assume that they have to come back to us, correct?

ALLEN Correct, yes.

JONES All right. Then I'll go ahead and move for approval Agenda Items Numbers 29, 30, 31, 32 and 33, subject to conditions as stated.

SEGERBLOM There's a motion, cast your vote.

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

SEGERBLOM That motion passes.

ALLEN Thank you very much, appreciate it.

REAL And then, Commissioners, if I could recommend that we take about a five-minute recess to change staff and possibly let the room readjust?

SEGERBLOM Yes, that's a five-minute legislative time, which could be five minutes or five hours, but I assume everyone wants to be back in five minutes.

(RECESS 1:55 P.M.)

(RECONVENED 2:01 P.M.)

All right, we're going to go back on the record. County Manager Schiller will conduct the meeting.

ITEM 30 ZC-24-0136-DOGWOOD HICKORY, LLC:

ZONE CHANGE to reclassify 8.59 acres from an RS20 (Residential Single-Family 20) Zone to an RS10 (Residential Single-Family 10) Zone. Generally located on the southeast corner of Cactus Avenue and Quarterhorse Lane within Enterprise (description on file). JJ/jor/ng (For possible action)
PC Action - Approved

ACTION: Approved with conditions (Companion Items 29 and 31-33).

CONDITIONS OF APPROVAL –

Fire Prevention Bureau

- 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 #0448-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM 31 VS-24-0135-DOGWOOD HICKORY, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Cactus Avenue and Conn Avenue (alignment) and between Quarterhorse Lane and El Capitan Way and a portion of right-of-way being Cactus Avenue located between Quarterhorse Lane and El Capitan Way within Enterprise (description on file). JJ/jor/ng (For possible action)

PC Action - Approved

ACTION: Approved with conditions (Companion Items 29, 30, 32, and 33).

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

Fire Prevention Bureau

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

ITEM 32 WS-24-0134-DOGWOOD HICKORY, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscaping; 2) increase retaining wall height; 3) increase fill height; 4) waive full off-sites; and 5) allow a non-standard improvement within the right-of-way.

DESIGN REVIEWS for the following: 1) alternative landscape plan; and 2) single family residential development on 8.59 acres in an RS-10 (Residential Single-Family 10) Zone. Generally located on the southeast corner of Cactus Avenue and Quarterhorse Lane within Enterprise. JJ/jor/ng (For possible action)

PC Action - Approved

ACTION: Approved with conditions (Companion Items 29-31 and 33).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Expunge NZC-22-0121;
- Single story homes only;
- 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 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

- Coordinate with Public Works on a landscape barrier on the west side of the equestrian trail along Quarterhorse Lane;
- Install “No Parking” signs on Quarterhorse Lane;
- Drainage study and compliance;
- Traffic study and compliance;
- Right-of-way dedication to include the spandrel in the northwest corner of the site at the intersection of Cactus Avenue and Quarterhorse Lane;
- 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;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- Coordinate with Public Works - Construction Division for right-of-way and easement dedications necessary for the Cactus Avenue project.
- Applicant is advised that the installation of detached sidewalks will require vacation to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Fire Prevention Bureau

- 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 #0448-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM 33 TM-24-500034-DOGWOOD HICKORY, LLC:

TENTATIVE MAP consisting of 24 single family residential lots on 8.59 acres in an RS10 (Single-family 10) Zone. Generally located on the southeast corner of Cactus Avenue and Quarterhorse Lane within Enterprise. JJ/jor/ng (For possible action)

PC Action - Approved

ACTION: Approved with conditions (Companion Items 29-32).

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

- Coordinate with Public Works on a landscape barrier on the west side of the equestrian trail along Quarterhorse Lane;
- Install “No Parking” signs on Quarterhorse Lane;
- Drainage study and compliance;
- Traffic study and compliance;
- Right-of-way dedication to include the spandrel in the northwest corner of the site at the intersection of Cactus Avenue and Quarterhorse Lane;
- 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;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- Coordinate with Public Works - Construction Division for right-of-way and easement dedications necessary for the Cactus Avenue project.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Building Department - Addressing

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

Fire Prevention Bureau

- 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 #0448-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

COMPANION ITEMS (34-37)

ITEM 34 AG-24-900395: Approve and authorize the Chair to sign the settlement agreement to resolve litigation between Gypsum Resources, LLC and Clark County, et al. (For possible action)

ACTION: Authorized (Companion Items 35-37).

KEVIN SCHILLER Good afternoon, Commissioners. Items 34 through 37 will be taken as companion items.

- Item 34, AG 24-900395, is to approve and authorize the Chair to sign the settlement agreement to resolve litigation between Gypsum Resources, LLC, and Clark County, et al.

For the record, I do want to correct a change on the fund in relation to your backup. It references General Fund and that should be changed to various, so various funds.

SEGERBLOM

Thank you for that.

SCHILLER

- Item 35, WC-18-400232, is waiver of conditions of a concept plan requiring right-of-way approval from the Bureau of Land Management for primary access as required prior to approval of Specific Plan in conjunction with a mixed-use comprehensive master planned community on approximately, it reads, 2,400 acres. There's a correction. That should be 2,010 acres in an R-U Rural Open Land Zone. Generally located on the north side of State Highway 159, approximately 1.5 miles west of the intersection of State Highway 160 Blue Diamond Road and State Highway 159 within Red Rock.
- Item 36, MPP-11-0469, major project for a Public Facilities Needs Assessment to address issues of concern to Clark County in conjunction with a mixed use comprehensive master planned community on approximately 2,010 acres in an R-U Rural Open Land Zone. Generally located on the north side of Highway 159, approximately 1.5 miles west of the intersection of State Highway 160 and State Highway 159 within Red Rock.
- Item 37, MPS-11-0468, major project for a specific plan for a mixed-use comprehensive master-planned community and to establish the framework and guidelines for future land use requests and development, and to address issues, improvements, and phasing of improvements identified by the Board of County Commissioners on approximately 2,010 acres in an R-U Rural Open Land Zone. Generally located on the north side of State Highway 159, approximately 1.5 miles west of the intersection of State Highway 160 Blue Diamond Road and State Highway 159 within Red Rock.

In addition, in the backup document, under the heading Clark County Current Planning, if approved, delete the second to the last bullet point.

With that, I'd like to do just a brief introduction. Staff has brought this before you for your consideration. I want to highlight the fact this does not come lightly from staff to you. This has been a significant review and process to bring this forward.

As I think most of you know, this litigation dates back to 2005. When you look at this, we had been preparing for trial based on several factors and the evidentiary hearing. When we looked at that evidentiary hearing, it was becoming very apparent to us that the likelihood of success and the liabilities that we would experience became significant.

Highlighting how significant this is, for the first time, I believe, in the County's history, we had to do an in-depth analysis related to our financial solvency. In looking at that liability, significant assessment occurred. This included consultation with the County's independent auditors, litigation support accountants, our financial advisors to include bond counsel.

Through that evaluation and looking at that, we concluded that the County could not sustain a loss of that magnitude, which led us to evaluate the statutory process

SCHILLER

that was available to us as a local government when under a severe financial emergency. This would have resulted in a detrimental impact to the health and safety services provided by Clark County and provided to this community.

I want to emphasize the fact that when we look at the potential liabilities, The initial judgment we were facing in relationship to this was in excess of \$2 billion. There were things that were significant in terms of when we looked at mediation and looked at the settlement agreement that I'm having you consider. We were able to reduce the 2011 concept plan from up to 5,026 residential units to a maximum of 3,500 residential units. We also were able to ensure that access to the development be taken from State Route 160 diverting traffic from State Route 159.

Upon recording of the final map, one of the significant components is we'd have the opportunity to acquire for 192 acres for \$1, some of the most environmentally sensitive properly located in the Red Rock Canyon Conservation area. I want to emphasize the way you look at \$80 million is substantial. It's less than 4% of the potential judgment that the County was facing moving forward to a trial. This could have led to substantial impact on our services, as I've highlighted. The funding for this is coming from capital funding, which is not eligible for employee salaries or positions as this funding is not recurring. It's one-time funding in terms of where we're looking at that \$80 million over those various funding sources. The County will continue to work with each of you and the Board related to reprioritizing and reallocating projects that are not yet underway as we look at how we fund this.

I want to emphasize two key pieces. Should you not approve the recommended settlement and staff's recommendation, that doesn't mean the liability goes away. It would be my recommendation that we would still have to reserve an amount significantly above the recommended settlement until litigation is concluded based on the liability that we'll be facing as we move forward to trial.

One last thing I want to highlight in relationship to the settlement agreement is, again, staff has worked diligently to bring this forward for your consideration based on those factors. I recognize that this is a difficult decision, but I wanted to also recognize the staff that have worked very diligently to bring this to your attention and with that I want to get into a little more of the details of the settlement agreement. I'm going to hand it over to Lisa Logsdon.

LISA LOGSDON

While the County has vigorously defended this litigation, as you're aware, in April, the District Court found that the County willfully destroyed evidence which has compromised the County's ability to defend this case. Also in April, the Nevada Supreme Court had issued its decision in the Badlands case, which the Supreme Court recently denied rehearing of last week.

The Supreme Court's decision, as you know, resulted in a substantial judgment against the city of Las Vegas, and the city is potentially facing even larger judgment regarding land use decisions in a much smaller development. With this case scheduling to go to trial on July 8 and the changes that had recently occurred in the litigation, the County attended multiple mediations with an experienced mediator to resolve this litigation and avoid the potential judgment against the

LOGSDON

County in excess of \$2 billion.

Under the settlement agreement, the County will pay \$80 million. The 2011 approved concept plan will be reduced from 5,026 homes to a maximum of 3,500 homes with access from that development being obtained from Route 160, thereby diverting the development traffic from Route 159. This also includes the existing zoning that the Board had previously approved in 2021 and 2022, so their current zoning that was approved, this traffic also will go off into Route 160. And then upon recording of the final map, the County can acquire for \$1, 192-acre parcel that is located within the Red Rock National Conservation area. This parcel is the closest to Red Rock Canyon and will ensure that the most sensitive area is protected, which also includes some endangered plant species.

The County will also enter into a Development Agreement and upon Gypsum's right-of-away grant application submitted to our Public Works department, the County will seek a grant from the BLM for the primary access road to Route 160. If the County does not receive this approval from the BLM within two years, the County will begin to pay Gypsum an additional amount not to exceed \$6 million. The total exposure would be \$86 million for the County on this settlement agreement.

In addition to the settlement terms, the Board is also asked to waive the condition that Gypsum obtain the right-of-way approval from the BLM prior to the approval of the specific plan, and the settlement agreement also seeks the Board's approval of the specific plan in the Public Facility Needs Assessment, which is before you today. We're here to answer any questions.

SEGERBLOM

This is a public hearing–

JONES

Mr. Chair?

SEGERBLOM

Oh, I'm sorry.

JONES

I need to make a disclosure first. After consulting with my attorney and with District Attorney Lisa Logsdon, it's my understanding that I'm a released party under the proposed settlement, and as a release party, if approved, Gypsum Resources would be releasing any and all claims against each of the County Commissioners individually, including me.

Since Gypsum resources previously was awarded fees and costs against me in the federal action, I believe I have a pecuniary interest in the approval of the proposed settlement and related matters such the judgment of a reasonable person in my position may be materially affected. Therefore, in accordance with NRS 281A.420, I'll be abstaining from the discussion and voting on agenda Items 34, 35, 36 and 37.

SEGERBLOM

Thank you, Commissioner Jones. This is a public hearing. Anyone wishing to speak on this item can come forward that we've previously announced. We're limited to two minutes per person. I know a lot of people want to speak, but I would say to you to the extent you have specific items you want to talk about, that's great. But if you just want to get up and say how terrible we are, we've

SEGERBLOM heard that before, so you don't have to take two minutes. But anyways, you do have right to speak for two minutes, so please come forward. Thank you.

HEATHER FISHER I get to talk for two minutes about how terrible you are. Oh, all right. Okay. My name is Heather Fisher, president of Save Red Rock. And Dear Mr. Chairman, honorable Board, I—

FISHER

SEGERBLOM I'm sorry, we need you to spell your last name before—

FISHER F-I-S-H-E-R.

SEGERBLOM Thank you.

FISHER Here we are again. I understand that public opinion doesn't matter sometimes, but we're going to give it to you anyway. On the way here on the scenic byway, I saw a cute little tri-scooter, and it was stopped in the middle of the road and the guy got off it, and he walked around the front, and he picked up a tortoise and he took it to the side of the road, and he put it down. And that was so sweet. If major development and the traffic that comes with it does not happen in Red Rock Canyon, then stuff like that would be safer. We have had over 890 emails sent to Commissioners. We've had thousands of people sign this petition, and blowing up the phone calls, sharing on social media. A lot of people when they asked us, we said, "Don't even come to this meeting. Public opinion's not going to matter." But public support does matter at every level, and we have documented the public support, and we even ask the developer, "Please do the right thing. Develop at one house per two acres. Keep Red Rock rural. It's in your hands."

On the application it says, "3,500 homes." It says, "Develop the property at a total of 3,500 residential units." It doesn't talk about all the other stuff that's going to be added to it. But my question to you, Mr. Chairman, is that a maximum? And if so, how can that be enforced?

SEGERBLOM Let me ask the staff, can we write these questions down, and we'll respond. We can't respond directly to you at this point, but if you raise a significant question, we'll get an answer to you before we're done.

FISHER Okay. Does this tell me how many minutes I have left, 10 seconds?

SEGERBLOM 10 seconds. But I took 10. So, you get 20.

FISHER Okay. Well, I just want to thank all the people for caring enough to fight for our canyon. Thank you.

SEGERBLOM Thank you. And because there's two microphones, if you want to make two rows, you can bounce back and forth.

PAULINE VAN BETTEN Pauline Van Betten, 17 Maturrango. My last name is V-A-N, second word, B-E-T-T-E-N. I just have a number of questions for clarification. On the settlement agreement, it says that we're approving what was on the 2019 plan, and in addition, the 2011 concept plan. So, in that 2019 approval, there was a number of conditions, some that jump out as removal of commercial tourism, removal of

VAN BETTEN

industrial. There was a central area that was on the BLM land, and the County said that "We are not going to approve those lands that are not County lands," in the concept plan, and that's in here as well as one of the conditions. There was a number of conditions. So, I know one of them is removed, and that's that the right-of-way prior to approval. I know that's not included, but are the rest of these conditions going to be included? That's my question.

SEGERBLOM

Okay, so my understanding would be, is the 2019 approval, is that what we're approving today?

VAN BETTEN

Well, yes. In the settlement agreement, it said that the 2019 specific plan on the PFNA was approved as well as a 2011 concept plan. So, there was a number of conditions when they approved that in 2019. And I'm asking, do those carry forward? Again, we're talking about we had a lot of conversation about removing commercial tourism, conversation about removing industrial. Again, that central area was not going to be approved by the BLM, out by the County as part of the agreement. So, my question is, do all of these move forward? That's one of my questions.

I have another question. When you're looking at all of those plans, all of the numbers are different. So, if we have the specific plan, the PFNA and the 2011 plan, there's 60 commercial units. In the specific plan, there's 90 in the PFNA, and there's 122 in the 2011 concept plan. So, what are we going with? That's my—

SEGERBLOM

Okay. Excellent questions, and—

VAN BETTEN

And then, I would say in the commercial, there's things that are driving traffic up the hill. And we've talked about this many times, yes, commercial that supports people to stay on the hill, but not stuff that drives people up the hill, like a university, a research center, warehousing. All of those things are going to add traffic onto 159 and 160 and as we move forward with the development plan, I think that should be carefully considered.

SEGERBLOM

Thank you.

ERIK KLAUSEN

Good afternoon. My name is Erik Klausen, K-L-A-U-S-E-N. I want to say thank you to all of you for being here. And as a County employee, I don't take lightly the decision that you guys have to make this afternoon, and I appreciate you hearing our concerns. My question, I guess, is directed more for staff. Again, clarifying things that are in the settlement agreement that may not be super clear. The language of the settlement agreement refers to earlier documents rather vaguely, so I want to make sure that we're understanding this properly.

My main concern is with the use of the road off of 159. In the settlement agreement, it's fairly clear, saying that the use will be limited to existing mining operation, construction, and life safety, meaning access is closed to daily vehicular traffic. That's also backed up in here, where it talks about constructing the new road from 160, that the only traffic using the mine haul road now will be for constructing the road off of 160. And I want to make sure that there's a distinction or a clarification in the understanding of how that construction traffic, or the construction traffic allowed on the haul road is for building the new road,

KLAUSEN

and that the new road will support the construction traffic for all the homes up top. So that's my concern. Again, thank you all for your time, and allowing us to ask the questions.

SEGERBLOM

Thank you. And we got the question, so we'll have an answer.

ANN DAVIS

Good afternoon, Ann Davis, D-A-V-I-S. In the interest of protecting the rural character of State Route 159. I would like to confirm, just extra backup, that there will be no structural building permits that will be issued prior to the State Road 160 access road being built. So, that road is there for the construction traffic. Will there be any structural building permits issued before that point, I guess?

SEGERBLOM

I can't give you the answer by second, but we have the question, and we will get you the answer. Thank you.

HEIDI TINNESAND

Heidi Tinnestad, T-I-N-N-E-S-A-N-D. There are a lot of stipulations in this agreement, and we're just curious what the appetite is for enforcing these stipulations? So, what will be the plans? For example, if it's determined that it's just construction traffic in that access road, the current mine access road to construction traffic to build the road, then if they're being used for other purposes, what will happen then? We're laying out this \$86 million. Will we be able to recoup some of that funding? Will we be able to enforce and cease that operation, the additional traffic on the road?

SEGERBLOM

Thank you.

VINNY SPOTLESON

Hello, Vinny Spotleson, S-P-O-T-L-E-S-O-N, 468 Lennox Drive, Clark County 89123. Thank you all for working so hard on this issue. I want to thank Commissioner Jones for dedicating so much time and effort to trying to stop this horrendous project. I want to thank Heather and Pauline for leading this effort over the past many years and having to suffer from Rhodes and his attorneys and their abusive treatment. The question has always been, since 2003, if a private property owner buys a piece of land, can they do whatever they want with it? Even Bob Beers doesn't think that's the case, right? That we should have zoning rules that control where development goes and what kind of development goes there. The only legal issue in this case is, can Mr. Rhodes go from rural zoning to a master-planned community?

I want to thank Mr. Crater. He makes beautiful designs, he meets with the environmentalists regularly, he's a nice guy. But my understanding, and I've sought clarification from Mr. Warhola, he never got back to me. I called Mr. Bice; I asked him several times. He just hung up on me. So, I just don't get it, why we would pay \$80 million, or why we'd think we have to pay \$2 billion because a private landowner that bought rurally zoned land wants to build a master-plan community.

When Dan Stewart, the Planning Commissioner denied this, he was like, "Hey, it's out. It's not consistent with our County master plan or with the Northwest area plan." The Badlands course had housing zoning on it, and the city, because of the City Council, refused to move forward. That's a separate case. And my fear is that all the developers and all their Mr. Bice's are going to use this to come at you all the time. And then, if you don't get it, they're going to say, "We're going to go for

SPOTLESON

some extraordinary amount of money, despite the fact that we're going to settle for 4% of that." Hm. So my thinking is, that I wish that in court, we could just clarify that private landowners don't have the rights to change whatever zoning they want. Thank you so much.

SEGERBLOM

No clapping.

COREY SODERBERG

All right. Good afternoon. My name is Corey Soderberg, S-O-D-E-R-B-E-R-G. I live at 3045 Marsh Court. So as a lifelong Nevadan, I spent my time between Vegas and Reno for the last 31 years. Been here through middle school, high school, and I currently work here for the Water District in my professional career. As we all know, Red Rock is a very special part of our community.

When non-residents think of Las Vegas, the first thing that probably comes to mind is the Strip, gambling, and obviously now sports. But as locals we know it's so much more than that. We know that even in the desert we're able to take advantage of some of the most beautiful scenery we can find, which obviously includes Red Rock. I come to this meeting as a concerned citizen. When it comes to Las Vegas. Red Rock serves as an attainable escape for all those who live in the valley, as well as the world over. People visit Red Rock to get away from the hustle and bustle of the city and truly experience nature with unobstructed views. With that being said, the Red Rock area as a whole is a global destination for millions of people a year and allows them as well as locals to experience something other than what the city is mostly known for.

My issue, and as many others, with this approval of this housing development is where does it stop? If we allow developers, and let's just call it spade a spade, mostly who are interested in just profits, and a lot don't have even roots in this country, they just look to build as much as they can and take as much as they can from the resources. So, to continue to build into this landmark that amazes so many, and the home to many wildlife plant species, I fear that there will be no end to the deterioration of Red Rock. So, in closing, I guess, when people look at Red Rock currently, mostly unobstructed, I can't imagine that more people are thinking, "Oh, we need more houses there. We need more things to obstruct our view, and we need more things to stop us from being able to access this beautiful landmark." Thank you for your time.

SEGERBLOM

Thank you.

DAVID LOW

My name is David Low. That's L-O-W. I'm a park ranger at Spring Mountain Ranch State Park. The views that I express today are my own, and do not represent the agency that I work for.

I've previously worked as a public historian at Spring Mountain Ranch State Park, and I wanted to draw your attention to a story that's very similar to the one that's being told today in this room. 50 years ago, Spring Mountain Ranch State Park became a state park. It became a state park because Fletcher Jones, who had previously owned the property and intended to develop it as a master-planned community, was stopped by this chamber from doing that. That project 50 years ago had the air of inevitability. Everyone thought that it couldn't be resisted. The park where I work stands as a testament that such things are false. Spring

LOW

Mountain Ranch State Park is 50 years old. It receives 350,000 visitors every year. Those are locals, those are international. They come from all over the world to enjoy that corner of Red Rock Canyon, which might have been, 50 years ago, closed off and denied to the public, only to the people who could afford to live there.

Much to the contrary, your fear that we're all here to criticize you. I'm here to encourage you and to thank you for the work that this chamber has done over the last 19 years on this development specifically, and to encourage you to think back on other projects that have successfully resisted development. I also additionally am concerned about the additional traffic that 159 is inevitably going to see if we put another 3,500 homes within the immediate vicinity of Red Rock Canyon. Highway 159 is already very heavily used. Even if traffic going directly up to the development is not coming from 159, ancillary traffic going to whatever road is built for that development will inevitably pass in part over the National Scenic Byway that is Highway 159. Thank you.

TICK SEGERBLOM

Thank you.

DEXTER LIM

Hello, Dexter Lim, L-I-M. And look, I don't know what else more I can say that hasn't already been said by Vinny, by Heather. You've laid out the details of the deal. I understand you're in the rock in a hard place, but I'm asking you to please protect those rocks. Red Rock is an area of natural beauty. It allows us to have a relationship with nature, and it's a symbol of that relationship that we could have, between balancing the city and the desert. Now, that's a relationship that we've seen time and time again is under threat by profiteering for the few. As it is now, Red Rock is something that every Nevadan and beyond, anyone can come here and enjoy this area of natural beauty, as opposed to how it would be if this development is allowed to proceed, where it'll only be enjoyed in that area by a very small amount of wealthy homeowners and developers.

I do want to echo previous sentiments and thank you all for the work you've tried to put in, in order to protect this area. I know I may be preaching to the choir when I talk about how beautiful Red Rock is. We're all members of the Las Vegas community. We know how pretty it is there. We know how important it is to our community. I'm asking you to please hold firm on this. Please, protect all of Red Rock on both sides of Blue Diamond, to ensure that we have a future there to ensure that future generations can enjoy it as we have.

SEGERBLOM

Thank you. I thought you were in law school.

LIM

Yeah. Coming for you.

SEGERBLOM

Next.

MARIJA MINIC

Good afternoon. My name's Marija Minic, but I spell it differently. I spell it M-A-R-I-J-A, and my last name is M-I-N-I-C. I'm a field biologist. I work with the desert tortoise population. I've been working with them since 2008, and I'm also a climber, a hiker, a mountaineer, and an avid outdoor enthusiast. So, you can imagine how special Red Rock is to me. I've seen desert tortoises in the Red Rock conservation area. And given how much BLM land and public land is slated for

MINIC solar development, there is so much habitat loss about to happen to the already threatened iconic species. It is the Nevada state reptile. So, by developing their already dwindling habitat, the one area that's protected for them, just seems absolutely ludicrous to me. I just don't think that developing in an already protected area with what little and even littler and littler land habitat they're having, it just doesn't make any sense. I know that there are very strict protocols to developing and desert tortoise mitigation, which I'm a part of, but just leave this for them. I mean, there's no need to develop this sacred area, so thank you.

SEGERBLOM Thank you.

ESTHER KIM Hi, my name is Esther Kim, K-I-M. As a Vegas climber, I'm in full responsibility to protect the outdoors. And—

SEGERBLOM Can you speak clearly into the microphone?

KIM Sure. Okay. As a Vegas climber, I am in full responsibility to protect the outdoors and acknowledge the significant impact of this project. This project is a threat to Red Rock's ecosystem, not only habitat loss due to roads and houses, but also the effects of human disruptions such as increasing carbon emissions, pollutants, and reduction of air quality. Make the decision to preserve Red Rock's unique geologic features, plants, and animals, like the desert tortoise and the bighorn sheep. I encourage you to work towards a more proactive and less reactive plan, more efficient and less destructive, a multifunctional and sustainable plan that will benefit the Las Vegas community by preserving this natural space. I also encourage the renovation of built-in areas and work towards providing affordable housing and implementing policies that make it easier for people to develop and modify their own homes. Thanks.

PAOLA DAVILA Hello, my name is Paola Davila, P-A-O-L-A D-A-V-I-L-A. I've lived in Las Vegas for 18 years. I live downtown, 89101. I urge you to protect Red Rock from this major project development. I'm a hiker, I'm a climber, and I have witnessed the environmental change over the years as development increases in the area, while simultaneously witnessing the lack of investment specifically in downtown in our city.

People have been forced to move further and further away from the city, leading to increased car dependency and social inequality. As we know, this impacts the environment by increasing carbon emissions, creating a need for more transportation infrastructure, and the fragmentation of natural habitats makes it harder for wildlife to survive. It can also make accessing work and service less accessible to marginalized communities without access to affordable transportation.

I add this, I'm not sure why, these communities are not really being taken into account when developing in the outskirts of Las Vegas and will most likely not be able to afford living in these homes. When making these decisions, I encourage you to pause and reflect on who you are serving, the communities you are choosing to abandon and the city you are failing to serve.

Developers that ignore environmental impacts and the needs of our community do

DAVILA

not align with who we are. We Las Vegans love nature. I encourage you to join a new movement, and instead create a plan to add affordable housing with revitalized city neighborhoods. This is the responsible, sustainable, resource-conscious way to meet the needs of the growth and development of our city. Thank you.

SEGERBLOM

Thank you.

MELANIE PALUAY

Good afternoon. My name is Melanie Paluay, P-A-L-U-A-Y, 89139. I am a nurse and a veteran, a volunteer for the Las Vegas Astronomical Society, an advocate, protector, and an inhabitant of these Nuwuvi Southern Paiute Ancestral Lands. I have spent the past 20 years hiking, climbing, and enjoying Red Rock whenever I had the chance to. That is 20 years of memories filled with adventure, community, deep healing while communing with the elements and all of its seasons, and in the beauty of the Mojave Desert.

I am here pleading you all to reconsider Item 35 and do not approve this master-planned community in this area, which is only 1.5 miles from Red Rock, and help preserve the health and safety of animal inhabitants and desert plants, as well as the accessibility, visibility, and safe enjoyment for public use. Please protect this land that we all love so much from yet another heat island, where increased dust, noise, traffic, heat-inducing concrete, light pollution, and greed will harm the sensitive desert environment. Please help mitigate climate change and the delicate balance in Red Rock. If you love Red Rock, leave it wild and leave it alone. Do not let these developers trample the home of our desert tortoises, Joshua trees, Mojave yucca, snake and gila monsters, and more. Keep Red Rock rural. Thank you.

SEGERBLOM

Thank you.

MIKE LYNCH

My name is Mike Lynch, L-Y-N-C-H. I live at 6228 Mandarin Drive, Las Vegas. The question here today is not development, it's water. Two years ago, the Undersecretary of the State of the Interior went before our water commission, said Nevada, Las Vegas, the County, the whole State will not reserve any more water from the Colorado. The only water left in Nevada is going to be the rural areas. The rural areas of Nevada should not suffer the fate that Owens Valley did in California, where there's just pumped the water out of it. There's a number of environmental-sensitive areas. There are archaeologists. The Las Vegas Valley only has enough water for 250,000 people. Look where we're developing now. The federal government has made it clear that there may be managed retreat if the environment is not respected, the water is not managed properly, and there's any more growth. I'm going to be brief because I'm the last one. Gentlemen, Council members, thank you for your time.

SEGERBLOM

Thank you. I'm not sure you're the last one, but close.

NICK CHRISTENSON

My name is Nick Christenson, C-H-R-I-S-T-E-N-S-O-N. I'm at 10239 Du Page Avenue. I really appreciate the bind that the members of this committee are in, I thank you for all the work that you've done, but we are at a crossroads here. You may look at this as solving a problem that's facing you, but at the same time, it's creating one that's going to come due down the road. And at some point, you're

CHRISTENSON

going to have to draw a line in the sand, and you can either do it before you've saved Red Rock or afterwards.

Which one do you want? Because there are developers and there are attorneys all over the valley right now, rubbing their hands together, thinking about how they can use this as the camel's nose under the tent to get everything that they want on every zoning change that they want. This is the beginning of march down the road to chaos. And at some point, you're going to have to draw the line. So, the question is, when do you want to do that? I suggest that you should seriously consider that that time is now. Thank you for your time.

SEGERBLOM

Thank you.

A.J. PAGANO

My name is a A.J. Pagano. I live in Las Vegas, 89148.

SEGERBLOM

Can you spell your last name?

PAGANO

P-A-G-A-N-O.

SEGERBLOM

Thank you.

PAGANO

And thanks for making me take another day off to come down here for this again. Yeah, we got to listen to everybody up here talk about the \$2.2 billion and all the potential money loss and all the services as well as the case with Badlands and all that. I mean obviously, yeah, it's scary. And potentially, Jim Rhodes could die, the one person who wants this, and this is off your plate, right? So, my request is, yeah, fight. Fight for what we put you here for. There's millions of people that enjoy Red Rock. There's hundreds of thousands of people who have signed petitions. There's a few attorneys here for them. They're going to probably not get paid and BK'd by him, just like he's done to plenty of other Las Vegas. Fight. Fight for it. What's the chances? Take a risk. We all have. Thank you.

ADAM DAFFNER

Hello, my name is Adam Daffner, D-A-F-F-N-E-R. I was born and raised in Las Vegas. I've been to Red Rock a lot. I live out there off of Hualapai and Blue Diamond. I'm 100% for the project. I don't know if many people know, it's a barren wasteland up there. It is a mine. It'll be much better to clean it up. I've been up there a lot. When I was younger, I used to sneak up there and go in all the caves. I've never really seen any wildlife or anything out there. I would rather see it cleaned up and organized. And you really can't see it from anywhere, so I don't know who would bother when it's finished, except it would be a lot cleaner. And the mine has been there a long time and I'm pretty sure the town of Blue Diamond is there because of that mine. And it's frustrating sometimes to think that they could live there and have those houses, but they don't want any houses across the street. And I live out there, and I'm okay with it. So, that's basically what I got to say.

SEGERBLOM

Thank you.

SAM FARAGLIA

Hi, my name is Sam Farfaglia. Do we need spelling?

SEGERBLOM

Please.

FARAGLIA

F as in Frank, A-R, F as in Frank, A-G-L-I-A, there are a few points that I'd like to make very briefly here. The first is just the fact that, globally, we have a population J curve that goes straight up. Straight up. If you look at it, it just literally goes straight up. So, we are anticipating by 2050 that we'll have approximately over 10 billion people on the planet. We're already at eight. Here in America, we have a housing affordability crisis. A crisis. Anything less than a crisis is an understatement. An understatement, okay? Are we going to destroy Red Rock by building 3,500 homes? I would hope not. How are we going to withstand the growing population that the globe currently has? We need to find ways to sustainably build in places like near Red Rock. If we can't, the growth of our population won't be sustained. It simply won't. Let's just do this.

SEGERBLOM

Thank you.

JOEL MATHRE

Good afternoon. Joel Mathre, M-A-T-H-R-E, North Las Vegas. And I've been watching this for six years since I moved into the area from California. And I'm not pro anti-growth, I just am realistic about it. But nonetheless, there was this attempt a decade ago at a land exchange with BLM that was literally turned down by BLM. But it seemed to me that too many people just gave up too easily. And I do think we should try again with Gypsum Resources' blessing. And my question for Gypsum Resources is, if BLM this time says yes, would you be willing to consider the land exchange. Thank you.

NICHOLAS OSTLER

Do both of these work?

SEGERBLOM

Yes.

OSTLER

My name is Nicholas Ostler, O-S-T-L-E-R. I was born and raised in Las Vegas. My dad bought his first house in 1999 on Far Hills in 215. At the time, there was nothing west of that at all except rocks and then the mountains. And I remember in the early 2000s, people complaining about the proposition of building Red Rock Casino. And they kind of said the same thing like, "Oh, it's going to block the view. Don't do it." But of course, it has been approved and there for almost 20 years now. And it's probably the best part of town is that Summerlin area. That's expanded a lot. And in 2007, I remember taking photography class from Palo Verde and taking photos of Red Rock with my dad's car, thinking it was really cool. I thought to myself how cool it would be if I had that view from my house. And it's funny because I didn't even know the roads at all. And now, it's cool because we can actually make it happen. So, I hope we can make that dream come true and get this approved. Thank you.

SEGERBLOM

Thank you.

LEANNA DLUHY

Hi, my name's Leanna Dluhy, D-L-U-H-Y.

SEGERBLOM

You can speak clearly than the microphone?

DLUHY

Can you hear me?

SEGERBLOM

Yes.

DLUHY

Yeah? And I just wanted to say Red Rock is an already designated conservation area. The Las Vegas Valley is huge, and there is so much room for development. And when you think about major iconic American cities like New York and Washington, D.C. and the parks and the natural space that they have incorporated into their cities, those areas are so important to making those cities livable, to making them famous internationally and to bring profit to the cities and give not only their citizens, but also their tourists, a place to go and to rest. Red Rock already is at, you have it at capacity on the weekends, you have to make a reservation to go there, and I just wanted to encourage you to think about how amazing it would be for Las Vegas to extend the park and to preserve those places that are so important for our ecosystem. Thank you.

GWENDOLYN SORENSON

Good afternoon. My name is Gwendolyn Sorensen, S-O-R-E-N-S-O-N. I reside at 5469 Floating Flower. At one time when I lived in Vegas, I lived in Henderson up Warm Springs. What happened was a builder was allowed to build where we were told there was going to be a conservation area. At that time, we owned horses. As that area was allowed to be developed, suddenly the horse trails got paved over. Suddenly other things were happening. Our horses, now those horses reside in Arizona. Land that I've just recently purchased is in Arizona.

I lost faith in the Council because little things. One more guy would push this, one more guy would push that, and I don't have faith. I've seen people get pushed. When the guys come in with the money and they want to develop, do you look at the people who are living there and what we're doing with those areas? You took away an entire area for horses and nature and flowers and where kids were playing, just so this development would come in. This development was also allowed to build privacy walls on one side that were over the 12 feet mark. This was okay because it was a developer again.

When will we say, "This is enough?" We're good right now. We don't need that. Let's look at our people that are here. Let's love our land, please. Thank you.

CURRY

Kacy Curry.

SEGERBLOM

I'm sorry. Didn't you speak previously?

CURRY

Can I only speak once?

SEGERBLOM

Yes.

CURRY

I'm speaking now.

SEGERBLOM

Yes. You're on—

CURRY

This was on a different number.

SEGERBLOM

You spoke on a different number?

CURRY

Yes, sir.

SEGERBLOM

Okay, then you can speak on this number.

CURRY

Oh yeah. It was a different—
Kacy Curry, C-U-R-R-Y, 89108. We've gone from 4% for changes and we've gone from "Enough is enough." Thank you very much and we do like to share our views, all sorts of things, but do we want to float a bond for, or do we want to float a bond against?

SEGERBLOM

Thank you. All right. Seeing no one else we'll close the public hearing. I'm going to turn it over to Commissioner Gibson. He was involved in the negotiations along with me, but he's intimately aware of everything and so I would ask him to hopefully get the responses and then conduct the Commission's meeting.

GIBSON

If we might Ms. Logsdon, would you please take us through the questions and provide us some clarity to us or Rob?

ROBERT WARHOLA

The first question that I wrote down was "How is the 3,500-home cap", I'm going to call it a cap. "How's that going to be enforced?" It's going to be enforced by, if they come in for the one home over that cap, then we will not approve a building permit, we won't grant a building permit for it. It'd be controlled by building permit issuance. The other—

SEGERBLOM

Now, can I just follow up on that?

WARHOLA

Yeah.

SEGERBLOM

Now there's BLM land that they've say they may be able to acquire in the future. Could that impact that 3,500 homes or is this 3,500-homes the cap for whatever they get?

WARHOLA

3,500 homes for whatever they get. In the Development Agreement, which we'll have a public hearing on July 3, there's a provision that expressly talks about that. If they annex property for parks or trails or public facilities, that does not increase the number of homes they can get on the property. It's capped at 3,500 no matter how many acres they add.

The other question that was posed was, "What will the 2011 concept plan approval be brought forward?" The settlement agreement specifically references the 2011 concept plan approval. It's subject to the 2011 concept approval. Now, there's some things that apply and some things don't apply.

Certainly, the conditions that do apply or remove commercial tourist areas from the concept plan and remove industrial areas from the concept plan, those conditions still apply. There's some that don't apply. Obviously, we're granting the waiver for the right-of-way grant application prior to specific plan, so that condition would not apply.

There's also a condition that said no access on the 159. That condition would not apply because it was previously approved by this Board years ago. The specific plan statistical summary in the specific plan that's being approved today, the acreage still applies, but the number of total residential units is different. In the specific plan from 2018, 2019 anticipated 3,000 homes. The specific plan that we would be approving, which will have more detail on July 3 with the zone change

WARHOLA

and land use planning has 3,500 homes. We're going to have a statistical summary that's updated to reflect that change.

The increase in homes is mostly in the low-density residential categories, but we'll have more detail on a statistical plan, but the acreage is the same as it was in 2018. It's just that we have 500 more homes that we're adding to that summary. I'd like to talk about the park rangers spoke about the additional traffic on the State Route 159.

Under the current zoning, they can have up to 1,200 homes. We've already approved 480 or close to 500 homes on that tentative map that when they came in 2021 and 2022. Again, under the existing zoning, 100% of the traffic can go into State Route 159. If they get 1,200 homes, traffic from 1,200 homes can go on to 159. Under this plan, that traffic will be also diverted to State Route 160. It's 3,500 homes, but there's been a traffic analysis done and the analysis has concluded that only 10% of the traffic from the 3,500 homes will be going toward State Route 159. Based on that traffic analysis, there's actually a net reduction of traffic from this plan going on State Route 159.

If you have any more questions, I think there's more questions I'm happy to answer them.

GIBSON

Did you note anything further?

LOGSDON

I believe the only additional question which I think Commissioner Segerblom had as well too was the construction traffic use on the existing mining road.

WARHOLA

Right, I can answer that question too. The specific plan addresses the initial construction traffic. The idea behind that is that needed to use the existing mine hall road for the initial construction traffic in order to build that road up to 160. Once that road becomes operable, then the construction traffic has to use the State Route 160. The enforcement mechanism built in the specific plans, we will not issue a certificate of occupancy for any home or any commercial development or anything until that road to 160 becomes operable.

GIBSON

All right, and is there clarity around what kinds of construction traffic can occur? Because if it turns out that there is other construction going on, now, I can see that there would be remediation of the mining claim and the areas that have been already disturbed. That work is related to the mining and is a part of the mining permits that have been issued. You have to submit a plan for reclamation and then comply with that plan at the end.

In this instance, I think the assumption is that all of the mining operations cease, and the reclamation occurs before anything can happen. That work will be going on for sure. The real challenge for us is when does the right-of-way get granted by the BLM?

WARHOLA

That goes through the right-of-way BLM process. We have our process built in and we address that in the Development Agreement and also, it's addressed in the settlement agreement, but of course a lot of that has to do with the BLM and I'm not sure exactly when.

GIBSON

Well, I think that in terms of enforcement, one of the issues will always be, have we an alternative route for the construction of the project? I get that there will be construction traffic related to the reclamation of the mining site, but the other question is what happens if we're in year three? We've paid \$1 million dollars at the end of year two, we're in year three and we don't have a right-of-way grant yet from the BLM. That's what I'm suggesting. We need to make sure that there's clarity around that as you work through the final stuff in the Development Agreement.

WARHOLA

Okay, we can do that. I think that's probably best addressed on July 3.

GIBSON

Yes, yes, but to the question that was asked, I think that that really wraps up finally the rest of the open issues. This has been a very difficult time, not because we hate having to deal with people who are passionate about their view. Quite honestly, there's a lot of passion about Red Rock that sits at the dais today. I also was born in Las Vegas and have lived here virtually all of my life except for years away in school and have been countless times to Red Rock with my family as a kid, with my parents, and then as a part of raising a family in an area that is beautiful. My family on the Gibson side were miners and mining engineers.

There isn't a part of this valley that we haven't walked in and walked over in an effort to really understand what the geology is and that it was an exciting way to grow up, getting to know the desert and all of the pieces and parts of what it presents and represents to us. When we say that the litigation analysis changed for us, it changed enough that people on this Board that feel passionate, finally got to the point that we understood that the collision was no longer just how close to the Red Rock Conservation Area could development occur or whether or not development could occur in some degree larger than what had been approved, but the collision that we were faced with was the undoing of the financial capacity of the County to function.

When we say that we took a look at the statutes today, counties can't file bankruptcy. We knew that, but we confirmed that. If it turns out that that have been something we needed to do, we were prepared to go to the Legislature and change the law, but as we looked at the changes to our position, our defensive position in the litigation that really came to light and solidified themselves during hearings and sworn testimony that was taken in the month of April, the entirety of our perspective on this case changed in a way that caused the latter collision to come into view. That is what drives us today.

This is not about we have options and we're going to fight to the end. We've fought to the end. Now when it comes to what is going to be developed in the area, a lot of that is yet undetermined. We'll see more about that and the details of all of it in the Development Agreement. We're negotiating, we've been negotiating for a couple of weeks now on what the Development Agreement will look like. At the end of the day, we feel that there are significant improvements that we have been able to garner as a consequence of the work that has been done. The 2011 concept plan did have a cap of 5,000, 24, 26 units. We don't face that any longer. As it develops, we'll be very concerned about the way that the development works. It has to work.

GIBSON

We'll review the plans, and we'll apply the standards that are agreed upon in the Development Agreement and we'll be just as we are on every project, we'll be fair, but we will also be direct when it comes to the things that are of importance and that matter to us. I was Mayor in Henderson when we did a Rhodes project. Despite everything, they are capable of doing a good project. We're going to insist upon their very best here. This project, to the extent that it really happens, is going to be something that we'll have watched from the beginning to the end as much or more than we've ever looked at anything else.

The dollars that are involved are enormous. That's a lot of money. There is a group of represented union members who have been writing to us, and we've heard a bit from them today, because their view is that we could somehow have done something different and the \$80 million could have been used to pay wages or wage increases of employees. It's not a small thing to have collective bargaining agreements and to do what the responsible thing is with respect to each and all of them, we do that. All the governments do.

If you're in business and you have a collective bargaining agreement, you do that too. In this instance, those dollars were not available for the kind of dollars, the use that would be required in order to pay wages. These are one-time dollars as you heard in the presentation. We can spend them once and that wages recur. To the extent that we have the money, the only kind of money we have is capital dollars and dollars that are one-time expenditure dollars. There was another comment, I'm trying to remember, in terms of the challenges that we face up there. Timing of course is going to be critical to us. It's going to be critical to the developer and our expectation is that we'll be walking arm-in-arm here.

We're ready to enforce by whatever means we must the terms of the Development Agreement once it's fully negotiated, but we're also experienced enough to know that once we get everything on a piece of paper and we've agreed upon it, we're far better off if we work together to make sure that the outcome is something that doesn't disgust us. I know what your thoughts might be right now, but at the end of the day, we have to do something. We have to make sure that what we get is what we've agreed to. You can rest assured that we'll be doing the level of enforcement that we ought to be doing.

Now there are a lot of considerations that had to be made in an effort to get us to where we are, very long days on the part of both the plaintiff and the defendant. Our staff has sought advice from experts that advise the County on all matter of things, in an effort to determine, what, if anything more we might do. We've determined and we've had recommended to us by the finest minds around that the solution that we have in front of us today is one that meets the standard. It is the best we can do under these circumstances.

Our apologies to those who are disappointed, we join you in being disappointed that we're approving a project really the way we are. There's nothing wrong with negotiating and approving a project. This is one that the County had invested enormous time and energy and money in working through. We have done some things that we're not proud of as a County. Those things are things that we'll live with and we're on our way in an effort here to get to the end of all of this and cut the litigation expense and the time and the energy and the uncertainties down to

GIBSON

nothing.

With that, I don't know if my colleagues have other things that they would like to add to what I have said. Mr. Chair, I yield the floor to you.

SEGERBLOM

I just wanted to add a couple of things. First, from my perspective, there's no corruption. There's nothing that happened that was illegal. Anything that was done was done with the best intentions, with the desire to protect Red Rock. Whatever happened, that was done from good sense and there's nothing. The other thing is I think if you read the Badlands Decision, which was the deciding factor for me, the Supreme Court of the State of Nevada has got to realize that we as elected officials can listen to you as the public in making a decision.

What they're basically saying is that no, if the landowner has the right to build something, then we have no ability to ask the neighbors if they want that and that's not the way it should be. We should be able to, the zoning permits a lesser density or different kind of development, then that's what we do listening to you, the public. What the Badlands Decision says to me is, "No. If the developer says this is what we're going to do, then we have to let them do that."

What's the point of being here? I really want the Supreme Court to look hard at what they're telling us and to rethink the fact that if we want to listen to our neighbors, to our constituents, to our voters, and if it fits within our rights, we should be able to make that decision. We should not be bound by some developer who says, "We want to build the biggest and the best." That's something we all need to collectively, we can't talk to the Supreme Court, but we can let our Supreme Court know our voices because that decision is really, really harmful to what we're trying to do here.

GIBSON

There is nothing more, Mr. Chair. I move approval of Items 34, 35, 36, and 37.

SEGERBLOM

There's a motion. Cast your vote.

VOTE:

VOTING AYE:

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

VOTING NAY:

None

ABSENT:

None

ABSTAIN:

Justin Jones

SEGERBLOM

That motion passes.

ITEM 35 WC-18-400232 (MP-0313-11)-GYPSUM RESOURCES I, LLC:

WAIVER OF CONDITIONS of a Concept Plan requiring right-of-way approval from the Bureau of Land Management (BLM) for primary access is required prior to approval of Specific Plan in conjunction with a mixed use comprehensive master planned community (Gypsum Reclamation) on approximately 2,400 acres in an R-U (Rural Open Land) Zone. Generally located on the north side of State Highway 159, approximately 1.5 miles west of the intersection of State Highway 160 (Blue Diamond Road) and State Highway 159 within Red Rock. JJ/sr (For possible action)

ACTION:

Approved (Companion Items 34, 36, and 37).

ITEM 36 MPP-11-0469-GYPSUM RESOURCES, LLC:

MAJOR PROJECT for a Public Facilities Needs Assessment (PFNA) to address issues of concern to Clark County in conjunction with a mixed use comprehensive master planned community (Gypsum Reclamation) on approximately 2,400 acres in an R-U (Rural Open Land) Zone. Generally located on the north side of State Highway 159, approximately 1.5 miles west of the intersection of State Highway 160 (Blue Diamond Road) and State Highway 159 within Red Rock. JJ/sr (For possible action)

ACTION: Approved with conditions (Companion Items 34, 35, and 37).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- The developer to enter into a Development Agreement to address issues identified in the PFNA;
- Applicant is advised that acceptance of the PFNA by the County does not relieve or limit the developer’s obligation to submit detailed traffic, drainage and other technical studies, or comply with measures as appropriate to mitigate the impacts of this development; any change in circumstances or regulations may be justification for the denial of an extension of time; and this application must commence within 2 years of approval date or it will expire.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised to contact CCWRD and refer to Point of Connection (POC) reference tracking #0085-2018.

ITEM 37 MPS-11-0468-GYPSUM RESOURCES I, LLC:

MAJOR PROJECT for a Specific Plan for a mixed-use comprehensive master planned community (Gypsum Reclamation) and to establish the framework and guidelines for future land use requests and development, and to address issues, improvements, and phasing of improvements identified by the Board of County Commissioners on approximately 2,400 acres in an R-U (Rural Open Land) Zone. Generally located on the north side of State Highway 159, approximately 1.5 miles west of the intersection of State Highway 160 (Blue Diamond Road) and State Highway 159 within Red Rock (description on file). JJ/sr (For possible action)

ACTION: Approved with conditions (Companion Items 34-36).

CONDITIONS OF APPROVAL –

Current Planning

- 3,500 residential units and the other uses as set forth in the land use summary of the approved 2011 Concept Plan, subject to the conditions of approval of the 2011 Concept Plan unless otherwise waived or modified;
- Existing mine haul road to and from State Route 159 shall continue but be limited to existing mining operations, construction and life safety purposes (meaning access that is closed to daily vehicular traffic, but that may be utilized by police, fire or emergency services, or by the general public in the event of an emergency);
- Single primary access from State Route 160 for ingress and egress is approved for the development;
- Continue to address all issues and concerns as listed in the Public Facilities Needs Assessment;
- Developer to act as master developer to provide and coordinate the provision of infrastructure and services;
- Enter into a development agreement prior to any permits or subdivision mapping.
- Applicant is advised that once a Specific Plan is incorporated into the Land Use Plan, there is no time limit; and if a Specific Plan is not incorporated into the Land Use Plan, any approved Specific Plan for which land use applications for development have not been submitted within two (2) years of the approval shall expire pursuant to Title 30 unless an application for an extension of time has been approved.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised to contact CCWRD and refer to Point of Connection (POC) reference tracking #0085-2018.

ITEM 38 CP-24-900244: Conduct a public hearing, adopt the Flood Control Master Plan Update, and authorize the Chair to sign a Resolution amending the Plan. (For possible action)

ACTION: Adopted (Resolution R-6-18-24-9).

SCHILLER Commissioners, we can now move to Item 38, CP-24-900244, conduct a public hearing, adopt the Flood Control Master Plan Update, and authorize the Chair to sign a Resolution amending the Plan. I believe we do have Steve Parrish in the audience if there's any questions.

SEGERBLOM Also, before people leave, I just want them to know the Development Agreement has been finalized and that's going to be public. Is that Rob – Is that on the website now?

WARHOLA Not yet, but it will be. The public hearing will be set for July 3.

SEGERBLOM Yeah, so the final Development Agreement will be online fairly soon. Look at that please and then come back on July 3 and make comments before us.

Did Steve run off?

MCCURDY II Move for approval.

SEGERBLOM Did we need Steve to say anything?

STEVE PARRISH My name for the record, Stephen Parrish, General Manager, Chief Engineer of the Clark County Regional Flood Control District. I don't have a presentation, but I'm just here to support the County on this item and answer any questions that you might have about the master plan.

LOGSDON Then it is a public hearing, Chair.

SEGERBLOM Oh, a public hearing? This is a public hearing. Anyone here wishing to speak about the Item 38 on the Flood Control Master Plan Update? Seeing no one, we'll close the public hearing. I'm not sure who else. Well, I guess Justin's here, but I'll just say that I've reviewed this plan and it's a fantastic plan. Thank you so much, Steve.

Commissioner Jones.

Wait, I didn't know. Wait, we're good. Is there a motion there. You want to make a motion on the Flood Control?

JONES Sorry, I thought there was already a motion, but I'll go ahead and make the motion first.

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

SEGERBLOM That motion passes.

ITEM 39 AG-24-900342: Discuss whether to initiate a Master Plan Amendment to the Southwest- Las Vegas Valley Transportation Map of the Clark County Master Plan, and direct staff accordingly. (For possible action)

ACTION: Deleted from the agenda (held to July 17, 2024, per staff).

ITEM 40 AG-24-900379: Discuss whether to initiate an application for a Master Plan Amendment for 5 parcels located on the north side of CC 215 and south of Bilpar Road, between Tenaya Way and Rio Vista Street, and direct staff accordingly. (For possible action)

ACTION: Deleted from the agenda (held to July 17, 2024, per staff).

ITEM 41 ORD-24-900052: Introduce an ordinance to consider adoption of a Development Agreement with Beedie (Pioneer Sunset) NV Property Limited Partnership for a distribution center on 6.1 acres, generally located north of Sunset Road and east of Pioneer Way within Spring Valley. MN/lg (For possible action)

ACTION: Introduced and set for public hearing on July 3, 2024, at 9 a.m. (Bill 6-18-24-1).

WARHOLA Okay, next. We're on Item 41. I'm going to read them in. These are ordinances for introduction. Ordinance 24-900052, introduce an ordinance to consider adoption of the Development Agreement with Beedie Pioneer Sunset and NV Property Limited Partnership for distribution center on 6.1 acres, generally located north of Sunset Road and East of Pioneer Way within Spring Valley. Staff recommends the Board set of public hearing for July 3, 2024.

SEGERBLOM We've started, we do these all at once. Can we do them all at once, sir?

WARHOLA Yep, I can do them all at once. Yeah.

Okay, Item 42 is ORD 24-900150, introduce an ordinance to consider adoption of the Development Agreement with Signature Land Holdings, LLC, for a single-family residential development on 5.0 acres, generally located north of Gomer Road and east of Grand Canyon Drive within Enterprise.

Item 43, ORD-24-900161, introduce an ordinance to consider adoption of a Development Agreement with Blue Diamond M-E, LLC for a restaurant on 1.0 acre, generally located south of Blue Diamond Road and west of Buffalo Drive within Enterprise.

Item 44 is ORD-24-900186, introduce an ordinance to consider adoption of a Development Agreement with Khusrow Roohani Family Trust, ZSKSMAZ, Township Family Trust, Mak Zak, LLC, Jones Ford Lindell, LLC SDIP Pre-Dev Holdings, LLC, and LV Silverado Schuster, LLC, for a multi-family residential development on 12.8 acres, generally located west of Valley View Boulevard and north of Silverado Ranch Boulevard within the Enterprise.

WARHOLA

The last one, Item 45, one second. Let me get there. Oh, I need the addendum. Addendum Ordinance ORD-24-900417, introduce an ordinance to consider the adoption of Development Agreement with Gypsum Resources, LLC on approximately, it's going to be 2,010 acres, for a mixed-use comprehensive master planned development, generally located on the north side of State Highway 159, approximately 1.5 miles west of the intersection of State Highway 160 Blue Diamond Road and State Highway 159.

With that, the Development Agreement that we posted is different than the one we're introducing. We made minor changes or mostly grammatical, correcting spelling errors. We added a few sections. I can go through them real quickly. We removed the projects team requirement. We added expedited time frames for Comprehensive Planning and Public Works. We added a business license, expedited review, and waiver of expedited fee section. We added a requirement that provided that the fire station, which would be required within the planned community, provides space for Las Vegas Metropolitan Police use. We made other minor changes. I've provided the Development Agreement with the changes to the Clerk's office and also a change sheet. I provided each of you with the Development Agreement that has the changes included with all the ordinances and Development Agreements. We're asking the Chair to introduce the ordinances and set the public hearings for July 3.

SEGERBLOM

All right, I'll introduce the ordinances and set the public hearing for 9 a.m. on July 3, 2024.

WARHOLA

Correct.

ITEM 42 ORD-24-900150: Introduce an ordinance to consider adoption of a Development Agreement with Signature Land Holdings LLC for a single-family residential development on 5.0 acres, generally located north of Gomer Road and east of Grand Canyon Drive within Enterprise. JJ/lg (For possible action)

ACTION: Introduced and set for public hearing on July 3, 2024, at 9 a.m. (Bill 6-18-24-2).

ITEM 43 ORD-24-900161: Introduce an ordinance to consider adoption of a Development Agreement with Blue Diamond M-E, LLC for a restaurant on 1.0 acre, generally located south of Blue Diamond Road and west of Buffalo Drive within Enterprise. JJ/lg (For possible action)

ACTION: Introduced and set for public hearing on July 3, 2024, at 9 a.m. (Bill 6-18-24-3).

ITEM 44 ORD-24-900186: Introduce an ordinance to consider adoption of a Development Agreement with Khusrow Roohani Family Trust, ZSKSMAZ Township Family Trust, Mak Zak LLC, Jones Ford Lindell LLC, SDIP Pre-Dev Holdings LLC, & LV Silverado Schuster LLC for a multi-family residential development on 12.8 acres, generally located west of Valley View Boulevard and north of Silverado Ranch Boulevard within Enterprise. JJ/lg (For possible action)

ACTION: Introduced and set for public hearing on July 3, 2024, at 9 a.m. (Bill 6-18-24-4).

ITEM 45 ADDENDUM ORD-24-900417: Introduce an ordinance to consider the adoption of a Development Agreement with Gypsum Resources, LLC on approximately 2,400 acres for mixed-use comprehensive master planned development, generally located on the north side of State Highway 159, approximately 1.5 miles west of the intersection of State Highway 160 (Blue Diamond Road) and State Highway 159. (For possible action)

ACTION: Introduced and set for public hearing on July 3, 2024, at 9 a.m. (Bill 6-18-24-5).

PUBLIC COMMENT

SEGERBLOM All right. Now that we've been waiting all this time for Mr. Rhodes' attorneys to come up here and make a presentation. That was a joke. This is the second time for public hearing. Anyone wishing to speak can come up and speak on any item. Seeing no one will close the public hearing and— Whoops, you can speak if you want.

SUSAN PROFFITT You said any item?

SEGERBLOM You can talk about anything you want to talk about.

PROFFITT Okay. This is Susan Proffitt, P-R-O-F-F-I-T-T. I have a question about something that the Chairman Tick said. It occurs to me that Supreme Court did not say exactly what you said, and I think it was inappropriate for you to suggest that we contact them if we have a problem because they rule on law, not on public opinion and so I'm concerned that you would send us to them. Thank you.

SEGERBLOM Thank you. See, no one else, we'll close the public hearing and close the Commission meeting until—

PROFFITT Wait, wait. Can I talk on any topic? Because I want to speak on a separate topic than that.

SEGERBLOM Well, for two minutes, but you just spoke about, you've used 30 seconds, so you got 90 seconds.

PROFFITT But it was a public hearing on the last item. I really would appreciate it if you'd let me have my voice.

SEGERBLOM You can have your voice for 90 seconds.

PROFFITT All right, thank you. I believe it is our duty as citizens and voters to ensure our elections are fair and honest, so I have devoted my time to help observe elections in Clark County. As you may recall, I sued for the right to have meaningful observation without obstruction, and we won that lawsuit in 2021. Unfortunately, the processes are continuing that we sued for before. I have to say that Dan Kulin, Lorena Portillo, and Joe Gloria have repeatedly broke the court order and the state and federal election laws.

We reported all of these things, and nothing was ever done. They continue to abuse us inside the center. In fact, it's gotten so bad that when I went this time, I was threatened by Dan Kulin, so I need to know at this point if I need to contact the FBI or file a police report because seriously, he threatened me, with this new law that the Legislature passed on not harassing the workers, but they're harassing us, they're threatening us, they're abusing us.

I was held in a room and not allowed to go to the restroom. That's against the law. Okay? They're blocking our views, they're intimidating us, they threaten us. They

PROFFITT

have run us down with a forklift. That's a matter of public record. It was reported to OSHA. We were asked to use unofficial incident reports this time and to give them back to them to hand in to the Secretary of State.

Well, you think they're going to end up at the Secretary of State? I don't think so. They're unofficial. Should I contact the FBI, or will you help us?

SEGERBLOM

We aren't allowed to respond in public comment but thank you for your comment.

All right, we'll end the hearing today and see you back on July the 2nd.

There being no further business to come before the Board at this time, at the hour of 3:14 p.m., the meeting was adjourned.

APPROVED:

/s/ Tick Segerblom
TICK SEGERBLOM, CHAIR

ATTEST:

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