

Board of County Commissioners

CLARK COUNTY, NEVADA

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

COMMISSION CHAMBERS, GOVERNMENT CENTER
500 SOUTH GRAND CENTRAL PARKWAY
LAS VEGAS, NEVADA 89106
WEDNESDAY, DECEMBER 6, 2023

The Board of County Commissioners of Clark County, Nevada met in recessed regular session in full conformity with law and bylaws of said Board at the regular place of meeting in the Commission Chambers, Government Center, Las Vegas, Clark County, Nevada on Wednesday, the 6th day of December 2023, at the hour of 9:00 a.m. The meeting was called to order at the appointed hour by Chair Gibson, and on roll call, the following members were present, constituting all the members:

CALL TO ORDER

CHAIR AND COMMISSIONERS:

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

Absent:

None

Also Present:

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

ITEM NO. 1 Public Comments

JIM GIBSON

Good morning. This is the time set for the County Commission Zoning Meeting. We welcome you to the meeting. The meeting will come to order. The first item of business is public comment. Before I get some of you out of your seats, let me tell you that item, I think it's 14, will be pulled from the Consent Agenda and heard separately. So, this is the time set for, excuse me, public comment. I invite any of you who wish to comment on a specific item on our agenda today to come forward, state your name, please spell your last name for our clerk, and please keep your comments to three minutes. There being no one who wishes to speak during the public comment period, we'll move on to the next item.

ACTION:

No action was taken by the Board.

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

SAMI REAL

Good morning, Commissioners. The second item is the approval of the agenda. After considering any additions or deletions of items, staff has the following requests, which may require re-notification fees if 85 days have passed since initial notification, or there are modifications to the application:

Hold to the December 20th, 2023, Zoning Meeting: Item 6, ET-23-400133 for VS-21-0452.

Hold to the January 17th, 2024, Zoning Meeting: Item 22, UC-23-0664, Item 23, VS-23-0512, Item 24, WS-23-0511, and Item 25, TM-23-500107.

Hold to the February 7th, 2024, Zoning Meeting: Item 15, WS-23-0697.

Hold to the March 20th, 2024, Zoning Meeting: Item 28, WS-23-0340; and delete from the agenda: Item 44, ORD-23-900536.

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 6, 15, 22, 23, 24, 25, 28, and 44, the agenda stands ready for your approval.

GIBSON

Thank you. Unless there are other changes to the agenda, at the pleasure of the Board, I'd entertain a motion.

MICHAEL NAFT

Motion for approval.

GIBSON

There's a motion for approval of the agenda. Please cast your votes.

REAL

Oh, I don't know. Okay.

TICK SEGERBLOM

I vote yes.

GIBSON

And the motion carries. Thank you.

ACTION:

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

ITEM NO. 3 Approval of Minutes.

REAL The third item on the agenda is the approval of the minutes. The minutes of November 8th, 2023, Zoning Meeting are ready for approval.

GIBSON If there are no additions or corrections to the minutes, I'll entertain a motion.

SEGERBLOM Move for approval.

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

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

ROUTINE ACTION ITEMS (4-19):

REAL Next are the Routine Action Items, which consists of Items 4 through 19, except those previously deleted, and Item 14, which will be heard separately. These may be considered together in one motion and are subject to the conditions listed with each agenda. If there are no objections from the audience, the public hearing is now open, and the Routine Action portion of the agenda stands ready for your approval.

GIBSON If there are no other items to be removed, I'd entertain a motion on the Consent Agenda.

SEGERBLOM I move to approve the Consent Agenda.

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

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

ITEM NO. 4 AR-23-400151 (UC-22-0521)-COUNTY OF CLARK (LV CONV AUTH):

USE PERMITS FIRST APPLICATION FOR REVIEW for the following: 1) recreational facility; 2) fairground; and 3) live entertainment.

DESIGN REVIEWS for the following: 1) recreational facility; 2) fairground; and 3) live entertainment in conjunction with a convention facility on 51.8 acres in a P-F (Public Facility) Zone. Generally located on the north side of Sierra Vista Drive and the east and west sides of University Center Drive within Paradise. TS/nai/syp (For possible action)

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

CONDITIONS OF APPROVAL -

Comprehensive Planning
• Remove the time limit.

Public Works - Development Review

- Compliance with previous conditions.

ITEM NO. 5 AR-23-400153 (UC-22-0498)-RESORTS WORLD LAS VEGAS, LLC:

USE PERMITS FIRST APPLICATION FOR REVIEW for the following: 1) a recreational facility; 2) fairgrounds; and 3) live entertainment in conjunction with an existing resort hotel (Resorts World) on a portion of 86.9 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the west side of Las Vegas Boulevard South, the east side of Sammy Davis Jr. Drive, and the north side of Genting Boulevard within Winchester. TS/nm/syp (For possible action)

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

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Until October 19, 2024, to review to determine if the use of the property pursuant to this application warrants an amendment to the Resorts World Development Agreement.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Clark County Water Reclamation District (CCWRD)

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

ITEM NO. 6 ET-23-400133 (VS-21-0452)-CAMPUS VILLAGE GROUP, LLC:

VACATE AND ABANDON FIRST EXTENSION OF TIME for a portion of right-of-way being Maryland Parkway located between University Avenue and Harmon Avenue within Paradise (description on file). TS/dd/syp (For possible action)

ACTION: Deleted from the agenda (held to December 20, 2023, per the applicant)

ITEM NO. 7 ET-23-400144 (UC-19-0624)-S. VALLEY VIEW TWAIN, LLC:

USE PERMITS SECOND EXTENSION OF TIME for the following: 1) multiple family residential development; 2) increase density; and 3) an accessory commercial use.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase height; 2) reduce parking; 3) allow modified driveway design standards; 4) reduce driveway separation; and 5) reduce commercial driveway radius.

DESIGN REVIEW for a multiple family residential development on 6.2 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the south side of Highland Drive between Polaris Avenue and Morgan Cashmans Way within Paradise. JJ/tpd/syp (For possible action)

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until October 2, 2025 to commence.
- Applicant is advised that the County has adopted a rewrite to Title 30, effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

ITEM NO. 8 ET-23-400148 (VS-21-0397)-DIAMOND TORINO, LLC:

VACATE AND ABANDON FIRST EXTENSION OF TIME easements of interest to Clark County located between Decatur Boulevard and Arville Street, and between Ford Avenue and Torino Avenue (alignment) within Enterprise (description on file). JJ/jm/syp (For possible action)

ACTION:

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until October 6, 2025 to record.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that re-approval by the utility companies is required.

Public Works - Development Review

- Drainage study and compliance;
- Right-of-way dedication to include 30 feet for Torino Avenue;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

ITEM NO. 9 ET-23-400149 (ZC-20-0356)-MMB APEX AUCTION, LLC:

USE PERMITS SECOND EXTENSION OF TIME for the following: 1) alcohol sales, beer and wine - packaged only; and 2) alcohol sales, liquor - packaged only.

WAIVERS OF DEVELOPMENT STANDARD for the following: 1) modify commercial driveway improvements; and 2) waive off-site improvements (curb, gutter, sidewalk, and partial paving).

DESIGN REVIEW for a proposed truck stop with gasoline pumps on a 4.0 acre portion of 24.9 acres in an M-1 (Light Manufacturing) (AE-70) Zone. Generally located on the south side of I-15 and the east side of Las Vegas Boulevard North within the Northeast County Planning Area (description on file). MK/rp/syp (For possible action)

ACTION:

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until October 21, 2025, to commence.
- Applicant is advised that the County has adopted a rewrite to Title 30, effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

ITEM NO. 10 ET-23-400157 (UC-0787-17)-LAUB, JOEL A. AND LAUB, KIMBERLY L. FAMILY TRUST: USE PERMITS THIRD EXTENSION OF TIME for the following: 1) increase manager's unit area; and 2) waive mixed-use development design standards. DESIGN REVIEWS for the following: 1) modify an approved office/warehouse complex with manager's units; and 2) modify a parking lot on 5.6 acres in conjunction with an existing office/warehouse complex with manager's units in an M-D (Designed Manufacturing) (AE-60) Zone in the CMA Design Overlay District. Generally located on the west side of Tenaya Way, 660 feet north of Sunset Road within Spring Valley. MN/tpd/syp (For possible action)

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until November 8, 2025 to commence.
- Applicant is advised that the County has adopted a rewrite to Title 30, effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

ITEM NO. 11 ET-23-400158 (VS-21-0180)-RAWHIDE RV LP: VACATE AND ABANDON FIRST EXTENSION OF TIME easements of interest to Clark County located between Duck Creek Flood Control Channel and US 95, and between Denning Street and Morris Street, and a portion of a right-of-way being Denning Street (alignment) located between Duck Creek Flood Control Channel and US 95 within Whitney (description on file). JG/bb/jo (For possible action)

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until July 7, 2025 to record.
- Applicant is advised that the County has adopted a rewrite to Title 30, effective January 1, 2024, and future land

use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that re-approval by the utility companies is required.

Public Works - Development Review

- Compliance with previous conditions.

ITEM NO. 12 WS-23-0650-RAWHIDE RV LP:

WAIVER OF DEVELOPMENT STANDARDS to eliminate a freeway buffer wall in conjunction with an approved mini-warehouse facility and off-highway vehicle, recreational vehicle, and watercraft storage facility on 21.2 acres in an M-D (Designed Manufacturing) Zone. Generally located on the south side of Duck Creek Flood Control Channel and the west side of Denning Street within Whitney. JG/bb/syp (For possible action)

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Replace the 29 Washingtonian Robusta Mexican Fan Palm trees with 29 large Evergreen trees with low-medium water use as listed in the Southern Nevada Regional Planning Coalition plant list along the south side of the property;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

ITEM NO. 13 UC-23-0713-USA:

USE PERMITS for the following: 1) overhead power transmission lines; 2) electrical substation; 3) increase the height of utility structures; 4) public utility structures with all accessory structures; 5) waive landscaping and screening requirements; and 6) eliminate trash enclosure.

DESIGN REVIEWS for the following: 1) overhead power transmission lines; 2) electrical substation; 3) public utility structures with all accessory/ancillary structures and uses; 4) final grading for a Hillside Development (slopes greater than 12%); and 5) finished grade on 43,949.2 acres in an R-U (Rural Open Land) Zone, an H-2 (General Highway Frontage) Zone, and a P-F (Public Facility) Zone. Generally located on the Nye/Clark County border, continuing 16 miles southeast along SR 160, then continuing 27 miles southeast crossing Sandy Valley Back Road and Sandy Valley Road to the west side of I-15, 3 miles south of Jean, then continuing 19 miles east of I-15 to the Boulder City border within the Northwest County and South County Planning Areas and portions of Sandy Valley and Goodsprings. RM/JJ/MN/md/syp (For possible action)

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

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

Public Works - Development Review

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

Department of Aviation

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that there are no public sanitary sewer facilities available within the proposed development and none are planned within the next 5 years.

ITEM NO. 14 WS-23-0629-MT. CHARLESTON INVESTMENTS, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) setbacks; 2) lot coverage; 3) building height; and 4) eliminate sidewalk and reduce street landscaping.

DESIGN REVIEW for the reconstruction of a restaurant and lounge facility in conjunction with an existing bed and breakfast facility on a 1.9 acre portion of 4.2 acres in an R-U (Rural Open Land) Zone in the Spring Mountain Overlay District (Part I). Generally located on the north side of Kyle Canyon Road and the east side of Knotty Pine Way within Northwest County. RM/hw/syp (For possible action)

REAL

The next item on the agenda is Item 14. Item 14, WS-23-0629, waivers of development standards for the following: setbacks; lot coverage; building height; and eliminate sidewalk and reduce street landscaping. Design review for the reconstruction of a restaurant and lounge facility in conjunction with an existing

REAL bed and breakfast facility on a 1.9 acre portion of 4.2 acres in an R-U (Rural Open Land) Zone in the Spring Mountain Overlay District (Part One), generally located on the north side of Kyle Canyon Road and the east side of Knotty Pine Way within Northwest County.

GIBSON Good morning, Mister Celeste.

TONY CELESTE Good morning, Mister Chairman and Commissioners. My name is Tony Celeste, address 1980 Festival Plaza Drive, here on behalf of the applicant. We come before you with a staff recommendation of approval and the Mount Charleston Town Board unanimous recommendation of approval. I understand there are some neighbors who have taken this off the consent item that would like to be heard. If I may, if we may listen to them, and then I can respond accordingly with comments and with respect to the background of the project, if that's okay with the Board.

GIBSON That would be good, This is a public hearing. Anyone who wishes to speak on the item is invited to come forward.

MISTY HAJI-SHEIKH Good morning, Chairman Gibson and Commissioners.

GIBSON Good morning.

MISTY HAJI-SHEIKH My name is Misty Haji-Sheikh, H-A-J-I dash capital S as in Sam, H-E-I-K-H. Thank you for hearing me this morning. I'm just going to read this, so I stay within my time. In the information that we got at the Town Board meeting on Thursday, the petitioner stated, "Reconstruction of a restaurant and lounge facility in conjunction with an existing bed and breakfast facility on a 1.9 acre portion," and then it goes on from there. I find this problematic for several reasons. The cabins were approved as a bed and breakfast in 1993. You can see his application. And Title 30 states, "A bed and breakfast means an establishment located within a single family detached dwelling, having a maximum of four guest rooms, which provides transient guests with overnight accommodations and a morning meal." This property doesn't qualify under Title 30 as a bed and breakfast.

I have failed to understand why a postcard was sent out stating that the property is a bed and breakfast when it expired a long time ago. And if you think this was a mistake, in the public hearing at the Town Board, the agenda stated that the "design review for reconstruction of a restaurant and lounge facility in conjunction with an existing bed and breakfast facility," and it goes on. And on the agenda, it again says that it's a bed and breakfast and existing restaurant with reduced setbacks and increased lot coverage, and it says it expired, and it was approved in 1993. I fail to understand why this was even on a hearing if it's not correct and not functional and they are saying that it is.

And another item is Title 30 limits taverns and establishments that serve alcohol. And if you read the chart, it says, if the letters aren't on it under R-U, that it is not allowed. And under 30.44.010, it says that "this condition cannot be waived or varied". And then in 30.44.020, that's the alternative standards, and again it says "this condition cannot be waived," so alcohol should not be able to be sold there.

The last thing on here is petitioner asked for setbacks of only 2.7 feet. There will

MISTY HAJI-SHEIKH

be a safety issue with the parking structure because it will obscure cars and people getting in and out of the parking lot. I realize that the staff has approved this with some conditions, but based on my concerns, this application appears to not be in conjunction with Title 30 or the State law as it applies to the Spring Mountains.

I wish I had more time. I would talk about traffic, graffiti, drunk driving, the septic issue, noise, trash, and the water usage, all of which are important because we don't have much water up there, a lot of times we're concerned. So, I am asking you to all, please vote no. Thank you.

GIBSON

Thank you.

STEPHANIE MYERS

Good morning, Commissioners.

GIBSON

Good morning.

MYERS

Stephanie Myers. The public has spoken back in 2009, with the help of then Assemblyman Harry Mortenson, we were able to change State law so that there would be no new commercial zoning at all up in the mountain. Of course, everything was grandfathered in that was already there, but it should be grandfathered in with the idea that it's the same as what was there before. And the footprint, the height, the parking situation, they're asking for more than was there back at that time. And we don't want Las Vegas up in Mount Charleston. We don't want any glitz and glamour or any changes. We want the mountain to be the mountain. So please, deny these waivers. Thank you.

GIBSON

Thank you. Good morning.

DAVID MARTIN

Good morning. My name is David Martin, M-A-R-T-I-N. I reside at 4193 Mont Blanc Way in Mount Charleston, which has been my primary residence for twenty-nine years. I am in support of this project. I believe the Lodge acts as a replacement for a community center, which we don't have. It's a place where, historically, we've gone on Friday evenings, visited with our neighbors, enjoyed some comfort food, a little live music, and an alcoholic beverage. Saturday mornings, you can see groups of residents up there for breakfast. We miss it a lot, and I speak for a number of my neighbors I know.

So, I appreciate we're a national recreation area. Traffic is a problem whether you approve this project or not. I don't believe it's a significant addition to the traffic problem. I believe that those concerns for fire, septic, and other issues will be adequately addressed by the appropriate County entities. So, I would ask you to vote in favor of this project. Thank you.

GIBSON

Thank you. Good morning.

CHRIS GIUNCHIGLIANI

Good morning. Chris Giunchigliani, 439 Crestview Drive. I'm here today as a 42-year property owner on Mount Charleston. And as much as I like the Lodge, the rules for development need to be applied legally. It sits in the middle of the Toiyabe National Forest and resides in the Spring Mountain Overlay Part One, which is the guiding law. The purpose of the Spring Mountain Overlay says it was "established to minimize the impact of development within the area, to maintain

GIUNCHIGLIANI

the rural character and cultural heritage of the community, preserve wildlife habitat, and minimize impacts of additional traffic."

Issue one: The owners took down the building completely from what I could find on the County site. There is no active business license. I was told they'd have one, because it was missing from the public facing and we couldn't find it. Yesterday staff kindly located it, but they are all inactive licenses. The key threshold to grandfathering and allowing for rebuilding is whether or not they had an active license. They did have one at the SilverFlume, which I would say Commissioner Miller knows that well, because when he was Secretary of State, he wisely put in the SilverFlume, which matched the business licenses from the County as well as to the State level. But they do not have an active gaming, liquor, lounge, nothing, and they didn't do any of the processes that would've made them possibly close down to reopen. And once they did that, they lost the ability to rebuild.

Issue two: The public notice sent out said that included the Mount Charleston cabins parcel. This used to be a nonprofit association as a timeshare. They were purchased in August by the Ellis family and added to this project. This action then converts them to a commercial use, which is not allowed in the overlay. Further, the 2011 overlay was amended to read, "A local government shall not authorize any of the following: a hotel, inn, motel, boarding house, or lodging house." The cabins were just licensed a week ago as transient lodging, hotel/motel, and they changed the address from where the cabins currently sit at 5355 to 5375, which is the Lodge's address, which linked them together, which then is prohibited to be allowed to be rebuilt within the overlay. It's specifically in violation.

Item three: The notice card stated the cabins were in conjunction with an existing B&B. As was stated, in 1993, they were licensed as such, but the County Code definition of a B&B is "an establishment located within a single family dwelling, with a maximum of four guest rooms, for overnight accommodations and morning meal." They don't meet that definition either. I was told that no matter what you call it, it still comes down to what your definitions and your rules are.

The owners then purchased the 24 cabins under the guise of a B&B, yet not qualifying as a B. And then the new business license now has them doing a commercial venture in the Mount Charleston Overlay, which is not permitted. The cabin should not be a part of this application and should not be allowed to continue as such. They came to the Town Board a year ago asking for a 34-room hotel to be added on. Staff correctly told them no. Now, they've found a way to circumvent it. So, I'd ask you to either deny this or set it aside for us to discuss further the legality. Thank you very much.

GIBSON

Thank you. Good morning.

MICHAEL HAJI-SHEIKH

Michael Haji-. Is this one alive?

GIBSON

Yes.

MICHAEL HAJI-SHEIKH

Michael Haji-Sheikh, 344 Crestview Drive, Mount Charleston.

GIBSON

Please spell your last name for our clerk.

MICHAEL HAJI-SHEIKH

H-A-J-I dash S-H-E-I-K-H. Chris is correct on this whole thing, and I've sent you guys the details. The Mount Charleston Cabin Association was formed in 2002 as a Nevada Cooperative Cabins Association. It is not a hotel. They were allowed short-term rental of their properties, but it was not a hotel. It cannot be grandfathered in as a hotel because 2009 was the law, 2011 was the update of the law, and now at 2023 they changed it to a hotel. And it says that they're holding it as transient lodging.

Now, that is one of the things that becomes an issue, but once it becomes a hotel, it becomes part of the commercial zone. And in the State law, it says you cannot have an increase in commercial zone. This isn't even called a commercial zone, it's R-U, residential, right? It's not. And prior to the use as a commercial zone, which is a hotel, which you guys approved, not you personally, but I mean the County, then that creates a problem, because now you have two pieces of commercial property where one existed prior. Now, you have four acres of commercial property instead of two acres of commercial property. So, you expanded that commercial property and they're asking you to grandfather it as a commercial property. It violates State law and the expansion of commercial zones. And that's all I have to say specifically about that.

So, the other thing is that they did not even put in their application that it was a non-commercial property prior to this petition. So, I don't understand why. I'm a little confused. I think there's a lot of ways they could continue a business in this such a way. They could go to the Forest Service, rent Forest Service property. They could have as big a hotel and restaurant as Forest Service would give them. They just can't gamble. So that's the only thing I can figure out is the only reason why we're going through all this over and over and over. Well, thank you for your time. And I do appreciate all the work you guys did in the mountain, thank you, with the flood.

GIBSON

Thank you. Good morning.

JIMMY ALDERSON

Good morning. My name is Jimmy Alderson and I am a resident of Lee Canyon, but I'm also a previous resident of Old Town.

GIBSON

Will you please just spell your name for our clerk?

ALDERSON

My name is J-I-M-M-Y, A-L-D-E-R-S-O-N.

GIBSON

Thank you.

ALDERSON

I appreciate this time to speak this morning on something such as important as this. There's a lot of feelings about the Lodge. A lot of us miss the Lodge, but there's definitely some problems with what has happened before and what is being asked now.

Before, we've had a lot of water problems up on the mountain. And the Lodge had their own well, but it went into the same aquifer as everybody else gets their water

ALDERSON

from, and we've had a lot of water problems. And clearly the flood brought a lot more water and problems and thank you for all the help that you did up there with that, but we're still in the middle of a large drought. And when we tried to put the fire out at the Lodge when it did burn down, we lost water pressure. We had to ask all the residents to turn their water off because we just don't have the water to sustain something like that.

My second point is that what is being asked is they're asking you to violate State law. I'd like to read a small piece of that. 2009 Statutes of Nevada, page 737, Chapter 198.AB352. Shall not, state law, "Shall not, in regulating the use of those lands: increase the number of residential dwelling units allowed by zoning regulations in existence on the effective date of this act; establish any new non-residential zoning districts, other than for public facilities; or expand the size of any non-residential zoning district in existence on the effective date of this act, or then for public facilities."

And I understand that there was an approval before, but that was before this act was passed at the state level. So, my concern here is that they're putting all of you into peril with the State law and this needs to be looked at. As an executive of a company, I would have to go back and look at this before I could sign off on anything like this. And it's a concerning situation for myself and clearly for a lot of other residents. I have no ill will against the Lodge. I love the Lodge. I've written songs about the Lodge. But unfortunately, this is a problem that's going to cause a lot of legal issues between the State and the County. Thank you very much.

GIBSON

Thank you.

ERNEST FREGGIARO

Good morning, Commissioners. Ernest Freggiaro, 3981 Arlberg Way, Mount Charleston, Nevada.

GIBSON

Please spell your last name. Spell your last name for us please.

FREGGIARO

F as in Frank, R-E-G-G-I-A-R-O. I'm Chairman of Mount Charleston Town Advisory Board, and I'd like to go on record as saying that if you took a survey of the 300 to 400 residents on the mountain, you'd get 90% approval of wanting our Lodge back. It was our meeting place. It was the social life of the community. I'll also go on record as saying I'm not an attorney, but you've got plenty on staff and I'm sure you can work this out legally. But those of us that live on the mountain and will be there until we aren't living anymore are in favor of this. Thank you very much.

GIBSON

Thank you.

JEAN PERRY-JONES

It is okay to come to this side or do I need to use the other one?

GIBSON

You can use that handheld. It will work, and you just have to speak right into it.

PERRY-JONES

You can hear me up there? Okay. First off, I'd like to address a couple of things outside of this, and one is ADA compliance.

GIBSON Tell us who you are please.

PERRY-JONES I'm Jean Perry-Jones. I live at 4470 Aspen Avenue on Mount Charleston. And first off, ADA compliance, I'd really appreciate if we could do Zoom or something with meetings, because I don't have an immune system and I'm very nervous being in a crowd like this. Can you hear me okay?

GIBSON It's tough, but yes, we can hear you.

PERRY-JONES Should I take this off and just risk it and talk?

GIBSON If you felt comfortable removing it, I suppose it would help us hear you a little better, but we'll work hard to-

PERRY-JONES I feel uncomfortable, but I'll pull that one off.

GIBSON Alright, thank you.

PERRY-JONES But again, ADA compliance would be great. So, one thing I'd like to ask for is for the Board to give notices to all those in rural areas, because only 1,500 meters from the Lodge should we get notices. So, most of the Mountain didn't know about this occurring at all

I'm a retired Clark County probation officer. I'm a retired teacher as well, a proud Alumni of UNLV's Graduate School. I was Chairman of Mount Charleston Board for 10 years, when, and during that time, and prior to being on the Board, I helped write the land use plan up there that Commissioner Woodbury had instructed us and Manny Cortez had instructed us to go out and write land use plans. And upon those land use plans, we've relied on that to set the standard and the blueprint for the mountain.

I'm also a 48-year-old resident. I'm not 48, but I've lived on the Mountain for 48 years, and so I've been a real champion for the mountain. That's also where I worked, up there at Spring Mountain Youth Camp. I'm also now a realtor, and I just wanted to show you that I have my Clark County Business License and it is current. I don't know if there's a place to see this, but I just want you to know that I have to abide with the laws. And as a probation officer, I have to abide by the laws as well. And I'm asking you to abide by the laws.

Again, we've talked about the Spring Mountain Overlay going into effect, and it doesn't allow any zone changes, no de facto zone changes, which this is indeed going to allow. It's going to allow an enlarged footprint, more paving. There's no current permits that are currently there that they have. And then there's lots of issues that haven't been addressed, night sky pollution, which we need to adopt our night sky standards here, noise pollution, events, traffic, traffic control, EMS services. The residents provide all of the fire and ambulance crew up there as volunteers, which are supported by the other agencies as well, Clark County, but we are primarily volunteer. There's septic system issues. The Lodge has had numerous fires through the years. The old Lodge in the '60s burned to the ground,

PERRY-JONES

the one that had the ice-skating rink, and that was even in a different location. But every time there's a fire of this magnitude, all the residents are also at risk. Thank you for your time, but please abide by the law.

GIBSON

Thank you.

BOB RUIS

Bob Ruis is my name, R-U-I-S. I live in the Rainbow subdivision. I'm a 47-year resident of the mountain. I have been there when we have run out of water. It is not a pleasant experience. It's terrible as a matter of fact. We had to go to the library and get gallons of water to bring home because we ran out. We're in a drought situation. The Lodge would dramatically affect the water usage, increase the traffic, and they want to double the capacity for their customers.

One of my neighbors lost their son, their seventeen-year-old honor student son, to a drunk driver who crossed into the uphill lane and hit their son head-on and killed him. They had just built their dream home, and they had to move to California because they couldn't drive past the site of the accident where their son lost his life due to a drunk driver. I don't know, I wonder, I would ask the question if, the Palms Casino, what role they might have played in the loss of life of the two Nevada Highway Patrolmen that were killed due to a drunk driver. I don't know the answer to that.

On my way home from town one night at midnight, I followed a truck that got to the Fletcher Campgrounds, and I saw a burning cigarette go out the passenger window. And I followed them all the way to the Lodge and told them I couldn't understand how anyone could be so ignorant as to throw a burning cigarette out of their car in a National Forest. I'm told that the Toiyabe National Forest is the smallest national forest in the Country.

The traffic is horrendous on the weekends. I don't even want to leave my cabin because of all the traffic. All the motorcycle clubs in town go to the Lodge on the weekends and have their rallies. I've seen them block traffic on 95, someone get out of their car and stop the traffic on 95, so that their motorcycle rally could turn left and go up Kyle Canyon Road. They stop in the national forest going both directions to feed the mustangs. They impede traffic. You can't go anywhere because they're stopping to let the horses eat from both sides, both lanes, up and down, because the horse is in the middle of the road and people won't let you pass. Thanks. I urge you to please vote no for this.

GIBSON

Thank you. Is there anyone wishing to speak on this item? The public hearing is closed. I'd invite the applicant to come up again.

CELESTE

Thank you, Mister Chairman and Commissioners. Again, my name is Tony Celeste, address 1980 Festival Plaza Drive. Also in attendance with me is Robert Thompson, who is our engineer, and William Holisky, who is our architect, should there be any specific questions for them. Together, we represent the applicant.

First, I always like to start off with, and I'll be general here and just quickly address some of the issues raised by the residents. But first, always like to start off with the aerial. You can see right here, highlighted in yellow, is the site. This is the site where the Mount Charleston Lodge was located. We are looking to reconstruct

CELESTE

the Lodge that has been on that site since the early 1960's. Essentially going to have three components of my presentation. One, just the history; two, the status of the licensing; and then three, the reconstruction of the Lodge.

First, as I just mentioned, the property was originally built in the 1960's and had continued to expand over the decades under various use variance approvals by the County. Unfortunately, a couple of years ago, the Lodge did succumb to a fire. We were simply looking to reconstruct what was previously built there.

There has been some questions about the status of the licensing, and I have those here. First, I'd like to submit for the record, and then I will display them, if I may? Thank you. You can see what I have displayed here are various Clark County licenses that are in effect as we speak today, ranging from our liquor to various gaming licenses, as well as equally important you can see our restricted gaming license with the State of Nevada all being maintained. Again, a letter from Clark County Department of Licensing, again, showing that our license is in place. So, because we have a license in place, we are still able to rebuild or reconstruct the Lodge under the use variances that have been approved over the decades.

So, with that, I'm going to get into the actual rebuilding and reconstruction that we're proposing up there. First and foremost, what you'll notice about our application is a lack of a zone change. We do not need a zone change. We're not asking to rezone the property. It'll remain zoned residential. It can remain zoned residential because of the use variances that have been approved. Right here, you can see is the site plan of our site. When we started designing this property, really, we had to confront one main issue. The main issue up there has always been the lack of parking, the lack of parking under the previous Lodge. It was probably well over a hundred spaces deficient, so we had to make a decision. Do we come in with a waiver to request a parking reduction of over a hundred spaces, or do we mitigate that issue and provide the parking? We decided to take the route to provide the parking. In order to do that, we do have to have a parking structure on the site, so the site itself is about 12 feet below the Kyle Canyon grade. What we have elected to do is propose a parking garage. That parking garage will be two levels. The second level will actually be 12 feet above the grade of the site and will match the grade of the Kyle Canyon Road.

So, when you come into the site, you will enter on the top floor of the garage, and then circle down to the bottom floor. We are now providing 185 parking spaces, where about 160 are required. So, we are actually now sufficiently parking this site. The top level right here, so because of the parking garage, that actually spurs about three of the waivers. One is the setback that was referenced. The parking garage is technically considered a structure. In order for the garage to meet the Kyle Canyon Road, we need to reduce that setback to two feet there. We have retaining walls that already exist and we're going to match it against that retaining wall to have the entrance through there. So that is the first set. That is the first waiver is with respect to the setback because of the garage here.

The second one we have is lot coverage. Our previous lot coverage was 15%. We're now at about 29%. Again, the reason being is that the garage is considered a structure, so we have to include that in the overall lot coverage. But most importantly, it is less than 50%, which would be the maximum in this zone district.

CELESTE

So, we're still under the maximum, but we do have to have that increase from 15% to 29%, but that is because of our garage here.

And the third portion related to this is again, as I mentioned, we're building the garage, and now the Lodge itself is going to sit on a podium. From Kyle Canyon Road, the building will be about 35 feet in height. But again, because we are part of this garage structure on the backside, it'll be measured to about 47 feet. So, we do have a waiver to increase the height, but that's because we have to put the building up on the podium to allow for the garage.

As you can see here, this is the top level. Here is the below level, where you have the underground parking, the podium, and then we provide cross access to ourselves at the cabins over here. There was a mention about the footprint of the building. You can see right here, this red hashed area, was what was the existing footprint of the Lodge. You can see we have right now basically right here, is the Lodge in black. It is essentially the same footprint. We did have to shift few things around slightly because we do have to comply with today's building codes and ADA requirements and other things like that. But as you can see, the Lodge itself is very similar in footprint to what was previously there.

Here's the elevation of the Lodge. You can see right here. This is at Kyle Canyon right here, 35 feet, and then right here is the podium that'll sit on, where it goes under, and you can see we're at 47 feet here. And this is basically what we're excited to bring back to the community. When we were up there last week at the Town Board hearing, as Mister Freggiaro said, I would say 90-plus percent of the community was strongly in support of this. This is their place of gathering, this is their community center, if you will, and so they're very excited. It's something that has been very iconic to not only the Mountain, but to the Las Vegas Valley, and it's a resource that is needed, and the Ellises are very excited to bring this back. We appreciate, again, staff's recommendation of approval. We agree with all those conditions, and appreciate Mount Charleston Town Board's recommendation of approval, and we are here to answer any questions you may have.

GIBSON

Thank you. Commissioner Miller.

ROSS MILLER

Thank you. A number of concerns were raised that I'd like to potentially hear from Planning, the Business License Department, who's present here today. In anticipation of those questions, appreciate all the emails and phone calls tipping us off to the concerns of a number of residents, and then potentially finally the District Attorney's Office. Maybe in that order.

REAL

I can go through several of the items. So, there was discussion about the Spring Mountain overlay, and the Spring Mountain overlay specifically speaks to zoning districts. This application isn't proposing a new non-residential zoning district, and it's not proposing to increase the size of a non-residential zoning district. The use of the Lodge was approved back in the 60's with a use variant. The use of the overnight stay units were approved back in the 90's, and they were approved in conjunction with the Lodge, and that was also done by use variants. The other thing that we heard was that they shouldn't be allowed to rebuild again. They do have licenses. They were put on a temporary, we'll just say hold status, but they are valid business licenses for the uses that existed prior to the structure burning

REAL down. And as a result of that, we still recognize the variances that were issued in the nineties, which is why they're here before you today for rebuilding the uses that had burned down.

MILLER Thank you. Vince, can you help us explain the status of these licenses, which has been a point of concern? Specifically, any designation that's forward-facing that's available to the public, relative to the documents that were provided today or anything internally in terms of the designation of those licenses.

VINCENT QUEANO Yes, so good morning, Commissioners. Vince Queano, Director of Business License. So, I can confirm that the business Mount Charleston Lodge, the tavern with restaurant, liquor license, gaming, non-resort, and the food service restaurants and other, are on an approved temporary closure that expires on January 31st, 2024.

QUEANO

MILLER Thank you. Mister Warhola?

ROBERT WARHOLA Yeah. The use variance is still in effect. It's still active because the Business Licenses were maintained, and so the use variance never expired. And the State law, Sami is correct, the State law doesn't apply. We're not changing zoning; we're not expanding the zoning. So, this application is properly before the Board for consideration.

REAL And then, I'd like to add too, and Vince can confirm, but even though the temporary closure status has an expiration date, what they've been doing is applying for those to be extended, so there is an extension process. So, in all likelihood, they will continue to be extended until they are active licenses again.

MILLER I don't have any further questions, but maybe some other members of the Board may.

GIBSON Are there questions or concerns that nay members of the Board want to express? No.

MILLER Hearing none, and I think this is a beautiful project. Appreciate the passion and concerns of some of the neighbors about this. A lifelong resident of Las Vegas, was born here, and several generations before me that go up there and camp, and certainly took the advantage of this facility. I know I'm not alone. Probably every member of this Board and a member of the public has at some point been up to the Lodge. They've done a beautiful job bringing this back to the community. I think it's going to be a tremendous asset and add to what really is really a regional treasure for us so that the entire community can go up there and continue to recreate and enjoy a facility like this. So, appreciate you bringing this forward, and would move for approval of Agenda Item 14 with waivers of development standards as the outlined in the agenda.

GIBSON There's a motion for approval. Any discussion on that motion? Please cast your votes. And the motion carries. Thank you.

CELESTE Thank you, Commissioners.

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- All provided on-site vegetation to be native to the Spring Mountain area;
- Record perpetual cross access, ingress/egress, and shared parking agreement between APNs 129-36-502-017 and 129-36-101-017;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the rebuild of the restaurant and lounge is limited to those uses that were previously approved on the site and additional land use applications may be required for any future uses, construction, or grading; that approval of this application does not constitute or imply approval of any other County issued permit, license or approval; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

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

Southern Nevada Health District (SNHD) - Engineering

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

ITEM NO. 15 WS-23-0697-EAGLE PROMENADE, LLC:

WAIVER OF DEVELOPMENT STANDARDS to reduce street landscaping.

DESIGN REVIEWS for the following: 1) alternative parking lot landscaping; and 2) a retail building (automobile parts) on a 2.0 acre portion of an 8.4 acre site in a C-1 (Local Business) Zone. Generally located on the west side of Rainbow Boulevard and the north side of Eldorado Lane within Enterprise. MN/md/syp (For possible action)

ACTION: Deleted from the agenda (held to February 7, 2024, per the applicant)

ITEM NO. 16 WS-23-0718-UNCOMMONS LIVING BLDG 1, LLC:

WAIVER OF DEVELOPMENT STANDARDS for signage.

DESIGN REVIEW for modifications to comprehensive sign package in conjunction with an approved mixed-use project on 32.5 acres in a U-V (Urban Village – Mixed-Use) Zone in the CMA Design Overlay District. Generally located on the southeast corner of Durango Drive and the CC 215 within Spring Valley. MN/rr/syp (For possible action)

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

CONDITIONS OF APPROVAL-

Comprehensive Planning

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

regulations in place at the time of application a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

ITEM NO. 17 WS-23-0721-USA & COUNTY OF CLARK (ADMINISTRATION) LEASE:

WAIVER OF DEVELOPMENT STANDARDS for full off-site improvements.

DESIGN REVIEW for a park expansion on 49.0 acres in a P-F (Public Facility) Zone and an R-U (Rural Open Land) Zone. Generally located on the southwest corner of Gretta Lane and Sky Road within Indian Springs. RM/jud/syp (For possible action)

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

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

ITEM NO. 18 ZC-23-0714-COUNTY OF CLARK (RPM):

ZONE CHANGE to reclassify 332.4 acres from an R-E (Rural Estates Residential) Zone to a P-F (Public Facility) Zone. DESIGN REVIEW for a park (Southwest Ridge Bicycle Skills Park) on a 24.0 acre portion of 332.4 acres. Generally located on the south side of Warm Springs Road and the west side of Fort Apache Road within Enterprise (description on file). JJ/lm/syp (For possible action)

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

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

Public Works - Development Review

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0196-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 19 VS-23-0715-COUNTY OF CLARK (RPM):

VACATE AND ABANDON right-of-way (grant) located between Warm Springs Road and Robindale Road (alignment) within Enterprise (description on file). JJ/lm/syp (For possible action)

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

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

Public Works - Development Review

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

ITEM NO. 20 SC-23-0375-SOUTHERN HIGHLANDS INVEST PTNRS:

STREET NAME CHANGE to change the name of Clearview Ridge Road to Clearview Summit Drive between Olympia Ridge Drive and Clearview Summit Drive in the Southern Highlands Master Planned Community. Generally located on the south side of Olympia Ridge Drive and the north side of Clearview Summit Drive within Enterprise. JJ/lm/syp (For possible action)

REAL

Commissioners, Next is item 20. Item 20 is SC-23-0375, street name change to change the name of Clearview Ridge Road to Clearview Summit Drive, between Olympia Ridge Drive and Clearview Summit Drive. In the Southern Highlands master plan community generally located on the south side of Olympia Ridge Drive and the north side of Clearview Summit Drive within Enterprise.

Commissioners, this is a street name change application, and because the Southern Highlands project is under a different code, it's under Title 29, this application is before you for consideration. It did previously go to the Planning Commission, who had recommended approval, and so if it is approved, we would ask that it be subject to the street name of Clearview Summit Drive.

GIBSON

Thank you. Good morning, Mister Gronauer.

BOB GRONAUER

Good morning, Mister Chairman. Commissioners, Bob Gronauer, 1980 Festival Plaza Drive. I'm here representing the applicant and the master developer for Southern Highlands. This is a street name change. We are asking to change the street, which is located within the golf course community. Actually, it's behind three gates. If you come in off the main drag off Southern Highlands Parkway, you come in, you come through a second gate located here, as I'm showing you, and then this will be a third gate. This area highlighted in yellow here, these lots are custom lots. The lots itself start at anywhere from \$3 million to \$5 million, before

you start building homes in this area. What we're asking for is have our continuous street to have one name, which is Clearview Summit Drive. We do have a proposed crash gate in this area, where today, there is a construction access road that goes out here out to Southern Highlands Parkway. But with that being said, the Planning Commission recommended approval for the street name change to Clearview Summit Drive, and I'm here to answer any questions that you may have.

Thank you. This is a public hearing. Is there anyone here who wishes to speak on this item? There being no one. Commissioner Jones.

Thank you, Mister Chair. I certainly understand why the rules exist with regards to street names, but I think there is no public safety concern. If you get through three gates, then I think that there's certainly a chance that you're going to find the house, so I would go ahead and move for approval of agenda Item 20.

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

Thank you.

Thank you.

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

Comprehensive Planning

- Subject to Clearview Summit Drive;
- Street signs shall be installed after construction of off-site improvements for the street and prior to final inspection.
- Applicant is advised that they are responsible for the installation of street signs per Public Works requirements.

ITEM NO. 21 UC-23-0637-LAS VEGAS VALLEY WATER DISTRICT:

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

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

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

Next is Item 21, UC-23-0637. Holdover use permit for public utility structures consisting of a pumping station, electric substation, fences and walls. Waivers of development standards for the following: waive offsite improvement sidewalk, reduced throat depth, increased driveway width, and allow pan driveways. Design reviews for the following: public utility and structures, pumping station, and electric substation, and finished grade on a 5.9 acre portion of an 18.2 acres in a public facility zone generally located on the north side of Generally located on the north side of Monthill Avenue, 105 feet east of Hazelcrest Drive within Paradise.

GIBSON

Good morning.

BRONSON MACK

Good morning, Mister Chair, members of the Commission, Bronson Mack, B-R-O-N-S-O-N M-A-C-K, 1001 South Valley View, here on behalf of the applicant. This is a 5.6 acre site that we are looking to develop. It does reside at the southern portion of an existing Las Vegas Valley Water District reservoir and pumping facility that was put into service in 1969. The proposed pumping station here is for the Southern Nevada Water Authority. It will improve the overall reliability of the community's regional water system, especially that portion of the water system that serves the central part of the Las Vegas Valley. This pump station as proposed will have the capability to move approximately 90 million gallons of water per day. It also includes a 4-million-gallon concrete forebay from which that pumping station will pull water in order to move it through the distribution system as well as a 69 kV electrical substation.

Now as part of this application, the applicant is requesting a waiver of the sidewalk along Monthill. This is an aerial image showing Monthill. You can see, there currently is no sidewalk obviously located here, nor has there been from the time that this site was developed. Furthermore, there is no point of connection for this sidewalk to tie into anything on Lamb. I have just a couple of street views here just to show a little more perspective on what the current conditions are for the sidewalk. This is at Lamb and Monthill. You can see there is existing sidewalk on the southern portion of Monthill. This is the sidewalk that all pedestrians are using today.

If we look at this image as we are looking west up Monthill, and we just take a slight turn to the right, this is now at the eastern portion, southeast corner of the parcel. That is an NV Energy easement that is there, and you can see there is no location or area for us to tie any sidewalk into. This is a sound wall here for US 95, and if we just take another slight turn to the right and look down Lamb Boulevard, we can see that the existing sidewalk that connects with the southern portion of Monthill is contiguous and continues on down Lamb Boulevard, providing safe pedestrian access. And again, there is no sidewalk located on the opposite side of Lamb for us to tie into. Now, we also do have a request for a waiver on the driveway, and we want to thank staff and especially Public Works staff for their efforts in communicating with us and talking with us about ways in which we can better design this driveway.

This is a revision that we have submitted recently. The red line that you see here just shows what the flow path is. This is an unmanned facility, but there will be times where we are going to be required to bring in a large vehicle like an 18-wheeler. If we need to lift a pump, remove a pump, bring on large valves, have to do new switch gear or repairs for large equipment, it might be necessary for us to bring this kind of a large vehicle in.

And so, part of this design and some of the challenge that we have is with the topography of this property. Part of this design is to provide that safe path for that large vehicle to ingress and egress the property. Of course, Public Works did have some concerns, making sure that that flow path was appropriate for the area. We have resubmitted on this design. We believe that this would satisfy those needs, but we may hear from Public Works on the need to do just a little additional

MACK coordination. But with that, I'm available to answer any questions that you have myself and our engineer, Jonathan Toll, and we respectfully request your approval of this item.

GIBSON Thank you. This is a public hearing. Is there anyone here who wishes to speak on this item? This is Item 21. There being no one. The public hearing is closed. Commissioner Segerblom?

TICK SEGERBLOM Thank you, Mister Chairman. And as I put up my hand, as a member of the Las Vegas Valley Water District, I want thank you as an employee or as a subcontractor for us, doing a good job. And taking that hat off and putting my hat on as the Clark County Commissioner, I want to thank Antonio and his staff for working with you. And I think we've modified this quite a bit for the betterment. I want to make sure that there are trees going to be put along that wall on Monthill.

MACK Yes, Commissioner. Thank you for bringing that up. I apologize for not stating that we will be installing frontage landscaping along Monthill. That will include large trees to help shade those hardscapes and help enhance the overall aesthetic of the property. So yes, we will be landscaping that frontage.

SEGERBLOM Thank you so much. And Antonio, are you okay with the revisions? Since they followed your direction, I hope you are.

ANTONIO PAPAZIAN Thank you, Commissioner. I am if I can add a few, since it appears we're going with the waiver of the sidewalk, I'd like to add a condition to work with Public Works on the construction of a crosswalk. We know this is a main pathway for people that walk and would like to make sure that there is a safe path for the people to get to the south side of Monthill.

And then, also, it appears, since this is an unmanned area, the westerly driveway, since that's the ingress side, you would have to queue on Monthill before that gate can open. We would like to continue working with them to maybe push that gate a little bit to the north into their parcel, so that you can queue onsite rather than on Monthill. So, I'd like to add a condition that says, "Continue working with Public Works for the construction of the gate on the westerly driveway." And because we don't have ... The revision doesn't have the large driveway they were asking for, I think we can withdraw Waiver Standard 3, which pertains to the driveway width. They were asking for 146. They're maintaining the standard driveway width of 40 feet. We might need some wiggle room, so maybe allow up to 50? It looks like their auto turn is pretty tight, just looking at this just real quickly. And although 146 is not required, they may require something a little larger than 40.

SEGERBLOM Are you okay with those recommendations?

MACK We are absolutely in concurrence with that, and we appreciate Public Works and staff for their time and energy that they've invested with us in helping get this coordination.

SEGERBLOM Alright, with that, and thank you again, both parties, I'd move for approval subject to the conditions that Public Works just added. Thank you.

GIBSON

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

ACTION:

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

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

Public Works - Development Review

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

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 #0453-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 22 UC-23-0664-KENOWOYO INVESTMENT I, LLC:

USE PERMIT to re-establish a school.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) sidewalk and landscaping; 2) reduce setback; 3) allow non-decorative screening along the right-of-way; 4) allow unscreened mechanical equipment; 5) trash enclosure; 6) off-site improvements; 7) reduce throat depth; and 8) driveway geometrics.

DESIGN REVIEW to re-establish the school site redesign for an existing school on a 2.0 acre portion of a 4.2 acre site in an R-E (Rural Estates Residential) Zone. Generally located on the northwest corner of Oakey Boulevard and Red Rock Street within Spring Valley. RM/jor/syp (For possible action)

ACTION:

Deleted from the agenda (held to January 17, 2024, per applicant)

ITEM NO. 23 VS-23-0512-TRIPLE TREE:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Tee Pee Lane and Chieftain Street, and between Washburn Road and Fisher Avenue within Lone Mountain (description on file). RM/lm/syp (For possible action)

ACTION:

Deleted from the agenda (held to January 17, 2024, per applicant) Applicant is

advised that re-notification fees are required prior to this item being placed on the agenda.

ITEM NO. 24 WS-23-0511-TRIPLE TREE:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate sidewalk and allow alternative street landscaping; 2) increase retaining wall height; and 3) reduce street intersection off-set.

DESIGN REVIEWS for the following: 1) single family residential development; and 2) finished grade on 3.9 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the east side of Tee Pee Lane and the north side of Washburn Road within Lone Mountain. RM/lm/syp (For possible action)

ACTION: Deleted from the agenda (held to January 17, 2024, per applicant) Applicant is advised that re-notification fees are required prior to this item being placed on the agenda.

ITEM NO. 25 TM-23-500107-TRIPLE TREE:

HOLDOVER TENTATIVE MAP consisting of 7 single family residential lots on 3.9 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the east side of Tee Pee Lane and the north side of Washburn Road within Lone Mountain. RM/lm/syp (For possible action)

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

ITEM NO. 26 VS-23-0696-GHANOLI HOLDINGS, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Martin Avenue and Maule Avenue (alignment), and between Crystal Street and Dean Martin Drive within Enterprise (description on file). MN/rr/syp (For possible action)

REAL Next are Items 26 and 27, which will be heard together.

Item 26, VS-230696, vacate and abandoned easements of interest to Clark County located between Martin Avenue and Maule Avenue Alignment, and between Crystal Street and Dean Martin Drive within Enterprise.

Item 27, UC-23-0695, use permit for a truck staging area. Waivers of development standards for the following: allow reduced landscaping and attached sidewalk, allow modified driveway standards, and allow modified street standards, design review for a truck staging area on 5 acres in an M-1 Light Manufacturing AE-60 Zone, generally located on the south side of Martin Avenue and the east side of Crystal Street within Enterprise.

GIBSON Good morning, Miss Stewart.

LUCY STEWART Good morning. Lucy Stewart, 1930 Village Center Circle. My last name's spelled S-T-E-W-A-R-T. And this is a really interesting piece of property. It's like about half an acre, and it's a triangular shape, that's why we have so many waivers, and it's surrounded on three sides by streets. So, I do need to make a correction. I guess, in the justification letter, when it was submitted, the engineer thought this was a staging site for like convention trucks and all to just park here, but it's not. It's actually, the site is for staging for trucks for ... They're a federal contractor and they contract with the mail, and so what they do is they leave about between 3:30 and 5:00, they take mail and meet another truck in California, and then they swap their mail, and then they bring mail back to Las Vegas, and that truck takes the rest

STEWART

to Southern California.

So, they leave about, like I said, 3:30 or 5:00 in the morning, and they're back about 11:30 in the morning. So, they really miss any of the peak traffic that would be in the area. So, all their access is on Crystal, which is a cul-de-sac, and it serves this property, and there's one driveway to the rear of these office warehouses to the west. So, I really don't think there's any kind of impact to the traffic in the area. There's only eight spaces here. The cars come in, they swap out the trucks, and they leave their cars parked in the space here. And, unfortunately, they've actually been kind of doing it, and then they realized they needed to come in and get approval for it. So, we're asking for approval after the fact. We agree with all staffs, if approved, conditions, and happy to answer any questions.

GIBSON

Thank you very much. This is a public hearing on Items 26 and 27. Is there anyone here who wishes to speak on these items? There being no one, the public hearing is closed. Commissioner Naft.

NAFT

Thank you, Mister Chairman. I wasn't going to point out that they're doing it anyway, but since you did, I think this is a smart approach to actually solving the problem and makes a lot of sense. And if there's nothing further, I move for approval of Item 26 and 27.

GIBSON

There's a motion for approval on these two items. Any discussion? Please cast your votes. The motion carries.

STEWART

Thank you very much.

ACTION:

It was moved by Commissioner Michael Naft, and carried by unanimous vote, that the applications for Item Nos. 26 and 27 be approved subject to staff conditions.

CONDITIONS OF APPROVAL –

Comprehensive Planning

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

Public Works - Development Review

- Right-of-way dedication to include a portion of the cul-de-sac for Crystal Street;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

ITEM NO. 27 UC-23-0695-GHANOLI HOLDINGS, LLC:

USE PERMIT for a truck staging area.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow reduced landscaping and attached sidewalk; 2) allow modified driveway standards; and 3) allow modified street standards.

DESIGN REVIEW for a truck staging area on 0.5 acres in an M-1 (Light Manufacturing) (AE-60) Zone. Generally located on the south side of Martin Avenue and the east side of Crystal Street within Enterprise. MN/rr/syp (For possible action)

ACTION: It was moved by Commissioner Michael Naft, and carried by unanimous vote, that the applications for Item Nos. 26 and 27 be approved subject to staff conditions.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- A business license shall not be issued, or if no business license is required, the use shall not commence without final zoning inspection;
- Substitute the Modesto Ash trees on landscape plan with a tree species recommended by the Southern Nevada Regional Planning Coalition Regional Plant List.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Full off-site improvements;
- Right-of-way dedication to include a portion of the cul-de-sac for Crystal Street.

Southern Nevada Health District (SNHD) - Engineering

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

ITEM NO. 28 WS-23-0340-HALLEWELL, MICHAEL H. & NANCY L.:

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

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

ACTION: Deleted from the agenda (held to March 20, 2024, per applicant) Applicant is advised that re-notification fees are required prior to this item being placed on the agenda.

ITEM NO. 29 WS-23-0708-EL CAMINO REAL INDUSTRIAL, LLC:

WAIVER OF DEVELOPMENT STANDARDS to waive off-site improvements in conjunction with an approved office/warehouse facility on 2.0 acres in an M-D (Designed Manufacturing) Zone. Generally located on the north side of Pebble Road and the east side of El Camino Road within Enterprise. JJ/lm/syp (For possible action)

REAL

Next is Item 29, WS-230708, waiver of development standards to waive offsite improvements in conjunction with an approved office warehouse facility on two acres in an M-D Design Manufacturing Zone, generally located on the north side of Pebble Road and the east side of El Camino Road within Enterprise.

GIBSON

Good morning.

LARRY MONKARSH

Good morning. Chairman, Commissioners, Larry Monkarsh, M-O-N-K-A-R-S-H, 7115 Bermuda Road. I'm here in regards to the project currently under construction. Actually, we're paving roads today, make the neighbors very happy. We're at the northeast corner of Pebble and El Camino, just east of Torrey Pines, and west of the future Jones overpass. Our project is in an RNP. We have a letter here from our neighbor to the north, the Hardins, in support of this waiver. They also supported the rezone to MD and the office warehouse building. When we went through the design review, they were in support because we were lowering the height of all of our perimeter lights on our building. Our building lights will not wash onto any of the neighbors' property. And so, therefore, our plans currently show two streetlights in Pebble and two streetlights in El Camino. We're here asking for those streetlights and that waiver to be approved.

I have some pictures here of the current building under construction. The area two to three blocks surrounding this property do not have streetlights. There is also a church and a school to the west of here, Southern Hills Baptist. They do not have any offsite improvements other than their curb and gutter. There are no sidewalks, no streetlights. And we're also looking down here, north onto El Camino, also no streetlights. And we're also looking on Bronco just to the east and south of here, also no streetlights. So, with that said, we went to Town Board. Town Board approved the waiver. And we're hereby asking for your approval as well.

GIBSON

Thank you. This is a public hearing. Is there anyone here who wishes to offer comments on Item 29? There being no one. The public hearing is closed. Commissioner Jones.

JONES

Thank you, Mister Chair. Antonio, do you want to comment on the request?

PAPAZIAN

Commissioner, nobody in the direct area has streetlights. We do believe streetlights are important for motorists and safety reasons, but we understand the request. We ask that the conduit and pull box, since the sidewalk is being installed, we ask that the conduit and pull boxes be installed.

JONES

Okay. Do you understand that Mister Monkarsh?

MONKARSH

Yes. We actually do have the streetlight pedestal installed, and all the underground infrastructure has also been sleeved and ran through the approaches. So, if they ever need to be added to the future, the infrastructure's there.

JONES

Great. With that, I'll go ahead and move for approval Agenda Item Number 29.

And the motion carries. Thank you.

MONKARSH

Thank you.

ACTION:

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

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

Public Works - Development Review

- Install conduit and pull boxes for streetlights

ITEM NO. 30 PA-23-700028-ROOHANI FAMILY TRUST ETAL & ROOHANI KHUSROW TRS:

PLAN AMENDMENT to redesignate the existing land use category from Mid-Intensity Suburban Neighborhood (MN) to Corridor Mixed-Use (CM) on a 3.9 acre portion of a 5.6 acre site. Generally located on the northwest corner of Silverado Ranch Boulevard and Valley View Boulevard within Enterprise. JJ/gc (For possible action)

REAL

Next are Items 30 and 31, which will be heard together.

Item 30 PA-23-700028, plan amendment to redesignate the existing land use category from mid-intensity suburban neighborhood to corridor mixed use on a 3.9-acre portion of a 5.6-acre site, generally located on the northwest corner of Silverado Ranch Boulevard and Valley View Boulevard within Enterprise.

Item 31 ZC-23-0610 zone change to reclassify a 3.9-acre portion of a 5.6-acre site from R-E Rural Estates Residential Zone to a C-2 General Commercial Zone. Use permits for the following: reduced separation from a convenience store to a residential use, reduced separation from a car wash to a residential use and reduce separation from a tavern to a residential use. Waivers of Development Standards for the following: reduce height setback ratio adjacent to a single-family residential use, allow alternative landscaping screening adjacent to a single-family residential use, allow talk box to face future residential development and allow modified driveway design standards. Design reviews for the following: shopping center with a tavern, retail, convenience store, gasoline station, vehicle wash and restaurants with drive-thru and finished grade. Generally located on the north side of Silverado Ranch Boulevard and the west side of Valley View Boulevard within Enterprise.

Commissioners, before we start, I just want to say Items 32, 33 and 34 are next to this application but thought it would be best to hear these applications separately, so I just wanted to let you know that.

GIBSON

Alright.

JONES

Very good.

GIBSON

Thank you. Mister Gronauer?

GRONAUER

Thank you, Mister Chairman, Commissioners. My name's Bob Gronauer, 1980 Festival Plaza Drive. I'm here representing the applicant on these two matters and

then I'm going to be representing the applicant on the next three matters, which is a multifamily portion. So, on this piece of property here, I want to orient you, I have a map here with a bunch of different colors. The property that we're talking about here on these two applications is highlighted in red here. This is on the north side of Silverado Ranch, and this is adjacent to Valley View. Actually, this is right at the intersection of two 100 right-of-way streets. As you're familiar with commercial throughout the valley, typically when you have two major arterial streets like this in this area, you typically have high intensity types of uses. More importantly, we are about a mile away from the off-ramp of I-15 for Silverado Ranch in this area. This is Dean Martin. This is Valley View. So, this will be a signalized intersection at some point in time. This was just recently improved through I believe a capital improvement project in this area.

So, the commercial that we're proposing is approximately four acres of property, just shy of four. We are actually asking for a commercial retail shopping center. We're going to have some retail uses. We do have a tavern located on the property here. We have a convenience store and a car wash located here with the gas. We have fast food restaurants that are being proposed in this area that we're asking for.

So, this is a part of a bigger picture for the development of this area. You do have commercial already approved in the master plan to the southwest of this corner of this intersection and you have commercial zoning on the southeast corner of the property. And across the street here, this is a BLM land. I believe there's a school already that has a proposal on the property over here also with some other potential uses that the County may be using on the property here.

With that being said, I will just touch on for the upcoming applications. The reason why we have the special use permit, the Waiver of Development Standards to be less than 200 feet from residential is because we're proposing this as the intense buffer, excuse me, the intensity, on Silverado and Valley View is the commercial retail. The talk boxes that we're proposing are located here and here. Staff is recommending approval of our location of the talk boxes. Staff is recommending approval of the location of our tavern use, the retail buildings and the convenience store that's there. We have a Waiver of Development Standard that we worked with staff also with public works which is the ingress and egress out here on Valley View.

So, when you take a look at the waivers and the use permits that we're asking for, that is they're going to be up adjacent to what is proposed for a multifamily development. We do have intense landscaping to the north and to the west on our property and we have an alternative design for fencing that is going to be adjacent to, that's proposed to the multifamily.

So, with the commercial application here, the Planning Commission recommended approval, your staff has recommended approval. This fits the policy and goals where you want to encourage commercial development like this in your neighborhoods to minimize vehicular traffic in this area and it gets back to where traditionally if you're going to approve commercial development such as this, you're going to approve commercial developments at major intersections and more importantly, somewhere where you're actually also in close proximity to the off-ramp here on I-15. That being said, I know there's some neighbors here. I've met

GRONAUER

with them last week. I know they're not in support of this application here, but I can answer additional questions or issues that come up on these two matters before we get into the multifamily.

GIBSON

Thank you. This is a public hearing. Anyone in wishing to speak on Items 30 or 31 is invited to come forward and offer your comments. Please state your name, spell your last name and please keep your comments to three minutes. Thank you.

MATTHEW MALCOMB

Good morning, Commissioners. Name is Matt Malcomb, M-A-L-C-O-M-B, 4099 West Silverado Ranch Boulevard. I couldn't come with quite as a polished presentation as Robert, had to take work off to come down here, but I mean it's hard to fight what he's saying as far as major arterials, Silverado Ranch Valley, we get it. So, this is an area that's grown quite a bit that Commissioner Jones knows quite a bit about, but all I can say is if you are at that property and looking north, all you have to do is turn 180 degrees across the street is zoned commercial. That's where this should go.

It's R-2, I don't know that... The only understanding is the applicant couldn't purchase that property. Someone else owns it and is probably going to develop that. So, my understanding of is just basically a zoning issue. We spent a lot of time on the zoning through the County Planning Commission, the Master Plan, and it just seems that developers come through, throw the hand grenade out and just blow it all up and go with it. If they would just put this development, this commercial development across the street, the southwest corner of that, that's where it's meant to be. Thank you.

GIBSON

Thank you.

DANIEL PANDZIK

Good morning. My name's Daniel Pandzik, P-A-N-D-Z-I-K. I live at 4390 West Torino Avenue, which is in the Enterprise District that's supposed to be rural preservation, and our area is under attack by these developers. I'm talking about 30, 31, but what I also can say is what I'm commenting about affects 32 and 33. These people have lawyers, they know what they bought, they know what it was zoned for. Then they request a zoning change and then they want variances from the zoning change they requested. I used to work in a machine shop, it was built into the print, you're never wrong. We have a limited amount of land left in Clark County and they're trying to destroy the last rural preservation areas in the County. I can't help it, we're up against Spring Mountain, we're up against the Lake Mead and the rest is BLM land.

We bought these properties and the estates down there as rural so we could walk our dogs, ride horses. My neighbors have camels and pigs and goats. I've been hit once walking my dog. I was almost hit another time. For some reason trucking companies think it's a fine place to train their drivers, but we do not need 300 unit apartments at this area. There are plenty of apartments on Las Vegas Boulevard. This is supposed to be rural preservation. If they're going to get a zone change, then they ought to at least build to the specs of the zone change they requested.

Guys, they have all the money, all the lawyers, the only people we have protecting the residents of our area are you people here and I hope you will do the best you can for us. I'm not against development, but I'm against development where they

PANDZIK

always have to have an excuse of variance to maximize profit and it turns into another Cabrini Green. We do not want that.

Thank you for your time. By the way, you guys got rough jobs. I wouldn't do this.

GIBSON

Thank you.

TOMMY LOPRESTI

Morning, Commissioners. Tommy LoPresti, 9341 Dean Martin Drive.

GIBSON

How do you spell your last name?

LOPRESTI

Oh, L-O-P-R-E-S-T-I. I just wanted to comment again. I understand the comments about Silverado Ranch and Valley View. They certainly have expanded. It's a beautiful road that they developed there. There's a need for it with Mountain's Edge, that traffic, so it's inevitable that eventually commercial's going to come in this area. Again, it was mentioned that it's typical because of its location to the 15 and the 200-foot wide arterials, but it's only typical if things are approved. I mean it's not mandatory, it's not necessarily a guarantee. It might be typical around town, but this area has been referred to as being unique at a lot of these meetings and I think there's a reason for that.

I would just request that; I mean some of the Waivers of Design Standards on this site plan are just extreme. I mean the percentages of reduction that they're asking for on the commercial property, some of them are in the 90 percentile. There's a similar development of Cactus in Dean Martin where there's a KFC drive-through next to a tire shop and a few other little stores and driving through there with a friend of mine in an F-250, we couldn't exit the drive-through of Kentucky Fried Chicken without having to stop, reverse and do some maneuvering. So, I think that's a case in point where they just tried to pack too much stuff in a small area.

So, if this does get approved, I would hope that at least that that was looked at. I mean at Town Board the same day that this was presented, we had a neighbor who wanted to put a 4,000 square foot garage on his own property by following all the building codes and requirements and not only was it, it was approved, but with two conditions. So, he followed everything, and he was also put conditions on this garage he wanted on his own property. And they were small, just that the color matched the house and the roof. But it got me thinking, this guy's just trying to build this on his own property for his own usage and he's getting conditions put on his application and then we have developers like this with little to no skin in the game asking for so many waivers.

So again, we know it's inevitable. It's on the way. We just hope that it's done responsibly. Thank you.

GIBSON

Thank you.

DANI KEAR

Good morning, Commissioners. My name is Dani Kear, last name is K-E-A-R. I reside at 4099 West Silverado Ranch. I want to start with the Planning Commission that I attended regarding this item. I visited with Commissioner Kilarski and also Commissioner Mujica. I also spoke with Mark Donahue on staff. And all three of them told me, when you buy property, the first thing that you

KEAR

should do even before you buy it is to see what it's zoned for, because it makes it easier to know what you can put there when you're buying in a place where you're building what you want to in the right zone.

This applicant has disregarded that. And while I understand that there is a need for development in our area, and I think most of the neighbors in our little tract of land west of I-15 and north of Cactus and Southern Highlands up to Blue Diamond, we all are for and proponents for development in this area. But we also think that a lot of our taxpayer dollars have already been spent on master plans to properly create a cohesive master plan. So, you have a piece of property, zone four, eight homes per acre, mid-density, which we all agreed to. That would be a blessing from God if we would get that approved. But instead we have a developer, a billionaire, coming in and asking to take away another little piece of our rural neighborhood with this development, which is unnecessary and I'm going to show you why it's unnecessary.

This is their commercial right here. I live right here. The yellow is the proposed development. This is I-15, this is Decatur. We have a PT's Tavern, we have a Chevron's convenience store, Terrible's convenience store. This is where the armory is right here. We have a Green Valley Grocery. We also have another approved tavern. So why do we need another convenience store, gas station, fast food chain? If you want to do that, it should be, as the previous speaker said, right south of this is all commercial. Or let's put it over here by I-15 because the people in my neighborhood are not, we're not going to fast food every day. So why would you not want to put that development closer to the freeway where people on I-15 can access fast food when they're traveling? That's what we all do.

So, I want to just refer to and read this really quick because I found it. I think it's fascinating and interesting that part of the Clark County comprehensive plan says, "Number one goal: implement a comprehensive land use plan to promote development that is compatible with adjacent land uses." So again, we have no problem with the development but what we're asking for the commissioners to do, specifically my commissioner that I voted for to represent me in my area, to hold these developers accountable for what they bought. If you bought land and it's mid-density, eight homes, eight dwelling units per acre, please by all means put that in and we will be down here supporting it. We'll send in cards and give you a big hurrah for that, but please don't whiz all over our plan that we've paid for. Thank you.

GIBSON

Thank you.

PAM KAISER

Hi, my name's Pam Kaiser, K-A-I-S-E-R. I live at 3485 Vicki. I'm not going to bore you with the rest of what I'm going to say because I'll say it for the apartments, but I really am having a very hard time understanding why we participate in the mapping process and everything else, which all of us have done and I've done it for 30 years out there, why these developers are coming in. I understand they own the property but we also own our property and we need protection from you guys and I'm not seeing that we're getting very much protection. This property out here needs to be master planned some way with the developers, which Mister Gronauer has approached us and we're trying to figure out a way to do it, but all we're asking is that you guys stick with the master plan.

This is not a big request. We're just asking that you stick with the master plan, please.

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

Thank you. Mister Gronauer, would you have some response?

Yeah, I just, out of all due respect, I want show the aerial again here to point out two things. One is, I think as Dani might've mentioned, is there is other commercial I think she pointed out on Decatur and Silverado Ranch. That actually helps our case with respect to the land use plan is there is a trend of commercial, and commercial is at those major intersections. This will be built out as with some intensity commercial uses, it's already started there and that's what you have at those major arterial streets.

The second point I do want to make out of all due respect is, you have commercial master plan in some zone that was here under our resolution of intent, which is closer and on the south side of Silverado Boulevard. You come a hundred feet across a major arterial, we are looking to put the commercial here. So, we're not adjacent to the RNP in this area, respectfully. They have a beautiful house. I was there. It's a two-and-a-half-acre lot down here, I believe.

And then in this area though, across the way, this is publicly owned land and this is all private land here that is owned and we had those discussions. The RNP is up in this area that has been protected and I think, and this will get into the multifamily argument later on when we have the next set of applications. If you don't approve applications like this where it's appropriate to have these types of uses, what will happen is you as a Commission then get more pressure to put more intensity uses in the RNP or on the outside of the RNP that's adjacent to it. So, this here area here, we believe with the amount of traffic that's going to be at this location and the intensity in this area, that an application like this is appropriate.

Thank you, Mister Gronauer. With regards to these applications on the commercial, I think the commercial is appropriate on this corner. It's a hard corner on a major intersection that is slated for development with a DMV, and on the other parcels a school and potentially a reservation by the County for affordable housing. And so, there's going to be a much higher intensity of development in this area and certainly we will be working with the neighbors to shield the actual designated RNP area.

That said, I also, Mister Gronauer, when you make representations to the neighbors over there that you're going to work with them and that if it isn't approved here, then there's going to be a push for that kind of intensity more adjacent to the RNP, you're on the record so that when other clients approach you and your firm seeking higher density adjacent to the RNP, you can't make the same argument. Understood?

Yes, and I did have that discussion with the neighbors. My goal and our firm's goal, since we represent most of the builders, is... You see this area here? We've already rezoned, or we have applications in the system. So, my promise is

GRONAUER regardless how today goes, we're going to be meeting with the neighbors out there to address the issues as we go further north. Yes, I understand that.

JONES Okay. Alright. With that I'll go ahead and move for approval of agenda Items number 30 and 31.

GIBSON There's a motion for approval by Commissioner Jones. Please cast your votes.

Has everyone voted?

JONES Sorry, no I haven't. (inaudible).

GIBSON Thank you, the motion carries. Thank you.

ACTION: It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the applications for Item Nos. 30 and 31 be approved subject to staff conditions.

ITEM NO. 31 ZC-23-0610-ROOHANI FAMILY TRUST ETAL & ROOHANI KHUSROW TRS:
 ZONE CHANGE to reclassify a 3.9 acre portion of a 5.6 acre site from an R-E (Rural Estates Residential) Zone to a C-2 (General Commercial) Zone.
 USE PERMITS for the following: 1) reduced separation from a convenience store to a residential use; 2) reduced separation from a car wash to a residential use; and 3) reduced separation from a tavern to a residential use.
 WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce height/setback ratio adjacent to a single family residential use; 2) allow alternative landscaping/screening adjacent to a single family residential use; 3) allow a talk box to face future residential development; and 4) allow modified driveway design standards.
 DESIGN REVIEWS for the following: 1) shopping center with a tavern, retail, convenience store, gasoline station, vehicle wash, and restaurants with drive-thru; and 2) finished grade. Generally located on the north side of Silverado Ranch Boulevard and the west side of Valley View Boulevard within Enterprise (description on file). JJ/rk/syp (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the applications for Item Nos. 30 and 31 be approved subject to staff conditions.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Provide trees spaced 10 feet on center along the north and west property lines;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the use permits, waivers of development standards, and design reviews must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Provide access for APNs 177-19-802-008 and 177-19-802-009.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

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 #0330-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis

ITEM NO. 32 PA-23-700029-LV SILVERADO SCHUSTER, LLC; ET AL:

PLAN AMENDMENT to redesignate the existing land use category from Mid-Intensity Suburban Neighborhood (MN) to Urban Neighborhood (UN) on 12.8 acres. Generally located on the north side of Silverado Ranch Boulevard and the west side of Valley View Boulevard within Enterprise. JJ/gc (For possible action)

REAL

Next are Items 32, 33 and 34. Item 32 PA-23700029, plan amendment to redesignate the existing land use category from mid-intensity suburban neighborhood to urban neighborhood on 12.8 acres, generally located on the north side of Silverado Ranch Boulevard and the west side of Valley View Boulevard within Enterprise.

Item 33 ZC-23-0611, zone change to reclassify 12.8 acres from an R-E Rural Estate's Residential Zone to an R-5 Apartment Residential Zone. Waivers of Development Standards for the following: reduce height setback ratio adjacent to a single-family residential use, reduce the setback for garage openings to a drive aisle and allow alternative landscaping screening adjacent to a single-family residential use. Design reviews for the following: multiple family residential development and increased finished grade. Generally located on the north side of Silverado Ranch Boulevard and the west side of Valley View Boulevard within Enterprise.

And then Item 34 VS-23-0612, vacate and abandon easements of interest to Clark County located between Valley View Boulevard and Henson Street alignment and between Silverado Ranch Boulevard and Gary Avenue alignment. And a portion of right-of-way being Schuster Street located between Silverado Ranch Boulevard and Gary Avenue alignment. Portion of right-of-way being Gary Avenue located between Valley View Boulevard and Henson Street alignment. Portion of right-of-way being Silverado Ranch Boulevard located between Valley View Boulevard and Henson Street alignment. Portion of right-of-way being Valley View Boulevard located between Silverado Ranch Boulevard and Gary Avenue alignment. And a portion of right-of-way being Henson Street alignment located between Silverado Ranch Boulevard and Gary Avenue alignment within Enterprise.

GRONAUER

Thank you. Again, good morning, Mister Chairman, Commissioners. My name's Bob Gronauer, 1980 Festival Plaza Drive. I'm here representing the applicant in this matter on these three applications. And I'm just going to highlight this again as far as the aerial before I get into some of the goals and policies of the land plan in the site plan that we're proposing. Again, this is Silverado, Valley View.

One of the things I forgot in my previous presentation, the green area here is the DMV, this was approved not too long ago for the DMV facility. You have commercial that's already approved. These were approved and I think the ROIs, and this area here expired. The yellow areas that you see are residential that have been approved and existing. This here, item number five that you see highlighted, was a RUD development approved by KB Homes, approved by you for KB Home. The item number two that you see here is that's an application that's going through the process right now. We just had a neighborhood meeting a few weeks ago with KB Home that they're proposing an R-2 development.

This project here, you may recall at the time about a year ago, American Homes 4 Rent where they were proposing to do a single family residential development here and there was a strong opposition from the neighbors over in this area. Since then, this is not going to be for today, it's not going to be for American Homes 4 Rent, it may be for another single family builder. And then as you go further north there is some other private property owned that a developer is looking to come in and do some single family development.

The reason why I point this out here is I think what is very important is what we call is transitional zoning that you see here. It is one of the points that we believe is compelling to support the multifamily, because what you have here is again, a very intense corner here that when it's fully built out you have commercial development, you're going to have multifamily development, and then you have the R-2 or single family detached development as you go further north and to the west. And then as you go even further north though, there are some deed restricted properties, airport properties that you're not going to have residential development whatsoever.

We are proposing in the blue area here, it's about just shy of 13 acres of property that we're asking for an urban type of neighborhood. Although we're asking for the R-5 zoning, it's more akin to your new code of an RM-32 because it's at 28 units to the acre, which is a closer to the R-4 side than really a true R-5 type of development. But with respect to the policies and goals in your land use plan, you have a goal which is 1.1, which says that it provides opportunities for diverse housing options to meet the needs of residents of all ages, income levels and abilities.

So, when you take a look at this here and you look at this area, the one thing that would achieve this goal is to have a diversity in housing. And once when you start looking at all the approvals of the existing homes in this area and you see what's going through the system right now that's already been approved, you have a few thousand homes in this general vicinity, but what you don't have is a multifamily component, a rental component.

So, if you're going to meet the goals and the policies within the plan that was just

adopted here, one of the things you want to create is diversity of housing. And by creating the diversity of housing, what you want to do, you want to keep your family together, you want to keep your kids within the neighborhood for those who may not want to buy a home or rent a home, you want to have that diversity that we would be proposing here.

You also want to encourage new development of neighborhoods to have a mixture of housing options. That is another goal and a policy that you have as I believe it's a policy, excuse me, Goal 1.3. Again, a mixture of houses that you would see here is you have a lot of R-2, you have RNP, you have some town homes, but you don't have a rental project.

If anything, this would act as a good transitional type of buffer in this area because as we've developed other areas, such as even master planned communities, what you do is you have your intensity on the outside where that traffic is. Then you come in with a less intense density. Then you come in with a lesser intense density as you develop that area, which is somewhat akin to Southern Highlands, or you see up in Summerlin some of these villages. That's how those communities are developed. And I believe, and even having the conversation with the neighbors a week ago, or last week, is this is the area where you get to the single-family residential, which then essentially as we just had this conversation, you are now protecting that R&P that is up in this area instead of coming in with the multifamily or coming in with more of those intensity types of uses.

With respect to the site plan, just showing you here how it falls together, all in relationship here. Our main ingress and egress is off of Silverado Ranch. We have exit here on Valley View. We have five times the amount of open space that's actually allowed by code. We're not coming in requesting for any type of waiver to reduce parking in this area. As I said, our main ingress egress is here. Our buildings, although it says it's up to forty-one feet, we have the clubhouse that actually that's located here. It has a design that goes up to forty-one feet in here, and that's that roof the way it's designed. Otherwise, typically what you're looking at is a building that's approximately thirty-seven feet in height, is the elevations, but really when you subtract the parapet that's there, it's approximately about 30 feet to the plates that we're proposing.

So, the last thing that I want to mention before I turn it over to the neighbors who are here, one of the things that I'm sure you realize is several years ago, Vegas and Southern Nevada isn't where we are today. I think we can all agree is everybody around the country understands Vegas is the entertainment capital of the world. But over the last several years, what you have seen is we become more of that sports capital. We've had major league franchises wanting to move here, and based off those major league franchises that are moving here, they're bringing in big events, sporting events also on their coattails. So, what does that mean for us here today? It means that it brings direct jobs and indirect jobs into Southern Nevada.

You know prior to COVID, representing the home builders, we had a study done about the scarcity of land. You're working on the lands bill right now. You understand there's about 12, 13 years of full development of land if we don't do anything today, and that's with industrial and commercial and residential. You also understand that there is a scarcity of land.

GRONAUER

So, it gets back to on this project here is where you have a project that actually falls in line with some of the goals and policies, it works as transitional zoning that we have here. It's more appropriate to put it in areas like this that's needed than not to approve multifamily or high-density residential in an area like this because then what that does, it puts the pressure to get into and closer to rural neighborhood preservation areas to get higher density, because we all know that there's a need for housing.

This is a good diversity in this area. It's a high-end Class A type of development. We would ask you to approve the project as part of what we've called the transitional zoning in this area. The 28 units to the acres is not as intense as the R-5 typically allows. If this was a new code that was actually in existence today, in January, we'd be under the RM-32 request and we would be under the RM-32 requirements on the plan itself.

That being said, I can answer any other questions that you're going to have or address any other new issues that come up with the neighbors.

GIBSON

Thank you. This is a public hearing. Anyone wishing to speak on Items 32, 33, and 34 is invited to come forward. And we'll use the same formality, so we'll need your name, spell your last name, all of that.

MALCOMB

Excuse me. Good morning again. Matt Malcomb, M-A-L-C-O-M-B 4099 West Silverado Ranch. Excuse me. Boy, I don't know where to start. Kind of the same piece that I was going to refer to. So back when we bought, this is 25 years ago, I used to professionally rodeo for 10 years, and built an arena of horses. I've got friends that are now starting tomorrow for the NFR that's in town, and it's brought a lot of economic whatever, however you want to word it, into the valley, and it's wanted.

So, I do have a lot of friends that still do, and that's really why I've got the property that I bought now, and we're not stupid to the fact the value is unprecedented growth. We get it.

So, the development here, if you can imagine, this is where I'm at, so all this development in here, which was a party at the time, I think it's Tri Pointe now and then Lennar, which is in here, you can obviously ... I don't want to call it a fight, but we went back and forth and kind of, "Okay, this is where we're going." Along with our being citizens and being part of the planning and the master plan and knowing things were coming, I mean this has all been, it's all R-2 or mid-intensity.

Once we felt like, "Okay, this is where it's going to go," because in that master plan, "Let's stay with it." So, when we talk about diversity and all that stuff, from what it was even 10 years ago, it's a lot of diversity in here, to me, and I get what he's saying, but this isn't the only 17 acres or 12.8, whatever that's available. There's acreage ever that this could get moved. Just like on Cactus by the way. There's a few apartments down off of Dean Martin, Cactus. That's kind of where they rotated it, closer to the freeway. So, we're just trying to maintain what we've done. I've went through this process before. I'm second generation Las Vegas, not just the Nevada that we've moved, and we've had to move around, and so this is where we went because it used to be RNP. I know what he's talking about. It's up

MALCOMB

here, but RE which is ... We understand it.

I guess what my point is, the master plan that we work so hard on, the County, have spent a lot of time on, and a lot of the people within the County is wonderful to work with. We're active citizens within our township. We love the Enterprise. We do want to see some growth, but we want to see the growth as what the Planning Commission has put forward, and that we've had a voice in and keep it R-2. We get this last one again, it seems like we've been here for the last 10 years that, I can remember it a little longer than that. And like I told Robert, I feel if I was a football coach I'd be fired because we're batting 0 for ... I can't win a game here. We're constantly ... I don't know where else to go. Pack up and leave. I don't want to do that. We've met a lot of nice neighbors around here. They feel defeated. Thank you for your time.

GIBSON

Thank you.

KEAR

Our team on the bench can't get it together. Dani Kear, K-E-A-R, 4099 West Silverado Ranch. I want to start with when we met with Bob Gronauer, it was under the premise that we were going to be able to discuss some of the concessions, whether or not we could make this multifamily work in a way that reflects what other developments along Silverado Ranch from Jones all the way to Eastern, because Silverado is a unique byway. But the applicant apparently was not willing to negotiate any of that. Not landscaping, not the number of stories, like on the perimeter of the road facing Silverado Ranch. And so, while we're very open to meeting with him and discussing other development in the area, it was a little disheartening to meet under the premise that we were going to be able to negotiate something, some kind of concessions, and mitigate how this is going to affect our property and neighborhood, and then not have that ability to do it.

One of the things that I want to talk about is how this development affects how the egress is on it. This is Silverado Ranch, running east and west. If I could have the camera on the map there. Yeah. So, this is the main entrance point for the development right off of Silverado Ranch. I-15 is over here. When they did this capital improvement on Silverado Ranch, there's a median all the way down the middle of the road. It's two lanes going both ways, median down the middle of the road. Right now, even the development just south of us, that Lennar put in and also a party, which is now Tri Pointe, put in behind us, because of the medians, all day long we have U-turns in front of our property. People now coming out of this development, if it's accepted or approved, they're going to have to come out here, go down about 300 feet, and take a U-turn right in front of my house to go back and access I-15.

I think that that's a bad idea. I think that when you increase with almost 400 new residents, and they have to, anywhere in the city that they go, whether it's Henderson, North Las Vegas, or Summerlin, they have to actually go west, and then go back east to I-15 to gain entrance anywhere to the city.

If it gets proposed, I would like to have conditions with it that say at least we can talk about egress off of Valley View because if they get this approved, and they already have on the last item, then they can improve this intersection, and now they can come out here, and then access I-15 more safely. I also hear him talk

KEAR about scarcity. This is on apartment.com, at 8:00 a.m. this morning. There's no scarcity. We have homes and apartments available for rent from \$1,300 to \$2,800. There's no scarcity. There's more apartments than that going in on Frias Indicator. This is another 400 apartment development, and Silverton has 1,400 developed units also approved by you guys. So, there's no scarcity, and we do want it developed, but we would like it developed with concession, so we're asking that you at least put some holds on them.

PAM KAISER (inaudible) apartments?

KEAR Go ahead, Pam.

GIBSON Thank you.

KAISER My name is Pam Kaiser, K-A-I-S-E-R, 3485 Vicki. First off, I want to show you this map and I want to know what you guys see. This is the proposed area that's kind of under attack right now. What do you guys see in this whole area overall? What I do not see are green spaces, schools, or anything else like that. Across the freeway, you guys just put in a new senior center. We have no green spaces, and they're proposing more apartments and stuff there? All we're asking for is that you keep it R-2. What Dani forgot to mention was that she did account on the apartments in our area from Blue Diamond, Las Vegas Boulevard, to Decatur, over to Cactus and there's more than 3,500 vacancies in that area. So how is it that we're needing more apartments?

We're not asking for you guys not to develop this area. We're asking for conscientious development, not where one person comes in, and you keep doing an infill project. That's exactly what we're getting, are infill projects with no cohesiveness anywhere. We're not getting extra landscaping like they have in Summerlin or in Southern Highlands. We're getting basically a ghetto-type area, where nobody is doing anything together. We're asking that the home builders come together with the Commissioners, and please, do this in a responsible manner because, right now, it's not, and the 800 people that live in this area that are on more than half acre lots, yeah, we were sent there. I've been there 33 years. I'm involved with the NFR also, obviously. Miss Kirkpatrick has done the most for her area. All we're asking is that you guys do it for us too, and Commissioner Jones told us that we were no longer going to have non-conforming zone changes. To me, this looks like a non-conforming zone change. Thank you.

GIBSON Thank you.

LOPRESTI Hello Commissioners, again. Tommy LoPresti, L-O P-R-E-S-T-I, 9341 Dean Martin Drive. So, this is just a map that we got together also, and these are just County parks around our area. So, here's Silverado Ranch, and where we're talking about for this project. I mean, three major parks. I mean we drove up to Summerlin even and looked at those multipurpose washes that they use up in Summerlin for parks. I mean, we were kind of hoping that eventually this area can turn into that. We have a lot of washes in this area to be able to mix them to where there's greenery. Anyway, just one of the issues that we have with lack of infrastructure or facilities in this area. As I mentioned, this part of town has often been referred to by Board members at every level as "unique." I believe that there's been talk

LOPRESTI

between Comprehensive Planning and some Commissioners regarding the formation of a group or a committee comprised of RNP neighbors across the valley to help navigate development in and around these somewhat protected lands.

In this corner alone, we have flight pattern issues. We have the National Guard Readiness Center, and so much beautiful open land that we feel requires a much needed overall master plan for what we as neighbors and newcomers to the area can depend on as a footprint while responsible development comes in. We've met with many firms who represent past, present, future clients who plan on developing land in this area, as Mr. Gronauer mentioned. And together, we have agreed to complete transparency on moving forward projects, as well as timely notifications so that input from neighbors can be considered, and so that we're not up here battling it out at the podium, which I know no one cares for.

We hope to maintain that relationship with the understanding that justifications can't just be a return of investment, that they must actually invest in the community like we do as neighbors. When it comes to diversity and housing, if you look at the master plan neighbors to us, to the south of Southern Highlands, and to the west of Mountain's Edge, I think that we're surrounded by different housing options, while we in the RNP remain the minority, which is not to say that there's not a demand for large lots in this area. We have nine custom new builds going up in what I think is about a four square mile radius between Silverado Ranch, Decatur, Dean Martin, and Blue Diamond, and there will always be a desire for large lot living. We respectfully ask that you deny these agenda items until we can systematically and harmoniously plan this little unique area together. Thank you.

GIBSON

Thank you. Is there anyone else who wishes to speak during the public comment period for the public hearing? Then the public hearing is closed. Commissioner?

JONES

Thank you, Mister Chair. Mister Gronauer, can you address the concerns that were raised with regards to access on both Dean Martin ... I'm sorry, on Silverado Ranch and Valley View?

GRONAUER

Yes. As I mentioned we do have ingress/egress on Silverado Ranch, and we do have egress out there onto Valley View and I apologize to the neighbors if I didn't stress that when we were having discussions. So, the whole idea is if you live in a community such as this, you know where your access is. If you need to get to over here to the I-15 onto Silverado, you come out this way to Valley View at the intersection, make a left, go on in that area. So that's the purpose of having that egress there. The developer had recognized that in the design phase, and that's why that's there.

JONES

Okay. Antonio, does that jive with your understanding?

PAPAZIAN

That is correct, Commissioner. We do have a condition for a traffic study. This will be a full-blown traffic study. That money for the traffic study will be to mitigate traffic in this area. Valley View is a hundred-foot right-of-away, and we will study that intersection once this goes in to see if it will be signaled. We know it will be signaled in the future. It is 200-foot right-of-ways. We just don't know

PAPAZIAN

when.

JONES

Very good. I appreciate my colleagues' persistence in listening to this application. I know it's sort of a microcosm of the challenges that we're facing in that area. This area is changing substantially. It has in the last five years since I've been on this Board, that was initiated certainly by the Frias family, who, on their own accord, chose to convert their properties from rural neighborhood to higher density. And that, I would say, facilitated the transition of much of the development that has happened between Cactus and Silverado Ranch.

With regards to some of the comments, and I don't want to categorize the neighbor's comments collectively because some of them come from the Dean Martin area, and some like Dani, live literally next door or across the street, so I don't want to characterize them altogether. I do think that there's justification for higher-density development on this particular corner, on Silverado Ranch and Valley View, and I do think that it is important to have a mix of housing types, and so I am open to the application only for that reason. I will not consider higher-density in this regard to the north of this development, and I certainly hope, Mister Gronauer, that you and your firm do not come and make the same types of arguments that you have here today because you have made a promise to these neighbors that you're going to work with them to make sure that there is a transition to where the rural neighborhood preservation areas actually are, which is not where it is today.

I am concerned by the representations that if you just put it on the other side of the street, whether that be the other side of Valley View or the other side of Silverado Ranch, then that somehow fixes the problem. It's not consistent with what I have heard of my five years here, is that if you just put it on the other side of the road, that that is somehow going to alleviate the concerns that neighbors have with the development because what I have personally viewed is that when it comes to the other side of the street, that the same neighbors will come and oppose that particular project.

And when it comes to the Master Plan, I certainly understand where many of the folks that are here, and have come to talk to me are, but is also inconsistent with my five years of experience on this board when it comes to the interest in maintaining the Master Plan. Certainly, it's used as both a sword and a shield by neighbors. When it suits their needs, it is used as the sword. However, when it suits their needs to deviate from the Master Plan, as with the KB development that occurred within the Dean Martin area, then it is disregarded. And so, I appreciate it, but it is also inconsistent.

So with regards to the comments that were made on green spaces, schools and parks, we have a park that is under construction at LeBaron and Lindell, and we are currently pursuing additional locations for a park in this area that will be funded by PFNA fees, which at our recent meeting, we sought to increase, which means that development costs for these developers and all of the other developers in this area will be paying a substantially higher fee come January 1st, and then again on July 1st, correct Sami?

REAL

That is correct.

JONES

Okay. So, we are working to make sure that the developers who are coming into this area, whether this development or another, are going to pay for the infrastructure that is intended to go in this area. I certainly hope that the neighbors who have expressed interest in making sure that there are more schools and parks in the area will be in support of those when they come in, because it has also not by my experience that when those types of developments are proposed, that there is support from some of the neighbors in this area.

I also want to address the comment Miss Kaiser, with regards to a "ghetto," that is a very derogatory term, and I would appreciate if you and others would never use that term. And so, with that I'll go ahead and move for approval of agenda items 32, 33, and 34.

GIBSON

There's a motion for approval of 32, 33, and 34. Please cast your votes. And the motion carries. Thank you very much.

GRONAUER

Thank you, Commissioners. And for the record, we'll be working with the neighbors on the rest of the development that we represent, and this is my last time this year seeing you, so I'm going to wish everybody a happy holidays, have a happy New Year. I'll see you next year.

GIBSON

Thank you, same to you.

ACTION:

It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the applications for Item Nos. 32, 33 and 34 be approved subject to staff conditions.

ITEM NO. 33 ZC-23-0611-LV SILVERADO SCHUSTER, LLC:

ZONE CHANGE to reclassify 12.8 acres from an R-E (Rural Estates Residential) Zone to an R-5 (Apartment Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce height/setback ratio adjacent to single a family residential use; 2) reduce the setback for garage openings to a drive aisle; and 3) allow alternative landscaping/screening adjacent to a single family residential use.

DESIGN REVIEWS for the following: 1) multiple family residential development; and 2) finished grade. Generally located on the north side of Silverado Ranch Boulevard and the west side of Valley View Boulevard within Enterprise (description on file). JJ/rk/syp (For possible action)

ACTION:

It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the applications for Item Nos. 32, 33 and 34 be approved subject to staff conditions.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of a lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the

regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the waivers of development standards and design reviews must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Provide access for APNs 177-19-802-008 and 177-19-802-009.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Department of Aviation

- Applicant is 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 #0120-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 34 VS-23-0612-LV SILVERADO SCHUSTER, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Valley View Boulevard and Hinson Street (alignment), and between Silverado Ranch Boulevard and Gary Avenue (alignment); and a portion of a right-of-way being Schuster Street located between Silverado Ranch Boulevard and Gary Avenue (alignment); a portion of right-of-way being Gary Avenue located between Valley View Boulevard and Hinson Street (alignment); a portion of right-of-way being Silverado Ranch Boulevard located between Valley View Boulevard and Hinson Street (alignment); a portion of right-of-way being Valley View Boulevard located between Silverado Ranch Boulevard and Gary Avenue (alignment); and a portion of right-of-way being Hinson Street (alignment) located between Silverado Ranch Boulevard and Gary Avenue (alignment) within Enterprise (description on file). JJ/rk/syp (For possible action)

ACTION:

It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the applications for Item Nos. 32, 33 and 34 be approved subject to staff conditions.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land

use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

- Provide access for APN 177-19-802-008 and 177-19-802-009;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control

ITEM NO. 35 PA-23-700030-KAVISON HOMES, LLC:

PLAN AMENDMENT to redesignate the existing land use category from Neighborhood Commercial (NC) to Compact Neighborhood (CN) on 0.8 acres. Generally located on the southwest corner of Pecos Road and Oquendo Road within Paradise. JG/gc (For possible action)

REAL

Next are Items 35, 36, and 37.

Item 35, PA-23-700030, plan amendment to redesignate existing land use category from Neighborhood Commercial to Compact Neighborhood on 0.8 acres, generally located on the southwest corner of Pecos Road and Oquendo Road within Paradise.

Item 36 is ZC-23-0649, zone change to reclassify 0.8 acres from an R-E Rural Estates Residential Zone to an R-3 Multiple Family Residential Zone. Waivers of Development Standards for the following: reduce garage openings onto a drive aisle, reduce street landscaping, reduce setbacks, increase building height, reduce the height setback ratio requirement adjacent to a single family residential use, and allow modified street standards.

Design Reviews for a multiple family condominium development, and then generally located on the south side of Oquendo Road, and the west side of Pecos Road within Paradise.

And then, Item 37, TM-23-500131, tentative map consisting of eight condominium units and common loss on 0.88 acres in an R-3 Multiple Family Residential Zone, generally located on the south side of Oquendo Road on the west side of Pecos Road within Paradise.

GIBSON

Morning, Miss Olson.

LIZ OLSON

Good morning, Commissioners. Liz Olson, 1980 Festival Plaza Drive here on behalf of the applicant, Kavison Homes. This is a piece of property just under one acre, we're on the corner of Oquendo and Pecos. We're directly adjacent to the existing Home Depot to the south, directly across the street was previously approved R-3 development. We're currently zoned R-E, but as you can see on the Master Plan, we are a master plan for commercial. We are requesting a master plan

OLSON

amendment and zone change to R-3 to allow for an 8-unit condominium project.

We've been working with the neighbors to the north for about a year and a half on the project. We've made some significant changes to the project since our original presentation to them. As it sits today, as you can see on the site, we have a total of 8 units split into fourplexes on the east side of the property, with access along Pecos. We have 15 feet of landscaping along the perimeter of our site. Our fence is situated in between that landscaping, so it is triggering a waiver there, but we are providing the overall intent of the landscaping by providing the 15 feet. And we're also providing 10 feet along the western property line, where the existing residential is. To mitigate Public Works' concern of our driveway location, we are in concurrence with their condition to add that median along Pecos.

We're providing three-story condominiums. We have removed the rooftop decks on the project as requested by the neighbors as well. We're requesting to go to 37 feet, which is two feet over the 35 allowed on the site. That is of course to hide the mechanical equipment, which is typical request for R-3.

So again, as I mentioned, we have been working with the neighbors quite a bit. We had three neighborhood meetings. We reduced the overall project from 12 units down to 8, remove those rooftop decks, and we also moved our access onto Pecos when it was originally on Oquendo. So, with that, we appreciate Planning Commission recommendation, and happy to answer any questions.

GIBSON

Thank you. This is a public hearing. Is there anyone here who wishes to speak on these items? 35, 36, and 37? There being no one the public hearing is closed. I move approval subject to the staff-recommended conditions. Any discussion on my motion? Please cast your votes. And motion passes. Thank you very much.

OLSON

Thank you.

ACTION:

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

ITEM NO. 36 ZC-23-0649-KAVISON HOMES, LLC:

ZONE CHANGE to reclassify 0.8 acres from an R-E (Rural Estates Residential) Zone to an R-3 (Multiple Family Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce garage openings onto a drive aisle; 2) reduce street landscaping; 3) reduce setbacks; 4) increase building height; 5) reduce the height/setback ratio requirement adjacent to a single family residential use; and 6) allow modified street standards.

DESIGN REVIEW for a multiple family (condominium) development. Generally located on the south side of Oquendo Road and the west side of Pecos Road within Paradise (description on file). JG/md/syp (For possible action)

ACTION:

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

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

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the waivers of development standards and design review must commence within 4 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Install a median from Oquendo Road south to the property line;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for a bus turnout including passenger loading/shelter areas on Pecos Road in accordance with RTC standards.
- 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.

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 #0484-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 37 TM-23-500131-KAVISON HOMES LLC:

TENTATIVE MAP consisting of 8 condominium units and common lots on 0.8 acres in an R-3 (Multiple Family Residential) Zone. Generally located on the south side of Oquendo Road and the west side of Pecos Road within Paradise. JG/md/syp (For possible action)

ACTION:

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Install a median from Oquendo Road south to the properly line;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for a bus turnout including passenger loading/shelter areas on Pecos Road in accordance with RTC standards.
- 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.

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 #0484-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 38 ZC-23-0614-DIAMOND MOHAWK CCA, LLC:

ZONE CHANGE to reclassify 4.1 acres from an R-E (Rural Estates Residential) (AE-65) Zone to an M-D (Designed Manufacturing) (AE-65) Zone.

WAIVER OF DEVELOPMENT STANDARDS for throat depth.

DESIGN REVIEWS for the following: 1) alternative parking lot landscaping; 2) finished grade; 3) modifications to a previously approved office/warehouse facility; and 4) a proposed office/warehouse facility on 6.7 acres in the CMA Design Overlay District. Generally located on the east side of Mohawk Street, 300 feet north of Post Road within Spring Valley (description on file). MN/hw/syp (For possible action)

REAL

Next are Items 38 and 39.

Item 38, ZC-23-0614, zone change to reclassify 4.1 acres from an R-E Rural Estates Residential AE-65 Zone to an M-D Design Manufacturing AE-65 Zone. Waivers of development standards for throat depth. Design reviews for the following: alternative parking lot landscaping, finished grade, modifications to a previously approved office warehouse facility, and a proposed office warehouse facility on 6.7 acres in a CMA design overlay district, generally located on the east side of Mohawk Street, 300 feet north of Post Road within Spring Valley.

Item 39, VS-23-0615, vacate and abandon a portion of right-of-way, being Mohawk Street, located between Post Road and Sobb Avenue, alignment within Spring Valley.

JENNIFER LAZOVICH

Good morning, Jennifer Lazovitch, 1980 Festival Plaza Drive, here today on behalf of the applicant. The site is located just on the east side of Mohawk, and to the south of Patrick Lane. This is property that was at one point owned by the Department of Aviation, so there are limitations on what you can do there. This is a conforming zone change to M-D for an office warehouse. Just to the north of this is I'll say a companion office warehouse that has already been approved, so we are showing cross access here. We have outside storage on the far east side in two locations, both somewhat to the north and somewhat to the south next to the existing drainage channel. We do ask for your approval of this application.

LAZOVICH We do want to add two additional conditions that were discussed during our neighborhood meeting. The first is construct an eight-foot tall decorative block wall on the south boundary of the site and along the west boundary of the site adjacent to APN 163-36-701-002. So, the location of that would be along the south boundary and along this western boundary of this outside storage that's located here, that is the assessor parcel number that I'm referring to.

Although there's nothing immediately to the south of us, in fact, it's actually master plan for a non-commercial use. Or I'm sorry, I should say for a non-residential use, because diagonally, there are a couple of homes we are being sensitive to our southern border there.

The second condition is plant 24-inch box trees, spaced 20 feet apart along west boundary of site, adjacent to outside storage, and adjacent to APN 163-36-701-002. Again, this is our southern proposed outside storage lot. So, the block wall that I read on the previous condition, and then landscaping with the trees, 24-inch box trees, would be along this portion of the site. And with those two additional conditions, we also understand that there was revised conditions provided by the Department of Aviation. We also agree with those. We'd ask for your approval.

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

NAFT Thank you, Mister Chairman. Just a question for Sami, are the two conditions that were just read in, you've got those?

REAL Yes. Miss Lazovich provided those to me last night.

NAFT Perfect, thank you very much. And then, so I'm prepared to move for approval of items 38 and 39 with the two additional conditions stated by the applicant.

PAPZIAN Commissioner, I'm sorry, can I add a condition please?

NAFT Of course. Why not?

PAPAZIAN Just to be consistent with the parcel to the north, which was in front of us some time ago, just would like to ask to post signage onsite indicating right turn only...

NAFT Thank you.

PAPAZIAN -for vehicles exiting the site, so that the truck traffic's not heading south towards that subdivision.

NAFT Thanks, Antonio. That's a great catch.

LAZOVICH We agree with that condition.

NAFT Applicant agrees.

LAZOVICH Thank you.

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

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;
- 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;
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased Or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0332-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 39 VS-23-0615-DIAMOND MOHAWK CCA, LLC:

VACATE AND ABANDON a portion of right-of-way being Mohawk Street located between Post Road and Sobb Avenue (alignment) within Spring Valley (description on file). MN/hw/syp (For possible action)

ACTION: It was moved by Commissioner Michael Naft, and carried by unanimous vote, that the applications for Item Nos. 38 and 39 be approved subject to staff conditions.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not

commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

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

ITEM NO. 40 VS-23-0595-PEBBLE RD PROPERTY TRUST:

APPEAL AMENDED VACATE AND ABANDON easements of interest to Clark County located between Schirlls Street (alignment) and Arville Street and between Torino Avenue and Pebble Road (previously not notified) and a portion of a right-of-way being Schirlls Street located between Torino Avenue and Pebble Road within Enterprise (description on file). JJ/jgh/syp (For possible action)

REAL

Next is Item 40 VS-23-0595. Appeal amended, vacate and abandon easements of interest to Clark County located between Schirlls Street Alignment and Arville Street and between Torino Avenue and Pebble Road. Previously not notified in a portion of right-of-way being Schirlls Street located between Torino Avenue and Pebble Road within Enterprise Commissioners. This is an appeal of the Planning Commission's decision to deny the application and it was appealed by the property owner.

GIBSON

Thank you. Is the applicant here, Commissioner Jones?

JONES

I believe we discussed holding this item. I don't know the applicant came for that reason. So, we're going to hold this item for 30 days. 30 days in order to have discussions about vacation. For Schirlls is a larger swath of the area.

REAL

So, 30 days would bring us to January 3rd.

JONES

Yep.

REAL

Okay.

GIBSON

Okay. Do we need a motion on that or can we just....

WARHOLA

Yes, please.

GIBSON

That's a motion. Please cast your votes. And the motion carries.

ACTION:

It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the applications be held until January 3, 2024.

ITEM NO. 41 WS-23-0525-KELLIE AND MICHAEL NESTO:

APPEAL WAIVER OF DEVELOPMENT STANDARDS for reduced accessory structure side setback on 0.4 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the east side of Buffalo Drive, 200 feet south of Ford Avenue within Enterprise. JJ/bb/syp (For possible action)

REAL

Next is item 41 WS 23-0525, appeal waiver of development standards for reduced accessory structure, side setback on 0.4 acres in an RE Rural Estates residential RNP-1 Zone. Generally located on the east side of Buffalo Drive, 200 feet south of Ford Avenue within Enterprise. Commissioners, this is also an appeal. The Planning Commission had recommended approval and the application was appealed by neighbors.

GIBSON

Thank you. Good morning.

GLENN KAPRELIAN

Good morning. My name is Glenn Kaprelian, and my address is 8729 Grand Pass Court. I live at the adjacent property to where the waiver was filed for. I'd like to thank the Board for giving me this opportunity to speak today. Having said that, I'd like to start off by stating that this is not a neighbor dispute. I would have no concerns with the structure if it had been set, been installed five feet as setback zoning requirements call for, but that had not happened. This was also not permitted. So, if it met zoning requirements of permit, I have no issue here, but this is a 0.47 acre property with a very large backyard as you can see here from the picture, this shows it with the structure intact. This here is the property as well and it shows it before the structure was in place.

Quite frankly, there's plenty of room on this property. It could have been put in per zoning. They just chose not to do that. This was done by a developer. He owned the property for literally 10 months. He bought it to purchase it, upgrade it, and sell it. So, in doing so, he did not permit this structure. The only thing that got permitted was the swimming pool. So, looking at this, one of the issues that I have with this is they put a waiver in for one foot five inches. Now if we look at this and if you zoom in and I do have a better, but this does show me showing the measurement from the structure to my yard.

So, from my side of our co-owned wall, it's 14.5 inches. Okay, they've asked for 17 inches. This does not even meet with what they asked for in the waiver. And at 14- and-a-half inches, that's on my side of the wall. If you deducted 2.75 inches, the half the distance of the wall, it's literally 11 inches 0.75. So, 11 and three-quarter inches off of the property line. So, this waiver is not going to actually solve anything. As you can see, five-and-a-half inches is the wall thickness and as you can see from down the wall, it is on my property line and when it does rain, it will dump water over into my yard.

Now the way I achieved that is I actually went to the Board and got the building code, and it specifically stipulates from the leading edge, is how this is to be measured. So, I measured it to the leading edge as you saw in the prior pictures. So, it also states that this is not supposed to be within there. To prove a point about the permits- this is the County's permitting page. This shows the only permit on the property during the tenure of Mister Hubbs, when he owned it, was for the swimming pool. So, no other structures were permitted or no other work was done on the site. Now this is a picture of the house when Mister Hubbs got the house before he did anything, this is the back. You can see there's three windows clearly there and a double door slider on the side.

This is the house today after he has renovated it, there is a four door slider in the middle, there's a two door slider to the right-hand side. There's also three small

windows that he installed and he took out the slider on the left side. This is not permitted work, so he did not pull a permit for this either. Okay, this is the front of the house. This gives you a rough idea of the front of the house. This is a little bit more straight on, which it shows there is a double door in the center of the house. There is no wall here. Again, a little bit closer showing you the center of the door and again, that there is no permit pulled for this work. Here is with what it looks like today we've replaced the double door with one large glass door and now this shows that we have a wall, a structure installed as well, also, un-permitted. Okay, this is another view from inside house. This is the source of the pictures, if you're curious. It's "Estatefy"...

I don't think that's awfully relevant, but getting back to the permitting and the zoning, Mister Hubbs professes on his LinkedIn page, which we have here, specifically states, he has 11 years of commercial construction experience and additional eight years of flipping properties as a realtor. So, with that much experience, not knowing that he's supposed to have permits or get zoning setbacks is disingenuous at best. He knew, he was aware, he got the permit for the pool, he got a permit for nothing else and he disregarded the zoning loss. So, he purchased the home for \$925,000. 10 months later he sold it for \$1,599,000, a \$674,000 delta from the purchase, from the time he purchased it to the renovations to the sale. And something to be noted is, from the time he actually put this on the market to the time it sold was no more than 43 days. So, he put it on and was able to close within 43 days. So, he was making a good profit here. So, I understand there's some expenses that 675 got knocked down, but there's still hundreds of thousands of dollars of profit.

So, making this get corrected is not going to cause any hardship to Mister Tubbs. He has the money, he made the money on this. One thing I also want to point out is on architectural forms, which he signed, which he had to sign in order to get permission to put the pool in and any of the others. Let me put this right back here. There are three conditions, "Owner acknowledges the following, proper permits must be obtained prior to any work." He did not do that. "Owner must obtain adequate no plant zone from block walls and property lines and may not encroach on adjacent lots." He disregarded that. "Maintain proper drainage lots, again, or flow into neighbor's lot." I have water flow into my yard due with what he did. This is also part of our HOA thing. It specifically stipulates that they are the owner of the property is 100% responsible for this. Even with an approval from the HOA, he still owns with what needs to be done and has to provide this, which he did not do. Let's see.

So, Mister Hubbs here today, as you can see, he has acknowledged that he built the structure. He has acknowledged that he's the one. So, he acknowledged by filing this waiver on the day that he sold the property, that he's responsible for this. Now, I had reached out to the building department and also Justin Jones' office, which your help in this was greatly appreciated. I would not have known about this waiver unless I got support from your office, which thank you very much. He's here today to protect his profit and potentially to protect his realtor's license because at the first enterprise town meeting, Mrs. Kelly, forgetting their last name, the wife of one of the present owners, specifically stated that they were completely unaware of any notice of violation or waiver filed on the whole house until after the closing. So, this was all done upfront. This took months of me trying to get the

KAPRELIAN

Building Department to work on this. Then when the property was sold, apparently the developer did not tell them about the notice of violation or the fact that he had to file a waiver. Mister Nesto is here. You can quite frankly ask him that and validate that statement. Or, I actually do have the recording from the Enterprise Board Meeting where Kelly Nesto actually does state that they were unaware of this. So, we've got a predatory developer here trying to just slip a structure in as fast as they can, get out, sell the property, and the hell with anyone's rights. So, I mean, he's basically profiting off of violating my rights as a homeowner and the zoning laws are actually here to protect people like myself and other homeowners from predatory developers like this individual.

So, I would like to ask, intimation. I would like to ask that because this structure was never permitted. It's unsafe. I don't know if in high winds that the roof will come off and blow over and hit my house or injure anyone. There is a gas line in the ground there for this as well. There's also an electrical line in the ground there for this as well. None of this has been permitted or inspected. So, I don't know the safety of this. The second issue that I have is a setback that they asked for was for 17 inches. It does not meet 17 inches. It's 11 inches and three quarters, even granting this does not resolve this issue because it is still too close to the property line.

And then the last in summation, again, this is a predatory builder. He's come in here, he's tried to drop this structure in place, sell it as fast as possible, leave, take his profit and run. Awarding this waiver at this point in time will do nothing but reward negative behavior and violation of my rights and a complete total disregard for rules of the Clark County in addition to the HOA board itself.

So, if there's anything else, I'm happy to offer rebuttal for anything that is said. I would like to reserve that right if possible. But that's all I have right now.

GIBSON

Is there someone here on behalf of the applicant, Kelly and Michael Nesto?

TYLER HUBBS

Good morning. I'm Tyler Hubbs, 193 Courtney Ann Drive. I was the previous owner of the property. I did hire the pool contractor to build the pool and the patio cover and it was my understanding he was pulling the permit for the patio cover. So that's the issue we're running into right now. We filed the waiver so that... Well, it was my understanding that the covered patio was permitted. Now that I understand it's not, we filed for the waiver. When we got approval from the Commission last time, they said the approval is contingent upon getting a permit, which we have no issue doing and installing rain gutters, so that he doesn't have any water runoff to the property.

So, at this time, all I would like to know is what we need to do to fix the property or to fix the issue. I don't have any issues fixing anything that's there. I don't believe I'm predatory at all. I'm here right now to fix the issue. I'm not running away with my profits. I'm here to fix the issue. So, the waiver was... I mean this is a patio cover. On the other side of this patio cover, there's rocks and trees. I don't know how water runoff, if any, would affect that. I don't know if you can see this.

So, there's the patio cover, here is rocks and trees. I don't know how any water would affect any of that, if that's even possible. We're going to install rain gutters

HUBBS

so there is no water running over to his property. This is a RV. I don't know if it's a visual thing, the patio cover, but this is the RV on this neighbor's side of the property, which to me is not very visually appealing. We are requesting 20 inches. If 20 inches is approved, we can move the top structure of this over 20 inches. So, the entire structure is 20 inches away from the wall.

I don't personally understand the issue with this patio cover. During the last meeting, we were approved with contingency of getting a permit and installing the gutters to fix the neighbor's issues, which I believe is the right thing to do. The last thing we have, this is a shared wall permission form signed by the neighbor when we were building the patio cover and the wall. You can see the patio cover columns here. Glenn signed this while these columns were here to increase one block of the wall. So, at this time I would've hoped if this was an issue, instead of signing to have the block wall increased, if he would've let us know, now. He said he's tried to contact me multiple times, I have never been contacted by him. The first I knew about this was when we got the notice of violation and that's when we sold the property. So as soon as that happened, I reached out to Michael. I let him know we were going to take care of the issue, and this is where we are at this point.

So, if there's any questions, I'll try to answer them for you. Do you have anything, Michael?

GIBSON

You're Mister Nesto, the applicant?

MICHAEL NESTO

Yes. So, I guess...

GIBSON

So, we need you to give us your full name as you testify.

NESTO

Yeah, sorry, Michael Nesto. N-E-S-T-O

GIBSON

Thank you.

NESTO

Yeah, what he said about, we didn't know about any of this really until the violation came in is true. When we spoke at the first hearing, we also didn't know that there was any issues with the neighbor who had lived next to us for over a year now. Never just came up to us and told us there was an issue. We could have maybe tried to solve this in an easier way versus having to come here and deal with it. So, it's kind of tragically amusing to know that our neighbor didn't know our name though, had this issue with us or with our property for this past year and never just walked five feet to tell us about it.

But as soon as we found out about it, we were talking to Tyler and didn't feel like he was predatory at all. He immediately was like, let's figure out what we need to do to fix this. We came to the hearing, like he said, we got approval. He said, whatever needs to happen. He said to me, whatever needs to happen, we're going to do it. From experience with working with him. There's been other just minor things around the house. They're just little things like a ding here on the wall or something. Like we've called him up and he's just had somebody come up and fix it. And probably a lot of those things aren't really things that would've been... Probably things that wouldn't have been his responsibility necessarily to fix. But if

NESTO

he did those things, had people come in and do them. So, I've not got any issue where I felt concerned that he was going to try to leave me holding the bags on something.

The structure, I guess the pictures that he was showing that was saying it was closer. He showed different pictures to show that the distances. I think they were asking the main, the actual structure, the closer distance I guess is the roof, which he said if it's the issue with the roof, he'll move it. He said that's easy enough. If it's just bolted on, he can move it. I can only go based on what he's saying. So, I guess I'm trusting that. On a personal experiment, I don't know how scientific this is, I was kind of curious as to the distance from where the wall is and how gravity works, I was kind of wondering how water goes and shoots 11 inches out and then goes down after either the first or the last hearing. I went out there with a hose and climbed up there and poured water on there to try to simulate water and it did what I thought it would do, which is go to the edge and fall straight down.

So, I don't know if there's actually water on there, but again, they said stipulation of putting a gutter, I've got no problem with that. He said he would go ahead and take care of that. So, I would assume that if there is an issue that that would take care of it. Also, that plus moving the roof if that needs to happen. So, I'm kind of not sure what the issue is. Our neighbor said this isn't a neighbor issue, but this is my property and I have to come here to speak to it and deal with it.

So, I am the one having to do it. So, it does feel like a neighbor issue, that feels somewhat being attacked, strangely, unnecessarily. When we could have had a conversation to deal with this. I, anywhere from today, to over a year ago. We technically weren't in the property before we actually bought it due to weird scheduling that happened with our mortgage closing and the loan people. So he actually let us do a buyback where we moved into the property earlier. We already had moving stuff scheduled. So, we were actually in the property before we had actually closed on it. So, he had an issue with it, beforehand, that would've been super useful for him to come over and tell us because we could have done something more about it to make sure it got taken care of before we actually closed on it.

GIBSON

Do you have anything more to say about the issues that have been raised?

NESTO

Yeah, no. Yeah. Sorry, I kind of got off topic there. Sorry about that. But no, just that from what I've seen, he said he's going to take care of anything that needs to happen. If it needs to be moved, then he'll move it.

GIBSON

Well then, let's see.

NESTO

That's all I know.

GIBSON

Let's see.

NESTO

Alright.

GIBSON

Thank you, very much.

KAPRELIAN Okay, I do have a couple more comments, previously stated that respectfully.

JONES We aren't taking comments anymore.

GIBSON I think we've heard everything we need to hear. Commissioner Jones.

JONES Thank you. We have setbacks for a reason and I'm sorry that your pool contractor didn't bother to do what they're supposed to do. It is one thing, we certainly have these types of allocations on occasion, but this seems particularly egregious, not because you were trying to do something to your neighbor in any respect. I get that you were just trying to build a beautiful backyard, which you did. But we have setbacks requirements for a reason and so I'm going to deny the waiver and between you and the pool contractor, you're going to have to figure out how to tear it down and rebuild it and get it permitted. So, my motion is to deny the waiver.

JONES

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

KAPRELIAN I'd like to thank the Board. Thank you very much. Appreciate it.

ACTION: It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the application be denied.

ITEM NO. 42 AG-23-900625: Consider a request for reconsideration of ZC-23-0477 and direct staff accordingly. (For possible action)

REAL Commissioners. Next is Item 42, AG 900-6-2-5, request for reconsideration of ZC 23-0477 and direct staff accordingly. Commissioners, at the November 8th, 2023, Board meeting, this application was approved, and Commissioner Kirkpatrick has requested this application be brought back for reconsideration so that the conditions of approval can be reexamined.

GIBSON Commissioner Kirkpatrick.

MARILYN K. KIRKPATRICK Thank you, Mister Chairman. So initially we had talked about 6:00 a.m. versus 7:00 a.m. and even the staff conditions said 6:00 a.m. However, the applicants did not catch that, so it was my mistake. So, I'd like to ask that the Board reconsider it so we can put it on the next agenda item to clarify that.

GIBSON So, this matter would be heard on the 20th?

REAL That is correct.

GIBSON Okay.

So, please are there any questions about the motion? Otherwise, cast your votes please. The motion carries.

ACTION: It was moved by Commissioner Marilyn K. Kirkpatrick, and carried by unanimous vote, that the applications be held until December 20, 2023.

ITEM NO. 43 ORD-23-900445: Introduce an ordinance to consider adoption of a Development Agreement with KB Home Las Vegas, Inc. for a single-family residential development on 7.3 acres, generally located south of Warm Springs Road and east of Montessori Street within Enterprise. MN/jm (For possible action)

REAL

Commissioner, next are Ordinances for Introduction.

Item 43 ORD 23-900-4-4-5. Introduce an ordinance to consider adoption of a development agreement. KB Home Las Vegas Inc. For a single family residential development on 7.3 acres, generally located south of Warm Springs Road and east of Montessori Street within Enterprise. Staff recommends the Board set a public hearing for December 20th, 2023.

GIBSON

I'll introduce the ordinance and set the public hearing for December 20, 2023.

ACTION:

There being no objections, Chair Gibson set the matter for public hearing on December 20, 2023.

ITEM NO. 44 ORD-23-900536: Introduce an ordinance to consider adoption of a Development Agreement with Greystone Nevada, LLC for a single family residential development on 9.3 acres, generally located north of Pebble Road and west of Rosanna Street within Enterprise. JJ/jm (For possible action)

ACTION:

Deleted from the agenda.

ITEM NO. 45 Next is Item 45 ORD 23-900-5-6-2. Introduce an ordinance to consider adoption of a development agreement with AMZ1, LLC for an outside storage yard on 2.3 acres. Generally located so of Shelburn Avenue and west of Duneville Street with an enterprise. Staff recommends the Board set a public hearing for December 20th, 2023.

REAL

Next is Item 45 ORD 23-900-5-6-2. Introduce an ordinance to consider adoption of a development agreement with AMZ1, LLC for an outside storage yard on 2.3 acres. Generally located so of Shelburn Avenue and west of Duneville Street with an enterprise. Staff recommends the Board set a public hearing for December 20th, 2023.

GIBSON

I'll introduce your ordinance and set the public hearing for December 20, 2023.

ACTION:

There being no objections, Chair Gibson set the matter for public hearing on December 20, 2023.

ITEM NO. 46 ORD-23-900570 Introduce an ordinance to consider adoption of a Development Agreement with Oleta Jones 2.50, LLC for an industrial development on 2.3 acres, generally located south of Oleta Avenue and west of Jones Boulevard within Enterprise. JJ/dd (For possible action)

REAL

Last is Item 46 ORD 23-900-5-70. Introduce an ordinance to consider adoption of a development agreement with Oleta Jones 2.5, LLC for an industrial development on 2.3 acres, generally located south of Oleta Avenue and west of Jones Boulevard within enterprise. Staff recommends the Board set a public hearing for December 20th, 2023

GIBSON

I'll introduce the ordinance at the public hearing for December 20th, 2023.

ACTION:

There being no objections, Chair Gibson set the matter for public hearing on December 20, 2023.

PUBLIC COMMENTS

GIBSON

The final item on our agenda is public comment. Is there anyone here who wishes to make a comment? There being no one? This meeting is adjourned.

There being no further business to come before the Board at this time, at the hour of 11:20 a.m., the meeting was adjourned.

APPROVED:

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

ATTEST:

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