

Board of County Commissioners

CLARK COUNTY, NEVADA

JAMES B. GIBSON
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Vice Chair
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WILLIAM MCCURDY II
ROSS MILLER
MICHAEL NAFT
TICK SEGERBLOM

COMMISSION CHAMBERS, GOVERNMENT CENTER
500 SOUTH GRAND CENTRAL PARKWAY
LAS VEGAS, NEVADA 89106
WEDNESDAY, NOVEMBER 16, 2022

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 16th day of November 2022 at the hour of 9:00 a.m. The meeting was called to order at 9:00 a.m. by Chair Gibson and on roll call, the following members were present, constituting a quorum of the members:

CALL TO ORDER

CHAIR AND COMMISSIONERS:

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

Absent:

None

Also Present:

Robert Warhola, Deputy District Attorney
Nancy Amundsen, Director, Comprehensive Planning
Sami Real, Planning Manager
Antonio Papazian, Manager, Development Review
Jason Allswang, Senior Plan Checker
Tammy McMahan, Office Services Supervisor
Keri Miller, Deputy Clerk
Michelle Hinkson, Deputy Clerk

ITEM NO. 1 Public Comment

JIM GIBSON

Good morning. This is the time set for our Zoning Meeting. The meeting will come to order. And the first order of business is public comment. Is there anyone here who wishes to address any item on our agenda with the understanding that you need to tell us what the item is and confine your comments to the subject of the uh, a- agenda item? Anyone here who wishes to speak during public comment? There being no one, the, uh, next item is the agenda.

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

NANCY AMUNDSEN

The second item is the approval of the agenda after considering any additions or deletions of items. Staff has the following requests. And for those in the audience w- and the applicants, please be aware that additional renotification fees may be required if 85 days have passed since initial notification. Hold to the December 7, 2022, Board of County Commissioners Meeting Item 51 ZC-22-0471 and Item 52 VS-22-0470. Hold to the December 21, 2022, Board of County Commissioners Meeting, Item 47 NZC-22-0413 and (crosstalk) Item 53 ZC-22-0560. Hold to the January 4, 2023, Board of County Commissioners Meeting, Item 5 ET-21-400175 (UC-0492-15), Item 6 ET-21-400176 (UC-0045-16), and Item 29 ET-21-400170 (UC-1223-07).

The above public hearing items are going to be open as a public hearing and immediately recessed until the date as previously stated. With these deletions, which are Items 5, 6, 29, 47, 51, 52, and 53, the agenda stands ready for your approval.

GIBSON

Thank you. Are there any other changes to the agenda at the pleasure of the Commission? There being none, I'd entertain a motion.

JUSTIN JONES

Uh - motion to approve the agenda.

GIBSON

There's a motion to approve the agenda by Commissioner Jones, please cast your ballots. Ballots, did I say ballots?

AUDIENCE

(laughter)

GIBSON

Please cast your votes.

JONES

(laughs)

AMUNDSEN

(laughs)

GIBSON

The motion carries.

ACTION:

It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the agenda be approved.

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

AMUNDSEN The third item on the agenda is the approval of minutes. The minutes of the October 19th, 2022, Zoning Meeting are ready for your approval.

GIBSON Are there any additions or changes to the agenda, or to the, uh, minutes? I'll entertain a motion to approve.

JONES Move approval.

GIBSON There's a motion to approve the minutes.

JONES No, it's the agenda.

GIBSON No, excuse me.

JONES It says up here -

GIBSON We're not on Item 3 yet?

AMUNDSEN We're at the minutes, yes.

GIBSON Okay, this is the minutes

JONES The screen says.

GIBSON Oh, okay. He meant minutes. So, please cast your votes. There's a motion to approve.

JONES (inaudible)

GIBSON Oh, you're saying that-

JONES Yes. (inaudible).

GIBSON ... we'd be voting twice on the agenda if they didn't change, that's what computers do for you. I shouldn't have said that. (laughs) Alright. And that motion also carries.

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the minutes be approved:

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

ROUTINE ACTION ITEMS (4-28):

AMUNDSEN Next are the routine action items, which consist of Items 4 through 28 except

AMUNDSEN those items previously deleted and Item Number 19, which we will hear separately. These items may be considered together in one motion and are subject to conditions listed with each agenda item. If there are no objections, the public hearing is now open, and the routine action portion of the agenda stands ready for your approval.

GIBSON Is th - is there a motion to approve the routine action items?

JONES I think there was a ... something off (inaudible).

GIBSON We, well Number 19 was pulled. Is there someone else who wishes to pull something off the routine action items agenda, part of the agenda? Morning.

MIKE DRAPER Good morning, Mister Chair, Commissioners, my name is Mike Draper. I'm here today on behalf of the Morello Group and the Sahara Resort. Uh - I would ask or submit that Items 8 and 9 be pulled for further discussion. Uh - given the nature of the request, I think it's appropriate that there be more discussion on this item. Um - and with that I've got - uh - my client is in the audience and - and willing to answer any questions. Thank you.

GIBSON Alright. Commissioner Segerblom, those are items that are in your District. Would it be appropriate-

TICK SEGERBLOM That's fine to, to pull and have a p- have a public hearing.

GIBSON Okay. So, we're now taking 8 and 9 off of the agenda. Yes, sir?

ERNEST BECKER JR Yes, I'm here to talk about Item 12 and, um, 14. Ernest Becker Junior. I'd like it held in abeyance.

GIBSON (inaudible) So that'd be 12, 13, and 14?

JONES (inaudible)

BECKER Yes.

GIBSON So, we'll take those off and hear those separately too.

BECKER Thank you.

GIBSON Yes. Alright, for clarity purposes, 8, 9, and 12, 13, and 14-

AMUNDSEN And 19.

GIBSON - and 19 -

AMUNDSEN Yes.

GIBSON - are not any longer routine action items.

AMUNDSEN That's correct.

GIBSON Alright. Now I'll entertain a motion.

JONES Move approval of the agenda with those changes.

GIBSON There's a motion for approval with those changes. If there's no further discussion, please cast your votes.

SEGERBLOM Er - I apologize Com -Mister Chairman, I thought I'd asked for 19 to be held?

AMUNDSEN My notes noted that they be taken off consent.

SEGERBLOM Yeah. But it was supposed to be continued to the next meeting to -

AMUNDSEN Well, we can make a motion to hold Number 19.

SEGERBLOM Okay. Can I do that now, or do I -

ROBERT WARHOLA You can just include it in the motion when you're approving – uh - routine action items that Number 19 can be held.

GIBSON So, you amend your motion?

JONES So, amended.

GIBSON Okay. (crosstalk) So we're, what we're doing for all of you is we're approving the items that remain on the routine action, uh – portion of our agenda except for the ones we noted a moment ago: 8, 9, 12, 13, 14. And Item 19 is being held to -

AMUNDSEN December 7th.

SEGERBLOM To the first meeting in December.

AMUNDSEN To December 7th.

GIBSON December 7th. Okay. That's so clear.

AUDIENCE (laughter)

GIBSON Let's – uh - let's now vote on the motion. I already did (laughs) and the motion carries.

ACTION: It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the routine action items be approved, with Agenda Item Number 19 held until December 7, 2022.

AMUNDSEN Um - Commissioners, we had a request to move Item 44 – um - up. I don't know whether you want to hear it now or hear the consent items.

GIBSON Well, let's hear Item 44 -

AMUNDSEN Okay.

GIBSON

- now, and then we'll go back to the others that came off of consent.

ITEM NO. 4 DR-22-0465-COUNTY OF CLARK (PUBLIC WORKS): HOLDOVER DESIGN REVIEW for parking lots in conjunction with an existing detention basin on 97.3 acres in a P-F (Public Facility) (AE-60 and AE-65) Zone. Generally located on the east side of Decatur Boulevard and the north side of Sobb Avenue within Paradise. MN/md/syp (For possible action)) (held from November 2, 2022)

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 -

Current Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Coordinate with Public Works - Development Review on the design of signage to be installed by the applicant designating the name and information for the operator of the parking lot.

ITEM NO. 5 ET-21-400175 (UC-0492-15)-WESTWYNN, LLC:

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

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

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

DESIGN REVIEWS for the following: 1) High Impact Project; 2) resort hotel and all associated and accessory uses; 3) hotel towers and associated low-rise and mid-rise buildings and structures; 4) low-rise and mid-rise buildings including retail, restaurants, public, and back-of-house areas; 5) water features (man-made lake and decorative water fountains); and 6) all other accessory and incidental buildings and structures on 34.6 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the northwest corner of Las Vegas Boulevard South and Fashion Show Drive within Winchester and Paradise. TS/sd/jo (For possible action) (held from October 19, 2022)

ACTION: Deleted from the agenda (held to January 4, 2023, per applicant)

ITEM NO. 6 ET-21-400176 (UC-0045-16)-WESTWYNN, LLC:

HOLDOVER USE PERMIT SECOND EXTENSION OF TIME to expand/enlarge the Gaming Enterprise District by approximately 2.5 acres in conjunction with an approved resort hotel (Alon) on 34.6 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located between Sammy Davis Jr. Drive and Las Vegas Boulevard South and between Fashion Show Drive and Wilbur Clark Desert Inn Road within Winchester and Paradise. TS/sd/jo (For possible action) (held from October 19, 2022)

ACTION: Deleted from the agenda (held to January 4, 2023, per applicant)

ITEM NO. 7 ET-22-400108 (UC-20-0288)-WTML WARM SPRINGS, LLC:

USE PERMIT FIRST EXTENSION OF TIME for a cannabis establishment (retail cannabis store).

DESIGN REVIEW for a retail building for a cannabis establishment on a portion of 1.0 acre in a C-1 (Local Business) (AE-60) Zone. Generally located on the south side of Warm Springs Road and the east side of Haven Street within Enterprise. MN/dd/syp (For possible action)

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 -

Current Planning

- Until August 19, 2024 to obtain a valid business license for a retail cannabis store or the application will expire.
- Applicant is advised that ADR-20-900506 will expire December 02, 2022; the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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-22-400109 (UC-0519-17)-ALL NET LAND DEVELOPMENT, LLC:

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

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

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

AMUNDSEN

Next are Items 8 and 9 which can be heard together.

Item 8, ET-22-400109 (UC- 0519-17). Use permit, second extension of time to commence the following: Modifications to an approved high impact project, the All-Net Arena, proposed convenience or convention facilities, exposition halls. Waivers of development standards for the following: Reduced onsite parking, increased building height. Design reviews for the following: Modifications to an approved high impact project, hotel tower and associated low rise and midrise buildings and structures, convention center facilities and all other accessory and in- incidental buildings and structures on 27 acres in an H-1 limited resort and apartment zone generally located between Las Vegas Boulevard and Paradise Road, 900 feet south of Sahara Avenue within Winchester.

Item 9. ET-22-400110 (UC-0568-14). Use permits, third extend of time to

AMUNDSEN

commence the following. A high impact project, a recreation facility, a multi-function events arena and incidental uses. Increase building height. Retail sales and services, restaurants, on-premise consumption of alcohol, alcohol sales, beer and wine, packaged only, alcohol sales, liquor, packaged only. Outdoor live entertainment, personal services, salon and spa, club, night club, food carts, booths, grocery store, kiosk information, outdoor, offices, theater, a cineplex, outside dining, drinking and cooking, farmer's markets, arcade and motion picture production studio.

Waivers of development standards for the following: Reduce setback to a parking structure from a residential use. Waive the required landscaping when adjacent to a less intensive use. Permit a variety of outdoor commercial retail uses not within a per- permitted enclosed building. Non-standard improvements: fences, walls, planters and landscaping within the future right of way of Las Vegas Boulevard South. Design reviews for the following: A recreation facility, a multi-function events arena with ancillary uses and structures and overall site design, hotel, retail establishments, theater, parking structures on 27 acres in an H-1 limited resort and apartment zone.

CHRIS KAEMPFER

Yes. Uh - good morning Mister -

GIBSON

Good morning, Mister Kaempfer.

KAEMPFER

Good morning, Mister Chairman, Commissioners. Uh - Chris Kaempfer. 1980 Festival Plaza Drive. Here on behalf of the applicant. In our brief presentation today you'll be hearing from me followed by Mister Steve, uh- Millage who will, uh- give you some construction timelines. Following Mister Millage will be, uh- Jake Brigham, uh- an attorney in Torbin Welch's office at Messner and Reeves who are bond counsel. Although Planning has made it consistently clear that financing is not a planning consideration, we do know that the financing of this project is of interest to others and Mister Brigham is here to address any issues or concerns you might have in that regard. Also in the audience today is Mister David Lauden and Mister Jackie Robinson, the applicant, who are here should you have any questions appropriate for their consideration.

First of all, as I like to do always, I want to thank staff for their recommendation of approval and for their efforts in working with us and sup- um- being supportive and helpful throughout this project. As I often say, we are extremely grateful for the great service that they provide, uh- to all of the public and we thank them again, uh- for their recommendation and for their help. We also received the unanimous recommendation of approval from the Town Board and until just a moment ago, we were on the routine action portion of the agenda which, by definition, means that we reviewed as routine.

Um- secondly, let me say; and I think, uh- for me personally it's important that I add this; that it's been my privilege to be involved in this project from its inception. It's been a long road and Mister Robinson never gave up. He possesses a determination and a will that you rarely see, but when you do see it, you appreciate it very much. And I do, uh- and I know you all appreciate everything that Mister Robinson has done.

KAEMPFER

Um- a little more than a year ago I stood up before you, um- with this application offering basically, um- hopes and wishes and promises, uh- and I am pleased to say that I stand ... as I stand before you today, those wishes, hopes and promises have turned into real accomplishments, real progress and hopefully, uh- something that you can, uh- see as, um- a real advancement in this incredible development.

Now specifically, and it's important that I go over what we've done; a development agreement with the County has been executed and recorded. A performance agreement with the County has been executed. A performance bond in excess of \$12 million dollars has been posted with Clark County. Additionally, we have cleaned up the property, submitted the required traffic study approved by the County subject to cost participation, submitted the required drainage study approved by the county, submitted offsite improvement plans which are currently being reviewed by the County. We pulled the demolition permitted and have completed all of the onsite demolition. We removed the spillways on site, removed the truck wash that was on site. Removed all curbing and asphalt. Removed five separate large billboards that were on the property. We have surveyed the entire site and marked the property boundaries so that construction fencing can be placed on site by our contractor, and we have submitted the fence design to the County for its approval. Boundary and typography documents have been completed and recorded with the County. We have pulled temporary power permits and have commenced construction of the temporary power installation by trenching the site and placing electric, uh- uh- conduit in those trenches. We have pulled the dust permit. Additionally, Public Works has agreed to the easement for offsets required on Las Vegas Boulevard and owner documents have been signed. We have met with Public Works concerning the desired location of the pedestrian bridge. A stormwater pollution plan is in place and the site inspections have been performed and passed. All FAA approvals have been received to allow for this building to be constructed at our approved height and those approvals are all current. The feasibility study and the Economic Impact Study have been completed. We have met and continue, uh- to meet regularly with the Fire Department and the Building Department and importantly, we have executed a master labor agreement with the union trades.

We all are aware of the saying that a picture is worth 1,000 words. It's smarter than I am. So, allow me to show you some pictures of the construction that has been and currently is being done on site. (silence) That's just one of the five billboards that had to be removed. (silence) A year ago, you told us that you wanted to see some real progress over the next year and candidly we have shown you just that. Real progress. We are working on the site, we're developing the site, we're ready to finish what we have started. We sincerely believe that our extensions of time to commence construction are clearly warranted. Thank you.

Now, before we get to, um- Mister Millage, uh- we do have a short, um- presentation, um- uh- just about the project itself. Can we gear that up?

(VIDEO PRESENTATION)

KAEMPFER

Uh- Mister Brett Ewing of Cunningham Architects is here if you have any questions as to the uses or architectural design of the project.

KAEMPFER

So, Mister Millage will now address, uh- the issues of the construction timelines.

STEVE MILLAGE

Good morning, Commissioners. My name is Steve Millage. I'm the owner's representative for the All-Net Resort and Arena and I thank you for the opportunity to speak.

What I've laid out before, and I have copies as well just if you'd like, is the, uh- projected construction schedule that we have for the All-Net Arena and what we have going currently is, as Mister Kaempfer outlined, we have the temporary power installation that is going on. We have completed the trenching and, uh- the installation of conduit both on the north and then anticipate completing the south side this week. And then we will be working towards, um- Las Vegas Boulevard and then the Paradise side as well. We've been working with NV Energy on that.

We have projected in, uh- the end of fourth quarter and beginning of first quarter 2023 to install the construction fence that will be going up both on Las Vegas Boulevard as well as on Paradise. Um- the structural design has been completed by Walter P. Moore. We anticipate installing the piles and the lagging that would be going, uh- towards the tail end of the first quarter of 2023 into the second quarter of 2023, uh - for all piles and laggings and then installing the test wells also in the second - first and second quarter of 2023. And we've been working with, uh- Hayward Baker and Keller as well as Walter P. Moore and Cunningham on the slurry wall design that will need to go in for the 65-foot. Um- and we're projecting that to be towards the second, uh- quarter of 2023 and then going all the way towards the end of the third quarter of 2023 with construction de-watering on the fourth quarter of 2023 and then the mass excavation - um - projected towards the quarter - fourth quarter of 2023 and going into 2024.

So those are some of the items. Um - I have also copies here if you would like so you can have these as well, um- for reference. Uh - we have stayed consistent and again, all the schedule is based on working the two shifts that were originally approved, uh- in the first entitlements – uh - Monday through Saturday. Um - and if you have any questions, happy to answer those.

GIBSON

Commissioner Kirkpatrick.

MARILYN KIRKPATRICK

Uh- thank you Mister Chairman. Uh - so looking at your construction schedule I'm ... uh- wanna be ... get some clarifications. So, yesterday we passed some evaporated cooling measures. So, does your design incorporate that?

MILLAGE

Does our -

KIRKPATRICK

Because based on your – um - construction schedule, you won't be able to do evaporated cooling – um - based on what we passed yesterday. So does your - does your design actually incorporate that or is that yet gonna be another delay where you have to go back and redesign to meet that criteria?

MILLAGE

Yeah. We're working with, uh - EXP who's our MEP designers - uh - with Cunningham as well as with – uh - S3H. So, we are working on that design, um - to make sure that we meet whatever the County Code requirements are.

KIRKPATRICK Okay.

GIBSON Any other questions? Thank you, sir.

MILLAGE Thank you.

KAEMPFER Um - finally in our presentation we have - uh – Jake – uh - Brigham. He will address the financial situation and confirm to you the availability of funds necessary to complete this project in a timely manner in accordance with all approved plans and permits. Mister Brigham.

JAKE BRIGHAM Thanks. Good morning and - uh - may I please the Commission. Um - I wrote my notes down in handwriting, so please bear with me as I try to parse them out. Um -

GIBSON Would you - would you state your name, please? And spell your last name for us.

BRIGHAM Yes. My name is Jake Brigham. B-R-I-G-H-A-M and I'm an attorney with – uh - the law firm Messner Reeves and our firm is both bound counsel and book runner with respect to various infrastructure bonds which are sponsored by our client, Clearwater. And we are also project counsel for the Dribble Dunk - Dribble Dunk Project.

I'm here to convey to the Board that financing has been secured for the Dribble Dunk Project. The Board should have received a letter on November 7th from my colleague, Mister Torbin Welch, detailing the \$1.5 billion-dollar revolving line of credit from Clearwater to Dribble Dunk for amounts up to \$7 billion dollars. That letter of credit has been previously executed and remains, uh- effective and binding on both the lender, Clearwater, and the developer, Dribble Dunk.

Uh- the funds are available to complete the entirety of the project in a timely manner in accordance, uh- as Mister Kaempfer said with all the issued permits and approvals. Uh - additionally as of yesterday, Dribble Dunk has received a funding commitment letter which is deemed legally binding from PG Asia Investment Bank, confirming funding in the amount of \$5 billion dollars to Clearwater as required for the Dribble Dunk Project funding expectations. I wanna let the Board know that it's signed by the Financial Director of the bank. It's printed on bank letterhead and – uh - is as good as cash.

So, in sum- uh- the Board can be assured that funds are secured and available for the commitment letter for the Dribble Dunk Project and I'm happy to answer any additional questions if there are any.

GIBSON Sir, do you have any - uh - do you have in front of you or are you aware of what any kind of a drawdown schedule might be against these dollars?

BRIGHAM Um - well between Clearwater and Dribble Dunk, it's the revolving line of credit and then between the PG uh- Asia Investment Bank, uh - and Clearwater, it's \$5 billion dollars line of credit and that - those \$5 billion dollars are specifically allocated for the Dribble Dunk Project. So, the agreements are in place. They've all been executed and – uh - bank accounts are currently active and open so

BRIGHAM they're immediately available for the project. And – uh – I - I didn't print the – uh - commitment letter but I have it on my hard drive and I'm - I'm sure I can, uh- transfer that to the Board if they wanna review it or see it, so (inaudible)

GIBSON Are there any other conditions that you're aware of that - uh - have to be met other than, for instance, our approval, before the dollars could be made available for use on the project?

BRIGHAM No, sir. Not that I'm aware of. The asset - the bonds have been placed with PG Asia Investment and – uh - this might be more information that's necessary but my understanding is that because the asset is placed with PG Asia, they have trading platforms that that bond can then be monetized on and – uh - I think they do it through bullet trading on the, the secondary market and that can generate additional proceeds up to a 100% within three weeks. So -

GIBSON Does y - does your firm have experience with those platform trades?

BRIGHAM Um - PG's Asia Investment specifically or just trading on the -

GIBSON Just - just the trading platforms.

BRIGHAM Uh – yes, we do. Um - I think I would say Torbin Welch, my colleague, has more experience but I personally placed the bonds themselves on the Bloomberg Exchange Platform, so those bonds are veri - verifiable on the market.

GIBSON Okay. Thank you.

BRIGHAM Thank you.

MILLAGE Commissioners, I just wanted to add again, Steve Millage, Owner's representative. Um - the lenders do have the drawdown schedule. The drawdown schedule has been put together based upon the construction schedule. So, I'm happy to go ahead and submit that to the Commissioners, uh- via email or drop them off as well if you would like. I just don't happen to have it with me, sir.

GIBSON Thank you.

MILLAGE Thank you.

GIBSON Counsel, would you come back up? Would you come back up? Commissioner Jones, you have a question.

JONES Um - thank you Mister Chair, um- and thanks Mis- Mister Brigham. I - I - I appreciate your representation here that the one-and-a-half-page letter from Mister Welch is as good as cash, but it's not and, and so I guess I'm trying to understand. Again, it – it (laughs) the applicant has come in here with funding sources that are different every single time and last time it was magic money from the Middle East and this time it's - uh- a one-and-a-half-page letter from – um - from a law firm. And I - I'm really trying to understand where the money is actually coming from.

JONES For example, when I just Google Clearwater Premier, it doesn't even really show up in - in Google, for example. So, help me really understand where the money is coming from 'cause it would be ... It would give me a lot more comfort if there was actually \$1.5 billion dollars sitting in an account than a lawyer's letter.

BRIGHAM Yes, I will address that.

JONES 'Cause I'm a lawyer, I write letters, but my letters aren't worth \$1.5 billion dollars.

BRIGHAM I - I may have mis-spoke. I didn't mean my - my colleague's letter was worth the cash. I meant the - the funding commitment letter from the bank itself. Um – the - the letter I - I wish I had printed it, I'm sorry. But it says it's legally binding.

JONES Well, and to be clear, I asked for that information last week and what I got was Torbin Welch's letter.

BRIGHAM Right, and -

JONES And no disrespect from Torbin Welch.

BRIGHAM (laughs)

JONES I happen to serve my mission with him. Um - but that ain't money.

BRIGHAM Correct, correct. And we didn't have the commitment letter from the bank. I mean, that's what we had been working on. We received it yesterday and so that's why we didn't have it last week.

JONES (laughs) Well, maybe you shouldn't be here today if you just got your funding commitment today or yesterday.

BRIGHAM Well, that's what-

KIRKPATRICK (laughs)

BRIGHAM We, we have it, so-

KIRKPATRICK Uh- Mister Chairman-

BRIGHAM - that's all I had to just-

KIRKPATRICK - maybe we could print it for us to look at.

BRIGHAM Yes, we'd be happy to.

KIRKPATRICK We, we can do that right in the back.

GIBSON Yeah, so just a f- a - since we brought you back up. So, one, one of the issues that we've encountered occasionally when dollars are, are committed from foreign sources, uh- uh- has to do with the, um- the challenges of bringing foreign money

GIBSON into this Country with all of the issues that currently exist. Um – what - what is the plan for overcoming those issues and getting those dollars into Mister Robinson's accounts?

BRIGHAM That's a good question. I usually leave that to the bankers because in terms of – uh - international finance, I'm just not experienced enough to know how that exchange happens, so I can't really comment on that.

GIBSON I think that we would like to have in our files something about that.

BRIGHAM Okay.

GIBSON We, we would like to know the process. Uh - you know, we're - nothing that anyone's saying here should be – uh - taken as a opposition to the project. We're as concerned about the applicant as we are the project.

BRIGHAM Sure.

GIBSON We just wanna make sure that the things that we're grounding our decisions on are doable, are real.

BRIGHAM Right.

GIBSON And – uh - occasionally we - this isn't the first, but occasionally we'll see a project where there are commitments for financing – um - and often they don't materialize. So, we're, we're very concerned about – um - reliance upon all of that. You've done more work or really the client has done more work or - I guess they're your client, right?

BRIGHAM Correct.

GIBSON They've done more work over there and we see that. Um- there's ... I have ... We have no question about whether or not they intend to build. We imagine they do. Uh- we're anxious for them to have the resources to be able to do it, because the more things that get done to that site (laughs) um- the more difficulty we have if, i- uh- something doesn't happen. I recognize you have, uh- someone from the Lauden family here today and they're interest is in, uh- securing whatever they can for this property and seeing it developed to the highest and best use and returning whatever the highest return can be. But we have some concerned that you could really help us with. (crosstalk) And I think if we could understand better, um- and have assurances about what the process will be, uh- in terms of bringing dollars into the United States and providing funding and making those dollars available for the work that remains ahead, that would be very, very useful to us.

BRIGHAM Okay, understood. Thank, thank you.

GIBSON If you could have the banks do something about that.

BRIGHAM Okay.

GIBSON

Um - this is a public hearing, which is now open. Uh- the presentation of the applicant is now in, and I'd invite any of those, if there are folks here who wish to comment on this, to speak - to come forward. State your name. Please confine your comments to three minutes.

ANDREW DISS

Morning Mister Chairman. Uh - Commissioners, for the record, my name is Andrew Diss and I am uh - Senior Vice President for Meruelo Gaming and the Sahara Las Vegas – uh - the only minority owned – uh - casino resort on Las Vegas Boulevard. Um - we are here today in opposition - uh - to extending the use permits under – um - Number 8 and 9 on your agenda today.

Uh - let me preface my comments by saying this is not the first time I've appeared in, in front of all of you. If we thought this project was real and it was gonna come to fruition, we would be the biggest cheerleaders of it. We are - the Sahara is right next door to it. Um - we would be a big beneficiary of having a project of this size and magnitude on the land next door.

Um - you are all well aware of the history of this project - um - going back almost 10 years – uh - back to 2013 is when this was first proposed. And in that time, we have had several instances where the applicants have come in front of you and said that they had secured financing for the project and then it vanished. And then whenever they're nearing the end of the required time to meet conditions put on them by the County, they appear in front of you again with another source of financing. So, we - we have serious concerns about whether this is actually real this time.

Um - there is another project – uh - that has been proposed to attract an NBA team led by the Oak View Group. Oak View is a very reputable, well known development firm. They have proposed their project down by Blue Diamond. I think the reality of actually attracting – uh - an NBA expansion team to Las Vegas – um - that is probably the one that stands the greatest chance of success. But like I said, we - we would love more than anything to have an NBA arena next door to us if we thought it was going to be real.

Um - but we, we've done a little research based off of – um - the folks that stood in front of you today. And – um - when you look up Clearwater Trust and, and you look up Mister Owen, um- from Clearwater Trust on, on the website itself, it describes Mister Owens experience as – um – he - he consults on the following: threat and vulnerability assessments, kidnap, ransom, extortion, facilities security plans, emergency disaster plans, courier services, executive protection, penetration testing and more. That sounds very impressive but nothing about that says that they have any experience with development of this magnitude. And going back to the financing piece – um – the - there's – I - I would understand – um - that a project of this magnitude between \$5 and \$7 billion dollars, you would expect the applicants to be flanked by actual representatives of the bank that is promising funding for this project. Um - I don't - I have not seen any representatives of the bank. We're talking about a letter – um - but for me – um - that's a red flag.

In addition, the scope of this project has changed. There's no longer a casino as part of it. I'll - I'll finish up, Mister Chairman. There is no longer a casino part of

DISS the scope of this project and I'm wondering if that is due to the promise of foreign funds being invested in this project. I think that is a red flag. And I'm wondering if they are, have concerns about any issues Gaming Control Board would uncover, um- associated with the foreign funds pledged to this project. So, with that, Mister Chairman, uh- I thank you for your time.

GIBSON Thank you. Mister White.

THOMAS WHITE Thomas White, 2345 Red Rock Street, Labors Local 872. Um - this project going all the way back to 2014 and I have agreements in front of me. Um - 2014, 2021 and most recently, I heard this morning that there's a - a construction agreement negotiated. I can tell you right now as I'm talking to Vince from Building Trades, there is no newly construction agreement negotiated on this project. They're gonna mention that this project is gonna be 100% union and has contracts in place. Show us to 'em, 'cause we don't have 'em.

Um - the same way that the gentleman talked about, um - projections on this project, you know, just so everybody knows as a construction union, we have to do pro - projections based on what we're gonna build here in Las Vegas or build in this State. And a lot of the projections that we have done over the years has been based on this project. Our pension funds do projections based on projects. Our workforce, we do projections based on projects and both of those have failed over the years because of the projections we have done based on a project like this. So, it's not that I'm opposed to the project, we love nothing more than building a project, but we wanna see the project come to life. And I looked at that construction - um- projection and I know construction projections. We built a stadium faster than anyone in the United States. That construction projection is out of line based on current construction today. We could put fences up in a week. We could put buildings up - um- (laughs) in months.

There's been dispensaries built faster than this project has been built. So, either it's crap or get off the pot. No pun intended, Commissioner Segerblom. Um - but we really need to do some with this project. Whether it's gonna get built or it's not gonna get built, it needs to be decided really fast. Thank you.

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

WILL BRADLEY My name is Will Bradley, B-R-A-D-L-E-Y, 2700 Las Vegas Boulevard South, Unit 4105. That's the Sky Condos Building. In no deference to our friends at Sahara, and we have a good relationship with Sahara property – um - sternly disagree. Um - I just got reelected as a, to our HOA board by two votes. Every vote matters but I was the top vote getter. And – uh - so I speak for the majority of our residents. Uh - I actually live there, I have almost a - a million-dollar investment 'cause I own two condos in our building. And I, along with our owners, are in favor of this project.

The rea – uh - you probably saw me limping up here. I was on a Princess Cruise over the weekend and was playing two-on-two basketball. Won the trophy - won the medal but it cost me a sprained ankle. The pain was not worth this medal but the pain that we have to go through as a community to ensure Mister Robinson's dream comes true is worth it. And it has a full support of my condo building and

BRADLEY

we have 409 residents there.

Uh - a little concern to me, uh- I'm on the 41st floor. It looked like part of the new design is it would go higher than we originally thought. But you know what? I don't own their land. And so that's the way I feel. If I wanna control land, I buy it. But I don't own their land. If their new building blocks my view, that's the way it goes. They'll still have a good neighbor and I'll buy a season ticket, walk across the street, and love to attend NBA games.

So, with, with that, I heard encouraging signs. My balcony overlooks this site. I agree, I've seen a lot of work done, it's encouraging. I ask this Board to give them every leeway you can and every understanding you can because they're neighbors. If I could sh-, oh let me show you this.

To orient you to where I live, this is sky right here, this is the project. And you also have Turnberry Towers on these two circles. See, this project is surrounded by residential towers. And this resident, along with my tower, supports it and with all the lights and the noise that would come from construction ... When I hear noise from the Fountain Blue across the street, I hear economic progress, I hear progress of development of the North Strip. And so, I, uh- hereby thank you and encourage you to work with them to get this project done. Any questions?

GIBSON

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

SEGERBLOM

Um - thank you, Mister Chair. Um- a year ago I, I basically said, um - it was time to fish or cut bait. We gave 'em a year. Um- I think that honestly, they have - they have started to cut the bait. Uh - the staff is recommending – uh - approval for another year. Um - they've done everything I've asked 'em to do. And, you know, uh- just given the, the, the amount of time that's been involved in this, the amount of work that's gone into it, and, um- the economic sit-, situation out there I would, I would move for approval for the extension that the staff is recommending.

GIBSON

Alright. Um - Commissioner Kirkpatrick has a question.

KIRKPATRICK

Um- well now that we've closed the public hearing and we, there's a motion on the floor, I guess for discussion I would ask 'cause I ... You know, last time we asked about the bond, where was the bond and nobody could ever say how long the bond was good for. But this piece of paper also says that it's good for one year plus one month. Their only, their own construction schedule doesn't even meet that requirement, so I find myself in the same predicament. We gave 'em a bond last time and then the bond somewhat disappeared, or no one really knows how long it lasted for. And then now I have a same letter that is a one year and one calendar month which concerns me on, on what that means. 'Cause their own construction schedule is very long and drawn out. But I don't, I don't know what we do, now that there's a motion on the floor, so I guess this is only discussion amongst ourselves.

KAEMPFER

Chair, Mister Chairman, I, I know there's a motion on the floor. If you want, um-

GIBSON

Well-

KAEMPFER (inaudible)

GIBSON - here - here's the thing.

KAEMPFER Yeah.

GIBSON I, I'm gonna ask Commissioner Segerblom to hold that motion for a moment. I didn't realize this was a question on that - that would relate to some of the things we've been considering before we get to the motion. So, if you're alright Commissioner Segerblom-

SEGERBLOM No, absolutely.

GIBSON Alright. So, um - Commissioner Kirkpatrick, the specific concern you have is?

KIRKPATRICK Is specific concern I have is in the first paragraph it says, "The term of such guarantees will be a minimum for one calendar year plus one calendar month." And so based on their construction schedule, it doesn't - I don't know how. Are they taking all \$5 billion dollars? I mean, this has been the issue all along on whether or not they could go forward. So, I'm wondering - it goes back to the draw down on the money. And if this is only good for one month from November 15, I mean, one year, one month - uh - what does that mean? I mean, it, we're in the same spot we were before when there was no money to actually execute all the stuff. That's my concern.

BRIGHAM I just -

GIBSON Mister Bingham, do you understand that question?

BRIGHAM I think I do. And I just wanted to make a comment on the letter that it's uh - the letter of credit's actually renewable for -

GIBSON We need the microphone to work at the - is it there?

BRIGHAM Oh sorry, can you hear me?

GIBSON Yes.

BRIGHAM Jake Bringham - uh - for the record. I just wanted to note that - um - the letter of credit is actually renewable for two additional terms on, uh- the same or si-, similar terms

KIRKPATRICK And, but it still doesn't meet their construction schedule.

BRIGHAM Well and these, these funds ...

AUDIENCE It's the minimum.

KAEMPFER No, um- I - what I think Mister Bringham is saying is that letter's renewable twice.

GIBSON Twice. So here, here's a concern for instance. Um- our experience generally is, I

GIBSON mean, it's not every time but generally, uh- a project of this magnitude takes four years to build. So, there are three years of a letter of credit coverage. Um- is that adequate? Is it in your, in your judgment, you two lawyers, is that adequate to cover it? And are the arrangement such that the dollars will be there to finish the project when you get three years into it?

KAEMPFER It's my understanding that you pull out of that letter of credit enough to complete the, uh- development going forward. In other words-

GIBSON And I think the drawdown schedule is what would tell us that. That was what I was after.

KAEMPFER Yeah.

GIBSON Because I saw - so let, let me ask this question. Um- this letter refers to assets that are free and clear and that are pledged as collateral for the, um- for this instrument. What, what is the collateral for the instrument? Is it the land over there or is it the land with the design and the project? What, what is?

BRIGHAM I'm sorry, the - the collateral for the funds from PG Asia Investment?

GIBSON Yeah, the, it, this references collateral. It says, "Is free and clear." And I don't know if it's referring to its own collateral or collateral that is being placed in support of this financing.

BRIGHAM The collateral is the bonds, the infrastructure bonds, that are sponsored by Clearwater.

GIBSON Okay, and those bonds are the ones that you personally handle?

BRIGHAM Yes, correct. Messner Reeves is in possession of the bond certificates.

GIBSON And the beneficiary is who?

BRIGHAM Dribble Dunk.

GIBSON Okay. Now I'm - as to the construction schedule – um - your concern relates to-

KAEMPFER Wait a minute. Let's just-

GIBSON - aligning them. So maybe, you know, I ... look, we, we ... This is not a hearing where we're gonna approve a financing. We're the last people that are qualified to approve a financing. What we're here to do is ensure that the things that we're learning about are sufficient to justify taking action that will result in a whole lotta activity over there which has to be completed if it's started. We've, we ... In fact, nearby we have actually- actual experience with a project that came out of the ground that did not get completed and now it's being completed af-, after some years.

So, we just want assurances, we want to know that there is something here on which we can rely. And this has nothing to do with the, the, the credibility of

either of you or of, uh- Mister Robinson. This has everything to do with what we have in front of us. And are the things that we have in front of us of sufficient credibility that we can rely and in good conscience act that in a way that would result in this project really going and with the likelihood that it will? That's I guess, all I can say.

Mister Robinson, Mister Chairman, if I might, Mister Robinson would like to address that. It might clear up some issues.

Thank you very much. Um - Jackie Robinson, 2201 Glenbrook Way. I wanted to come and speak because Mister Tobin Welch who is the bond counsel and our counsel who works right now is on vacation and, uh- Jake has came in and filled in. He's the associate.

The bonds, uh- 'cause I've been involved with it for putting this together, infrastructure bonds are placed in a custodial account at the bank. And the bank can either draw a line of credit or they bring funds back on ledger, onto ledger. And so, uh- the group that has the bonds is our joint venture partner, they're just not funding it. Those bonds are there, we have a note against those bonds, those bonds cannot be moved or, or used in any other type of way until it's completed.

Now since these are infrastructure bonds that are backed by the Federal Government, if you will, and there's public projects attached to each one of the bonds. So therefore, those funds can be able to bring back into United States because they're funding public projects and these bonds are infrastructure projects backed by the Federal Governments. The overages on the bonds will allow them to do private projects such as ours and to fund. So, this is just not a funding mechanism. We have done a joint venture partnership, they're our partners. I also sit on the board that also, um- with those bonds and also designate to different projects, along with Mister Todd Owens and other board members, where and what we use for those bonds. So, these bonds will be done, finished based upon the obligation on us having a note. And so, they're our joint venture partners and this is not a simple letter that is given to us then for financing. Those bonds are placed there at a custodial, held there for the entire of the project until it's completed, based upon the schedule.

Alright, thank you. Commissioner Segerblom, I'm going to turn the item back to you. Is, is there another question -

No, I -

- Commissioner Naft?

- there's not a question. I just in advance of a vote, just wanna explain that, um-well, I think we all wanna see this project succeed. My, my concerns, and well my skepticism about the financing is very real. My concerns over the timeline are much greater than that because I - I - I would be concerned that this would be a setup for failure. Because I've, I have, I've also been involved in some stadium projects. I can, we, everyone on this Board has and I think we know the realistic timelines and, uh- just offer that that's my greatest concern. If the financing is real, there's nothing from preventing, if this vote does not go your way, there's

NAFT nothing from preventing the project from coming through the system appropriately again. Um- and so I just offer that, Mister Chairman.

GIBSON Is there -

KAEMPFER Mister Chairman-

GIBSON - any other concerns?

KAEMPFER - one - one other comment I need to address from The Sahara. It obviously they would not deliberately make a misrepresentation to you, they just don't recall. There has never been a casino with this project. So, there is not a desire to remove the casino because we're afraid of some investigation through the gaming auth-, there's never been from the inception of this a casino element with this resort.

GIBSON Actually, that's consistent with my recollection, but I, I don't know-

KAEMPFER Yeah.

GIBSON ...enough detail. So, uh- Commissioner Segerblom, now how would you lead us? (crosstalk)

KAEMPFER I'll let Chairman (inaudible)

SEGERBLOM I, I think, um- again, I would move for approval for the one-year extension. I think they've met the conditions that we've asked them to meet. Uh- staff has recommended approval and, um- you know, there's never going to be the perfect project or the perfect thing. We're not, as you said, we're not qualified to really verify financing, or not financing but, um- I think that, that they, they've done what I've asked them to do so I would ask the Board support me in moving for approval.

GIBSON Alright. There's a motion on the floor for approval by Commissioner Segerblom. Any ... You have a comment.

AMUNDSEN I have a question. Um- Commissioner, the year is the year from today or as staff had recommended, we wanted a year from the last, um- deadline which was September 6th?

SEGERBLOM It'll be from the staff recommendation.

AMUNDSEN Thank you.

GIBSON So, September 6th. Any questions, any comments on the motion? Commissioner McCurdy?

WILLIAM MCCURDY II Thank you, Mister Chairman. Um- so I will support Commissioner Segerblom's motion for an extension of time. Um- from my understanding prior to my time on the Board, there has been numerous extensions granted to other properties including the one immediately to the south of this parcel as well as, you know, what we now know as the Resorts World. I actually worked construction on that

MCCURDY

project back in the day, um- right across the street from there at the Encore. Uh- so I will support this for a second extension of time. It's only the second time. Um- I have concerns as well with the financing. Uh- to be clear, uh- we want to know, um- that the re-, dollars that are coming in are appropriate. Um- but I also understand that staff recommends approval as well.

Um- we would like to, I would like to have, um- more briefings on, uh- the schedule, uh- because the schedule does look a little, uh- off to me as well. Uh- so I would request that there be more communication, uh- as we, we get closer to the construction schedule. I agree, uh- that it does not take an incredible amount of time, uh- with fencing and so forth. Uh- so it, it, it's visible and I don't actually, you know, there is a lot of, you know, hesitation and apprehension a-, around whether this project will even come on board. Uh- but I will support a second extension of time because this is something that has been done for other properties just out of fairness.

Uh- so, um- I would say that be over communicative from this point forward, uh- because we have a responsibility to other properties that are, uh- right next door. I – I – I - I understand the apprehension – uh – from - um - the Meruelo Group – uh - I think that that's valid as well. And I do not see this as a competition, uh- with other stadiums because we are the “World's Arena” and that's what we do, so the more the merrier at this point. But what we're forecasting that we're gonna go, um - in this County. Uh - but I would just say, uh- to be clear and to be over communicative, uh- because, uh- folks are starting to lose, lose, um- lose hope, uh- and we would like to see this come to fruition, especially for the jobs are gonna be contrary – uh – created – uh - for the, for the tradesmen and women.

So, I just wanna put that on the record, Mister Chairman, uh - and I will be supporting Commissioner Segerblom.

GIBSON

Thank you, Commissioner. Any other que - questions or comments? There's a motion on the floor for approval by Commissioner Segerblom. Please cast your votes. Motion carries.

KAEMPFER

Thank you very much.

ACTION:

It was moved by Commissioner Tick Segerblom, and carried by the following vote, that the applications for Item Nos. 8 and 9 be approved, subject to staff and additional conditions.

VOTING AYE:

Jim Gibson, William McCurdy II,
Ross Miller, Tick Segerblom

VOTING NAY:

Justin Jones, Marilyn K. Kirkpatrick,
Michael Naft

ABSTAINING:

None

ABSENT:

None

CONDITIONS OF APPROVAL -
Current Planning

- Until September 6, 2023 to commence with any extension of time as a public hearing.
- Applicant is advised that the County may take action to pursuant to the Performance Agreement if the project has not commenced by the extended date; the installation and use of cooling systems that consumptively use

water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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. 9 ET-22-400110 (UC-0568-14)-ALL NET LAND DEVELOPMENT, LLC:

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

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

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

ACTION:

It was moved by Commissioner Tick Segerblom, and carried by the following vote, that the applications for Item Nos. 8 and 9 be approved, subject to staff and additional conditions.

VOTING AYE:

Jim Gibson, William McCurdy II,
Ross Miller, Tick Segerblom

VOTING NAY:

Justin Jones, Marilyn K. Kirkpatrick,
Michael Naft

ABSTAINING:

None

ABSENT:

None

CONDITIONS OF APPROVAL -

Current Planning

- Until September 6, 2023 to commence with any extension of time as a public hearing.
- Applicant is advised that the County may take action to pursuant to the Performance Agreement if the project has not commenced by the extended date; the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

ITEM NO. 10 UC-22-0537-ALBERS MONTE & LUCIA LIVING TR & ALBERS MONTE & LUCIA CO-TRS:

USE PERMIT to allow a medium manufacturing facility.

WAIVER OF DEVELOPMENT STANDARDS to reduce the setback to a non-industrial use on 0.4 acres in an M-1 (Light Manufacturing) Zone. Generally located on the west side of Fidus Drive, 100 feet south of Nevso Drive within Paradise. MN/sd/syp (For possible action).

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

CONDITIONS OF APPROVAL -

Current Planning

- Applicant is advised that this is not approval for future businesses/uses and future businesses/uses may require additional land use approval; the installation and use of cooling systems that consumptively use water are prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within two years of approval date or it will expire.

Clark County Water Reclamation District (CCWRD)

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

ITEM NO. 11 UC-22-0555-SCHWARTZ FAMILY RE HOLDINGS, LLC:

USE PERMIT for a school (kindergarten through fifth grade).

WAIVER OF DEVELOPMENT STANDARDS to allow modified commercial driveway geometrics. DESIGN REVIEW for a proposed charter school in conjunction with an existing commercial building on a 3.3-acre portion of an 8.2 acre site in a C-2 (General Commercial) Zone. Generally located on the south side of Sahara Avenue and the east side of Bruce Street within Winchester. TS/rk/syp (For possible action)

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

CONDITIONS OF APPROVAL -

Current Planning

- 2 years to review to monitor the progress of the removal of outside storage and upgrades to street landscaping and the building façade;
- For security purposes, eliminate any fence opening to the outside storage yard south of the children's outdoor play area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time 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 two years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- If a crosswalk and/or flashers are required now or in the future, the applicant or owner shall design and

- construct the improvements to the satisfaction of the County and at the sole expense of the applicant or owner, with said measures to be completed in a timely manner as determined by Public Works;
- Reconstruct any unused driveways with full off-site improvements.

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. 12 VS-22-0529-LV RAINBOW, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Raven Avenue and Blue Diamond Road, and between Montessori Street (alignment) and Rainbow Boulevard; and a portion of right-of-way being Raven Avenue located between Montessori Street and Rainbow Boulevard within Enterprise (description on file). JJ/gc/syp (For possible action).

AMUNDSEN

Next are Items 12, 13, and 14 which can be heard together.

Item 12, VS-22-0529 vacate and abandon easements of interest to Clark County located between Raven Avenue and Blue Diamond Road, and between Montessori Street alignment and Rainbow Boulevard and a portion of a right of way being Rain-, Raven Avenue between Montessori Street and Rainbow Boulevard within Enterprise.

Item 13, UC-22-0528 use permits for the following: mixed use development, establish density, establish height, waiver of development standards to waive cross access requirements. Design reviews for the following: mixed use development, alternative parking lot landscaping, finished grade on 19.8 acres in a C-2 general commercial zone.

Item 14, TM-22-500179 tentative map for a mixed-use project consisting of two commercial lots and one residential lot on 19.8 acres in a C-2 general commercial zone.

GIBSON

Good morning. I think it's still morning -

JENNIFER LAZOVICH

(laughs) Yes.

GIBSON

- Miss Lazovich. How are you?

LAZOVICH

Good morning. Jennifer Lazovich, 1980 Festival Plaza Drive here today on behalf of the, uh - applicant and all the items. This item is on consent. We, um- as Commissioner Jones knows, we have worked on this, uh- project for a really, really long time, uh- predominantly with the surrounding neighborhood. Um- pleased to report that with the redesign of the now horizontal mixed-use project, we had neighbor support at Town Board they also recommended approval. Um- it's my understanding Mic-, Mister Becker wanted to have this item heard separately, so perhaps I could let him talk and then per-, I could address any comments that may need to be addressed.

GIBSON

Alright, let's do that. This is a public hearing. Uh - Mister Becker.

JOHN NETZORG

Good morning. Congratulations on the elections. Uh- I represent ... My name's John Netzorg, 2810 West Charleston, Suite F62. I represent Silverstone Properties of which, uh - Mister Becker's the Manager. Uh- he ... One of the improvements for Silverstone is the, uh- AMPM at the northwest corner of Rainbow and Durango. I have a photograph here. Sadly, this isn't the only flooding but, uh- we have a principal concern and that is with drainage. And with the course of development to the west, basically the alluvial fan floodwaters have been funneled to the point where they've basically converted the AMPM there to a unofficial detention center.

In this photo taken July 25th, you see the fire trucks and there was an elderly woman that was stranded on Rainbow but we're not the only ones with a drainage issue. This is the woman's car and she's sitting in the middle of Rainbow Boulevard. So, we have basically, uh- because of the development, uh- the diversion of floodwaters from other improvements onto this property. In particular with regard to the tentative map application, uh- because there is such a significant flood issue, um- we were extremely concerned about drainage. And when we got the tentative map, we saw that the requirements under 3028-130, three had been waived, all of them dealing with drainage. So, we have a tentative map, we have a very severe flood issue, and we have a waiver of any of the design or drainage requirements for the tentative map. We have been working with the applicant and we've also have worked with the, an applicant across the street. And the Clark County had proposed that they take the Silverstone property owned by Mister Becker, expand the flood channel from 20 or 30 feet to 100 feet, re-, put in multiple culverts under Rainbow to be capped in 24 months when the new detention basin on the railroad spurs is developed. Basically, what the County is suggesting is that the Becker's property be converted into a temporary flood channel that would have, uh- permanent consequences pending development of the new detention basin.

It is our understanding that given our situation, obviously the Rainbow Boulevard situation's intolerable. The fact that this, uh- the Arco station itself situation is intolerable, this is what happens when the County approves a project in 1995 and after that date, ENDOC comes in and raises the adjacent Blue Diamond crown two and a half feet when the county necessarily in improving the upstream, uh- improvements effectively has diverted the alluvial f-, uh- pan, um- fan floodwaters onto this property. And you have a single taxpayer, a single property owner, absorbing the burden, the flood control burden, on a temporary basis. And it's exacerbated because the temporary fix proposed is to expansively widen the flood control culverts under Rainbow and then once the detention basin is finished in the next two or three years, hopefully, cap off a substantial portion. So, you have a permanent improvement being foisted upon the Silverstone property with 100-foot-wide flood channel that isn't temporary only to, uh- address the concer-, drainage concerns including the one front that's presently before the, uh- commission.

Our objection is that given the seriousness of the drainage issues, there sho-, should not have been a wai- a waiver of subsections I, N, and O. They're absolutely necessary. Uh- the other thing is procedural. I'm here today opposing the tentative map application. Well tentative map is the only public hearing. Sometimes it's said, "Oh, don't worry about that. They'll take care of the drainage

NETZORG

issues during the course of the development." Well, that doesn't benefit a neighbor whose property's been converted into a flood basin. There is no public hearing for the final map. We wouldn't get notice of the final map. We have no participation in the drainage, uh- discussions between the applicant and staff. This is it. And it's, uh- sad that the procedure is the way that it is but the tentative map application is my three minutes to provide this commission with a very, very, very serious, uh- drainage issues that have been on, on which we are not, we're being excluded mechanically through this process 'cause ... And, uh- there was a concern about a sidewalk on Raven as well since we've combined them.

My understanding, I believe, is they were providing an additional space. But to the extent, if I misunderstood, that there was a waiver of the five foot sidewalk requirement on Raven on the south side, uh- we would have an issue with that as well because it would, uh- prevent the, uh- pedestrians ... It would just put the pedestrians in the street.

What we request is that the tendered map be denied. It can't go forward, uh- there's no basis for going forward at this time. If you look at the tentative map, it does not address these significant drainage issues. That is the most important issue with regard to the development at Rainbow and Blue Diamond.

GIBSON

Thank you.

NETZORG

It's not a secondary or tertiary issue. There are flood problems, there are people being trapped on Rainbow as a result, and the tentative map without any drainage assessment, uh- is fatally defective.

GIBSON

Okay.

NETZORG

We all need to work together as a so-, first solution.

GIBSON

Thank you, Mister Netzorg.

NETZORG

Thank you kindly.

GIBSON

Um - does your client wish to add anything?

NETZORG

Ernie? Okay. Thank you very much, Commissioner.

GIBSON

Thank you.

BECKER

The, uh- thing I'd like to add is on the sidewalk you're forcing, forcing the people out in the street coming around a neighbor's property to the west of us and it could cause serious accidents. And we've had, um- we'd rather not see the sidewalk deleted and hope that that's denied. And then, uh- further, uh- there needs to be some, uh- real speed up work done with NDOT and the, uh- County on their open drainage channel along the spur where there are two culverts under Blue Diamond, uh- and Buffalo. And also, the State and NDOT has one that they plugged off, they plugged, the County, um- two culverts off which has forced this water on us is 2,500 CFS. And, uh- in the, uh- when it's all completed, it'll only be, it'll be reduced down to 600. We're in that NDOT needs is west of us dug a

BECKER

channel.

It needs to be a seven-by-seven culvert or to solve the immediate problem, two seven by seven culverts in Blue Diamond, uh- between my property and Blue Diamond under Rainbow to solve the immediate problem. We'd appreciate the county working with NDOT to speed this up as the water came close to coming in the store on this 10-year f- storm in July. And if we have another one, between the two years as the County uh- claims uh- from the Flood Department, that they'll have the um- open drainage channel done, and the two culverts opened up. And we're gonna get flooded out inside of a silver, a ten-year storm. And we've got a serious problem with the gas pumps because of boulders and the rocks and uh- debris and that comes down and uh- and it's gonna knock one of those gas pumps off and cause serious problems with fuel. But thank you very much.

GIBSON

Thank you, Mister Becker.

BECKER

I appreciate your - your consideration.

GIBSON

Mm-hmm. Thank you. Those are the only cards I had for speakers, so Miss Lazovich.

LAZOVICH

Uh- thank you. Jennifer Lazovich for the record. Uh - Chip Maxfield is also with me if we have to get into any technical um- issues. I wanna just point out a couple of things. We are not- I wanna emphasize that again. We are not asking for a waiver to not put in a sidewalk. We are putting in a sidewalk. There's an attached sidewalk. We're also doing a detached sidewalk. We do have a waiver for cross access. Um- that has just the nature of- of this project to that project. So, we have that in place. And I- as far as the drainage goes, I'll put this in my layman terms, the water that um- Mister Netzorg and uh - Mister Becker were referencing is there today.

What's gonna happen with our project is that we'll do the drainage study, we'll comply with what the drainage study says that we're gonna do. And that will help how we channel the water. Um- we understand it's an issue, it's an issue for us to. But we're gonna comply with and help how it's channeled. And I- I think I'll stop there and see if there's any other questions.

GIBSON

Okay, so just to be clear, we've had a public hearing. I take it there's no one else who wishes to speak during the public hearing portion of this meet- of this item. There being none- no one, the public hearing is closed. Commissioner Jones, you've heard it all.

JONES

(laughs) Thank you, Mister, Chair, and thank your presentation. Before I jump into the drainage, can you put up the - the plan.

LAZOVICH

Yes.

JONES

The - the pretty pictures for me real fast.

LAZOVICH

I would love to put up the pretty pictures.

Because I just wanna highlight the fact that... Th- this was a project that was proposed before I took office. And um- there were issues uh- raised by the neighbors, they wanted more commercial, they wanted a truly mixed-use project. And absolute credit to the developers to- to Miss Lazovich, to Mister Maxfield. Um- to the entire team for uh- their work to bring on Jade Apper who's already uh- in the process of building more commercial over in that area, to- to really come up with a beautiful project that is supported by all of the neighbors, to kudos to you on that before I jump into the drainage. With regard to the drainage, and Tony, you can comment on Mister Becker's representations.

Thank you, Commissioner. Uh- first I'd would like to mention the drainage study is not waived, I'm not sure where he's getting that. At the very first condition drainage study in compliance, so they will have to uh- comply with whatever the study shows. Um- they cannot pass over to Mister Becker's property more water than there is today. Matter of fact they'll probably make it better, most of the time they do.

Uh- they do have detached sidewalk he- he said something about uh- no sidewalks on Raven, they do have a detached product on Raven, Blue Diamond sidewalks already exist, so they're not waiving any sidewalks. And the flooding on Rainbow is because the- the pipes that crossed Rainbow are undersized and we are willing to up-size the pipes so that the flooding on Rainbow doesn't happen. However, we do need an easement on Mister Becker's property which we cannot attain.

So- so I just wanna make sure I'm- I'm very clear because uh- there were efforts to alleviate these issues, however it was Mister Becker that refused that access and easement onto his property?

Yes, sir.

Okay. So, Mister Becker, um- I've had multiple conversations with you over the last four years. Uh- Senator Bryan came in with you, I understand you're now denying that Senator Bryan represented you in those conversations. Um- I know this applicant has tried on multiple occasions the last four years to discuss cross access, and- and uh- co-development of this- of the site. Um- but you have been unwilling to participate in any of those discussions in a meaningful way. Um- this development will hopefully alleviate some of the drainage issues uh- that occur on your property um- but if you wanna resolve it, be a good partner with the others in the area who are trying to develop and with the County.

So, with that, I'll move for approval of agenda Items Number 12, 13, and 14.

There's a motion for approval by Commissioner Jones on this item. Are there any other questions or comments by members of the board? There are none. Please cast your votes. The motion carries.

Thank you.

Thank you. Thank you, sir.

CHIP MAXFIELD

Thank you. Mister Chairman, if I might, thank you very much Commissioner Jones for your work and effort for the last four years with this project and all the neighbors, and even for Mister Becker who we deal with on a regular basis. We look forward to continuing working and congratulations for November 8th, it's a rough, rough year and most of all, happy Thanksgiving, it's happening next week to you, and this wonderful staff of the County.

GIBSON

Thank you, Commissioner.

NETZORG

Thank you for your time and consideration.

ACTION:

It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the applications for Item Numbers 12, 13, and 14 be approved subject to staff and additional conditions.

CONDITIONS OF APPROVAL -

Current Planning

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

Public Works - Development Review

- Right-of-way dedication to include 25 feet to the back of curb for Montessouri Street, an elbow for Agate Avenue and Montessouri Street, and associated spandrel;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording;
- If required by the Regional Transportation Commission (RTC), and if permitted by Nevada Department of Transportation (NDOT), extend the proposed deceleration/right turn lane on Blue Diamond Road into this property such that it begins at the easternmost limit of the parcel, and provide a 10 foot by 50 foot bus shelter pad behind the sidewalk beginning approximately 100 feet west of the property line in accordance with RTC standards.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way or the dedication to the back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

ITEM NO. 13 UC-22-0528-LV RAINBOW, LLC:

USE PERMITS for the following: 1) mixed-use development; 2) establish density; and 3) establish height.

WAIVER OF DEVELOPMENT STANDARDS to waive cross access requirements.

DESIGN REVIEWS for the following: 1) mixed-use development; 2) alternative parking lot landscaping; and 3) finished grade on 19.8 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Blue Diamond Road, 300 feet west of Rainbow Boulevard within Enterprise. JJ/gc/syp (For possible action)

ACTION:

It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the applications for Item Numbers. 12, 13, and 14 be approved subject to staff and additional conditions.

CONDITIONS OF APPROVAL -

Current Planning

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Commercial component to be developed concurrently with the first phase;
- Design review as a public hearing for lighting and signage;
- 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 is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within four years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Montessori Street, an elbow for Agate Avenue and Montessori Street, and associated spandrel;
- If required by the Regional Transportation Commission (RTC), and if permitted by Nevada Department of Transportation (NDOT), extend the proposed deceleration/right turn lane on Blue Diamond Road into this property such that it begins at the easternmost limit of the parcel, and provide a 10 foot by 50 foot bus shelter pad behind the sidewalk beginning approximately 100 feet west of the property line in accordance with RTC standards.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way or the dedication to the back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way; 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; and that Nevada Department of Transportation (NDOT) permits may be required.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0387-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised that there are active septic permits on APN 176-22-501-012, -013, and -016; to connect to municipal sewer and remove the septic systems in accordance with Section 17 of the SNHD Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management; and to submit documentation to SNHD showing that the systems have been properly removed.

ITEM NO. 14 TM-22-500179-LV RAINBOW, LLC:

TENTATIVE MAP for a mixed use project consisting of 2 commercial lots and 1 residential lot on 19.8 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Blue Diamond Road, 300 feet west of Rainbow Boulevard within Enterprise. JJ/gc/syp (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the applications for Item Nos. 12, 13, and 14 be approved subject to staff and additional conditions.

CONDITIONS OF APPROVAL -

Current Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Montessouri Street, an elbow for Agate Avenue and Montessouri Street, and associated spandrel;
- If required by the Regional Transportation Commission (RTC), and if permitted by Nevada Department of Transportation (NDOT), extend the proposed deceleration/right turn lane on Blue Diamond Road into this property such that it begins at the easternmost limit of the parcel, and provide a 10-foot by 50-foot bus shelter pad behind the sidewalk beginning approximately 100 feet west of the property line in accordance with RTC standards.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way or the dedication to the back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way; 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; and that Nevada Department of Transportation (NDOT) permits may be required.

Current Planning Division - Addressing

- Multiple family unit numbers shall be approved by Addressing during the building permit process.

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 #0387-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.□

ITEM NO. 15 VS-22-0562-215 PROPERTY, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Rafael Rivera Way and Sunset Road, and between Warbonnet Way and Cimarron Road within Spring Valley (description on file). MN/bb/syp (For possible action)

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

CONDITIONS OF APPROVAL -

Current Planning

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

Public Works - Development Review

- Right-of-way dedication to include 11 feet for Rafael Rivera Way;
- 30 days to coordinate with Public Works - Director's Office and to dedicate any necessary right-of-way and easements for the Beltway, Frontage Road improvement project;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

ITEM NO. 16 TM-22-500191-215 PROPERTY, LLC:

TENTATIVE MAP consisting of 1 commercial lot on 19.4 acres in an M-D (Designed Manufacturing) and C-2 (General Commercial) Zone. Generally located on the south side of Sunset Road and the west side of Warbonnet Way within Spring Valley. MN/bb/syp (For possible action)

ACTION:

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

CONDITIONS OF APPROVAL -

Current Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 11 feet for Rafael Rivera Way;
- 30 days to coordinate with Public Works - Director's Office and to dedicate any necessary right-of-way and easements for the Beltway, Frontage Road improvement project.

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. 17 WS-22-0546-USA:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate street landscaping; 2) reduce setbacks; and 3) allow non-standard improvements within the right-of-way.

DESIGN REVIEWS for the following: 1) single family residential development; and 2) finished grade on a 5.2-acre portion of a 10.0-acre site in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the north side of

Ann Road and the east side of Egan Crest Drive within Lone Mountain. RM/md/syp (For possible action)

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

CONDITIONS OF APPROVAL -

Current Planning

- Terraced retaining walls along La Mancha Avenue, Ann Road, and the east property line (rear) of the development to be decorative;
- Desert landscaping consisting of shrubs and groundcover to be planted within the 6 foot setback area between retaining walls along Ann Road and La Mancha Avenue;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within four years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Right-of-way dedication to include 50 feet for Ann Road, 30 feet for Egan Crest Drive, 30 feet for La Mancha Avenue, and associated spandrels;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Clark County Water Reclamation District (CCWRD)

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

ITEM NO. 18 TM-22-500186-USA:

TENTATIVE MAP consisting of 5 lots and common lots on a 5.2-acre portion of a 10.0-acre site in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the north side of Ann Road and the east side of Egan Crest Drive within Lone Mountain. RM/md/syp (For possible action)

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

CONDITIONS OF APPROVAL -

Current Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Right-of-way dedication to include 50 feet for Ann Road, 30 feet for Egan Crest Drive, 30 feet for La Mancha Avenue, and associated spandrels;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Clark County Water Reclamation District (CCWRD)

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

ITEM NO. 19 ZC-22-0450-STIMPSON KENNETH O:

HOLDOVER ZONE CHANGE to reclassify 0.9 acres from an R-E (Rural Estates Residential) (AE-65 & APZ-2) Zone to an M-D (Designed Manufacturing) (AE-65 & APZ-2) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setback; 2) reduce height/setback ratio; 3) building design standards; and 4) allow modified driveway design.

DESIGN REVIEWS for the following: 1) warehouse and fabrication shop; and 2) alternative parking lot landscaping.

Generally located on the east side of Marion Drive, 155 feet north of Holt Avenue within Sunrise Manor (description on file). TS/rk/syp (For possible action).

ACTION: Deleted from the agenda (held to December 7, 2022, per Commissioner Segerblom)

ITEM NO. 20 ZC-22-0524-COUNTY OF CLARK:

ZONE CHANGE to reclassify 2.0 acres from an M-1 (Light Manufacturing) Zone to a P-F (Public Facility) Zone.

DESIGN REVIEW for a proposed pump house in conjunction with an existing warehouse development. Generally located 310 feet north of Harmon Avenue and 350 west of Polaris Avenue within Paradise (description on file).

MN/sd/syp (For possible action).

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

CONDITIONS OF APPROVAL -

Current Planning

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

ITEM NO. 21 ZC-22-0542-DURANGO STOREFLEX, LLC:

ZONE CHANGE to reclassify 2.3 acres from a C-2 (General Commercial) Zone to an M-D (Designed Manufacturing) Zone.

WAIVER OF DEVELOPMENT STANDARDS to reduce driveway throat depth.

DESIGN REVIEWS for the following: 1) office/warehouse buildings; and 2) mini-warehouse facility in the CMA Design Overlay District. Generally located on the west side of Butler Street, 300 feet north of Warm Springs Road within Spring Valley (description on file). MN/gc/syp (For possible action)

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

CONDITIONS OF APPROVAL -

Current Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements;
- Vacate any unnecessary rights-of-way and/or easements.

Fire Prevention Bureau

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

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 #0029-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 22 ZC-22-0543-HARTWELL NEVADA PROPERTIES LLC:

ZONE CHANGE to reclassify 2.4 acres from a C-2 (General Commercial) (AE-70) Zone to an M-D (Designed Manufacturing) (AE-70) Zone.

WAIVER OF DEVELOPMENT STANDARDS to reduce landscaping width.

DESIGN REVIEWS for the following: 1) office warehouse complex; and 2) finished grade. Generally located on the south side of Sunset Road and the east side of Surrey Street within Paradise (description on file). JG/lm/syp (For possible action)

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

CONDITIONS OF APPROVAL -

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Recording a perpetual cross access, ingress/egress easements with the property to the south for the shared driveway on Surrey Street;
- Landscaping along the east property to be planted in accordance with Figure 30.64-12;
- 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 is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the waiver of development standards and design reviews must commence within two years of approval date or they will expire.

Public Works - Development Review

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

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 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;
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the FAA will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- 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 #0091-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 23 ORD-22-900631: Conduct a public hearing on an ordinance to consider adoption of a Development

Agreement with PN II, Inc. for a single-family residential development (Warm Springs & Tenaya) on 18.7 acres, generally located south of Warm Springs Road and west of Tenaya Drive within Enterprise. MN/dd (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the recommendation (including the adoption of Ordinance No. 4998) be approved.

ITEM NO. 24 ORD-22-900641: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with AMH NV7 Development, LLC. for a single-family residential development (Mountains Edge & Buffalo) on 3.8 acres, generally located south of Mountains Edge Parkway and east of Buffalo Drive within Enterprise. JJ/dd (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the recommendation (including the adoption of Ordinance No. 4999) be approved.

ITEM NO. 25 ORD-22-900646: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with CHELSEI HOLDING, LLC for a multiple family residential development (Las Vegas & Welpman) on 10.0 acres, generally located south of Welpman Way and west of Las Vegas Boulevard South within Enterprise. JJ/dd (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the recommendation (including the adoption of Ordinance No. 5000) be approved.

ITEM NO. 26 ORD-22-900652: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Tri Pointe Homes Nevada, Inc. for a single-family residential development (Hualapai & Patrick) on 11.8 acres, generally located south of Patrick Lane and east of Hualapai Way within Spring Valley. JJ/dd (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the recommendation (including the adoption of Ordinance No. 5001) be approved.

ITEM NO. 27 ORD-22-900671: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with BD – Westwind LLC for a commercial development (Blue Diamond & Westwind) on 3.9 acres, generally located south of Blue Diamond Road and east of Westwind Road within Enterprise. JJ/dd (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the recommendation (including the adoption of Ordinance No. 5002) be approved.

ITEM NO. 28 ORD-22-900689: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Cimarron Spring Deux LLC for a vehicle maintenance and repair establishment (Warm Springs & Cimarron) on 0.3 acres, generally located south of Warm Springs Road and west of Cimarron Road within Spring Valley. MN/dd (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the recommendation (including the adoption of Ordinance No. 5003) be approved.

ITEM NO. 29 ET-21-400170 (UC-1223-07)-MRC I FUNDING CORPORATION:

DESIGN REVIEWS for the following: 1) a resort hotel/casino with high-rise towers including kitchens in rooms; and 2) all other accessory and incidental buildings and structures on 15.0 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the south side of Convention Center Drive and the west side of Paradise Road within Winchester.

TS/nr/jo (For possible action)

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RYAN

Cactus Avenue. Um- the site is actually partially built, there's an existing tavern on this end. And there's um- a significant amount of the- the on-sites already completed um- from the developer that owned it prior to my clients.

Um- we have held over a couple of times since Town Board, um- we've done some fairly extensive um- site redesign with the help of Planning, Public Works. Justin, I know we had a call with you um- shortly after- after, to get your opinion on some things. The biggest thing that changed um- we were previously showing an additional driveway, um- right here, if you see um- in the recommendations it was referred to as the northernmost Rainbow driveway. Um- so just to make it very clear, that driveway went away. Um- that was removed from a county project, and so we had to go back and work with our anchor tenant to kind of tweak the site and kind of make sure we could still make this functional for them, going down to two driveways versus three.

Um- so we have a car wash, C store, and gas canopy here, 4,300 square feet, 1,100 square foot car wash. 12,000 square feet of inline retail, and a 2,500 square foot uh- drive through QSR on the site. For our use permits, we're requesting um- most of them are based on separation distance with the- the C store, the gas station and the car wash. Uh- we do border residential right here, there's a residential use to the west directly, so we are, we're shy of that 200-foot um- required separation distance. Um- I did wanna point out, we were able to, while we were tweaking the site, we did move the car wash a little bit further to the east, um- so that increased that separation distance. I believe we were previously showing 35 feet, 3 inches. Now we have 43 feet. Um- and the other thing that I would point out, just for context on that is yes, we are very close to existing residential um- but as you can see, uh- the condition of the prior development, there's an 8-foot CMU wall border that's already constructed, and additional 6 foot wall on the residential side of that. And then a fairly extensive easement-drainage easement area um- so although we are bordering residential, the C store are is not- it's not directly up against someone's home. Um- we have a- a decent separation distance there.

To further justify asking for those use permits, um- we're gonna do some more dense landscaping in that area. We're gonna put trees 15 feet on center rather than the required 20 to help add a landscaping buffer for the noise um- and the- the sound and the visual buffer there. Um- so that was all of the use permits.

For our waivers of development standards, um- we had 6 originally, and some of these have changed slightly, due to the redesign, so I'm gonna go through them individually and point them out. The first one is the height and setback ration for the C store. That stays consistent with the application. Um- we're still 24 feet, 3 inches away from the um- residential, where 51 feet is required by code. We're also still asking for waiver number 2, allowing the existing um- driveway on Rainbow, which is called the southernmost driveway, but is now our only driveway on Rainbow, um- we have a driveway with uh- that's existing, it's 35 feet, 9 inches, where 36 um- is required, so we're a little bit shy of that, but again, that driveways already constructed. We'd like to be able to use that as it stands now, if possible.

Waiver number 3. Um- this one changed a little bit. Um- originally, we- we had a

RYAN

throat depth on this Cactus Avenue driveway. Uh- we had a- a very shallow throat depth on the ingress side. I think we started at 13 feet, and we've been able to increase that to 25 feet, 9 inches. Um- we had initially some parking shown here, but we got rid of that, moved it elsewhere so that we can have um- a more generous throat depth for ingress. The egress, I think at this point, we are at 12 feet, 8 inches. Um- so a waiver is still required there. And then Waiver number 4, reduce the driveway approach distance on Cactus Avenue to 109 feet, versus the required 150. That's still in effect, um- again, similar situation to pull up the photo, that driveway is actually already built. Um- to relocate that to make it compliant with code, we would actually have to move some NVE existing equipment and also some drainage um- facilities. So, we would prefer to keep that driveway where it is if we can.

Waiver number 5, now um- we would like to withdraw. That was a waiver that would have applied to this um- additional driveway off of Rainbow which now is- has gone away. Um- so that's uh- you now it- a removal that was hard to redesign around, but at the end of the day it's a much safer design, so we're fine with that.

Waiver 6, allow nonstandard improvements in the right-of-way. There are some existing meandering sidewalk and landscaping element here that for some reason, when it was built, it was put in right-of-way. We'd like to keep it there with our design if we can, we're happy to sign um- a license and maintenance agreement to- to maintain control of those.

Um- the only other things I wanted to point out. Initially, this throat depth, um- uh- this entrance to our QSR area was a little bit further to the west, so now I believe we also need an additional waiver. Um- we have a throat depth here of 15 feet, 6 inches. Um- which is shy of code. Again, that was moved to- to kind of get everything to work after we had to remove this driveway. Um- for safety reasons, the exit to the QSR is a left only, so that we don't have cars coming out here and- and competing with any um- visuals as they're trying to pull out into traffic. Other changes that resulted um- there were some questions at Town Board about- about noise, the- the Board brought up hate. We're- we don't really like noise-causing elements right next to residential. Um- we have moved the car wash down a little bit. That gets the blowers further away from the residential. Um- and then the other concern previously, our menu box was a little bit more angled in between these two buildings, and with retooling the driveway for the QSR um- hopefully we're not directing that noise directly at the residents. We've also moved the vacuums for the car wash down um- to be along Rainbow Boulevard, so hopefully a lot- a lot less uh- noise to be concerned by. That's it.

GIBSON

And that completes your presentation?

RYAN

Yes.

GIBSON

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

JONES

Thank you, Mister Chair. And uh- thank you, Miss Ryan and your team for working uh- substantially with- with our folks here to- to make modifications

JONES and- and accept uh- some of the requests that we had made. Um- Antonio, anything else that you wanna comment on, or are we good?

PAPAZIAN Commissioner, if I may, um- if- if we can have this approved per plan uh- I think-

JONES Per plan?

PAPAZIAN Yes, please.

JONES Okay.

PAPAZIAN Thank you, sir.

JONES Okay. Alright, with that I will go ahead and move for approval of agenda Item Number 30, with the withdrawal of waiver number 5, and the addition of a uh- uh- an additional waiver for throat depth on the entrance on Rainbow. Um- and uh- approval per plans.

GIBSON Any- any comments or questions on the motion? Please cast your votes. The motion carries.

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be approved per plans.

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

VOTING NAY: None

ABSTAINING: None

ABSENT: Marilyn K. Kirkpatrick

CONDITIONS OF APPROVAL -

Current Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Rainbow Boulevard improvement project;

- 30 days to remove the freestanding sign that is located in the right-of-way;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way, unless the area is already covered by an existing Agreement.
- Applicant is advised that the installation of detached sidewalks will require the granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Fire Prevention Bureau

- Applicant is advised that operational permits may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0058-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #5 WAS WITHDRAWN.

ITEM NO. 31 UC-22-0461-ITAI INVESTMENTS, LLC:

HOLDOVER USE PERMIT for a parking lot.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate street landscaping; 2) eliminate parking lot landscaping; 3) reduce setbacks; 4) increase fence height; and 5) required trash enclosure.

DESIGN REVIEW for a parking lot on 1.9 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the north side of Hacienda Avenue and the west side of Dean Martin Drive within Paradise. MN/md/syp (For possible action)

AMUNDSEN

Okay Commissioners, um- next are Items 31 through 37 that I will read in altogether, and have the discussion, but I believe that each of- each item will be voted on separately (crosstalk) ... so bear with me to read them all in.

Item 31, UC-22-0461, holdover use permit for a parking lot, waivers of development standards for the following; eliminate- eliminate street light landscaping, eliminate parking lot landscaping, reduce setbacks, increase fence heights, require trash enclosure. Design reviews for a parking lot on 1.9 acres in an H-1 limited resort in apartment AE-60 zone. Generally located on the north side of Hacienda Avenue, and the west side of Dean Martin Drive, within Paradise.

Item 32, UC-22-0468, holdover use permit for a parking lot, waivers of development standards for the following: eliminate street landscaping, eliminate parking lot landscaping, reduce setbacks, increase fence height, require trash enclosure. Design review for a parking lot on 2.5 acres in an H-1 limited resort in apartment AE-60- an AE-65 zone. Generally located on the west side of Century Park Drive and the south side of Quail Ave, within Paradise.

Item 33, WS-22-0458, holdover waivers of development standards for the following: eliminate parking lot landscaping, reduce access gate setback, require trash enclosure. Design review for a parking lot on 2.5 acres in an M-1 light manufacturing AE-60 zone. Generally located on the north side of Hacienda Avenue, 270 feet west of Dean Martin Drive, within Paradise.

Item 34, holdover waivers of development standards for the following: eliminate

AMUNDSEN

street landscaping, eliminate parking lot landscaping, reduce setbacks, reduce trash enclosure. Design review for a parking lot on 2.1 acres in an M-1 light manufacturing AE-60 zone. Generally located on the north side of Dewey Drive, and the west side of Polaris Avenue, within Paradise.

Item 35, WS-22-0464, holdover waivers of development standards for the following: eliminate street landscaping, eliminate parking lot landscaping, reduce setbacks, and require trash enclosure. Design review for a parking lot on 2 acres, in an M-1 light manufacturing zone. Generally located on the south side of Ali Baba Dr- Lane, and the west side of Polaris Avenue, within Paradise.

Item 36, WS-22-0466, holdover waivers of development standards for the following: eliminate street landscaping, eliminate parking lot landscaping, reduce setbacks, require trash enclosure. Design review for a parking lot on 2.3 acres in an M-1 light manufacturing zone. Generally located on the south side of Diablo Drive, 355 feet east of Wynn Road, within Paradise.

And Item 37, WS-22-0467, holdover waivers of development standards for the following: eliminate street landscaping, eliminate parking lot landscaping, and reduce setbacks and required trash enclosure. Design review for a parking lot on 2.2 acres in an M-1 light manufacturing zone. Generally located on the west side of Polaris Avenue, 670 feet north of Dewy Drive, within Paradise.

GIBSON

Good morning, Mister Burnett.

DON BURNETT

Good morning, Mister Chairman, uh- Commissioners uh- for the record, Don Burnett. Uh- uh- address is 12125 Los Royos, Las Vegas, Nevada, 89138. Appreciate you taking these items together, because you'll find that there's a lot of commonality um- between the uh- the various parking lots. T-today we're presenting to you the- essentially what serves as the um- uh- forgive me, I'm- I'm representing the LV Stadium Events Company. With me this morning is uh- Mister Chris Sotiropulos, who's the Vice-President of Stadium Operations. And we're presenting uh to you the- essentially what serves as the uh- Stadium's offsite parking lots for the Stadium events.

Uh- I've got a map that shows you the general location of them. Uh- we have a total of seven. Um- forgive us for the noise that comes with the map, but uh- the- the lots are essentially the two over here, Lot X, Lot W, Lot S, and then there's one uh- south as well. Um- five of the lots um- serve strictly as offsite parking for the Stadium that support uh- Stadium events on uh- event days of course. Two of the lots, uh- these two here uh- serve to support the needs of our uh- ride share um- attendees. The attendees who um- that go to the Stadium events through ride share.

Um- as mentioned uh- there's some common characteristics between all of the sites and instead of going through the sites in great detail, I just assume um- in the interest of your time, speak broadly about the kind of characteristics that um- are included at each one of our sites.

First and foremost, uh- each of the uh- sites are designed to maximize capacity. For the two ride-share lots we're obviously talking about um- capacity in terms of

BURNETT

vehicular volume and uh- being able to accommodate the pedestrians that come to the Stadium uh- through ride share. For the remaining five sites uh- we're talking about uh- maximizing parking capacity for uh- the vehicles, the people who choose to- to attend the Stadium events, um- by car and um- it's been our experience in the past that um- when you um- maximize capacity, you make it easier for not just us, but the Metropolitan Police Department, to better manage uh- vehicular and pedestrian movement on- on event days. As I mentioned uh- the lots are use strictly uh- in support of the Stadium- they're only used on event days, we don't use them any other day of the year. Um- the lots uh- have been in use since June of 2-2021. Um- and as you've heard us say in the past um- the lots have experienced high utilization on event days. Uh- all the uh- events are uh- and all the lots are- are um- used at a very high rate consistently. Particularly for Raider games, but consistently throughout.

Uh- we- when we submitted the applications, uh- several months ago, uh- all 7 lots were uh- subject to short-term leases. Uh- I can tell you that uh- since then we were fortunate enough to have an opportunity to buy one of the lots. Uh- this lot, which I believe is Item 34, uh- so we currently own that lot. Um- and as I've mentioned to at least uh- some of you that the uh- we have uh- lots that are on very short-term um- uh lease um- terms. They're set to expire next year. Um- all the lots have trash receptacles placed on them on event days, and we remove them on event days, we service them on event days, and then at the conclu- conclusion of events we remove the receptacles from the lot and store them at a central location.

So, our waiver request um- that's before you this morning, we recognize there's a number of waivers, they're a product of the characteristics I've noted and broadly speaking, um- I can speak to the reason why um- we sought the waivers and how we justify them. Enclosures as I've mentioned um- we're only out on- the trash receptacles are only out on event days and um- you know we just feel that the enclosures are unnecessary given that the receptacles are only there for event days. And again, we remove them from the site when there's no events in process.

As related to the 6 foot 9 decorative uh- chain-link fence, which are found on a couple of sites, um- we believe that we need to secure the sites not just during event days, for those who are actually in the stadium- enjoying events, but during the long stretches of period- uh- time when we don't have events. Um- which can go, you know, several weeks. Uh- the setbacks, interior landscaping, and street-facing landscaping, uh- all the sites uh- before you today, request waivers in these areas, with the exception of Item Number 33, which is this lot right here, um- that's because there is no street-facing landscaping at that site. Um- justification for that is essentially comes down to our desire to maximize capacity on these sites. Um- if you were to um- apply the setback requirements and the uh- landscaping requirements in particular on site, it would essentially translate to a reduction of approximately 420 spaces that we would lose from our current capacity. That is not an insignificant reduction for us. And that excludes the two sites here, which again we don't use for vehicle parking. But uh- the having maximum capacity on site serves an important uh- purpose to us in terms of efficiently processing um- vehicular movement for ride share.

So, with that, I'll quickly move through each one of the sites. The first site um- is

Item Number 31 is uh- it's what I just spoke about. It's a ride share lot. Essentially, on event days all the traffic is directed southbound one-way on Dean Martin. Um- traffic is diverted um- um- westbound on Ali Baba uh- but as it relates to uh- this site um- we have multiple driveways, again it serves uh- the soul purpose of ride share. On event days we'll put up cones that allow for vehicle queuing on site. Um- for the ride share um- vehicles to come load and unload their vehicles. Um- the ride-share uh- patrons will essentially exit their vehicles. Here there's a Jersey barrier up that separates the vehicles from the patrons. And the pedestrians will make their way to the Stadium uh- through the adjoining lot. This is uh- one of the lots that um- is a very short-term horizon in terms of the lease. The lease on this site expires in early 2023. And you can disregard the- the striping on the lot, because again it's not used for parking.

The next uh- lot, Item 32 is uh- and this is not shown on the master map that I showed you, but it's south of Russell. It's uh- on the intersection of Quail and Century Park. Um- this is used strictly for employee parking. Most of our employee parking is provided through the detention basin site that was on your consent agenda earlier. Thank you for your approval of that, by the way. Uh- but this site also provides um- some limited employee parking near the Stadium. Uh- the light was im- the lot was improved at the time we acquired it through uh- through a lease interest a couple years ago. We obviously uh- took what was there and maximized the parking as you can see through the layout. Uh- it too is uh- is highly used and uh- we maximize the parking as, on the site uh- during event days. Um- the setback requirements you can see here, uh- would greatly reduce the capacity. Um- and as configured, there's not adequate space for street landscaping without taking out the perimeter parking on both the north and the east side.

Next item is Item 33. This is the parcel that's immediately to the west of the ride share lot, as I mentioned earlier. Even though it's striped it's not used for vehicle parking, it's used um- almost exclusively for pedestrian movement between the ride share lot and the Stadium. You'll see over here is uh- we now call Allegiant Stadium Way, it was once called the Baron. Uh- Stadium's immediately south on Hacienda, so attendee will uh- go between the ride share vehicles, exit the vehicles, uh- cross the lot, and make their way to the Stadium through the uh- exterior sidewalk as well as uh- the street's closed down on event days. The site also allows us to do some other pedestrian related purposes such as bag claim. This is where our bag claim um- is on the north side of the Stadium.

Moving on to the next site. This is Item 34, and Lot S. As I mentioned earlier, we had the opportunity to buy this property during the application process, so now we own it. Um- there is room to put in street landscaping, both in the south and east sides. And we can do it without um- reducing capacity. Um- this is uh- a good site to also point out that if the setback in interior landscaping requirements would- would be- were to be imposed, we would lose roughly 35% of our parking capacity for this site. That's not insignificant. Um- but in any event, since we now have a long-term interest in the site, there's room for street facing landscaping without reducing parking capacity. Uh- we intend to withdraw the street facing landscaping waiver that's before you today. So, we will be moving forward with uh- the street facing landscaping for this site.

BURNETT

Next item is Item 35, Lot X. Uh- after taking a closer look at the lease terms here, we now see a path to extend our agreement long enough to justify the street landscaping along Polaris. There's room over here for us to do street landscaping. We intend to do that. Um- it's not the case on the north side of the property where you see the parking uh- abuts um- literally abuts Ali Baba. Um- so uh- that's something that um- we'd like to address in a different manner, but as it relates to the Polaris side, we fully intend to put the landscaping here. And this relates to that waiver, we would withdraw it for this section.

Okay, this is uh- now Lot Z. We call Lot Z Item 36. This is the other lot that I mentioned earlier where the lease is set to expire in early 2023. Not to get ahead of myself but the short-term nature of this- of this lease as well as the lease for Item 31, would lead us to uh- request a 6-month review of these two items, to give us an opportunity to acquire longer term interest and then be able- be in a position to talk about what we think we can do by way of landscaping.

Then finally, uh- Lot W, um- this is item 37. It's a great site, it's next to the pedestrian corridor, that allows us to move uh- our drop-off passengers between Procyon and Polaris, amid block crossing. Um- it's another example of the site as configured, where it lacks the requisite space to provide for street landscaping without significantly reducing uh- the parking capacity.

So, to uh- wrap up, we are very much aware of the Board's uh- Stadium District plan, and I share the Board's vision to improve uh- the area around the Stadium. As Commissioner Naft can attest, um- we've spent a considerable amount of time looking f- uh- at various options. Um- within the Stadium District, to uh- help offset the impacts of our waiver request. Uh- really it's landscaping. Um - with the assistance of your staff and um- uh- Miss Amundsen in particular, we ultimately came back to street facing landscaping in the Stadium District and Commissioners, we're here today to uh- pro- propose essentially uh- the addition of 100 street facing trees in the Resort District- in the, I'm sorry, the Stadium District. Uh- some of which would go on the sites where we have withdrawn our street landscaping. Uh- we believe the 100 trees would advance the goal of the Stadium District Development Plan to create more pedestrian friendly and aesthetically pleasing uh- district. Pull this back. Again, we're trying to um- balance the need to maintain parking capacity at our current sites um- with our desire to help advance the transformation uh- process within the Resort District.

So, in summary um- like to break down what we would recommend this morning. Uh- first, for the site that we now own, that's Item Number 34, and for the Polaris site of Lot X, that's Item 35, we propose to withdraw waiver requests for the street late uh- facing landscaping, and we will move- move forward with trees and landscaping improvements under the guidance of the Comprehensive Planning Department. Again, there is sufficient space at both sites uh- for street landscaping without reducing parking capacity, assuming of course, the setback requirements are not imposed. Second, for Items 32 and 37, as well as the Ali Baba site of, uh- Block X, item 35, the inclusion of street-facing landscaping, as in fact discussed, would significantly reduce our parking capacity. Therefore, we're proposing to pay the county for the cost of the trees and irrigation under the formula that was provided to us, uh - by Miss Amundsen. And again, we appreciate her assistance. Um- and we will work with Miss Amundsen to identify

BURNETT locations in the Stadium District, where this landscaping can be placed. Um- again, it's part of our effort to help advance the transformation process in the District. And then finally, for Items Number 31 and 36, as these sites are under leases that are set to expire with the coming months, we'd respectfully request, uh- the- the review, um- be brought back before the Board. Um- the six-months period would give us ample time to p- again, hopefully extend the lease terms and be in a position to come back and report to you about, um- whether or not, um- we're in a position to implement and install the street-facing landscaping or look at, uh- you know, uh- pay alternatives that we talked about here. So, uh- with that, I'm happy to answer questions, any questions you have.

GIBSON And does that complete your presentation then, Mister Burnett?

BURNETT It does.

GIBSON Thank you. This is a public hearing. Is there anyone who wishes to speak on this item? If so, please come forward. Give us your name, spell your last name. And please limit your comments to three minutes. Good morning.

MAHOGANY TURFLEY Is this on? Good morning, Commissioners. Mahogany Turfley, T-U-R-F-L-E-Y. 2460 Professional Court, Suite 200, 89128. I represent the owner, Fragrant Spruce LLC, doing business as Hotel Galaxy. Hotel Galaxy is objecting to approval of the waivers for Items 31 and 33. Should I proceed with both of them now?

GIBSON Yes, we're ... and- and m- ... Just to be clear, this is a public hearing as to Items 31 through 37. So, you can comment on any of or all of those if you wish.

TURFLEY With regards to Item, um- 31, Hotel Galaxy owns the property to the north of, um- the north of the applicant. And so hor- Hotel Galaxy is objecting to waivers of, uh- 3, 4, and 5. We do note that the staff is not recommending the- the waivers be approved. And the waivers are for reduced setbacks, increased, uh- fence height, and required cra- trash enclosures. And you'll note that, um- these photographs of the property that adjoins the applicant's property in Item 31 shows that the visitors to that property have been littering onto the property, resulting in damage to the existing fence. And so for those reasons, um- Hotel Galaxy is objecting to waivers of the Items, uh- 3, 4, and 5.

Uh- with regards to Item Number 21, and, um- ... I'm sorry, 31. And, as you can see, it's a constant nuisance for the property owners. It's infringing on their property that is just adjacent. By looking at the photographs, you can see the trash and then the damage to the existing fencing. And for those reasons, Hotel Galaxy requests that the Board deny the request for waivers and re- require the, uh- applicant to comply with the Code with regards to Item Number 31.

With regards to Item Number 33, Hotel Galaxy owns the property to the southwest of the applicant's property, um- and we're just objecting to the waiver of item 3, which again is trash enclosures, for the same reason. Uh- the adjacent property has been littered on in the past couple of months, um- resulting in, um- damage to and nuisance to the property owner of Hotel Galaxy. Thank you.

Thank you. Is there anyone else who wishes to speak on any of these items: Items 31 through 37? There being no one, then the public hearing is closed.
Commissioner Naft?

Thank you, Mister Chairman. I'll take some of my issues ou- out of order, given the public input we just had. Um- uh- Mister Burnett, could you address that? Uh- particularly the- what is being waived: the trash enclosures and- and why that, um- does or does not make sense?

So, the- the request for the waiver of the trash enclosures is the result of, um- the fact that we've put trash receptacles out on each site during events. We service the trash receptacles. Uh- at- at the conclusion of the event, we remove the trash receptacles. So, in that regard, in our opinion, an- an enclosure doesn't make sense. We do, however, recognize that, you know, trash at the site has been an issue. We've certainly met with, uh- the Hotel Galaxy and- and the owner, Mister Patel. Not just about, uh- the- the need for additional trash receptacles, which we've committed to do, and for increased servicing of those trash receptacles at the site ... those t- two sites for- for stadium events. But, uh- the impact that it's had on the adjoining property with the chain-link fence, we've talked about alternatives to that, up to and including building, uh- a block wall, which we would cover the expense of. We're seeking, uh- pricing on that. But we've committed to Mister Patel that, uh- this issue's a legitimate one, and we'll certainly address them.

So, if- if my motion gets supported; this item, particularly, 31, will come back for review. So, I would just stress I will be watching very closely in the interim. Miss Turfley, I would be happy to meet with you and your client to discuss further, as I do routinely with businesses in the Stadium Overlay District. Um- and then again, it will come back for a public hearing, likely in May. So, there will be ample opportunity to continue to work that. And I would just stress, um- Mister Burnett, to your client, how closely this Board will be watching that, as we always do. Um- and then to- to go through, really, I think what is the most consequential of the waivers here, which is the landscaping waivers, um- for the Board's knowledge, these items have been on this agenda week after week for months now. Um- and a lot of that has to do with these waivers in particular. We've expressed, uh- the concern of the heat island effect that we have in Clark County, um- to the applicant. And have tried to work on, um- something that makes sense, given the uniqueness of the District. Um- but also given each one of the differences with these parking lots: something that's both practical, but also does not negatively impact the community. And, while I wish our tree fund were in place today, to apply fully to this application, it- it's not. Um- so I'm appreciative that there's been an offer to help meet that. Uh- if you could give me a little bit more clarity; uh- that- one thing I heard that I didn't quite, um- w- was a little surprising to me was 100 trees? A- are you ... That's in line with the formula that Planning has worked out?

I would probably defer to- to Miss Amundsen. Otherwise, yes.

I- it wouldn't be my intention to cap it. I want you to do what you're supposed to do, given the f- footage

AMUNDSEN So, a- again, it was a, um- just looking at the frontages of all the- all of the sites and determining what was required within the Stadium District. It would be about 100 trees; I can't say it's exactly.

NAFT Okay.

AMUNDSEN Because it was a rough ballpark. But I'm confused as you are. Um- I know that the offer is to provide landscaping on 34 and 35, um- for the most part. But I don't know wh- where the other trees are going to go. That- because I thought that we were- we were working on a formula, and then maybe we would- you would offer to put something in a fund for future planting. But we can't identify places for 100 trees at this time.

NAFT Correct. And the condition wouldn't specify the exact locations. N- Mister Burnett, uh- you want to comment on where you got those locations from?

BURNETT Oh, i- it's- it's not a matter of location. Miss Amundsen's correct. The- w- we're proposing to withdraw our waiver and put landscaping here, including trees. That's for both ... and I forget this- this is Lot S. That's Lot S. I don't know what number-

NAFT It's 34.

BURNETT ... it relates to. And then, on the east side of Lot X, where there is ample room to provide street-facing landscaping and we've, uh- found a pathway to extend the- the lease. And we can do it without reducing capacity. W- we will withdraw the- the waiver for street-facing landscaping, put the landscaping in, inclusive of the trees. Um- you're right, w- beyond ... Uh- that's going to be a part of the 100. I don't know how many trees that translates for those two sites. Uh- but for the rest, we'll essentially pay the fee into the tree fund. Where they will ultimately go, I- I don't know. But we'll commit to you to also look for sites to put it on. You know, we- we've talked about, um- over here, which these are, um- LV Stadium Events, company-controlled lots. We think there's opportunities to put trees there. But- but again, I- I'm not in a position today to tell you where the balance of those trees will ultimately go. It's just-

NAFT Right.

BURNETT ... express our willingness to essentially pay for the cost of them.

NAFT And it would be my hope, um- that they stay in the Stadium Overlay District to offset the heat island effect as much as possible. Um- u- I- Chairman if- through you I'll defer if there are questions from the Board. But I know this is an area and an item that impacts everybody.

GIBSON And are there Members of the Board that have questions?

SEGERBLOM I just have a follow-up.

GIBSON Commissioner

So is this a permanent or ... Are we, like, doing this for year two, and then we're gonna come back and revisit it?

Um- th- um- the answer is different on each item. Some of these, the, uh- applicant has extremely short-term leases on that expire in the next couple of months. The intention would be on those lots, my motion will include a review. So, to answer your question, it would be temporary for those. And I might have said it, but if I didn't, it is my strong expectation that when those come up for review, that by that time, if they decide that those are gonna be permanent sites, or whether they want to extend, that it comes with very hard rules: that they have to follow the same Stadium Overlay District outlines that I hold everybody else in that District accountable to. Um- Commissioner, I'm not sure if that answers your question.

It does. Could I just ... I mean, I could see temporarily not putting trees or- or some type of ... that this is a heat sink, or heat island. And pavement, obviously, is the worst you can get. And- and since there's not parked cars there very much, there's gonna be the worst of the worst. So, I think go- going forward, we need to make sure that we do all we can to mitigate that.

Uh- I can add to that, Commissioner. Um- yes. The short answer is yes. The- the two sites that are subject to short-term leases that'll expire in early 2023 are Lot Z, as well as what you've already pointed out, Lot N. Um- we fully expect if you, um- if you, um- support the recommendation to bring it back for review in six months, we will absolutely be in a position to tell you at that time, whether or not we were successful in extending the agreements, and theref- and then be subject to the requirements for street-based landscaping. I can tell you right now there is adequate room to do that here, so if we're able to- to extend the lease, uh- we would come back and withdraw the waiver at that time and put the street-facing landscaping in here. I think there's opportunity to do the same thing over here, on Lot N. But again, those- those two leases that are set to expire in late 2023 are Items 31 and 36.

Are there any other q- concerns or questions by Members? Yes. For the record (inaudible)

Um- I just had a clarification for Commissioner Naft. So, I'm confused about the 100-tree thing period. So, and you know, I was here when we said, "You gotta have landscaping regardless. We want these to be top-notch parking lots." But I understand, um- where we're at. So, help me understand this: so, the ch- three lots today, they're in lieu of putting in landscaping. They're gonna give us up to whatever the formula is, and we're gonna do it.

I'll ... Mister Burnett, since you're offering that condition, I'll let you respond.
Yes.

Uh- there would essentially be two and a half lots, Items 32, 37, and then again, the north side of, uh- Lot X. Where we- we just don't have enough room to do street-faced landscaping without displacing parking. That we would agree to, uh- pay the costs, uh- for the equivalence of what trees and irrigation that would otherwise be required.

NAFT And Commissioner, that's the cost of what it would require us to do it. The analysis was based on County costs.

KIRKPATRICK And is the analysis based on, uh- 24 box inch tree? 48-inch box tree? What is that based on?

NAFT Nancy, uh- do you want to read what ... Again, this will ... Once we clear up title 30, this will all be in code. But this is the direction I hope that that takes.

KIRKPATRICK Okay.

AMUNDSEN We- we, um- and again, I don't recall the- the name of the books. But we have guidelines that RPM looks at that are national standards for the cost of- of the larger trees. And how much it would cost to install, and how much. So, we- we went with the, and we are u- utilizing the cost that is the national standard that RPM uses to- when they design everything. So, yes. It- it's the larger trees. It is the- the cost of installation, the mulch or the rocks that are necessary to go around it, as well as any installation of, um- water lines.

KIRKPATRICK Okay. And then so everything else is subject to review and it's gonna come back. And follow the standards depending on their lease agreement.

NAFT The two other items, I believe it's 31 and-

BURNETT 36

NAFT ... 36, will come ... My intention, at least, (laughs) with the Board's support, would be that those two items come back for review, given that they are- they are truly under a sh- very short-term lease, um- in the next couple of months.

BURNETT Okay.

AMUNDSEN So, c- can I jump in? So, Items 32, 37, and the Ali Baba frontage on 35, that's where they're offering to either provide- provide, um- funding for other trees we put in, or find a place themselves to put those trees in.

Everything else it look- it appears that they will be putting the landscaping. 34 and 35, they'll put in the landscaping. 31 and 36 are coming back in six months. And Commissioner Naft is- is looking for assurances that those- they would be able to provide the landscaping as well.

BURNETT And - I'm sorry. Go ahead, Commissioner.

NAFT I would just also offer - this hasn't been said, but the- uh- this ha- there were conversations with our Department of Environment and Sustainability that helped get us to this point, along with Nancy's team. Um ...

GIBSON Is there anything further from members of the Board?

NAFT If not, Mister Chairman, I will go through these items. I believe we will take a vote for each one of these items individually.

GIBSON Yes.

NAFT Um- Miss Amundsen, do you have to read them into the record, or I can just ...

AMUNDSEN No, you can, um ...

NAFT Okay.

GIBSON Refer to the numbers.

AMUNDSEN ...just refer to the item numbers.

NAFT So, Item 31, move approval, um, with an additional public hearing review for 5-17-23.

GIBSON Any discussion on that motion for approval? Please cast your vote.

AMUNDSEN And- and can I just let Mister Burnett know that he has to coordinate with staff to make sure that his application for the review comes in to meet that date? It is not up to our department to put it on his up to, um- Mister Burnett to make sure that it-

NAFT And if it doesn't happen, then all the elements go away.

AMUNDSEN Everything expires in the-

GIBSON And you understand that, right?

BURNETT Understood.

GIBSON There's a motion on the floor. Please case your votes. The motion carries.

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

CONDITIONS OF APPROVAL -

Current Planning

- Until May 17, 2023 to review as a public hearing;
- Areas for trash collection to be provided on-site.
- Applicant is advised they are responsible to submit review application in a timely manner; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time 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 two years of approval date or it will expire.

ITEM NO. 32 UC-22-0468-WESTSTATE LAND:

HOLDOVER USE PERMIT for a parking lot.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate street landscaping; 2) eliminate parking lot landscaping; 3) reduce setbacks; 4) increase fence height; and 5) required trash enclosure.

DESIGN REVIEW for a parking lot on 2.5 acres in an H-1 (Limited Resort and Apartment) (AE-60 and AE-65) Zone. Generally located on the west side of Century Park Drive and the south side of Quail Avenue within Paradise. MN/md/syp (For possible action)

NAFT Uh- for Item 32, I move approval with the additional condition, as offered by the applicant, to apply the funds. Miss Amundsen, do you want to read the fund for me aloud? Or is there ... or I guess Rob, is that necessary? Is there an understanding for the record?

GIBSON Is there a reference that we could-

WARHOLA It's not necessary if we have a reference that we could include in the record.

AMUNDSEN We do have a reference, yes.

WARHOLA So, it's not necessary.

NAFT Move approval with that additional condition.

GIBSON Any discussion? Please case your votes. The motion carries on 32.

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

CONDITIONS OF APPROVAL - Current Planning

- Applicant offered and agreed to coordinate with County staff to determine a cost contribution for street landscaping based on the most current Job Order Contract - Construction Task Catalog for the rate and costs for specific tasks related to the installation of what would have been required street landscaping trees (currently \$915/tree);
- Areas for trash collection to be provided on-site.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application, a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within two years of approval date or it will expire.

ITEM NO. 33 WS-22-0458-GLOBAL LUXURY REAL ESTATE INVESTMENT FUND, LLC:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate parking lot landscaping; 2) reduce access gate setback; and 3) required trash enclosure.

DESIGN REVIEW for a parking lot on 2.5 acres in an M-1 (Light Manufacturing) (AE-60) Zone. Generally located on the north side of Hacienda Avenue, 270 feet west of Dean Martin Drive within Paradise. MN/md/syp (For possible action)

NAFT I move approval of Item 33. Again, I would just flag and add the caveat that you make sure you're being a good neighbor, working with the surrounding businesses.

BURNETT And we'll be sure to re- report back on that as well, as part of our, uh- review in May of 2023.

NAFT Thank you.

GIBSON There is a motion for approval on Item 33? Any discussion? Please cast your votes. The motion carries.

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

CONDITIONS OF APPROVAL -

Current Planning

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

ITEM NO. 34 WS-22-0463-LV LIVE LLC:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate street landscaping; 2) eliminate parking lot landscaping; 3) reduce setbacks; and 4) required trash enclosure.

DESIGN REVIEW for a parking lot on 2.1 acres in an M-1 (Light Manufacturing) (AE-60) Zone. Generally located on the north side of Dewey Drive and the west side of Polaris Avenue within Paradise. MN/jud/syp (For possible action)

NAFT Item 34, move approval, uh- with the waiver of development standard number 1 being withdrawn.

GIBSON Any discussion on the motion? Motion for approval, please cast your votes. The motion-

NAFT Item-

GIBSON ...carries

NAFT Thank you.

ACTION: It was moved by Commissioner Michael Naft, and carried by unanimous vote, that the application be approved subject to staff conditions and waiver of development standards number 1 withdrawn.

CONDITIONS OF APPROVAL -

Current Planning

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

ITEM NO. 35 WS-22-0464-SERVICE MASTERS PROPERTY, LLC:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate street landscaping; 2) eliminate parking lot landscaping; 3) reduce setbacks; and 4) required trash enclosure.

DESIGN REVIEW for a parking lot on 2.0 acres in an M-1 (Light Manufacturing) Zone. Generally located on the south side of Ali Baba Lane and the west side of Polaris Avenue within Paradise. MN/hw/syp (For possible action)

NAFT Item 35, move for approval with the, um- waiver on Polaris being withdrawn, but applied- the funding formula being applied to the Ali Baba frontage.

GIBSON There's a motion for approval from Commissioner Naft on Item 35. Any discussion? Please cast your votes. The motion carries.

ACTION: It was moved by Commissioner Michael Naft, and carried by unanimous vote, that the application be approved subject to staff conditions and waiver of development standards number 1 withdrawn for Polaris Avenue.

CONDITIONS OF APPROVAL -

Current Planning

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

ITEM NO. 36 WS-22-0466-PRECISION PROPERTIES, LLC:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate street landscaping; 2) eliminate parking lot landscaping; 3) reduce setbacks; and 4) required trash enclosure.

DESIGN REVIEW for a parking lot on 2.3 acres in an M-1 (Light Manufacturing) Zone. Generally located on the south side of Diablo Drive, 355 feet east of Wynn Road within Paradise. MN/hw/syp (For possible action)

NAFT Item 36, move for approval with the additional condition of a public hearing to be held on May 17th, 2023.

GIBSON Motion for approval. Any discussion? Please cast your votes on Item 36. The motion carries.

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

CONDITIONS OF APPROVAL -

Current Planning

- Until May 17, 2023 to review as a public hearing;
- Areas for trash collection to be provided on-site.
- Applicant is advised they are responsible to submit review application in a timely manner; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time 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 two years of approval date or it will expire.

ITEM NO. 37 WS-22-0467-5 STAR DEVELOPMENT, LLC:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate street landscaping; 2) eliminate parking lot landscaping; 3) reduce setbacks; and 4) required trash enclosure.

DESIGN REVIEW for a parking lot on 2.2 acres in an M-1 (Light Manufacturing) Zone. Generally located on the west side of Polaris Avenue, 670 feet north of Dewey Drive within Paradise. MN/md/syp (For possible action)

NAFT Item 37, move for approval with the application of the funding formula for landscaping, um- as spoken about.

GIBSON There's a motion for approval on 37. Please cast your votes. The motion carries. Thank you.

BURNETT Thank you, Commissioners. Thank you, Nancy and your team for, uh- their patience in working through s- something that doesn't currently exist, and, uh- apologize for any confusion that we may have had this morning. But I appreciate where we ended up. Thank you.

GIBSON Thank you.

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

CONDITIONS OF APPROVAL -

Current Planning

- Applicant offered and agreed to coordinate with County staff to determine a cost contribution for street landscaping based on the most current Job Order Contract - Construction Task Catalog for the rate and costs for specific tasks related to the installation of what would have been required street landscaping trees (currently \$915/tree);
- Areas for trash collection to be provided on-site.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified, and that this application must commence within two years of approval date or it will expire.

ITEM NO. 38 VS-22-0447-4251 OQUENDO RD LLC:

HOLDOVER VACATE AND ABANDON a portion of a right-of-way being Oquendo Road located between Wynn Road and Arville Street within Paradise (description on file). MN/bb/syp (For possible action)

AMUNDSEN Next Item, 38 and 39, can be heard together.

Item 38, VS-22-0447, holdover vacate and abandon a portion of a right-of-way being Oquendo Road, located between Wynn Road and Arville Street, within Paradise.

Item 39, UC-22-0446, holdover use permits for the following: outdoor banquet facility, live entertainment waivers of development standards of the following: reduce parking, alternative landscaping, modified driveways. Design reviews for

AMUNDSEN the following: live entertainment, outdoor banquet facilities, lighting on .5 acres in an M1 light manufacturing zone. Generally located at the south side of Oquendo Road, 300 feet west of Wynn Road, within Paradise.

GIBSON Good morning.

RICKI BARLOW Good morning, Commissioners. Ricki Barlow for the record. LV Access, uh- 3172 Rainbow, Suite 202. I'm here standing on behalf of the applicant, um- to address, uh- two items before you. Um- are we taking them combined or- or individually?

GIBSON We'll hear them together.

BARLOW We'll hear them-

GIBSON Yes, and likely, we'll vote on them together in a single motion.

BARLOW Okay. So, I'll- I'll just start off, um- with the vacation. Um- based on, um- working with staff over the last close to 10 months now, on- in regards to this application, um- what we're looking to do is, uh- take advantage of the backyard space, which is, um- close to 12,000 square feet of- of, uh- backyard space that we have here, to con- uh- have the ability to host, um- a variety of events. Whether it be corporate events, um- album release parties, or outdoor concerts in this space. Um- being that we currently have a vide- a recording studio, which is currently on the site, and we've been asked by several of the clients that have come in to record, if they can basically host private events. And so, what we're looking to do is basically apply for the appropriate application through the county, to make sure that we are in compliance with having the opportunity to take advantage of this- this backyard space for, uh- outdoor event. And so, if you will, I'm not sure if you all have the ability, if your camera can zoom in on this footage; I would like to show a quick video show it shows you a complete understanding as far as the process of what we're attempting to do.

Yeah. And so, this is the south side of the property. The food trucks are actually be to the left, as you can see there. And we have conex boxes also for seating, uh- for additional seating for the guests. Wh- what we want to do is create an outdoor comfortable living room-type environment for our guests to come in and actually have an opportunity to enjoy whatever the, uh- event or, um- the activity will be taking place in this, uh- backyard space. In the process of putting through, uh- we're working with the staff in regards to the appropriate application, um- we ran into a little snag as it relates to a driveway, which is on the north side of this property. Uh- as well as a key box that is actually on county's right-of-way. Which basically stopped this application, and the County asked, County staff asked that we, um- move forward- move forward to vacate a portion of the County's right-of-way. Could you see it from here?

GIBSON We need you to put it in the middle, to your right.

BARLOW To my right?

GIBSON Yes.

BARLOW

Okay.

GIBSON

Right there in that square.

BARLOW

Oh, here we go. This is better. And so, the County staff asked that ch- asked for us to address the driveway, which was actually in place when we purchased the property, as well as the security box to open the gate. So, this was there in place prior to, uh- my client purchasing the property. So, what triggered this was the fact that we're coming in requesting to, uh- do a eight-foot decorative block wall. And the County asked us to address this. And so, we, um- said, "Well, what if we just tear this out?" And they said, "Well, you would have to come and get permission from the county to tear out something that's in the right-of-way." So, we got caught in between a situation. And so, we said, "Okay." So, the County said, "Well, just go ahead and put in an application at your own expense, hire an engineer." Which we did, we hired Dwyer Engineering to basically come in and put in the request to basically vacate this: which staff, um- to my understanding, approved. And thanks to the Commissioner's Office as well, he and his staff helped us to basically mitigate this. And so, to date, I don't believe this is an issue. Um- and I'll be happy to entertain any questions as it relates to the vacation of the right-of-way.

Um- having said that, we moved forward with the remaining portion of the application. And that application is the site plan here. And with the application, you- we have the, uh- the sound stage here, the conex boxes here, and we have all the setbacks, the appropriate setbacks according to county standards. And we have, uh- some minor, um- landscaping waivers that we also have asked for. Um- having gone to Town Board, Town Board asked that we also, um- increase the landscaping on the frontage, which we've agreed to basically bring in, I believe, 24-inch box trees, uh- which currently it's just decorative rock here on the property today. In addition to that, we've partnered with our neighbors to the north, which basically owns a huge parking lot. This is our property here. Our neighbor's property is here. After three o'clock, uh- n- no later than four o'clock, this entire area dumps out. No more, uh- employees are in this area; it gets very, uh- quiet, um- as far as traffic. And so, we've teamed up and we have an agreement to utilize the parking space for any overflow parking, because we're under parked, based on the County's, um- parking ratio. And so, I do have the signed contract here with me today in regards to the licensing, allowing us- I mean, the agreement allowing us to utilize, uh- I believe 57 of their parking spaces. In addition to that and speaking with and just basically being forward thinking of speaking with the Commissioner's Office as well, we want to make sure that, um- there weren't any traffic concerns, which was one of the concerns that was shared as well. And so, having done so, uh- addressing that, we've basically hired a ... I'm- I'm sorry, not hired, but contracted a valet service to basically handle all of the, uh- traffic mitigation for any guest that comes in that needs to be parked accordingly. And to take it a step further, speaking with the Commissioner and his staff, um- there was, I guess, a question that came up as it relates to Metro. And so, I spoke to, uh- two officers with Metro at the behest of the Commissioner's Office as well. Um- Officer- Captain Cunningham and Lieutenant Fisk were the two gentlemen I spoke to. And they were very pleased that I shared with them in regards to what we're attempting to do. In, uh- in our business operations in regards to, uh- in the backyard space as far as a banquet,

BARLOW

um- live entertainment. And I know live entertainment is a trigger point for the County. But that was the application that County staff has basically tried to get us to, um- or- or the closest application they could get us to what we're attempting to do, as far as having the ability to take advantage of the food and beverage for our guests that basically come and have an opportunity to experience, um- activity and entertainment in our back space.

And so, they were amenable to what we were doing. We told them that we would also, um- hire them as far as their off-duty police officers, if in fact there was any issues as it relates to traffic in that regard. And they were open to that as well. And so, at this point, um- we're just asking, um- for you all to take this application into consideration, based on what I've just shared. And in addition to that, um- we're open also, having spoken to Commissioner Naft and his team, um- to the opportunity of- of, um- a 6 or 12-month review to basically give us the opportunity to demonstrate that we have the ability to in fact host, um- quality events in this space, and, uh- respectful of the surrounding area. And specifically, the traffic concerns that have- that have arrived. And so, having said that, I'll be open to any questions that you all might h- may have at this time, Mister Chairman.

GIBSON

Thank you. So that completes your presentation on this item?

BARLOW

Yes, sir.

GIBSON

Thank you. This is a public hearing, which is now open. Is there anyone here to wishes to speak on it? If so, please come forward. It doesn't appear that there is anyone who wishes to speak on this item, so the public hearing is closed. Commissioner Naft?

NAFT

Thank you, Mister Chairman. Um- Mister Barlow, thank you for your presentation. Um -

BARLOW

Thank you.

NAFT

- couple things. Uh- y- you're sort of victim here to a long history that precedes you. But nearly four years ago, I went out to this site on the exact same application. And I told the ownership, which has not changed, to my knowledge, that I could not support that use on that site. And then flash forward a couple years later, you're now representing the item. Nothing has changed. I still cannot support that use on that space. And the problem is: one, it's- it's frankly just an inappropriate use of that space. And I think staff would agree with that. I think Clark County Fire Department agrees with that. And I feel bad that we're in conflict from the reports I've been receiving from Metro. But both the Area Command and the special events unit have told me that that is not a compatible use for the area and are really concerned about what that might mean.

Um- that being said, you- you- what you're saying is accurate in regards to Item 38. The history there, that was uncovered as a result of this application. But your client was operating within the right-of-way. This is an attempt to remedy that. Um- and I'm, uh- support that item, of course. It's w- (laughs) who we are and the reason why that item is here. Um- because we triggered that.

NAFT Um- on Item 39, again, nothing- nothing has changed in- in the four years that's convinced me that this is a appropriate use on this site. And, because of that, I can't support, uh- the application, uh- Item 39. So, I suppose Mister Chairman, do you ... Is it appropriate to vo- in two- make two votes on that?

GIBSON I think under the circumstances, let's take, uh- 38 first, then 39.

NAFT I move approval of Item 38.

GIBSON Please cast your votes. The motion carries.

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

CONDITIONS OF APPROVAL -
Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within two 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. 39 UC-22-0446-4251 OQUENDO RD LLC:

HOLDOVER USE PERMITS for the following: 1) outdoor banquet facility; and 2) live entertainment.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced parking; 2) alternative landscaping; and 3) modified driveways.

DESIGN REVIEWS for the following: 1) live entertainment; 2) outdoor banquet facility; and 3) lighting on 0.5 acres in an M-1 (Light Manufacturing) Zone. Generally located on the south side of Oquendo Road, 300 feet west of Wynn Road within Paradise. MN/bb/syp (For possible action)

NAFT Thank you. And then on Item 39, my motion is to deny. And I'd also just flag for the applicant that Clark County currently doesn't have an active business license on that property. Nor do we have any filed permits for the conex boxes on that site, and we're certainly happy to help them get into compliance there if needed.

NAFT Um - but my motion is for denial of Item 39.

SEGERBLOM So, we move- uh- w- we vote to approve the motion?

GIBSON We vote to approve the motion if - if in favor of denial. Please cast your votes. The motion carries.

BARLOW Alright. Thank you, Commissioners.

ACTION: It was moved by Commissioner Michael Naft, and carried by unanimous vote,

that the application be denied.

ITEM NO. 40 VS-22-0534-NELLIS 10 LAND, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Nellis Boulevard and Betty Lane, and between Carey Avenue and Alto Avenue within Sunrise Manor (description on file). MK/bb/syp (For possible action)

AMUNDSEN

Next are Items 40 and 41, which can be heard together.

Item 40, BS22-0534, vacate and abandon easements of interest to Clark County, located between Nellis Boulevard and Betty Lane, in between Carrey Avenue and Alto Avenue within Sunrise Manor.

Item 41, WS22-0533, waivers of development standards for the following: alternative driveway geometrics, allow an attached sidewalk in conjunction with the distribution center, waive cross access, increase wall height. Design reviews to the following: a distribution facility finished-grade alternative parking lot landscaping, and an MD-designed manufacturing AE70 and APZ2 zone. And an M1 light manufacturing AE70 and APZ2 zone. Generally located on the north side of Carey Avenue and east side of Nellis Boulevard, within Sunrise Manor.

GIBSON

Good morning.

PHILLIP DUNNING

Good morning. Phillip Dunning, D-U-N-N-I-N-G. Panattoni Development, 3930 Howard Hughes Parkway, Suite 360, uh- 8911- uh- 169. So, I'm here to you- in front of you today to- to describe this project. It is an assemblage of three parcels. We plan to construct a 228,000 square-foot concrete tilt industrial class-A building. Uh- with truck parking and access off of Carey and Betty.

Uh- to go through the- the different waivers that we've asked for, we've worked with the, uh- Public Works on, uh- the driveways for throat depths on- on Carey, which was the major concern. Well, we've extended the island in this area, uh- to reduce conflict, and we've removed some of the, uh- parking closer to the front office space in order to reduce conflict as well. Um- and then... The attached sidewalks, we're in compliance. We continued on with the Clark County Public Works, Capital Improvement Project, where they've designed attached sidewalks in this area, and so we've carried that forward into our design.

Um- and then for the, um- retaining walls, the- the building had to be elevated in order to make the draining... drainage work, and we've gone through our technical drainage study, uh- already and have approval, which then caused us to have, a, uh- higher elevated building. And, uh- that caused retaining walls in- in certain areas. Uh- the... To speak on the matter of the attached sidewalk versus detached sidewalk, we've also increased the landscaping along Carey, uh- to beyond standard, and have added a significant amount... significant amount of landscaping. So, with that, that's the end of my presentation.

GIBSON

Thank you. This is a public hearing. Is there anyone here who wishes to speak on Items 40 or 41 this morning? It appears there is no one. The public hearing is closed. Commissioner Kirkpatrick.

KIRKPATRICK Uh- thank you, Mister Chairman. Um- so... Sorry, I've got to make sure I have a voice to say something (laughs). So, I am not opposed to this project, but I do want to get a couple things on the record. So, one, we've been working tirelessly to get, um- all those improvements in that area. We're spending 20 million dollars on Carey, and we're bringing Betty Lane and all of those up to standards. So- so couple things that you have to decide today. You're either gonna give us money towards the contribution of the off-sites and we're gonna put them in, or you're gonna get them done sooner rather than later. So, I guess I need to know where you stand on that first.

DUNNING We've been working, uh- hand in hand with the Capital Improvement Project, uh- Department here, and we've decided that we're gonna put the off-sites, including curb-gutter sidewalk, streetlights, conduit, all along Carey and Betty at- at our cost, and we'll do that as part of our project. And then we'll... We've agreed to reimburse the Capital Improvement Project for one lane of paving alo- along Carey and Betty as well.

KIRKPATRICK Okay. Antonio.

PAPAZIAN Thank you, Commissioner. Uh - if I may add a condition in case we are there before them, or vice versa, gives them the opportunity to construct those off-sites. Uh- "Applicant owner to either construct full offsite improvements on Carey Avenue and Betty Lane or coordinate a contribution for improvements on Carey Avenue and Betty Lane, as determined by Public Works," you're okay with that? So, it'll give the opportunity for them to either construct them, or us, if we're before them.

KIRKPATRICK Yeah. Ar- are you okay with that, sir?

DUNNING I am okay with that. We'll get it done before Antonio's team.

PAPAZIAN (laughs)

GIBSON (laughs)

KIRKPATRICK Okay. That's what I want to hear.

GIBSON Smart.

KIRKPATRICK So, um- and two, I want to just say thank you for investing in that area, because we're really trying to change the dynamics, and I think your, um- building will actually help do that. Uh- and lastly, I just want to impress upon you the Metro, um- requirements, that you must have cameras placed where they- they say. That is a hot corner right there. Um- so with that, Mister Chair, I'd make a motion to approve.

GIBSON There's a motion for approval of Items 40 and 41. Any discussion?

KIRKPATRICK Ar-

GIBSON Please cast your...

KIRKPATRICK

Are you clear on the - perfect.

DUNNING

Understood.

GIBSON

Please cast your votes. The motion carries. Thank you, sir.

DUNNING

Thank you.

ACTION:

It was moved by Commissioner Marilyn Kirkpatrick, and carried by unanimous vote, that the applications for Item Nos. 40 and 41 be approved subject to staff conditions.

CONDITIONS OF APPROVAL -

Current Planning

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

Public Works - Development Review

- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Carey Avenue improvement project;
- Grant new easements;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording

ITEM NO. 41 WS-22-0533-NELLIS 10 LAND, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) alternative driveway geometrics; 2) allow an attached sidewalk in conjunction with a distribution center; 3) waive cross access; and 4) increase wall height.

DESIGN REVIEWS for the following: 1) distribution facility; 2) finished grade; and 3) alternative parking lot landscaping in an M-D (Designed Manufacturing) (AE-70 & APZ-2) Zone and an M-1 (Light Manufacturing) (AE-70 & APZ-2) Zone. Generally located on the north side of Carey Avenue and the east side of Nellis Boulevard within Sunrise Manor. MK/bb/syp (For possible action)

ACTION:

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

CONDITIONS OF APPROVAL -

Current Planning

- Work with the Las Vegas Metropolitan Police Department for the installation of security cameras and surveillance operation;
- 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 is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to

an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within two years of approval date or it will expire.

Public Works - Development Review

- Applicant/owner to either construct full off-site improvements on Carey Avenue and Betty Lane or coordinate a contribution for improvements on Carey Avenue and Betty Lane, as determined by Public Works;
- 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;
- 30 days to coordinate with Public Works- Design Division and to dedicate any necessary right-of-way and easements for the Carey Avenue improvement project.
- Applicant is advised that Nevada Department of Transportation (NDOT) permits may be required; 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 #0084-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 42 VS-22-0558-DFA, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Diablo Drive and Dewey Drive, and between Redwood Street and Santa Margarita Street within Spring Valley (description on file). MN/md/syp (For possible action)

AMUNDSEN

Next are Items 42 and 43, which can be heard together.

Item 42, VS-22-0558, vacate and abandon easements of interest to Clark County, located between Diablo Drive and Dewey Drive, in between Redwood Street and Santa Margarita Street within Spring Valley.

Item 43, UC-22-0557, use permits for the following: school, daycare. Waivers of development standards for the following: increase building height, reduce height setback ratio to alternative landscaping, reduce landscaping, architectural compatibility, eliminate the pedestrian walkway from the adjacent public sidewalk to the principal building, reduce parking, allow access to the local street where not permitted, allow modified driveway design standards, allow modified street standards. Design reviews for the following: a school, daycare on 4.1 acres in a CP office and professional zone in the CMA Design Overlay district, generally located on the north side of Dewey Drive and the west side of Redwood Street within Spring Valley.

GIBSON

Good morning, Miss Olsen

LIZ OLSEN

(laughs)

GIBSON

It's still - still morning.

OLSEN

Good morning. Liz Olsen, 1980 Festival Plaza Drive, here on behalf of the applicant. The applicant this morning that we have before you is Yeshiva Day School, they are an existing Jewish daycare and day school, located in Henderson currently. They are looking to, uh- expand and find a location that is located more centrally to their, uh- communities, which is Summerlin and Henderson. So, we find this site here. Uh- with my- this morning is Rabbi Mendel. If you guys do have any questions specifically for him, he will be here. Also, John Loteman, who, uh- is the architect on the project.

So, this site is located just east of Rainbow. We're on Diablo and Redwood. To the north of us is the Spring Valley hospital. To the east is Sawyer Middle School, and to the south was a recently approved, but not under construction yet, senior apartment complex. The site is currently planned for neighborhood/commercial, as is the residential homes directly to the west of us. I wanted to make that a point because we do have a landscaping waiver on that side, but I'll go through that quickly.

So, our overall site, currently the pri-... the site has existing building in the center with an existing tenant. They are set to leave, uh- depending on their lease, and when they d-, uh- do decide to leave, but eventually they will be gone. So, this is what we're calling phase A. Phase A, um- we are looking to have a maximum of 490 students, and the intent is to continue to grow and expand once they have additional students to bring over.

So, I'll go through the phases here quickly. Phase A, one, is in the middle. Phase two, uh- would be building- building... be, excuse me, phase one. Uh- phase two would be existing buildi - or new building here, which would include classrooms and some office buildings. Phase three would be here, again, more classrooms. And, then the final phase would be up here at the top, which would be additional office space and a multipurpose room.

The intent is to, again, expand over the years. Um- our original conversations with Commissioner Naft was expecting to go to phase two within a year. Um- further discussions within the last couple days, we believe that it may be about two or three years down the line for phase two. Um- so we just wanted to bring that to your attention.

So how circulation works on this site is cars would come in through Diablo, here, to the north, and circulate around the building and come out onto Diablo. There's enough room for internal circulation and queuing for about 76 cars on the site. Um- another important fact about this school is that they do utilize buses. So, the buses would come in this portion of the site, come around, and then back out as well. So, both of this access points on Diablo are ingress only, and then everyone would go out onto Redwood. Obviously, there is always a concern about, um- traffic circulation and- and queuing for- for schools. So we do have a proposed condition that I'd like to request later on, um- once I get through the e- elevations as well. So, here's a quick rendering of what the site would look like. Uh- the existing building here is in the center, and then you have the two additional buildings that we would phase later on, and again with the, uh- traffic coming around.

OLSEN We have, uh- talked with the, um- the hospital to the north. They have submitted a letter of support for the... for the school. And we have also pulled the bell times for Sawyer Middle School to the east, and we would like to stagger our times with them so all of the students are not coming in at the same time. Um- again though, with the buses, about 50% of the students are currently using those buses. We expect it to be a little bit higher. Additionally, many of the, uh- the teachers and staff have their own children who come to the school, so not as many cars as generally if you were going to a standard school. So, in working with, um- Public Works, uh- Miss Amundsen and Commissioner Naft, what we would like to request with the different phasing and understanding the sensitivity of the circulation in traffic, is to propose the following, uh- condition: design review of final design for subsequent phases beyond first phase. So, this will allow us to start with phase one, which is the existing building, and then require us to come through with design reviews prior to moving forward with any additional buildings or phases for expansion.

So, with that being said, we- we really appreciate all the time that staff has worked with us on this and Commissioner Naft's office as well. If you have any questions for myself or the rabbi, we are here to answer them.

GIBSON Thank you, Miss Olsen. This is a public hearing. Is there anyone here who wishes to speak on Items 42 or 43? There being no one, the public hearing is closed. Commissioner Naft.

NAFT Thank you, Mister Chairman. Just a couple questions. That... Oh, could you, uh- put that picture back up?

OLSEN Oh.

NAFT That you had... the schematic? That sidewalk's already existing, right?

OLSEN No. So, the existing building is just here. This would be phase two, phase-

NAFT No – no - no. The side -

GIBSON The sidewalk.

NAFT The sidewalk.

OLSEN Oh, the sidewalk? We – the - there is an attached sidewalk-

NAFT Okay.

OLSEN - that is existing, yes.

NAFT Okay. Thank you. Um- and just want to be crystal clear here, the purpose of the condition that you just stated... And maybe Rabbi Mendel, if you could just come up so it's clear for the record, it is my intent with that condition that there be a public hearing after phase - before phases two, and then before phase three, and then bas - phase four, as a design review. Um - and what that means is that you'll have to come before this body at those times, and one, justify that the traffic plan

NAFT is working and that there is space and opportunity to continue to grow without any conflicts to the neighborhood. Um - is that understood?

RABBI MENDEL Yeah, that's very clear. Thank you, good morning.

NAFT Okay.

GIBSON Good morning.

NAFT Alright. Then with that condition as stated, I move for approval of Items 42 and 43.

GIBSON There's a motion for approval of Items 42 and three. Are there questions or comments by the Board on the motion? Please cast your votes.

NAFT My vote is aye, (laughs).

GIBSON (laughs) and the motion carries. Thank you.

OLSEN Thank you.

MENDEL Thank you so much. Thank you, Commissioners.

NAFT Thank you.

GIBSON (inaudible)

ACTION: It was moved by Commissioner Michael Naft, and carried by the following vote, that the applications for Item Nos. 42 and 43 be approved subject to staff and additional conditions.

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

CONDITIONS OF APPROVAL - Current Planning

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

Public Works - Development Review

- Grant a new pedestrian access easement;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

ITEM NO. 43 UC-22-0557-DFA, LLC: USE PERMITS for the following: 1) school; and 2) daycare.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) reduce height/setback ratio; 3) alternative landscaping; 4) reduce landscaping; 5) architectural compatibility; 6) eliminate the pedestrian walkway from the adjacent public sidewalk to the principal building; 7) reduce parking; 8) allow access to a local street where not permitted; 9) allow modified driveway design standards; and 10) allow modified street standards.

DESIGN REVIEWS for the following: 1) school; and 2) daycare on 4.1 acres in a C-P (Office and Professional) Zone in the CMA Design Overlay District. Generally located on the north side of Dewey Drive and the west side of Redwood Street within Spring Valley. MN/md/syp (For possible action)

ACTION:

It was moved by Commissioner Michael Naft, and carried by the following vote, that the applications for Item Nos. 42 and 43 be approved subject to staff and additional conditions.

VOTING AYE:

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

VOTING NAY:

None

ABSTAINING:

None

ABSENT:

Ross Miller

CONDITIONS OF APPROVAL -

Current Planning

- Design review for final design as a public hearing for all subsequent phases beyond phase 1;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; the installation and use of cooling systems that consumptively use water will be prohibited; 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; that this application must commence within two years of approval date or it will expire; and that once commenced, the construction of each phase must be diligently carried on until completion or the application will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Reconstruct any unused driveways with full off-site improvements;
- If a crosswalk and/or flashers are required now or in the future, the applicant or owner shall design and construct the improvements to the satisfaction of the County and at the sole expense of the applicant or owner, with said measures to be completed in a timely manner as determined by Public Works.

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 #0388-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 44 WS-22-0147-LV JUDSON, LP:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce throat depth; 2) reduce departure distance; and 3) off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving).

DESIGN REVIEWS for the following: 1) office/warehouse facility; and 2) finished grade on a 6.2-acre portion of a 9.3-acre site in an M-D (Design Manufacturing) (AE-65 & APZ-2) Zone. Generally located on the northwest corner of Lamb Boulevard and Judson Avenue within Sunrise Manor. TS/sd/jo (For possible action)

AMUNDSEN

Item 44 WS-22-0147. Holdover waivers of development standards for the following: reduced throat depth, reduced departure distance, off-site improvements, curb, gutter, sidewalk, streetlights, and partial paving. Design review for the following: office warehouse facility, finished grade on a 6.2-acre portion of a 9.3-acre site in an M-D (Design Manufacturing) (AE-65 and APZ-2) Zone. Generally located on the Northwest corner of Lamb Boulevard and Judson Avenue within Sunrise Manor.

GIBSON

Good morning.

STEPHANIE ALLEN

Good morning, Mister Chairman, Commissioners, Stephanie Allen, 1980 Festival Plaza Drive. Here on behalf of the applicant, thank you very much for moving this forward. We appreciate it. Sorry, I have to be at the City on another controversial item.

Um- we've held this item a number of times, um- because we've been working with Commissioner Segerblom's office and, um, the neighbors in the area, um- probably for about a year and a half now, we've had, um- two neighborhood meetings on the, on the pro- project way back in December and February. Um- one of 'em was actually in Spanish because a lot of the neighbors in this area are Spanish speaking and we've continuously been, been working and, and trying to, um, come up with a design that would work for everyone. Unfortunately, I don't have one today. Um- so I appreciate your consideration of the design that's before you and would very much appreciate any direction that the Board could give.

Um- just quickly to orient you to the site, this property is located on Lamb Boulevard and Judson. It's a unique piece of property, um, in that it's split zoned and there's, um, history on this property that is still upsetting to the neighbors in the area. Understandably, um- back in 2006, this was split zoned. So, you can see a portion of the property remains RE while the remainder of it is already zoned M-D zoning. So, um- when my client, Hopewell Development looked at this property, um- I advised them that I had previously worked with another industrial developer on this site that had tried to rezone this sliver to M-D to be conforming. And I told them some parameters that that was not even an option 'cause the neighbors were extremely opposed to that. This, this zone or this, um- sliver of land was intended to be a buffer between the industrial and, um- the residential that's in this area.

Obviously, this is a - a unique area – um - because it's RNP to the west and then it's all master planned for industrial along Lamb. And the reason is it's in the APZ-2 zone. So, um, Nellis has put APZ overlay on this property and the reason for that is because it's in an accident potential zone, there- there's, uh- encouragement to not have a bunch of homes in this area. Um- and the emphasis is on industrial.

ALLEN

There are some existing homes obviously on, on the west side of La- or east side of Lamb, excuse me. Um- but those existed before the APZ zone. So, this property has a lot of parameters on it. You can't do many of the uses that you otherwise would be able to do on a normal piece of property. My client bought this property, they closed on it in reliance on this M-D zoning and with the understanding that a warehouse is a permitted use in an M-D zone. So, it was never a question of whether they could do industrial on this property. It was just what's going to be compatible with the neighborhood appropriate and compatible with the neighborhood that's around it because it is a unique piece of property. I do appreciate the neighbors working with me. I've worked very closely with Norma in particular and some of the neighbors who are here today. Um- for, like I said, a year and a half, we've tried really hard. We've had probably 17 iterations of a site plan to get a design that is acceptable to the Commissioner's Office, acceptable to my client and acceptable to the neighbors. And like I said, unfortunately I don't have that design before you today. Um- but the design we do have before you is appropriate and compatible and probably the best design that you could come up with, um- when it comes to consid- considering the residential that's in the area. The good news is that sliver parcel is owned by my client. So, Hopewell owns that particular piece of property. They agreed to deed restrict it so that it could never be anything more than half acre lots and one-story homes.

So, you can see on this site plan, we have four lots laid out that would act as a continuous buffer. The beauty of my client owning the land is they can deed restrict this property and - and protect the neighborhood from here on out. Um- they would sell it obviously at some point to a residential developer to, to develop out those four homes and that's probably the best buffer you could ever have with respect to a situation like this. I know other districts have this type of scenario where you've got residential adjacent to industrial. And so, um- I think this is the example of how it should be handled, um- when you are adjacent to residential.

The design specifically was designed and again, before we even submitted the application, I in particular advised the client on a set of parameters that I thought needed to happen with this project. One of 'em was to keep it under 35 feet in height. So, this building is 35 feet in height today and the reason is the residential can be 35 feet in height. You all know most industrial projects are above 35 feet in height. That's the market. So, this is unique in the sense that the proposal's 35 feet. Also, the docks were designed to face internal to the development. And the purpose there is to ensure that the residential can't see the truck traffic, the street on Lamb can't see the truck traffic. Same thing down al- along Judson. Um- that there'd be no visibility to those docks. Um- the access point on Judson, which is the entrance to the neighborhood, we did agree to make this only a vehicle entrance so no truck traffic will go on Judson. We explored the idea of maybe vacating Judson. I don't think that's something Public Works would support, but we were really trying hard to ensure that traffic stay off of Judson and not cut through the residential neighborhoods. So, the conditions that we agreed to at Planning or at Town Board, excuse me, were that this would be a vehicle only entrance and that there would be signage that no truck, truck traffic was allowed on, on Judson.

This is the, um- the other conditions that were agreed to beyond the deed restriction and those design criterias. We did agree to do a 10-foot wall along this

ALLEN

western property, um, as well as on the northern property. I believe that's the way it was approved at Town Board. But again, that would require the Board's approval to, to waive that um- condition and increase those wall heights. I can tell you today and offer today that we have, I have authority to reduce this building even further to 31 feet that provides a b- a 24-foot clearance, which is not your typical clearance for industrial buildings. But the client has been willing because it is two smaller tenants that they would, um- lower the height to 31 feet in height. I've talked to the neighbors about this. They like the height, but they don't like this design, unfortunately. The preferred design, which we've hashed out as I mentioned, um- pretty extensively with Commissioner Segerblom's office and with the neighbors. This is the design that the, the neighbors would prefer to see. They would prefer one building with docks on the west side because this pushes the building further away from the, the homes on the west side. The sticking point with this design that, um- my client's willing to do one building and to design it with this way, the sticking point is the height because when you get a larger building, tenants expect higher clearance. And so, we would need to have the building at about 36 feet with a 28-foot clearance inside just to be viable in the market. And so, there's our predicament. We're close with the neighbors. They'd prefer this, but they want the lower height and that's unfortunately something that is not viable, um- for this particular developer.

Just briefly on Hopewell. Um - Hopewell Development is a leading industrial developer – um - in the Northwest pa- or North America. So, they've got projects in Canada and in the Southwest. They've got three projects that have recently been approved, um- in Clark County actually and some of your districts. One of them is at Patrick and Pecos. This was in Commissioner Gibson's, um- area and it was actually just recently approved in May of 2021 at 48 feet. This project was a little bit similar 'cause it does have residential across the street at Pat- or at on Patrick as you can see, um- and it was approved at a much higher height, which is more in line with the industrial standards for the area.

The second project was at Lamb and Cheyenne. This is in Commissioner McCurdy's area. It was approved at 45 feet, and you can see here, this is where it's located just North of this site, so very close to where we're talking about off of Lamb and Cheyenne approved at 45 feet for Hopewell Development. And then the third was in Commissioner Kirkpatrick's area. This also was approved at 45 feet, and this is located at Tropical and Shatz. So, this is the site here at Tropical and Shatz that was approved. All three of those projects are similar in, um, the overall area planned for industrial. Um, one of them had some residential adjacent to it, not quite like this with the RNP immediately to the west of it, but that's the reason that this has been designed differently. And the whole point of it was to design it so that it would be appropriate and compatible with the RE residential to the west.

There are... I just wanted to provide some examples. So up and down Lamb, there are a number of projects that are approved with heights that are taller than our height. So, this is our site located here. All of these dots up and down Lamb, um- are examples of buildings that are over our height that 35 feet, or now 31 feet, which we've, we've provided as, um, an offer today.

So, the first one - oops, is missing. These are homes – um - on the east side of

ALLEN

Lamb. They're three-story homes that are 35 feet in heights. So that would be taller than our proposed th- like development that we have. This is a grocery store on the East side. This is an industrial development at 2695 Lamb just north of this site. Another industrial development at 2730 just north of the site. This, this particular site we talked about extensively with the neighbors. They liked the, um, layout of the development. And so, this is much higher in height than what we're proposing. But from a layout standpoint, this is kind of the impetus or the beginning of that design I showed you that the neighbors wanted with the docks in the back. Another industrial building over 35 feet at 2970 Lamb. And then 3101 Lamb. You can see this is much higher than, than 35 feet in height.

Most of the industrial up and down lamb has actually improved the appearance of Lamb. Um - I know Commissioner Kirkpatrick has worked hard on that. And, um, when you have industrial developers that put in landscaping and all the improvements and work really hard to make that appearance up and down, Lamb looks nice. Um, it's actually improved the area. I know Commissioner Segerblom's not a fan of industrial, um, but I would argue legally this is a tough spot for my client. They relied on the zoning that's on the property. They relied on the fact that this is a permitted use with a warehouse on the property to make these smaller or even shorter basically designs us right out of the ability to do a warehouse, which is a permitted use in, in, in this zone.

So, um- we've worked hard with lots of options as I mentioned, I believe this is scheme 15. You can see here on the architect's drawings, scheme 15. So, we've looked at all kinds of options. We've worked really hard with the neighbors and with Commissioner Segerblom. We're close on the two options. I think the option we have before you is probably the best, um- from my perspective with the conditions that the Town Board approved that protect the neighborhood. However, if this Commission is so inclined, we're happy to look at this one again. Um- the height is the only component on this design that we, we can't meet because it makes it a not viable industrial project.

So, I guess, I am looking today for of course an approval. Um- alternatively I would very much appreciate the Board's, um- input or direction on what we should do on this property. If it's not a warehouse that's a permitted use. Um- like I said, if we shrink the building or we lower the height, we're no longer a viable warehouse. So, there's a list of uses that are not allowed in an APZ zone, which includes churches and schools, the, the ideas that you not assemble in this area. So, when you have all of these parameters and restrictions on a piece of property, a property owner is really limited in what they can do with it. So, they relied on the zoning, they bought the property, they'd like to develop the project just like there are other projects in Clark County that they're moving forward with that are far more intense. Um- if, if this is not the project, again, we'd very much appreciate your direction of what, what could go on this property that they could develop. Happy to answer any questions.

GIBSON

Alright, thank you for your- thank you for your presentation. This is a public hearing. Those who wish to speak on this item are invited to come forward. Please give us your name, spell your last name, and please limit your comments to three minutes. Thank you.

JANIE WILDER

Hi, my name is Janie Wilder.

GIBSON

So, I'm going to need you to speak either into the handheld mic right in front of you or into one of the other microphones please.

WILDER

Hi, my name is Janie Wilder, W-I-L-D-E-R. I live at 4165 Judson Avenue. I'm here to speak for my neighbors. Since the official notice of public hearing cards are only sent 300 feet from a project and only in English, copies of it was made and I went to a third of my neighborhood that this would affect their lives. I hired a bilingual person to go with me since a lot of the people living here do not speak English or understand very little English.

Out of 62 that I spoke to, only two said they didn't care. But the other 60 marked I oppose. And with most of them writing comments, not wanting a warehouse, the cards were then brought to be recorded in your computers. As you're aware of, people work, have kids at home, elderly do not drive and cannot attend these meetings and some because in not understanding everything we had said or thinking you wouldn't care anyhow. Also, this has been tabled at the last minute for months. You cannot expect a person to keep taking off work only to be canceled again. But the card should speak for them. I only had two days in a total of four hours or as you probably think, yeah, I could have got many more. We are a neighborhood as the pictures I have developed will show you a very horse activity community. We do not want a warehouse that has diesel rigs coming in and out all day in the middle of our neighborhood or anything representing a warehouse. Not only the noise that they make, but the diesel fumes that they're putting in our air. As I'm sure most of you are Democrats sitting there and y'all understand about the quality of air we breathe, you have no problem voicing it. Now is the time to put your words into action.

The danger of diesel semis coming and going in such a confined location with home surrounding it should be a concern to you. It is a very thing you claim that is hurting people. It is happening all over out here in the middle of our neighborhood with no thought of the people who are living in them. You folks up there and you are alone are depriving people to have a normal life here in Las Vegas. Until changes can be made to protect families in their homes, it falls in your hands to protect them.

We have been told to feel sorry for this Canadian that bought this land and wants to lease it out to a warehouse. This Canadian that sits in his country, I'm sure with playgrounds and parks, not warehouses or even if he's living in America, I'm sure warehouses do not surround his home. As he makes money off this deal, us Americans living here lose money on our property. Many have lived here for years and have raised their family. They're hope was when they got to an old age, they could live comfortably and even have an inheritance for their kids, which a warehouse in the middle of any neighborhood will jeopardize everything they worked for. We have many Hispanics out here that have blended in American life.

GIBSON

So, if you could wrap it up please.

WILDER

When she was talking about, um, um, warehouses, they're all past our neighborhood, not in our neighborhood. There's another area that is divided by

WILDER Lamb neighborhood that has not been, um, had this done. McDonald's a block away on the same road. And we have a school a block away that just rebuilt because we have so many kids. A warehouse is not good for a middle of a neighborhood where kids live.

GIBSON Thank you, ma'am.

WILDER Thank you very much. And here are the pictures of the horses and all the activity that goes on in our neighborhood if you'd like to-

GIBSON Would-

WILDER ...see.

GIBSON Excuse me. Would you spell your last name for us please?

WILDER W-I-L-D-E-R.

GIBSON Okay. And if you would hand those photographs over the glass there or through the glass.

WILDER Thank you.

GIBSON Thank you.

WILDER Sorry it was so long.

GIBSON Thank you. No, that's fine. Is there anyone else who wishes to speak on this item?

NORMA REICHENBACH Norma Reichenbach, 2245 Moonlight Drive. My property is on the absolute West end on Moonlight Drive of this piece of it on this, um, thing. If I don't read, I get stuttered. So, if I step over my words, because mine's probably over three minutes long, but it basically is the same thing. We don't need a 30, 35, 40. It doesn't matter how tall it is, warehouse block concrete sitting in the middle of our neighborhood, can't see around it, can't see over it, can't go by it. And that's the short story. It doesn't belong there. We got 51, 60 people who don't want it there. We've been fighting it for years. It's just not acceptable. Originally this thing was approved for five buildings, 20 feet tall, many, many years ago. This not, this, this does not gonna cut it. That's the short story.

GIBSON Good job.

REICHENBACH (laughs)

AUDIENCE (laughter)

GIBSON Thank you.

REICHENBACH We all hate it. (laughs).

GIBSON (laughs) We're getti- kinda getting that message. Is there anyone else who wishes

GIBSON

to speak on this item? There being no one then, uh- Commissioner. The public hearing is closed. And Commissioner Segerblom, this Item is in your District.

SEGERBLOM

Thank you, um- Mister Chairman. Um- I have met with the neighbors considerably. Uh- we, Javier from my staff was there so we could speak to this. The neighbors who speak Spanish, um- I honestly to analogize this to my neighborhood. I'm right off just South of the UMC. Um- they're putting things along Charleston, but I'm thinking my house and having a big structure like this, uh- just to the North of me, just I would fight like hell to oppose it. And I, for some reason or other, these neighbors don't seem to have the same rights. I think they do. They, they shouldn't have a warehouse right next to their homes, that they've spent their life there. They spent their fortune there. Um- and so I've worked with the, with the attorney, I worked with the developer as far as trying to minimize the building. Uh- the one picture she just showed was not accurate as far as what I was concerned with. I wanted to have two buildings but have them back off of, of Lamb because Lamb is, is in my opinion, shouldn't have a big warehouse right on it. Um- but otherwise the w- their picture wasn't accurate. They said they couldn't afford to do it in those two buildings, but I offered to say we could have the whole piece of property and we make like a one-story office park. Um- they don't seem to wanna do that. Um- so I, I worked for them intensively, but the reality is this, is just a huge structure gonna be right up on Lamb, which this would be the farthest south, um, um, warehouse on Lamb. So, I, I, I don't like that. Um- but we, we've bent over backwards to try to work with them and they just are not willing to, to get their whether financially or whatever. But at the end of the day, uh- I just oppose it. I, again, I, I analogized my neighborhood, and the neighbors are right. It's, it's not appropriate.

GIBSON

Alright.

ALLEN

Uh- um- just briefly, thank you Commissioner. Uh, he's right. There was a rendering that he preferred that was a smaller, um, smaller and shorter, uh, drawing than the one that's before you today. The example I showed you was the preference of the neighbors. L- like I said, at the very beginning of the pref- the presentation, unfortunately we have three different perspectives. We weren't able to get there. I do think we're close is the unfortunate part. The smaller office, um, concept is not what the investors for Hopewell had underwritten for this project. So, it just doesn't work. It's not viable for them. Um, they could do the one, um, one building that the neighbors had requested. The unfortunate part is just the clearance is, is, uh, that they need for one tenant is higher than the 31 feet that they're able to do with the two smaller buildings.

Um, I guess, and I respect Commissioner Segerblom tremendously. He's a good advocate for, for his area and for his neighbors. The predicament my client's in is a legal one and that's the, the position that we're in. And in looking at your code, um, under the application process, 30.16.210, subsection 13, to deny an application means that you shall constitute a finding by, by the Board that the application is inconsistent with the standards and purposes enumerated in the plan, the title and the NRS. And in this instance, that's not true. So, the, the application is a design review because it's zoned MD. We've done everything we possibly can to put together a design that's appropriate and compatible with the area or as appropriate and compatible as you can be when you have RE next to

ALLEN

planned industrial.

Um, the, the, uh, reliance on that zoning is, is a important piece of this. They bought the land relying on that zoning and planning to do a permitted warehouse on the property. So, we're in a pickle and that's why I asked for the Commission, um, opinion on what you think is appropriate there from a design standpoint. 'Cause as I mentioned, we're kind of designed out of a permitted use on this property. There's a lot of uses that you cannot do in an APZ zone. So, if it's not this, um, an office is not something that's viable for my client. Unfortunately, they bought it for industrial uses. Um, we're, we're in a, we're in a position. So, I'd appreciate any direction that the Board can give with respect to that.

GIBSON

Thank you. Commissioner Segerblom?

SEGERBLOM

Could I, can we ask Rob or Nancy or both of them to weigh in as far as legally, do I have the right to, do I have to just accept what they're proposing or can I, you know, should I put my own conditions on?

WARHOLA

It's, uh, no, you do not have to accept what they're proposing, and you can add your own conditions, including a condition to lower the height or break up the buildings or whatever you think is appropriate. Uh, so yes, you can. I am a little bit concerned about denying it, but I, I think that if you added conditions with an approval, uh, maybe separate buildings, lower height, that, that would be appropriate, the appropriate condition.

SEGERBLOM

Alright. Nancy, do you have anything to-

AMUNDSEN

I just wanted to reiterate that, um, and, and I agree with Mister Warhola, but just remember that the being in the, um, runway protection zone, the, the only residential that could go there would be the, um, the RE lots. Anything else would-be d- would be not approved. So, and then there's a lot of other office type uses. You can't have medical there. You can't have some of the retail there. It's very constrained. So, just keep that in mind.

SEGERBLOM

But could you require one story office buildings?

WARHOLA

Well, I think we'd be looking at the structure. Um, you know, I was looking at the, the neighbor's preferred plan, uh, and they're ne- uh, the applicants not necessarily entitled to a height. I don't know ... I don't quite understand the argument that, you know, they're proposing 31 feet for the larger buildings, but a 31-foot height limitation doesn't work for that scheme 15 plan. Um, but, uh, I think the, the best course would be to look at the neighbor's preferred plan and maybe limit the height to something that's, uh, more compatible.

SEGERBLOM

Alright. Well, then I would ... I don't know. Should I propose that? 'Cause I ... What I, I ... The propo- ... Do you wanna put the, the proposed plan on the-

ALLEN

Yes.

SEGERBLOM

...on your screen. Or not the one- that- not- the one that you said the neighbors proposed.

ALLEN This is the one-

SEGERBLOM Thi- This is the one, uh, other than I wanted to have two separate buildings because it is such a massive structure. Okay. So, um, this is, this ... Other than th- th- having it in two, um, buildings, this was ... I wanted it backed off of- of- um- of- of- of- uh- Lamb so that you could park in the front. Um, no access onto Judson and wanted the trucks to come into the back. And what I did want ... And I wanted to limit the height, but I also wanted to have two separate buildings because it is such a massive structure, um, that as you're driving down lamb or even the ... from the neighbors looking to the east. But with that, I would, I would've proposed, I would have accepted it and, and they would say that w- w- ... and with the height limitation they've said they couldn't do that.

WARHOLA Right. You don't have to approve one building. You can require that they, uh, s- have two buildings.

SEGERBLOM Alright.

WARHOLA Yeah.

SEGERBLOM So anyway, with that, that's, that's what we left at, uh, w- the last time we talked and I still would stick by that although I would prefer, uh, uh, something smaller, but if you could do it in two buildings, setb- with setbacks on the north and the south and, and for ... off of Lamb with the parking in the back, uh, and limited height, I, I would, I would support that.

WARHOLA And we would need to see a plan so, either we would have to continue it to see the plan or if they don't wanna go forward with that plan, then I think the, the course would be to deny it with prejudice, without prejudice until they come forward with a plan that, uh, Commission Segerblom is- (crosstalk)... deems appropriate.

SEGERBLOM So, with that-

WARHOLA Okay...

SEGERBLOM ... I mean, I'd be happy to continue it if you wanna keep continuing. I know we've been talking about this and you said you wanted to bring it forward so it's, it's your call.

ALLEN I- if it's okay with you, um, through you, Mister Chair, I, I think it ... I'd rather come up with something that we can get approved, the, the neighbors can live with and the, the Commission can live with so I- I'm happy to hold it. I don't know how long staff would a- ask us to hold it so that we could redesign this and submit it.

GIBSON How long do you need to do that?

ALLEN Well, we have a whole bunch of options. (laughs)

GIBSON Right.

ALLEN We have all these different schemes so-

GIBSON Alright.

ALLEN ...I think we can probably get it submitted in a couple weeks at, at the most.

GIBSON So, 30 days?

AMUNDSEN So 'til the 21st.

ALLEN Okay.

GIBSON So, the 21st of December.

ALLEN That's great.

GIBSON That, that alright with you?

SEGERBLOM That is, um, and but I do wanna meet again with the neighbors and like we said, we got a lot of work to do on this if you wanna keep working.

ALLEN I appreciate that.

GIBSON So, is that a motion?

UNIDENTIFIED That's, that's a motion.

SEGERBLOM yes- yes, Mister Chair (crosstalk) that's the motion that we extend it, uh- for 30 days, um, and come back but have, having met with the neighbors. (crosstalk)

ALLEN Right.

GIBSON Yeah. So, the motion is to hold this item 'til the 20 ... the meeting on the 21st at 9:00 a.m.

ALLEN Okay. Thank you very much.

GIBSON Thank you. Please cast your votes. Has everyone voted? And the motion carries (inaudible)

ALLEN Thank you very much. Appreciate it.

ACTION: It was moved by Commissioner Tick Segerblom, and carried by unanimous vote, that the application be held until December 21, 2022.

ITEM NO. 45 WS-22-0343-DURANGO ROBINDALE, LLC:
 HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce driveway width; and 2) reduce driveway throat depth.
 DESIGN REVIEW for a restaurant (Starbucks) with drive-thru service on 0.7 acres in a C-1 (Local Business) Zone in the CMA Design Overlay District. Generally located on the east side of Durango Drive, 420 feet north of Robindale Road within Spring Valley. MN/al/syp (For possible action)

AMUNDSEN Next is Item 45, WS-22-0343, holdover waivers of development standards for the following: reduce driveway width, reduce driveway throat depth. Design review for a restaurant, a Starbucks, with drive-through service on 0.7 acres and a C1 local business zone in the CMA Design Overlay District, generally located on the east side of Durango Drive, 420 feet north of Rain-... Robindale Road within Spring Valley.

GIBSON Good afternoon.

SERGIO COMPARAN Good morning, Commissioners. Name is Sergio Comparan, C-O-M-P-A-R-A-N. Uh- address is 2525 West Horizon Ridge, suite 230, 89052. I'm here on behalf of our client, um- Durango Robindale LLC. Um- and in front of us, uh- what we're proposing to do here is a ground-up Starbucks, drive-through-only restaurant, uh- on the corner of Durango Drive and Robindale. Uh- sorry, north of Durango Drive and- and Robindale.

Um- there are two items that I'd like to point out, really. Um- one of the waivers that we are requesting is the, um... the throat depth, uh- which is waiver number two. Um- during the process an- and working with staff, um- since the staff report was, uh- developed, we originally had the site plan on the left of your screen. Because their concern was uh- traffic backflow onto Durango Drive, we have since then come back with a site plan on the right-hand side, which eliminates the, uh- existing parking immediately in front of the driveway, as well as one parking spot, uh- adjacent to the driveway entrance. Um- this was delivered to, uh- staff last week, and I am not sure if, since then, it has been re-imaged. However, I did want to bring that up.

The second item I would like to point out, uh- which is different from the original site plan, is the square footage of the building. The original square footage of the building was 987 square feet. Since then, it has grown to 1,050 square feet. Um- that increase, uh- does not, uh- impact our parking calculations, um- or setbacks. Uh- however, I- I did want to bring that up as well. Uh- that concludes my presentation.

GIBSON Thank you. This is a public hearing. Is there anyone here who wishes to speak on Item 45?

NAFT (laughs)

GIBSON There being no one, the public hearing is closed. Commissioner Naft?

NAFT Thank you, Mister Chairman. Uh- Mister Papazian, could you speak to the, uh- site plan that you've had the opportunity to review and confirm it's in line with what the applications for?

PAPAZIAN Thank you, Commissioner. Uh- it is in line. Uh- the orig-... Our analysis was based on the original site plan, and since they've, uh- changed the site plan to remove the parking conflicts immediately, uh- adjacent to driveway at Durango, and, um- we appreciate them working with us and removing those conflicts.

NAFT That's great. Um- Miss Amundsen, is it possible... They're showing a double

NAFT queueing to, uh... into the Starbucks, with two lines. Uh- can it be conditioned that that be utilized by the tenant or the owner? I gue-... Maybe that's a Mister wraha- Warhola question (laughs).

AMUNDSEN I... My only thought is it would be very hard for us to determine.

NAFT I agree. (laughs)

WARHOLA I agree with Miss Amundsen.

NAFT Fine. I had to try. (laughs) Um- if there's nothing more, I'll move for approval of Item 45.

AMUNDSEN Per revised plans.

NAFT Per revised plans.

GIBSON There's a motion for approval by Commissioner Naft. Any discussion on that motion? Please vote. And the motion carries. Thank you, sir.

COMPARAN I appreciate it. Thank you.

ACTION: It was moved by Commissioner Michael Naft, and carried by unanimous vote, that the application be approved per revised plans.

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

CONDITIONS OF APPROVAL - Current Planning

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

Public Works - Development Review

- Traffic study and compliance

ITEM NO. 46 WS-22-0547-JONES BOULEVARD PARTNERS, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) modified landscaping and screening; 2) reduce approach and departure distances; and 3) driveway geometrics.

DESIGN REVIEWS for the following: 1) expansion of an existing distribution facility; and 2) finished grade on 26.6 acres in an M-D (Designed Manufacturing) Zone and an M-1 (Light Manufacturing) Zone. Generally located on the east side of Jones Boulevard and the north side of Wigwam Avenue within Enterprise. JJ/al/syp (For possible action)

AMUNDSEN

Item 46, WS-22-0547, waivers of development standards for the following: modified landscaping and screening, reduce approach and depart- departure distances, driveway geometrics. Design reviews for the following: expansion of an existing distribution facility, finished grade on 26.6 acres in an MD design manufacturing zone and an M-1 light manufacturing zone, generally located on the east side of Jones Boulevard and the north side of Wigwam Avenue within Enterprise.

GIBSON

Mister Celeste. (silence)

TONY CELESTE

Good afternoon, Mister Chairman, Commissioners. Tony Celeste, address 1980 Festival Plaza Drive, here on behalf of the applicant and property owner, Southern Glazer's Wine and Spirits. Um- first, as you can see, the site is located, um- along Jones on the east side, uh- bounded by Shelbourne to the north, Wigwam to the south, and we have the railroad tracks a little bit farther to the east. Uh- just a quick little history, uh- there is an existing 345,000 square foot warehouse building on the site. It was established in 2002. Southern Glazer's is now coming in asking for an expansion of about 272,000 square feet, um- of warehouse space. The existing warehouse is essentially on the northern two thirds of the property. They propose the expansion of 272,000 square feet on the, uh- south third of the site.

Um- we held this t... uh- two weeks at town... Enterprise Town Board, um- at the encouragement to go back and work with Public Works. I'm very thankful that they did that, so I'm very thankful for Mister Papazian and his team for working with us. Um- we were able to redesign, um- some of the elements with respect to access points on this, and, uh- based on that, we were able to... We... And I'll go through these here in a second... but removed several waivers of development standards. And I think because of that, uh- Public Works now is in full support of that, and because Public Works is in support of it, Planning has been in support of the, uh- use. And... But with Public Works now support, Planning supported it, and because of those two factors, we went to Enterprise Town Board. Enterprise Town Board is now recommending approval of this. So, it's been a domino effect, um- that has worked in our favor.

So let me first show you the si... uh- the site, and then, um- some of the waivers that we are going to ask to be removed. Um- this is the southern two thirds of the site, or southern third of the site. Again, Jones Boulevard to the west. Wigwam to the south. Really the issue of conflict was a pro- proposed driveway right here that was an exit only located on Wigwam. It was 102 feet from this intersection of Jones and Wigwam, which triggered, um- various waivers. And because of the design of that waiver, it also... or- because of the design of the driveway, um- also, uh- required additional waivers. The issue was that we would be having trac- ... truck traffic exiting at this point, crossing over three lanes of traffic, and then

CELESTE circulating around Wigwam and heading back towards Jones. Um- that was not an ideal situation for Public Works and created, um- a lot of, uh- concerns about not only, uh- conflict at this intersection, but eventually Wigwam going across and farther east over the tracks. Um- so that we have removed that, uh- entrance right there, and as a result of that entrance, we can now withdraw without, uh- prejudice waivers 2A, 3A, and 3C. Those were all, um- related to that proposed access, which has now been removed off of Wigwam.

Uh- the second thing that we made a change on is we have truck access here on Jones. Um- we originally had a landscape island right here. You can see that mirrored this. The concern was that when 18-wheelers come in to make this turn, that the radius might be too tight. As a result, we have removed this island right here, and we have additional stacking on site here. We used to have three, uh- stacking... three staging areas on the west portion, an additional three on the east portion. We have removed the northern most on this east portion right here to again, allow greater turning flexibility for this. And with those, uh- improvements, uh- Public Works, we believe, is now, um- in support of this application.

Uh- a couple of the other waivers, um- are related to the existing conditions on Jones. Jones, uh- is already, uh- infrastructure in. So, we are asking to keep the attached sidewalk there. So, um- with that, we, uh- appreciate Town Board's recommendation of approval, agree with all the if-approved conditions, and I'm more than happy to answer any questions you may have.

GIBSON Thank you. This is a public hearing. Is there anyone here who wishes to speak on Item 46? There being no one, the public hearing is closed. I'd refer it to Commissioner Jones.

JONES Thank you, Mister Chair. Thank you, uh-Antonio for your (laughs) Tony - for your presentation. Antonio, would you like to comment?

PAPAZIAN Thank you, Commissioner. Uh- with the removal of the driveway on, uh- Wigwam it satisfies, and we believe has removed the conflicts that, uh- we were worried about.

JONES That's good. Alright. There will be a traffic study. Um- the applicant, uh- has previously expressed concerns with, um- traffic and, uh- accidents on Jones and Shelbourne. So, I just want to make it clear on the record that if the traffic study shows that a light or other, uh- measures need to be implemented there, than that'll be part of the obligations of the applicant.

CELESTE Understood, yes, and agree that that's a condition of approval.

JONES Okay. Alright. With that, I'll go ahead and move for approval of agenda Items, uh- Number 46 with the withdrawal of the waivers 2A, 3A, 3C.

GIBSON There's a motion for approval by Commissioner Jones on Item Number 46. Any discussion? Please cast your votes. The motion carries.

CELESTE

Thank you.

GIBSON

Thank you, sir.

ACTION:

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

CONDITIONS OF APPROVAL -

Current Planning

- Per revised plans;
- Enter into a standard development agreement prior to any permits 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 installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within two years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Jones Boulevard improvement project.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; that signs, structures, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones; and that Wigwam Avenue may extend past the UPRR in the future, which will require the removal of the temporary cul-de-sac and the reconstruction of the eastern Wigwam Avenue driveway.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions; and that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

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

WAIVERS OF DEVELOPMENT STANDARDS #2A, #3A, AND #3C WERE WITHDRAWN WITHOUT PREJUDICE.

ITEM NO. 47 ZC-22-0413-SLETTEN CONSTRUCTION COMPANY:

HOLDOVER ZONE CHANGE to reclassify 2.1 acres from an M-1 (Light Manufacturing) (AE-60) Zone to an H-1 (Limited Resort and Apartment) (AE-60) Zone.

USE PERMIT to allow outside dining and drinking.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) encroachment into airspace; 3) reduced parking; 4) reduced throat depth; and 5) reduced departure distance.

DESIGN REVIEWS for the following: 1) alternative parking lot landscaping; and 2) hotel. Generally located on the southwest corner of Quail Avenue and Polaris Avenue within Paradise. (description on file). MN/sd/jo (For possible action)

ACTION:

Deleted from the agenda (held to January 4, 2023, per applicant)

ITEM NO. 48 ZC-22-0443-ROOHANI KHUSROW TRUST & ROOHANI KHUSROW TRS:

HOLDOVER ZONE CHANGE to reclassify 5.0 acres from an R-E (Rural Estates Residential) Zone to an RUD (Residential Urban Density) Zone.

USE PERMIT for a residential Planned Unit Development (PUD).

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) intersection off-set; 2) alternative street design; 3) alternative private street sections; and 4) setbacks.

DESIGN REVIEWS for the following: 1) a detached single family residential Planned Unit Development; and 2) finished grade. Generally located on the northwest corner of Frias Avenue and Cameron Street within Enterprise (description on file). JJ/sd/syp (For possible action)

AMUNDSEN

Next are Items 48, 49, and 50, which can be heard together. Item 48 ZC-22-0443, holdover zone change to reclassify five acres from an RE, rural estates residential zone, to an RUD, residential urban density zone. Use permit for a residential planned unit development. Waivers of development standards for the following: intersection offset, alternative street design, alternative private street sections, setbacks. Design reviews for the following: a detached, single-family residential planned unit development, finished grade, generally located on the northwest corner of Frias Avenue and Cameron Street within Enterprise.

Item 49 VS-22-0444, holdover, vacate, and abandon easements of interest to Clark County, located between Frias Avenue and Pile Avenue in between Cameron Street and Ollum Drive, and an easement along Frias Avenue between Decatur Boulevard and Cameron Street within Enterprise.

And Item 50 TM-22-500159, holdover tentative map consisting of 46, single-family residential lots and common lots on five acres.

LEXA GREEN

Good afternoon. Lexa Green, 1980 Festival Plaza Drive, here on behalf on the applicant, KB Homes. The proposed project is a single-family, detached residential subdivision. The subject's site is a five-acre parcel located on the northwest corner of, uh- Cameron Street and Frias Avenue. The site is currently zoned RE, with a land use designation of compact neighborhood. If we look to the north of the site, we do have two developments that are currently underway. One is zone R-3. The other is zoned R-2. To our east we have, um- uh- neighborhoods is-... existing neighborhoods and as well as vacant lots that are currently zoned R-2 as well. And to the south, we have an, uh- a vacant lot that's... was recently approved for R-4 zoning. To our west, we have a C-2 zoning, where we have an existing, um- a mini-storage and also a Taco Bell there.

GREEN

The proposed site... The proposed site is an open-concept neighborhood, consisting of 45, um- units, uh- with the proposed density of nine lots per acre. With that, the applicant is requesting a zone change from the current RE to a RUD. Um- RUD allows for up to 14 dwelling units per acre. As I previously stated, we are proposing nine, so we do fall within the permitted density there. Uh- additionally, the subject's site is, um- compatible with what we're seeing in the surrounding areas. As mentioned before, we have, um- R-2 both to the north and also to the east, which allows up to, um- eight units per acre there. So, we're slightly denser. And to the south, we have a- a previously approved, um- zoning for R-4, which allows up to 25 units per acre.

The applicant is also requesting, uh- a use permit for the planned unit development. PUD allows for flexibility and innovation in residential development, which this design is. And as I go through, um- you guys will see that it meets those requirements there. The applicant is requesting, uh- three different waivers. The first is to reduce the intersection offset to 102 feet, where 125 feet is required from Frias Avenue, which is to the south here, uh- to our first drive street A in our development. So, we're looking to in-... uh- redo this distance here to 102 feet. This site is just 45 units, so we're not expecting heavy traffic, daily traffic in and out, so we don't think that'll be an issue there.

The applicant is also requesting that all internal street configurations exclude a knuckle design. As you can see here, we are proposing an elbow design within. Uh- the applicant initially submitted a site plan with, uh- 30-foot-wide streets, uh- in... within the site. They have since increased that and widened the streets to 38. So, with that, we think that's ample, um- space for emergency-vehicle access and also to support the traffic of the proposed subdivision there.

The applicant is requesting a few, uh- setback reductions. The first being to reduce the front living area setback to eight feet where 10 feet is required. As I stated before, this is an open plan, so we have... If we're looking at this row here, we do have these homes facing each other. The garages are in the back, so they are an alley loading product. With that, uh- with the reduction to 8 feet where 10 feet is required, we still have plenty of space in between, um- the living spaces there. So, we're still looking at a minimum of 26 feet from living space to living space. The applicant's also requesting to reduce the front-porch setback to five feet where 10 feet is required. Again, enough space, we'll have 20 feet, uh- from porch to porch there. The applicant's also requesting to reduce the required rear-living-area setback to two feet where 15 feet is required. This is a different product that we're proposing here. This is an alley-loading product. The code is silent on what we're proposing. The, um- 15-foot setback is for a traditional product where you have the garages in the front, front door in the front of the house, so we are coming before you, requesting that. The applicant's requesting a design review, um- and as I get into the design review, I do want to walk you all through some changes that weren't, um- specified in the staff report.

So, looking at these two, the, uh- previously approved, uh... or previously submitted, excuse me, site plan did consist of 46 units. We're now going to 45. We did use... lose a unit here that's highlighted in red. Um- with that we did add, um- some open space at the end of this block here. Sorry, I have you guys moving around quite a bit. Um- that was to address the staff's concerns with the lack of

GREEN

open space or with the open space being, um- limited to the south of the site where we do have the power line easements there.

The applicant also did increase the width of the streets, again, from 30 feet to 38. With that, we did lose some driveway space, um- along this block here. However, uh- with the widening of the streets, we are now allowing on-street parking, so all parking requirements are met with that change. Uh- the parking, the applicant is required to provide 117 parking spaces. They are providing 135. The applicant's also requesting a tentative map, also a vacation and abandonment of patent easements, 33-foot-wide easements located along the northern and western property lines, so northern and western here, uh- in addition to three-foot easements along, uh- Frias Avenue.

Staff is recommending approval of the zone change, waivers one and two. We are withdrawing waivers num-... or waiver number three, as the streets have been widened to 8... 38 feet, so we no longer need that waiver. Um- and these... And staff is also requesting approval of the design review for, uh- number 2, which is to... increase the, uh- fill of lots thi-... Or, uh- excuse me, of lot 27 to 3.62 uh-feet. Uh- with that, I'm here to answer any questions you all may have.

GIBSON

Thank you very much. This is a public hearing. Uh- it is, uh- related to Items 48, 49, and 50. And, uh- I'd invite anyone who wishes to speak to those items to come forward now. It appears there is no one. We'll close the public hearing and refer the matter to Commissioner Jones.

JONES

Thank you, Mister Chair, and thank you, Miss Green, for your presentation. Uh- appreciate you working with staff, uh- to identify some of the safety concerns with regards to the width of the road and to add some, uh- common area, uh- elements that are in addition to the- the trail that'll go under the utility easements. Um- with regards to the, um- common areas, uh- or the- the green space, uh- I- I will expect that they have appropriate amenities, um- for kids or- or whatever in the... in the, uh- the area there. Um- and with that, I'll go ahead and move for approval of agenda Items Number 48, 49, and 50, with withdrawal of, uh- waiver number three.

GIBSON

There's a motion for approval, as indicated by Commissioner Jones, as to Items 48, 49, and 50. Any discussion? Please cast your votes. The motion carries.

GREEN

Thank you, Commissioner Jones. Thank you.

ACTION:

It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the application for Item Nos. 48, 49 and 50 be approved, subject to staff conditions.

CONDITIONS OF APPROVAL -
Current Planning

- Per revised plans;
- 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;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of

necessary public services in the area.

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the use permit, waivers of development standards, and design reviews must commence within four years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Cameron Street, 30 feet for Frias Avenue, and associated spandrel;
- Clark County Fire Prevention approval of street elbows.

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 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 #0307-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #3 WAS WITHDRAWN.

ITEM NO. 49 VS-22-0444-ROOHANI KHUSROW TRUST & ROOHANI KHUSROW TRS:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Frias Avenue and Pyle Avenue and between Cameron Street and Ullom Drive and an easement along Frias Avenue between Decatur Boulevard and Cameron Street within Enterprise (description on file). JJ/sd/syp (For possible action)

ACTION:

It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the application for Item Nos. 48, 49 and 50 be approved, subject to staff conditions.

CONDITIONS OF APPROVAL -

Current Planning

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

application will expire.

Public Works - Development Review

- Right-of-way dedication to include 30 feet for Cameron Street, 30 feet for Frias Avenue, and associated spandrel;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording. □

ITEM NO. 50 TM-22-500159-ROOHANI KHUSROW TRUST & ROOHANI KHUSROW TRS:

HOLDOVER TENTATIVE MAP consisting of 46 single family residential lots and common lots on 5.0 acres in an RUD (Residential Urban Density) Zone. Generally located on the northwest corner Frias Avenue and Cameron Street within Enterprise. JJ/sd/syp (For possible action)

ACTION:

It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the application for Item Nos. 48, 49 and 50 be approved, subject to staff conditions.

CONDITIONS OF APPROVAL -

Current Planning

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that 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;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Cameron Street, 30 feet for Frias Avenue, and associated spandrel;
- Clark County Fire Prevention approval of street elbows.

Current Planning Division - Addressing

- Private streets shall have approved street names and suffixes;
- Approved street name list from the Combined Fire Communications Center shall be provided.

Department of Aviation

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

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features;
- All proposed single family residential submittals will comply with code requirements for residential streets: 503.2.1.1 Parallel Parking Permitted on Both Sides; where parallel parking is permitted on both sides of the

Fire Apparatus Access Road, the minimum clear width of the Fire Apparatus Road shall be 36 feet (10,972 mm), measuring 37 feet (11,277 mm) from back-of-curb to back-of-curb for L curbs, 38 feet (11,852 mm) from back-of-curb to back-of-curb for R curbs, and 39 feet (11,887 mm) from back-of-curb to back-of-curbs for roll curbs;

- The prohibition of parallel parking on both sides for the purpose of narrowing the roadway width is not permitted for Fire Apparatus Roads serving 1 and 2 family dwellings.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0307-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 51 ZC-22-0471-GREEN WOOD VALLEY INC:

HOLDOVER ZONE CHANGE to reclassify 4.7 acres from an H-2 (General Highway Frontage) Zone and an R-E (Rural Estates Residential) Zone to an M-D (Designed Manufacturing) Zone.

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

DESIGN REVIEW for an office/warehouse facility. Generally located on the north and south sides of Torino Avenue and the west side of I-15 within Enterprise (description on file). JJ/sd/syp (For possible action)

ACTION: Deleted from the agenda (held to January 4, 2023, per applicant)

ITEM NO. 52 VS-22-0470-GREEN WOOD VALLEY INC:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between I-15 and Dean Martin Drive and between Pebble Road and Ford Avenue within Enterprise (description on file). JJ/sd/syp (For possible action)

ACTION: Deleted from the agenda (held to January 4, 2023, per applicant)

ITEM NO. 53 ZC-22-0560-SILVER CITY MHC, LLC:

ZONE CHANGE to reclassify 5.4 acres from an H-2 (General Highway Frontage) Zone and a C-2 (General Commercial) Zone to an R-4 (Multiple Family Residential) Zone.

USE PERMIT for a manufactured home park.

WAIVER OF DEVELOPMENT STANDARDS to allow tandem parking spaces.

DESIGN REVIEWS for the following: 1) a manufactured home park; and 2) lighting plan. Generally located on the east side of Mojave Road and the north side of Fremont Street within Sunrise Manor (description on file). TS/bb/syp (For possible action)

ACTION: Deleted from the agenda (held to January 4, 2023, per applicant)

ITEM NO. 54 NZC-22-0305-GRAND CANYON, LLC & NAHAI ILIEN:

HOLDOVER AMENDED ZONE CHANGE to reclassify 15.9 acres from an R-E (Rural Estates Residential) (RNP-I) Zone and an H-2 (General Highway Frontage) (RNP-I) Zone (previously notified as R-E) to an R-2 (Medium Density Residential) Zone.

WAIVER OF DEVELOPMENT STANDARDS to reduce street width.

DESIGN REVIEW for a single-family residential development. Generally located on the south side of Pebble Road and the west side of Grand Canyon Drive within Enterprise (description on file). JJ/rk/jo (For possible action)

AMUNDSEN

Next is Item 54, NCZ 220305, hold over amended zone change to reclassify 15.9 acres from an RE, rural estates residential RNP-1 zone and an H-2 high-general highway frontage RNP-1 zone, previously notified as RE to an R-2, medium density residential zone. Waiver of developments standards to reduce street width.

AMUNDSEN

Design review for a single-family residential development, generally located on the south side of Pebble Road and the west side of Grand Canyon Drive within Enterprise.

GIBSON

Good afternoon.

BORHAN MORADI

Good afternoon, Chairperson and, uh- the rest of the Commissioners. Uh- first and foremost, I would like to thank you all for staying this long to listen to my boring presentation. And second, I would like to ask the staff to make sure that my bald head doesn't show up on the display.

Uh- my name is Borhan Moradi. Uh- my address is 2300 Hunt Club Street, and I'm here on behalf of the property owners to present to you the project that, uh- we're proposing. Um- the project location, it's, uh- located at the... Make sure that they're... Turn this around. The project is located at the southwest corner of Pebble Road and Grand Canyon Drive and consists of 15.9 acre, plus or minus, of, uh- uh- RE lands that we are proposing to change to R-2. The current, uh- planned land use calls for a low intensity that allows for five units per acre. The proposed, uh- site plan shows that we only have 5.8, uh- units per acre. Although we're requesting R-2, which allows for eight units per acre, we're only going to utilize 5.8, uh- units per acre.

To the south of the property... And I'm gonna bring in my laptop. To the side of the properties there are already a development that's, um- that's been approved for R-2, and it's already built. To the east, for the site of the, um- project site, uh- there is currently and ongoing construction for R-2, uh- development, and, uh- we believe that we're very consistent with the landscape and the plan, and the approved um- um- projects, uh- surrounding our property. Uh- we have been working tirelessly with the staff, as well as the neighbors, to address all the comments and concerns that they have. Um- if you remember, we have applied for, for this application on April of 2021, and the various site plan that we had, uh- showed about 100 and... Oh, um- 104, um- parcels, or units. That has been reduced to 93 as of today, um- as a result of the, um- listening to the neighbors, and working with them, and making sure that they are also in line with this project.

Um- initially we had, um- we had, um- we had more lots around this RNP that we had to reduce as, um- as a result of the comments that we received from this neighbor, and they didn't want to have any houses back in their sight, so we basically pointed at the street. As you can see, we created another street, going to Pebble to make sure that these comments are addressed. Um- he also had a concern about the lots backing to their house. I would like to mention that, uh- we are already giving 20 foot of buffer zone to the south of these properties, and from the last meeting that I had with them, as well as, um- suggestions that I have received from the Commissioner, uh- we have enlarged the lots this, out of these two properties, and, uh- currently they are, uh- 6000 square-foot lots. Um- if I were to draw... If I had to... Grab a pen. If I were to draw a, uh- floor plan on any of these lots backing these RNPs, I could, uh- easily show that there is about 100 feet of distance from the property line of the neighbors, uh- to where the house is going to be. We also accepted to, uh- have single-story projects back into these RNPs, and we believe that, um- uh- we have done everything, um- possible to

MORADI meet the requirements, the code requirements, as well as addressing the concerns of the neighbors, and, uh- making sure that everything, uh- flows, uh- smoothly. Uh- with that, I don't think I have anything to say, and I would appreciate the, um- Commissioner's approval on site. Thank you.

GIBSON Thank you. This is a public hearing, which is now open. I invite anyone who's here to speak on to, on Item 54, to come forward, please. State your name, spell your last name. We do that so that our court clerk can actu-... they're our clerk, not court clerk. Our clerk can get your name right.

JENNA WALTHO Perfect. Thank you. Jenna Waltho: W-A-L-T-H-O, for the record. I live at 9611 Raven Avenue. So, I'm in the notification area for this, but you're also gonna be hearing from my neighbors who are the most adjacent neighbors, who live in the RNP that this is surrounding. The applicant has not been working with the neighbors. We had one neighborhood meeting back in the spring. That's the last that I've heard from this applicant. I've tried to get him to reach out to work with us, 'cause I personally would like to see this land developed, but he hasn't worked with us. I also want to remind that he did bring up that to the east of this project there is an R-2 project that was built. I actually was a part of that project with DR Horton when they came in, and I actually spoke in, um- approval of that project because, unlike this applicant, DR Horton did work with us, and they did put in some amazing buffer houses. So, we did welcome that R-2 project. This, unfortunately, is not the case. He has not worked with the neighbors, and you will hear from the most adjacent neighbors behind me.

Also, I just wanna remind you the Enterprise Town Board had unanimously denied this project. Planning Commission has unanimously denied this project. Planning staff has recommended denial, and in, I believe it's the first bullet point in if approved condition, it does say that there should be buffering houses, 10,000 square-foot lots adjacent to the existing RNP home. So, I hope that you do go with that recommendation today. So, thank you so much for your time.

GIBSON Thank you. How many of you are here on this item? Just please raise your hand. Okay, thank you. Justin, I'm gonna have to leave in a little bit, about 15 minutes.

JONES Could you (inaudible)

GIBSON (inaudible)

DAVID WHITE Um- good afternoon. Um- my name is David White. I live at 9911 West Pebble Road. Last name White: W-H-I-T-E. Um- as you can see, I'm right in the middle of this project, and, uh- what I'd like to say is, uh- the planning staff and the Planning Commission has denied, and it has denied this application, and states that the staff finds that the proposed project is not compatible with the density and intensity of the existing and planned use in the surrounding area. Sufficient public services may not exist in the immediate area, such as water, as they are just now upgrading the infrastructure on the Cougar Zone Reservoir, which s- services this area.

The only appropriate solution for a transition or buffer is to ensure there are at

WHITE

least 10,000 square foot lots and single-story homes adjacent to the existing RMP homes. All access points must be on Raven Avenue, not Pebble, to help mitigate traffic into the existing RMP. Um- if you look at this, one thing he failed to say... First of all, he said he was, uh- got with the neighbors, and he hasn't, okay. I've recommended... I talked to him. Uh- he mentioned the, um- one-stories here, as you can see, but he didn't s- mention these are two stories here, and they're not 10-10,000 square-foot lots. That doesn't, uh- conform to the plan. Uh- he hasn't worked with the neighbors, and I highly recommend that this is denied. I moved there, I bought that property in 1999, okay, and I'm retired military and law enforcement, and, uh- I, I've got great neighbors around there, but I want them to conform to the existing zone. Thank you very much for your time.

GIBSON

Thank you. Next speaker.

RAMIR HERNANDEZ

Good afternoon, Commissioners. My name is Ramir Hernandez. I'm an attorney at Wright, Finlay, and Zak. I represent John and Linda Lawrence on two large parcels across the street from each other, near the intersection of Pebble Road and Grand Canyon Drive. Miss Lawrence is here with me today.

I am not gonna repeat what Mister White said because some of the things Mister White said in my prepared remarks, because they repeat what I, what, they, they would repeat what I'd be saying, but I wanted to add that the lack of open space in this proposal will negatively impact the existing traffic and the existing RNP. This proposal would... That, for that, that in addition to the water reservoir issue and the 10-foot thousand buffer zone, was one of the reasons that this proposal was strongly rejected by the Planning Commission, because the density is too high and does not require the buffer zone. Importantly, the Planning Commission did not see a public benefit to this proposal, especially because of the impact it would have on the current residents of this area. Second, there is a question as to whom the easements belong to, regarding the right of way, that will be created as a result of the lane widening that will be required if the project is approved. Without an investigation into these easements, the Commission may end up approving a zoning change that is an improper taking because it infringes on the property and/or even rights, easement rights of both Lawrence's, and of course, Mister White.

Finally, the entity making this request did not reach out to Mister Lawrence, Mister and Misses Lawrence regarding this request. The Lawrences have long used these properties as their residence when they come to Las Vegas and selected this site precisely because of its seclusion and long size. This proposal is so poorly planned that it will have unintended consequences that will affect the Lawrence's use and enjoyment of the land. Although I was not present, I reviewed the video of the Planning Commission Meeting on this matter. To put it bluntly, the Planning Commission was underwhelmed by this proposal, and we have heard nothing today that changes that decision. In fact, all that has been proposed has been a small, minor repair. Do you have anything to add, Linda?

LINDA LAWRENCE

Thank you. My name is Linda Lawrence. Um- we own the property at 9880 and 9885, Pebble Road. West Pebble Road. Um- we've enjoyed the property. We, I believe that we've been to a couple of these meetings. Um- there was, um- on Grand Canyon, a nice project that, um- was built: single-fam-, or, um- single-

LAWRENCE story, nice-size lot, and it's a beautiful, uh- addition to our community. Some of the property that has been developed since then, um- along Grand Canyon, a little ways from our property facing Blue Diamond, um- if I looked out the back window of my property, it looks like a sea of houses. The lots are so small they couldn't even plant a tree.

Uh- so we're not opposed to development. Uh- the addition on Grand Canyon of the single-story, uh- it's been very nice. It's a nice complex. But I'm really opposed to this. Too many houses in too small of area. Thank you very much. Appreciate the attention.

GIBSON Thank you, ma'am. Excuse me, sir. There are others who wish to speak.

EDISON PAK Hello. My name is Edison Pak. Can you hear me?

GIBSON Could not to begin with but go ahead again.

PAK Hello. My name is Edison Pak: uh- P-A-K. I live at, uh- 9013 Pink Quill Court, Las Vegas, Nevada, 89178. Um- I actually, um- I s- I saw the original design and I believe the, uh... Raven, are you still planning, uh- to shrink Raven as well?

MORADI Yes. Um- that was the recommendation from the Public Works. (inaudible)

GIBSON So, so, we really need you to direct your comments to us so we can hear what's going on.

PAK Sorry. I, I was just trying to make sure that, uh- that that was still the case. I, I wanted to point out at Raven, um- that street already, as it is, it, it, there's a lot of cars going in and out, uh- especially from the community. And, uh- on top of that there's a lot of people... There's no sidewalk, so there's a lot of people walking their dogs out along Raven, as well, and if that's to be shrunk, uh- I just feel like that would be a... I, I wouldn't feel safe. I walk my dog there every morning, and I just wanted to actually point that out.

My neighbors said everything else. I didn't want to repeat that and waste everybody's time, so I think they made their point, but I just wanted to also mention that being shrunk down, it can actually be a hindrance to me and to my neighbors, as well; and on top of that, the, one of the actual reasons why we actually picked that place was because of the current zoning that it is, and the beautiful, uh- um... Just, it, it's a beautiful view and site. With everything that's going to be going in there, I believe that would distort all that and would change all that.

So, I wanted to actually, uh- ask your... You know, and basically ask you not to actually approve this, and, well, that's... I just wanted to just make my comments. Thank you very much.

GIBSON Thank you very much. Is there anyone else who wishes to speak? There being no one, the public hearing is closed and refer the matter to Commissioner Jones.

JONES Thank you, Mister Chair; and thank you to the applicant for, uh- the presentation.

JONES

Can you speak to the, uh- easement issue that was raised by Mister Hernandez?

MORADI

Sure, absolutely. So, the ravine came up at the, uh- staff review and, uh- public works. Uh- when they reviewed that they requested that we basically shrink that and match, um- whatever quality to the south of the, uh- project has done. Uh- and, um- that was the request that, uh- we conformed to. Um- other than that, um- there has been, um- several iterations of the plan changes since 2021, April. Um- we have addressed the, every single comment that we have received from the neighbors. Uh- we have had, uh- neighborhood meetings. I personally have, have gone to the, uh- properties to the side of the prop- to the south of the project. With Pulte, and I ask every single person if they okay with the Raven being this wide; and also, uh- has, have reached out to Mister White, uh- himself.

I respect him and I understand his frustration, but, uh- since 2020 I have been in contact with him and I have been addressing every single comment that he has had. As he mentioned, uh- we have punched this street here, uh- to alleviate all the lots backing into his, uh- property, and we have to mention that, uh- there is already and existing, um- concrete berm, um- to them, um- back of his property, that's about 80 or 90 feet away from his, uh- property line, and we're also adding a 20 feet, uh- buffer zone, and we also have 133-feet, uh- uh- deep lots that would, uh- alleviate any concerns as far as the privacy goes, and we agreed to have single-story, uh- buildings around these two RNP properties to alleviate any concerns that they might have.

Um- other than that, I just wanted to make sure that we have done all the efforts, we have met with all the neighbors. Um- I have personally knocked on the doors and, uh- talked to them personally, and, um- I believe that we have done all we could do to, uh- conform with the codes and, uh- address all the concerns that are available. Thank you.

JONES

Thank you. Mister Papazian, uh- any comments on the Raven issue?

PAPAZIAN

Thank you, Commissioner. Uh- we just, we're trying to stay consistent with what Pulte to the south, which was, uh- 23 and a half foot. So, on the north side of Raven we would, would ask for 23 and a half feet, especially since Raven doesn't go, uh- that far to the west and will elbow to Conquistador. Uh- Pulte did not dedicate their portion of Raven, therefor Raven doesn't go that far, so it should see low volumes of traffic. So, we're okay with a reduction of Raven, uh- 23 and a half feet on their portion to match the south portion.

JONES

Okay, thank you. Um- in light of the fact that, um- this was, uh- substantial concerns that were raised a- along the process, um- I, I'm familiar with the lot. I understand, Mister White, your property sits up quite a bit higher, and so the lots that are down below, uh- I don't, I don't think that from a sight line perspective, particularly if their single stories are going to, um- uh- affect that view. That said, uh- for the lots that are along Grand Canyon, um- I can't see the lot numbers on there, but the lots that are along Grand Canyon and that are adjacent to, uh- parcel 176-19-101-005, um- I'm gonna require that those be 7500 square foot lots, um- to allow for some buffering, additional buffering, uh- a- along the RNP, uh- neighbors to, to that site. Is that a condition that is acceptable?

MORADI Absolutely. We can, um- we can change those and make them 7500 square feet.

JONES Okay. Do you understand which lots those are?

MORADI Uh- we are referring to these lots.

JONES Those, and then also the ones along Grand Canyon.

MORADI Okay.

JONES Yep, okay.

MORADI Thank you.

JONES Alright. With that, I'll go ahead and move for approval of agenda Item Number 54, with the modification, uh- to the lot sizes for those that have been identified. Uh- will you state the number of the lots on there, just so that-

MORANDI Currently, there are 93 lots. Uh- the lots that we are referring to, there are... Yeah, one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve... There are 16 lots that, um-

JONES Okay. So, those will be increased. They're, the number of lots will be reduced in order to ensure that there are 7500 square-foot lots along, um- uh- along Grand Canyon and along whatever you're calling that street there.

MORANDI Sure. Understood.

JONES Okay. Alright.

MORANDI Thank you.

JONES Understood?

MORANDI Understood. Thank you.

JONES That work? Okay.

GIBSON There's a motion for approval of Item 54. Any discussion on the motion? Please cast your votes. The motion carries. Thank you. Thank you, folks.

MORANDI Thank you, Mister Commissioner. Thank you, the rest of the staff, for your time.

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

CONDITIONS OF APPROVAL -
Current Planning

- Resolution of Intent to complete in 3 years;
- Lots fronting on Street "F" as shown on the revised plan shall be no less than 7,500 square feet (Lots 46 through 51 and Lots 1 through 10);

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Pebble Road, 23.5 feet for Raven Avenue, 35 feet to the back of curb for Grand Canyon Drive, 30 feet for Conquistador Street to match the dedication on the west side of the street, and associated spandrels;
- Vacate any unnecessary rights-of-way and/or easements.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that proposed streets must take into account existing utility poles to ensure that sight visibility zones are not impacted.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0205-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 55 NZC-22-0496-ALL AMERICAN CAPITAL CORPORATION:

ZONE CHANGE to reclassify 2.5 acres from an R-E (Rural Estates Residential) (AE-60) Zone to an M-D (Designed Manufacturing) (AE-60) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) permit access to a local street where not permitted; 2) allow modified CMA Design Overlay District Standards; and 3) modified driveway design standards.

DESIGN REVIEWS for the following: 1) office/warehouse; and 2) finished grade in the CMA Design Overlay District. Generally located on the east side of Santa Margarita Street and the north side of Post Road within Spring Valley (description on file). MN/md/syp (For possible action)

AMUNDSEN

Next are Items 55 and 57(56), which can be heard together: Item 55 NZC-22-0496, Zone Change to reclassify 2.5 Acres from an RE rural estates residential AE-60 zone to an MD designed manufacturing AE-60 zone. Waivers of development standards for the following: Permit access to a local street were not permitted, allow modified CMA design, overlay district standards, modified driveway design standards. Design reviews for the following: office warehouse, finished grade in the CMA Design Overlay District, generally located on the east side of Santa Margarita Street, in the north side of Post Road within Spring Valley.

Item 56: VS-22-0497: Vacate and abandon easements of interest to Clark County, located between Santa Margarita Street and Redwood Street, in between Post Road and Saab Avenue alignment within Spring Valley.

LEXA GREEN

Good afternoon. Lexa Green, 1980 Festival Plaza Drive, here on behalf of the applicant, Enterprise One. The subject site is a 2.5-acre parcel located on the northeast corner of Santa Margarita Street and Post Road. It's just east of Rainbow and north of Sunset Road. The proposed project is a 31,000 square-foot, um- warehouse building with a maximum height of 40 feet and two points of ingress and egress. One will be, uh- from Santa Margarita Street, the other will be from Post Road.

The site is currently zoned RE, with a land use designation of neighborhood commercial. Uh- commercial use just isn't practical due to the location of this parcel being on Post Road and not fronting, um- Rainbow Boulevard. We just don't have as much traffic coming down Post as we do on Rainbow, uh- so with that the applicant is requesting a, um- a nonconforming zone change from the current RE to an MD. We're seeing an overall change in the trend, uh- in this area, from what was once residential to now an industrial use. As we work our way, um- east on Post, we're seeing to the south here, um- existing industrial buildings and industrial uses happening there.

Um- highlighted in blue here on this map, I've, um- highlighted some parcels just to show the change in, uh- in the trend that we're seeing over the years. So, here we have, um- RE that was changed to MD in February of 2003. We have RE that was changed to MD in August of 2016. Same here in September of 2015, and as we go further west, past Rainbow, we do have RE that was changed to MD in September of 2018. Immediately to our south, we do have an existing industrial building that was, uh- changed from C-2 to MD in, uh- December of 2017. Additionally, highlighted in red are parcels owned by the Department of Aviation. We're looking at over 79, uh- acres, of, um- land owned by the Department of Aviation on this map. Immediately to our north and immediately to our east are, um- parcels owned by them. These are important because if sold they would be deed restricted against residential, so, uh- just to kind of support our argument that we're seeing a transition here in this area.

Um- the applicant is also requesting a waiver of development standards, um- the first, um- being a reduction in the throat depth for both driveways. To the north we have, um- on Santa Margarita, the first driveway, and I just wanna walk you all through some changes that were made, uh- from the, um- original site plan that was submitted. So, the applicant is requesting to reduce the throat depth to 8 feet where 75 feet is required on Santa Margarita. If we look at the originally submitted site plan, we did have, um- seven spaces that were removed to, um- increase that throat depth to the north, so we went from 16 feet to 104 feet; and again, the applicant worked with public works in doing that. Um- and if we look to the south, on Post Road, we had six spaces that were just east, um- of that driveway. We moved them over, um- to the west side of the driveway, and moved this driveway over to align it with the property adjacent to us on the south, which was a concern, um- addressed by Public Works.

Additionally, at the Planning Commission level, uh- they did request that we remove, um- some spaces that were existing here to, um- increase the distance from the driveway, uh- or between the driveway and the first parking space. So, the applicant did do that, and with removing those spaces, that all parking requirements are being met there. The applicant is also requesting a waiver to

GREEN

allow non-residential development access on Santa Margarita Street, which is a local street. Again, just looking at this map here, it is very unlikely that we'll see residential developments coming in on Santa Margarita. To the north, we have, um- a parcel that's owned by the Department of Aviation; um- just to the north of that we have a site that was recently approved for a commercial plan or a zoning there; and, um- just north of that we have an existing church, so we're not gonna see any residential development along Santa Margarita there.

South of the site, along Santa Margarita, we have existing indus- industrial uses, um- with drives that access Santa Margarita. So, we're already seeing truck traffic along Santa Margarita there, as well. The applicant is requesting a design view, again, for a 31,000 square-foot, um- warehouse building, with a maximum height of 40 feet, where 50 feet is permitted in MD zoning. Access from two points. Um- for the, uh- entrance on Santa Margarita, it will be for trucks only, and there will be plenty of signage to let customers know which entrance and which exit to use. Uh- they did choose this site for trucks only, as the loading docks are located, uh- to the north of the building and the back of the building, so they are, um- they will be able to pull past, back up, and exit through that same, um- entrance and exit point. If needed, they can drive around and use that point, as well. From Post, uh- Road, those will be for your everyday smaller vehicles, and again, plenty of signage will let, uh- customers know which one to use there.

Lastly, the applicant is requesting a vacation of patent easements. Uh- 33-foot-wide easements along the north and eastern, uh- boundaries of the site. So, here and here, and uh- eight-foot-wide easements along Santa Margarita, and also Post Road. We did host a neighborhood meeting for this item on April 18th of 2022. One neighbor was present, didn't express any opposition. They owned some property in the area, didn't own a home, so they were just kind of inquiring as to what we were proposing. Um- no neighbors were present at Town Board either, and at the Planning Commission level, the applicant did agree to an additional condition, which I would like to put on the record. The applicant, the applicant is to provide signage on the site, uh- to read "Watch For Pedestrians", and that will be within the site. Um- so there's no confusion with the, um- access on Post Road, there. With that, we will, uh- we respectfully request approval of this item, and I'm here to answer any questions you all may have.

JONES

Uh- thanks for your presentation. This is a public hearing. Anyone wishing to provide comment on this, uh- item, please step forward and state your name for the record. Hearing none, we'll go ahead and close the public, uh- comment, and turn it over to Commissioner Naft.

NAFT

Thank you, Mister Jones. I, uh- move approval of the item, per Planning Commission. Uh- I think the, uh- what you worked out with the Planning Commission was helpful.

JONES

Alright. Please cast your vote. Motion passes.

GREEN

Awesome. Thank you, have a great evening. Or, uh-

JONES

Thank you, Miss Green.

GREEN

...afternoon.

ACTION:

It was moved by Commissioner Michael Naft, and carried by the following vote, that the application be approved per Planning Commission.

VOTING AYE:

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

VOTING NAY

None

ABSTAINING:

None

ABSENT:

Jim Gibson

CONDITIONS OF APPROVAL -

Current Planning

- Resolution of Intent to complete in 3 years;
- Per revised plans submitted November 1, 2022;
- Install “Watch for Pedestrians” signage, not to be placed in the right-of-way;
- 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 is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a Master Plan area plan amendment and a zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

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

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 #0355-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 56 VS-22-0497-ALL AMERICAN CAPITAL CORPORATION:

VACATE AND ABANDON easements of interest to Clark County located between Santa Margarita Street and Redwood Street, and between Post Road and Sobb Avenue (alignment) within Spring Valley (description on file). MN/md/syp (For possible action)

ACTION:

It was moved by Commissioner Michael Naft, and carried by the following vote, that the application be approved per Planning Commission.

VOTING AYE:

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

VOTING NAY

None

ABSTAINING:

None

ABSENT:

Jim Gibson

CONDITIONS OF APPROVAL -

Current Planning

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

Public Works - Development Review

- Right-of-way dedication to include 25 feet to the back of curb for Santa Margarita Street, 25 feet to the back of curb for Post Road, and associated spandrel;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

ITEM NO. 57 NZC-22-0499-SHOUGHRO FAMILY IRREVOCABLE SUB-TRUST ETAL & SMITH, RON TRS: ZONE CHANGE to reclassify 2.1 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 setback; 2) reduce parking; 3) allow alternative street landscaping; 4) modified driveway design standards; and 5) modified street standards.

DESIGN REVIEWS for the following: 1) multiple family residential development; 2) alternative parking lot landscaping; and 3) finished grade. Generally located on the north side of Hacienda Avenue and the west side of Caliente Street within Paradise (description on file). JG/md/syp (For possible action)

AMUNDSEN

Um- we are going to go to Item Number 57, next. Item 57, NZC-22-0499, Zone Change: Reclassify 2.1 acres from an RE real estates residential zone to an R-5 apartment residential zone. Waivers of development standards for the following: Reduced setback, (crosstalk) reduced parking, allow alternative street landscaping, modify driveway design standards, modified street standards. Design reviews for the following: multiple-family residential development, alternative parking lot landscaping, finished grade. Generally located on the north side of Hacienda Avenue and the west side of Caliente Street, within Paradise.

GIBSON

Mister Celeste.

TONY CELESTE

Yes. Thank you again, Mister Chairman and Commissioners. My name is Tony Celeste, address h-, um- 1980 Festival Plaza Drive, here on behalf of the applicant.

CELESTE

Um- as you can see, we have the property highlighted here in yellow. It's, uh- just a shade over two acres, located, um- on the south side of Hacienda and west of Caliente Street. Um- we are coming in, um- for a multi-family development. This application essentially has two parts to it, first being a zone change, and the second being a, uh- design review. Um- I think, as this Board knows, uh- having a infill development sometimes can present some challenges, and so that's why you see some of the waivers before you. But fortunately, we do have, uh- recommendations from Town Board and Planning Commission, um- moving forward, uh- today.

Um- we... The first aspect of the application, as I mentioned, is a zone change. Uh- the site is currently planned compact neighborhood, or allows a, uh- zoning district up to 18 units to the acre, or multi-family development. As you can see, essentially, this northwest quadrant is all, uh- planned and developed out as a multi-family. We are asking to actually stay within the multi-family, uh- realm, but we are asking for increase in density from the, uh- R-3, which is, um- really around us, or what we are today, RE, up to R-5. And, while I know R-5, uh- does sound like a lot, it does allow up to 50 units to the acre. Again, I'd like to remind you, basically the scale of this project and the scale of the site. It is only two acres, we are- is, I will show you in the design review, only proposing a total of 57 units, works out to a density of about 27 and a half units to the acre. So, on size of scale, we think we are compatible with this, and we do appreciate both Town Board, Paradise, and Planning Commissions recommend, recommending approval to go to R5 for this.

Um- next component of this, as I mentioned, is our design review. We are requesting 57 units on 2.2 acres, located here, again, on the northwest corner of Hacienda and Caliente. Um- our access point will be from Hacienda, um- into the site here. We do have a couple of waivers of development standards. Um- the first, really, is with respect to the location of our proposed entranceway. As you can see, the site is pretty, uh- narrow, uh- and not deep. Um- we have, really, an issue no matter where we place our proposed driveway. Um- whether we place it on Hacienda or we place it on Caliente, we will be too close to the intersection of Hacienda and Caliente. So, we would have that waiver, uh- no matter where we place the, uh- driveway entrance. We figured placing the driveway entrance off of Hacienda made most sense. Uh- directly to the south of us is Ward Elementary school, that is currently being remodeled and redeveloped. On the other side, across the street from us, is single-family residential. Um- Ward Elementary school actually takes their access off of Caliente here, so we figured that, while we understand there will be traffic with the school once the school is reestablished, uh- providing access off of Hacienda is, is the better place than, uh- fronting in front of a single-family residential.

Um- additionally, some of the concerns we had, um- that, that we had to address is location of existing driveways around us. On our adjacent property owners you can see on both sides, uh- both on the west and the north, uh- our, uh- adjacent properties have placed their driveways essentially right at our property line. Again, we have to be mindful of placing our driveway... our proposed driveway... not too close to those existing driveways, as well. So, it does prevent, uh- some issues for us with respect to that. Uh- however, what we've done to help mitigate that, as you can see right here, we have provided a, a dedicated right turn lane into

CELESTE

our site to help mitigate any of the onsite stacking that may occur, so that way we can get it off of the traffic flow, um- on Hacienda, onto the turn lane and into the site. Um- that together with, uh- will help not only, um- with the location of our driveway, but also our request to reduce the throat depth, uh- to 21 feet. Essentially, we would have a throat depth requirement that would go deep into the site here, um- which also would make the site, um- undevelopable. So, with all of that, we greatly appreciate Public Works analysis, analysis of this, and looking at this, and their recommendation of approval, um- on these issues. We do also have a, uh- reduction, um- in parking. Um- we're asking for 96 spaces, uh- where 110 is required. Um- this is an area that is, uh- I think, highly, uh- trans-, um- uh- has a lot of different transit, uh- opportunities. It's close to the UNLV, lot of shared, uh- access for, um- uh-uh- vehicles. And so, we think that this site will be, um- is okay with, uh- the way it's being parked.

Um- so with all that, we do, uh- respectfully request your approval, and more than happy to answer any questions you may have.

GIBSON

Thank you. This is a public hearing. Is there anyone here who wishes to speak on Item 57? If so, please come forward. There being no one, the public hearing is closed. This is my item, and I move approval. Any discussion on the motion? Please cast your votes. The motion carries. I'll now yield the, the gavel to, um- Vice Chair Jones to conduct the remainder of the meeting.

JONES

Thank you, Mister Chair.

ACTION:

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

CONDITIONS OF APPROVAL - Current Planning

- Resolution of Intent to complete in 3 years;
- 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 is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a Master Plan area plan amendment and a zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include an additional 10 feet for Hacienda Avenue, plus a dedicated right turn lane into the development on Hacienda Avenue.

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 is strongly encouraged; that the Federal Aviation

Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that dead-end streets/cul-de-sacs in excess of 500 feet must have an approved Fire Department turn-around provided; and that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0356-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 58 PA-22-700003-CANKIDS INVESTMENTS 2012:

PLAN AMENDMENT to amend the adopted Clark County Trail Map - Las Vegas Valley in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located between Gagnier Boulevard and Cimarron Road, and between Cougar Avenue and Ford Avenue within Enterprise. JJ/mc (For possible action)

AMUNDSEN

Next are Items 58 through 62, which can be heard together. Item 58, PA-22-70003: Planned amendment to amend the- adopt a Clark County Trail Map, Las Vegas Valley, in the RE rural estates residential RNP-I zone, generally located between Gagnier Boulevard and Cimarron Road, in between Cougar Avenue and Ford Avenue within Enterprise.

Item 59, CP-22-900623: Authorize the Chair to sign a resolution, amending the Clark County Trail Map, Las Vegas Valley of the Clark County Master Plan, and direct staff accordingly.

Item 60, VS-22-0457: Vacate and abandon ease- easements of interest to Clark County, located between Wigwam Avenue and Ford Avenue, in between Cimarron Road and Gagnier Boulevard, a portion of right of way being Tom Six street, located between Cougar Avenue and Ford Avenue; and a portion of a right of way being Cougar Avenue, located between Tom Six Street and Gagnier Boulevard.

Item 61, WS-22-0456: Waivers of development standards for the following. increased wall height, full offsite improvements, curbs, gutters, sidewalks, streetlights, and partial paving. Design reviews to the following, single family residential subdivision, finish grade on 22.5 acres in an RE rural estate and a residential RNP one zone.

Item 62. TM-22-500163. Tentative map consisting of 42 single family residential lots and common lots on 22.5 acres.

JONES

Thank you, Miss Amundsen. Mister Celeste.

TONY CELESTE

Thank you, Mister Chair, Commissioners. My name is Tony Celeste. Address 1980 Festival Plaza Drive. Here on behalf of the property owner. Um- as you can

CELESTE

see, uh-on the aerial, our lot is about 22.5 acres. We are located off of Wigwam and Cimarron here. Um- we are proposing to build a 42 lot uh- subdivision on 22.5 acres, um- or a density at about 1.8 units to the acre, uh- consistent with the RNP. You can see uh- we are located, uh- in the heart of the RNP, and we want to develop at the RNP density and uh- standards. So, as you can- will see as I got through this, we do have some of the waiver of development standards, uh- as part of this application that are associated with the RNP in particular. Um- our request to, uh- waive off-site improvements which would be consistent with the area. Um- as mentioned, we have 42 lots we are taking access off of uh- Cimarron here. Again, Wigwam to the north, you can kind of see it circulates through 42 lots, uh- again, all built at the RNP standards. Uh- really what um- I think are before you are two main issues. Uh- one is the grading, um- and that relates to the proposed wall height waivers. And then the second portion of that is um- with respect to vacation and abandonment of certain right of ways. So, uh- let me get into uh- really the heart of those issues.

Um- we did have a neighborhood meeting, um- prior to our Planning Commission Hearing, uh- first uh- part of October. Um- at that meeting, we went into detail um- where the grading and wall height waivers are going to occur. Um- as you generally know, uh- in the valley, really everything generally slopes west to east, that is uh- no different um- in our case as well. So again, we have Cimarron uh- that is to the east, Wigwam to the north. Um- because we have to drain towards the east and over towards what is, uh- dedicated to a park, we have been putting in drop inlet right here at our entrance to go under Cimarron and then flow into the existing uh- natural flow uh- that is to the east. That is really the primary driving force why we are taking access off of Cimarron. Um- because of that, we have to kind of stack up the lots a little bit higher to the west and then flowing down to the east. But we are predominately the lower uh- lower to our adjacent property owners to the uh- west and to the south.

Right here is a, uh- a good picture. This is a picture taking from Wigwam down what is our uh- west property line. Uh- you can see our resi- you can see the- the uh- our adjacent property owner here. Uh- quite a bit different grade level. Quite a bit higher on their side. You can see existing residential development, also to the west along here. Uh- again, their ele- their pads elevated quite a bit above ours. While we do have to elevate our pads, as I mentioned, so that drainage can flow to the east, we will still be at below their grade.

Really, this is kind of a heat map we've created to show you different elevations. Um- and all the pink areas, right here, our sites are actually going to be below the existing grade to our neighbors. It is just in two minor areas which I'll explain here in a second, why these pads have to be elevated slightly above our neighbors. But really, the- this is where the flow is going from west to east. You can also see we have highlighted different colors in here identifying the wall heights associated with that. We do need to have uh- wall heights a little bit increased above the three-foot retaining and six-foot screen wall. Again, that is really to retain our properties- our neighbors' properties, not so much for our use. Our internal wall heights is really where it's going to be four to five feet retaining and the six foot screen wall where it may be 10 feet, and that is generally uh- internal to the site.

CELESTE

Uh- we do have two lots right here that um- will be elevated slightly above our adjacent neighbors. The reason we have to elevate these two lots is because these are at the end of the cul-de-sac. These have to drain back out into our private streets, so that they can then get into the drop inlet to convey the flow on the other side of Cimarron, into this area. So, this is really at the heart of the reason for the increase in grading as well as it's related to the increase for the wall height in this area.

The second uh- issue is the vacation and abandonment. Uh- today right now we have, uh- Tomsik and Cougar. Tomsik running uh- north south, Cougar running east west, that bisects our site here. And I'll show you... Probably be easier if I show you both here. If you can zoom out. So, we are asking to vacate Tomsik from Wigwam down to Ford, and Cougar from Gagnier to Cimarron there. And then we have the related pad easements. And that will help, uh- with a uniform development um- for our site here. This is uh- we think the best uh- result that- for the neighborhood that provides a nice, uh- uh- community, 42 lot subdivision. Again, at 1.8 units to the acre.

Um- because uh- we are also asking to vacate and abandon uh- various portions of right of way, we do have a trail um- horse trail uh- exhibit that uh- needs to be amended. This right here is the planned amendment for the horse trail. Can see the yellow right here is the existing trail. Um- it is right here, the red T portion is what cuts across our site, really along the Cougar and Tomsik alignments. We are requesting to amend that to the blue, so that it would go down Cimarron, down to Ford to Gagnier and then connect back up to the Wigwam alignment. Um- we do have a couple different options, um- we could keep it all on our site. Today the alignment uh- for the trail goes through the County park property um- and then continues through this way. We could potentially take it north along Cimarron and then west along Cimarron where it could connect too. And then that way we can keep it all on our property and develop it as part of our uh- landscape element through there. Uh- we appreciate staff's recommendation of approval on the trail amendment. We appreciate Planning Commission's uh- approval on the development in a whole.

One final thing I failed to mention is um- we are proposing all single-story homes. The height of those homes are about 21 feet in height. And we are more than happy to agree to a condition that uh- allows only one-story homes. Um- with that, uh- more than happy to answer any questions you may have.

JONES

Thank you, Mister uh- Celeste. Thank you, Mister Celeste. Um- this is a public hearing. Anyone wishing to provide public comment, please step forward to the microphone, state your name, and limit your comments to three minutes.

LINDA WISZT

These are packets, to be given to the Commissioners? How do-

Hello, my name is Linda Wiszt, W-I-S-Z-T, at 8296 West Ford. My property uh- adjoins, um- the... trying to get... this project. Um- the project is - is right in here, my lot's right here.

Um- so I've given a packet of information. I don't assume what you guys have or not, but this is what we're talking about, so you've got it handy. Um- but one of the things is in the- the County has gone through and done a Master Plan and in the Title 30 and it talks about um - the areas with large lots. And it says the goal is, "Preserve the integrity of contiguous and uniform neighborhoods through development regulations that encourage compatible, in-fill development. It also encourages in-fill development within RE neighborhoods in accordance with the compatibility considerations contained in the neighborhood land use, um- category definitions." Um- this large, walled enclave does not fit with the openness of the surrounding neighborhood. And we're the ones that, with the decision if it gets approved, we have to suffer the consequences of the neighborhood having this big, giant walled in, um- facility.

There is, you know, all their applications are ones that they've created. Um- anyway, upcoming changes to the Title 30 would not even allow some of this stuff. They only have a single entrance and on Cimarron, which is going to be high traffic, it's getting incredibly more traffic, and now we'll just add more with all the coming and going. Um-

This map is um- kind of helps show more of the terrain. Cougar is right here, and if Cougar were to stay open, which is what we're proposing, that Cougar and Tomsik stay open, more of the water would flow straight through. Um- they wouldn't have to redirect it through four 90 degree turns, throughout their subdivision. Um- and- and Tomsik and we can, you know, m- m- make the water flow better. Um- and hopefully mitigate some of the walls. I do not want a nine- and 12-foot wall behind my fence. Um- and- and most of the neighbors here, that we've talked to a lot of them, unfortunately they're all working, and they can't be here, but nobody wants these walls, especially the 12 foot walls. Just for their- their water stuff.

The- the washes are not even very big washes. They're- they're- um- where like Gagnier, it- it stops because of a bigger wash up here. Um- Tomsik does go through all the way to Raven to the south and it will continue on until it hits the wash further up here. Gagnier is actually even shorter. But to do that and- um-

JONES

You can wrap up, Miss Wiszt.

WISZT

... Okay. And then um- the other map was, it shows the neighborhood as a whole. In- in- in a bigger view that almost all these- these subdivisions are all have open roads. Um- it was mentioned how DR Horton did a really good job on Ford, on the east of Cimarron. Uh- we're not suggesting that they turn their- their houses toward Cimarron or Wigwam, because those are heavy streets, but by having an

open interior, um- roads then they would be more open and they can face inwards on- on that.

WISZT So, um- and then that way, if it- if the roads stayed open, there wouldn't be a need of changing the uh- horse trail. And I'm not giving back my right of way, I don't know why, they um- insisting on taking our chunk of Tomsik, which is County maintained, County put it in, and they want to vacate this and gracious enough, give it back to us as a private street. We don't want a private street, we want the County Road right here. We've already given our right of ways, it's already set. We don't want the burden of...

JONES Thank you-

WISZT - putting in a cul-de-sac.

JONES Thank You Miss Wiszt

CARRIE NEWTON Good afternoon. My name is Carrie Newton, N-E-W-T-O-N. I live at 8320 West Ford Avenue. Um- I am uh- the house here. We have two acres there. Um- we- we have a pr- I would like this um- to be denied in its entirety, because um- it- Mister Canterelli owns this property, and he shouldn't get um- special treatment. I know he's a big guy in this town, but he's not developing this. He doesn't build houses anymore. And so, this is just for him to resell this.

So, as a- as a neighborhood, and an RNP, we need the roads left open so that we can have traffic flow so that no one, um- house, or anything has to share- has to have the burden of all the traffic on a couple of roads out here. We need the roads open so that we can move about. It sets a bad precedent. Um- Mister Canterelli owns some more property out here and you would be giving then, every developer to come out here and put in a big, walled island. All the other developers, you have had them, this Board and previous ones have had them leave it open. DR Horton, um- Pardee, um- all the other ones that have even um- Richmond, and all the others have open so that you can walk through, so the horses can go through, kids and dogs, everybody, walks through. That's what the RNP was set up to do.

Um- the um- when Tony was talking about their density, that's because he's sucking up property that's not his. Those roads are not his. Most of Cougar's, um- right of way has been already dedicated. And we have dedicated our portion of Tomsik, there's only that one spot. It's- Tomsik is dedicated north and south. So, there's no reason why it can't be put in. There's no reason why this development, which is fine, nothing wrong with putting in the houses, but that they could just leave the roads and leave the horse trail in and not put in one entrance, gated.

Um- we are planning on dividing our- part of our property. So, for a half-acre. We've planned this for a long time for our son. He's started the process already in September. My daughter in law is here and um- we want to be able to have access. They want them to have the road through so that they can use that as access, um- for their property. So, I would just really humbly ask that you would deny this pro- this project. Thank you.

JONES Thank you, Miss Newton. Next Speaker.

NICOLA JOHNSON Hi, my name is Nicola Johnson. I live at 86-

JONES

Can you please use the handheld mic (inaudible)?

JOHNSON

Oh, sorry. My name is Nicola Johnson. I live at 8655 South Cimarron Road. Um- I own this property on the southwe- southeast corner of Cimarron and Ford. Southwest corner, right there.

Um- my husband and I have been Clark County residents for over 30 years. We have lived in our home for over 22 years. We specifically purchased this two-acre lot in- in Enterprise because of it's strong, southwest area, rural network, other known as SWAN, uh support and it's commitment to ensuring a sense of rural living in one of the last few vestiges of respite in Las Vegas, in the valley. My husband and I vehemently oppose all of the amendments presented today. We know that they violate the existing RA land use and in a rural preservation neighborhood, they are not acceptable.

Regarding the equestrian trail plan amendment, I breed and train horses at this location and have done so for 22 years. I, and multiple resident equestrians in this neighborhood, use the local streets and BLM land in addition to the approved neighborhood equestrian trails as they stand. I, and all of the neighborhood horse owners are strongly opposed to modifications of the existing final trails map, 2022, as published on your website. It would reroute horses and bicyclists from quiet, less busy side streets, onto the proposed throughway of Cimarron Road, which eventually will come from Blue Diamond Highway to the 215 beltways. This is a recipe for disaster in the form of multiple accidents waiting to happen. Horses can be skittish and bicyclists are vulnerable to drivers who even now, exceed the current posted residential speed limit of 25, by 10 to 20 to 30 miles on a regular basis. This is extremely dang- dangerous.

My husband and I also vehemently oppose road abatements, development standards, design reviews that are listed in this proposal. None of these amendments follow the land use in an RNP. Just think, if the roads are not ebate- abated, flood waters do not need to be diverted, the finished grade of the houses do not need to be raised and they can stay at code, and not raised an additional three feet. Therefore, a retaining wall, which the maximum height is already at 9 feet, will not be raised to 12 feet, and that 12 feet sits right outside my master bedroom window. Right now, I look out on many acres in a beautiful valley, I do not want to stare at a block wall.

The last issue we have, is that I ask- is the one access road into a subdivision onto Cimarron Road. This is unacceptable. It does not consider traffic mitigation, emergency vehicle access, and road construction detour access. Just this morning, at six o'clock this morning, my husband had to wait behind nine cars at a stop sign, on both corners of Cimarron across Wigwam, because traffic mitigation was not considered. And there is no mention of that in these proposals.

JONES

Thank you, Miss Johnson. Can you wrap up please?

JOHNSON

Each of these amendments are in direct contradiction to rural estates land use in a rural preservation neighborhood and that is what we need you to support.

JONES

Thank you.

JOHNSON

Thank you for your time.

JONES

Next speaker.

BRIAN NEWTON

My name is Brian Newton. I live at 8320 West Ford Avenue. And I would ask that you would deny this project. The developer is requesting to vacate Tomsik uh- between Ford, which is to the south, to Wigwam, to the north. And I do not want Tomsik vacated.

In 2003, Clark County Public Works was doing paving projects in our area, and they contacted us and our neighbor to the east in regarding paving Tomsik uh- from Ford to the end of our properties, because there was no other development out there. And um- at that point, we agreed for that so that the County would be responsible and maintain the road.

I'm currently subdividing the property and once I subdivide it, the only access to part of the- one of the parcels is from Tomsik. So, to remove my road, I have to make a private drive and have an additional expense. Meanwhile, the County is maintaining it and I'm thankful for my tax dollars being used to at least maintain that road. So, I'm requesting denial of this proposal because of the roads he wants to vacate, plus the other thing is of course, the fence and the wall that he will create, will create draining from um- west to east, will be a complete wall running from Gagnier, all the way to uh- Cimarron, and that wall will make the water all divert towards the back of my property and all the adjoining neighbors.

So, I wish you would consider denying this project due to those factors. Thank you.

JUSTIN JONES

Thank you, Mister Newton. Anyone else? I'm seeing none-

CARRIE NEWTON

I'm sorry, can I um- a neighbor had to leave, um- and he wrote um- a note. I wonder if I could just read it real quick.

JONES

Sure.

CARRIE NEWTON

He is um- in this cul-de-sac here. So, he has um- he'll be having that wall behind him. His name is Dan Belchar, B-E-L-C-H-A-R. He lives at 8510 Gagnier.

Um- there is that easement behind this um- cul-de-sac, that they are using, and the County had them put in a drainage pipe there. So that easement right behind that cul-de-sac is already in and being used um- and they're asking to have that easement and there's already a- a drainage um- being used for drainage in there. So, he was concerned about that, and he wanted to keep that easement. So, thank you.

JONES

Thank you, Miss Newton. Um- with that, we'll go ahead and close the public comment period and uh- Mister Celeste, you can come back up and address uh- the concerns that were raised. And I- I will just say, and this is for you, Antonio, perhaps first, I have an issue with vacating roads um- that are not on the um- applicant's property, um- so if you could address that first.

PAPAZIAN Thank you, Commissioner. Um- the reason why uh- we're requesting uh- the way we are requesting is because Title says you have to vacate from intersection to intersection. And unfortunately, they don't own all the way to the intersection, so they have to include it in their vacation.

Um- with va- vacating Tomsik next to the homes that exist, they won't use- they won't lose the right to use Tomsik, adjacent to their property, it'll just become private property.

JONES I think that's a burden on the neighbors that they didn't take upon themselves, so (laughs) if- if you're telling me that it can't be done absent that, then quite frankly, I- I'll have to deny the- the request on- on that. So, I, unless you guys can work something out, then-

PAPAZIAN (laughs)

JONES ...then we'll deny that.

PAPAZIAN Commissioner, with- with- up to you, you can request the vacation to end where you request.

JONES Alright- alright. Okay. Alright, then uh- Tony, do you want to address some of the other- I know there was a- a- Miss Newton suggested that the wall behind her house would be 12 feet. I understood it from your presentation that 12 feet would only be for the internal walls, so can you go over that once again?

CELESTE Uh- yes. So here is our retaining wall exhibit, um- might be hard to see, but right here is the legend where we show retaining wall portions that will um- exceed the three feet. So yellow, we have identified um- four to five feet, worst case scenario, of retaining wall, which on top of the screen wall would make it anywhere from 10 to 11 feet. That occurs internal to the site, right at this location and just a little bit right here on the corner at Wigwam.

Um- Miss- the Newtons live in this area right here, and um- they are one of the lots that we iden- our adjacent lot will be slightly higher, but you can see by our legend, we believe it is- they have the red and blue, so anywhere from one to about three feet additional uh- retaining. So, uh- that retaining wall would be- so a retaining wall of one to three feet there on top of the screen wall so an eight- to nine-foot-tall wall in these areas right here. Uh- but 12- any 10 feet or above would be really internal to the site. Um- so it would be in this location right here where it's probably eight feet.

JONES Alright. Um- I drove the entire site last night. I drove every neighborhood over there. Um- and my perception is, I- I- understand the concerns with regards to the vacations, however Cougar is not a road, at all, and um- Tomsik, other than the s-small, paved area in front of Newton's home, um is also not paved. It's not a road, it's just dirt. Um- and so, I understand the recommendation of approval of vacation of those roads, however I will limit the vacations only to those that are on the applicant's property.

With regards to moving the horse trail, um- we've had multiple applications in

JONES this area to move the horse trail. I- I- from driving around there, I don't know that there really is a horse trail, it appears to me that it's more like a couple of signs and some lines on- on the road. And so, my- my preference would be that we hold that item, um- for further discussion with the neighbors, because it's my intent to ask the applicant to uh- pay for- uh- contribute to a fund in order to pay for um- a real horse trail out there, and to work with the neighbors to identify where makes most sense in order to establish that in a more permanent basis, than just putting up a sign here or there. Um- so that's kind of where I am on that one. So, are you comfortable with holding that particular item?

CELESTE Yes, we can do that and work with you, your office on uh- contributions. Okay. Nancy.

AMUNDSEN Um- I understand why we would hold those, the problem is, we have a horse trail going through the middle of a development, that if you approve the development as it is, it's inconsistent with our trails map.

So, I'm kind of- it might be best ...

CELESTE I-

AMUNDSEN -if everything is held so that you can work all of that out.

CELESTE I'm happy to hold this for 30 days. Work with neighbors, uh- Planning, and see- your office obviously to see how best to uh- relocate the trail. So, 30-day hold is- we can agree to that.

AMUNDSEN Until December 21st.

CELESTE Yes, thank you.

AMUNDSEN Thank you.

JONES Alright, Antonio.

PAPAZIAN Thank you, Commissioner. It sounds like we may go the route of the vacate- the vacation of the road ending at the northerly property line of the already uh- built homes. If that's the case, since we're holding it for 30 days, they will have to provide a County approved turn around. They might want to include that in- on Cougar and on Tomsik as well, in their plans.

CELESTE If- so I think I understand, certainly the direction I'm hearing regarding Tomsik, um- I think our intent though is still to move forward with the-, well, with the complete vacation of Cougar. So...

JONES That's fine.

CELESTE -we'll keep everyone informed-

JONES Cougar is not paved-

CELESTE Yeah.

JONES You know, I drove it last night.

CELESTE Right. (laughs)

JONES So, a little different.

CELESTE Okay.

JONES Um-

CELESTE But yes, we'll work with Planning, Public Works, your office, neighbors in the next here couple of weeks with respect to any revisions to the plan and so forth.

JONES I appreciate that. Then with that, I will go ahead and move for- move to hold agenda Items Number 58, 59, 60, 61, and 62. Motion carries.

CELESTE Thank you.

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the applications for Item Nos. 58, 59, 60, 61 and 62 be held until December 21, 2022.

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

ITEM NO. 59 CP-22-900623: Authorize the Chair to sign a resolution amending the Clark County Trail Map - Las Vegas Valley of the Clark County Master Plan; and direct staff accordingly. (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be held until December 21, 2022.

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

ITEM NO. 60 VS-22-0457-CANKIDS INVESTMENTS 2012:

VACATE AND ABANDON easements of interest to Clark County located between Wigwam Avenue and Ford Avenue, and between Cimarron Road and Gagnier Boulevard; a portion of a right-of-way being Tomsik Street located between Cougar Avenue and Ford Avenue; and a portion of a right-of-way being Cougar Avenue located between Tomsik Street and Gagnier Boulevard within Enterprise (description on file). JJ/lm/syp (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote,

that the application be held until December 21, 2022.

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

ITEM NO. 61 WS-22-0456-LH VENTURES, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase retaining wall height; and 2) full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving).

DESIGN REVIEWS for the following: 1) single family residential subdivision; and 2) finished grade on 22.5 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the south side of Wigwam Avenue and the west side of Cimarron Road within Enterprise. JJ/lm/syp (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be held until December 21, 2022.

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

ITEM NO. 62 TM-22-500163-CANKIDS INVESTMENTS 2012:

TENTATIVE MAP consisting of 42 single family residential lots and common lots on 22.5 acres in an R-E (Rural Estates Residential) Zone. Generally located on the south side of Wigwam Avenue and the west side of Cimarron Road within Enterprise. JJ/lm/syp (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by the following vote, that the application be held until December 21, 2022.

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

ITEM NO. 63 AG-22-900700: Discuss whether to bring forward an ordinance to amend the Official Zoning Map for certain nonconforming zone boundary amendments, and direct staff accordingly. (For possible action)

AMUNDSEN And then the last um- Item AG 2290700 is to discuss whether to bring forward and ordinance to amend the official zoning map for certain non-conforming zone boundary amendments and direct staff accordingly.

Commissioners, as we have discussed, um- with the new process where we're not processing non-conforming zone boundary amendments, we have over 140 files for resolution of intent. We believe about half of those we could convert to hard

AMUNDSEN zoning that either makes sense because of the neighborhood or would make sense because of the um- construction that's occurring on the site.

So, our request is for direction to be able to bring those forward, those that- that are deemed appropriate, forward for hard zoning.

JONES Great. Any discussion from the Board? Thumbs up. All good. Okay.

ACTION: Staff directed.

PUBLIC COMMENT:

AMUNDSEN Okay, and then the last is public comments.

JONES This is the second time set aside for public comment. Anyone wishing to provide public comment, please step forward to the microphone, state your name, and limit your comments to three minutes. Seeing none. We'll go ahead and close the public comment and we are adjourned.

AMUNDSEN Thank you.

There being no further business to come before the Board at this time, at the hour of 1:28 p.m., the meeting was adjourned.

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

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