

Board of County Commissioners

CLARK COUNTY, NEVADA

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

COMMISSION CHAMBERS, GOVERNMENT CENTER
500 SOUTH GRAND CENTRAL PARKWAY
LAS VEGAS, NEVADA 89106
WEDNESDAY, MAY 3, 2023

The Board of County Commissioners of Clark County, Nevada met in recessed regular session in full conformity with law and bylaws of said Board at the regular place of meeting in the Commission Chambers, Government Center, Las Vegas, Clark County, Nevada on Wednesday, the 3rd day of May 2023, at the hour of 9:00 a.m. The meeting was called to order at 9:01 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
William McCurdy II
Ross Miller
Michael Naft
Tick Segerblom

Absent:

None

Also Present:

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

ITEM NO. 1 Public Comment

JIM GIBSON

Good morning. This is the time for our zoning meeting. The meeting will come to order. The first item of business is public comment. In this public comment period, the first of two, we'll invite people to come forward to speak on any particular agenda item. Please give us your name, spell your last name for our clerk then indicate to us which agenda item you're speaking to. And then please keep your comments to three minutes. Mister Uehling.

ED UEHLING

Yes. My name is Ed Uehling. I wanted to speak on the item regarding the whatchamacallit. The underground railroad. Or, underground... What's the name of the company? And the -

GIBSON

The Boring Company.

UEHLING

The Boring Company. Yeah. Okay. That item, I'm suspecting as a result of areas - things that are happening outside, that the company has had to pay money to the Commissioners in order to get this project going.

And I wanted to request that the Commissioners reveal how much they've received, or either voluntarily or involuntarily from The Boring Company in order to do this. And in fact, I'd like you to tell us what this - what's the statistics are for everyone, every agenda item. Thank you.

GIBSON

Is there anyone else who wants to speak this morning on an agenda item? Good. Then no one has spoken on an agenda item this morning. We'll close the public comment period. Nancy?

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. For the applicants and audience's information, please be aware that additional renotification fees may be required if 85 days have passed since initial notification or there are modifications to the original application.

Staff has the following requests: hold to the May 17, 2023 BCC meeting, Item 4, AR-23-400023. Hold to the June 7, 2023 BCC meeting Item 28, WS-23-0107. The above public hearing items are going to be open as a public hearing and immediately recessed until the dates as previously stated.

In addition, for the Board's information, Item 51 from yesterday's business agenda, which was to conduct a public hearing for franchise agreement has been forwarded to this meeting to be heard with Item 25 on the zoning agenda. *May 2, 2023, BCC meeting agenda Item No. 51 Conduct a public hearing; adopt, approve and authorize the Chair to sign the First Amendment to the franchise agreement with TBC - The Boring Company to revise the security for performance and replace Exhibit B with an extended route map and improvements; and providing for other matters properly related thereto. Commission District: All (For possible action)*

With these deletions, which are Items 4 and 28, and with the addition of Item 51

AMUNDSEN from Tuesday's business agenda, this zoning agenda stands ready for your approval.

GIBSON Thank you. Are there any additional items that we would either hold or move from our routine action items portion of the agenda? There being nothing, I'll entertain a motion.

JUSTIN JONES Move approval.

GIBSON There's a motion for approval of the agenda. Please cast your votes. 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 April 5th, 2023 zoning meeting are ready for your approval.

JONES (unintelligible)

GIBSON Are there any additions or corrections? There's a motion for approval of the minutes. Please cast your votes. The motion carries.

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

ROUTINE ACTION ITEMS (4-24)

AMUNDSEN Next are the routine action items, which consist of Items 4 through 24, except any items previously deleted. These items may be considered together in one motion and are subject to the conditions listed with each agenda item unless modified.

Staff has the following request. For Item 10, WS-23-0108 we request to add a condition to read "per revised plans dated May 1, 2023". If there are no objections from the audience, the public hearing is now open and the routine action portion of the agenda stands ready for your approval.

GIBSON I'll entertain a motion on the non-routine action items.

JONES (unintelligible)

GIBSON There's a motion for approval by Commissioner Jones.

UNIDENTIFIED SPEAKER (unintelligible)

GIBSON I'm sorry. What did I call him?

UNIDENTIFIED SPEAKER (unintelligible)

GIBSON The, yes. That's because that's what it's at the top of the page, which is the next page (laughs). The routine action item. The motion was correct. The routine action items.

UNIDENTIFIED SPEAKER (unintelligible)

GIBSON I will. Now I'll vote 'cause I got the motion right. And the motion carries.

AMUNDSEN Next we've had a request to advance Items 37 and 38 to be heard now, if that's okay.

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

ITEM NO. 4 AR-23-400023 (UC-21-0657)-RENEGADES MINES PARTNERS, LLC:
USE PERMIT FIRST APPLICATION FOR REVIEW for a heliport.
WAIVER OF DEVELOPMENT STANDARDS for landscaping and screening.
DESIGN REVIEWS for the following: 1) heliport; and 2) final grading plan for a Hillside Development on 10.7 acres in an R-U (Rural Open Land) Zone. Generally located 1.4 miles east of US Highway 95 and 1.7 miles north of Cottonwood Cove Road within Searchlight. MN/jgh/ja (For possible action)

ACTION: Deleted from the agenda (held to May 17, 2023 per the applicant).

ITEM NO. 5 ET-23-400022 (UC-20-0511)-ORTON RYAN & KELLY:
USE PERMIT FIRST EXTENSION OF TIME to increase the size of an accessory apartment in conjunction with a single family residence.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setback for an access gate; and 2) modified residential driveway design standards on 1.0 acre in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the south side of Tropical Parkway, 150 feet east of Campbell Road within Lone Mountain. RM/dd/ja (For possible action)

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until March 28, 2025 to commence.
- 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 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

- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Tropical Parkway improvement project;
- Compliance with previous conditions.

ITEM NO. 6 VS-23-0101-HAND PROPERTY HOLDING COMPANY:
VACATE AND ABANDON a portion of a right-of-way being Buffalo Drive between Cactus Avenue (alignment) and

Erie Avenue (alignment); and a portion of right-of-way being Cactus Avenue (alignment) between Buffalo Drive and Durango Drive (alignment) within Enterprise (description on file). JJ/jud/ja (For possible action)

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

CONDITIONS OF APPROVAL –

Comprehensive 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

- Coordinate with Public Works - Development Review Division regarding the purchase of the vacated right-of-way;
- 30 days to coordinate with Public Works - Construction Management Division and to dedicate any necessary right-of-way and easements for the Cactus Avenue improvement project;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

ITEM NO. 7 WC-23-400021 (ZC-2144-04)-FUSION GROUP NEVADA, LLC:

WAIVER OF CONDITIONS of a zone change requiring landscape plans on file on 0.9 acres in an M-D (Designed Manufacturing) (AE-60) Zone. Generally located on the south side of Helm Drive, 530 feet east of Spencer Street within Paradise. JG/rk/syp (For possible action)

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

ITEM NO. 8 VS-23-0096-FUSION GROUP NEVADA, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Helm Drive and Pama Lane, and between Spencer Street and Surrey Street; and a portion of right-of-way being Helm Drive located between Spencer Street and Surrey Street within Paradise (description on file). JG/rk/syp (For possible action)

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

CONDITIONS OF APPROVAL –

Comprehensive 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

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

ITEM NO. 9 DR-23-0095-FUSION GROUP NEVADA, LLC:

DESIGN REVIEWS for the following: 1) office/warehouse building; and 2) finished grade on 0.9 acres in an M-D (Designed Manufacturing) (AE-60) Zone. Generally located on the south side of Helm Drive, 530 feet east of Spencer Street within Paradise. JG/rk/syp (For possible action)

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County 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;
- 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.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

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 #0076-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 10 WS-23-0108-SG VEGAS OWNER LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) increase the number of projecting signs.

DESIGN REVIEW for modifications to an approved comprehensive sign package in conjunction with an existing shopping center on a 1.8 acre portion of a 6.0 acre site in an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the east side of Las Vegas Boulevard South, 1,332 feet north of Tropicana Avenue within Paradise. JG/hw/syp (For possible action)

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Per revised plans dated May 1, 2023.
- 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.

ITEM NO. 11 WS-23-0124-BEEDLE NV PROPERTY, LLC:

AMENDED WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) permit encroachment into airspace (no longer needed); 2) waive detached sidewalks; and 3) allow a modified driveway design.

DESIGN REVIEWS for the following: 1) distribution center; and 2) finished grade on a 4.9 acre parcel in an M-D (Designed Manufacturing) (AE-75 and APZ-2) Zone. Generally located on the east side of Lincoln Road, 630 feet north of Alto Avenue within Sunrise Manor. WM/rk/syp (For possible action)

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

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County 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 4 years of approval date or it will expire.

Public Works - Development Review

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

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 #0005-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 12 TM-23-500025-BEEDLE NV PROPERTY, LLC:

TENTATIVE MAP for a commercial subdivision on a 4.9 acre parcel in an M-D (Designed Manufacturing) (AE-75/APZ-2) Zone. Generally located on the east side of Lincoln Road, 630 feet north of Alto Avenue within Sunrise Manor. WM/rk/syp (For possible action)

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

CONDITIONS OF APPROVAL –

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0005-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 13 ZC-23-0104-BEEDIE NV PROPERTY, LLC:

ZONE CHANGE to reclassify 5.0 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) waive cross access requirements; 2) reduce throat depth; and 3) reduce driveway departure distance.

DESIGN REVIEWS for the following: 1) distribution center; 2) alternative parking lot landscaping; and 3) finished grade on 6.1 acres in an M-D (Designed Manufacturing) (AE-60) Zone in the CMA Design Overlay District. Generally located on the northeast corner of Sunset Road and Pioneer Way (alignment) 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.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County 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 waivers of development standards and design reviews must commence within 4 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 55 feet to the back of curb for Sunset Road, 25 feet to the back of curb for Pioneer Way, and associated spandrel;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Sunset Road improvement project;
- Coordinate with Public Works - Development Review for the median configuration on Sunset Road.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the vacation of excess right-of-way, 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 #0008-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 14 VS-23-0105-BEEDIE NV PROPERTY, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Post Road (alignment) and Sunset Road, and between Pioneer Way (alignment) and Tenaya Way; and a portion of a right-of-way being Pioneer Way located between Post Road (alignment) and Sunset 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.

CONDITIONS OF APPROVAL –

Comprehensive 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 55 feet to the back of curb for Sunset Road, 25 feet to the back of curb for Pioneer Way, and associated spandrel;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Sunset Road improvement project;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way, dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

ITEM NO. 15 TM-23-500020-BEEDIE NV PROPERTY, LLC:

TENTATIVE MAP for an industrial subdivision on 6.1 acres in an M-D (Designed Manufacturing) (AE-60) Zone in the CMA Design Overlay District. Generally located on the northeast corner of Sunset Road and Pioneer Way (alignment) within Spring Valley. MN/gc/syp (For possible action)

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

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Obtain permission from Clark County Real Property Management to dedicate for over pavement and drainage ditch on Department of Aviation parcel 163-34-401-015.
- 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;
- 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 55 feet to the back of curb for Sunset Road, 25 feet to the back of curb for Pioneer Way, and associated spandrel;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Sunset Road improvement project;
- Coordinate with Public Works - Development Review for the median configuration on Sunset Road.
- 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, the vacation of excess right-of-way 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 #0008-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 16 ZC-23-0122-PN II, INC.

ZONE CHANGE to reclassify 9.5 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.

USE PERMIT for a Planned Unit Development (PUD).

WAIVER OF DEVELOPMENT STANDARDS to reduce right-of-way width dedication.

DESIGN REVIEWS for the following: 1) a detached single family residential Planned Unit Development; and 2) finished grade in the CMA Design Overlay District. Generally located on the north side of Patrick Lane and the east side of Tomsik Street within Spring Valley (description on file). MN/jor/syp (For possible action)

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

CONDITIONS OF APPROVAL -

Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Provide a tot lot with shade structures within the open space areas;
- No roof top decks;
- 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 the use permit, waiver of development standards, and design reviews must commence within 4 years of approval date or they will expire.

Public Works - Development Review

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

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 #0113-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 17 VS-23-0123-PN II, INC.:

VACATE AND ABANDON a portion of right-of-way being Oquendo Road located between Tomsik Street and Cimarron Road; a portion of right-of-way being Patrick Lane located between Tomsik Street and Cimarron Road; and a portion of right-of-way being Tomsik Street located between Oquendo Road and Patrick Lane within Spring Valley (description on file). MN/jor/syp (For possible action)

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

CONDITIONS OF APPROVAL –

Comprehensive 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

- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Flamingo, Cimarron Branch improvement project;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

ITEM NO. 18 TM-23-500024-PN II, INC:

TENTATIVE MAP consisting of 95 lots and 6 common lots on 9.5 acres in an R-2 (Medium Density Residential) Zone in the CMA Design Overlay District. Generally located on the north side of Patrick Lane and the east side of Tomsik Street within Spring Valley. MN/jor/syp (For possible action)

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

CONDITIONS OF APPROVAL -

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

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 #0113-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 19 ORD-23-900045: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Signature Land Holdings LLC for a single family residential development on 2.7 acres, generally located south of Serene Avenue and east of Jones Boulevard 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. 5035) be approved.

ITEM NO. 20 ORD-23-900060: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with GS-OI South Las Vegas Boulevard Owner LLC for a multiple family residential development on 15.1 acres, generally located south of Chartan Avenue and east of Las Vegas Boulevard 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. 5036) be approved.

ITEM NO. 21 ORD-23-900076: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with PSIF EBS Rainbow LLC for a distribution/warehouse complex on 14.8 acres, generally located south of Richmar Avenue and east of Rainbow Boulevard 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. 5037) be approved.

ITEM NO. 22 ORD-23-900122: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Storage Brothers, LLC & Sierra Ridge Storage, LLC for a commercial development on 2.1 acres, generally located east of Southern Highlands Parkway and north of Dancing Winds Place (alignment) 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. 5038) be approved.

ITEM NO. 23 ORD-23-900131: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Myers Warehouse LLC for an industrial development on 5.0 acres, generally located south of Arby Avenue and east of Myers Street 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. 5039) be approved.

ITEM NO. 24 ORD-23-900135: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Sunset and Durango Partners, LLC & Sunset and Durango Partners Phase 2, LLC for a recreational/commercial development on 9.7 acres, generally located north of Sunset Road and west of Durango Drive 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. 5040) be approved.

ITEM NO. 25 UC-23-0126-HCI-CERBERUS 160 EAST FLAMINGO HOTEL OWNER L P, ET AL:
USE PERMIT for a monorail.

DESIGN REVIEW for a monorail on approximately 302.0 acres in an H-1 (Limited Resort and Apartment) Zone, an M-1 (Light Manufacturing) Zone, an H-1 (Limited Resort and Apartment) (AE-60, AE-65, & AE-70) Zone, an R-T (Manufactured Home Residential) Zone, an R-4 (Multiple Family Residential) – (High Density) (AE-60 & AE-65) Zone, a P-F (Public Facility) (AE-65 & AE-70) Zone, a C-1 (Local Business) (AE-70) Zone, and a C-2 (General Commercial) (AE-65) Zone within the Midtown Maryland Parkway Overlay District. Generally located between Sahara Avenue and Blue Diamond Road, and between Maryland Parkway and Decatur Boulevard within Winchester, Paradise, and Enterprise. MN/TS/JG/JJ/jor/syp (For possible action)

AMUNDSEN

Next, are Item 25 and Item 51 from yesterday's business meeting.

Item 25 is UC-23-0126, use permit for a monorail. A design review for a monorail on approximately 302 acres in an H-1 (Limited Resort in an Apartment) Zone. And M-1 (Light Manufacturing) Zone. An H-1 (Limited Resort and

AMUNDSEN

Apartment) (AE-60, AE-65 and AE-70) Zone. An R-T (Manufactured Home Residential) Zone, an R-4 (Multiple-Family Residential) – (High-Density) (AE-60 and AE-65) Zone, a P-F (Public Facility) (AE-65 and AE-70) Zone, a C-1 (Local Business) (AE-70) Zone and a C-2 (General Business) (AE-65) Zone within the Midtown Maryland Parkway Overlay District. Generally located between Sahara Avenue and Blue Diamond Road in between Maryland Parkway and Decatur Boulevard within Winchester, Paradise, and Enterprise.

On this item, the Clark County Water Reclamation District had requested that we modify their first bullet. They would like to remove the last statement, which reads, "And tunnels are required to be at least 40 feet deep at major streets." And they would like to instead add, "Final depth of all tunnels are subject to Clark County Water Reclamation District approval."

Item 51 from yesterday is to conduct a public hearing, adopt, approve and authorize the Chair to sign the First Amendment to the franchise agreement with TBC - The Boring Company to revise the security for performance and replace Exhibit B with an extended route map and improvements, and provide for other matters properly related thereto.

GIBSON

Good morning, Miss Allen.

STEPHANIE ALLEN

Good morning, Mister Chairman, Commissioners. Stephanie Allen, 1980 Festival Plaza Drive. Here on behalf of the applicant in The Boring Company. With me today, is Steve Davis and his team from The Boring Company. And I'm pleased and proud to be here this morning to give you an update on the existing system and to request your approval for an expansion of that system.

The Vegas Loop Expansion project update is as follows. We've got about 2.2 miles of tunnel that's currently constructed and operational. This is the existing five stations that are existing. There are four at the convention center and one at the Resorts World. All successful with a rating, passenger rating, of 4.9 out of 5.

So riders that are riding this system are having a great experience. We just surpassed the one millionth passenger, as you can see in this photo down below. They've transported 1,150,000 people in existing system. The peak in one day is more than 32,000 passengers in one day, just in this small tunnel system that's existing. The peak in one hour is more than 4,500 passengers in an hour.

And as I mentioned, the average customer rating is 4.9 out of 5. So extremely successful. What we're here today for is an expansion of the system. This is the map. If I could just zoom out a little bit. The map that would be amended in both the franchise agreement and in the entitlement package request that's before you. The green lines and dots are the existing approved system.

The red are the requested expansion to the system. And really just the more opportunities we have on this map, the more opportunity for success with this system. We very much appreciate this Commission's vision and belief in the project. You all have been tremendous in helping to get the project to where it is today. And we're extremely excited to proceed with this map hopefully – if approved today.

ALLEN

I do wanna thank all of your staff. This is not your normal project, as you can imagine. And your Planning staff, Public Works staff, Water Reclamation, Fire Chief, the Building Department, everyone has been extremely great to work with, and helpful in getting this project moving forward.

Also, I'll commit that we'll continue to work with the airport. I spoke to Rosemary [Vassiliadis] this morning. I do wanna say on the record, we'll continue to meet with her, and to communicate, and collaborate with her on everything we're doing with this project. And any FAA submittals that have been submitted or are necessary in the future. So, I did wanna make sure I put that on the record as well. So, with that said, I'm happy to answer any questions. And again, we very much appreciate your support and would appreciate your approval this morning.

GIBSON

A comment right now.

UNIDENTIFIED SPEAKER

Nope. (unintelligible).

GIBSON

Okay. Thank you very much. This is a public hearing on this item. Is there anyone here who wishes to speak on this item? Now you know, that normally, you took the opportunity to speak on this item earlier -

UEHLING

Give me a break.

GIBSON

... and that's your one crack. So, you get about half the time we would normally give you to accuse us of whatever it is that you want to accuse us of.

UEHLING

Well, the company didn't answer the question as to how much they paid the -

GIBSON

Nothing.

UEHLING

- the -

GIBSON

Nothing to anybody.

UEHLING

Not -

GIBSON

But they've spent a fortune -

UEHLING

Okay.

GIBSON

- digging holes.

UEHLING

Okay. So, that, do they - do they agree with that? Okay. I had a dog in this fight when they - when the - when I saw the announcement in the paper of the bidding for the rail - yeah, for the transportation line at the convention center. I saw it on a Thursday. On Monday, I had an appointment with the CRCC, the Chinese Railway Construction Company, which constructs the - more than is, one of the biggest in the world. And constructs the trains in China.

And they asked me to request two things. Number one is it possible to have more time? There was only a month allowed for the comment to make a bid. And the

UEHLING

second one was - has a one of the bidders already been selected? Well, the answer to both of those questions was no. So, the Chinese Railway Company had to drop out. And when the - because a month wasn't enough time to put everything together.

And when the project was announced that the Boring Company was going to receive the contract, I went to the meeting prepared to object to certain things. And found that - saw this incredible system that - where - each person, each ride you take a ride, and you go to direct to your destination.

You don't stop, make stops along the way like ordinary systems. And so, I rushed up to Mister Hill, and said, "This is absolutely incredible." And I became the number one supporter of this project. But it's turned out that you can't travel quickly in the tunnels as was shown in the presentation that they made.

And so, for example, how is this going to work if a person wants to travel from downtown to the airport? How if he gets a car that goes direct to the airport? How much is he going to have to pay to go that distance through these tunnels and how does that work? That's what I'm curious to know. It seems like - it seems like there - it would be a big cost to the person to travel that far.

And for a small distances I can understand. Like from the convention center over to the Resort Hotel - Resorts Hotel. It's a very short distance. So, I can understand. But I don't understand how it would work for long distance and people be able to afford it. Thank you.

GIBSON

Is there anyone else who wishes to speak on this item? And the public hearing is closed. Miss Allen - would probably - wouldn't be a bad idea to show us what the response to the question that was just asked is.

ALLEN

Sure. Thank you, Mister Chairman. If I could just show on the overhead. We do have some sample fares for when the system is proposed and operational. For example, the question was specific to the airport. So the travel time roughly from the airport to the convention center is the sample we have here, is 4.9 miles. The travel time would be about five minutes. And the estimated fare would be about 10 dollars. So there - then we have some samples here from Allegiant Stadium to the convention center, 3.6 miles, four minutes, and six dollars. Downtown Las Vegas to the convention center, 2.8 miles, three minutes of travel time, five dollars. And then downtown Las Vegas to the airport, an estimate of 7.7 miles, eight minutes, and about 12 dollars.

ALLEN

So, again, these are sample fares 'cause the system's not yet operational to this extent. But these are idea of what is contemplated to ensure these fares remain low. And obviously, are quick and efficient for the passenger, and safe.

GIBSON

Thank you. Are there other questions from members of the Board? Commissioner Kirkpatrick.

MARILYN KIRKPATRICK

Sorry. Sorry, (laughs). Well, I just wanna put a couple of things on the record 'cause I'm torn with expanding it. Although, staff is - been to many of the projects and we understand that it's - could be great for our community. But my questions

KIRKPATRICK

are more of this, is the long-term transit system that we need to have in our community. And when we talk about a long-term transit system, that includes the employees that have to get to the Strip.

So, what I don't see today, but I'm assuming in the future, you're going to build some areas where people can park-and-ride, drop off, or something so that they too can use that system. Because at the end of the day a lot of those red lines are major arterials on how people access. So, I would hope that there's long-term conversations on what that looks like.

So that we can ensure that people can access it, not just a tourist, right, because we have equal amount of workers that have to go to the Strip. And it's getting harder and harder for them to get there. And for the last three weeks, I've received a ton of phone calls from people in my district on the, how long it's taking because of construction and all these other things that are going on.

So, I just want on the record the commitment to consider the employees that have to access this very area as well that there'll be an opportunity for them to use the system as a park-and-ride system, or whatever that is. So, that's my first one.

ALLEN

Yes. Thank you. So you're absolutely right Commissioner. The goal is to be back before you and expand this system further. So, this is obviously, the first expansion effort. And the goal is to get it operational, and functioning, and doing well in the hub of the Las Vegas Strip to take those cars off the roadway safely, and down into the tunnel system.

But certainly, the goal is to serve the entire valley. And make sure that it's not just a tourist opportunity, but also, for the workers that are on the strip to get them there. So, I know I can stand here and commit to you that they are looking at opportunities in the future to expand out into the valley, into the north, the south, west, and east of the Strip.

KIRKPATRICK

Well, I'd just, so we're clear, I'd be less likely to support any future expansions that didn't take the employees into consideration, so.

ALLEN

Got it.

KIRKPATRICK

And then my second thing is I know you said that you're working with Rosemary. But I want to say on the record for me personally, that the form has been filed to see what the FAA requires that should not assume, because it stays with the property is the problem. Right? So, when you get those, it stays with the property.

Should not assume, for me, that we would allow any type of structures to go there that the airport didn't – couldn't agree with. And the reason I say that is because did a little bit of research, and very few places in the country have so much abutting their airports, right? And we continue to put more, and more, and more. And at the same time, we have to be good partners with the airport because nothing works unless we have those commercial flights coming and going.

And so, I do not want it from me assumed that regard it, I don't care what the FAA says, right. It shouldn't have any future bearing. And it just troubles me that,

KIRKPATRICK I'm even having to say that out loud, so.

ALLEN Understood.

KIRKPATRICK And I'll bring it up every time, just so you know (laughs).

ALLEN Understood. We support - we wanna be a partner with the airport, absolutely. And we look at this as an opportunity to work in conjunction and help the airport. Absolutely. So, we'll, as I mentioned on the record, we'll continue to collaborate and work closely with them, and make sure we're communicating with them even more than we have been.

GIBSON Commissioner Jones.

JONES Thank you, Mister Chair. The - so this whole map that you're showing here, that's what The Boring Company is gonna build itself at no cost to the taxpayers?

ALLEN Correct. So -

JONES And that would include the airport?

ALLEN The goal for the -

JONES On some future expansion?

ALLEN Yes. So, the tunnels are all at The Boring Company's expense.

JONES Okay.

ALLEN The stations are property owner driven. And I believe the airport is not yet negotiated. But I believe you're correct with the intention there.

JONES Okay. So, that would (laughs) presumably cheaper than the \$115,000 that we talked about at yesterday's meeting that the County is going to be spending on the Tropicana Depression project, which is intended to allow for TNC's to transport passengers from the airport to the Strip?

JONES

ALLEN I don't know -

JONES Zero is less than 115 million?

ALLEN Correct. We are zero.

JONES Thanks.

GIBSON (Laughs). So, anything further? I'll entertain a motion on these two items. So, this is Item 25 on our agenda that has subsumed with - within it Item 31 from yesterday, 51 from yesterday.

MICHAEL NAFT Approve the last 25 (unintelligible).

GIBSON

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

ALLEN

Thank you very much.

ACTION:

It was moved by Commissioner Michael Naft, and carried by the following vote, that the applications for Item No. 25 and Item No. 51 from the May 2, 2023 BCC meeting be approved:

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

VOTING NAY: Marilyn K. Kirkpatrick

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Comprehensive 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 this application must commence within 2 years of approval date or it will expire.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the CCWRD has existing sanitary sewer infrastructure within the project boundaries; to please continue coordination efforts as the project progresses; CCWRD requires submittal of civil improvement plans for review and approval by the District (Plan Review Requirements noted below); if a Point of Connection (POC) is required, you may find instructions for submitting a POC request on the CCWRD website and a signed Sump Connection Agreement will be required; during plan review, all CCWRD public sanitary sewer facilities that are found to need relocation or abandonment to accommodate the Developer's project shall be done solely at the Developer's expense; any new relocation of sewers, along with the granting of any needed sanitary sewer easements, shall be constructed and flows diverted into the new relocated facilities prior to the old sanitary sewers being removed; to protect the integrity of CCWRD sewers, PRE and POST construction televising of CCWRD sewers is required for sewers in close proximity of the Developer's project; final depth of all tunnels is subject to CCWRD approval.
- Plan Review Requirements:
 - o Regardless of discharge location:
 - Provide connection details on these plans of where the drainage system for the tunnels, tunnel side structures, stations, and any other structure will discharge.
 - Reference the BD Permit numbers on these plans for all proposed structures (such as Foundation, Structural and/or Build-Out).
 - If discharging into Storm Drain:
 - o Upload supplemental plans approved by the Building Department (CCBD) to the PIPES Portal for CCWRD review.
 - If discharging into Sanitary Sewer:
 - o Ensure the following are addressed on these plans:
 - No groundwater is allowed to discharge to sewer (including any perforated pipe around underground structures).
 - A Sand/oil interceptor is required before connecting to Sewer. Any pressurized flows need to

discharge to a gravity MH first before going through the interceptor.

- A Rain Diversion Structure (i.e., Trench Drain) is required at every ramp entrance.
- Have an approved POC # and proposed average flow (in MGD or number of ERUs) listed on the General Notes sheet. 1 Sump pump = 5 ERUs.
- Have an Executed Sump Connection Agreement between CCWRD and The Boring Company (TBC) for each project.

ITEM NO. 26 UC-23-0128-5051 SLV, LLC:

USE PERMITS for the following: 1) primary means of access to accessory use (dayclub/pool) from the exterior of the resort; and 2) deviations from development standards.

DEVIATIONS for the following: 1) reduce setback; and 2) all other deviations as shown per plans on file.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce the setback for freestanding sign; and 2) allow non-standard improvements within the right-of-way.

DESIGN REVIEWS for the following: 1) modifications to a previously approved resort hotel; 2) comprehensive sign package; and 3) site lighting on 4.9 acres in an H-1 (Limited Resort and Apartment) (AE-65) Zone. Generally located on the east side of Las Vegas Boulevard South, 500 feet south of Russell Road (alignment) within Paradise. JG/lm/ja (For possible action)

AMUNDSEN

Next is Item 26, UC-23-0128, use permits for the following. Primary means of access to accessory use, day club pool, from the exterior resort, deviations from development standards. Deviations for the following: reduce setback. All other deviations as shown per plans on file. Waivers of development standards for the following: reduce the setback for freestanding sign, allow non-standard improvements within the right-of-way. Design reviews for the following: modifications to a previously approved resort hotel, comprehensive sign package, site lighting on 4.9 acres in an H-1 (Limited Resort and Apartment) (AE-65) Zone, generally located on the east side of Las Vegas Boulevard South, 500 feet south of Russell Road (alignment) within Paradise.

GIBSON

Good morning, Mister Celeste.

TONY CELESTE

Good morning, Mister Chairman, Commissioners. My name is Tony Celeste. Address, 1980 Festival Plaza Drive. Here on behalf of the applicant and property owner. As you can see, the aerial from the site, this is the location of the approved Dream Resort and Hotel. Located on South Las Vegas Boulevard, just south of Russell Road on the east side of Las Vegas Boulevard.

This application for the original approval and expansion of gaming enterprise district you saw about two years. And we appreciate your vision and support of this project. As part of this project, there was requirements for us to come back and show you some additional details. Really this application has three major components to it.

One, we are asking for a use permit to allow direct access to a day club. The second portion is to provide a sports court in the future right-of-way. And the third portion is to show you the signage and lighting plan. With respect to the first portion of the application, we are requesting to essentially have a elevator located right here at the porte cochere that will allow direct access for patrons accessing the third level of the pool where our day club is.

This has become a very popular amenity along Las Vegas Boulevard. The Wynn

CELESTE

and Encore, by way of example, have their beach clubs. And they provide direct access at – anyways, access not through a casino floor. We think this is a benefit to the hotel and to the area to allow that direct access and egress. So we appreciate staff's recommendation of approval on that.

With respect to the second compos - portion of the request can see right here highlighted in yellow, we're proposing a sport court. It is located in the future right-of-way of Las Vegas Boulevard, which today we would have to do landscaping and other amenity zones through this. It is – would just be temporary. It's a slab of concrete that would be laid down turfed over when not utilized.

And when utilized we would have to come in with a, we'd agree to come in with a special event permit so that way your staff would see it prior to the event taking place as well as Commissioner Gibson's office. Conditions of approval, if approved having to have it fenced around. So we would agree with that. We appreciate Paradise Town Board's recommendation of approval on that. It is about, it's slightly smaller than the size of a basketball court. It's about 50-by-80 feet.

The next portion of our request is with respect to signage. As I mentioned to you, we had approval of this back in October of 2021. We - part of that was five pages of conditions. I'm proud to say that we have actually complied now with almost all of those conditions.

One of the last conditions that we need to comply with now is to come forward with the design review as a public hearing for our signage and lighting. So, that is the last portion of this application that we - that I'll be showing you. First, before we got too far in with the submitting our plans, we met with the airport to make sure that the proposal we were showing matched their vision and what they would wanna see, since we do obviously share that property line with them.

After, a - and we appreciate Jim Chrisly and his team meeting with us numerous times, providing us comments and feedback. And we ultimately, were able to design a signage and lighting package that you can see has been acceptable to Department of Aviation. Obviously, subject to your review and approval. With that letter, we took that to then the FAA to make sure our proposed pylon sign would be compatible with FAA.

As you can see pylon sign approval at 167 feet would be the maximum. So, we took that so we have that approval already. With respect to the complete sign package and lighting we appreciate staff's favorable review on most of it. Really three portions that they do not recommend approval. So, I'll spend a few moments really addressing those in particular.

Can see right here, just the site plan layout for the proposed signage. Most of this is well, right here's our pylon sign. Here's some proposed directional signage in the right-of-way, some signs in the back as well as building signs, wall signs, and directional signs on premise. Really the three signs that staff had further discussion on with a - in the staff report are with respect to the pylon sign located here on the red block.

CELESTE

They had a concern or raised concern about the height. Number two we have proposed signage - directional signage in the future right-of-way. And then number three, as you recall, on the backside here is our parking garage. We have a condition that we have to completely encapsulate it. It's about a five-story wall back there. In meetings with the airport, they did ask us if we could soften the appearance of that since we obviously share their property line there.

So, we are proposing graphic images. And then in this portion right here, some channel lettering that simply says, "Dream." Everything can be - all signage on the property can be dimmable. First, with respect to our proposed pylon sign. I think, this right here exhibit helps demonstrate I believe the - if you can zoom out just a little bit so I can show both of these pictures at the same - shows really that our sign is in the same scope, size, height, that you would see commonly along the gaming corridor - the Strip, Las Vegas Boulevard.

We are again, a resort hotel in the gaming enterprise district. What this shows is various sign heights from the Tropicana at 70 feet to the ARIA at 260 feet. Our sign right here, is 165 feet and six inches. So, below the FAA requirement. You can see, we're right kind of in the middle of the signs that you see up and down Las Vegas Boulevard. In particular, we are catty-corner from Mandalay Bay. Both those signs are 185 feet and 224 feet respectively.

So we think that, again, the size and scope when comparing us to other resort hotels is within right in the middle of all the other resort hotels you can see along Las Vegas Boulevard there. Also, this sign is located in the front of the building. It is shielded to the airport. You can see the scope in relationship to the size of the sign compared to the building. There again we think compatible to the design of our site there.

The second portion is, this is the garage, this is the backside of the garage. As I mentioned, will have graphic images along the back to help soften that appearance. And then on the top right here, we have just channel lettering saying, "Dream." Again, everything is dimmable. We have been coordinating with the airport. And agree to that condition.

And then the final portion is the signage. As I mentioned, this is directional signage that we are - we believe directional signage will have to be placed in the future right-of-way. We would just - we're requesting that it match our signage. So, we would pay for it to have this signs basically match our signs. What's important to note about this, there is no commercial imaging on this. It doesn't say, "Dream." No advertising of any nature. Simply just on directional signage. So, when you come into the site, you know exactly where valet casino parking, garage parking, et cetera, stop signs, leaving for that.

We appreciate Paradise Town Board's recommendation of approval of everything. We agree with all the if approved conditions, plus the conditions that Paradise Town Board placed on the application. With that, I'm more than happy to answer any questions you may have.

GIBSON

Thank you, Mister Celeste. This is a public hearing on this item. Is there anyone here who wishes to speak on it?

UEHLING Yes. My name is Ed Uehling. And I really, encourage you to vote in favor of this project. I - as you are captives of the MGM and the Caesars, it's really important that small companies and new companies are able to have a foot in the door also. So, please, please approve this item. Thank you.

GIBSON Is there anyone else who wishes to speak? And the public hearing on the item is closed. Do we have comment by Public Works on a couple of these things? We, as it turns out, the fencing is actually in the staff report, isn't it? Okay. Go ahead.

ANTONIO PAPAZIAN Thank you, Commissioner. Just for clarification just because Mister Celeste kept calling it future right-of-way. It's already been dedicated. And it's already public right-of-way today. So, the condition for license and maintenance agreement is required because it's right-of-way today, it is, as it exists.

GIBSON And you understand (unintelligible) -

CELESTE I, yes. I apologize for the misstatement. Yes, we - the conditions for license and maintenance agreement in the right-of-way, the current right-of-way that may ultimately be used - we agree with those conditions. I apologize for mixing up those terms.

GIBSON Thank you very much. This is an item in my district. I move approval. Subject to the Town Board action, including the if approved conditions. I think that, and, of everything. So, that means that the rear signage, the height of the sign, and the other two signs together with the - I think that's it. The directional, the channel sign, and the height of the sign. Sport court, we've agreed already - you've agreed to accept that. We - I was gonna impose a Public Works condition. But in reading it, I see that that condition is already in the staff report.

CELESTE And we agree to all those conditions, plus the Paradise. Thank you.

GIBSON Okay. There's a motion on the floor. Any discussion? Please cast your votes. And the motion carries.

CELESTE Thank you.

GIBSON Thank you.

ACTION: It was moved by Commissioner Jim Gibson, and carried by unanimous vote, that the application be approved subject to staff and Town Board conditions.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Signs shall not increase lighting levels by more than 0.3 foot candles over ambient light levels between dusk to dawn;
- Signs to be dimmable per Harry Reid International Airport requirements;
- Per plans on file;
- 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 2 years of approval date or it will expire.

Public Works - Development Review

- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- A barrier shall be installed around the sport court when activities are taking place;
- No commercial messages are permitted on signs within the right-of-way.

Department of Aviation

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

ITEM NO. 27 WS-23-0094-LAXMI BUILDING, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscaping; 2) waive Asian Design Overlay District standards; 3) allow modified driveway design standards; and 4) reduce driveway distances from the intersection.

DESIGN REVIEW for a proposed vehicle wash on 0.6 acres in an M-1 (Light Manufacturing) Zone in the Asian Design Overlay District. Generally located on the west side of Wynn Road and the south side of Desert Inn Road within Paradise. JJ/rk/syp (For possible action)

AMUNDSEN

Next, is Item 27, WS-23-0094, waivers of development standards for the following: reduce street landscaping, waive Asian design overlay district standards, allow modified driveway design standards, reduce driveway distance from the intersection; design review per proposed vehicle wash on 0.6 acres, and M-1 (Light Manufacturing) Zone in the Asian design overlay district. Generally located on the west side of Wynn Road and the south side of Desert Inn Road within Paradise.

GIBSON

Good morning.

LEBENE OHENE

Good morning, Chairman Gibson, Commissioners. Lebene Ohene, 520 South 4th Street, representing the applicant for this proposed vehicle wash, car wash, on the southwest corner of Desert Inn Road and Wynn Road. The site – just to orient you to the site –this is a site with an existing warehouse that is being re-developed as the proposed car wash.

The site as it exists today consists of an office warehouse complex with two driveways on the Desert Inn arterial, and one existing driveway on Wynn Road. The re-development plan actually eliminates the two driveways on the site and places just one driveway on Wynn because the existing property as developed does impact the Desert Inn arterial.

With this proposal, staff did recommend approval for the car wash as well as most of the waivers including the Asian overlay design standards because this, it will not fit into this area. Staff recommended denial for the throat depth on one of the driveways to 16 feet. To mitigate any impact of staff's concern employee parking was placed opposite the driveway. This employee parking, once they park, they don't move around. Therefore, will not impact the driveway.

Additionally, Wynn Road as it exists, although as a collector, really doesn't have that much traffic. So, by removing all the driveways on Wynn Road, we are actually improving traffic movements on Desert Inn Road. With that said, and this is a plan of what it looks like today. So, with our development, we believe that this will improve general traffic in that entire area. This is the proposed elevation for the car wash.

And without the Asian overlay district, this actually fits in better into the area than if the Asian elements were added to the building. And with that, we will appreciate your recommendation for approval. And I'm here to address any of your questions. Thank you.

GIBSON

Thank you, Miss Ohene. This is a public hearing. Is there anyone here who wishes to speak on Item 27? There being no one, the public hearing is closed. Commissioner Jones.

JONES

Move approval.

GIBSON

There's a motion for approval. Any discussion on the motion? Please vote. And the motion carries. Thank you.

OHENE

Commissioners.

GIBSON

Thank you.

ACTION:

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

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

VOTING NAY: None

ABSTAINING: None
ABSENT: William McCurdy II

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County 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;
- Traffic study and compliance;
- Right-of-way dedication to include a additional right-of-way to accommodate the traffic signal in the northeast corner of the site;
- Reconstruct any unused driveways with full off-site improvements.
- Applicant is advised that off-site improvement 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 #0258-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 28 WS-23-0107-GROUP XIII PROPERTIES, LP:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) modified driveway design; and 2) alternative landscaping along a street.

DESIGN REVIEWS for the following: 1) office/warehouse; 2) finished grade; and 3) alternative parking lot landscaping on 8.7 acres in an M-D (Designed Manufacturing) (AE-75, AE-80, & APZ-2) Zone. Generally located on the north side of Cheyenne Avenue and the west side of Marion Drive within Sunrise Manor. MK/bb/syp (For possible action)

ACTION: Deleted from the agenda (held to June 7, 2023 per the applicant).

ITEM NO. 29 WS-23-0114-USA:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce lot area; 2) street landscaping; 3) increase wall height; and 4) off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving).

DESIGN REVIEWS for the following: 1) single family residential development; and 2) finished grade on 10.0 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the south side of Ann Road and the west side of El Capitan Way within Lone Mountain. RM/md/syp (For possible action)

AMUNDSEN

Next, are Items 29 and 30, which can be heard together. Item 29, WS-23-0114, waivers of development standards for the following: reduced lot area, street landscaping, increase wall height, off-site improvements, curb, gutter, sidewalk, streetlights, and partial paving. Design reviews for the following: single-family residential development, finish grade on 10 acres in an R-E (Rural Estate's Residential) (RNP-I) Zone. Generally located on the south side of Ann Road and the west side of El Capitan Way within Lone Mountain.

AMUNDSEN

Item 30, TM-23-500022, tentative map consisting of 17 lots and common lots on 10 acres in an R-E (Rural Estate's Residential) (RNP-I) Zone.

GIBSON

Good morning again, Miss Allen.

ALLEN

Good morning, Mister Chairman, Commissioners. Stephanie Allen, 1980 Festival Plaza Drive. Here on behalf of Lennar Homes. If I could direct your attention to the overhead. Alright. I have a map before you that shows a number of parcels where Lennar was the successful bidder of BLM land in the northwest, some that are in Clark County and some that are in the City of Las Vegas.

I'm proud to be up here standing before you because the first thing they said when they were the successful bidder is that they would not be rezoning the property or trying to go beyond what the northwest expects of its developers in this area. So, all of this property is currently zoned R-E and will remain zoned R-E. Also, Lennar has committed to do all of these developments with one-story homes.

We had neighborhood meetings on each one of these projects separately for both the City of Las Vegas and the County properties to notify the neighbors of that information specifically that it was number one, Lennar Homes. They would all be single story and large, half-acre lot developments. So, the two that are before you today are items number six and number seven. The first is number seven, Items 29 and 30. And the second is item number six that follow on your agenda.

Item number seven is at the corner of Ann Road and El Capitan. And your code allows an opportunity when you're at the corner, like this property, of two major arterials to reduce the net square footage of the lot slightly below the threshold of the 18,000 net square feet and the goal in the interlocal of 18:5. So, we do have a few of these lots, although they are half acre. But a few of them are under that threshold. And that is simply because we are at the corner of Ann Road and El Capitan.

So, with that said, I will show you the site plan that's before you. So, this is the site plan that is before you. We have a proposed 17 lot development, which works out to 1.7 units to the acre. So, all half acre lots with the reduction I just spoke of. In looking and working with this area, we have tried to really do what the neighbors expect, and face lots out where we could, and not gate the community.

Limit the HOAs. So, any maintenance will just be maintenance agreements as opposed to HOA agreements. We also looked at the surrounding area and the developments in the area. And are trying to match what is currently in the area. So, one of our waiver applications is to waive the rural or waive the offsites to keep this rural in nature. That was extremely important at every single one of those neighborhood meetings that we held.

The neighbors said, "We want this area to remain rural." Obviously, Ann Road will not be rural. That's already developed out. But it is an important piece of these applications that the other roadways remain rural. In working with Public Works, I know Antonio has a condition that he'll read into the record that would require a contribution in lieu of doing those offsites, which we are okay with and in agreement with.

ALLEN

To ensure that if at some point, the County wanted those offsites, they would have that contribution for a later date. The Town Board had mentioned a few things at the public hearing, specifically to El Capitan. Where they would prefer that this look on El Capitan be landscaped, even though we're doing the rural standards. And so, I have an exhibit that I would like to show on the record where we would provide landscaping within the five-foot area that's available, trees specifically.

And then also, on the fencing, we would add view fencing at the top three feet of any wall that's over eight feet. So, that the look along El Capitan looks a little bit nicer with the breakup of the trees and the fence. I did send Nancy two conditions that we'd like to read into the record and offer today. One is that we would provide 24-inch boxed trees 20 feet on center within the five-foot landscaping area along El Capitan.

And the second, that the screen retaining walls taller than eight feet shall have three feet of view fencing on the top. So, that's reflective in this exhibit, and specific to El Capitan. The development immediately across the way on El Capitan is important to look at. So, I wanted to just show this on the record. So, this is just east of the project that's before you. It was approved several years ago.

And I just wanted to show that the density on this project is actually higher than ours. It's 1.9 units to the acre. It was approved. And you can see in yellow the net lot sizes of some of these lots. Mostly, because, again, they're on Ann Road. So, there's a couple lots that are as low 13,000 square feet, 15, 7, 92. Several of them on the interior that are 15,000 square foot lots, 14,000 square foot lots.

So, the lot sizes that we're asking for today on this community at the density of 1.7 units to the acre, are in fact, larger than what's immediately to the east of this. And certainly, compatible with the area. And again, your code provides that opportunity for reduction, specifically for properties like this where you have Ann Road and El Capitan, which are major streets adjacent to it. Again, Lennar is proposing all single story half-acre lots that will fit in and be extremely compatible and harmonious with the area. Most specifically, the development immediately to the east of it.

So, with that said with the two conditions that I'd like to offer on the planning front and the condition that I believe Antonio has with respect to the contribution towards the future offsites, we'd very much appreciate your approval today.

GIBSON

Thank you. This is a public hearing. And this public hearing is for Items 29, 30, and 31. Is there anyone... Actually, (laughs) -

AMUNDSEN

29 and 30.

GIBSON

I'm sorry.

AMUNDSEN

31 is coming next.

GIBSON

I'm sorry. 29 and 30. Are there - is there anyone here who wishes to speak on these items, 29 and 30? There being no one. The public hearings closed.

GIBSON Commissioner Miller.

ROSS MILLER I move approval, subject to the brilliant condition that Antonio has ready for us this morning that he'll read in the record.

PAPAZIAN Thank you, Commissioner. Applicant to pay a contribution for local roadway, drainage, or trail related improvements in District C in lieu of constructing full offsite improvements as determined by Public Works.

GIBSON There's a motion for approval to include the language that was just indicated by Public Works.

ALLEN Thank you.

GIBSON Is there anything more?

ALLEN Mister Chairman, could we also include the two conditions I offered along El Capitan?

MILLER Sorry, yes. I'll include that as well. Amend my motion, to include the two conditions as outlined by Miss Allen.

GIBSON Okay. We have clarity. Please cast your votes on that motion. The motion carries. Thank you.

ALLEN Thank you very much.

ACTION: It was moved by Commissioner Ross Miller, and carried by unanimous vote, that the applications for Item Nos. 29 and 30 be approved, as amended, with staff and additional conditions.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Provide 24 inch box trees 20 feet on center within the 5 foot landscape area along El Capitan Way;
- Screen/retaining walls taller than 8 feet shall have 3 feet of view fencing at the top;
- 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 4 years of approval date or it will expire.

Public Works - Development Review

- Applicant to pay a contribution for local roadway, drainage or trail related improvements in District C in lieu of constructing full off-site improvements to be 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;

- Right-of-way dedication to include 50 feet for Ann Road, 40 feet for El Capitan Way, 30 feet for Stephen Avenue, a 54 foot property line radius in the northeast corner of the site, and associated spandrels;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- 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 off-site improvement permits may be required.

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, applicant is advised 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. 30 TM-23-500022-USA:

TENTATIVE MAP consisting of 17 lots and common lots on 10.0 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the south side of Ann Road and the west side of El Capitan Way within Lone Mountain. RM/md/syp (For possible action)

ACTION:

It was moved by Commissioner Ross Miller, and carried by unanimous vote, that the applications for Item Nos. 29 and 30 be approved, as amended, with staff and additional conditions.

CONDITIONS OF APPROVAL -

Comprehensive 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

- Applicant to pay a contribution for local roadway, drainage or trail related improvements in District C in lieu of constructing full off-site improvements to be 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;
- Right-of-way dedication to include 50 feet for Ann Road, 40 feet for El Capitan Way, 30 feet for Stephen Avenue, a 54 foot property line radius in the northeast corner of the site, and associated spandrels;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- 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 off-site improvement permits may be required.

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, applicant is advised 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. 31 WS-23-0117-USA:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce lot area; 2) landscaping; 3) increase wall height; and 4) alternative residential driveway geometrics.

DESIGN REVIEWS for the following: 1) a single-family residential development; 2) allow a hammerhead turnaround; and 3) finished grade on 10.0 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the southeast corner of Washburn Road and Tee Pee Lane within Lone Mountain. RM/al/syp (For possible action)

GIBSON And now?

AMUNDSEN Now, Item 31 and 32. They can be heard together. Item 31, WS-23-0117, waivers of development standards for the following: reduce lot area, landscape increased wall height, alternative residential driveway geometrics. Design reviews for the following: a single-family residential development, allow a hammerhead turnaround, finished grade on 10 acres in R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the southeast corner of Washburn Road and Tee Pee Lane within Lone Mountain.

Item 32, TM-23-500023, tentative map consisting of 18 single-family residential lots and common lots on 10 acres in an R-A (Rural Estates Residential) (RNP-I) Zone.

ALLEN Good morning again.

GIBSON Morning.

ALLEN Mister Chairman, Commissioners. Stephanie Allen, 1980 Festival Plaza Drive. Here on behalf of the applicant, Lennar Homes. Just to carryover my comments from the prior Item in looking at this large exhibit of the BLM land where Lennar was the successful bidder. We are now looking at this item number six that's located at Tee Pee and Washburn.

It's the same size parcel that you just saw. And same factors played into their analysis on this with all single-story homes, half-acre lots. In this particular instance, the site plan that's before you, all of the net square footage meets the required 18,000 net square footage. You can see on this site plan, a lot of the homes – most, except for the four that are interior, face out onto the streets, which is a objective that the rural preservation area likes.

And the Town Board recommended approval because they appreciated the layout as well as meeting that net 18,000 square foot plan. So, with that said, I would very much appreciate your approval. Lennar commits again to do all single-story homes on the property. And this is very much compatible and consistent with what's already out here in the area. I'm sure Antonio will carry over the same condition he previously did with respect to the rural offsites. But I'm not 100 percent sure on that.

GIBSON Thank you. This is a public hearing as to this item, which is Item 31 and 32. Is there anyone here who wishes to speak on these items? There being no one, the public hearing is closed. Commissioner Miller.

MILLER Move approval, as outlined in the agenda, and subjects to the conditions outlined by Miss Allen.

GIBSON There's a motion. Is there any discussion? Do you have anything more to add, Sir?

PAPAZIAN Thank you, Commissioner. I was just going to add they're in an RNP-I overlay. So, they don't need a waiver of offsites. There's not an additional condition on this site.

GIBSON Alright.

ALLEN Well, then that's (unintelligible) -

GIBSON There's a motion for approval. Please cast your votes. Motion carries. Thank you very much.

ALLEN Thank you very much. Appreciate it.

ACTION: It was moved by Commissioner Ross Miller, and carried by unanimous vote, that the applications for Item Nos. 31 and 32 be approved.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the 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 4 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Right-of-way dedication to include 30 feet for Tee Pee Lane, 30 feet for Washburn Road, 30 feet for Chieftain Street, 30 feet for Rosada Way, and associated spandrels;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- Applicant is advised that off-site improvement 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 CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and that for any sanitary sewer needs, applicant is advised 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. 32 TM-23-500023-USA:

TENTATIVE MAP consisting of 18 single family residential lots and common lots on 10.0 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the southeast corner of Washburn Road and Tee Pee Lane within Lone Mountain. RM/al/syp (For possible action)

ACTION: It was moved by Commissioner Ross Miller, and carried by unanimous vote, that the applications for Item Nos. 31 and 32 be approved.

CONDITIONS OF APPROVAL -

Comprehensive 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;
- 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;
- Right-of-way dedication to include 30 feet for Tee Pee Lane, 30 feet for Washburn Road, 30 feet for Chieftain Street, 30 feet for Rosada Way, and associated spandrels;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- Applicant is advised that off-site improvement 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 CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and that for any sanitary sewer needs, applicant is advised 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. 33 WS-23-0127-XIE YUNDI:

AMENDED WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) street landscaping; 2) off-site improvements (curb, gutter, sidewalk, partial paving and streetlights); and 3) waive sewer connection (no longer needed) on 1.2 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the northeast corner of Desperado Street and Farm Road within Lone Mountain. MK/sd/syp (For possible action)

AMUNDSEN

Next, is Item 33, WS-23-0127, amended waivers of development standards for the following: street landscaping, off-site improvements, curb, gutters, sidewalk, partial paving, and streetlights, waive sewer connection (which is no longer needed) on 1.2 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the northeast corner of Desperado Street and Farm Road within Lone Mountain.

GIBSON

Good morning.

CHERYL ZIMMER

Good morning. My name is Cheryl Zimmer. I'm at 6144 Grand Teton Drive. I'm representing the applicant – um - Yundi Xie and her husband, Troy Frankalvia. We're asking for a waiver of full off-site improvements as was asked by Public Works. The owner of the property has submitted his application to divide their two-acre parcel into two one-acre parcels back on May 24th, 2021.

ZIMMER

One of the requirements at submittal was a restrictive covenant, which was signed on May 10th, 2022. In that restrictive covenant, it says, "County has determined that full compliance in the presently existing circumstances is either infeasible or undesirable." And this, I'd like to bring your attention to Farm Road. This is Tenaya to Jones. So, it's 1.5 miles pretty much.

The north side of Farm is all undeveloped. It is all, it is in RN - RE, RNP one overlay. And Public Works is asking that we do this is the parcel in question. They're asking for full off-site improvements because across the side, across from the street, which is city, they have full site - offsite improvements. So, I'd like to point out a couple things that they have written in their comments.

"Existing street patterns on the north 1.5 miles of Farm Road between Jones and Tenaya do not currently have any street landscaping or offsite improvements." And the owner wishes to preserve the continuity of the rural natural preservation designation. In fact, this morning as we were coming down here, (laughs), I'm coming down Farm Road, we saw a bunch of horses, and riders. And they were all having a good time. And that's what they do down there.

Placing a single 300-foot stretch of detached sidewalk and off-street, offsite street improvements within that 1.5 miles, could actually contribute to confusion in traffic flow. And present a hazard to pedestrians and horses. Although the staff notes the south side of Farm directly across from this parcel has street improvements and landscaping, consideration should be given to the fact that the south side is city, not county as the north side is.

And it is a large section of tract housing, which could pass on the cost to their customers. The owner purchased this property with the intent to build two custom single-story, single-family dwellings, one for themselves to retire and one for their son. Costs of such improvements cannot be passed on to a large group of people. The owner signed the restrictive covenant a year ago. And that binds that property to participate in street improvements when or if the County decides that street improvements should be made for everyone in that 1.5 miles of Farm Road.

In addition, the owner has, at the cost of \$15,000 has already done a drainage study. And that was approved by Department of Public Works and Mapping team. That was done with no consideration of offsite improvements. So, just to show you. This is a visualization of the type of home, the type of style that the owner likes. He has not yet decided on the exact one. But it's gonna be a Tuscan style.

And this would be the floor plan. So, just to so that you know that this would all be in keeping with all the landscaping that is drought tolerant and desert friendly really. Obviously, we know that there's a water issue. So, people need to put in things that are not gonna be requiring a lot of water. And actually, I just wanted to point out that this - this aerial view is taken straight from the your website. Geoview Las Vegas gov app spot dot com.

And anything else?

GIBSON

Does that complete your presentation?

ZIMMER Yes, it does.

GIBSON Okay. Thank you very much. This is a public hearing. Is there anyone who wishes to speak on Item 33? And the public hearing is closed without comment. Commissioner?

KIRKPATRICK Thank you, Mister. Chairman. So, I feel like it was over a year ago that you met with my staff on this issue. So we've been consistent in the area. So, on the north side, there is no curb and gutter. But there is 14 feet of trails unimproved along that road on Farm. So, it goes from Elkhorn all the way to Farm. So, we understand and we want it to stay rural in character.

So we would eliminate, we would approve that waiver as long as there is a 15 – 14 foot 'cause you're just replacing one for the other, but unimproved trail system so that people can access their horses. So, we've been working for a couple years to try and get that full loop for folks. What I won't and can't in good conscious waive is the connection to the public sewer system. So, I wear two hats.

One is the Health District and one is this, in a, things have changed in the last year on our sewer where we're headed. So, I wanna be consistent. And I can't waive that. So, Farm Road has a lot of improvements on the south side. And I know that we're working with the city to bring in sewer across the northwest. And most importantly, the reason is for the nitrates that we have within the water system. And we wanna make sure that we maintain good water quality. So, we won't be able to waive that. Or, I won't.

ZIMMER We withdrew that request. That was withdrawn.

KIRKPATRICK I know. I'm just putting it on the record.

ZIMMER Okay. Okay. Thank you.

KIRKPATRICK So, that you don't come back with it.

ZIMMER (Laughing).

KIRKPATRICK Because that's a -

ZIMMER Right.

KIRKPATRICK - seems to be a habit.

ZIMMER Right.

KIRKPATRICK People come back every couple years.

ZIMMER Right.

KIRKPATRICK Since I remember.

ZIMMER Yes.

KIRKPATRICK So I'm not opposed. Nancy or Antonio, did you... I'm being consistent with my little trail system. So I would make a motion to approve agenda Item Number 33. And approve the waiver of the eliminating the detached sidewalks and the offsite improvements, which is one and two with the withdrawal of number three. But I do want some landscaping out front. Just because.

KIRKPATRICK

ZIMMER They intend to. They just haven't obviously, they're waiting to see if they get this division -

KIRKPATRICK So, I'm not going to waive the street landscaping because that's a major arterial, Farm is.

ZIMMER Okay. So -

KIRKPATRICK But I will waive the sidewalk.

ZIMMER Okay. Thank you. That's fine. They would be more than happy to comply with landscaping as long as they're not doing curb, gutter, paving, streetlights, all of that.

KIRKPATRICK No. I – in - listen, at the end of the day, the real reason for it is because if I put a curb in there, than it's going to create drainage issue. And it just is, at least it consistently will run over to the city side, so. 'K, that would be my motion is to approve Item Number 33 to waive the offsite requirements to allow for the withdrawal of the waiver for the public sewer system, and to waive the detached sidewalk.

ZIMMER Thank you.

GIBSON There's a motion for approval by Commissioner Kirkpatrick on this item. Any discussion? Please cast your vote.

KIRKPATRICK I want to make sure that that included my trail system. Sorry. I wanna make sure that gets in the NOFA thanks.

AMUNDSEN What I was going to say is we're gonna - leave space between the road and the property line must be - remain open for a trail system.

GIBSON The motion carried.

ACTION: It was moved by Commissioner Marilyn K. Kirkpatrick, and carried by unanimous vote, that the application be approved as discussed.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- The area between the roadway pavement and the property line to remain open and clear of debris for use as a trail.
- 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

- Comply with approved drainage study PW21-18498;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- Applicant is advised that signs, structures, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones.

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, applicant is advised 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.

WAIVER OF DEVELOPMENT STANDARDS #1 WAS DENIED.

WAIVER OF DEVELOPMENT STANDARDS #3 WAS WITHDRAWN.

ITEM NO. 34 WS-23-0130-OLIVIERI FAMILY REVOCABLE LIVING TRUST & OLIVIERI ROBERT J & FLODELIZA TRS:

WAIVER OF DEVELOPMENT STANDARDS to waive off-site improvements (curb, gutter, sidewalk, partial paving, and streetlights).

DESIGN REVIEW for a manufactured home park on 1.7 acres in an R-T (Manufactured Home Residential) Zone. Generally located on the north side of Fisher Lane, approximately 310 feet west of Sky Road within Indian Springs. RM/sd/syp (For possible action)

AMUNDSEN

Next is Item 34, WS-23-0130, waiver of development standards to waive off-site improvements, curb, gutter, sidewalk, partial paving, and streetlights. Design review for a manufactured home park on 1.7 acres in an R-T (Manufactured Home Residential) Zone. Generally located on the north side of Fisher Lane approximately 310 feet west of Sky Road within Indian Springs.

ROB OLIVIERI

Morning.

GIBSON

Good morning.

OLIVIERI

Keep going, quick. Hi, everybody. Rob Olivieri, 7833 Brent Leaf Avenue, Las Vegas, Nevada. Here to ask for full waivers of off-sites for our affordable housing program in Indian Springs. Sorry, if no one heard me. I'll start that again. Here to ask for a waiver of offsites for our affordable housing program, or project in Indian Springs.

We're not developers. We're a military family that want to give back to the community up there in Indian Springs across from Creech Air Force Base, where we can have 7,500 square foot lots with mod - three-bedroom, two bath modular homes for 1,500 bucks a month for the military, and, or affordable housing.

So basically, I'll be real quick. I don't know how this works. So, forgive me. Originally, this was the mobile home park that we had purchased and we were

OLIVIERI

gonna rehab all the units that were on there. There were 13 to make 'em affordable housing. After about a year or so dealing with the Building Department we couldn't go forward with that per their request that they were old and some didn't have serial numbers.

Regardless, and so, we canceled that for a while. And then we decided that we were going to scrape the lot. And replace the existing units with brand new units. I don't know if you can see these, were the old pictures of the old units, one, two, and three. If you can zoom up a little bit. And then this picture right here is not, then we scraped those units out of there on the bottom right.

And here's an overlay, actually, we, before we scraped all of them we had some more where it will show Fisher Lane in adjacent with the other properties. So, originally, we're gonna put 14. But since it's taken two years so far to get an approval, and we've been paying the payments on these units, we had to sell a couple. And we're going down to 12. Doing that. And the interest rates went up for the past couple years.

So, as you see, this is Fisher Lane. Fisher Lane strategically has no setbacks, zero setbacks past our corner. Literally, there's mobile homes that are sticking within 18 inches of the street. Cars going half the street, half of their setback as they park through there. Whereas our project has - oops, I did this backwards.

So, this is Fisher Lane (laughing), sorry. And as you can see, the fences and everything come here. Actually, up to this particular mobile home goes over into the street. I don't know how that ever happened. But the entire street of Fisher Lane, there's no sidewalks. There's no streetlamps. There's no setbacks except for I think a few homes that the County put in for them.

And this is be how our setbacks are. This is actually one unit we had dropped. It's not hooked up or anything. But I've been paying 75 dollars a day for 12 homes for almost a year now. Waiting for this project to get approval. So, we drop one as an example just to show the military and the affordable housing people as well as, as how this goes.

So, the road is a dead-end road at the end of Fisher Lane, which I'll show you here in a second. As we go down to our property, and on Fisher Lane here at the end of this project, is a dead end of I think BLM land. And we were actually going to do our own pea gravel sidewalk within our units. Fisher Lane is a one lane per side drive, except for when it comes down to the last I think from the 100 feet.

It actually expands to two lanes. And then in addition to the two lanes on our particular property and one mobile home over back in the '70s, the County had taken 20 feet of all the properties over there. So, there's not only the road, there's an additional 20 feet of pea gravel maintained by the county.

And then we have a 25-foot setback in addition to that just in case of future developments from the County. So, we are requesting, and here's how the units will look. Each unit will be fenced. It has its own driveway, its own carport, individual and fenced lot of 7,500 square feet, as you see right here.

OLIVIERI

So, basically these are the units inside. There's the elevations. I just showed you a picture of the actual units. Here's a unit inside. And this is my last item to talk about guys. Forgive me, I drove from San Diego at 2:30 in the morning to make this meeting. I work there still and I live here in Vegas. Went back to work to pay the interest rates (laughs) on this project actually. So, Fisher Lane comes here.

There's the road that is an existing, you know, paved road. Then they have a 20-foot pea gravel road that's County, that's supposed to be County maintained. It hasn't been maintained. So, I actually paid for it to be scraped, cleaned, flattened, and pea graveled. So, we could at least get to the project because there was not (laughs), it was like muddy, and, and things to get there.

So, that's it in a nutshell. Asking to do the waivers. It will not affect any other prop –actually our project will enhance the area by far. And not getting to the waiver, will not affect any other parcel in the area. So that's it in a nutshell. If you have any questions, I'd be glad to answer them.

GIBSON

Thank you. And that completes your presentation?

OLIVIERI

Yes, sir.

GIBSON

This is a public hearing as to Item 34. Is there anyone here who wishes to speak on this item? There being no one, the public hearing is closed. And this in Commissioner Miller's district.

ROSS MILLER

First off, thank you, sir, for comin' in from San Diego.

OLIVIERI

Sure.

MILLER

And I know throughout this process you've put your blood, sweat, and tears in trying to navigate a complicated process. And exemplified by the fact that we most often have professionals up here who do this full time and know our system very well. So, know it was a challenge. And I wanna thank staff for working with him to try to bring this project forward to benefit the service men and women out at Creech and improve the community. So, appreciate all your hard work on it. And with that said would move for approval.

GIBSON

There's a motion for approval of Item 34 by Commission Miller. Any discussion on this motion? Please cast your votes. The motion carries. Thank you, sir.

OLIVIERI

Thanks. I just wanted to point out that I gave up on the project a year ago after \$250,000 (laughs) of our own personal money. And Meggan, the liaison, got ahold of me, and put this back together. And now, we're gonna have 14 affordable housing units up there. So, I wanted to thank her. If she's here, shout out to Meggan. Because this wouldn't happen. And, and of course the Commissioner.

OLIVIERI

Thank you so much.

GIBSON

Thank you.

ACTION:

It was moved by Commissioner Ross Miller, and carried by unanimous vote, that the application be approved.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the project must comply with Department of Environment and Sustainability regulations; 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;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Clark County Water Reclamation District (CCWRD)

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

ITEM NO. 35 ZC-23-0118-BELL REAL ESTATE LLC:

ZONE CHANGE to reclassify 2.4 acres from an R-E (Rural Estates Residential) Zone to a C-P (Office and Professional) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow attached sidewalk along Rawhide Street; and 2) increase wall height.

DESIGN REVIEWS for the following: 1) office building; 2) EV charging stations under canopy; and 3) alternative parking lot landscaping. Generally located on the north side of Russell Road and the east side of Tamarus Street within Paradise (description on file). JG/lm/syp (For possible action)

AMUNDSEN

Next, are Items 35 and 36, which can be heard together. Item 35, ZC-23-0118, zone change to reclassify 2.4 acres from an R-E (Rural Estates Residential) Zone to a C-P (Office and Professional) Zone. Waivers of development standards for the following: allow attached sidewalk along Rawhide Street and increase wall height. Design reviews for the following: an office building, EV charging stations under canopy, alternative parking lot landscaping. This is generally located on the north side of Russell Road and the east side of Tamarus Street within Paradise.

Item 36, VS-23-0119, vacate and abandon easements of interests to Clark County located between Russell Road and Rawhide Street, and between Tamarus Street, and Caliente Street, and a portion of a right-of-way being Tamarus Street located between Russell Road and Rawhide Street within Paradise.

GIBSON

Good morning.

LANDON CHRISTOPHERSON

Good morning.

BRENT BELL

Good morning, Mister Chairman, members of the Commission. Brent Bell, 1900 Industrial Road, Las Vegas, Nevada. To my left is Landon Christopherson, our civil engineer. He'll be here to answer any technical questions that you may have.

BELL

As most of you may know we own and operate Bell Trans, Bell Limousine. We've had a long time contract with McCarran Airport since 1970. And I hope to keep it that way.

To give you a little history of this project, as all of you know, Harry Reid International Airport has continued to grow and expand. And parking continues to get pushed out. About 13 years ago, we purchased a piece of property just off of Paradise south of Tropicana, off of Bell Road. We use that property now to stage our equipment. There's also a building on it. It's climate controlled.

Our drivers can go in there, and they can relax. They can use the restroom. We have internet services for 'em there. And then mainly, we can shut our vehicles off and keep 'em cool during the hot summer. We've basically outgrown that facility. I've added charging to it right now. Electrical vehicle charging. But there's just not enough room there. We need a larger facility to be able to stage our vehicles before they get called up to go to the airport to operate.

So, that is this project. Mister Chairman, I wanna thank you for meeting me over a year ago at the property, and helping me with this vision. I wanna thank Blanca, for all of her help. This project is directly across from terminal three. So, it'll make this easy for our drivers to be able to quickly leave the property and then access the airport.

It's two-fold. The west side of the property is basically going to be our building, which will be a comfort station for our drivers. It'll also have covered parking, which we eventually plan to put solar on top of. So that's basically the first portion of the project. The east side of the project will eventually be electrical vehicle parking that we plan to make open for other private companies possible public utility companies, and the public.

And of course, be able to charge our vehicles as we start to convert to electric vehicles. So with that, I will leave it up to you for any questions. And appreciate everyone's time and effort.

GIBSON

Thank you. This is a public hearing on Item 35 and Item 36, the companion. Is there anyone here who wishes to speak on this, these items? There being no one. The public hearing is closed.

I think the only thing that we wanted to make sure of is that we had documentation, written documentation, respecting the use of the abandoned right-of-way for Tamarus. Is that, what, is that the name of the street? Yeah, a-uh, Tamarus, which is on the west, along the west edge of your property. And we discussed that yesterday. I'll make that a condition so that there isn't a concern about all of that, we and the property owner, you, we'll all know who is using what and why. And we will know the use of that portion of the right-of-way that's being abandoned is being used with consent. That, it's essential that we know that. You understand that. You're -

BELL

Absolutely.

GIBSON

In fact, you've already worked on that, as I understand it.

BELL Yes. It's all ready to go. Correct. Right. Got it.

GIBSON Then with that, I move approval. And with that one additional condition. There's a motion. Please cast your votes. The motion carries.

BELL Thank you all.

GIBSON Thank you.

ACTION: It was moved by Commissioner Jim Gibson, and carried by unanimous vote, that the applications for Item Nos. 35 and 36 be approved per staff and additional conditions.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; no outside storage of vehicles on the site; if operation plans change in the future, a transportation service requires C-2 zoning; 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;
- Full off-site improvements.

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised that there is an active septic permit on APN 162-26-402-003 and an unpermitted septic system on APN 162-26-402-001; 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.

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 #0112-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 36 VS-23-0119-BELL REAL ESTATE LLC:

VACATE AND ABANDON easements of interest to Clark County located between Russell Road and Rawhide Street, and between Tamarus Street and Caliente Street, and a portion of a right-of-way being Tamarus Street located between Russell Road and Rawhide Street within Paradise (description on file). JG/lm/syp (For possible action)

ACTION: It was moved by Commissioner Jim Gibson, and carried by unanimous vote, that the applications for Item Nos. 35 and 36 be approved per staff and additional conditions.

CONDITIONS OF APPROVAL -

Comprehensive 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

- Coordinate with Traffic Management to return any County assets to Public Works;
- If the applicant chooses to purchase the streetlights, coordinate with Public Works - Traffic Management for the purchase and the transfer of electric service;
- Enter into a maintenance and access agreement with the subdivision to the west to allow the applicant to use the vacated area or complete the appropriate subdivision map to transfer ownership;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Clark County Water Reclamation District (CCWRD)

- The applicant is advised that CCWRD has existing or proposed assets within the area proposed to be vacated per VS-23-0119; CCWRD has no objection to the request for vacation as presented; however, CCWRD requests all existing rights granted to us within the rights-of-way are reserved; it is understood that this vacation shall not reduce our rights to operate and maintain our facilities; CCWRD also requests that drivable access be able to handle H-20 loading and is maintained by fee owner; and additionally, CCWRD requests no gates or fences are allowed to be installed across the subject parcel as a condition of the rights granted to the CCWRD.

ITEM NO. 37 NZC-23-0053-WIGWAM-PARVIN LIMITED PARTNERSHIP:

ZONE CHANGE to reclassify 5.0 acres from an R-E (Rural Estates Residential) Zone to an R-4 (Multiple Family Residential - High Density) Zone.

USE PERMIT for a senior housing project.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; and 2) modified driveway design standards.

DESIGN REVIEWS for the following: 1) senior housing project with associated structures and uses; and 2) finished grade in the CMA Design Overlay District. Generally located on the north side of Arby Avenue and the west side of Torrey Pines Drive within Enterprise (description on file). MN/rk/syp (For possible action)

AMUNDSEN

Next – um - we've had a request to advance Items 37 and 38 to be heard now, if that's okay.

So Item 37, NZC-23-0053, zone change to reclassify five acres from an R-E (Rural Estates Residential) Zone to an R-4 (Multiple Family Residential – High Density) Zone. Use permit for a senior housing project. Waivers of development standards for the following: increase building height, modify driveway design standards. Design reviews for the following: senior housing project with associated structures and uses, finish grade in the CMA Design Overlay District. Generally located on the north side of Arby Avenue and the west side of Torrey Pines Drive within Enterprise.

AMUNDSEN

Item 38, VS-23-0054, vacate and abandon easements of interest to Clark County located between Arby Avenue and Badura Avenue, and between Torrey Pines Drive and Redwood Street within Enterprise.

GIBSON

Good morning.

JENNIFER LAZOVICH

Good morning. Jennifer Lazovich, 1980 Festival Plaza Drive. Here today on behalf of Ovation. First I wanna thank the Commission for allowing me to pull this item forward as I have another competing hearing over in the City of Las Vegas. The location of the property is on Torrey Pines and just to the north side of Arby. The proposed project is for an affordable senior housing project.

The site plan, a-o-oops, if you could scroll up just a little bit. This shows you the general site plan and landscape plan. As many of Ovation's buildings look, it is an entirely enclosed building with interior doors, elevators, all of the doorways faced to the inside. We do provide, of course, a number of amenities in our common areas.

And we have one entrance point for our residents coming in and off of Arby. In as you can see on the staff report, we also have a waiver for the throat depth. However, in working with Commissioner Naft's office and with Public Works what we would like to do is provide a right-hand turn lane coming off of Arby. So that we can pull the cars off of the travel lanes. And do an immediate right-hand turn lane into our project.

And with this change we do need to lose 12 parking spaces. But that said, again, as I mentioned, is an affordable senior housing project. And we know from our other affordable senior housing projects, the parking numbers that we need to provide for the seniors who live in there who do have cars. And we believe that this reduction of 12 spaces to allow for that right-hand turn lane and assist with that throat depth waiver, will not be negative or detrimental to the project.

We will still have enough parking for seniors who do have cars, and then probably quite frankly, even some left over for guest parking for seniors who just don't have cars, but do who would live here.

The other thing that we did is we worked with our neighbor immediately to the west of us. He owns this warehouse building right here. We've done some tours of his business and his operation. And as you can note in the approval from the Planning Commission, there are a number of conditions that were added. He was at that Planning Commission hearing. And a couple of the conditions that were important is number two to provide a disclosure statement to the residents that there are other uses in the area that could produce noise or odors. The additional condition was to provide 36-inch box trees along our western boundary, which we're agreeing to. And then the third bullet point at the Planning Commission in sort of a discussion that was occurring right at in real-time during the hearing, there was a condition added to provide a 10-foot block wall with sound grouting along the western boundary. That would be along here.

And again, his business is right here. Subsequent to that hearing and that approval, we received an email from that owner, that business owner. Actually, he

LAZOVICH had time to think about it. And he specifically asked that we not put in a 10-foot block wall. Again, that was provided in email. And I have provided a copy to staff as well as Commissioner Naft's office.

So, we would ask to accommodate his request that bullet point number three under the Planning Commission comprehensive planning be deleted. So that we will not be providing a 10-foot block wall along the western boundary. And with that, I believe Nancy may have one additional condition to add. And I will answer any questions. Thank you.

GIBSON Thank you. Do you have anything more? This is your presentation.

LAZOVICH No.

GIBSON Is there anyone here who wishes to speak? This is a public hearing on this item. There is no one. The public hearing is closed. Commissioner Naft.

NAFT Thank you, Mister Chairman. Nancy, would, is that in fact true that you have an additional condition?

AMUNDSEN I was just gonna say per revised plans.

NAFT Yep. I woulda said the same thing. And I support the two significant pieces that Miss Lazovich mentioned. Removing the Planning condition of the 10-foot wall. And I will note that that parking reduction of 12 spots is because of the imposition that I'm putting on the project to require the right turn lane. With that, I move for approval of Item 37 and 38 per plan submitted.

LAZOVICH Thank you.

GIBSON The motion by Commissioner Naft for approval. Any discussion? Please cast your votes. The motion carries. Thank you.

LAZOVICH Thank you very much.

AMUNDSEN Next, are Item 25 and Item 51 from yesterday's business meeting.

ACTION: It was moved by Commissioner Michael Naft, and carried by unanimous vote, that the applications for Item Nos. 37 and 38 be approved per the revised plans submitted.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Resolution of Intent to complete in 3 years;
- Provide disclosure statement to residents about industrial uses in the vicinity that may produce odors and noise;
- Provide 36 inch box trees within landscape buffer along the western boundary;
- Per revised plans on file;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County 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 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;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 35 feet to the back of curb for Badura Avenue, 35 feet to the back of curb for Torrey Pines Drive, 25 feet to the back of curb for Arby Avenue and associated spandrels.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; that separate airspace determinations will be needed for construction cranes or other temporary equipment; that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0421-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 38 VS-23-0054-GKT 4, LLC & BESUDEN, HENRY W. & CHARLOTTE:

VACATE AND ABANDON easements of interest to Clark County located between Arby Avenue and Badura Avenue, and between Torrey Pines Drive and Redwood Street within Enterprise (description on file). MN/rk/syp (For possible action)

ACTION: It was moved by Commissioner Michael Naft, and carried by unanimous vote, that the applications for Item Nos. 37 and 38 be approved per the revised plans submitted.

CONDITIONS OF APPROVAL -

Comprehensive 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 35 feet to the back of curb for Badura Avenue, 35 feet to the back of curb for Torrey Pines Drive, 25 feet to the back of curb for Arby Avenue and associated spandrels;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Fire Prevention Bureau

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

ITEM NO. 39 ORD-23-900168: Introduce an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners through various zone change applications on February 8, 2023, February 22, 2023 and March 8, 2023. (For possible action)

AMUNDSEN

Next, is an ordinance for introduction. Ordinance 23-900168 is a recommendation you introduce an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners through various zone change applications on February 8th, 2023, February 22nd, 2023, and March 8th, 2023. We request this be set for public hearing for May 17th, 2023 at 9:00 a.m.

GIBSON

I'll introduce the ordinance and set the public hearing for May 17th, 2023 at 9:00 a.m.

ACTION: There being no objections, Chair Gibson set the matter for public hearing on May 17, 2023, at 9:00 a.m.

PUBLIC COMMENT:

GIBSON And that concludes our meeting. This meeting is adjourned.

UNIDENTIFIED SPEAKER (unintelligible)

GIBSON Oh. I guess Mister Uehling, I don't know why I would of overlooked you.

UEHLING It's okay. I'm accustomed to it. What was I going to say? Oh. Regarding the project of the Boring Company. They presented data. They actually answered the question that I asked. How are people going to travel from the downtown to the airport, and how much is it going to cost, and how's it possible? The figures that they gave us is the distance is 7.7 miles. And it will take eight minutes.

To go - to do that, you would have to travel from the minute, the second you start to the second you get to the airport at 60 miles an hour. And you sat here, and have you been in a - oh - I'm sure all of you have been in the tunnels. Would you go 60 miles an hour down any of those tunnels that have been, approved? Have you, have you seen?

The cars go maybe 20 miles an hour, 15 miles an hour in those tunnels. And you all sat here like dummies not doing anything to not questioning this incredible fact. And they're only going to charge \$12. Okay. That sounds great. But if you have to travel at 20 miles an hour, it'll take three times as long. And it's hard to imagine that it would only cost \$12.

Anyway. Then also at yesterday's meeting it was stated that we can't do anything about any Commissioner who is - violates the ethics of the Commission. And there's a specific title it's section 2.42.090. It reads, "If the Board determines that a violation was committed by a Commissioner, spouse, or domestic partner of a Commissioner, or a member of a Commissioner's household, the Board may determine an appropriate remedy, including reprimand or censure, and, or maybe for the - to the - violation to the Office of the District Attorney, or the Nevada Commission on Ethics." And you said yesterday that nothing we can do, you can do nothing.

GIBSON I think what I said -

UEHLING That's right there.

GIBSON What I said, and actually, the newspaper got it right. This Board has no authority to remove anyone. And we were being asked to remove someone.

UEHLING Well, (laughs) that's a -

GIBSON Okay? So you understand that that is exactly what I said. In fact, you heard it. You were there.

UEHLING (Laughs).

GIBSON So, let's don't play that game, Mister Uehling.

UEHLING It's - you're using the word remove. But there are other things that can be done.

GIBSON Thank you.

UEHLING And -

GIBSON Is there anyone else who wishes to speak during public comment this morning? Then, okay.

DAVID RATLIFF My name is David Ratliff. I'm from Site Enhancement Services.

GIBSON Would you spell your last name please?

RATLIFF Yes. It's R-A-T as in Tom, L as in Larry, I-F as in Frank, F as in Frank from Site Enhancement Services in at 6001 Nimtz Parkway in South Bend, Indiana. I was actually here for Item agenda Number 10. And I didn't hear it called. I don't know if I missed something?

GIBSON So, Item 10 was a part of our a - consent, or our routine action items. And all of those items were approved.

RATLIFF Okay.

GIBSON In the third vote. We did the -

RATLIFF Okay. I - I -

GIBSON - agenda. We did the minutes.

RATLIFF I wasn't s -

GIBSON And then we approved your item.

RATLIFF Thank, thank you very much.

GIBSON (Laughing).

RATLIFF I wasn't sure. And I was, a - I was just like, "Okay. If I don't ask, my boss is gonna wanna know why."

GIBSON (Laughing).

RATLIFF So, I figured I would just pose the question. And if all - if all's good, I will stop wasting your time and be on my way.

GIBSON No. Have a good trip. Thank -

RATLIFF

Thank you very much.

GIBSON

Mm-hmm. Is there anyone else who wishes to speak? There being no one. So, the public comment period is closed. And this meeting is now adjourned.

There being no further business to come before the Board at this time, at the hour of 10:23 a.m., the meeting was adjourned.

APPROVED:

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

ATTEST:

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