

Board of County Commissioners

CLARK COUNTY, NEVADA

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COMMISSION CHAMBERS, GOVERNMENT CENTER
500 SOUTH GRAND CENTRAL PARKWAY
LAS VEGAS, NEVADA 89106
WEDNESDAY JUNE 8, 2022

The Board of County Commissioners of Clark County, Nevada met in recessed regular session in full conformity with law and bylaws of said Board at the regular place of meeting in the Commission Chambers, Government Center, Las Vegas, Clark County, Nevada on Wednesday, the 8th day of June 2022 at the hour of 9:00 a.m. The meeting was called to order at 9:02 a.m. by Chair Gibson and on roll call, the following members were present, constituting all the members:

CALL TO ORDER

CHAIR AND COMMISSIONERS:

Jim Gibson
Justin Jones
William McCurdy II
Ross Miller
Michael Naft
Tick Segerblom

Absent:

Marilyn Kirkpatrick

Also Present:

Robert Warhola, Deputy District Attorney
Nancy Amundsen, Director, Comprehensive Planning
Sami Real, Planning Manager
Antonio Papazian, Manager, Development Review
Jason Allswang, Senior Plan Checker
Jewel Gooden, Assistant Clerk, BCC
Robin Delaney, Deputy Clerk

ITEM NO. 1 Public Comment

JIM GIBSON

Good morning. This is the time set for our zoning meeting. The meeting will come to order.

The first item of business today on our agenda is the - is public comment. We'd invite anyone who wishes to speak on an item that is listed in our agenda. If you would please come forward – uh - tell us what the item number is, give us your name and spell your last name and please limit your comments to three minutes. Is there anyone who wishes to speak during the public comment period? Then we'll move on.

Let me just say for the record that - that Commissioner Kirkpatrick is – uh - out of town. We excuse her today.

The next item of the - on our agenda is the approval of the agenda after considering request to add, hold or delete items.

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

NANCY AMUNDSEN

Commissioners, staff has the following request:

Hold – da -to No Date Certain Item 41-ET-22-400017, (UC-1721-06).

Hold to the June 22nd 2022 BCC meeting: Item 18, UC-22-0190, Item 46 WS-22-0160, Item 55 NZC-22-0149.

Hold to the July 20th 2022 BCC meeting: Item 7, ET-21-400175, (UC-0492-15) and Item 8, ET-21-400176, (UC-0045-16).

The above public hearing items are going to be open as a public hearing and immediately recessed until the dates is previously stated. With these deletions which are Items 7, 8, 18, 41, 46 and 55, the agenda stands ready for your approval.

GIBSON

Are there any other changes to the agenda at the pleasure of the commission? Then I'll entertain a motion.

JUSTIN JONES

Motion to approve the agenda as noted by staff.

GIBSON

And any discussion on the motion? Please cast your votes. The motion carries.

ACTION:

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

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

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 May

AMUNDSEN 4, 2022 zoning meeting are ready for your approval.

GIBSON Is there a motion?

MICHAEL NAFT Motion (inaudible)

GIBSON Is the motion by Commissioner Naft for approval? Any discussion on the motion, please cast your votes. The motion carries.

ACTION: It was moved by Commissioner Michael Naft and carried by the following vote that the minutes be approved.

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

ROUTINE ACTION ITEMS (4 – 40):

AMUNDSEN Next to the routine action items which consists of Items 4 through 40 except those items previously deleted, and Items 26 and 27 which will be heard separately. These items may be considered together on one motion and are subject to the con - conditions listed with each agenda item.

In addition, we have the following amendments: Item 15, ET-22-40-0057, (ZC-20-0066), staff notes that the waivers associated with the application were withdrawn with the original application and are not part of this request.

Item 20, UC-22-0204, staff request to add a current planning condition to read, “One year to review as a public hearing”.

For your information, these items will be opened as a public hearing, and you will take them as - in one motion.

GIBSON Good. Thank you. Is there anything more associated with the consent agenda at the pleasure of the commission? If not, then I'll entertain a motion.

JONES Motion to approve the agenda items as modified by Miss Amundsen.

AMUNDSEN The -

GIBSON Excuse me?

ROBERT WARHOLA Should we check to see if anyone in the public wants to take a - hear something separately?

JONES Motion to approve the consent agenda.

GIBSON There's a motion by Commissioner Jones to approve the consent agenda. Is there any discussion on that motion? Please cast your votes. The motion carries.

ITEM NO. 4 DR-22-0193-SA-CAC-DM, LLC:

DESIGN REVIEW for signs in conjunction with a previously approved vehicle maintenance facility on 0.9 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Cactus Avenue and the east side of Polaris Avenue within Enterprise. JJ/nr/jo (For possible action)

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, William McCurdy, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY: None

ABSENT: Marilyn Kirkpatrick

ABSTAIN None

CONDITIONS OF APPROVAL:

Current Planning

- Applicant is advised that a design review as a public hearing for lighting is required per ZC-18-0930; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within two years of approval date or it will expire.

ITEM NO. 5 DR-22-0218-PLUM WARM SPRINGS, LLC:

DESIGN REVIEW for a medical office building on 1.6 acres in a C-P (Office and Professional) Zone. Generally located on the south side of Warm Springs Road, 750 feet east of Topaz Street within Paradise. JG/gc/jo (For possible action)

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, William McCurdy, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY: None

ABSENT: Marilyn Kirkpatrick

ABSTAIN None

CONDITIONS OF APPROVAL:

Current Planning

- Expunge the design review portion of ZC-18-0680;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection. Page 2 of 32
- Applicant is advised that the installation and use of new cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within two years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance. 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 #0158- 2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 6 DR-22-0228-MEQ-CACTUS & RAINBOW, LLC:

DESIGN REVIEW for a vehicle maintenance (smog testing) facility on a 0.1-acre portion of a 4.7-acre shopping center in a C-2 (General Commercial) Zone in the Mountain's Edge Master Planned Community. Generally located on the northwest corner of Rainbow Boulevard and Cactus Avenue within Enterprise. JJ/bb/syp (For possible action)

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, William McCurdy, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY: None

ABSENT: Marilyn Kirkpatrick

ABSTAIN None

CONDITIONS OF APPROVAL:

Current Planning

- Designate two spaces on the east side of the smog hut with signs for smog hut parking.
- Applicant is advised that drive-isles must be kept free and clear of any obstructions; the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within two years of approval date or it will expire.

ITEM NO. 7 ET-21-400175 (UC-0492-15)-WESTWYNN, LLC:

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

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

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

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

ACTION: Deleted from the agenda (held to July 20, 2022 per the applicant).

ITEM NO. 8 ET-21-400176 (UC-0045-16)-WESTWYNN, LLC:

HOLDOVER USE PERMIT SECOND EXTENSION OF TIME to expand/enlarge the Gaming Enterprise District by

approximately 2.5 acres in conjunction with an approved resort hotel (Alon) on 34.6 acres in an H-1 (Limited Resort and Apartment) Zone in the MUD-1 Overlay District. Generally located between Sammy Davis Jr. Drive and Las Vegas Boulevard South and between Fashion Show Drive and Wilbur Clark Desert Inn Road within Winchester and Paradise. TS/sd/jo (For possible action) (held from May 4, 2022)

ACTION: Deleted from the agenda (held to July 20, 2022 per the applicant).

ITEM NO. 9 ET-22-400049 (NZC-0511-12)-TETON CAPITAL MANAGEMENT, LLC: ZONE CHANGE FIFTH EXTENSION OF TIME to reclassify 3.5 acres from an R-E (Rural Estates Residential) Zone to a C-1 (Local Business) Zone. Generally located on the northeast corner of Grand Teton Drive and Buffalo Drive within Lone Mountain (description on file). MK/lm/syp (For possible action)

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, William McCurdy, Ross Miller, Michael Naft, Tick Segerblom
VOTING NAY:	None
ABSENT:	Marilyn Kirkpatrick
ABSTAIN	None

CONDITIONS OF APPROVAL:

Current Planning

- No resolution of intent and staff to prepare an ordinance to adopt the zoning.
- 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; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

ITEM NO. 10 ET-22-400050 (UC-19-0864)-TETON CAPITAL MANAGEMENT, LLC: AMENDED USE PERMITS FIRST EXTENSION OF TIME for the following: 1) a project of regional significance; 2) mini-warehouse building; and 3) vehicle rental.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) alternative landscaping adjacent to arterial streets; 2) alternative screening for outside vehicle rental; 3) modified driveway design standards; and 4) reduce driveway distances from the intersection.

DESIGN REVIEWS for the following: 1) retail center with a mini-warehouse building and vehicle rental; and 2) finished grade on 3.4 acres in a C-1 (Local Business) Zone (no longer needed). Generally located on the northeast corner of Buffalo Drive and Grand Teton Drive within Lone Mountain. MK/lm/syp (For possible action)

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, William McCurdy, Ross Miller, Michael Naft, Tick Segerblom
VOTING NAY:	None
ABSENT:	Marilyn Kirkpatrick

ABSTAIN

None

CONDITIONS OF APPROVAL:

Current Planning

- Until October 3, 2024 to complete (to match expiration date with DR-21-0130).
- 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; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

ITEM NO. 11 ET-22-400051 (DR-21-0130)-TETON CAPITAL MANAGEMENT, LLC:

DESIGN REVIEWS FIRST EXTENSION OF TIME for the following: 1) a proposed daycare facility; and 2) final façade design for an approved retail center with a mini-warehouse building on 3.4 acres in a C-1 (Local Business) Zone. Generally located on the northeast corner of Buffalo Drive and Grand Teton Drive within Lone Mountain. MK/lm/syp (For possible action)

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, William McCurdy, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY:

None

ABSENT:

Marilyn Kirkpatrick

ABSTAIN

None

CONDITIONS OF APPROVAL:

Current Planning

- Until October 3, 2024 to complete.
- 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; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

ITEM NO. 12 ET-22-400054 (WS-19-0927)-DFA, LLC:

WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for the following: 1) reduced security gate setback; 2) alternative landscaping; 3) attached sidewalk; and 4) reduced parking.

DESIGN REVIEW for a 265,000 square foot office/warehouse building on 15.1 acres in an M-1 (Light Manufacturing) Zone and an M-2 (Industrial) Zone. Generally located on the north side of Eastgate Road and the west side of Fourth Street within Whitney. JG/jor/syp (For possible action)

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, William McCurdy, Ross Miller, Michael Naft, Tick Segerblom
VOTING NAY:	None
ABSENT:	Marilyn Kirkpatrick
ABSTAIN	None

CONDITIONS OF APPROVAL:

Current Planning

- Until June 8, 2024 to commence.
- 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; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

ITEM NO. 13 ET-22-400055 (UC-20-0240)-MEQ-BD & D II, LLC:

USE PERMITS FIRST EXTENSION OF TIME for the following: 1) alcohol sales, liquor - packaged only (liquor store) not in conjunction with grocery store; 2) convenience store; and 3) gasoline station.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setback for a convenience store; 2) reduce setback for a gasoline station; and 3) alternative driveway geometrics.

DESIGN REVIEW for modifications to an approved shopping center on 3.8 acres in a C-1 (Limited Commercial) Zone. Generally located on the north side of Blue Diamond Road, 610 feet east of Durango Drive within Enterprise. JJ/jgh/syp (For possible action)

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, William McCurdy, Ross Miller, Michael Naft, Tick Segerblom
VOTING NAY:	None
ABSENT:	Marilyn Kirkpatrick
ABSTAIN	None

CONDITIONS OF APPROVAL:

Current Planning

- Until April 4, 2024 to commence;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review
• Compliance with previous conditions.

ITEM NO. 14 ET-22-400056 (ZC-18-0118)-MEQ-BD & D II, LLC:

DESIGN REVIEWS SECOND EXTENSION OF TIME for the following: 1) a proposed shopping center; and 2) finished grade on 3.8 acres in a C-1 (Limited Commercial) Zone. Generally located on the north side of Blue Diamond Road, 610 feet east of Durango Drive within Enterprise (description on file). JJ/jgh/syp (For possible action)

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, William McCurdy, Ross Miller, Michael Naft, Tick Segerblom
VOTING NAY:	None
ABSENT:	Marilyn Kirkpatrick
ABSTAIN	None

CONDITIONS OF APPROVAL:

Current Planning

- Until April 4, 2024 to commence.
- 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; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review
• Compliance with previous conditions.

ITEM NO. 15 ET-22-400057 (ZC-20-0066)-RA SOUTHEAST LAND COMPANY, LLC:

WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for the following: 1) reduce the driveway throat depth; and 2) reduce the driveway approach distance.

DESIGN REVIEW for a hotel on 2.4 acres in a C-2 (General Commercial) (AE-65) Zone. Generally located on the north side of Las Vegas Boulevard North and the west side of Nellis Boulevard within Sunrise Manor (description on file). MK/hw/syp (For possible action)

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

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

CONDITIONS OF APPROVAL:

Current Planning

- Until November 18, 2024 to commence, to correspond with WS-20-0277 and DR-20-0422.
- Applicant is advised that waivers associated with this application were withdrawn with the original application and are not a part of this request; the installation and use of cooling systems that consumptively use water will be prohibited; the

County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review
• Compliance with previous conditions.

ITEM NO. 16 ET-22-400058 (WS-20-0277)-RA SOUTHEAST LAND COMPANY, LLC: WAIVER OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for cross access in conjunction with a proposed hotel project on 2.4 acres in a C-2 (Commercial General) (AE-65) Zone. Generally located on the north side of Las Vegas Boulevard North and the west side of Nellis Boulevard within Sunrise Manor. MK/jud/syp (For possible action)

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, William McCurdy, Ross Miller, Michael Naft, Tick Segerblom
VOTING NAY:	None
ABSENT:	Marilyn Kirkpatrick
ABSTAIN	None

CONDITIONS OF APPROVAL:

Current Planning

- Until November 18, 2024 to commence.
- 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; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review
• Compliance with previous conditions.

ITEM NO. 17 ET-22-400059 (DR-20-0422)-RA SOUTHEAST LAND COMPANY, LLC: DESIGN REVIEW FIRST EXTENSION OF TIME for finished grade in conjunction with a proposed hotel on 2.4 acres in a C-2 (General Commercial) (AE-65) Zone. Generally located on the north side of Las Vegas Boulevard North and the west side of Nellis Boulevard within Sunrise Manor. MK/hw/syp (For possible action)

ACTION: It was moved by Commissioner Justin Jones and carried by the following vote the staff recommendation for withdrawal be approved.

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

ITEM NO. 18 UC-22-0190-FESTIVAL GROUND OWNER, LLC:

USE PERMITS for the following: 1) recreational facility (concerts/events); 2) live entertainment; 3) fairground; and 4) on-premises consumption of alcohol with accessory uses including food, beverage, and retail sales.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce separation from live entertainment to a residential use; 2) reduce parking; 3) reduce setback from the future right-of-way (Las Vegas Boulevard South); 4) allow alternative street landscaping and screening; 5) allow landscaping and structures within the future right-of-way (Las Vegas Boulevard South); and 6) allow non-standard improvements (landscaping and fences) within the right-of-way (Las Vegas Boulevard South).

DESIGN REVIEW for a recreational facility (concert/event/fairground/live entertainment facility) and all accessory buildings and structures on a portion of 77.4 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the south side of Sahara Avenue, west side of Las Vegas Boulevard South, north side of Circus Circus Drive, and the east side of Sammy Davis Jr. Drive within Winchester. TS/jt/ja (For possible action)

ACTION: Deleted from the agenda (held to June 22, 2022 per Commissioner Segerblom).

ITEM NO. 19 UC-22-0195-PECOS BILL, LLC:

USE PERMIT for a school on 0.2 acres in a C-P (Office and Professional) Zone. Generally located on the south side of Warm Springs Road and the west side of Pecos Road within Paradise. JG/nr/syp (For possible action)

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, William McCurdy, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY: None

ABSENT: Marilyn Kirkpatrick

ABSTAIN None

CONDITIONS OF APPROVAL:

Current Planning

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

Public Works - Development Review

- Queuing analysis must be approved by Public Works - Development Review Division.

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. 20 UC-22-0204-SOUTHERN NEVADA BEAGLE RESCUE FOUNDATION:

USE PERMIT to allow additional household pets (dogs) in conjunction with an existing single-family residence on 1.1 acres in an R-E (Rural Estates Residential) Zone. Generally located on the south side of Irvin Avenue, 150 feet west of Placid Street within Enterprise. MN/jgh/syp (For possible action)

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

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

CONDITIONS OF APPROVAL:

Current Planning

- One year to review as a public hearing;
- No more than 20 dogs/pets allowed.
- Applicant is advised that proper permits must be obtained from Clark County Animal Control; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within two years of approval date or it will exp

ITEM NO. 21 WC-22-400046 (ZC-0961-03)-MARRA FAMILY TRUST & MARRA, WILLIAM A. & PEGGY A. TRS:

WAIVER OF CONDITIONS of a zone change requiring a 10-foot wide "No Build" area on the rear of each lot adjacent to the west property line and planted with Mondell Pine trees on 0.2 acres in an R-1 (Single Family Residential) Zone. Generally located on the north side of Sur Este Avenue, 500 feet west of Tamarus Street within Paradise. MN/jgh/syp (For possible action)

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, William McCurdy, Ross Miller, Michael Naft, Tick Segerblom
VOTING NAY:	None
ABSENT:	Marilyn Kirkpatrick
ABSTAIN	None

CONDITIONS OF APPROVAL:

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. 22 WC-22-400061 (ZC-1375-06)-CLARK COUNTY WATER RECLAMATION:

WAIVER OF CONDITIONS of a zone change for future public facilities requiring a design review as a public hearing on final plans to address landscaping and buffering (intense landscaping) from adjacent residences and to address location of generators on 2.9 acres in a P-F (Public Facility) Zone in the Moapa Valley Design Overlay District. Generally located on the south side of Lewis Avenue, 200 feet east of Deer Street within Moapa Valley. MK/al/jo (For possible action)

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, William McCurdy, Ross Miller, Michael Naft, Tick Segerblom
VOTING NAY:	None
ABSENT:	Marilyn Kirkpatrick
ABSTAIN	None

ITEM NO. 23 DR-22-0220-CLARK COUNTY WATER RECLAMATION:

DESIGN REVIEWS for the following: 1) a lift station; and 2) finished grade for a water reclamation facility on 2.9 acres in a P-F (Public Facility) Zone in the Moapa Valley Design Overlay District. Generally located on the south side of Lewis Avenue, 200 feet east of Deer Street within Moapa Valley. MK/al/jo (For possible action)

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, William McCurdy, Ross Miller, Michael Naft, Tick Segerblom
VOTING NAY:	None
ABSENT:	Marilyn Kirkpatrick
ABSTAIN	None

CONDITIONS OF APPROVAL:

Current Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- 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.

ITEM NO. 24 WS-22-0192-SN INVESTMENT PROPERTIES, LLC:

WAIVER OF DEVELOPMENT STANDARDS for a roof sign.

DESIGN REVIEW for signage in conjunction with an existing adult use (Crazy Horse III) on 4.3 acres in an M-1 (Light Manufacturing) (AE-60) Zone in the Adult Use Overlay District. Generally located on the south side of Russell Road, 390 feet west of Polaris Avenue within Paradise. MN/nr/syp (For possible action)

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, William McCurdy, Ross Miller, Michael Naft, Tick Segerblom
VOTING NAY:	None
ABSENT:	Marilyn Kirkpatrick
ABSTAIN	None

CONDITIONS OF APPROVAL:

Current Planning

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

ITEM NO. 25 WS-22-0238-BPS HARMON, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall sign area; 2) increase animated sign area; and 3) increase the number of animated signs.

DESIGN REVIEWS for the following: 1) modifications to an approved comprehensive sign package; and 2) increased animated sign area in conjunction with an existing shopping center (Harmon Corner) on 2.2 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the northeast corner of Las Vegas Boulevard South and Harmon Avenue within Paradise. JG/jvm/ja (For possible action)

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, William McCurdy, Ross Miller, Michael Naft, Tick Segerblom
VOTING NAY:	None
ABSENT:	Marilyn Kirkpatrick
ABSTAIN	None

CONDITIONS OF APPROVAL:

Current Planning

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

Public Works - Development Review

- Permits for any structures and signs in the areas approved to be vacated by VS-20-0271 shall not be issued until said vacation records.
- Applicant is advised that signs, structures, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones.

ITEM NO. 26 ZC-22-0143-LACONIC, LP:

HOLDOVER ZONE CHANGE to reclassify 1.7 acres from an R-E (Rural Estates Residential) Zone to a C-1 (Local Business) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced parking; 2) reduced height setback ratio; 3) reduced driveway departure distance; and 4) reduced driveway throat depth.

DESIGN REVIEWS for the following: 1) a proposed retail center; and 2) finished grade. Generally located on the north side of Cactus Avenue and the west side of Bermuda Road within Enterprise (description on file). MN/jor/jo (For possible action) (held from May 4, 2022)

AMUNDSEN

Next are items 26 and 27 which can be heard together.

Item 26 ZC-22-0143 holdover zone change reclassify 1.7 acres from an R-E, rural estates residential zone to a C1 local business zone. Waivers of development standards for the following: reduce parking, reduce height setback ratio, reduce driveway departure distance, reduce driveway throat depth. Design reviews for the following: a proposed retail center finished grade. These are generally located on the north side of Cactus Avenue and the west side of Bermuda Road within Enterprise.

Item 27, VS-22-0144 holdover, vacate and abandon easements of interest to Clark County located between Bermuda Road and Forest Sword Street and between Cactus Avenue and Rush Avenue alignment and a portion of right of way being Bermuda Road located between Cactus Avenue and Rush Avenue within Enterprise.

GIBSON

Good morning.

LUCY STEWART

Good morning. Lucy Stewart, 1930 Village Center Circle representing the property owner and he's the applicant as well.

And this property does have – um - a considerable amount of history on it. Um - it's a conforming zone change and a little over a year ago, I was not involved in it, but an applicant came forward and asked for a convenient store gas pump and a drive-through restaurant. Um - I think a lot of the neighbors came out at that time and expressed a lot of concern on that so they withdrew that application.

So, the property owner then is coming forward and has decided to develop it on his own. But he took that into consideration because that the neighbors did not want a gas station. So, he's come back with a retail development. Um - before we even filed the application with the County, we did have a neighborhood meeting last June and the number one thing I think that the neighbors said was that they did not wanna have any kind of businesses with 24 hours. So, we've had several meetings with the neighbors. They've expressed their concerns about the project. Um - we're tri - we've tried to address them as best as we can with – uh - conditions so we are proposing these additional conditions – um - that I'll read into the record.

Um - one is to restrict the business' to daytime hours as defined by Title 30, maximum building height of 30 feet, which includes four feet of screening for the mechanical equipment, finish the building on all four sides adding some architectural enhancements, such as pop-outs or faux windows to the north and west, those are the sides that face the residentials. Doors along the north and the west side of the building to be emergency exits only. We've also reduced the square footage or we're requesting to reduce the square footage by 250 square feet. And with that, we're able to withdraw the parking reduction waiver without prejudice. Um - and then we've agreed to install intense landscaping per Title 30.64-12 between the residential to the west and to the north. And so, with that, we can also withdraw the – um - the waiver request for the setback reduction. And that would be it.

GIBSON

Thank you. So that completes your presentation?

STEWART Yes, sir.

GIBSON Commissioner Naft. Excuse me? Oh, yes. This is a public hearing. I'm on a race to get through.

STEWART (laughing)

GIBSON Um - this is a public hearing. Is there anyone who wishes to speak on this item or being known the public hearing's closing? And now, Commissioner Naft.

NAFT
 Thank you, Mister Chairman. Thank you, Miss Stewart for your presentation for your work on this. Um – I - I - you're right, there is a lot of history on this. There was – uh - the item that you referenced that went through – um - some neighborhood meetings -uh - but there were also many items that - that I have turned away – uh - many potential projects that I've turned away on this site out of sensitivity to the neighbors. Um - this is a conforming request. Uh - I know there's no one from the neighborhood here, but I have received a considerable amount of input from that community so I - I appreciate you working on these conditions with them. I do want just state for the record; a lot of where we're at on this design – uh - came from input from the community. So as an example, the reason why the building is close to the residential community – uh - is to help mitigate some of the issues on that property, the drive-through in particular, and to help – um - remove that, make that as far away as possible from the community.

Um - also the reduction in the square footage of the building, which I believe it's been reduced by 3000 feet, which is - it's only 11,000 square foot, it was only 11,000, now 9,000, that's considerable. Um - and I would point out in particular because the building is now pushed close to the residential community that those you mentioned in the fourth condition you stated – uh - that those doors on the backside will only be used for emergency exit. It would be my hope and - and through this condition also – uh - the implication would be that you can't use that as a smoking area, it can't be used as any of break area. It's truly an emergency exit only. Um - and then if you could just reiterate, so you'd be withdrawing waiver of development standards one and two. Is that - did I get that accurate?

STEWART Uh - yes, sir.

NAFT Okay. Uh - well then if there is nothing more, I'd move for approval of Items 26 and 27 wi - with the withdrawal of waiver of development standards one and two.

GIBSON There's a motion on the floor for approval as indicated by Commissioner Naft. Is there any discussion on that motion? There being none, please cast your votes. The motion carries.

STEWART Thank you very much.

GIBSON Thank you.

ACTION:

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

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

CONDITIONS OF APPROVAL:

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Businesses are limited to daytime hours only;
- Maximum building height of 30 feet which includes four feet of screening for mechanical equipment;
- Building to be finished on all four sides with additional architectural enhancements such as pop-outs and faux windows to be added to the north and west building faces;
- Doors along the north and west sides of the buildings to be emergency exits only;
- Reduce the square footage by 250 square feet (as shown on revised plans);
- Install intense landscaping per Title 30.64-12 adjacent to the residential to the west and the north;
- 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 two years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- If required by the Regional Transportation Commission (RTC), dedicate right-of-way for a combination bus turnout/right turn lane.
- 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 #0124- 2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

Waivers of Development Standards Nos. 1 and 2 were withdrawn without prejudice.

ITEM NO. 27 VS-22-0144-LACONIC, LP:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Bermuda Road and Forest Sword Street and between Cactus Avenue and Rush Avenue (alignment) and portion of a right-of-way being Bermuda Road located between Cactus Avenue and Rush Avenue within Enterprise (description on file). MN/jor/jo (For possible action) (held from May 4, 2022)

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

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

CONDITIONS OF APPROVAL:

Current Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- If required by the Regional Transportation Commission (RTC), dedicate right-of-way for a combination bus turnout/right turn lane;
- Coordinate with Public Works - Development Review Division regarding the purchase of the vacated right-of-way;
- 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. 28 ZC-22-0219-SHAH, PANKAJ K.:

ZONE CHANGE to reclassify 0.8 acres from an R-E (Rural Estates Residential) Zone to an R-1 (Single Family Residential) Zone.

DESIGN REVIEW for a single-family residential development. Generally located on the north side of Casey Drive, 155 feet east of Pearl Street within Paradise (description on file). JG/al/jo (For possible action)

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, William McCurdy, Ross Miller, Michael Naft, Tick Segerblom
VOTING NAY:	None
ABSENT:	Marilyn Kirkpatrick
ABSTAIN	None

CONDITIONS OF APPROVAL:

Current Planning

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

Public Works - Development Review

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0161- 2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis

ITEM NO. 29 ZC-22-0237-HUGHES HOWARD PROPERTIES, INC:

ZONE CHANGE to reclassify 289.8 acres in a C-2 (General Commercial) Zone and an R-5 (Apartment Residential District) Zone both within a P-C (Planned Community Overlay District) Zone to a C-2 (General Commercial) Zone and an R-5 (Apartment Residential District) Zone both within a P-C (Planned Community Overlay District) Zone in the Summerlin Master Planned Community.

USE PERMITS for the following: 1) modified development standards; and 2) allow outside commercial activities.

VARIANCE to allow single family attached (townhomes) in an R-5 zoning district.

WAIVER for modified street improvement standards. Generally located on the south side of Charleston Boulevard and the west side of Town Center Drive within Summerlin South (description on file). JJ/jvm/ja (For possible action)

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, William McCurdy, Ross Miller, Michael Naft, Tick Segerblom
VOTING NAY:	None
ABSENT:	Marilyn Kirkpatrick
ABSTAIN	None

CONDITIONS OF APPROVAL:

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Expunge ZC-1894-98, ZC-1020-07, and ZC-1431-06;
- Applicant to provide County staff with ten complete Village 13 binders;
- Applicant to provide a table of all approved modified standards;
- All applicable standard conditions for this application type.

Fire Prevention Bureau

- All proposed single family residential submittals will comply with Code requirements for residential streets;
- 503.2.1.1 parallel parking permitted on both sides; where parallel parking is permitted on both sides of the fire apparatus access road, the minimum clear width of the fire apparatus road shall be 36 feet (10,972 mm), measuring 37

feet (11,277 mm) from back of curb to back of curb for L- curbs, 38 feet (11,852 mm) from back of curb to back of curb for R-curbs, and 39 feet (11,887 mm) from back of curb to back of curbs for roll curbs;

- The prohibition of parallel parking on both sides for the purpose of narrowing the roadway width is not permitted for fire apparatus roads serving one- and two-family dwellings.

Clark County Water Reclamation District (CCWRD)

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

ITEM NO. 30 NZC-22-0090-BELTWAY DEWEY, LLC:

AMENDED ZONE CHANGE to reclassify 10.3 acres from an R-E (Rural Estates Residential) Zone and an R-2 (Medium Density Residential) Zone to an R-4 (Multiple Family Residential - High Density) Zone (previously notified as R-5 (Apartment Residential) Zone).

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) reduce landscaping; and 3) alternative driveway geometrics.

DESIGN REVIEWS for the following: 1) multiple family residential development; and 2) finished grade in the CMA Design Overlay District. Generally located on the south side of Hacienda Avenue, the west side of Jerry Tarkanian Way, and the north side of Diablo Drive within Spring Valley (description on file). JJ/jt/jo (For possible action)

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, William McCurdy, Ross Miller, Michael Naft, Tick Segerblom
VOTING NAY:	None
ABSENT:	Marilyn Kirkpatrick
ABSTAIN	None

CONDITIONS OF APPROVAL:

Current Planning

- Resolution of Intent to complete in three years;
- 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 nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Drainage study and compliance;
- 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;
- Coordinate with Public Works - Director's Office for the Beltway Frontage Road Phase 1 improvement project;
- Dedicate any right-of-way and easements necessary for the Beltway Frontage Road Phase 1 improvement project;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for the Beltway Frontage Road Phase 1 improvement project;

- 90 days to record required right-of-way dedications and any corresponding easements for the Beltway Frontage Road Phase 1 improvement project;
- Vacate any unnecessary easements.
- 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

- Compliance with most recent recorded airport-related deed restrictions for APN 163-29- 301-013.

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 #0384- 2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 31 NZC-22-0137-RAD-FAR LTD:

ZONE CHANGE to reclassify 7.0 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.

WAIVER OF DEVELOPMENT STANDARDS to increase wall height.

DESIGN REVIEWS for the following: 1) a single-family residential development; and 2) finished grade. Generally located on the northeast corner of Durango Drive and Agate Avenue within Enterprise (description on file). JJ/al/jo (For possible action)

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, William McCurdy, Ross Miller, Michael Naft, Tick Segerblom
VOTING NAY:	None
ABSENT:	Marilyn Kirkpatrick
ABSTAIN	None

CONDITIONS OF APPROVAL:

Current Planning

- Resolution of Intent to complete in four years;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Provide pedestrian access to Durango Drive;
- Combine driveways to be adjacent (every two) where possible;
- Increased fenestration for homes next to street or backing to neighbors;
- 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 nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in

circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Drainage study and compliance;
- 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 30 feet for Agate Avenue, 45 feet to the back of curb for Durango Drive, and associated spandrel.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0041- 2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 32 VS-22-0138-RAD-FAR LTD:

VACATE AND ABANDON easements of interest to Clark County located between Durango Drive and Gagnier Boulevard (alignment), and between Agate Avenue and Raven Avenue (alignment), and a portion of a right-of-way being Durango Drive located between Agate Avenue and Pebble Road, and a portion of Lisa Lane located between Agate Avenue and Raven Avenue within Enterprise (description on file). JJ/al/jo (For possible action)

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, William McCurdy, Ross Miller, Michael Naft, Tick Segerblom
VOTING NAY:	None
ABSENT:	Marilyn Kirkpatrick
ABSTAIN	None

CONDITIONS OF APPROVAL:

Current Planning

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

Public Works - Development Review

- Right-of-way dedication to include 45 feet to the back of curb for Durango Drive adjacent to APN 176-21-101-015, 30 feet for Agate Avenue, and associated spandrel;

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- 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. 33 TM-22-500045-RAD-FAR LTD:

TENTATIVE MAP consisting of 50 single family residential lots and common lots on 7.0 acres in an R-2 (Medium Density Residential) Zone. Generally located on the northeast corner of Durango Drive and Agate Avenue within Enterprise. JJ/al/jo (For possible action)

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, William McCurdy, Ross Miller, Michael Naft, Tick Segerblom
VOTING NAY:	None
ABSENT:	Marilyn Kirkpatrick
ABSTAIN	None

CONDITIONS OF APPROVAL:

Current Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Agate Avenue, 45 feet to the back of curb for Durango Drive, and associated spandrel.
- 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.

Current Planning Division - Addressing

- Streets shall have approved street names and suffixes;
- Street A is an extension of Alderstone Street and shall assume the same name;
- Approved street name list from the Combined Fire Communications Center shall be provided.

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 #0041- 2022 to obtain your POC exhibit; and that

flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 34 NZC-22-0139-CHINGROS FAMILY TRUST & CHINGROS CAROLYN TRS:

ZONE CHANGE to reclassify 4.9 acres from an R-E (Rural Estates Residential) Zone to an RUD (Residential Urban Density) Zone.

USE PERMIT for an attached (townhouse) planned unit development.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce the gross area of a planned unit development; 2) reduce setbacks; 3) reduce private street width; 4) allow modified A-curb and ribbon curb with an inverted crown; 5) reduce back of curb radii for private streets; and 6) allow modified private residential driveway design.

DESIGN REVIEWS for the following: 1) an attached single family residential planned unit development; and 2) finished grade. Generally located on the south side of Patrick Lane, 300 feet east of Fort Apache Road within Spring Valley (description on file). JJ/rk/jo (For possible action)

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, William McCurdy, Ross Miller, Michael Naft, Tick Segerblom
VOTING NAY:	None
ABSENT:	Marilyn Kirkpatrick
ABSTAIN	None

CONDITIONS OF APPROVAL:

Current Planning

- Resolution of Intent to complete in four years;
- 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 nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Drainage study and compliance;
- 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 the curb for Patrick Lane;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications for any collector street or larger;
- 90 days to record required right-of-way dedications for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will

require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0102- 2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 35 VS-22-0140-CHINGROS FAMILY TRUST & CHINGROS CAROLYN TRS:

VACATE AND ABANDON easements of interest to Clark County located between Patrick Lane and a Clark County Flood Control Channel, and between Fort Apache Road and Quarterhorse Lane (alignment) within Spring Valley (description on file). JJ/rk/jo (For possible action)

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, William McCurdy, Ross Miller, Michael Naft, Tick Segerblom
VOTING NAY:	None
ABSENT:	Marilyn Kirkpatrick
ABSTAIN	None

CONDITIONS OF APPROVAL:

Current Planning

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

Public Works - Development Review

- Right-of-way dedication to include 35 feet to the back of curb for Patrick Lane;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications for any collector street or larger;
- 90 days to record required right-of-way dedications for any collector street or larger;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Fire Prevention Bureau

- All proposed single family residential submittals will comply with Code requirements for residential streets;
- Per 503.2.1.1 (Parallel Parking Permitted on Both Sides) where parallel parking is permitted on both sides of the fire apparatus access road, the minimum clear width of the fire apparatus road shall be 36 feet (10,972 mm), measuring 37 feet (11,277 mm) from back of curb to back of curb for L- curbs, 38 feet (11,852 mm) from back of curb to back of curb for R-curbs, and 39 feet (11,887 mm) from back of curb to back of curbs for roll curbs;
- The prohibition of parallel parking on both sides for the purpose of narrowing the roadway width is not permitted for fire apparatus roads serving 1 and 2 family dwellings.

ITEM NO. 36: TM-22-500046-CHINGROS FAMILY TRUST & CHINGROS CAROLYN TRS:

TENTATIVE MAP consisting of 73 residential lots and common lots on 4.9 acres in an RUD (Residential Urban

Density) Zone. Generally located on the south side of Patrick Lane, 300 feet east of Fort Apache Road within Spring Valley. JJ/rk/jo (For possible action)

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, William McCurdy, Ross Miller, Michael Naft, Tick Segerblom
VOTING NAY:	None
ABSENT:	Marilyn Kirkpatrick
ABSTAIN	None

CONDITIONS OF APPROVAL:

Current Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 35 feet to the back of the curb for Patrick Lane;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications for any collector street or larger;
- 90 days to record required right-of-way dedications for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map.
- 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.

Current Planning Division - Addressing

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

Fire Prevention Bureau

- All proposed single family residential submittals will comply with Code requirements for residential streets;
- Per 503.2.1.1 (Parallel Parking Permitted on Both Sides) where parallel parking is permitted on both sides of the fire apparatus access road, the minimum clear width of the fire apparatus road shall be 36 feet (10,972 mm), measuring 37 feet (11,277 mm) from back of curb to back of curb for L-curbs, 38 feet (11,852 mm) from back of curb to back of curb for R-curbs, and 39 feet (11,887 mm) from back of curb to back of curbs for roll curbs;
- The prohibition of parallel parking on both sides for the purpose of narrowing the roadway width is not permitted for fire apparatus roads serving 1 and 2 family dwellings.

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 #0102- 2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 37: CP-22-900294: Conduct a public hearing, adopt the Flood Control Master Plan Amendment, and authorize the Chair to sign a Resolution amending the Plan. (For possible action)

ACTION: It was moved by Commissioner Justin Jones and carried by the following vote that the recommendation (including the adoption of Resolution No. R-6-8-22-1) be approved.

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

ITEM NO. 38 ORD-22-900176: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with KB Home Las Vegas, INC for a residential subdivision (Pyle - Arville) on 23.88 acres, generally located south of Pyle Avenue and east of Arville Street within Enterprise. JJ/dd (For possible action)

ACTION: It was moved by Commissioner Justin Jones and carried by the following vote that the recommendation (including the adoption of Ordinance No. 4955) be approved.

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

ITEM NO. 39 ORD-22-900330: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Two Fifteen West, LLC for an office development (Rafael Rivera - Cimarron) on 2.1 acres, generally located north of Rafael Rivera Way and east of Cimarron Road within Spring Valley. MN/dd (For possible action)

ACTION: It was moved by Commissioner Justin Jones and carried by the following vote that the recommendation (including the adoption of Ordinance No. 4956) be approved.

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

ITEM NO. 40 ORD-22-900333: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with 5051 SLV, LLC and DLV-H Owner, LLC for the Dream Las Vegas Resort Hotel on 4.9 acres, generally located east of Las Vegas Boulevard South and 500 feet south of Russell Road (alignment) within Paradise. JG/sr (For possible action)

ACTION:

It was moved by Commissioner Justin Jones and carried by the following vote that the recommendation (including the adoption of Ordinance No. 4957) be approved.

VOTING AYE:

Jim Gibson, Justin Jones, William McCurdy, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY:

None

ABSENT:

Marilyn Kirkpatrick

ABSTAIN:

None

ITEM NO. 41 ET-22-400017 (UC-1721-06)-PALAZZO CONDO TOWER, LLC:

HOLDOVER USE PERMITS SIXTH EXTENSION OF TIME to commence the following: 1) resort condominiums in conjunction with an existing resort hotel (The Venetian); 2) increased building height; 3) associated accessory and incidental commercial uses, buildings, and structures; and 4) deviations from development standards.

DEVIATIONS for the following: 1) reduce on-site parking requirements; 2) reduce the height setback ratio from an arterial street; 3) encroachment into airspace; and 4) all other deviations as shown on plans in file.

DESIGN REVIEWS for the following: 1) a 632-foot high, high-rise resort condominium tower including kitchens in rooms; 2) all associated accessory uses, retail areas, and amenity areas (The Venetian/Palazzo); and 3) revisions to an already approved retail component associated with the Venetian/Palazzo (Walgreens) on a portion of 62.9 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Sands Avenue within paradise. TS/jor/syp (For possible action) (held from May 4, 2022)

ACTION:

Deleted from the agenda (held to no date certain per the applicant).

ITEM NO. 42 VS-22-0163-PLACID INDUSTRIAL 2021, LLC:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between George Crockett Road and Arby Avenue (alignment), and between Placid Street and La Cienega Street within Enterprise (description on file). MN/lm/jo (For possible action) (held from May 18, 2022)

AMUNDSEN

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

Item 42 VS-22-0163, holdover vacate and abandon easements of interest of Clark County located between George Crockett Road and Arby Avenue (alignment) and between Placid Street and La Cienega Street within Enterprise.

Item 43 WS-22-0162 holdover waiver of development standards for the following: reduced parking, waive landscaping, modified commercial driveway design, design review for proposed office warehouse complex with outside storage on 2.2 acres in an M1 light manufacturing zone generally located on the west side of Placid Street and the north side of Arby Avenue alignment within Enterprise.

GIBSON

Good morning, Mister Gronauer.

BOB GRONAUER

Good morning, Commissioners – uh - Mister Chairman and Commissioners. My name is Bob Gronauer, 1980 Festival Plaza Drive. I'm here representing the property owner and – uh - developer of this site.

As I could take – uh - take you to your attention to the overhead. Um - this is approximately 2.2 acres of property. It's already mass – uh - master plan end zone for industrial uses. Um - as you can see here, there are two existing

GRONAUER

residential homes that will be torn down and we'll be coming in with two industrial buildings. The location is on the north – uh - west corner of this is Placid, this is the Arby alignment, and this is the 2.2 acres of property that we're – uh - discussing.

Um - with respect to your staff report from Public Works and Planning- uh - what I want to show you here is some of the changes we made to try to address the - some of the concerns that were brought up. First and foremost, as you know, when we deal with industrial projects – uh - the throat depth is always a discussion and – and – uh - that we need to have with Public Works. Um - our involvement with Antonio and Jason, what we've done is on the right-hand side here was the original plan.

Uh - we've had the two buildings as you can see here of industrial buildings where our truck loading area – um - ingress and egress to the front of the building itself, which created some conflicts in here with the throat depth that as you can see here along Placid. Um - after sitting down with your Public Works Department, the plan on your left that you see, it's a deeper throat depth in there where we have 65 feet coming on the ingress, egress, the 75 feet that's located there no longer it's the 15 feet that was originally being requested. Because of that, we moved, excuse me, we moved the buildings to the front of the property as you can see, where before we had the buildings – uh - to the back of the property. By doing this is we re - reoriented the loading docks to the back of the property itself of the industrial. And as you can see here, we took the parking, and we had more parking in the back. Actually, we believe this is a better design because what you actually get out of this with this new design, we've added three more parking spaces up to 68 parking spaces – uh - where before we're asking for approval of 65.

And more importantly from a landscape perspective – um - what we were able to do here is we've increased the landscaping along Placid where you have 20 feet of landscaping in here. We have power lines that run north and south along Placid itself. But by doing this, we've increased the landscape on the plan approximately about - almost three times more than what we had an original plan. So, you can see we've added some trees - medium trees in the parking area itself. Initially we had about four medium trees overall. On the original plan, we added up to 13 orig – uh - medium trees and we've increased – uh - some of our smaller trees in this area 'cause we have to have smaller trees because of the power lines and the requirements for the planting and materials that you could have in there.

So, we believe – uh - with respect to listening to what the staff report had to say both Planning and Public Works, that we wanted to make some changes to the design itself. So not only we – um - increased the throat depth, but we moved the buildings to the front, by that we increase the landscaping in the area and the design of the project, which we think is more compatible to the area itself. So, with that being done – um - I would ask you to approve the – uh – um - the proposal that we have and – um - we'll go from there, I guess. Thank you.

GIBSON

Thank you. And that completes your presentation?

GRONAUER

Uh – yes, Mister Chairman.

GIBSON This is a public hearing which is now open. Is there anyone here who wishes to speak on this item? There being no one, the public hearing is closed. Commissioner?

NAFT Thank you, Mister Chairman. Antonio, is it your opinion that the changes made, the modification made to the throat depth – um - mitigates for concerns that you had?

ANTONIO PAPA ZIAN Thank you, Commissioner. Absolutely with the additional – uh - throat depth and landscape, they've mitigated our concerns.

NAFT Thank you. Um - and then Nancy, on waiver of development standard two with the landscaping waiver – um - because they're - is it really an alternative landscaping that they're doing?

AMUNDSEN If they're going to provide the same amount of landscaping that would be required, it is alternative with this design.

NAFT So that be - so how – uh - how does that waiver get read in? I just wanna be -

AMUNDSEN It's just gonna be per plans.

NAFT It's not a reduction in landscaping, it's just an alternative.

AMUNDSEN Right. It's just going to be per plans, so -

NAFT Okay, thank you. In that case – uh – we'll move for approval of Items 42 and 43 per plans submitted.

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

NAFT And just to clarify, those are per plans submitted on 6/7?

GIBSON Are there any questions or comments? There being none, please cast your votes. The motion carries. Thank you.

GRONAUER Thank you.

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

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

CONDITIONS OF APPROVAL:

Current Planning

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

Public Works - Development Review

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

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that dead-end streets/cul-de-sacs in excess of 500 feet must have an approved Fire Department turn-around provided; and that fire/emergency access must comply with the Fire Code as amended.

ITEM NO. 43 WS-22-0162-PLACID INDUSTRIAL 2021, LLC:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce parking; 2) waive landscaping; and 3) modified commercial driveway design.

DESIGN REVIEW for a proposed office/warehouse complex with outside storage on 2.2 acres in an M-1 (Light Manufacturing) Zone. Generally located on the west side of Placid Street and the north side of Arby Avenue (alignment) within Enterprise. MN/lm/jo (For possible action) (held from May 18, 2022)

ACTION:

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

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

CONDITIONS OF APPROVAL:

Current Planning

- Per plans submitted June 7, 2022;
- Provide shrubbery located in easterly planters adjacent to the buildings that when grown at maturity will be over four feet in height as described in the Southern Nevada Regional Planning Coalition Regional Plant List;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within two years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements;
- Coordinate with Traffic Management to return any County assets to Public Works.

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

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that dead-end streets/cul-de-sacs in excess of 500 feet must have an approved Fire Department turn-around provided; and that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0318- 2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 44 WC-22-400060 (ZC-0274-03)-DESERT PALM PLAZA, LLC:

WAIVER OF CONDITIONS of a zone change requiring all future buildings shall incorporate a common design theme and incorporate like architectural features and materials in conjunction with a proposed vehicle maintenance and vehicle repair establishment on a 0.3 acre portion of 36.0 acres of an existing shopping and office center in a C-2 (General Commercial) and a C-P (Office and Professional) Zone in the CMA Design Overlay District. Generally located on the south side of Warm Springs Road, 1,120 feet east of Durango Drive within Spring Valley. MN/jor/jo (For possible action)

AMUNDSEN

Next are Items 44 and 45 which can be heard together.

Item 44, WC-22-400060 (ZC-0274-03). Waiver of conditions of a zone change requiring all future buildings shall incorporate a common design theme and incorporate like architectural features and materials in conjunction with a proposed vehicle maintenance and vehicle repair establishment on 0.3-acre portion of 36 acres of an exist- existing shopping and office center in a C2 (General Commercial) and a C-P (Office and Professional) Zone in the CMA Design Overlay District.

Item 45, UC-22-0213, use permit to allow a vehicle repair, design review for vehicle maintenance and vehicle repair, excuse me, establishment on a 0.3-acre

AMUNDSEN portion of a 36-acre site of an existing shopping and office center in a C2 (General Commercial) Zone in the CMA Design Overlay District. This is generally located on the south side of Warm Springs Road, 1,120 feet east of Durango Drive within Spring Valley.

GIBSON Good morning.

LUIS FLORES Morning Commissioners. My name is Luis Flores, 10438 Sky Gate Street. And we agree with the staff recommendations regarding supporting the proposed color scheme as long as we add faux stone to the - to the building, which we did then right here in the elevations, we are showing the proposed faux stone. We also revise our renderings and I hope we - you know, you – uh - support our purpose building.

GIBSON So just for clarification because we're hearing from the applicant that he agrees with what was recommended, does that mean that the waiver of conditions that is Item 44 is withdrawn? Is that the effect of that?

AMUNDSEN No, because the – um – at this - he's bringing as close as he can, but the colors are still not consistent with the rest of the shopping center. So, let's just keep it – um – going forward that way.

GIBSON All right. Thank you. You understand my question, you understand her answer, do you?

FLORES And could you please -

GIBSON Did you - did you understand the question? I - I was concerned about whether you're asking or agreeing to waive the condition to with - withdraw the waiver of condition. I understand now you are not, it is a matter of colors.

FLORES Correct.

GIBSON All right. This is a public hearing. Is there anyone here who wishes to speak on this item? So please come forward. There being no one, the public hearing is closed. Commissioner.

NAFT Thank you, Mister Chairman. Uh - thank you, Mister Paz. I appreciate you working with us particularly on that stonework issue and I'm prepared to move for approval of Items 44 and 45.

GIBSON There's a motion for approval by Commissioner Naft. Any discussion on the motion? please cast your votes. The motion carries. Thank you, sir.

FLORES Thank you so much.

ACTION: It was moved by Commissioner Michael Naft and carried by the following vote that the applications for Item Nos. 44 and 45 be approved.

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

ITEM NO. 45 UC-22-0213-DESERT PALM PLAZA, LLC:

USE PERMIT to allow vehicle repair.

DESIGN REVIEW for a vehicle maintenance and vehicle repair establishment on a 0.3-acre portion of 36.0 acres of an existing shopping and office center in a C-2 (General Commercial) Zone in the CMA Design Overlay District. Generally located on the south side of Warm Springs Road, 1,120 feet east of Durango Drive within Spring Valley. MN/jor/jo (For possible action)

ACTION: It was moved by Commissioner Michael Naft and carried by the following vote that the applications for Item Nos. 44 and 45 be approved, subject to staff conditions.

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

CONDITIONS OF APPROVAL:

Current Planning

- Install a faux stone finish accent to the exterior walls to match the existing buildings within the complex;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Traffic study and compliance.

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 #0160- 2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 46 WS-22-0160-BRIGGS, ROD & MICKI:

HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to waive requirements for paving on Willow Avenue in conjunction with a minor subdivision map to subdivide an existing parcel on 10.0 acres in an R-U (Rural Open Land) Zone within the Moapa Valley Design Overlay District. Generally located on the south side of Willow Avenue, 1,040 feet east of Swapp Drive within Moapa Valley. MK/al/ja (For possible action) (held from May 18, 2022)

ACTION:

Deleted from the agenda (held to June 22, 2022 per Commissioner Kirkpatrick).

ITEM NO. 47 ZC-22-0168-SHELL, WILLIAM A. SEPARATE PROPERTY TRUST & SHELL, WILLIAM A. TRS:

HOLDOVER ZONE CHANGE to reclassify 9.9 acres from an R-E (Rural Estates Residential) Zone to an R-D (Suburban Estates Residential) Zone.

USE PERMITS for the following: 1) a residential planned unit development (PUD); 2) reduce the building setback from project perimeter; 3) reduce communication tower setback to street; and 4) communication tower separation to residential.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setback from the street; and 2) reduced off-set street intersection.

DESIGN REVIEWS for the following: 1) a detached single family residential planned unit development; and 2) finished grade. Generally located on southeast corner of Buffalo Drive and Gomer Road (alignment) within Enterprise (description on file). JJ/bb/jo (For possible action) (held from May 18, 2022)

AMUNDSEN

Next are Items 47, 48 and 49 which could be heard together.

Item 47, ZC-22-0168. Holdover zone change to reclassify 9.9 acres from an R-E (Rural Estates Residential) Zone to an R-D (Suburban Estates Residential) zone. Use permits for the following: a residential planned unit development, a PUD, reduce the building setback from project perimeter, reduce communication tower setback to street, communication tower separation to residential. Waivers of development standards for the following: reduce setback from the street, reduce offsite street intersection, design reviews for the following, a detached single family residential planned unit development, finished grade generally located on the Southeast corner of Buffalo Drive and Gomer Road within Enterprise.

Item 48 VS-22-0172 Holdover vacate and abandon easements of interest to Clark County located between Gomer Road and LeBaron Avenue alignment and between Buffalo Drive and Tenaya Way within Enterprise.

And Item 49, TM-22-500060, Holdover tentative map consisting of 30 residential lots and common lots on 9.9 acres in an R-D (Suburban Estates Residential) Zone.

GIBSON

Good morning.

GRONAUER

Good morning, Mister Chairman, Commissioners. Again, my name is Bob Gronauer, 1980 Festival Plaza Drive. I'm here representing Taylor Morrison on these – uh - matters that are before you.

Um - as you can see on the overhead here is – um - our property is – uh - long and narrow. It's adjacent just south of the – uh - park here as a part of Mountain's Edge. Um - this is actually an out parcel. Um – this - this is approximately 9.9 acres of property. It's master planned – uh – for – uh – um - R-D. Uh - that's why this is a conforming zone change – um - for 30 homes. Um - they're gonna be single story homes.

Uh - the home sizes are gonna be anywhere from 2,100 square feet to 3,500 square feet. Um - here's an example of some of the homes - of one of the homes that you'll see there. It's about 20 feet in height. Home prices are gonna be in the low 500s – uh – to – or excuse me, high 500s to the low 600s. We appreciate – uh – the – uh - Town Board's recommendation for approval of the application,

GRONAUER and I'm here to answer any other questions that you might have with respect to this development.

GIBSON Thank you, Mister Gronauer. This is a public hearing which is now open. Is there anyone here who wishes to speak on this I - these items - this item? There being no one, the public hearing is closed. Commissioner Jones?

JONES Uh - thank you, Mister Chair, and - and thank you for your presentation. Um - there - there was a prior development that was proposed here that was – uh - much more intense, didn't include the front parcel which was problematic – uh, and did run up the hillside. So, I appreciate that Taylor Morrison has really taken a looking at the neighborhood and - and made it consistent with the neighborhood. And – uh - couldn't be happier that our single story homes. Uh - the only thing I would say, and as we – we - we spoke of – uh - Mister Gronauer is that – uh - we will - I will ask that a condition be placed to incorporate the same language as in other Mountain's Edge adjacent properties that – uh - it become a part of the association so that it can pay for – uh - park maintenance, et cetera. Is that acceptable?

GRONAUER Yes.

JONES Okay. Nancy, you understand?

AMUNDSEN Okay

JONES Same language. All right, with that – uh - I will go ahead and move for approval of Agenda Item Numbers – uh - 47, 48 and 49 with the additional language with regards to – uh - the Mountain's Edge Master Association.

GIBSON There's a motion for approval by Commissioner Jones. Any discussion on the motion? Please cast your votes. Motion carries. Thank you.

GRONAUER Thank you.

ACTION: It was moved by Commissioner Justin Jones and carried by the following vote that the applications for Item Nos. 47, 48, and 49 be approved, subject to staff conditions and additional conditions read into the record.

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

CONDITIONS OF APPROVAL:

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Annex into the Mountains Edge Homeowner's Association;
- Prior to the issuance of building and grading permits, or subdivision mapping, mitigate the impacts of the project including, but not limited to, issues identified by the technical reports and studies, and issues identified by the Board of

County Commissioners or commit to mitigating the impacts by entering into a Standard Development Agreement with Clark County;

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the use permits, waivers of development standards, and design reviews must commence within four 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;
- 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.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that dead-end streets/cul-de-sacs in excess of 500 feet must have an approved Fire Department turn-around provided; and that fire/emergency access must comply with the Fire Code as amended.

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised that there is an active septic permit on APN 176-27-101-003; to connect to municipal sewer and remove the septic system 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 system has 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 #0242- 2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 48 VS-22-0172-SCHELL, WILLIAM A. SEPARATE PROPERTY TRUST & SCHELL, WILLIAM A. TRS:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Gomer Road and Le Baron Avenue alignment, and between Buffalo Drive and Tenaya Way within Enterprise (description on file). JJ/bb/jo (For possible action) (held from May 18, 2022)

ACTION:

It was moved by Commissioner Justin Jones and carried by the following vote that the applications for Item Nos. 47, 48, and 49 be approved, subject to staff conditions and additional conditions read into the record.

VOTING AYE:

Jim Gibson, Justin Jones, William McCurdy, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY:

None

ABSENT:

Marilyn Kirkpatrick

ABSTAIN:

None

CONDITIONS OF APPROVAL:

Current Planning

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

Public Works - Development Review

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

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that dead-end streets/cul-de-sacs in excess of 500 feet must have an approved Fire Department turn-around provided; and that fire/emergency access must comply with the Fire Code as amended.

ITEM NO. 49 TM-22-500060-SHELL, WILLIAM A. SEPARATE PROPERTY TRUST & SHELL, WILLIAM A. TRS:

HOLDOVER TENTATIVE MAP consisting of 30 residential lots and common lots on 9.9 acres in an R-D (Suburban Estates Residential) Zone. Generally located on southeast corner of Buffalo Drive and Gomer Road (alignment) within Enterprise. JJ/bb/jo (For possible action) (held from May 18, 2022)

ACTION:

It was moved by Commissioner Justin Jones and carried by the following vote that the applications for Item Nos. 47, 48, and 49 be approved, subject to staff conditions and additional conditions read into the record.

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

CONDITIONS OF APPROVAL:

Current Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section

30.32.040(a)(9) are needed to mitigate drainage through the site;

- 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.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that dead-end streets/cul-de-sacs in excess of 500 feet must have an approved Fire Department turn-around provided; and that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0242- 2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 50 ZC-22-0234-PN II, INC.:

ZONE CHANGE to reclassify 9.3 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.

USE PERMITS for the following: 1) a detached residential planned unit development; and 2) reduce the building setback from project perimeters.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street intersection off-set; and 2) allow modified driveway design standards.

DESIGN REVIEWS for the following: 1) a detached single family residential planned unit development; and 2) hammerhead street design in the CMA Design Overlay District. Generally located on the north side of Russell Road, 635 feet east of Buffalo Drive within Spring Valley (description on file). MN/md/jo (For possible action)

AMUNDSEN

Next are items 50, 51, and 52 which can be heard together.

Item 50 ZC-22-0234, zone change reclassified 9.3 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone. Use permits for the following: detached residential planned unit development, reduce the building setback from project perimeters. Waivers of development standards for the following: reduced street intersection offset, allow modified driveway design standards, design reviews for a detached single family residential planned unit development, hammerhead street design in the CMA Design Overlay District generally located on the north side of Russell Road 635 feet east of Buffalo Drive within Spring Valley.

Item 51, VS-22-0235, vacate and abandon easements of interest to Clark County located between Buffalo Drive and Pioneer Way alignment and between Diablo Drive and Russell Road, and a portion of a right of way being Russell Road located between Buffalo Drive and Tenaya Way within Spring Valley.

Item 52, TM-22-500081, tentative map consisting of 81 single family residential lots and common lots on 9.3 acres.

GIBSON

Mister Celeste, good morning.

TONY CELESTE

Good morning, Mister Chairman, Commissioners. My name is Tony Celeste. Address 1980 Festival Plaza Drive, here on behalf of the applicant Pulte Homes.

Um - as you can see from the overhead, our site is labeled here in yellow. It's just over nine acres. We are - uh - located here off of Russell Road in between Tenaya and Buffalo and our northern property line abuts - uh - the Dewey alignment there. This property was former - uh - formerly aviation property that - uh - Pulte won in the aviation bid and is now coming in for a single-family residential development.

The property is master planned - uh - mid neighborhood suburban. Um - so it - we are coming in with a conforming zone change from R-2 - uh - from, excuse me, from the R-E to R-2 PUD. We have a special use permit - um - associated with this with respect to our request - uh - for the PUD portion of it.

Um - with respect to our design, we initially had submitted this site plan you can see before you. It's 81 lots. Um - this plan had presented a few problems - uh - with respect to - uh - planning. So, we went back and tried to address 'em, but really the three biggest issues, I think - uh - that were three biggest issues with this planner is Number One: the open space or - or the inability to really use it. Number Two: we did ha - we do - did show a - uh - hammerhead - um - cul-de-sac. And Number Three: we did have a waiver with respect to the - uh - reduction of - um - setbacks on our - uh - rear yards. We went back to the drawing board and were able to come up with a better plan we believe that now also eliminates some of the use permits and waivers that we're gonna require.

So, if you can zoom out just a little bit, I want to be able to walk through and compare and contrast what has been resubmitted. And we appreciate Miss Amundsen's staff looking at this, in particular, Mark Donahue, going through this and - and accepting our revisions. Uh -so first you can see we've changed the top of the site here from the hammerhead to the traditional cul-de-sac bulb, so we no longer need that request. Um - we also were able to - uh - meet all of the setbacks, so we no longer need that waiver. We're also gonna remove the waiver with respect to our driveway location was off Dewey. So, with those changes, I'm gonna go through real quick - um - we can eliminate a few or withdraw - uh - use permit number two, which is the reduced setback - uh - for the project from five feet to where a minimum of 10 is, we're gonna meet that. Uh - we're also gonna withdraw without pre- prejudice waiver number two, that's the reduced the driveway setback from 5 feet to 12 feet. And also, I like to withdraw without prejudice, design review number two, which is the hammerhead - um - as you can see that we've provided.

Um - also in this, we have greatly expa - or we haven't expanded the amount of open space, but we've made it more usable. Can see we've provided a park - pocket park in the middle, as well as utilization of open space - um - on the northern edge of the property here.

Uh - we agree with all of the conditions - um - in - uh - that are contained in there. I think there's a slight modification with respect to the two stories where they're gonna be placed, just the lot numbers had changed. Uh - what - where this is a mixture of two- and three-story product. Uh - Planning had recommended that along our eastern and western edge, that it'd be only two stories. We agree with that. It's just that the lot numbers have changed from the original application. So, we would propose limiting the two stories - uh - on lots 9 through 23 and lots 35 through 49 which we believe is consistent with - uh -

AMUNDSEN condition that we – um - that the applicant provide a negotiated development agreement, or we - we have a standard – um - language that would either be they would - they would negotiate a development agreement for the success of – um - development in the area or provide appropriate fees or mitigation and then they don't have to enter into the development agreement, but they are providing the mitigation then we'll - we'll figure out how many units there are.

NAFT Okay, Mister Celeste, is that -

CELESTE If - if that - if we meet the threshold, we would have to be required to enter and then not understood - understand.

NAFT Basically, look at the - everything that's being developed by - by the applicant cumulatively instead of does a one off.

CELESTE Understood.

NAFT Thank you. Um - with that being said, I'm gonna try and encapsulate everything we just talked about, but my motion will be to approve Items 50, 51 and 52 with the exclusion of use permit number two, waiver of development standard number two, design review number two, without prejudice, the eastern and western property line will be two-story or less restricted, including the adjacent – um - lot number to the -

AMUNDSEN It'll be – um – in – um - including the lot that is currently noted as Number 49 and we'll just put the APN in the approval.

NAFT Okay. And – uh - this approval will include a negotiated development agreement.

CELESTE If – if we meet the threshold?

NAFT If the threshold is met per staff.

AMUNDSEN Or mitigation to, or – mit - or, an agreed-upon mitigation to mitigate the impact, something to that effect.

NAFT Okay. Your client can agree to that?

CELESTE Understood, yes.

NAFT Okay. Mo – (laughs) motion's clear, Mister Chairman?

GIBSON There's nothing like clarity at 9:30 in the morning.

NAFT (laughs)

GIBSON There's a motion. Does anyone have questions or comments? There being none, please cast your votes. Your motion carries. Thank you.

CELESTE

Thank you.

ACTION:

It was moved by Commissioner Michael Naft and carried by the following vote that the applications for Item Nos. 50, 51, and 52 be approved, subject to staff conditions, and additional conditions read into the record.

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

CONDITIONS OF APPROVAL:

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Per revised plans;
- Lots on the east and west boundaries as well as adjacent to APN 163-27-420-002 shall be limited to two-story (or less) homes;
- Prior to the issuance of building and grading permits, or subdivision mapping, mitigate the impacts of the project including, but not limited to, issues identified by the technical reports and studies, and issues identified by the Board of County Commissioners or commit to mitigating the impacts by entering into a Development Agreement with Clark County.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the use permits, waivers of development standards, and design reviews must commence within four years of approval date or they will expire.

Public Works - Development Review

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

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 #0159- 2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Use Permit No. 2, Waiver of Development Standards No. 2, and Design Review No. 2 were withdrawn without prejudice.

ITEM NO. 51 VS-22-0235-PN II, INC.:

VACATE AND ABANDON easements of interest to Clark County located between Buffalo Drive and Pioneer Way (alignment), and between Diablo Drive and Russell Road; and portion of right-of-way being Russell Road located between Buffalo Drive and Tenaya Way within Spring Valley (description on file). MN/md/jo (For possible action)

ACTION: It was moved by Commissioner Michael Naft and carried by the following vote that the applications for Item Nos. 50, 51, and 52 be approved, subject to staff conditions.

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

VOTING NAY: None

ABSENT: Marilyn Kirkpatrick

ABSTAIN: None

CONDITIONS OF APPROVAL:

Current Planning

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

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- 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. 52 TM-22-500081-PN II, INC.:

TENTATIVE MAP consisting of 81 single family residential lots and common lots on 9.3 acres in an R-2 (Medium Density Residential) Zone in the CMA Design Overlay District. Generally located on the north side of Russell Road, 635 feet east of Buffalo Drive within Spring Valley. MN/md/jo (For possible action)

ACTION: It was moved by Commissioner Michael Naft and carried by the following vote that the applications for Item Nos. 50, 51, and 52 be approved, subject to staff conditions.

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

VOTING NAY: None

ABSENT: Marilyn Kirkpatrick

ABSTAIN: None

CONDITIONS OF APPROVAL:

Current Planning

- Per revised plans.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including

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

Public Works - Development Review

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

Current Planning Division - Addressing

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

Department of Aviation

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

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 #0159- 2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 53 NZC-22-0056-MICHELON FAMILY LV LAND, LLC:

HOLDOVER ZONE CHANGE to reclassify 15.1 acres from an H-2 (General Highway Frontage) Zone to an R-4 (Multiple Family Residential - High Density) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) building height; and 2) non-standard improvements (landscaping) in the right-of-way.

DESIGN REVIEWS for the following: 1) multiple family residential development; 2) alternative parking lot landscaping; and 3) finished grade. Generally located on the east side of Las Vegas Boulevard South and the south side of Chartan Avenue within Enterprise (description on file). MN/jt/jo (For possible action) (held from May 4, 2022)

AMUNDSEN

Next are Items 53 and 54 that can be heard together.

Item 53 NZC-22-0056, holdover zone change to reclassify 15.1 acres from an H-2 (General Highway Frontage) zone to an R-4 (Multiple Family Residential - High Density) Zone. Waivers of development standards for the following: building height non-standard improvements in the right of way. Design reviews for the following: multiple family residential development, alternative parking lot landscaping finished grade generally located on the east side of Las Vegas Boulevard and the south side of Chartan Avenue within Enterprise.

Item 54, VS-22-0057, holdover vacate and abandon a portion of a right of way being Chartan Avenue located between Las Vegas Boulevard and Giles Street. A

AMUNDSEN

portion of a right of way being Terrill Avenue located between Las Vegas Boulevard south and Giles Street, and a portion of a right-of-way being Giles Street located between Chartan Avenue and Starr Avenue within Enterprise.

GIBSON

Good morning.

LIZ OLSON

Good morning, Liz Olson, 1980 Festival Plaza Drive here on behalf of the applicant Greystar Development.

This site is 15 acres. We're located on Las Vegas Boulevard and the Chartan alignment. We're currently zoned H-2 and we have a split master plan of neighborhood commercial and entertainment mixed use which could potentially allow for very dense – uh - commercial uses up to a hundred feet in height. Um - what we are requesting this morning we believe is a less intense and more appropriate buffer to the residential folks to the east here. Um - what we are requesting is a multi-family development, 324 units dispersed between 10 buildings.

Um - we have our main access is on Las Vegas Boulevard through a gated entry. We have an exit only gate to the north on Chartan. We are providing – uh - detached sidewalks on both Las Vegas Boulevard and Chartan per our discussion with Commissioner Naft. Um - we've been working closely with both staff, uh, planning public works and the neighbors, and we've made some changes to the original site plan that we submitted. The first and foremost main change that we made is that we are now putting in and dedicating Giles.

So, we are going to be dedicating that to just over 47 feet with 30 – uh - 32 feet of paving to meet that requirement. We're also going to be completing the rest of the cul-de-sac at the end with curb and gutter but not sidewalk as we discussed with – uh - Public Works. We're also requesting to put an eight-foot wall along the eastern boundary, as well as eight feet of landscaping on the outside of the wall and an intense landscape buffer on the inside of the wall to provide some additional buffering to those neighbors that we've been working with.

Um - the overall buildings are three stories, 39 feet in height so we are requesting that additional waiver for the height increase. But otherwise, we believe that – uh - this is just going to be a less intense – uh - buffer and transition for those neighbors and hope that we have addressed all those concerns that we've met with them on and appreciate staff and Planning Commission's recommendation. Happy to answer any questions.

GIBSON

Thank you, Miss Olson. Um - this is a public hearing that pertains to Items 53 and 54. Is anyone here who wishes to speak on these items? There being no one, the public hearing is closed. Commissioner Naft.

NAFT

Thank you, Mister Chairman. Uh - if I could, at the - I know the issue to the east along Giles became extremely complex. I just wanna – uh - hear from Antonio. Is there any additional clarity you need, or do you perhaps need a condition that the applicant continues to work with Public Works?

PAPAZIAN

Thank you, Commissioner, because we didn't follow through with that vacation. We do have some – uh - clarifying conditions we would like to add if that's okay with you.

NAFT

Please.

PAPAZIAN

Um – uh - first we would like to add it's on Chartan. The right of way dedication for Chartan to be 30 feet, right away dedication for Giles to be 17 and a half feet. There are some power poles in the way, so we're not – uh - doing our – uh - 60 feet overall width of Giles. So just 17 and a half for - for a total of 47 and a half feet for Giles with the associated spans. Uh - full offsite improvements on Las Vegas Boulevard and Chartan, offsite improvements on Giles to consist of 32 feet of paving and curb and gutter only around the cul-de-sac and coordinate with Public Works on the dedication of the Giles cul-de-sac.

NAFT

Thank you. Um – does that – is that your client can agree to those conditions?

OLSON

Yes, we can. Thank you.

NAFT

Okay. And then just a point of clarification, and this is probably one me, but it – it was my understanding that the access on Chartan was crash-gate only.

OLSON

It's exit only, but crash gate – uh – for entry, but it's exit only. If you wanna keep that as crash gate -

NAFT

It'd be my preference for that to be crash gate just to protect the people to the east from additional traffic.

OLSON

Absolutely. Yep, we can do that.

NAFT

So, I would add that condition that – that – uh – Chartan ingress, egress be crash-gate only. With those additional conditions, I move for approval of Item 53 and 54.

GIBSON

There's a motion for approval of Items 53 and 54 by Commissioner Naft. Any discussion on the motion? Please cast your votes. Motion carries. Thank you, Miss Olson.

OLSON

Thank you.

ACTION:

It was moved by Commissioner Michael Naft and carried by the following vote that the applications for Item Nos. 53 and 54 be approved, subject to staff conditions and additional conditions read into the record.

VOTING AYE:

Jim Gibson, Justin Jones, William McCurdy, Ross Miller, Michael Naft, Tick Segerblom

VOTING NAY:

None

ABSENT:

Marilyn Kirkpatrick

ABSTAIN:

None

CONDITIONS OF APPROVAL:

Current Planning

- Resolution of Intent to complete in three years;

- Per revised plans;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Design review as a public hearing for signage;
- All lighting to be fully shielded;
- 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 nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Drainage study and compliance;
- 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;
- Access onto Chartan Avenue shall be limited to emergency access only;
- Full off-site improvements on Las Vegas Boulevard South and Chartan Avenue;
- Giles Street improvements to consist of non-urban standards with full improvements, except sidewalk and streetlights, on the cul-de-sac;
- Right-of-way dedication and grant easements for Las Vegas Boulevard South to accommodate a proportionate share of a 200 foot wide right-of-way;
- Right-of-way dedication to include 30 feet for Chartan Avenue, 17.5 feet for Giles Street, a portion of the cul-de-sac for Giles Street as required by Public Works - Development Review, and associated spandrels;
- Applicant to execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Department of Aviation

- Applicant is 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 #0194- 2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

Waiver of Development Standards No. 1B was withdrawn without prejudice.

ITEM NO. 54 VS-22-0057-MICHELON FAMILY LV LAND, LLC:

HOLDOVER VACATE AND ABANDON a portion of a right-of-way being Chartan Avenue located between Las Vegas Boulevard South and Giles Street, a portion of right-of-way being Terrill Avenue located between Las Vegas Boulevard South and Giles Street, and a portion of right-of-way being Giles Street located between Chartan Avenue and Starr Avenue within Enterprise (description on file). MN/jt/jo (For possible action) (held from May 4, 2022)

ACTION: It was moved by Commissioner Michael Naft and carried by the following vote that the applications for Item Nos. 53 and 54 be approved, subject to staff conditions and additional conditions read into the record.

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

VOTING NAY: None

ABSENT: Marilyn Kirkpatrick

ABSTAIN: None

CONDITIONS OF APPROVAL:

Current Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Right-of-way dedication for Las Vegas Boulevard South to accommodate a proportionate share of a 200 foot wide right-of-way;
- Right-of-way dedication to include 30 feet for Chartan Avenue, 17.5 feet for Giles Street, a portion of the cul-de-sac for Giles Street as required by Public Works - Development Review, and associated spandrels.

Vacating a portion of a right-of-way being Giles Street located between Chartan Avenue and Starr Avenue was denied.

ITEM NO. 55 NZC-22-0149-DAF HOLDING, LLC:

ZONE CHANGE to reclassify 3.3 acres from an R-3 (Multiple Family Residential) Zone to an R-5 (Apartment Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce parking; 2) alternative street landscaping; 3) reduce throat depth; and 4) allow non-standard improvements within the right-of-way.

DESIGN REVIEWS for the following: 1) multiple family development; and 2) alternative parking lot landscaping on 3.5 acres in an R-5 (Apartment Residential) Zone and H-1 (Limited Resort and Apartment) P-C (Planned Community Overlay District) Zone. Generally located on the east side of Southern Highlands Parkway, 645 feet north of Bruner Avenue (alignment) within Enterprise (description on file). JJ/md/jo (For possible action)

ACTION: Deleted from the agenda (held to June 22, 2022 per the applicant).

ITEM NO. 56 AG-22-900347: Consider an appeal of the Director's Notice of Decision to deny a Request For Reasonable Zoning Accommodation, and direct staff accordingly. MK/sr (For possible action)

AMUNDSEN Next is Item 56, I am not sure if the applicant on Item 56 is here.

GIBSON Is the applicant here on Item 56? We'll trail the item.

Item No. 56 was trailed until after Item No. 57.

AMUNDSEN Um – and again, we're back to Item 56. I don't know if the resident from 6274 Lake Mead is here.

GIBSON Is the applicant on Item 56 here?

AMUNDSEN All right. I will read it in, and he can come down and have the discussion.
Um - Item 56 AG-22-900347, Consider an appeal of the Director's Notice of Decision to deny a request for reasonable zoning accommodation and direct staff accordingly.
Commissioners, we als – um - we also have a representative from Code Enforcement and the DA's office on this item as well.

GIBSON The way we – sir, would you state your name?

STEVEN IWANISZEK Uh – my name is – uh -

GIBSON You need to move to a microphone.

IWANISZEK Oh, I'm sorry, please forgive me. Oh, man. Uh – my name is Steven Iwaniszek.

GIBSON Will you spell your last name?

IWANISZEK I-W-A-N-I-S-Z-E-K.

GIBSON All right, Mister Iwaniszek - Iwaniszek. The way we handle these appeals is that you present to us what it is you are asking for. We will then essentially rehear the item.

GIBSON So, you've been - you've apparently - you have been denied a request for reasonable zoning accommodation. And – uh - you need to make your case to us right now, then we will hear from the staff, the Code Enforcement people to gain a greater understanding of the other side of the issue, and then we'll be in a position to make a determination.

So, if you're ready, I invite you to go forward now and help us understand what it is you're asking for and why.

IWANISZEK Yeah. Uh – I - I think what it is is that – uh – uh - I'm asking for - it's about the setbacks and – uh -what it was in the 1970s, this carport was erected. And – uh - and this is where the setback problem is, is with the carport that was attached to the mobile home. And – uh - and of course I - I did send some – uh – nonconformity – uh - codes and statues – uh - during that time. And I also sent – uh - two permits that the original owners actually got these permits to get the carport and the concrete slab – uh - fixed and – uh - and put in place. So – uh -

IWANISZEK

and of course the wall, the concrete block wall was done also I believe in the '70s and that's nonconforming also because of the laws that were in place at that time. And – uh - and of course – uh - there was some waste on the property and I'm in the process of – uh - eradicating all of that and – uh - removing the trash, removing the waste and – and – uh - and of course with the – uh - the Code Enforcement Division, they're working with me – uh – because – uh - I'm not working. I - I was – uh - I had received an injury back in 2019 it's all in litigation.

My wife's not working, she was attacked by a dog, broke her hip. So, I'm there trying to take care of her and everything else. So – uh - it's just, I believe about the setbacks. And – uh - and like I said – uh - nonconforming, according to this, the codes that were in place in the '70s and '80s. And – uh - because it's a mobile home park and I did – uh - submit some – uh - evidence into the packet. Uh – and - and hopefully you have all of that. So – uh - this is where I'm at. And – uh - so I'm just asking for mercy and some more time to – uh - get everything – uh - eradicated and - and fixed.

GIBSON

All right. Does that complete your presentation explanation?

IWANISZEK

Yeah, I - I believe so. And – uh - and of course – uh - I submitted this – uh - evidence and of course the - the permits that were pulled and paid for at that time in the '70s – uh - concerning the - the carport and the setback from the wall, you know, 'cause I guess it's supposed to be over five feet, but it's only like two and a half feet. And – uh - so at that time, I know the - the statutes and ordinances and codes were different back then.

GIBSON

Sir, are you saying that you complied with the codes, or the owner complied with the codes that were in existence at the time and that permits were pulled? Is that what you're saying?

IWANISZEK

Yes, Uh-huh.

GIBSON

And – and – uh – inspections were made, and approvals were given?

IWANISZEK

Yes.

GIBSON

Okay, anything more?

IWANISZEK

No, I believe that'd be all.

GIBSON

Okay. Counselor?

WARHOLA

Right. The – uh - issue of whether or not there's a nonconform - conformity in the setback is not an issue that's relevant to this matter, 'cause this has to do with the reasonable zoning accommodation, which has to do with whether or not there's a disability that he's asking for accommodation for. Uh – this - the nonconformity setback issue may or may not be raised as a defense if our Public Response Office brings a separate action of enforcement against him, that'd be a separate issue – separate – uh - legal proceeding. But it's not relevant to this

WARHOLA matter. This has to do with reasonable zoning accommodation and disabilities.

GIBSON So, help us understand what's really in front is - is what in front - is in front of us, whether or not he should have to do any of this or that he should have to do it with any prescribed time. What is in front of us?

WARHOLA The - the issue that would properly be in front of us is whether or not there should be some kind of alteration in the zoning rules to accommodate for a disability that he has. That would be the issue. Uh - I can give you an example. Um - for instance, if – uh - there's a setback and he wanted to pla - place a wheelchair ramp within the setback which would be a structure within the setback, which normally would not be allowed, but we would allow possibly a reasonable accommodation to allow that to – uh - to 'cause it would relate to his disability.

But that's not - that's not the issue here. The issue here is that he has ac - accumulation of, I guess, waste or other items on his property. And – uh - I think there's been some building alterations, he's claiming that were – or - grandfathered because they were made before the setback rules were made - put in place back years ago. But that's not re - related to his disability. Again, that could be a defense that he may or may not be able to raise in a separate action. That's the - our Enforcement Office may or may not bring against him – uh - in a different legal proceeding.

GIBSON It probably would be a good thing for us to learn about the specifics – um - that we're talking about here – um - and to whom would we go for that kind of information.

AMUNDSEN Code Enforcement, and I believe we have a representative in the audience that can come up.

GIBSON Would you come forward, please? Morning.

LONNIE MANN Good morning. My name's Lonnie Mann – uh – Clark County Code Enforcement, 6324 Lorelei Lane.

GIBSON So, help us understand what the issues are here. What- what are the things that are not compliant – uh - that require attention, whether it's waste or whether it is the placement of a building or other o - other structure? What are we talking about here?

MANN Um - the general concerns that we had for this property and I'm not the officer assigned at that – uh - person is off today. So, with me reviewing the case, what I've seen the primary concerns that we had is what was written up on the property before which would be considered solid waste outside storage. Those are our primary concerns. But when the officer inspects the property, we look for any and all violations which then some of the other issues arose as far as the setbacks.

GIBSON So, the things that – that got you involved had to do with – uh – waste, trash, and storage?

MANN Correct.

GIBSON That's what brought you – your department to this issue?

MANN That was the anonymous complaint that we received to our office, yes.

GIBSON All right. And – um – in terms of – uh – you sir, you are asking that you not be required to clean up? You're asking that you are not required to remove storage that is inappropriate?

IWANISZEK Uh – no. Uh - I- I was concerned about the setbacks about the carport first of all.

GIBSON Let's – let's just talk about the -

IWANISZEK Okay.

GIBSON - trash and the waste and the -

IWANISZEK Yeah.

GIBSON - and the storage right now.

IWANISZEK Yeah. Uh – Mister Gibbons – uh – as - as I said – uh - earlier, I'm in the process of cleaning up the yard and – uh - I have an agreement with – uh – Mister Perez that – uh – as - as long as he sees me making an effort and cleaning up the yard and getting rid of the solid waste in which I have been doing for probably about three weeks now. And – uh - I got a lot of stuff so I have to wait every two weeks to put out a lot of the bulk, you know, the bags and everything, and – uh - the boxes and the wood and the metal and all that stuff, you know, for the – uh – Republic Services to pick it up. But as I said – um - I'm in the process and an agreement with Mister Perez to – uh - you know, clean up the yard and I have been cleaning up the yard and I'm going to continue to clean up the yard until it's - until it's to a satisfaction – uh - to Mister Perez and – uh – the Code Enforcement.

GIBSON And how long do you expect that'll take you?

IWANISZEK Oh, oh man, I probably another 30 -

GIBSON 30 days?

IWANISZEK Oh no, it's gonna take longer than that.

GIBSON 60 days?

IWANISZEK Uh – yes, at least.

GIBSON And – uh – can you order a dumpster from Republic Services?

IWANISZEK Well – uh – me and my wife are both disabled. We don't have no money coming in, so I can't order a \$450 dumpster at the moment.

GIBSON What is – pardon me, but – um – you're in – so you don't have any income, is that what you're saying?

IWANISZEK No, uh-uh, nope.

GIBSON All right. So – uh – you – but 60 days you can get it bagged up and placed – uh – out and have it picked up?

IWANISZEK Yes. Uh-huh.

GIBSON And you're willing to be bound by that?

IWANISZEK Oh, absolutely.

GIBSON What about outside storage?

IWANISZEK Well, the outside storage – uh - I mean, they're – uh – in – in – in - in line with – uh - cold, they're not over 200 square feet – uh – and - and diameter. And – uh – so – uh – I - I know that we're allowed to have those on our property – uh - without a permit. Uh – so – uh - yeah, I'm just trying to eradicate and trying to take care of all of this stuff and try to - and I'm doing my best to comply. My wife broke her hip. I'm disabled, she's disabled. And so, you know, it's just a - a lot of pressure on me at this moment.

GIBSON So, what do you understand is required with respect to the storage?

IWANISZEK I had to clean up all the – the – the solid waste and discard it and get rid of it and – and allow Republic Services to bring it to the landfill.

GIBSON And are there items stored there independent of the trash and the – uh – waste that constitute the storage?

IWANISZEK Yeah. Boxes, you know, banana boxes – uh - with a lot of – uh - trash in it, and that's gonna be disre - discarded and that's what I've been doing. Uh-

GIBSON Okay. So on - on the question of the storage and the trash and the waste, you can resolve that within 60 days?

IWANISZEK Yeah, I believe so.

GIBSON Okay. This – this is gonna have to happen.

IWANISZEK Yes.

GIBSON Um - now in terms of other things that are in front of us, Mister Warhola, what other things are in front of us?

WARHOLA

I think those are the - the main issues on the property. So, the – the - the issue before you right now is the reasonable zoning accommodation, and whether or not – uh - request by the applicant to alter the zoning rules is directly to a disability. And it doesn't appear that that's the case here. So, if you uphold the denial of his request for reasonable zoning accommodation, that doesn't interfere with the – um - the work that he's doing and the agreement he's making with the - our Public Response Office. That can continue, and that's separate from this - this matter that's before you.

GIBSON

Okay. So, you – you understand what Mister Warhola just said?

IWANISZEK

Yeah, I had filed for a disability 'cause I do have a disability. Well, I'm like 11% whole, man. And then I hurt my back, I double growing hernia surgeries. I've had seven surgeries since 2019. So, I haven't gone to my medical - my maximum medical improvement yet to be – uh - to get another percentage – uh - added to the 11% whole man. So, I do have a disability and of course my wife broke her hip so now she has a disability.

GIBSON

And I - I don't think we're disputing whether you have a disability or whether your wife has a disability or not, right? The real question is whether or not the – the - that warrants a reasonable zoning accommodation, then what we're talking about here, at least in the context of the things we've been discussing is the trash, the garbage, the storage that you believe you can clean up within 60 days.

IWANISZEK

Yes.

GIBSON

Irrespective of the disabilities.

IWANISZEK

Yes.

GIBSON

So, I - I think what Mister Warhola is saying is that really the - the reasonable zoning accommodation just doesn't apply here. That it would apply, as he said, if you needed to put a wheelchair in an, within a setback area. Let's say you're required to be so many feet back from the curb and you can't have any building there and then it turns out there's a disability and you need to be able to put a wheelchair ramp there. Then maybe that would be something that we would grant. In this instance, you have to keep the trash up irrespective of any other things, right? You can't just accumulate trash and waste on the lot.

GIBSON

IWANISZEK

I agree.

GIBSON

And you've agreed to that? You understand that?

IWANISZEK

Yes.

GIBSON

And if we were to give you 60 days, you would come back here in 60 days as would our Code Enforcement people and confirm that you have completed what you agreed to do?

IWANISZEK

Yes.

GIBSON

So, the motion that I would entertain then would be to deny the request for a reasonable zoning accommodation 'cause that's really the only thing in front of us. Uh - but to bring this matter back – uh - on the - I don't know what it is that's on the agenda today. I guess it's all a part of the – um - Code Enforcement work that it was done. So, we're gonna bring this item back in 60 days – uh - but we're not likely to grant the reasonable zoning accommodation for the reasons that I've indicated to you. Do you understand that?

IWANISZEK

Uh – uh - I partially I do – uh - because I don't understand – uh - about this – uh - uh, request for reasonable zoning combination – uh - because my understanding is that it's because of the carport, it's only two and a half feet. There's only two and a half feet of space between the carport that was built in the 1970s and had the permits and everything and the block wall that was built in the 1970s also -

GIBSON

Is that in front of us today, Mister Warhola?

WARHOLA

No. Again, that goes to the issue of whether or not the car port was built before the setback rules were in place, the grandfathering issue, which would be a possible defense against an enforcement action by the Public Response Office. It's not - it has nothing to do with the reasonable zoning accommodation request.

GIBSON

So, we're not - we're not taking away from you your argument, that's your argument. The Code Enforcement people will have to take a look at what your argument is and take a look at what the conditions are and then something would happen after that. But we're - we're some distance from that.

IWANISZEK

Oh, okay.

GIBSON

The first thing that we have to do right now is get that place cleaned up. All right. I'll entertain a motion.

NAFT

(inaudible)

GIBSON

There's a motion to – uh - deny the request for reasonable zoning accommodation which would effectively deny the appeal. Um - any discussion on the motion, please cast your votes. And I somehow lost the ability to cast a vote so I will vote in the affirmative. And I can see that the motion passes. Okay. So, this item will be back on what date?

AMUNDSEN

The first meeting in August. What I would recommend though, is if he is making improvements that have - ha - I - I don't believe he drives so I believe you came by bus?

IWANISZEK

Yes. Uh-huh.

AMUNDSEN So why don't we put it on the agenda and have a report and then we'll determine whether we need him to come back.

GIBSON All right. So, you don't have to be here on what date?

AMUNDSEN We're looking August – August 3rd.

GIBSON On August 3rd. But your item will be back on our agenda, and we will receive a report from the Code Enforcement people and they will report on whether you have accomplished what you've committed to do or not. If you fail to do what you've committed to do, we'll have to have you back in here.

IWANISZEK Okay.

GIBSON Do you understand that?

IWANISZEK Yeah, that's fair.

GIBSON And there may well be – uh – other things that will occur that will come through the Code Enforcement Office. We don't want that for you, you don't want that.

IWANISZEK No.

GIBSON So, we – we think 60 days is a – is fair and sounds like you think that's fair.

IWANISZEK Oh yeah.

GIBSON So, we'll go with that. And you understand now what we've done today and what we're expecting you to do before August 3rd?

IWANISZEK Yes.

GIBSON All right. Thank you very much.

IWANISZEK Thank you very much. Appreciate it.

ACTION It was moved by Commissioner Michael Naft and carried by the following vote that the appeal be denied.

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

ITEM NO. 57 AG-22-900354: Discuss the land use plan amendment and zone boundary amendment processes, and direct staff accordingly. (For possible action)

AMUNDSEN Next is Item 57 AG-22-900354. Discuss the land use plan amendment and zone boundary amendment process and direct staff accordingly. I'm gonna turn this over to Missus Real as she smiles about that.

SAMI REAL

(Laughs). Morning Commissioners. Um - this is a request for the Board to discuss whether or not we want to change – uh -what I'll call the preferred process for – uh - zone changes to currently right now, what we have is we have the preferred process. And I, again, I hate to say the preferred, but it's the - the popular process of nonconforming zone boundary amendments. Um - the discussion that we'd like the Board to have is whether or not we want to continue to have that be the - the popular – uh - or the preferred method of changing zoning, and instead – uh - possibly consider asking applicants to process a land use plan amendment with a conforming zone boundary amendment.

The timing of the two applications are the same. Uh - the fees are a little bit less for the plan amendment. Uh - nonconforming zone boundary amendments do require a neighborhood meeting, whereas – uh - plan amendments do not. Uh - however, if the Board directs us to, we can add that as a requirement to the plan amendment process. Uh - both require compelling justifications for the applicant to be made and then plan amendments have additional findings that need to be made in order to change the plan amendment.

The thought process behind changing the nonconforming zone boundary amendment to the plan amendment processes is - is I'll say multifold. First is nonconforming zone changes. If they are approved, they're approved with a timeframe for three years to complete a project. Uh- sometime that time is extended. It could be five, seven. We just had a case where it was 13 years later. So, the zoning is not effectively changed until they complete the project. Whereas if we went with the plan amendment and conforming zone change, the effect would - the change would be effective immediately.

Um, and then some other changes would be that – um – the - the plan and the zoning map would now be consistent whereas currently right now we have a different plan. So, in some cases we have a plan that says it's commercial, but yet – uh - it's zoned for residential. We have the vice versa, we have residential, and now it's being – uh - proposed to be commercial. And it causes difficulty with our service providers, with our utility providers and being able to plan and forecast, uh, for the future. And in addition to the growth that's happening now, they have to take both plans, match them up, see what's physically there, and then anticipate what's gonna happen in the future.

Um - this all comes back to one of the goals that we had would Transform Clark County where we do want to bring those two maps consistent with one another. It's a process that the cities currently do. It's a process that we'd like to carry forward as well. And – uh - positive results happen from that not only for the utility providers, but also for members of the public who look for some type of – uh - consistency or some type of – uh - uh, I guess, transparency in what is next to 'em? Is it commercial? Is it residential?

And so again, if the two were consistent with one another, that answer could be easily answered instead of saying, well, it can be if they change the zone or it can be developed with whatever zoning it is today. Uh - so again, the request is that the Board discuss whether or not we want to start accepting plan amendments instead of – uh - nonconforming zone boundary amendments – uh - and go from there. So, thank you.

GIBSON

Thank you. Comments? Commissioner Segerblom.

SEGERBLOM

Could you explain the - the issue you raised about the hearing whether there wouldn't be a hearing, not only, but we could ask for that?

REAL

The one of the differences is there's still- the only difference in terms of the processing and the required meetings is nonconforming because we do require an applicant to have a neighborhood meeting before the application is submitted. Whereas the plan amendment – uh - process, and currently the nonconforming zone boundary process, they do require the applicant to go to the Town Board. It is a recommendation from the Planning Commission, and then it comes to the Board of County Commissioners. So, both - both processes do require the three meetings; Town Board, the Planning Commission, and Board of County Commissioners.

AMUNDSEN

And then to expand upon that, if - if thi - if this process is brought forward with a plan and the plan is approved for the site, you - there's always the condition that any changes are gonna have to come back to the Board anyway, whether it be for a design review or use permit, I think that's what you were asking.

SEGERBLOM

Well, but you were saying there's a neighborhood meeting that we could request in addition.

REAL

If the Board directs us to – um – if we're changing the process, if the Board directs us to also include a neighborhood meeting in the process, we would do that.

SEGERBLOM

And that would be before the Town Hall?

AMUNDSEN

Yes.

SEGERBLOM

Town Board.

AMUNDSEN

Yes.

GIBSON

So just for clarity, there's nothing that prevents us from requesting that the applicant meet with the neighbors, that a neighborhood meeting is something that is often done, but not required necessarily, correct?

GIBSON

REAL

That's correct.

GIBSON

So, you would always have the option to – to ask or require that the applicant meet with the neighborhood?

REAL

And I also wanna add too that – uh - if the Board so directs us to – um - ask that applicant's process amendments to the land use plan instead of proceeding with the - the nonconforming zone boundary amendment process, there's no change to our code We already have these tools available. Um - they could be used now, they just aren't.

GIBSON

Commissioner Naft.

NAFT

Thank you. And thank you for all your - your work on this. And I support the objective.

My, I - I guess the only area that I need more clarity on is whether it's right or wrong. I have grown accustomed, and I think my constituents have grown accustomed to having intense negotiations over what the specific product on a site will look like. This whole meeting, we've been talking about intricacies.

And I just want to better understand when we're approving a zone change and then we're approz - approving to a design review, there's a huge scale within the zoning category that could be allowed there. And so, what will our authority be to avoid – um - I don't wanna say bait and switch, but – uh - to avoid being presented with a design review and then a year, two years later, having what might have been an - an intensely negotiated product – um - or design review come back as something entirely different and the applicant being able to stand on the legs of the zoning.

AMUNDSEN

There's a couple of things that would be a play here. Number one, if you went into an intense negotiation, figured out what your design and all of that would be, your approval would be, I guess we would say we would want it to be a little more specific, that, you know, the - the uses are the uses, the truth is when you approve a nonconforming zone change or a zone change, whatever is- whatever is allowed in that zoning is going to be allowed on that site. You have to realize that we can't limit whatever, um, whatever's going in there. So, even if they build it exactly as they said, they can turn around and put something else. In a C2, they can put in a tapper, that sort of thing. So just keep that in mind. But if it gets down to specific design, specific parking, specific percentages, that sort of thing, they can be conditions of the approval. And if they change it, they have to come in for not only a new design review, but they would have to come in for, or any use permit if that's, you know, whatever the zoning is. Um - they would also have to request waivers for all of the conditions that you put in of the original design review. For instance, if you wanted the building to be X, Y, Z, not more than two stories, so you - it would hate to say it-

NAFT

But the zoning would hold.

AMUNDSEN

The zoning would hold, but the design would be – um – we could nail down the design.

GIBSON

And – and it could be subject to change, but that would require action.

AMUNDSEN

That would require action, yes.

REAL

Commissioner -

SEGERBLOM

But current – currently, isn't that the way it is already? I mean, anytime we approve a change in zoning, it's that zoning is – is – is – there for good.

AMUNDSEN

Unless it's a nonconforming zone change. So, in with a nonconforming zone

AMUNDSEN change, the approval is based on that design.

NAFT Right. So, if they don't build in a nonconforming zone change current under current regulation, if they don't build exactly what we approve through the design process, then they lose the zoning, the applicant loses the zoning.

WARHOLA Right. And you can control the use that way too, with the nonconforming zone change and the resolution of intent. So, for instance, if there's a lot of uses allowed by right in a zoning district, the neighbors might have concerns about some of the uses, but not the use that's requested. So, if you approve a nonconforming zone change with the resolution of intent, then if they don't go forward with the use that they're showing later on, then the zoning would expire, and they'd have to come in again.

NAFT Is there a way to achieve what you're trying to, which I- I think we need to do, I mean, it's the uncertainty for everything from all of our utilities, water is creating real problems. Uh - I agree with that. Um - but I guess is there - is there a way to give me that comfort while still achieving those goals?

AMUNDSEN So, you still have the opportunity for a resolution of intent even if we come in with - because we have had conforming zone changes that were approved under a resolution of intent. We don't wanna use that as a tool all the time, but if there's something that is very specific, then a resolution of intent would - would be - but we would have the correct land use. And again, I, that way I'll let the District Attorney speak to that.

WARHOLA Right. If they're - they're coming in and proposing the change of land use plan with the zoning, it'll be almost like a nonconforming zone change now. So, at that point, then you can as a standard of - standard practice require resolution intent.

AMUNDSEN Standard practice for those that are contentious 'cause some of the ones are not -

WARHOLA Well, right? You don't have to require resolution intent.

GIBSON But you can be specific - uh - in terms of - um - conditions. Can you not? And if there's a resolution of intent and um - the - it ripens into a zone change, that will mean that what happened there was what was approved.

WARHOLA Correct.

GIBSON And if - if the development needs to change at all, they have to come back if there are conditions attached.

AMUNDSEN That is correct.

GIBSON Commissioner Jones.

JONES Yeah. I just had a- a question of clarification with regards to the transparency

JONES aspect. So is the - is the – uh - master plan update – uh - effective upon our vote and then the zoning is contingent. So, I'm just trying to think through if your neighbor or school district or utility and you go look at the - the amend - at the plan. Is - is that immediate?

AMUNDSEN The land use plan would - would change. And our hope would be that a lot- that if an applicant comes in today for nonconforming zone change, they should have a compelling justification and we - we need to tighten that up and we've all talked about this. But the same thing applies the way that we – um - rewrote our master plan. There is very specific um - triggers, justification for a modification to the master plan. So, the applicant's going to have to show the change to the master plan, meet certain criteria and the zone change meet certain criteria. If the comfort level is that the master plan is - is going to move forward but we want whatever it was approved and you're going to request a resolution of intent for specific ones, the zoning would - would be what is not changed. Go ahead. Sorry.

GIBSON So, then you'd still have the same - same issue we face today, right? You'd have one document reflecting a change and the other document would not. So, the resolution of intent is like it better be used sparingly or not at all or -

AMUNDSEN And that – and that would be our request, yeah.

JONES And - and my recollection's been a couple years since we've actually gone through this process in terms of who can ask for a change to the master plan, it's only the – the – uh - owner of the land. If we can't - as it stands right now, there's a lot of things we'd love to do in terms of master plan and making sure areas fit with where we are now, but unless it's the property owner coming in and asking us for it – um - we can't do what we want right now anyways.

AMUNDSEN That's correct.

JONES Correct? Okay.

AMUNDSEN We need con – we can't have the neighbor saying that I don't want you to build a house on your property, so I want the land use plan change to something else, yeah.

GIBSON Commissioner Miller.

ROSS MILLER If – uh - an amendment to a master plan is already allowable under the code, that's what I understood – uh – you - you just say, why is that not being utilized?

REAL I don't know.

AMUNDSEN Um - honestly, it's because I - I would say it's easier for a developer to come in for a nonconforming zone change. It's as simple as that. It's easier for them to do - to go through what they've always gone through. It's a change that – um - developers, consultants should know what we're proposing because that's what

AMUNDSEN they're doing in the City of Henderson, the City of Las Vegas, the City of North Las Vegas. It's just that the - and I hate to put it this way, but the County's always done it this way so -

MILLER Whether the standards for approval – uh – and review are the same.

AMUNDSEN They are the same, yes.

GIBSON Anything more?

Well, you can tell that there are a lot of questions (laughs). And – uh - I don't know that there's confusion, but I do think that – uh - if the objective is something that we all agree upon, then maybe you come back to us with something that accomplishes that objective that you think takes into account the concerns you heard expressed today. And I'm not sure what that would be. Because there's just, no, honestly, it's either we do, or we don't. 'Cause I - I think if you try to blend this, you accomplish nothing.

JONES I would just say, from my perspective, the – the invitation for a neighborhood meeting on – uh – boundary change or – um – master plan changes, I think we should do that piece of it. I think that's good.

GIBSON Okay.

AMUNDSEN But again, it, if - if we were to modify it so that we do the land use amendment with the zone change, we would hope that the - it would be the o – the - the one offs, not every single one would need to be, you know, negotiated with the resolution of intent. So, it might - it might reduce the number of inconsistencies, I think that's the overall point.

AMUNDSEN

REAL And I would add too, a tool that we've used in the past that we'll continue to use in the future no matter if we decide to go the master plan amendment route versus continuing with the nonconforming zone boundary amendment processes – um - we condition applications to do a design review as a public hearing when there's changes to the plans. I mean, that's essentially the same as saying, you know, come back if you're making any changes.

We don't have to get down to the specifics of, you know, you needed to have this height and this window, you can - you can literally just condition the project to say design review is public hearing for any changes to plans. And so, what that would do is that would bring back the project. It would go through the process of the Town Board – uh - it would come back to whoever was the final decision-making body – um - in this case probably be the Board – uh - for those changes to the plans. And it would allow the neighbors to have that discussion with the applicant, with the – uh - with yourselves, with the Commissioners on what those changes are and go through, I don't wanna say that negotiation process again, but maybe there was things that – um – are - are being done better and - and maybe in those few cases where we have somebody that was just trying to process the application to get it sold, they get it sold, somebody else comes along and then has these other ideas. Um - at least if there was a condition saying design view is a public cha - a public hearing for changes to plans, they know

REAL that they have to go through the process to change anything on those plans.

AMUNDSEN And - and I would add we, not always, but we have had applicants come in for - they bought a piece of property that was under a resolution of intent, and they've totally redesigned it. There was one in Commissioner Jones' district. And quite honestly, the redesign was so much better than what was negotiated, but they had to go through the entire process again because they weren't matching the original, but yet they were so much better. And Commissioner Jones can attest to that. I think it's been twice we've had that happen.

GIBSON So, in terms of implementation of a change, what would be done? What would you do?

AMUNDSEN You would just direct us to start accepting it as a land use, you know, a master plan amendment and a zone change.

GIBSON So, what is – Commissioner Miller?

MILLER Since I'm - I think I'm the one not - not in line here, I - I'm happy to kind of - if the direction is for staff to keep moving forward, to come back with the policy so long as – uh - Sammy and Nancy – we - the three of us can work together before -

AMUNDSEN Abso -

NAFT - it's reintroduced. Um - and some of my concerns can be addressed. I - I don't want to derail the process at this point - um - but I'm happy to continue discussing it.

AMUNDSEN Then, as my voice goes, which is probably a blessing for most – um - I would say we bring it back in a month or actually the - the second meeting in July, since we don't have a first meeting in July. Let's bring it back the second meeting in July and we will provide you with a policy and process and we'll - will in the interim, work with Commissioner Na - actually with all the Commissioners to make sure that what we are bringing forward is – um - something that can be blessed. Would that work?

GIBSON That works. Why don't you consider that the direction we've given you.

AMUNSEN Thank you.

GIBSON Thank you.

SEGERBLOM Not that it's a wrinkle, but I won't be here the second meeting in July.

GIBSON Well, that even makes it better.

AMUNDSEN Now what I – what I would do though is we would have that discussion with you Commissioner before then and – um – we would get your input and then we would hopefully be able to just express your input.

SEGERBLOM

Yeah. And I support, I just, I think what Michael is saying is - is legitimate. I'm concerned about the times where - where I wanna make sure that – that – um - they don't come in and bait and switch us – um - so how we can control that process is what I wanna make sure.

AMUNDSEN

And - and honestly, there's, it's not gonna be every application. It's just gonna be a few that are gonna- you're gonna go, "Ah, I know that you all aren't gonna build this." So, you will know because you'll meet with the applicants, we'll know because of the way they applied so we can kind of go from there.

GIBSON

All right, thank you.

ACTION:

No action was taken by the Board.

The Board returned to trailed Item No. 56.

ITEM NO. 58 ORD-21-900733: Introduce an ordinance to consider adoption of a Development Agreement with Picerne Quarterhorse LLC for a multiple family development (Quarterhorse Apartments) on 16.4 acres, generally located east of Quarterhorse Lane and south of Sunset Road within Spring Valley. JJ/dd (For possible action)

AMUNDSEN

Uh - the next items are ordinances for introduction.

Item 58, Ordinance 21-900733 is a recommendation you introduce an ordinance to consider adoption of a development agreement with Picerne Quarterhorse LLC for multifamily development, Quarterhouse- Quarterhorse Apartments. We request this be set for public hearing for June 22nd 2022.

GIBSON

I'll introduce the ordinance and set the public hearing for June 22nd, 2022 at 9:00 a.m.

ACTION:

There being no objections, Chair Gibson set the matter for public hearing on June 22, 2022 at 9:00 a.m.

ITEM NO. 59 ORD-22-900006: Introduce an ordinance to consider adoption of a Development Agreement with Pebble Ridge 19, LLC for a residential subdivision (Pebble - Fort Apache) on 2.5 acres, generally located south of Pebble Road and west of Fort Apache Road within Enterprise. JJ/dd (For possible action)

AMUNDSEN

Item 59, Ordinance 22-900006. We recommend you introduce an ordinance to consider adoption of development agreement with Pebble Ridge 19, LLC, for a residential subdivision Pebble at Fort Apache. Again, we request this be set for public hearing for June 22nd, 2022.

GIBSON

I'll introduce the ordinance and set the public hearing for June 22nd, 2022 at 9:00 a.m.

ACTION:

There being no objections, Chair Gibson set the matter for public hearing on June 22, 2022 at 9:00 a.m.

ITEM NO. 60 ORD-22-900343: Introduce an ordinance to consider adoption of a Development Agreement with D.R. Horton for a single-family residential development (Serene and Fort Apache) on 7.6 acres, generally located west of Fort Apache Road and south of Serene Avenue within Enterprise. JJ/dd (For possible action)

AMUNDSEN

Item 60 Ordinance 22-900343. We recommend you introduce an ordinance to consider adoption of a development agreement with D.R. Horton for single family residential development, Serene and Fort Apache, we request this be set public hearing for June 22nd, 2022.

GIBSON

I'll introduce the ordinance and set the public hearing for June 22nd, 2022 at 9:00 a.m.

ACTION:

There being no objections, Chair Gibson set the matter for public hearing on June 22, 2022 at 9:00 a.m.

ITEM NO. 61 ORD-22-900357: Introduce an ordinance to amend Title 30 to modify the definition of High Impact Project, revise detached sidewalk regulations, make corrections and clarifications as appropriate, and direct staff accordingly. (For possible action)

AMUNDSEN

Item 61 Ordinance 22-900357. We request you introduce an ordinance to amend title 30 to modify the definition of high impact project, revised detached sidewalk reg- regulations, make corrections and clarifications as appropriate and direct staff accordingly. We request this be separate public hearing for June 22nd, 2022.

GIBSON

I'll introduce the ordinance and set the public hearing for June 22nd, 2022 at 9:00 a.m.

ACTION:

There being no objections, Chair Gibson set the matter for public hearing on June 22, 2022 at 9:00 a.m.

ITEM NO. 62 ORD-22-900358: 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 April 6, 2022, April 20, 2022, May 4, 2022 and in Assessor's Books 162, 163, 176, 177, 189, and 191. (For possible action)

AMUNDSEN

AMUNDSEN

And Item 62 Ordinance 22- 900358. 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 April 6th 2022, April 20th 2022, May 4th 2022 and Assessor's Books 162, 163, 176, 177, 189 and 199. I'm sorry, 191. We request these be separate public hearing for June 22nd, 2022.

GIBSON

I'll introduce the ordinance and set the public hearing for June 22nd, 2022 at 9:00 a.m.

ACTION:

There being no objections, Chair Gibson set the matter for public hearing on June 22, 2022 at 9:00 a.m.

PUBLIC COMMENTS

AMUNDSEN

And this is the second opportunity for public comments.

GIBSON

This is the time set for the second opportunity to make comment. Is there anyone here who wishes to make public comment? There being no one, this meeting is adjourned.

There being no further business to come before the Board at this time, at the hour of 10:22 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