

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, SEPTEMBER 21, 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 21st day of September 2022 at the hour of 9:00 a.m. The meeting was called to order at 9:01 a.m. by Chair Gibson and on roll call, the following members were present, constituting a quorum of the members:

CALL TO ORDER

CHAIR AND COMMISSIONERS:

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

Absent:

None

Also Present:

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

ITEM NO. 1 Public Comment

JIM GIBSON

Good morning. Welcome to our meeting. The meeting will come to order. This is the time for our zoning meeting, and the first item of business is our - is a public comment. We invite anyone who wishes to make a comment to take a step forward and tell us th - the item on which you would like to make the comment. That's what we do during the first comment period. Now, I think I need to announce that there are a couple of items that are going to be held – um - Miss Amundsen, would you – uh - please address that? And here's what I want you to listen to: if you are here on an item that is being held, you still may come forward and offer comment now. Uh - but there are, th - I'm - I'm informed that there's at least one item that you may not know about, so let's - let's hear from Miss Amundsen right now on that.

NANCY AMUNDSEN

So, Items 28, 29, and 30, which we've gotten a lot of cards that folks want to speak on, they're going to be held 'til November 16th. In addition, Items 34, 35, and 36 will be held until October 4th.

GIBSON

And then, Commissioner Jones, on 28, 29, and 30.

JUSTIN JONES

Uh - with regards to 28, 29, and 30 – um - I appreciate all those that have come down – uh - as a result of the many comments that have come in, I will be asking that matter go - be sent back to the Town Board as has been requested and the Planning Commission for consideration of the new plans that have been submitted. Um - if you're still interested in providing comment today – uh - you can certainly do so.

GIBSON

Alright.

MARGARET ANN COLEMAN

Good morning, Commissioners.

GIBSON

Good morning.

COLEMAN

My name is Margaret Ann Coleman, and C-O-L-E-M-A-N. This is concerning, I gave a resume that speaks for itself, and at this time and moment, I found out that Queen Elizabeth had passed away. And I wish you all take a minute for her and give her, her respect. We're not for fighting with guns. I gave Mister Kevin Schizler - Schiller four or five locations to relocate me, as in zoning - of ownership in the proper respect of moving out of the street, me and my daughter, 1316 Wizard, J. N. Van Buren, 3630 Coleman Street, 1409, and also 2200 Bonanza Road Unit 341. All of them was clipped by the boarder and the deputy in default, served their young, code enforcers, identity theft of Janice – uh - Jennifer Lopez, and the Kingstons emerging with Jan – uh - Fuller.

Now, I gave these - this information to him to relocate, me and my daughter, out of the streets, because these are not a safe place. Um, Mister. Sch – uh - James Schuyler comes into identity of paying the same amount of money that was sold on my 1316 Wizard, \$304,000 of ownership. This is very strange. You've got Kevin Schiller and you've got James Schiller taking my control. I would like you... I would like to move on and move out of the street or move out of the State of Nevada, or be a part of. I'm own - I'm credited and due this

COLEMAN 3 – uh - million 646,600 of my workman's comp and the sale of my home. Discriminating action is all I've been receiving. I brought this bag. You can put the money in there or you could put the check. I never did it before but I think it's so necessary. You're not understanding. I want to move on. I am entitled. Court Order 8204984 will represent me. Thank you. I would like to present my daughter.

GIBSON Thank you.

KAMILAH MUHAMMAD Uh - Kamilah Muhammad, K-A-M-I-L-A-H, M-U-H-A-M-M-A-D. I got hit and ran as a pedestrian and dragged for a half a mile, I don't know where to put these papers – uh - the picture, to show you. Um - only one of my arm work. I got paralyzed in a -

COLEMAN Here - here's the picture.

MUHAMMAD And, we were supposed to be getting placed indoors. I got severe hypertension, and the pills don't work for me. No medicine works for me to bring my blood pressure down. I be having to go to the hospital, and it's hot, too hot out there, and we spend up all our money on the gas, so it's like hard for us to get a apartment, 'cause they put the apartments s -so high, up in the \$1,000's, and we only get a little bit of money each month. And I wanted to know if you all can help us get a - a apartment like they said. Please. Alright, that's all I gotta say.

GIBSON Alright, thank you. Let me just say that Mister Schiller – uh - had told us yesterday that he and his team has been looking and has found several homes. You should deal directly with him, he's aware, or with whomever it is that he's appointed to deal with you.

MUHAMMAD Mister Schiller?

GIBSON That's right.

MUHAMMAD Okay. Can I give them - y'all - my phone number?

GIBSON Well, you're... I think your mother must have the way to get in touch with him because he got the message that she -

MUHAMMAD Okay.

GIBSON - sent in. Alright?

MUHAMMAD Thank you very much you guys.

GIBSON Thank you.

BARRY YOST Commissioners, Barry Yost, 3760 W Richmar Avenue, I just want to speak on the held Item 28, 29, and 30. Uh - first of all, Commissioner Jones, thank you for holding this item and sending it back through the review process. It's been changed so many times that it really needs to go through the proper – uh - vetting process. That said, I want to remind this Commission that this isn't the

YOST

first time that this item has been held. This Commission seems to respond positively when we have large turnouts of the - of the public present, and when it gets rescheduled it becomes very difficult for people to arrange their work life, to arrange their personal life, their children. Um - you know, it's easy for the developer because they hire an attorney, you don't want us to hire an attorney to represent us, you want to hear from us. But when these items get continued, it is more and more difficult to get our constituents, our - our neighbors and your constituents, out to express their opinion, and I just wanted to note, c - can we at least have a show of hands of those that are here in opposition to this -

GIBSON

Of course. Thank you very much.

YOST

Thank you very much.

GIBSON

Have a good day.

SCOTT CAREY

Good morning – uh - Chair Gibson, members of the Commission. For the record, my name is – uh - Scott Carey, I'm the State Lands Planner with the Nevada Division of State Lands. Um - I'm here – oh - 901 South Stewart Street in the state capitol. Um - I'm here - I was here to speak on Item 34. Um - last Friday I provided the Commission with a packet – uh - of information concerning... Our - our concerns from a land use point-of-view, concerning the - the proposed non-conforming – um - re-zone. Uh - I first wanted to extend my appreciation, understanding that the items being held today, I did want to express my appreciation to your staff for working with us to – uh - get our concerns in front of the - the various boards, and - and working with us over the years on compatibility with - with all of our state lands – um - down here. Um – with - with respect to the proposed re-zone – um - we were - we are concerned about allowing single family residential adjacent to a military facility. We don't think that that's compatible with the existing mission of – of the - of the facility, but also your local – uh - land-use plan.

We've been very fortunate to work closely with Clark County – um - over the - over the past 12 years on implementing a land use strategy in the Enterprise area that - that allows for growth and development, but also ensures compatibility with - with the Guard's – um - facility there. Another example of this, we worked closely with Clark County as well as the City of North Las Vegas, on a joint land use study about 15 years ago for the Floyd Edsall Facility, and that provided a good strategy that's now being implemented – um - to allow – um - industrial development, commercial development, that doesn't jeopardize the operations of - of that facility. We appreciate your partnership and looking forward to working with you on – on - on that.

Um - we do support the recommendation on Item number 34 of – of - of your staff – of - of denial. We appreciate the - the Town Advisory Board's recommendation of denial as well as - as well as your Planning Commission on - on that item. Um - one of the things that I think the staff report did a really good job, is that that proposed project is not consistent with the recently adopted Transform Clark County Master Plan. It's very exciting to have a new master plan for Clark County, congratulations on that. But one policy we

CAREY

worked very closely with your staff on was policy EN6.3, and that basically – um - ensures compatibility near that particular facility on Silverado Ranch Road, so I just wanted to bring that - that to your attention. I think the proposed – um - rezone to single family residential also – um - does not support this coun – this - this Commission's efforts to preserve – um - non-residential land uses and provide employment opportunities in that part of the County as well too. So thank you for the opportunity to nerd out on - on land use planning, and for the opportunity to provide public comment. We'll continue to monitor that and have a good meeting.

GIBSON

Thank you very much.

RAY POYAOAN

Good morning Commissioners. My name is Ray Poyaoan and I'm the – uh - I'm part of with the Nevada National Guard, I'm here to discuss Item Number 34, for 4500 West Silverado Ranch, 89139. Um - the National Guard's training and military operations are crucial for the Anthony Cometa Complex, to the nation, to the state, and to county. The critical role the Guard has played during the COVID-19 pandemic and the New Year's Eve mission support local law enforcement activities throughout Las Vegas. Centrally located, the Anthony Cometa Complex conducts emergency response training, physical fitness training, and military exercises that stimulate heavy equipment operations. Concerning factors for the residents such as diesel fumes associated with large military vehicles being adjacent to the proposed single family residential development, noise from our military vehicles on training activities, including generators tents set up, traffic impacts, large military vehicles that are used and stored at the facility are rega - located north of the complex will impact future residents. The large heavy military vehicles used can cause traffic conflicts with residents getting in and out of the proposed subdivision.

Expansion - as we grow - grow our force and extend our capabilities, land is critical for our future expansion, training requirements, and response to the State of Nevada. Being in a centrally located area for response, without the space for growth, residential development can jeopardize the Guard's mission, by the limiting resources, capabilities, response time, and the overall mission of the facility. Complaints - noise, smell, hours of operation, traffic, are just a few of the future complaints that future residents may have. Proposing to rezone will create a situation where res - future residents would be impacted by the existing future operations of the Anthony Cometa. I would like to present Colonel Chappell, Director of Installations, thank you.

GIBSON

Thank you.

CLAYTON CHAPPELL

Good morning. Clayton Chappell, I'm the Director of Installations and Environment for the Nevada National Guard. I am also the Commander of the 17th Sustainment Brigade, which is located in North Las Vegas, our - in our new facility off of Speedway in Hollywood. My address, 4500 West Silverado Ranch Boulevard, 89139 – 89 - 89139. Um - I too am in opposition to, just like Scott and Ray, of Item Number 34. I will tell from - I will tell you from an – uh - from the experiences that I've had – uh - I was - I was actually part of the – the – uh - planning programming design of this facility back in 2003-2004. Been here to - to discuss our - our operation there. Built the facility in 2007,

CHAPPELL

we've been in operation since then, and – uh - we have had, I will say, we've had some complaints about our operations from some of the residents that are currently there that - that have been there, and we changed our operation. In fact, we moved some of our 24-hour operations with generators, trucks and - and movement of troops in that area to just adjacent - across the street from where this proposed – uh - housing development is – is – uh – being – uh – is – is - is noted in - in Item Number 34.

We are - we have several trucks and units that are there, and we also - we're going to expand operations, we're currently under construction of a \$2 million expansion organizational parking that's going on at this time. It will be completed in the next 60 days. I would also like to point out that – uh – um - during the pandemic, that facility was the operations center for the - for the State of Nevada and - and Southern Nevada, and during the pandemic the Governor aligned the Department of Emergency Management under the adjutant general of Nevada, and we have moved portions of that operation from Carson City to that location. So not only is it conflicting with military operations, but it - it's conflicting with State operations and emergency management. I appreciate this time to – to – uh - concur with Scott and Ray in - in denial of Item Number 34.

GIBSON

Thank you. Is there anyone else who wishes to comment on an item that is on our agenda today? There being no one, Miss Amundsen, would you review for us the condition of the agenda?

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

AMUNDSEN

The second item is the approval of the agenda after considering any additions or deletions of items. Staff has the following request: hold to the October 4th, 2022 BCC meeting Item 34 NZC-22-0381; Item 35 VS-22-0382; Item 36 TM-22-500129. Hold to the October 19, 2022 BCC meeting, Item 6 ET-21-400175 (UC-0492-15); Item 7 ET-21-400176 (UC-0045-16); Item 22 WS-22-0147; and Item 24 WS-22-0343. Hold to the November 16th BCC meeting: Item 28 NZC-22-0254; Item 29 VS-22-0255; and Item 30 TM-22-500087. For the audience's information, Items 28 through 30 will also go back to the November 1st Planning Commission meeting and we'll go back to a Town Board. The above public hearing items are going to be open as a public hearing and immediately recessed until the date, as previously stated with these deletions, which are Items 6, 7, 22, 24, 28, 29, 30, 34, 35, 36. The agenda stands ready for your approval.

GIBSON

Thank you. Are there any other changes to the agenda at the pleasure of the Commission? There being none, I'll app - accept a motion on the agenda.

JONES

Motion to approve.

GIBSON

Commissioner Jones has moved approval on the agenda. Any discussion on that motion, please cast your votes. Motion carries.

ACTION:

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

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

AMUNDSEN

The third item on the agenda is the approval of minutes. The minutes of the August 17th, 2022 zoning meeting are ready for your approval.

GIBSON

There's a motion for approval on the minutes. Any discussion on that motion? Please cast your votes. That motion carries.

ACTION:

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

ROUTINE ACTION ITEMS (4-18):

AMUNDSEN

Next are the routine action items, which consist of Items 4 through 18 except those items previously deleted. These items may be considered together in one motion and are subject to the conditions listed with each agenda item. In addition, we have the following amendment: on Item 12 ZC-22-0441 under Public Works Development Review, delete bullet Number 1 and add, "Two years to review to mitigate traffic concerns on Cactus Avenue," and, "If queuing operations disrupt traffic, the applicant or owner shall employ all safety measures needed to alleviate the situation to the satisfaction of the County and at the sole expense of the applicant or owner, with said measures to be completely - completed a timely manner as determined by Public Works." If there are no objections, the public hearing is now open and the routine action portion of the agenda stands ready for your approval.

GIBSON

Thank you. Are there any other – uh - concerns with the – uh - routine action items? If not, I'll attend in motion - I'll entertain a motion.

JUSTIN JONES

Move for approval on agenda with additional conditions as stated by Miss Amundsen.

GIBSON

There's a motion for approval of the routine action items along with the additional conditions as noted. Any discussion on that motion? Please cast your votes. The motion carries.

ACTION:

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

ITEM NO. 4 DR-22-0434-KB HOME LAS VEGAS INC:

DESIGN REVIEW for finished grade for a previously approved single family residential development on 16.1 acres in an R-2 (Medium Density Residential) Zone. Generally located on the south side of Richmar Avenue and the east side of Edmond Street within Enterprise. JJ/lm/syp (For possible action)

ACTION:

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

CONDITIONS OF APPROVAL -

Current Planning

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

applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Comply with approved drainage study PW21-19687.

Department of Aviation

- For that portion in the AE-60, applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation;
- For that portion in the AE-60, applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation;
- For that portion in the AE-60, applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation when property sales/leases commence;
- For that portion in the AE-60, incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- 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 #0392-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 5 AR-22-400094 (WC-0174-16 (UC-0849-14))-MGM GRAND PROPCO LLC:

WAIVER OF CONDITIONS FIFTH APPLICATION FOR REVIEW of a use permit for live entertainment limited to daytime hours (6:00 a.m. to 10:00 p.m.) for a recreational facility (golf driving range) with accessory retail, eating and drinking facilities, live entertainment, and other accessory uses, and structures in conjunction with a resort hotel (MGM Grand) on a portion of 102.7 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the southwest corner of Harmon Avenue and Koval Lane within Paradise. JG/jud/syp (For possible action)

ACTION:

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

CONDITIONS OF APPROVAL -

Current Planning

- Until July 30, 2024 to review as a public hearing;
- Maximum of 3 nights per month for live entertainment events permitted including legal holidays (Memorial Day, New Years, Labor Day, 4th of July, and Presidents Day) with events ending at 12:00 a.m., for all remaining

days, live entertainment events permitted only until 10:00 p.m.;

- No live entertainment before 8:00 a.m.;
- Applicant to continue to analyze the height and design of safety mesh to determine if it is adequate;
- Point of contact for complaints to be provided to adjacent residential property owners;
- Applicant to continue to coordinate with residents of Marie Antoinette Condominiums;
- Applicant to continue to review emerging technologies for sound mitigation opportunities;
- Applicant to monitor decibel measurements for Marie Antoinette Condominium units during events;
- Residents of the abutting residential developments and County staff to be notified a minimum of 30 days prior to each event planned to end past 10:00 p.m.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; 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

- Right-of-way dedication to include between 8.5 feet and 22 feet for Koval Lane;
- 30 days to coordinate with Public Works - Design Division to dedicate right-of-way and easements for the Koval Lane improvement project.

ITEM NO. 6 ET-21-400175 (UC-0492-15)-WESTWYNN, LLC:

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

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

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

DESIGN REVIEWS for the following: 1) High Impact Project; 2) resort hotel and all associated and accessory uses; 3) hotel towers and associated low-rise and mid-rise buildings and structures; 4) low-rise and mid-rise buildings including retail, restaurants, public, and back-of-house areas; 5) water features (man-made lake and decorative water fountains); and 6) all other accessory and incidental buildings and structures on 34.6 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the northwest corner of Las Vegas Boulevard South and Fashion Show Drive within Winchester and Paradise. TS/sd/jo (For possible action) (held from August 17, 2022)

ACTION: Deleted from the agenda (held to October 19, 2022 per the applicant).

ITEM NO. 7 ET-21-400176 (UC-0045-16)-WESTWYNN, LLC:

HOLDOVER USE PERMIT SECOND EXTENSION OF TIME to expand/enlarge the Gaming Enterprise District by approximately 2.5 acres in conjunction with an approved resort hotel (Alon) on 34.6 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located between Sammy Davis Jr. Drive and Las Vegas Boulevard South and between Fashion Show Drive and Wilbur Clark Desert Inn Road within Winchester and Paradise. TS/sd/jo (For possible action) (held from August 17, 2022)

ACTION: Deleted from the agenda (held to October 19, 2022 per the applicant).

ITEM NO. 8 ET-22-400092 (WS-20-0082)-SAIA GABRIEL GOMES JR REV LIV TR & SAIA GABRIEL GOMES JR TRS:

WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for the following: 1) eliminate parking lot landscaping; 2) alternative parking design standards; and 3) reduce throat depth.

DESIGN REVIEW for a parking lot expansion in conjunction with an existing retail, office, and warehouse complex on 14.0 acres in an M-1 (Light Manufacturing) Zone. Generally located on the north side of Desert Inn Road and the east side of Highland Drive within Winchester. TS/hw/syp (For possible action)

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

CONDITIONS OF APPROVAL -

Current Planning

- Until May 6, 2024 to commence and review.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

ITEM NO. 9 ET-22-400093 (VS-20-0023)-PROSPER 150, LLC:

VACATE AND ABANDON FIRT EXTENSION OF TIME for easements of interest to Clark County located between Parvin Street and I-15, and between Ford Avenue and Wigwam Avenue within Enterprise (description on file). MN/dd/syp (For possible action)

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

CONDITIONS OF APPROVAL -

Current Planning

- Until July 8, 2024 to record.
- 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 re-approval by the utility companies is required.

Public Works - Development Review

- Compliance with previous conditions.

ITEM NO. 10 UC-22-0402-AFFILIATE INVESTMENTS, LLC:

AMENDED USE PERMITS for the following: 1) daycare facility (previously notified as a convenience store); and 2) reduce the separation from a convenience store to a residential use (no longer needed).
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow access to a local street (no longer needed); and 2) alternative driveway geometrics (no longer needed).
DESIGN REVIEWS for the following: 1) modifications to an approved shopping center (no longer needed); and 2) alternative parking lot landscaping (no longer needed) on 3.4 acres in an M-D (Designed Manufacturing) Zone. Generally located on the north side of Blue Diamond Road and the west side of Edmond Street within Enterprise. JJ/jgh/syp (For possible action)

ACTION: It was moved by, Commissioner Justin Jones, and carried by unanimous vote,

that the application be approved subject to staff conditions.

CONDITIONS OF APPROVAL -

Current Planning

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

Public Works - Development Review

- Comply with approved drainage study PW19-14936;
- 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 #0005-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 11 UC-22-0418-AMIGO REALTY CORP:

USE PERMIT for tire sales and installation.

WAIVER OF DEVELOPMENT STANDARDS to allow service doors to face a street (Monroe Avenue).

DESIGN REVIEW for a vehicle maintenance with tire sales and installation business on 0.9 acres in a C-2 (General Commercial) Zone. Generally located on the east side of Nellis Boulevard and the south side of Monroe Avenue within Sunrise Manor. TS/lm/syp (For possible action)

ACTION:

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

CONDITIONS OF APPROVAL -

Current Planning

- Work with the Las Vegas Metropolitan Police Department for the installation and use of security cameras and surveillance operation;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that outside storage is regulated per Table 30.44-1; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance, if required by Public Works;
- Full off-site improvements.
- Applicant is advised that Nevada Department of Transportation (NDOT) permits may be required; and that

utility poles, signs, structures, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones.

Clark County Water Reclamation District (CCWRD)

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

ITEM NO. 12 ZC-22-0441-MIKAMI LISA T SEPARATE PROPERTY TRUST & MIKAMI LISA T:
ZONE CHANGE to reclassify 1.3 acres from an R-E (Rural Estates Residential) Zone to a C-1 (Local Business) Zone.
USE PERMIT to reduce separation from outside dining to a residential use.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) talk box location; and 2) allow modified driveway design standards.

DESIGN REVIEWS for the following: 1) retail building (coffee shop) with drive-thru and outside dining area; and 2) alternative parking lot landscaping. Generally located on the south side of Cactus Avenue and the east side of Polaris Avenue (alignment) within Enterprise (description on file). JJ/lm/syp (For possible action)

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

CONDITIONS OF APPROVAL -

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Replace plants listed as “Not Recommended” on the Southern Nevada Water Authority Regional Plant List to those that are of same or greater plant size;
- 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; cross access shall be provided to APN 177-32-101-020 if developed with a similar or complimentary use in accordance with Table 30.56-2i; 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 the use permit, waivers of development standards, and design reviews must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- 2 years to review to mitigate traffic concerns on Cactus Avenue;
- If queuing operations disrupt traffic, the applicant or owner shall employ all safety measures needed to alleviate the situation to the satisfaction of the County and at the sole expense of the applicant or owner, with said measures to be completed in a timely manner as determined by Public Works;
- 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.

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 #0306-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 13 VS-22-0442-MIKAMI LISA T SEPARATE PROPERTY TRUST & MIKAMI LISA T:

VACATE AND ABANDON easements of interest to Clark County located between Cactus Avenue and Conn Avenue (alignment), and between Dean Martin Drive and Polaris Avenue (alignment), and a portion of a right-of-way being Cactus Avenue located between Dean Martin Drive and Polaris Avenue (alignment) within Enterprise (description on file). JJ/lm/ja (For possible action)

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

CONDITIONS OF APPROVAL -

Current Planning

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

Public Works - Development Review

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

ITEM NO. 14 ZC-22-0448-DSH HOLDING, LLC:

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

WAIVER OF DEVELOPMENT STANDARDS to allow modified driveway design standards.

DESIGN REVIEWS for the following: 1) warehouse buildings; 2) alternative parking lot landscaping; and 3) finished grade in the CMA Design Overlay District. Generally located on the north side of Sunset Road, 305 feet east of Tenaya Way within Spring Valley (description on file). MN/md/syp (For possible action)

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

CONDITIONS OF APPROVAL -

Current Planning

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

prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the waiver of development standards and design reviews must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Full off-site improvements;
- Right-of-way dedication to include 55 feet to the back of curb for Sunset Road;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Sunset Road improvement project;
- 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;
- Vacate any unnecessary rights-of-way and/or easements.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that 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 #0051-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 15 NZC-22-0324-GUNN DOREEN FAMILY TRUST & GUNN DOREEN & JAMES TRS:

HOLDOVER ZONE CHANGE to reclassify 0.6 acres from an R-E (Rural Estates Residential) Zone to a C-1 (Local Business) Zone.

DESIGN REVIEW for a retail building (coffee shop) with drive-thru service. Generally located on the south side of Cactus Avenue, 250 feet west of Dean Martin Drive within Enterprise (description on file). JJ/rk/tk (For possible action) (held from September 7, 2022)

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

CONDITIONS OF APPROVAL -

Current Planning

- Resolution of Intent to complete in 3 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 services because of a lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a 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

- Extend the median on Cactus Avenue 50 feet west of the point of curve on the west side of the driveway;
- Drainage study and compliance;
- Traffic study and compliance.

Fire Prevention Bureau

- Applicant is advised to show on-site fire lane, turning radius, and turnarounds.

Southern Nevada Health District (SNHD) - Septic

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

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 #0059-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 16 NZC-22-0380-BORT, LLC:

ZONE CHANGE to reclassify 6.7 acres from a C-2 (General Commercial) Zone to an R-4 (Multiple Family Residential - High Density) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) fence height; and 2) building height.

DESIGN REVIEWS for the following: 1) a multiple family residential development; and 2) alternative parking lot landscaping. Generally located on the west side of Boulder Highway and the north and south sides of Desert Horizons Drive within Whitney (description on file). JG/jvm/jo (For possible action)

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

CONDITIONS OF APPROVAL -

Current Planning

- Resolution of Intent to complete in 3 years;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements.
- Applicant is advised that Nevada Department of Transportation (NDOT) permits may be required.

Department of Aviation

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

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0251-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 17 ORD-22-900439: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Visionary 2 LLC for an office/warehouse facility (Pebble & El Camino) on 2.5 acres, generally located north of Pebble Road and east of El Camino Road within Enterprise. JJ/dd (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the application (including the adoption of Ordinance No. 4983) be approved.

ITEM NO. 18 ORD-22-900493: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with ZSKSMAZ Township Family Trust and Ashahid Revocable Living Trust for a commercial subdivision (Silverado Ranch & Arville) on 2.1 acres, generally located south of Silverado Ranch Boulevard and west of Arville Street within Enterprise. JJ/dd (For possible action)

ACTION: It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the recommendation (including the adoption of Ordinance No. 4984) be approved.

ITEM NO. 19 UC-22-0403-J & R PROPERTIES LAS VEGAS, LLC:

USE PERMITS for the following: 1) allow trailer, recreational vehicle, and watercraft vehicle wash in an M-1 zone; 2) allow trailer, recreational vehicle, and watercraft vehicle wash in an APZ-2 Zone; 3) reduce separation from residential use; and 4) waive screening of outside storage area.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce gate setback; 2) alternative landscaping; 3) eliminate trash enclosure; 4) security fence location; and 5) commercial driveway standards.

DESIGN REVIEW for modifications to an existing mini-warehouse facility with outside storage of vehicles and vehicle wash on 2.7 acres in an M-1 (Light Manufacturing) (AE-65 & APZ-2) Zone. Generally located on the north side of Judson Avenue, 400 feet west of Nellis Boulevard within Sunrise Manor. TS/lm/syp (For possible action)

AMUNDSEN

The next item is Item 19 UC-22-0403, use permits for the following: allow trailer, recreational vehicle, and watercraft vehicle wash in an M-1 zone; allow trailer, recreational vehicle, and watercraft vehicle wash in an APZ-2 zone; reduce separation from residential use, waive screening of outside storage area. Waivers and development standards for the following: reduce the gate setback, alternative landscaping, eliminate trash enclosure, security fence location,

AMUNDSEN

commercial driveway standards; design review for modifications to an existing mini warehouse facility without site storage of vehicles and vehicle wash on 2.7 acres, in a M-1 (Light Manufacturing) (AE-65 and APZ-2) Zone; generally located on the north side of Judson Avenue, 400 feet west of Nellis Boulevard within Sunrise Manor.

GIBSON

Item 19, is there somebody here on behalf of the applicant? Good morning.

BLAINE SOULE

Good morning Commissioners, my name is Blaine, last name Soule spelled S-O-U-L-E. I am with Dwyer Engineering at 7310 Smoke Ranch Road, Las Vegas 89128. Uh - I am here also with the owner, Charles Fleskes, and we're going to present... we're going to present what is being requested by the owner. The owner is going to ta - this is his property here, it is currently - it's a Flying O - is the name of the storage unit. These three storage units are his, and in the back is an undeveloped, unpaved - area that he wishes to develop to use for long term storage parking of - uh - trailers, boats and anything that can be u - used to store large vehicles, what we're tending to use for this - uh - back two properties and it's - uh - intended to be paved. And to access this area, the owner intends to improve this portion of the front entrance to allow for that type of storage in the back two properties. So if we can look at... Maybe I'd better use a different close up... I think that one appears better.

What is being proposed is to improve that fencing for better security. R- right now the fencing, the current fencing is here, proposed fencing will be further in. Because, excuse me, because of the type of use, being a storage unit, we intend to provide the required number of parking spaces for that intended use, which is five with one being handi - handicap, so we're intending to add one, two, three, four, five, parking spaces. Um - our intent is to widen the current - this is the current driveway access - we're going to widen up from 20 to 32 feet. And also a part of the improvement is to add a vehicle wash within the back two parking spaces. We have staff recommendation on what is being proposed, and I leave it now with the Board of Commissioners to - uh - ask any questions.

GIBSON

And that completes your presentation?

SOULE

It does.

GIBSON

This is a public hearing which is now open, is there anyone here who wishes to speak on this item? If so, please come forward. It appears there is no one, the public hearing is closed. Commissioner Segerblom.

TICK SEGERBLOM

Thank you, Mister Chair. Um - Antonio can you - um - enlighten us on what they're doing, and if you're agreeable, or are there modifications you wanted to make?

ANTONIO PAPAIZIAN

Thank you, Commissioner. Uh - they're reconstructing the driveway off of Judson - uh - it is one of our commercial pan driveways, it's uniform standard 224. Uh - this type of driveway - uh - will not only - um - add additional dimension to their - uh - on-site but also, more importantly, will accommodate ADA.

SEGERBLOM Are you agreeable to that?

PAPAZIAN Yes.

SEGERBLOM And also – uh - Commissioner Kirkpatrick just mentioned, there's an issue with – uh - cars parking on the street... or - are... with their trailers too. I'm not sure how, is there a way we can enforce people not parking on the street?

GIBSON So maybe we can hear from your client?

SOULE Yes. Yes, he's - he has experience.

GIBSON Please state your name.

CHARLIE FLESKES My name is Charlie Fleskes. F as in Frank, L-E-S as in Sam, K-E-S. And – um - it's not uncommon in that area for semi-trucks to park and drop a trailer, sometimes for days, in - right in front of the unit. Not - not always blocking the driveway, but one time they did do that and the Police Department was quick to resolve that issue for us. But when they drop a semi there, when people are coming out of our driveway, they can't see the traffic coming down Judsen, and I'm concerned about that. I don't know, a - a car we can see past but trucks not, so I don't know if there can be – um - should be just a red curb across there or a green curb across there. I'm - I'm just looking for some suggestions to try to keep this potential of an accident happening, because people coming – heading - heading out of the driveway can't see around a semi-truck for instance.

GIBSON And do you have a proposal?

MARILYN KIRKPATRICK Mister Chair, I represented this area for a long time and we were trying to - we're working on a process to bring everybody in compliance, because currently what happens today is you can't even get two cars down the street over there between Judson, Holt. You have trucks on both sides, you have – um - there's a mechanic shop over there that's somewhat guilty, right?

FLESKES Yes.

KIRKPATRICK So I can - if I drove over there today there would be about 50 semis. It's an accident waiting to happen. Wh – wh - and crazy enough, they cut down the no parking signs, so -

FLESKES (laughs).

KIRKPATRICK I - I just - I'm just seeing - if you're gonna have a truck washing facility, those are all the reasons why we didn't let it change from the manufacturing piece, 'cause we are trying to change the neighborhood with the outdoor storage. But maybe there's – um - an opportunity to put - re-put the no parking signs on both sides of the driveway, but - but it is a huge problem with semis over there.

GIBSON So is - is the parking problem the semis and the trailers, or is it anything?

KIRKPATRICK Well, it's the dumping ground for a lot of things.

GIBSON No, but I - well I mean -

KIRKPATRICK Wh - What mean, so I'm -

GIBSON - pick-up, is that a problem?

KIRKPATRICK It is not. The issue is - is why we didn't let it change is that you, to your point, there's no - you can't see what's coming either side to get in or out, so there has to be, in our opinion, public safety wise, a cleared, clear path so that at least people coming out of that driveway... So on a weekend you might find five or six boats that are - show up - you know, after people went to the lake - um - but there is a constant truck problem. But - so I don't know if there's a way that you can keep it clear, if you can put cameras out in front so that at least - um - the State could get - um - license plates so that we can turn in those trucks that are parking there and, with the no parking signs. I mean, that is one thing that we did that was pretty successful, is we turned them into NDOT - um - because they have it, with the plates we could figure out who they were and then we gave them a citation. But I mean if you have cameras in the front, that might actually help Code Enforcement or Metro so that they could tow them faster.

AMUNDSEN And because of the area that's - that it is - staff has - um - added that condition to work with Metro to make sure that there is security cameras in the area.

FLESKES It's just, excuse me -

SEGERBLOM I -

FLESKES I'm sorry.

SEGERBLOM Anyway, it sounds like it's not totally the applicant's responsibility to - 'cause the street's a public road but - but - but if you will work with us, I'll work with you to make sure that we do as much as we can to keep trucks and trailers and anybody from parking there and we'll enforce it. And we do have a new ordinance with the Constable where we can go out and do things quicker, so -

FLESKES That would be wonderful. Currently we have 20 cameras on sites, and in our plans for developing the back we'll be putting up at least another 20, so we're - we - we see almost every little bit of our property. And what we've also done is kind of trained some of our cameras towards the streets - uh - in - in concert with our - our neighbors so that we can all work together. We kind of have a little mini neighborhood watch going between the neighbors. And - um - but I might just ask - uh - the first f - things folks will say is, "Well, there's nothing marked here saying that I can't," so - uh - can maybe -

SEGERBLOM We - I - I'd -

FLESKES I - I'd be willing to donate our fence as a post to put signs up on. I - I - I'd be -

SEGERBLOM Public Works also. I'll work with them to go out and put those signs back up.

PAPAZIAN Uh - Commissioner, we can have the applicant install those signs, and when – when – uh - there are no parking signs on public roads it's a little more – uh – enforceable by Metro.

SEGERBLOM Alright - alright. So if you understand, the Public Works recommendations, as far as – uh - the driveway and – and - and working with us to put some signs back up – uh - I would move for approval.

FLESKES Yes, I - I understand and I'm anxious to get started on it. It's, the area is – is – uh – is – um - aged, if I say it nicely. And – um -

SEGERBLOM Well I'm not sure what's on the left there, looking at the aerial, but it looks like kind of a hodge podge there, maybe it's a transistor.

FLESKES Yeah. Yeah, there - there is, yeah – so - but thank you very much. We want to do our best to improve the area. Thank you.

GIBSON So there's a motion for approval – uh - subject to conditions we've heard, that are on the record. Uh - any discussion on the motion? Please cast your votes. The motion carries.

FLESKES Thank you. Thank you very much.

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

CONDITIONS OF APPROVAL -
Current Planning

- Relocate security fence along the south property line to the north edge of the existing planter;
- Work with the Las Vegas Metropolitan Police Department for the installation and use of security cameras and surveillance operation;
- No gathering of individuals in an area that would result in an average density of greater than 25 persons per acre per hour during a 24 hour period, not to exceed 50 persons per acre at any time;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Driveway on Judson Avenue to be constructed per Uniform Standard Drawing 224;
- Post “No Parking” signs on Judson Avenue;
- Drainage study and compliance.
- Applicant is advised that off-site improvement permits may be required; and that signs, structures, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

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 #0311-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 20 UC-22-0426-DIAMOND CREEK HOLDINGS LLC SERIES 8:

USE PERMIT for a school in conjunction with an existing office and retail shopping center on 0.8 acres in a C-2 (General Commercial) Zone and a C-P (Office and Professional) Zone. Generally located on the west side of Eastern Avenue and the north side of Ford Avenue within Paradise. MN/hw/syp (For possible action)

AMUNDSEN

Next is Item 20 UC-22-0426, use permit for a school in conjunction with an existing office and retail shopping center on 0.8 acres in a C-2 (General Commercial) Zone and C-P (Office and Professional) Zone. Generally located on the west side of Eastern Avenue and the North side of Fort Avenue within Paradise.

GIBSON

Good morning.

YOLANDA HAMILTON

Good morning, my name is Yolanda Hamilton, H-A-M-I-L-T-O-N, I'm the Executive Director for Nevada Virtual Academy, 8645 South Eastern.

MELISSA EURE

Melissa Eure, E-U-R-E, 1055 Whitney Ranch Drive, Suite 210, 89014, here with the applicant. And before we start I'd like to have the case history, including staff, town board, and the letters submitted to the County Clerk this morning be included for the record.

HAMILTON

Good morning again – um - Nevada Virtual Academy is a public online charter school, we serve students all over the state of Nevada. We have about 2,200 students who school virtually on our learning platform. In addition to that, we have about 10% of that population who are assigned to – uh - our blended program and they come on our campus to receive face-to-face instruction from our certified teachers in order to help them become credit sufficient and passing – um -state tests and formative assessments.

We have about a 58% free and reduced lunch population, and so we are a Title I school - um - a lot of our students are at risk – um - for a variety of reasons, whether they are – um - medically fragile, members of the LGBTQ community, again failing courses, have been bullied and a - a myriad of other reasons that they come and school with us. Um - our blended program – um - is a requirement of coming onto our campus one day a week for three hours a day to receive that additional instruction from our teachers. And we do - we are at 6 through 12 school, excuse me, we service a middle school population and a high school population. Our high schoolers attend in the morning from 9 to 12, and our middle school - schoolers attend in the afternoon from 12:30 to

HAMILTON

3:30.

EURE

Okay, knowing that the most important part for the school is typically going to be our queueing, we have proposed the queueing plan here, showing that the parents would start the queue here down along the southern side of the existing commercial center, they would then queue around the buildings, here's where the school's located, students would be dropped off here and continue on. We did have a site circulation and queueing analysis done on the site, so this gives you a little bit better look at what that looks like. And what it is, is five cars will be placed here for - to let students out. There's enough space for an additional 20 vehicles to queue on-site without touching the public right-of-way. The yellow dots each represent where there'll be staff members to help with traf - with servicing the traffic. So, teachers here with the students coming in, a teacher here to also help with traffic circulation, and a teacher here.

There will be plenty of flyers and emails sent out to the parents as well, notifying them of the plan, of what's expected – um - you know parents will have the option to join the queue from other points within this – um - further on when students are being picked up. The school will be using a silent dismissal program, and what that is, is each of the students is given either a student code or a last name, the cars drive up with that in there, the students, approximately 5 minutes before the end of class, teachers will have them put their items away, they will have them queued up essentially in the hallway of the school, so that as their parent comes in, that student is sent immediately out to the car, they're not spending additional time in the hallway or getting their things together at that point, just to make that item a little bit faster.

The school will also have a security guard that will be on-site, that's cleared to make sure that no one is coming into the school that shouldn't be, but it also makes sure that the students are also remaining on - within the campus as well. So there's no fear of the students wandering out into the actual commercial center on their own. Um - with the queueing analysis we did ask our traffic engineer to look at some other potential items – um - one of staff's concerns was the site circulation.

Previous to this there was a 460 person call center located in this building, so our traffic engineer looked at, with our proposed use approximately 100 students in one session and 50 students in another session, that would be about 375 trips total. If this was to turn into medical and professional office, which approximately half of the center already is, it's closer to 1,200 traffic trips, and if we were to turn it into a retail use – um - again, which is towards the northern side the center, you're looking at 1,600 trips. So we do believe that this is very low intensity traffic use compared to what could potentially go in the center. Um - in addition to that, the school is willing to put together a program that they will put into the student handbook, I'll let Yolanda speak some more about that, but I do have a handout here so that it can be given to each of the Board Members to review.

HAMILTON

Our budget program policy will be adopted into our handbook, we'll have our board vote on it in order to – um - get into the handbook. And basically it says that, you know, we won't have students on campus prior to our staff being on

HAMILTON

duty to assist with the traffic flow and the – uh – um - arrival onto campus and the dismissal from campus. And so we've staggered the times, we'll have our students start arriving at 8:30 a.m. for a 9:00 o'clock session – um - broken up by alpha. So 8:30 a.m. to 8:45 a.m. would be A through M, 8:45 a.m. to 9:00 a.m. – um - will be in N through Z. Um - the same thing for the afternoon session, we'll break that up by alpha as well, our students will arrive at 12:00 o'clock if they are A through M for – um - middle school, and then 12:15 p.m. for – um - the remainder of the alphabet.

Similarly, in the afternoon for dismissal, we will again break it down by alpha in 15-minute increments – um - so that we can ease the amount of traffic onto our campus. Um - we did feel that it might be necessary – um - as we know sometimes parents are in a hurry and – um - may not adhere, and so we will have something in place where if we have to reach out for a first offense, we will give an e-mail reminder about the policies and procedures, and if there is a second offense we will – um - give them an RPC, which is a Required Parent Conference in order to talk about – um - what their challenges are in following the rules. And then we do have the ability to lock our students account, it is a very last and drastic measure – um - but should we have a parent who consistently – um - refuses to follow our rules and procedures – um - we can do that until a meeting is set – um - so that they can recognize the seriousness in following that program and – um - making sure that everybody is safe and our neighbors are not – um - negatively affected. Staff will be on duty, we will use the silent dismissal program – um - and again, we will have staff on duty at all times during – um - pickup and dismissal.

EURE

And then on the back – um - if you haven't had the chance to flip it, on the back it does kind of give a large overview so that parents will also see generally the plan that is laid out, besides just being having the instructions in front of them. So all of this is to manage that queuing site, on-site.

GIBSON

Does that complete your presentation?

EURE

Yes.

GIBSON

Thank you. This is a public hearing, anyone here wishing to speak ought to come forward and please give us your name and limit your comments to three minutes. Good morning.

SHANNON BARRY

Good morning. My name is Shannon Barry, my last name is B-A-R-R-Y – um - I live at 2570 Highland Cliff Drive in Henderson 89052. Um - I'm currently a Board Member for Nevada Virtual Academy, but I'm also a longtime parent and learning coach of two students who successfully completed their education – um - at NVVA. Um - I can speak to – um - using the queuing system at our previous location, at Sandhill and Tropicana. I brought my two students up for – um - various in-person – uh - groups and accommodations and – um - it was very efficient and I was able to use – uh - drop off and pick up there – uh - successfully for many years.

Um - I also like to speak to – um - the communities of students that we are looking to serve – uh - the students that we typically see in person are our most

BARRY

at-risk and vulnerable groups – um - English language learners – um - IEP students – uh - who are special education students – uh - credit deficient – uh - high school students who need credit recovery to graduate – uh - medically fragile students who work through 504's, and that's my personal experience. Um - my daughter, who attended – uh - Nevada Virtual Academy has cystic fibrosis, and one of our big challenges was when state testing is done it has to be done in-person and many times – um - large areas of casinos are necessary to be rented – uh - to accommodate all the students, and that – um - isn't good for her health as cystic fibrosis is a very serious respiratory illness. Um - so she was able to have the accommodation of attending the Sandhill location in-person, she was able to be proctored in small groups or even one-on-one at that location, and that was an invaluable accommodation that she received at the school.

So, while we're talking mostly about traffic and cars and queuing, I would just like us also to remember the communities that we are serving and that we would be given the opportunity to better serve and better educate those students. Thank you.

GIBSON

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

CLEM ZIROLI

Good morning, my name is Clem Zirola, and my address is – uh - 9021 Grove Crest Lane, Las Vegas, and – uh - our company, Diamond Creek Holdings, is a landlord of the - of the building, and - um - what I'd like to confirm is the previous tenant – uh - as an occupant had significantly, you know, more traffic than - than what's being proposed here. And so – um - and given the nature of where - where the queuing takes place. I don't know if you can get a good idea, but there's virtually zero use of that back lane – uh - behind all those buildings, so nobody comes in or off of that - that back portion there. Our building actually owns all of the parking stalls that are behind the building, so there's no purpose for anybody to really travel that road, so it's really an ideal location.

Um - a couple other things, I was on LoopNet yesterday, one of the obv - obviously you all know very well our population is growing significantly here in town and the densities that we're seeing with respect to – uh - residential units, et cetera, if, you know, gone way beyond what we'd ever thing I'd see. You know, 400-unit complexes of – uh – of - of residential – uh - apartments on places that might have taken, you know, 100 acres of land previously, so we're, those dynamics are kind of changing. One of the things I can say about this tenant is they're extremely proactive. Um - I kind of got reminded that I was at the – uh – Allegiant's Stadium for the Raider game of Sunday, the first time I ever was at Allegiant – was – uh - for the Garth Brooks concert, and the parking and it was, it was chaotic. I didn't - I just really couldn't figure out everything was going to get done.

And it got solved by people, it's - it's – uh - the parking situation and the flow of traffic at Allegiant is amazing, and it all happened through proactivity and through people. And so, I would say that these – this - this tenant is extremely committed, they pr- produce the traffic surveys – um - and they're doing a very diligent job. Additionally, the – uh - I spoke with the – um – the – um – um - association yesterday, and all the board members of the association are - are very content with this use and - and tenant. Um - and so, we really don't see

ZIROLI

any obstacles to their use and – uh - and the safety of the kids, obviously for that purpose. Thank you.

GIBSON

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

MICHAEL NAFT

Thank you, Mister Chairman. Um - so it's to this applicant's detriment, unfortunately for them, that I have a lot of experience with these very similar – um – proposals – um - and this is not a reflection on – uh - anything the school has or has not done, but I do have a few things I would like to go into at this time. And before I do that, I just, to set the record straight – um - a couple things we've heard in public comment and prior, not everybody in the association is supportive. I received a - a letter of objection from one of the tenants of that association, so that's inaccurate. Um - there might be some tenants, and the association has sent a letter of support, and I appreciate that, but not all of tenants are supportive. Um - also we heard a couple references to the low intensity use, you're comparing full day traffic patterns to – uh - tight one hour traffic patterns, that's not the same thing. The intensity is much higher when you're – uh - congesting it into a short drop off or pick up period.

Um - the problems we have in this area is that there is a great number of cars that backup onto public right of way, and you are in a very highly traveled - it's a great location, but it is, Eastern and Wigwam is very, very highly traveled, and I would hate for Ford to see a backup and then we cannot allow it to go beyond that onto Eastern, what would happen from there. Um, so I say that – um - because I- I- I'm skeptical, and I've told you this, I think you have put in a couple things onto the record, I'd like to put a couple more onto the record – um - that will hopefully put us in a position where we can at least give it, put this on a trial basis and see how it goes – um - and if there are conflicts in a fairly short period of time that you - your families – uh - are on notice that – um - this is provisional and - and can change. Um - could you speak a little bit more to the number of students, 'cause I heard a couple different numbers, wh - who will be using the in-person drop off?

HAMILTON

So our students are divided up into sessions on Tuesday, Wednesday, Thursday, a morning session and an afternoon. Um - for our middle school, we have 6th, 7th and 8th graders, our highest population of students assigned to blended is in our 8th grade, and is 100 students, and that is everyone who will be assigned to blended on that day. Typically, prior to COVID, we probably saw anywhere from 40 to 60 students who actually came to our blended location. Um - all the numbers from there go down – um - kind of dramatically, you know, we have fewer 7th graders and fewer 6th graders that are assigned to our blended program. Similarly for high school – um - our 9th graders I believe are our biggest population of students, and that's probably – um - at about, I don't have the numbers in front of me – um - but none of them are as high as our 8th graders with 100. So on any typical day we would have between about 40 and 60 students who would arrive on our campus to get that face-to-face support from our teachers.

NAFT

And it's not the intention to scale up from there? I know you have 30,000 square feet here.

HAMILTON

Correct, it - it is not our intention to scale up there. Um - what, you know, historically we've been around since 2007 doing this, we've had our blended program and our charters since 2015 – um - and those are the very highest numbers we've ever seen. You know, our students typically, if you look at a normal bell curve, we've got about that 10% of students who are failing and need that additional help. So – um - no we can say that for blended program, we won't have more than our 100, you know, 8th graders; the most neediest populations on campus for blended.

NAFT

Great. Thank you. Um - if I could confirm with Miss Amundsen and probably Mister Warhola, a condition I'd like to add is that included in the submitted blended program policy – uh - line indicating that Nevada Virtual Academy is operating under a provisional approval from Clark County – uh - and it may be revoked – uh - if they do not abide by their – um - mitigation plan.

ROBERT WARHOLA

Yes, that's fine.

NAFT

Is that... And my intention there – uh - just to be totally upfront, what happens in these cases is then they call our office, because we're the ones who have given you approval, when it does become a - a problem, and you - you are, you're going right through - right behind a residential community, people's backyards will be having this queuing line right near, you know, 20 feet away. Um - so my intention is that you, the families, the students who go there understand that – um – uh – that - that this is a - a use permit and it can be revoked if they do not abide, and hopefully that'll help you – uh - help them, help you – uh - stay in compliance. Is that understood and you're comfortable with that?

HAMILTON

Absolutely. We will communicate out in my monthly, executive director meetings, in my principal meetings, that it will be imperative for us to follow the rules if we would like to stay in the location we are and provide the services to our students. So absolutely, I will communicate that over and over and as many times as I have to to our family's, so that this Board does not have a reason to revoke our use permit.

NAFT

Thank you. And everything in the blended program policy will be a condition of this approval – um - including that additional line we just talked about. But – uh - just to - I just want to point out a couple really important things, I spoke with our Fire Chief about this because you are, the queuing line goes by I believe 4 hydrants. Um - couple things that was important to him were that they not, that there not any physical barricades directing traffic flow, but that all be staffed, you've indicated through these yellow dots where the staff will be, so that'll be a condition of the approval. Is that - you're comfortable with that?

HAMILTON

Yes.

NAFT

And that goes of course from the staggered start time and pick up times as well. And the last item I'd like to add is that there be a - a review we'll give you through – uh - I think we had talked about June of 2023, gives us enough time

NAFT to get some kids through there so that we can really get a feel for it so that the residents nearby and the other businesses can get a feel for – uh - hopefully how efficiently you guys are operating. Is that something you're comfortable with?

HAMILTON Oh, I am, thank you.

NAFT And that'll be a review with - for public hearing. Uh - Chairman.

GIBSON Could I just ask a question?

NAFT Of course.

GIBSON Um - so you don't have students there today, when will you, when will your first classes begin?

HAMILTON We are hopeful to b - begin perhaps in November, December. We are also working our certificate of occupancy as well, and there are some provisions in there that we have to meet, so you know, we have to pull permits and all that good stuff. So we don't foresee probably realistically 'til the second semester January, but hopefully in November, December.

GIBSON Thank you.

NAFT If there's nothing further, I move for approval of the – uh - use permit for Item 20 with the stated conditions.

GIBSON There's a motion by Commissioner Naft for approval subject to the additional - the conditions as recommended and the additional co – uh - conditions as recited. Any discussion on the motion? Please cast your votes.

HAMILTON Thank you.

GIBSON Motion carries. Thank you.

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

CONDITIONS OF APPROVAL -

Current Planning

- Until June 21, 2023 to review as a public hearing;
- The Blended Program Policy document submitted to the Board shall be adhered to;
- No barricades on-site for queuing and employees shall be on-site to direct traffic;
- The Nevada Virtual Academy is operating under a provisional approval from Clark County and if the applicant does not abide by the traffic circulation plan on file, revocation proceedings per Title 30.04.160 can be initiated.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Clark County Water Reclamation District (CCWRD)

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

ITEM NO. 21 UC-22-0433-SUNSET AND DURANGO PARTNERS PHASE 2, LLC:

USE PERMITS for the following: 1) a recreational facility; 2) live entertainment; 3) reduce separation from on-premises consumption of alcohol establishments to a residential use; and 4) reduce separation from outside dining to a residential use. WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce separation from outdoor live entertainment to a residential use; and 2) increase building height.

DESIGN REVIEWS for the following: 1) recreational facility (pickle ball) with restaurants, retail, offices, and parking garage; and 2) modifications to Phase 1 of this development on 9.7 acres in a C-2 (General Commercial) Zone in the CMA Design Overlay District. Generally located on the north side of Sunset Road, 280 feet west of Durango Drive within Spring Valley. JJ/rk/syp (For possible action)

AMUNDSEN

Next is Item 21 UC-22-0433 use permits for the following: a recreational facility, live entertainment, reduced separation from on-premises consumption of alcohol establishments to a residential use, reduce supplement – uh - reduce separation from outside dining to residential use. Waivers of development standards for the following: reduced separation from outdoor entertainment to residential use and increased building height. Design reviews for the following: recreation facility, pickle ball with restaurants, retail offices, and parking garage. Modifications to phase one of this development on 9.7 acres in a C-2 (General Commercial) Zone in the CMA Design Overlay District. Generally located on the north side of Sunset Road, 280 feet west of Durango Drive within Spring Valley.

GIBSON

Good morning.

DIONICIO GORDILLO

Mister Chair, Commissioners, Dionicio Gordillo, 204 Belle Isle Court, Henderson, Nevada, 89012, here on behalf of the applicant. With me tonight is, or this morning, is the applicant and the developers, Mister Jay Dapper from Dapper Companies, and also Mister – uh - Paul Frederick with Electric Pickle who will be a major tenant as a portion of this – this – uh - project. We're excited to finally be in front of you, it's a long time coming on this. Uh - what you have before you right now is phase one of the project, which is known as The Bend, it's a 10 acre development, north side of Sunset Road, just west of Durango. Phase one has been previously approved, it's under construction now, but at the suggestion and direction of staff we have included it as part of this request. Really the core of our request is what we term as phase two, the major tenant here is going be Electric Pickle – uh - it's gonna consist of indoor and outdoor – um - pickle ball courts, restaurants, office and retail uses, on premise consumption of alcohol, and as you can see here, large outdoor recreation area with live entertainment.

We appreciate staffs recommendation on - on this request, I know it was a - a lot of review that went into this. I would like to thank staff, and in particular, I'd like to give thanks to Rob Kaminski who really put - put a lot of time and effort into this and really gave us a lot of insight as to how to navigate this process. We agree with staff's, if approved conditions, of approval with the

GORDILLO exception of conditions two and three, and we would request that you instead add the five agreed upon conditions from the - from the Spring Valley Town Advisory Board which are intended to replace the conditions two and three from staff. With that we would recommend – um - or we would actually re-request approval from you and will be here to answer any questions, of course, if you have any questions of Jay and Paul.

GIBSON How many pickle ball courts altogether?

JAY DAPPER Nine.

GIBSON I don't feel threatened. (laughs) Thank you, that completes your presentation?

GORDILLO It does. It does Commissioner.

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 Jones.

JONES Well, all due respect, Mister Chairman, I - I appreciate that you have quantity in your district, it's very impressive, but this will definitely be the coolest pickle ball facility in all of Southern Nevada. So, I appreciate the applicants – uh – uh - I know this project has - has changed – uh - as result of COVID and, and other – um - considerations and – um – I - I echo the sentiments of Mister Gordillo of - of our - our team in - in the Comprehensive Planning and Building Department to – to - uh - adjust and - and make this – uh - happen for today. Um – and – I uh – am - am excited for this project to move forward and enthusiastically – uh - move for approval.

GIBSON Yes, Miss Amundsen?

AMUNDSEN I hate to jump in, but can I read into the record the five conditions from the Town Board since they are not in the record or in our backup?

JONES Of course.

GIBSON Please do that.

AMUNDSEN Um - they are two year reviews of public hearing for live entertainment and sound attenuation, live entertainment not to start before 10:00 a.m. or extend past 10:00 p.m., all outdoor live entertainment to be restricted to the proposed stage area, construction stage to include sound mitigation materials, increase landscaping along northern boundary wall to help shield adjacent residential from sound, and then we would delete – um - conditions two and three, or bullets two and three, in the staff report.

GIBSON Good. So, there's a motion for approval – um - subject to the conditions that have been reviewed. Uh - any discussion on the motion? Please cast your votes. The motion carries.

GORDILLO Commissioners, thank you so much, we appreciate it.

DAPPER

Thanks Commissioners. Thank you.

ACTION:

It was moved by Commissioner Justin Jones, and carried by unanimous vote, that the application be approved subject to staff and additional conditions, and with bullets two and three being deleted.

CONDITIONS OF APPROVAL -

Current Planning

- 2 years to commence;
- 2 years to review live entertainment and sound attenuation as a public hearing;
- Live entertainment not to start before 10:00 a.m. or extend past 10:00 p.m.;
- All outdoor live entertainment to be restricted to the proposed stage area;
- Construction of stage to include sound mitigation materials;
- Increase landscaping along northern boundary wall to help shield adjacent residential from sound;
- 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 and application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

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

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 #0305-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

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

DESIGN REVIEWS for the following: 1) office/warehouse facility; and 2) finished grade on a 6.2-acre portion of a 9.3 acre site in an M-D (Design Manufacturing) (AE-65 & APZ-2) Zone. Generally located on the northwest corner of Lamb Boulevard and Judson Avenue within Sunrise Manor. TS/sd/jo (For possible action) (held from August 17, 2022)

ACTION:

Deleted from the agenda (held to October 19, 2022 per the applicant).

ITEM NO. 23 WS-22-0179-ISU, INC:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) access to a local street; 3) landscaping; and 4) alternative driveway geometrics.

DESIGN REVIEW for a multiple family residential development on 0.8 acres in an R-3 (Multiple Family Residential) Zone. Generally located between Lake Mead Boulevard and Meikle Lane, 135 feet west of Linn Lane within Sunrise Manor. MK/al/syp (For possible action) (held from July 20, 2022)

AMUNDSEN

Next is item 23, WS-22-0179, holdover waivers of development standards for the following: reduced setbacks, access to a local street, landscaping, alternative driveway geometrics; design review for multiple family residential development on 0.8 acres, in an R-3 (Multiple Family Residential) Zone. Generally located between Lake Mead Blvd and Meikle Lane, 135 feet west of Linn Lane within Sunrise Manor.

GIBSON

Good morning.

LANDON CHRISTOPHERSON

Good morning, Landon Christopherson, 2885 Quail Avenue 89120, here representing the applicant. Um - we have – uh - held this to work with staff to accommodate the driveway geometrics and also to increase the landscaping which was being waived for the parking, which we have al - alleviated that and provided that. The only waivers we are asking for – uh - is - is it to access onto Meikle as well as the – the – uh – the - the rear yard setbacks which are interior to the project which don't affect the adjacent neighbors. Um - and the geometrics, as far as where the drivers are located, it's kind of a conditional to the placed based on the location of the project adjacent to the – uh - nearest intersection. So I'm here – uh - to answer the questions you may have, and appreciate your vote.

CHRISTOPHERSON

GIBSON

Thank you, that completes your presentation?

CHRISTOPHERSON

Yes sir.

GIBSON

This is a public hearing, is there anyone here who wishes to speak on this item? There being no one, the public hearing is closed. And Commissioner Kirkpatrick.

KIRKPATRICK

And thank you – uh - Mister Chairman, thank you for – um - putting the landscape back. As you know, we're trying to clean up that area along – uh - Lake Mead – um - and so I think that Public Works has done a great job working with you. Um - but remember, we can't speak for NDOT, so that's your probably biggest hurdle that you - you have to accomplish. Um- I just want to clarify one thing, we talked about no large dumpsters to give individual – uh - trash for each apartment to correct?

CHRISTOPHERSON

Correct. We have four trash enclosures located, one for each building.

KIRKPATRICK

I - So I thought we were taking that out so we could run it more like a condominium. So, because here's what happens with those trash enclosures, one, Republic Services can't get into them, and so it makes no sense. And two, they get overfilled, and are you gonna be the person I call to complain 'cause I will, because in any four-plex we see more mattresses than they have in my entire neighborhood. So I- I thought we were gonna run it more like regular trash where they could get individual trash service with their own – um - cart, is at least was my request.

CHRISTOPHERSON

If you want to put that as a condition, we do not have a problem.

KIRKPATRICK

I- I would prefer that because those large dumpsters just don't work out, so I

KIRKPATRICK would like each... So I'm gonna condition – um - that each unit will have their own roll off cart – uh - their own whatever they call them now, Nancy, rollaway cart, 96-gallon cart.

AMUNDSEN Yeah, I'll - I'll check for the proper verbiage, but I understand what you mean.

KIRKPATRICK Okay. Alright. And then that would - then they'll also qualify for a – um - big trash day too when it comes through, so. Okay, with that – um - that's my additional condition. Do we need to clarify, Antonio, anything for you on your side?

PAPAZIAN No Commissioner, thank you.

KIRKPATRICK Okay. So I would make a motion to approve with the Public Works – um - condition as listed, and the disclosure that you gotta work with NDOT yourself, and then the – um - third piece is that we would now require individual trash cans per unit, okay?

GIBSON There's a motion for approval -

KIRKPATRICK They can do it.

GIBSON - by Commissioner Kirkpatrick, subject to conditions as noted in the record this morning. Any discussion on her motion? There being none, please cast your votes. The motion carries.

CHRISTOPHERSON Thank you.

GIBSON Thank you.

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

CONDITIONS OF APPROVAL -

Current Planning

- Each unit to have individual trash can;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements.
- Applicant is advised that Nevada Department of Transportation (NDOT) permits may be required.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0144-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 24 WS-22-0343-DURANGO ROBINDALE, LLC:

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

DESIGN REVIEW for a restaurant (Starbucks) with drive-thru service on 0.7 acres in a C-1 (Local Business) Zone in the CMA Design Overlay District. Generally located on the east side of Durango Drive, 420 feet north of Robindale Road within Spring Valley. MN/al/syp (For possible action) (held from August 3, 2022)

ACTION: Deleted from the agenda (held to October 19, 2022 per the applicant).

ITEM NO. 25 ZC-22-0427-OCEAN SHOWBOAT INC:

ZONE CHANGE to reclassify 9.4 acres from an M-1 (Light Manufacturing) Zone to an R-5 (Apartment Residential) Zone.

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

DESIGN REVIEWS for the following: 1) proposed multiple family residential development; 2) alternative parking lot landscaping; and 3) finished grade in the Asian Design Overlay District. Generally located on the south side of Pioneer Avenue and the west side of Valley View Boulevard within Paradise (description on file). JJ/rk/syp (For possible action)

AMUNDSEN

Next is Item 25 ZC-22-0427, zone change to reclassify 9.4 acres from an M-1 (Light Manufacturing) Zone to an R-5 (Apartment Residential) Zone. Waivers of development standards for the following: increase building height, waive Asian Design Overlay District standards, reduce landscaping, and allow modified driveway design standards. Design reviews for the following: proposed multiple family residential development, alternative parking lot landscaping, finished grade in the Asian Design Overlay District. Generally located on the south side of Pioneer Avenue and the west side of Valley View Boulevard within Paradise.

GIBSON

Good morning.

LIZ OLSON

Good morning, Liz Olson, 1980 Festival Plaza Drive here on behalf of the applicant. This site is 9.5 acres, we're located on Spring Mountain between Valley View and Wynn, Pioneer is to our north. We're currently zoned M-1, but we have an underlying master plan of entertainment mixed-use. As you know, this area is transitioning more into an urban area. Um - we are requesting a conforming zone change to R-5 to allow for a 352 unit multifamily development. As you can see on our site plan, we have three separate buildings, our clubhouse is here in the center. Um - all of our parking is surrounding those buildings. Um - all of our buildings are four stories in height – uh - the look is very similar to the directly adjacent Lotus Apartments next door. Um - our main entry is located on Pioneer. Pioneer does dead end directly to our east and two blocks to our west, so there's not going to be a lot of traffic going through there, and - and it made the most sense to put our main access on Pioneer rather than one of the – um - more traveled right-of-ways.

Um - we have been working closely with Public Works and the Commissioner's Office – uh - regarding our entryway and our current exit only

OLSON

drive here, so I'd like to go over that. Um - currently our main entry is located in the center off of Pioneer, and we have our main ingress and egress gates located here directly by the clubhouse. We have two exit gates here. Um - the first request that we have been working with Public Works and the Commissioner's Office on, is removing these three highlighted parking spaces that are located in that drive aisle, that will help alleviate any issue with people backing out and then people coming in, so there's no conflict there. Um - the removal of those three spaces will trigger a parking reduction – um - we're currently at our parking 578 and required 578. Um - to give you an idea, even if we were to remove – uh - 10 parking spaces, we'd still be only – uh - less than a 2% reduction. So we are requesting to remove those three.

Uh - the second request that I've worked with Antonio closely with, is relating, again, to this exit only. As of right now, we do have an exit only driveway located off Spring Mountain. Uh - due to the heavy flow of traffic, what we're asking to do instead is either close off the – uh - entry or the exit entirely, or change it to a fire access if fire requires that per code. Um - that will allow us to keep all of our traffic off of Spring Mountain, and then we would – uh - relocate our exit drive off of Wynn here. So, having our exit drive on Wynn will still allow us to have that circulation through the site and not force everyone in and out of that main entry. Um - again though however, because we are going to move this over if the Board approves it as such, we would have to remove a few more extra spaces. Um - we're thinking it's going to probably be about five to seven spaces, so if Commissioner is willing to – uh - give us a reduction of around 10 spaces, that would be – uh - greatly appreciated. But other than that, we are looking forward to another great development down here. Thank you, Antonio, for all of your work with us, and Commissioner Jones as well, and happy to answer any questions.

GIBSON

Is there anyone here that wishes to speak during our public comment period on this - or public hearing period - on this item? This is a public hearing which is open, and there being no one, it is closed. Commissioner.

JONES

Thank you Mister Chair. Uh - and thank you for the presentation and also for your willingness to - to work with Public Works. I'll note that with regards to the parking, that the applicant – uh - came in with all of the parking requirements – um - even though, as the Chair and I were just speaking about – um - our parking requirements are probably – uh - overestimate the - the number of parking spots that ought to be in these multifamily – um - type of complexes, and that will be part of the discussion of Title 30 as we move forward. Um - but with that – uh - Antonio, want to comment on the most recent – uh - proposal?

PAPAZIAN

Thank you, Commissioner. Um - so since it sounds like they're amenable to maybe closing up, we weren't sure how Fire was gonna react – uh - we came up with a condition in the hopes of reading it in. Uh – it - if it's possible to close up that access off of Spring Mountain, which is egress only, we might be able to get some of that parking back in that area, so maybe not as bad as it seems, we'll work with them to try and get some of that parking back. But – uh - we do have a condition I'd like to delete, it's – uh - bullet Number 5 that says, "Extend the median on Spring Mountain Road from west, east, to a minimum

PAPAZIAN of 50 feet east of the east side of the western driveway on the parcel to the east APN16218511001," and add the condition, "If approved by Fire, remove the driveway on Spring Mountain Road and construct full offsite improvements."

JONES And with regards to the Wynn – uh - exit.

PAPAZIAN Uh – we - we prefer the access to be off of Wynn – uh - it's got a little bit less traffic on Wynn and – uh - and to be able to make safe travels and – and – uh ... from – from Wynn to Spring Mountain will just be safer.

JONES Okay. Um – uh - Miss Olson, can you clarify that even if I - if the access is – uh - changed off onto Spring Mountain, there will still be pedestrian access?

OLSON Yes, correct.

JONES All right, and these are detached sidewalks on Spring Mountain?

OLSON Yes. Everything on Spring Mountain is detached and meets code for landscaping.

JONES Okay. Great, with that I'll go ahead and move for approval of agenda Item Number 25, with the additional conditions as read in by Mister Papazian, and do we need to add a – a - a waiver on the parking requirement?

AMUNDSEN No, we will – um - approve it per the conditions and note that there, a parking reduction of up to 10 spaces if that's what may be necessary to further modify driveway entrances.

JONES Okay, that's my motion.

GIBSON There's a motion for -

PAPAZIAN I'm sorry.

GIBSON Yes sir.

PAPAZIAN Commissioner, one more. I've been told it was bullet Number 6, not bullet Number 5, I'd like to delete bullet Number 6.

JONES Well then I'm gonna have to start over here guys (laughs). Just kidding.

GIBSON With that correction, there's a motion – uh - for approval by Commissioner Jones. Any discussion? Please cast your votes. The motion carries. Thank you Miss Olson.

OLSON Thank you.

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

CONDITIONS OF APPROVAL -

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- With modification of driveways, applicant can reduce parking up to 10 spaces;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the waivers of development standards, and design reviews must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- If approved by Fire Prevention, remove the driveway on Spring Mountain Road and reconstruct with full off-site improvements;
- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Spring Mountain Road improvement project;
- Applicant is advised that there is a 10 foot roadway easement on Valley View Boulevard and any landscaping and improvements installed in that easement will be removed when Valley View Boulevard is widened; 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 #0445-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

ITEM NO. 26 ZC-22-0435-HD SUNSET DECATUR, LLC:

ZONE CHANGE to reclassify 4.6 acres from an R-E (Rural Estates Residential) (AE-60 and AE-65) Zone to an M-D (Designed Manufacturing) (AE-60 and AE-65) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscaping; 2) allow modified CMA Design Overlay District Standards; and 3) allow modified driveway design standards.

DESIGN REVIEWS for the following: 1) warehouse buildings; 2) alternative parking lot landscaping; and 3) finished grade in the CMA Design Overlay District. Generally located on the north side of Sunset Road, 1,200 feet east of Lindell Road within Spring Valley (description on file). MN/md/syp (For possible action)

AMUNDSEN

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

Item 26 ZC-22-0435, zone change to reclassify 4.6 acres from a R-A (Rural Estates Residential) (AE-60 and AE-65) Zone to an M-D (Design Manufacturing) (AE-60 and AE-65) Zone. Waivers of development standards for following: reduced street landscaping, allow modified CMA design overlay district standards, allow modified driveway design standards. Design review for the following: warehouse buildings, alternative parking lot landscaping, finish grade in the CMA design overlay district. Generally loc -located on the north side of Sunset Road, 1,200 feet east of Lindell Road within Spring Valley.

AMUNDSEN

Item 27 VS-22-0436, vacate and abandoned easements of interest to Clark County, located between Lindell Road and Hauck Street in between Teco Avenue alignment and Sunset Road and a portion of a right away being Sunset Road located between Lindell Road and Hauck Street within Spring Valley.

Commissioners, for your information we did receive revised plans, and staff has had the opportunity to review them.

GIBSON

Good morning.

TRAVIS WEST

Good morning, my name is – uh - Travis West with Habitat Development. Um - my address is 3451 West Martin 89118. Um - we are requesting a conforming zone change for a – uh - 77,000 square foot, six building project – um - it's directly off of Sunset – um - to the east of us is Decatur. Um - this is part of... This is phase one of two, ultimately this project will be about 200,000 square feet. Um - the waivers we are requesting are for the landscape – um - there are two utility paths. Um - so we are requesting – um - a waiver for – uh - landscape standards – um - we're over parked, we are also over landscaped – um - so we provided 18 extra trees – um - we also, through recommendation of staff, provided some vignettes to allow for some greenery in between buildings so it's not so - so stoic and concrete jungle. Um - really appreciate – uh - staff's recommendations for – um - breaking up our building. Um - we think that through working with staff and Public Works our design is a lot better, and so we really appreciate their input and their help. Um - and also working with – uh - Commissioner Naft and his office, they were awesome. So I'm here to answer any questions you guys may have.

GIBSON

Thank you. That completes your presentation?

WEST

It does.

GIBSON

Thank you. This is a public hearing, is there anyone present who wishes to speak on this item? There being no one, Commissioner Naft.

NAFT

Thank you Mister Chairman.

GIBSON

... the public hearing is closed.

NAFT

Thank you. Um - and thank you to the applicant for actually heeding the counsel of our staff and – uh - doing the right thing and making, what I agree is a much better project, because of it. Um - I'm pleased to move for approval – uh - well I guess Antonio I should confirm that, with the revised plans – uh - Public Works is satisfied.

PAPAZIAN

Thank you, Commissioner, we are.

NAFT

Okay. In that case I move for approval of Item 26 and 27 – um - noting that waiver of development standard number two has been withdrawn.

GIBSON

There's a motion for approval by Commissioner Naft, any discussion on the motion? Please get your votes. Motion carries. Thank you.

WEST

Thank you guys so much. Thanks.

ACTION:

It was moved by Commissioner Michael Naft, and carried by unanimous vote, that the applications for Item Nos. 26 and 27 be approved per staff conditions, and waiver of development standards Number 2 being withdrawn.

CONDITIONS OF APPROVAL -

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the 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 2 years of approval date or they will expire.

Public Works - Development Review

- Comply with approved drainage study PW22-11583;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 55 feet to the back of curb for Sunset Road;
- 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;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Sunset Road improvement project;
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way or the dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

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

include expiration dates; that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

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 #0100- 2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #2 WAS WITHDRAWN.

ITEM NO. 27 VS-22-0436-HD SUNSET DECATUR, LLC: VACATE AND ABANDON easements of interest to Clark County located between Lindell Road and Hauck Street and between Teco Avenue (alignment) and Sunset Road and a portion of a right-of-way being Sunset Road located between Lindell Road and Hauck Street within Spring Valley (description on file). MN/jad/syp (For possible action)

ACTION: It was moved by Commissioner Michael Naft, and carried by unanimous vote, that the applications for Item Nos. 26 and 27 be approved per staff conditions, and waiver of development standards Number 2 being withdrawn.

CONDITIONS OF APPROVAL -

Current Planning

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

Public Works - Development Review

- Right-of-way dedication to include 55 feet to the back of curb for Sunset Road;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Sunset Road, improvement project;
- 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;
- 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 NZC-22-0254-VAN 86 HOLDINGS TRUST:

HOLDOVER ZONE CHANGE to reclassify 19.4 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; and 2) reduce street

intersection off-set.

DESIGN REVIEWS for the following: 1) a single-family residential development; and 2) finished grade. Generally located on the northwest corner of Richmar Avenue and Valley View Boulevard within Enterprise (description on file). JJ/al/jo (For possible action) (held from September 7, 2022)

ACTION: Deleted from the agenda (held to November 16, 2022 per the applicant).

ITEM NO. 29 VS-22-0255-VAN 86 HOLDINGS TRUST:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Hinson Street (alignment) and Valley View Boulevard, and between Richmar Avenue and Meranto Avenue (alignment) within Enterprise (description on file). JJ/al/jo (For possible action) (held from September 7, 2022)

ACTION: Deleted from the agenda (held to November 16, 2022 per the applicant).

ITEM NO. 30 TM-22-500087-VAN 86 HOLDINGS TRUST:

HOLDOVER TENTATIVE MAP consisting of 155 single family residential lots and common lots on 19.4 acres in an R-2 (Medium Density Residential) Zone. Generally located on the northwest corner of Richmar Avenue and Valley View Boulevard within Enterprise. JJ/al/jo (For possible action) (held from September 7, 2022)

ACTION: Deleted from the agenda (held to November 16, 2022 per the applicant).

ITEM NO. 31 NZC-22-0331-ROARING 20'S LLC:

ZONE CHANGE to reclassify 5.1 acres from an R-E (Rural Estates Residential) Zone to an R-1 (Single Family Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) combination wall height; 2) off-site improvements; and 3) street intersection off-set.

DESIGN REVIEWS for the following: 1) single family residential; and 2) finished grade. Generally located on the south side of Centennial Parkway, approximately 320 feet west of Campbell Road within Lone Mountain (description on file). RM/jvm/jo (For possible action)

AMUNDSEN

Next are Items 31, 32, and 33 which can be heard together.

Item 31 NZC-22-0331, zone change to reclassify 5.1 acres from an R-E (Rural Estates Residential) Zone to an R-1 (Single Family Residential) Zone. Waivers of development standards of the following: combination wall height, off-site improvement, street intersection offset. Design reviews for the following: single family residential and finish grade. Generally located the south side of Centennial Parkway, approximately 320 feet west of Campbell Road within Lone Mountain.

Item 32 VS-22-0332, vacate and abandoned easements of interest to Clark County, located between Centennial Parkway and Regina Avenue in between Dapple Gray Road and Campbell Road within Lone Mountain.

And Item 33 TM-22-500110 tentative map consisting of single - 16 single family residential lots and common lots on 5.1 acres.

GIBSON

Good morning.

BOB GRONAUER

Good morning, Mister Chairman, Commissioners. My name is Bob Gronauer, 1980 Festival Plaza Drive, I'm here representing the applicant and property

GRONAUER

owner on this matter, which is – uh - Pinnacle Homes. Um - the property is located here, as you can see in yellow, it's approximately 5 acres, this is Centennial Parkway which is to the north of us. To the south of us is – uh - Regina, this is Fort Apache, and if you go further down a little bit off the sheet here, it's Hualapai and Centennial in this area. Um - I'd like to start out by saying if you're familiar with this area, and being on the Commission for many years, you would know and understand that this area is a very – uh - active area. Um - a matter of fact, I've been – uh - lucky enough to represent a lot of the matters that are fronting out on Centennial. And I can tell you over the last 20 years of working with certain neighbors in this area, that there is a certain design criteria that they've asked us to adhere with over the years. Um - in the 2000's, mid-2000's, 2005, we worked with the neighbors, although this is not highlighted here, we worked with the neighbors and, who was a former Planning Commissioner Donna Tagliaferri, who lives in this area and her neighbors, to make sure that two Lennar home developments – uh - had access only out onto Centennial in that area, not south of – uh - Regina.

What you see in red, and what you see in green here, this is about 2016, 2018 – uh - our firm and I represented D. R. Horton – uh - we worked with the County elected official at that time and the City Council elected official where we annexed those properties into the city. We did a general plan amendment, we came in with R-1 zoning. We worked with the neighbors in the area to the south of us, and one of the important points that the neighbors wanted to make sure, that we didn't have traffic coming down south on Regina in those areas. The blue area here, we did not represent, this was another R-1 zone change that was approved in the City of Las Vegas, went along the similar route, annexation into the City – um - essentially what is their nonconforming zone change process, is a general plan amendment process. Uh - that was approved. So what you had here is, in – in the pink, you had D. R. Horton has been approved for 16 homes that is constructed. Uh - the green is for 16 homes and the blue area was for 18 homes, and all those developments had access going out onto Centennial.

Adjacent to our property is the – uh - Catholic Church in this area, so I just wanted to point it out. So we started out this application with 16 homes – um - we were – uh - we had a neighborhood meeting back in November – uh - Frank Wyatt and Pinnacle Homes was proposing – uh - homes that were gonna be 2,900 square feet to about 3,700 square feet, single story homes, no access on Regina. Uh - we had the site plan, which is located here, that was our initial submittal, and as I started the presentation, this area is very active, back in November in 2021 was not the first and last neighborhood meeting, we've had subsequently a couple more meetings afterwards.

We've actually worked with the Planning Commissioner – uh - Tim Costello – um - who was a part of a few of the neighborhood meetings and - and discussions. What we ended up doing, we held it at the Planning Commission meeting, we reduced the lots from 16 homes to 14 homes – uh - that was at the – uh - request of the neighbors, we had another neighborhood meeting. Um - Miss Tagliaferri was there, Larry Monkarsh represented a large swath the people to the south of us – uh - south on Regina. And what they've asked us to do to ensure that we would have minimum 10,000 square foot lots, would not

GRONAUER

have any access on Regina, and that we would have single story homes, because we made that - those representations. One of the things that the neighbors liked is the design on Regina – uh - that we're proposing which is, as you can see, the doubled t – uh - tiered wall with landscaping there.

Um - we've also, the neighbors asked, and as - as always a part of the requests in the northwest, is we came in and we're asking for no off-sites on Regina. As you can see if you go up and down on Regina – um - it is rural – uh - they don't want anything out there to be more urban – um - so we're asking – uh - for a waiver of development standard for – um - to keep it as a rural neighborhood preservation area. These, as I said, the single-story homes, right now prices are probably going to start at in the mid \$600,000 – um - these are all single-story homes, I'm sure you're familiar with the Pinnacle Homes, as they develop beautiful homes – um - in the southwest and northwest is their main market areas.

Uh - the only other thing that I do want to mention that's come up in conversation, just fairly quickly – um - and I have this blown up here, with respect to access, which is very important to the neighbors in the area. As I mentioned, they do not want access out onto – uh - Regina down south on our property, they want to access to go out onto Centennial. We think that this is a compelling reason to keep the access on Centennial, not just because we've been working with the neighbors and they told you, as I showed you walking you down Regina between Regina and Centennial about access, but more importantly this site was initially – uh - proposed or as planned for an institutional – uh - for a church, this was a Mormon church's property. Um - my client has purchased it, so at one point in time it's been planned for a church. Traffic would be coming out onto Centennial Parkway.

Instead of having hundreds of cars out on Centennial Parkway, we believe having 14 homes out on Centennial Parkway is negligible as far as an impact. Uh - we did talk to the City of Las Vegas because they're in designs for – uh - the improvements on Centennial, and they plan to put a median within the – uh - with, along Centennial in this area, which would limit us to right in turn, right, traffic for a right turn in - right turn out in this area. So we would like to still keep the access coming out onto Centennial for those reasons. We think, as I men - mentioned respectfully, it's negligible, it's right in, right out essentially and that we're dealing with only 14 homes. And more importantly, we got the blessing from the neighbors, because that's one of the things that they've said from November and working on this project, to make sure we didn't have access going out onto Regina.

Um - that being said, I'd ask you to approve the application subject to the Planning Commission recommendations, and then I'd like to add two additional conditions of representations that I've made for sure, is that all those R-1 zoning that we're asking for, these are R-D lot sizes, so I want to ensure that we're limited to 14 homes, since we made that, we made that deal with the neighbors, along with making sure they're single story homes. Those are commitments that we've made all along through this process and I wanna add those as - as added conditions if you're inclined to approve this application. That being said, I could answer any other additional questions that you may

GRONAUER have. Thank you.

GIBSON Thank you, Mister Gronauer. This is a public hearing, is there anyone here who wishes to speak on this item? There being no one, Commissioner Miller.

ROSS MILLER I was going to say ... Do you have any comments about the additional conditions that Mister Gronauer suggested?

AMUNDSEN The additional conditions that were placed on the Planning Commission actually cover those, so if you are inclined to approve it, I would suggest you approve it per the Planning Commission conditions.

MILLER Okay. Yep. So, I appreciate all the hard work by the applicant – uh - by Mister Gronauer, and – uh - also particularly – uh - by Planning Commissioner Tim Costello who put in quite a bit of work on - on hearing the neighbors' concerns, and coming to wh - what I think is – uh - a great solution on - on this project. I - I certainly con - understand the concerns on both sides of – uh - where we're gonna give access from, but in keeping with the desires of the neighbor and - and tending to maintain the rural neighborhood – uh – I - I think the solution's appropriate, so I would move for approval o - of the – uh - agenda Items 31, 32, and 33 – uh - subject to the conditions approved by the Planning Commission.

GIBSON There's a motion for approval subject to Planning Commission conditions. Any discussion on the motion by Commissioner Miller? Please cast your votes. The motion carries.

MILLER Thank you very much and have a good day.

GIBSON Thank you.

ACTION: It was moved by Commissioner Ross Miller, and carried by unanimous vote, that the applications for Item Nos. 31, 32, and 33 be approved per staff conditions.

CONDITIONS OF APPROVAL -

Current Planning

- Resolution of Intent to complete in 4 years;
- Per revised plans;
- Single story homes only.
- 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;

- Full off-site improvements on Centennial Parkway;
- Right-of-way dedication to include 45 feet to the back of curb for Centennial Parkway and 30 feet for Regena Avenue;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Coordinate with the City of Las Vegas on the Centennial Parkway improvement project.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that the 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.

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

ITEM NO. 32 VS-22-0332-ROARING 20'S LLC:

VACATE AND ABANDON easements of interest to Clark County located between Centennial Parkway and Regena Avenue and between Dapple Gray Road (alignment) and Campbell Road within Lone Mountain (description on file). RM/jvm/jo (For possible action)

ACTION:

It was moved by Commissioner Ross Miller, and carried by unanimous vote, that the applications for Item Nos. 31, 32, and 33 be approved per staff conditions.

CONDITIONS OF APPROVAL -

Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 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 Centennial Parkway and 30 feet for Regena Avenue;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Fire Prevention Bureau

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

ITEM NO. 33 TM-22-500110-ROARING 20'S LLC:

TENTATIVE MAP consisting of 16 single family residential lots and common lots on 5.1 acres in an R-1 (Single Family Residential) Zone. Generally located on the south side of Centennial Parkway, approximately 320 feet west of Campbell Road within Lone Mountain. RM/jvm/jo (For possible action)

ACTION: It was moved by Commissioner Ross Miller, and carried by unanimous vote, that the applications for Item Nos. 31, 32, and 33 be approved per staff conditions.

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 4 years or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Full off-site improvements on Centennial Parkway;
- Right-of-way dedication to include 45 feet to the back of curb for Centennial Parkway and 30 feet for Regena Avenue;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Coordinate with the City of Las Vegas on the Centennial Parkway improvement project.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that the 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

- Colville Court is too similar to an existing street name and shall have an approved street name;
- Approved street name list from the Combined Fire Communications Center shall be provided.

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

ITEM NO. 34 NZC-22-0381-ROOHANI KHUSROW FAMILY TRUST:

ZONE CHANGE to reclassify 16.8 acres from an R-E (Rural Estates Residential) Zone to an RUD (Residential Urban Density) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setback; 2) reduce open space; and 3)

street intersection off-set.

DESIGN REVIEWS for the following: 1) single family residential development; and 2) finished grade. Generally located on the east side of Arville Street and the north side of Silverado Ranch Boulevard within Enterprise (description on file). JJ/md/jo (For possible action)

ACTION: Deleted from the agenda (held to October 4, 2022 per the applicant).

ITEM NO. 35 VS-22-0382-ROOHANI KHUSROW FAMILY TRUST:

VACATE AND ABANDON easements of interest to Clark County located between Arville Street and Hinson Street, and between Richmar Avenue and Silverado Ranch Boulevard; and a portion of a right-of-way being Arville Street located between Richmar Avenue and Silverado Ranch Boulevard; and a portion of right-of-way being Silverado Ranch Boulevard located between Arville Street and Hinson Street within Enterprise (description on file). JJ/md/jo (For possible action)

ACTION: Deleted from the agenda (held to October 4, 2022 per the applicant).

ITEM NO. 36 TM-22-500129-ROOHANI KHUSROW FAMILY TRUST:

TENTATIVE MAP consisting of 160 residential lots and common lots on 16.8 acres in an RUD (Residential Urban Density) Zone. Generally located on the east side of Arville Street and the north side of Silverado Ranch Boulevard within Enterprise. JJ/md/jo (For possible action)

ACTION: Deleted from the agenda (held to October 4, 2022 per the applicant).

ITEM NO. 37 ORD-22-900514: Introduce an ordinance to consider adoption of a Development Agreement with AMH NV14 Development, LLC for a single-family development (Cactus & Mann) on 6.5 acres, generally located north of Cactus Avenue and west of Mann Street within Enterprise. JJ/dd (For possible action)

AMUNDSEN Next we have ordinance for introduction, Item 37 Ordinance 22-900514, I- introduce an ordinance to consider adoption of a development agreement with AMHNV14 Development LLC for a single family development (Cactus and Mann). We request this be set for public hearing for October 4th 2022 at 1:00 p.m.

GIBSON 1:00 p.m. I'll introduce the ordinance and set the public hearing for October 4th 2022 at 1:00 p.m.

ACTION: There being no objections, Chair Jim Gibson set the matter for public hearing on October 4, 2022 at 1:00 p.m.

ITEM NO. 38 ORD-22-900550: 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 in Assessor's Books 140, 161, 162, 163, 176, 177, and 191. (For possible action)

AMUNDSEN Item 38 -

GIBSON Did you notice that she's watching to make sure that I get it exactly the way she -

AMUNDSEN (laughs).

GIBSON She's-

AMUNDSEN

I'm trying not to look that way.

GIBSON

(laughs).

AMUNDSEN

It's just that it's a double meeting that day and...

GIBSON

All right, thank you.

AMUNDSEN

Item 38 Ordinance 22-900550, 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 in Assessors Book 140, 161, 162, 163, 176, 177 and 191. Again, this one we - we request be set for public hearing on October 4th, 2022 at 1:00 p.m.

GIBSON

I'll introduce the ordinance and set the public hearing for October 4th 2022 at 1:00 p.m. And that concludes the agenda.

ACTION:

There being no objections, Chair Jim Gibson set the matter for public hearing on October 4, 2022 at 1:00 p.m.

PUBLIC COMMENTS

GIBSON

This is the time set for the final public comment period. Is there anyone here who wishes to make a public comment to us on any item? There being no one, this meeting stands adjourned. Thank you.

There being no further business to come before the Board at this time, at the hour of 10:25 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