

Carolyn G. Goodman, Mayor (At-Large)  
Stavros S. Anthony, Mayor Pro Tem (Ward 4)  
Brian Knudsen (Ward 1)  
Victoria Seaman (Ward 2)  
Olivia Diaz (Ward 3)  
Cedric Crear (Ward 5)  
Michele Fiore (Ward 6)



City Manager Jorge Cervantes  
City Attorney Bryan K. Scott  
City Clerk LuAnn D. Holmes

## City Council Minutes

Council Chambers · 495 South Main Street · Phone 702-229-6011  
City of Las Vegas Internet Address: [www.lasvegasnevada.gov](http://www.lasvegasnevada.gov)

**February 16, 2022**  
**9:00 AM**

### CEREMONIAL MATTERS

1. Call to Order

Minutes:

MAYOR GOODMAN called the meeting to order at 9:00 a.m.

PRESENT: MAYOR GOODMAN and COUNCILMEMBERS ANTHONY, FIORE, CREAR (excused until 9:05 a.m.), KNUDSEN, SEAMAN and DIAZ

ALSO PRESENT: CITY MANAGER JORGE CERVANTES, CITY ATTORNEY BRYAN SCOTT, ASSISTANT CITY ATTORNEY JEFF DOROCK, DEPUTY CITY ATTORNEY JAMES B. LEWIS and CITY CLERK LUANN D. HOLMES

2. Announcement Regarding: Compliance with Open Meeting Law

Minutes:

ANNOUNCEMENT MADE: This meeting has been properly noticed and posted at the following locations in accordance with the noticing standards as outlined in NRS 241.020: City Hall, 495 South Main Street, 1st Floor; The City of Las Vegas website – [www.lasvegasnevada.gov](http://www.lasvegasnevada.gov); and The Nevada Public Notice website – [notice.nv.gov](http://notice.nv.gov)

3. Invocation - Pastor Khosrow "Koz" Alighchi, Evangelical Friends Church

Minutes:

PASTOR KHOSROW "KOZ" ALIGHCHI, Evangelical Friends Church, gave the invocation.

4. Pledge of Allegiance

Minutes:

MAYOR GOODMAN led the audience in the Pledge of Allegiance.

5. Recognition of the Employee of the Month

Minutes:

MAYOR GOODMAN called forward SUSAN HELTSLEY, Finance Director, to recognize BRIAN LOVELIN, Financial Analyst, as February's Employee of the Month. The Mayor felt honored to recognize MR. LOVELIN, who has worked with the City of Las Vegas since 2017, because of his willingness to assist and to take on new

challenges, while remaining positive. His attitude has been key to management of the CARES (Coronavirus Aid, Relief, and Economic Security) Act funding package, despite the changes and the multitude of internal and external questions. In addition, MR. LOVELIN manages funding from the American Rescue Plan, Emergency Rental Assistance Program, Housing and Urban Development Funds and the Federal Emergency Management Funds, all of which are vital for the City to provide quality services to the local residents. The Mayor sincerely thanked MR. LOVELIN.

MS. HELTSLEY said there are not enough kind things to say about MR. LOVELIN. She said that she was advised about his kindness and disposition while she was still working at the Clark County Water Reclamation District and this description was accurate. MS. HELTSLEY thanked MR. LOVELIN for everything he does for the City, for the department and for everyone. She asked him to keep smiling and asked all her staff in the audience to stand in recognition. MS. HELTSLEY added that MR. LOVELIN'S wife was also present.

MR. LOVELIN accepted the Employee of the Month plaque and appreciated all the kind words and this recognition. He said that when he was informed about being February's Employee of the Month at a budget meeting, he was left speechless because so many others are deserving of the recognition, but it was the best budget meeting he has attended. He looks forward to continuing to assist the community as the City faces a bright future. He said his wife, CAROLYN, of 19 years works at Municipal Court, and the Mayor asked her to come forward.

MAYOR GOODMAN said MR. LOVELIN'S happiness is contagious.

6. Recognition of the Honorable Judge Martin Hastings

Minutes:

COUNCILMAN ANTHONY recognized the Honorable JUDGE MARTIN HASTINGS, who was retiring from the Las Vegas Municipal Court (LVMC). The Councilman noted JUDGE HASTINGS began his career with the City of Las Vegas a few years after earning his law degree from the San Diego School of Law in 1989. He worked with former City Attorneys ROY WOOFER, GEORGE OGILVIE and BRAD JERBIC. In 2007, he was elected Judge for LVMC Department 6, and he has led the creation of the Veterans Treatment Specialty Court, which is a great solution designed to reduce the number of repeat criminal offenders. He is deeply involved in the Las Vegas community. As a former football player and coach, he volunteers his time to the Boys and Girls Clubs and sponsors a soccer team as well. He and his wife, ANGELA, have been married for over 30 years.

JUDGE HASTINGS accepted the Proclamation, a copy of which was submitted for the record, proclaiming February 16, 2022, as Judge Martin Hastings Day. He thanked the City Council for this honor, but more so for supporting the Municipal Court in both their small and large goals. He also thanked his fellow judges for being present for this occasion and gave credit to his staff for making him successful. He also thanked his family for their sacrifice and encouragement. He recalled being sworn in by former Mayor OSCAR GOODMAN, and was grateful to the citizens of the City of Las Vegas for allowing him to sit on the bench for many years. He said he plans to do a lot of fishing.

## **BUSINESS ITEMS - 9:30 A.M. SESSION**

### **PUBLIC COMMENT**

7. Public comment during this portion of the Agenda must be limited to matters on the Agenda for action. If you wish to be heard, come to the podium and give your name for the record. The amount of discussion, as well as the amount of time any single speaker is allowed, may be limited.

Minutes:

For Item 47, GORDON WARREN said the proposed project would seriously impact the long-standing rural character of the Torrey Pines development, and alleged that appointed and elected officials in Southern Nevada have supported this throughout the years because they believe the homeowners have a right to know what to expect in the interest of their investment. He said the high-density project the developer wants to build is too intense for the area. He concluded that it does not satisfy the good-cause requirements. MAYOR GOODMAN suggested MR. WARREN contact COUNCILWOMAN FIORE'S office so he can get information on the project

and have his questions addressed. COUNCILWOMAN FIORE said her liaison, CHANCE BONAVENTURA, would contact him.

### **BUSINESS ITEMS - 9:30 A.M. Session**

8. For Possible Action - Any items from the 9:30 a.m. session that the Council, staff and/or the applicant wish to be stricken, tabled, withdrawn or held in abeyance to a future meeting may be brought forward and acted upon at this time.

Motion made by Stavros Anthony to Strike Items 12 and 41 and Hold in Abeyance Items 51a and 51b and 53 to 3/16/2022

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

9. For possible action to approve the Final Minutes by reference of the January 19, 2022 Regular City Council Meeting

Motion made by Stavros Anthony to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

### **CONSENT AGENDA**

**Matters listed on the Consent Agenda are considered to be routine and have been recommended for approval by the Submitting Departments. All items on the Consent Agenda may be approved in a single motion. However, if a Council Member so requests, any consent item may be moved to the discussion portion of the agenda and other action, including postponement or denial of the item, may take place.**

### **CITY ATTORNEY - CONSENT**

10. For possible action to approve continued funding for McDonald Carano to represent the City of Las Vegas in an action filed against it by 180 Land Company, LLC, Case No. A-17-758528-J, in the Eighth Judicial District Court, concerning the denial of several land use applications for the development of a portion of the former Badlands Golf Course for an amount not-to-exceed \$200,000 (General Fund) - Ward 2 (Seaman)

Minutes:

For Item 10, COUNCILWOMAN SEAMAN commented that she could no longer support continued funding for this matter. She encouraged her fellow Councilmembers to push for a resolution that will end litigation and resolves the situation in a way that will be fair to all parties involved and the taxpayers, as continued funding will only prolong the situation.

Regarding Item 35, ASSISTANT CITY ATTORNEY JEFF DOROCÁK commented that the City Attorney's Office had revised language specifically for Sections 3.1b and 3.1c on Pages 27 and 28, which he read. He indicated the revised agreement would be submitted to the City Clerk's Office for the record, and the party was notified of the revisions.

See Item 64 for related discussion.

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 12 and with revisions to Item 35

NOTE: The video does not reflect the vote accurately, in that Councilwomen Seaman and Fiore voted No on Item 10 and Mayor Goodman abstained from voting on Item 26 due to her son's involvement in the marijuana

industry. Additionally, Assistant City Attorney Jeff Dorocak read revisions to the Real Property Transfer Agreement Sections 3.1b and 3.1c for Item 35.

Passed For: 5; Against: 2; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Cedric Crear, Stavros Anthony, Carolyn Goodman, Brian Knudsen, Olivia Diaz; Against-Victoria Seaman, Michele Fiore;

11. For possible action to approve a business impact statement regarding a proposed ordinance to amend LVMC Chapter 6.50 and other chapters of LVMC Title 6 to consolidate a number of alcoholic beverage license categories and adjust the licensing treatment of the new and remaining categories; amend various provisions of LVMC Titles 10, 11, 12 and 19 to make corresponding changes to other alcohol-related provisions, including land use regulations; and provide for the continuance, discontinuance or transition of existing licenses and land use approvals. (This item is related to Bill No. 2022-4, which is located later on this agenda under New Bills)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 12

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

### **ECONOMIC AND URBAN DEVELOPMENT - CONSENT**

12. ABEYANCE ITEM - For possible action to approve the Real Property Transfer Agreement between the City of Las Vegas (City) and the Urban Chamber Community Development Corporation (UC) for the property located at 1951 Stella Lake Street (APN 139-21-313-017) - Redevelopment Area - Ward 5 (Crear)

Motion made by Stavros Anthony to Strike Items 12 and 41 and Hold in Abeyance Items 51a and 51b and 53 to 3/16/2022

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

13. For possible action to approve a Facility Use Agreement between the City of Las Vegas Redevelopment Agency and the Dragone Creations USA, LLC, (Dragone) for office space (Suite 130), located at 801 South Main Street, and known as the International Innovation Center @ Vegas 2 (The Herbert) - Ward 3 (Diaz) [NOTE: This item is related to RDA Item 5]

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 12

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

14. For possible action to approve a Parking Lease Agreement between GTIS-SLC Symphony Park Owner, LLC, and the City of Las Vegas (City) where the City will manage and operate certain private right-of-way that surrounds the apartment community commonly known as Auric Symphony Park located at 250 Promenade Place with the terms of the lease payments described in the agreement (portion of APN 139-34-110-009) - Ward 5 (Crear)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 12

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

15. For possible action to approve a Disposition and Development Agreement (DDA) between the City of Las Vegas and MYS LLC for the sale and development of the property for an office building located at 1150 West Owens Avenue (APN 139-21-803-006) - Ward 5 (Crear) [NOTE: This item is related to Council Item 34 (R-6-2022)]

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 12

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

### **FINANCE - CONSENT**

16. For possible action to approve a Settlement Agreement and Mutual Release ("Settlement Agreement") between Nevada Power Company d/b/a NV Energy ("NV Energy") and the City of Las Vegas ("City") - All Wards

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 12

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

### **FINANCE - PURCHASING AND CONTRACTS - CONSENT**

17. For possible action to approve award of Contract No. 21.MWA723.D1-JH, Prime Design Services for Sheep Mountain Parkway - Shaumber Road to Farm Road - Department of Public Works - Award recommended to: WESTWOOD PROFESSIONAL SERVICES, INC. (\$661,432 - Road and Flood Capital Projects Fund) - Ward 4 (Anthony)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 12

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

18. For possible action to approve award of Contract No. 21.MWA935.D1-JH, Prime Design Services for Oakey Boulevard - Rancho Drive to Martin Luther King Boulevard - Department of Public Works - Award recommended to: WOOD RODGERS, INC. (\$166,332.80 - Road and Flood Capital Projects Fund) - Ward 1 (Knudsen)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 12

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

19. For possible action to approve award of Contract No. 22.MWA814.D1-JH, Prime Design Services for Gowan Road Local Storm Drain - Fort Apache Road to Durango Drive - Department of Public Works - Award recommended to: NICHOLS CONSULTING ENGINEERS, CHTD. (\$193,461.24 - Road and Flood Capital Projects Fund) - Ward 4 (Anthony)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 12

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

20. For possible action to approve award of Modification No. 2 to Contract No. 210026-PH, Enterprise Records Management and Warehouse Management Software and Professional Services - Office of the City Clerk - Award recommended to: INFORMATION FIRST, INC. (Not-to-Exceed \$150,000 - IT CIP Projects Internal Service Fund) - All Wards
- Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 12
- Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
- For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;
21. For possible action to approve award of Modification No. 4 to Contract No. 130113-JL, Amendment to Maintenance and Support Agreement and Purchase Order Revision - Department of Information Technologies - Award recommended to: MOTOROLA SOLUTIONS, INC. (\$122,492 - Detention & Enforcement Capital Projects Fund and Computer Services Internal Service Fund) - All Wards
- Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 12
- Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
- For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;
22. For possible action to approve award of Contract No. 220031-JH, Professional Services for East Las Vegas Special Area Plan - Department of Planning - Award recommended to: SMITHGROUP, LLC (\$273,500 - Parks and Leisure Activity Capital Projects Fund and City Facilities Capital Projects Fund) - Ward 3 (Diaz)
- Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 12
- Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
- For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;
23. For possible action to approve award of Amendment No. 1 to Contract No. 210083-SK, Prime Design Services for CLV Northwest Area Fiber Optic Communications & ITS Improvements, located along several corridors in the northwest part of the City of Las Vegas totaling approximately 9.4 miles - Department of Public Works - Award recommended to: WESTWOOD PROFESSIONAL SERVICES, INC. (Not-to-Exceed \$160,000 - Traffic Improvements Capital Projects Fund) - Ward 6 (Fiore)
- Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 12
- Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
- For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

**OPERATIONS AND MAINTENANCE - CONSENT**

24. For possible action to approve a Grant of Easement to Nevada Power Company, d/b/a, NV Energy, to cancel and supersede the Right of Entry recorded on October 9, 2019 to continue to provide services to the City of Las Vegas Municipal Court Building located at 100 East Clark Avenue, APN 139-34-302-011 - Ward 3 (Diaz)
- Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 12
- Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
- For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

## **PLANNING - CONSENT**

25. For possible action to approve the Restated Interlocal Agreement Between the City of Las Vegas and Southern Nevada Water Authority to expand power supply and transmission assets, long-term power transactions, and renewable energy attributes for the City's wastewater treatment facility, located at 6005 East Vegas Valley Drive, in compliance with Chapter 704 of Nevada Revised Statutes (terms outlined in Interlocal Agreement approved at the July 15, 2009 City Council Meeting) - Sanitation Enterprise Fund - Clark County (near Ward 3 - Diaz)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 12

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

## **PLANNING - BUSINESS LICENSING - CONSENT**

26. For possible action to approve a Cannabis Production Facility License (Medical/Recreational) for HELPING HANDS WELLNESS CENTER, INC. dba CANNACARE at 3255 Losee Road - North Las Vegas, Nevada

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 12

NOTE: The video does not reflect the vote accurately, in that Mayor Goodman abstained from voting on Item 26 due to her son's involvement in the marijuana industry.

Passed For: 6; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Michele Fiore, Brian Knudsen, Olivia Diaz; Abstain-Carolyn Goodman;

27. For possible action to approve a Temporary Tavern License for a Change of Ownership FROM: P & M HOLDINGS, LLC TO: P & M HOLDINGS, LLC dba GOLDEN STEER STEAKHOUSE at 308 West Sahara Avenue - Ward 3 (Diaz)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 12

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

28. For possible action to approve a Restricted Gaming License for JETT GAMING, LLC dba JETT GAMING, LLC db at TERRIBLE'S #387 at 8356 Grand Teton Drive - Ward 6 (Fiore)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 12

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

29. For possible action to approve an Alcoholic Beverage Caterer license for TAVERNA IZAKAYA LLC dba TAVERNA COSTERA at 1031 South Main Street [Jeffery John Hwang, Managing Member] - Ward 3 (Diaz)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 12

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

## **PUBLIC WORKS - CONSENT**

30. For possible action to approve Interlocal Contract LAS04F22 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) for the design of the Meadows/Charleston - Via Olivero, Montessouri to Buffalo Project (\$1,129,000 - Road and Flood Capital Project Fund [CPF]) - Wards 1 and 2 (Knudsen and Seaman)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 12

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

31. For possible action to approve the Reimbursement Agreement - Preliminary Engineering Services between Union Pacific Railroad Company (UPRR) and the City of Las Vegas (CLV) to evaluate proposed improvements for a pedestrian overpass for the Symphony Park Pedestrian Bridge at Lewis Alignment Project (\$50,000 - Road and Flood Capital Project Fund [CPF]) - Ward 5 (Crear)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 12

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

## **RESOLUTIONS - CONSENT**

32. R-4-2022 - For possible action to approve the Resolution Authorizing the Grant of Up to One Million Dollars to CLV Strong Start Academy Elementary Schools, Inc., a Nevada non-profit corporation, for educational purposes and providing for other matters properly related thereto - All Wards

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 12

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

33. R-5-2022 - For possible action to approve a Resolution designating Mayfair Place Park, located at 417 South 15th Street, and Stupak Park, located at 300 West Boston Avenue, as children's parks - Ward 3 (Diaz)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 12

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

34. R-6-2022 - For possible action to approve a Resolution authorizing the City of Las Vegas to sell 1150 West Owens Avenue (APN 139-21-803-006) for the purpose of economic development for less than fair market value to MYS LLC for the development of a commercial office building in the Historic Westside - Ward 5 (Crear) [NOTE: Item is related to Council Item 15]

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 12

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

35. R-7-2022 - For possible action to approve a Resolution approving the Real Property Transfer Agreement between the City of Las Vegas (City) and the Urban Chamber Community Development Corporation (UC) for the property located at 1951 Stella Lake Street (APN 139-21-313-017) - Ward 5 (Crear)

Minutes:

See Item 10 for related discussion.

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) 12 and with revisions to Item 35

NOTE: Assistant City Attorney Jeff Dorocak read revisions to the Real Property Transfer Agreement Sections 3.1b and 3.1c.

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

## **DISCUSSION/ACTION ITEMS**

### **ADMINISTRATIVE - DISCUSSION**

36. Discussion for possible action regarding the appointment of an Interim (Caretaker) Municipal Court Judge, Department 6, from the following nominees: David J. Rickert, Jessica M. Goodey and Shannon Nordstrom (\$182,211 - General Fund)

Minutes:

CITY MANAGER JORGE CERVANTES reported that there was discussion at the last City Council meeting about whether to address filling the vacancy left by retiring JUDGE MARTIN HASTINGS of Department 6 through a special election or by appointment. The City Council decided on the latter. Therefore, staff put out a solicitation to gather interests by posting on various job sites for the period from February 2, 2022 to February 6, 2022. Three of the four individuals who responded were qualified and considered. MR. CERVANTES reviewed the qualifications, in consultation with Las Vegas Municipal Court (LVMC), and staff recommended the appointment of SHANNON NORDSTROM to serve in the interim.

MAYOR GOODMAN thanked the applicants for stepping forward to fill this important position, especially given the requirement to accept the position with a commitment to refrain from running for the seat in the 2022 Municipal Election, which she verified with JACK ESLINGER, Court Administrator of LVMC, would open in March of 2022.

MS. NORDSTROM accepted the temporary appointment and confirmed for the Mayor she will refrain from running for office in the 2022 Election. She will be sworn in prior to March 1, 2022. MS. NORDSTROM appreciated the opportunity to continue to serve the community.

Motion made by Stavros Anthony to Approve the appointment of Shannon Nordstrom

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

37. Report by Jorge Cervantes, City Manager, and discussion for possible action to approve and authorize the award and allocation of funds, totaling up to \$121,070,000 allocated to the City under the American Rescue Plan Act of 2021 (ARPA) to recommended beneficiaries, sub-recipients and programs, and to give the City Manager authorization to negotiate and execute documents related to the award of funds

Minutes:

Using a PowerPoint presentation, a copy of which was submitted for the record, CITY MANAGER JORGE CERVANTES reported that the City has been going through the process of identifying how to appropriate funds received through the American Rescue Plan Act (ARPA) of 2021. The ARPA was one of three funding bills passed by the United States Congress to help stimulate the economy and to address some of the health care challenges caused by the COVID-19 pandemic throughout the country. The CARES (Coronavirus Aid, Relief, and Economic Security) Act was passed in the early part of 2021, and the Consolidated Appropriations Act was passed in December of 2021.

ARPA included direct payments to individual citizens of \$1,400, a \$3,000 child tax credit, expanded unemployment benefits of \$300 weekly through September 6, 2021, small business assistance for those greatly impacted and housing assistance toward rental and utility costs and housing vouchers.

A portion of ARPA allocated \$350 billion for state and local governments to continue to support the communities based on needs, as well as to help supplement local governments experiencing revenue loss or to rehire staff members who were laid off during the pandemic. Hence, the State of Nevada received a direct allocation of \$2.7 billion, Clark County received \$439 million and the City of Las Vegas received \$131 million. Moreover, there were some direct allocations to other local governmental agencies, including \$835 million to Clark County School District, \$171 million to McCarran International Airport and \$130 million to the Regional Transportation Commission of Southern Nevada. The latter of which helped people who were struggling to get to work.

As part of the solicitation and evaluation process, City staff monitored State of Nevada and Clark County town hall meetings to help identify community needs. Direct feedback was sought through an online survey conducted on the City's website, and 517 responses were received. Consequently, the City opened a pre-application process and opened a submittal portal from the period of July 26, 2021 to August 13, 2021. The 557 applications received totaled \$2.2 billion in requested allocations.

MAYOR GOODMAN asked if duplicate funding requests could be made to other entities, and MR. CERVANTES responded that the question was included on the application, and the City is coordinating with fellow jurisdictions to ensure duplication is avoided.

Through pre-application evaluation for compliance in accordance with the U.S. Department of the Treasury's Final Rule and community needs, 149 eligible applicants were invited to submit full applications, which makes up 27 percent of those who initially submitted an application.

In September of 2021, the City Council considered the focus areas and funding-allocation strategy for the selected areas of affordable housing, non-profit organizations, business assistance and pandemic response. The committee reviewed the applications and scored them based on historical performance, community needs, financial stability (for which three years' worth of financial statements were required), implementation timelines and risk assessment (to ensure ability to use funds according to requirements and within the timeframe).

The allocation categories recommended include affordable housing for \$23.5 million, non-profit organizations for \$48.9 million, business assistance for \$23.3 million and pandemic response for \$25.3 million, for a total sum of \$121.3 million. He noted that \$9.3 million will be retained to address anything that may come up through the end of the year. Should nothing come up by October of 2022, the sum retained and any funds that may come back due to lack of performance, will be applied toward pandemic response.

MR. CERVANTES went through the process timeline (slide 9), which should be completed by December of 2024, with reports on the results to be provided annually to the Treasury and City Council. He noted that once the Council approves the recommendations, funding agreements will be drafted to refine the scope and to clarify the requirements. Cash distributions will be based on the applicant's needs, as some may need it up front, while others may prefer to submit for reimbursement. He mentioned that many of the applicants are familiar with federal requirements, and the City will certainly assist those who are not and may need help.

Lastly, MR. CERVANTES covered the next steps in the process (slide 10). Upon Council approval, staff will notify all applicants, commence negotiations with successful applicants to enter into funding agreements, begin

distribution of funds, monitor performance and coordinate with regional partners to avoid duplication. He emphasized that the City is required to report to the Treasury quarterly and yearly, so they will need the information promptly, and performance monitoring will be handled by a contracted third-party group.

To avoid duplication of funding, the City has been sharing information with the State Treasury and other local jurisdictions. He requested approval of the applications recommended for award according to the list in the backup documentation.

COUNCILMAN ANTHONY confirmed the following: 1) The City went through a rigorous process, vetted all the applicants to ensure they need the money and conducted a risk analysis; 2) The funding is for a specific project; and 3) Staff will implement a process to account for the funding awarded and to ensure it is not misused.

COUNCILMAN KNUDSEN asked for quarterly reports on the progress, and MR. CERVANTES said that is the intention, to keep the Council regularly apprised whether through a report at a Council meeting or individually. The Councilman said he hopes all the organizations are successful to help make Las Vegas a better community.

MAYOR GOODMAN asked if there is a central input database of applicants to ensure viability. MR. CERVANTES replied that a sub-team will constantly input and exchange information with the applicants, and this has been the practice for three months. The Mayor then asked if there is an appeal process to ask for more funding. MR. CERVANTES said not necessarily an appeal process, but he explained that in many cases, the applicants also raise the needed funding through donations. However, the application for ARPA funds included a question asking if the proposed project could be completed with less than the requested funding. If not, the recommended funding will be held until the applicant can prove additional funding has been raised to move the project forward within the given timeline.

After the vote, MAYOR GOODMAN asked how the Council will stay informed of the projects, and MR. CERVANTES reiterated the steps under slide 10, and added that the full list of allocations and organizations will be available online as part of the backup documentation for the agenda item.

Motion made by Stavros Anthony to Approve

NOTE: Councilman Knudsen disclosed that although he has been a Board member of Raise the Future for five years, he has no financial interest in them at all. Assistant City Attorney Jeff Dorocak advised that disclosure is sufficient; however, he verified with the Councilman that his independence of judgement for evaluating this item is not affected by his Board membership. Additionally, Councilman Crear disclosed that although he is not on the TPL (Theta Pi Lambda) Foundation's board and has no financial interest, he is a member of their fraternity, and he supports them financially. Mr. Dorocak advised that disclosure is sufficient; however, he verified with the Councilman that his ability to judge independently this entire item is not affected materially by his fraternity membership.

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

## **RESOLUTIONS - DISCUSSION**

38. R-8-2022 - Discussion for possible action regarding a Resolution approving a three-party Disposition and Development Agreement (DDA) between the City of Las Vegas (City), G2 Capital Devco, LLC, dba G2 Capital Development (Developer) and the Board of Regents of the Nevada System of Higher Education on behalf of the University of Nevada Las Vegas (UNLV) for the properties located at the southeast corner of Wellness Way and Shadow Lane (APN's 139-33-402-014, -015 and -034) - Ward 1 (Knudsen)

Minutes:

RYAN SMITH, Director of Economic and Urban Development, was very excited to bring this agreement forward with G2 Capital Development (G2), represented by FRANK MARRETTI, and the Nevada System of Higher

Education on behalf of the University of Nevada, Las Vegas (UNLV), represented by DAVID FROMMER, UNLV Associate Vice President of Construction and Real Estate. MR. SMITH thanked all the individuals involved for their efforts on this project.

Pertaining to the DDA (Disposition and Development Agreement), MR. SMITH said the City will be selling .72 acres of the total master planned area to G2 at the appraised value of \$1.5 million. He pointed out that UNLV owns the majority of the adjacent property, which was depicted on the Existing Site Context slide of his PowerPoint presentation, a copy of which was submitted for the record.

He continued with the presentation, and explained that the development plan includes 156,000 square feet of new medical office space, a five-level, 135-room hotel, a six-level, 700-space parking garage, as well as the relocation of some existing UNLV facilities from the southwest of the site to the far northeast of the site. Slides 5-7 depicted architectural renderings of the proposed medical office building, the exterior and an aerial view of the hotel building, and the view from the street level.

The economic impacts include \$30 million to \$80 million in direct construction spend and costs, creation of 632 direct jobs, 171 indirect jobs and 285 induced jobs and over \$13 million in direct tax benefits yearly.

Lastly, MR. SMITH reviewed the timeline on slide 9. The UNLV Board of Regents will consider the DDA at its meeting of March 3, 2022. The deadline for G2 and UNLV to enter into a project development agreement is June 30, 2022. Construction is estimated to start October of 2022 and be completed in November of 2024.

MR. MARRETTI was very excited about this project and being able to continue to work with UNLV. He thanked MR. SMITH and his team for their assistance.

MR. FROMMER said UNLV has worked on a variety of initiatives with the City, and he is very excited about this agreement. The City has a great economic development team, and he is looking forward to being a part of furthering quality development in the Medical District, which is such an important part of the community and UNLV.

MR. FROMMER introduced DR. CHRIS HEAVEY, Executive Vice President and Provost at UNLV, who apologized for the absence of KEITH WHITFIELD, President of UNLV, who was attending an interim legislative committee meeting. MR. HEAVEY said the entire UNLV campus is excited about this project, and he appreciated the support of the City and being able to work with G2. MAYOR GOODMAN said it is a wonderful marriage, and it is very exciting to realize this dream for the Medical District.

The Mayor asked if there will be public transportation access to the site. MR. MARRETTI said there will be access to self-driving vehicles, but he was not sure about public transportation access. CITY MANAGER JORGE CERVANTES interjected that there is a current bus line running along Wellness Way. MR. FROMMER explained that the easterly most buildings are replacement facilities for existing UNLV functions, including on-site parking, police and parking management, and are independent of this development. MR. SMITH added that the main stakeholders in the Medical District have arranged for a bus to pick up at the transportation center on Bonneville Avenue and take the people to the Medical District. MR. MARRETTI said UNLV is also working on a transportation connection between the Maryland Parkway campus, Shadow Lane and the Medical District.

As a member of the Regional Transportation Commission (RTC) Board, the Mayor was excited about this project, which should be viewed by the public to understand how exciting it is.

COUNCILMAN CREAR agreed that this is a great project, noting that as a UNLV Board of Regents member, he advocated for a medical school in Southern Nevada. It is great to see his vision is becoming a reality. He thanked MR. MARRETTI and UNLV for being a great partner with the City. He gave credit to COUNCILMAN KNUDSEN for doing an outstanding job of bringing all agencies together to make the Medical District better. He also thanked MR. WHITFIELD for his leadership and vision for the area. MR. FROMMER appreciated COUNCILMAN CREAR'S support of UNLV and these types of projects throughout the years.

COUNCILWOMAN DIAZ was grateful to all who came together to build momentum for the Medical District, especially when there is so much need, as made evident by the pandemic. She was happy to see the students' volunteerism during the pandemic for testing and vaccinations.

COUNCILMAN KNUDSEN emphasized that he has a passion to continue to expand the services in the Medical District, because he spent so much time there with his son and daughter. He appreciated UNLV'S efforts to overcome the challenges that arose.

Motion made by Brian Knudsen to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

## **BOARDS AND COMMISSIONS - DISCUSSION**

39. Discussion for possible action regarding the reappointments of Bob Stoldal and Craig Palacios to the Historic Preservation Commission

Minutes:

MAYOR GOODMAN appreciated the individuals' willingness to continue to serve.

Motion made by Carolyn Goodman to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

40. Discussion for possible action regarding the appointment of the following nominees to the Board of Directors of CLV Strong Start Academy Elementary Schools, Inc.: Jaime Gonzales (City Manager's Designee) and Lorna James Cervantes (Chief Community Services Officer's Designee) to initial, one-year terms - All Wards

Motion made by Stavros Anthony to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

## **RECOMMENDING COMMITTEE REPORT - DISCUSSION**

### **BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING**

**There is no public comment on these items and no action will be taken by the Council at this meeting, except those items which may be stricken or tabled. Public testimony takes place at the Recommending Committee Meeting held for that purpose.**

41. Bill No. 2022-3 - Amends various sections of LVMC Chapter 11.68 to update provisions governing street performers and other activities within the Pedestrian Mall. Proposed by: Jorge Cervantes, City Manager

Motion made by Stavros Anthony to Strike Items 12 and 41 and Hold in Abeyance Items 51a and 51b and 53 to 3/16/2022

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

## **NEW BILLS**

**There is no public comment on these items and no action will be taken by the Council at this meeting, except those items which may be stricken or tabled. Public testimony takes place at the Recommending Committee Meeting held for that purpose.**

42. Bill No. 2022-4 - Amends LVMC Chapter 6.50 and other chapters of LVMC Title 6 to consolidate a number of alcoholic beverage license categories and adjust the licensing treatment of the new and remaining categories; amends various provisions of LVMC Titles 10, 11, 12 and 19 to make corresponding changes to other alcohol-related provisions, including land use regulations; and provides for the continuance, discontinuance or transition of existing licenses and land use approvals. Sponsored by: Councilwoman Olivia Díaz and Councilman Stavros S. Anthony

Minutes:

First Reading - Referred - COUNCILMEMBERS ANTHONY, FIORE and KNUDSEN

2/28/2022 Recommending Committee

3/2/2022 Council Agenda

43. Bill No. 2022-5 - Adopts that certain document entitled "Amendment to Amended and Restated Sunstone Parks Agreement," regarding property located at the southwest corner of Moccasin Road and North Skye Canyon Park Drive. Sponsored by: Councilwoman Michele Fiore

Minutes:

First Reading - Referred - COUNCILMEMBERS ANTHONY, FIORE and KNUDSEN

2/28/2022 Recommending Committee

3/2/2022 Council Agenda

## **PLANNING - CONSENT**

All items listed on the Consent Agenda are considered to be routine and have been recommended "for approval". All items on the consent agenda may be approved in a single motion. However, if a Council Member so requests, any consent item may be moved to the Discussion portion of the agenda and other action, including postponement or denial of the item, may take place.

44. 21-0798 - APPLICANT: TOWER INDUSTRIES, LLC - OWNER: PACIFIC LAND FUND I, LLC, ET AL - For possible action on the following Land Use Entitlement project requests on 17.63 acres at the northwest corner of Iron Mountain Road and Skye Village Road (APNs 126-01-801-009, 018 and 019), C-1 (Limited Commercial) Zone, Ward 6 (Fiore). Staff recommends APPROVAL of the entire Land Use Entitlement project.

Minutes:

MAYOR GOODMAN announced that this project was being pulled for discussion at the request of COUNCILWOMAN FIORE.

Given that she was not in support of one of the items, COUNCILWOMAN FIORE asked how the Council should proceed, and DEPUTY CITY ATTORNEY JAMES LEWIS recommended hearing the items, and then taking individual actions.

ATTORNEY ROBERT GRONAUER, 1980 Festival Plaza Drive, representing the applicant, requested abeyance because there is a zoning item in conjunction with a Costco project, which includes a grander plan for a commercial shopping center as part of Item 48, which the applicant would like to present. The Councilwoman preferred not holding this matter, even though she wants the Costco project, but offered to meet with MR. GRONAUER to continue to work on Item 44a.

See Items 44a-44c for related backup.

- 44a. 21-0798-EOT1 - FIRST EXTENSION OF TIME OF AN APPROVED SPECIAL USE PERMIT (SUP-77385) FOR A PROPOSED 5,525 SQUARE-FOOT LIQUOR ESTABLISHMENT (TAVERN) USE

Minutes:

See Item 44 for related discussion and Items 44-44c for related backup.

Motion made by Michele Fiore to Deny

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

- 44b. 21-0798-EOT2 - FIRST EXTENSION OF TIME OF AN APPROVED SPECIAL USE PERMIT (SUP-77386) FOR A PROPOSED 5,175 SQUARE-FOOT BEER/WINE/COOLER OFF-SALE ESTABLISHMENT USE

Minutes:

See Item 44 for related discussion and Items 44-44c for related backup.

Motion made by Michele Fiore to Approve subject to condition(s)

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

- 44c. 21-0798-EOT3 - FIRST EXTENSION OF TIME OF AN APPROVED SPECIAL USE PERMIT (SUP-78660) FOR A PROPOSED CAR WASH, FULL SERVICE OR AUTO DETAILING USE

Minutes:

See Item 44 for related discussion and Items 44-44c for related backup.

Motion made by Michele Fiore to Approve subject to condition(s)

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

### **PLANNING - ONE MOTION/ONE VOTE**

The following are items that may be considered in one motion/one vote. They are considered to be routine non-public and public hearing items with a Planning Commission and/or Staff recommendation of approval. All public hearings and non-public hearings items will be opened at one time. Any person representing an application or a member of the public or a member of the City Council not in agreement with the conditions and all standard conditions for the application recommended by staff, should request to have that item removed from this part of the agenda.

45. 21-0586 - PUBLIC HEARING - APPLICANT: CSDC PROPERTY CORPORATION - OWNER: VICTORY OUTREACH LAS VEGAS, ET AL - For possible action on the following Land Use Entitlement project requests on 3.92 acres at the northeast corner of Cedar Avenue and 28th Street (APNs 139-36-110-033, 034 and 035), Ward 3 (Diaz). The Planning Commission (7-0 vote) and Staff recommend APPROVAL on the entire Land Use Entitlement project.

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 45-48c. There being no one present to speak, the Mayor declared the Public Hearing closed for Items 45-48c.

See Items 45a-45c for related backup.

- 45a. 21-0586-ZON1 - REZONING - FROM: R-E (RESIDENCE ESTATES) TO: C-V (CIVIC) on 2.42 acres [APNs 139-36-110-034 and 035]

Minutes:

See Item 45 for related discussion and 45-45c for related backup.

Motion made by Stavros Anthony to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

45b. 21-0586-VAC1 - VACATION - PETITION TO VACATE A PORTION OF JULIAN STREET

Minutes:

See Item 45 for related discussion and 45-45c for related backup.

Motion made by Stavros Anthony to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

45c. 21-0586-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED PRIMARY SCHOOL DEVELOPMENT

Minutes:

See Item 45 for related discussion and 45-45c for related backup.

Motion made by Stavros Anthony to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

46. 21-0718 - PUBLIC HEARING - APPLICANT/OWNER: GRAND CANYON VILLAGE, LLC - For possible action on the following Land Use Entitlement project requests, PD (Planned Development) Zone, Ward 6 (Fiore). The Planning Commission (7-0 vote) and Staff recommend APPROVAL on the entire Land Use Entitlement project.

Minutes:

See Item 45 for related discussion and Items 46a and 46b for related backup.

46a. 21-0718-MOD1 - MAJOR MODIFICATION - TO AMEND THE GRAND CANYON VILLAGE MASTER DEVELOPMENT PLAN AND DESIGN STANDARDS TO ADD THE MASSAGE ESTABLISHMENT USE TO THE LAND USE TABLE on 92.50 acres generally bounded by Grand Teton Drive to the south; Grand Canyon Drive to the west; Drake Drive Alignment to the north; and Tee Pee Lane and Oso Blanca Road to the east (APNs Multiple)

Minutes:

See Item 45 for related discussion and Items 46-46b for related backup.

Motion made by Stavros Anthony to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

- 46b. 21-0718-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED MASSAGE ESTABLISHMENT USE on 12.04 acres at the northeast corner of W Skye Canyon Park Drive and Grand Canyon Drive (APN 125-07-601-012)

Minutes:

See Item 45 for related discussion and Items 46-46b for related backup.

Motion made by Stavros Anthony to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

- 47. 21-0753 - PUBLIC HEARING - APPLICANT/OWNER: RAINBOW CREEK, LLC - For possible action on the following Land Use Entitlement project requests on 2.83 acres at 6394 North Rainbow Boulevard (APN 125-26-101-004), Ward 6 (Fiore). The Planning Commission (7-0 vote) and Staff recommend APPROVAL on the entire Land Use Entitlement project.

Minutes:

See Items 7 and 45 for related discussion and Items 47a-47c for related backup.

- 47a. 21-0753-GPA1 - GENERAL PLAN AMENDMENT - FROM: RNP (RURAL NEIGHBORHOOD PRESERVATION) TO: M (MEDIUM DENSITY RESIDENTIAL)

Minutes:

See Items 7 and 45 for related discussion and Items 47-47c for related backup.

Motion made by Stavros Anthony to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

- 47b. 21-0753-ZON1 - REZONING - FROM: U (UNDEVELOPED) TO: R-3 (MEDIUM DENSITY RESIDENTIAL)

Minutes:

See Items 7 and 45 for related discussion and Items 47-47c for related backup.

Motion made by Stavros Anthony to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

- 47c. 21-0753-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED TWO-STORY, 24-UNIT CONDOMINIUM DEVELOPMENT WITH WAIVERS OF TITLE 19 LANDSCAPE BUFFER REQUIREMENTS

Minutes:

See Items 7 and 45 for related discussion and Items 47-47c for related backup.

Motion made by Stavros Anthony to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

48. 21-0757 - PUBLIC HEARING - APPLICANT/OWNER: ROOHANI KHUSROW FAMILY TRUST - For possible action on the following Land Use Entitlement project requests on 10.00 acres at the terminus of Ruffian Road, approximately 375 feet south of Kyle Canyon Road (APNs 126-01-801-005 and 006), Ward 6 (Fiore). The Planning Commission (7-0 vote) and Staff recommend APPROVAL on the entire Land Use Entitlement project.

Minutes:

See Item 45 for related discussion and Items 48a-48c for related backup.

- 48a. 21-0757-GPA1 - GENERAL PLAN AMENDMENT - FROM: PCD (PLANNED COMMUNITY DEVELOPMENT) TO: SC (SERVICE COMMERCIAL) [APN 126-01-801-005]

Minutes:

See Item 45 for related discussion and Items 48-48c for related backup.

Motion made by Stavros Anthony to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

- 48b. 21-0757-ZON1 - REZONING - FROM: U (UNDEVELOPED) TO: C-1 (LIMITED COMMERCIAL)

Minutes:

See Item 45 for related discussion and Items 48-48c for related backup.

Motion made by Stavros Anthony to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

- 48c. 21-0757-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 111,902 SQUARE-FOOT SHOPPING CENTER WITH WAIVERS OF THE TITLE 19 DEVELOPMENT STANDARDS

Minutes:

See Item 45 for related discussion and Items 48-48c for related backup.

Motion made by Stavros Anthony to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

## PLANNING - DISCUSSION

49. 20-0344 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: SWDE348, LLC - For possible action on the following Land Use Entitlement project requests on 44.52 acres on the west side of the Rainbow Boulevard alignment, approximately 6,900 feet north of Horse Drive (APN 125-03-501-001), Ward 6 (Fiore). The Planning Commission (7-0 vote) and Staff recommend DENIAL on the entire Land Use Entitlement project.

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 49-49b and 50, which were heard together.

ATTORNEY ROBERT GRONAUER, 1980 Festival Plaza Drive, represented the property owners, who were in the audience, have had ownership of this property for many years and are well known for their contributions to the community. He said that this effort started about four years ago with General Plan Amendment and Rezoning requests, for which he was encouraged by COUNCILWOMAN FIORE to table and work in the interim with the National Park Service (NPS) and the Bureau of Land Management (BLM). However, after three years of effort, he realized NPS and BLM will not even consider an application until the City approves entitlements for the project, which is why applications were resubmitted. COUNCILWOMAN FIORE required submittal of a tentative map for the project, and although they initially requested 8.49 units to the acre, they revised the request to 4.8 units to the acre. In January, the Planning Commission unanimously approved a tentative map at 4.8 units to the acre. Therefore, the request for M (Medium Density Residential) was revised to L (Low Density Residential), with the Tentative Map to be approved for 215 homes.

MR. GRONAUER reiterated that approval of the applications will allow them to have a project to work with the NPS and BLM.

PETER LOWENSTEIN, Deputy Director of Planning, reported the subject site abuts a Clark County flood channel to the north, and the Tule Springs Fossil Beds National Monument along the west, south, and east property lines. The site is not accessed by any roadway, nor is it serviced by public utilities. In order for a roadway to be constructed, and utilities extended, right-of-way would have to be granted by the NPS to construct such infrastructure within a national monument. Staff finds the requested General Plan Amendment to be premature and incompatible with the existing development in the area. Staff also finds that the applicant has not demonstrated good traffic control practices as the subject parcel is currently land-locked with no public right-of-way access, as well as has not been able to demonstrate how each parcel will be served by the public sewer system. As such, staff recommended denial of the General Plan Amendment and Rezoning requests and the associated Tentative Map.

COUNCILWOMAN FIORE explained that she was in support of this project, as it is the beginning of another process that will take years to work on with NPS and BLM. MR. LOWENSTEIN requested Item 49a be approved as amended to L (Low Density Residential).

See Items 49a-49b for related backup.

MAYOR GOODMAN declared the Public Hearing closed for Items 49-49b and 50.

- 49a. 20-0344-GPA1 - ABEYANCE ITEM - GENERAL PLAN AMENDMENT - FROM: PCD (PLANNED COMMUNITY DEVELOPMENT) TO: ML (MEDIUM LOW DENSITY RESIDENTIAL)

Minutes:

See Item 49 for related discussion and Items 49-49b for related backup.

Motion made by Michele Fiore to Approve Items 49a and 49b and amending Item 49a to L (Low Density Residential)

NOTE: Councilwoman Fiore disclosed that she is currently a member of the Tule Springs Fossil Beds National Monument Advisory Board as a member of the City Council for the City of Las Vegas. Her limited participation is as one of ten members of the Board under the National Park Service (NPS), which makes all the decisions regarding management of the Monument. Her seat on this Advisory Board will not materially affect her independence of judgement because her loyalty lies with her City constituents and

because the Board is purely advisory in nature. While she was disclosing this membership because of an appearance of conflict, the Councilwoman did not believe there was any conflict of interest. Deputy City Attorney James Lewis said the City Attorney's Office agrees and advised her to vote in this matter.

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

- 49b. 20-0344-ZON1 - ABEYANCE ITEM - REZONING - FROM: R-E (RESIDENCE ESTATES) TO: R-SL (SINGLE FAMILY RESIDENTIAL SMALL LOT)

Minutes:

See Item 49 for related discussion and Items 49-49b for related backup.

Motion made by Michele Fiore to Approve Items 49a and 49b and amending Item 49a to L (Low Density Residential)

NOTE: Councilwoman Fiore disclosed that she is currently a member of the Tule Springs Fossil Beds National Monument Advisory Board as a member of the City Council for the City of Las Vegas. Her limited participation is as one of ten members of the Board under the National Park Service (NPS), which makes all the decisions regarding management of the Monument. Her seat on this Advisory Board will not materially affect her independence of judgement because her loyalty lies with her City constituents and because the Board is purely advisory in nature. While she was disclosing this membership because of an appearance of conflict, the Councilwoman did not believe there was any conflict of interest. Deputy City Attorney James Lewis said the City Attorney's Office agrees and advised her to vote in this matter.

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

50. 21-0735-TMP1 - TENTATIVE MAP - PUBLIC HEARING - CASTLE ROCK VILLAGE - APPLICANT/OWNER: C-SWDE348, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED 215-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 44.52 acres on the west side of the Rainbow Boulevard alignment, approximately 6,900 feet north of Horse Drive (APN 125-03-501-001), R-E (Residence Estates) Zone [PROPOSED: R-SL (Single Family Small Lot Residential)], Ward 6 (Fiore). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

Minutes:

See Item 49 for related discussion.

Motion made by Michele Fiore to Approve subject to condition(s)

NOTE: Councilwoman Fiore disclosed that she is currently a member of the Tule Springs Fossil Beds National Monument Advisory Board as a member of the City Council for the City of Las Vegas. Her limited participation is as one of ten members of the Board under the National Park Service (NPS), which makes all the decisions regarding management of the Monument. Her seat on this Advisory Board will not materially affect her independence of judgement because her loyalty lies with her City constituents and because the Board is purely advisory in nature. While she was disclosing this membership because of an appearance of conflict, the Councilwoman did not believe there was any conflict of interest. Deputy City Attorney James Lewis said the City Attorney's Office agrees and advised her to vote in this matter.

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

51. 21-0694 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: SPACEMAKER, LLC - For possible action on an Appeal of the Denial by the Planning Commission on the following Land Use Entitlement project requests on 0.32 acres on the east side of Las Vegas Boulevard, approximately 142 feet south of Bonneville Avenue (APN 139-34-310-054), C-2 (General Commercial) Zone, Ward 3 (Diaz). The Planning Commission (5-0 vote) and Staff recommend DENIAL on the entire Land Use Entitlement project.

Minutes:

See Items 51a and 51b for related backup.

- 51a. 21-0694-SUP1 - ABEYANCE ITEM - SPECIAL USE PERMIT - FOR A PROPOSED 13,939 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT USE

Minutes:

See Items 51-51b for related backup.

Motion made by Stavros Anthony to Strike Items 12 and 41 and Hold in Abeyance Items 51a and 51b and 53 to 3/16/2022

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

- 51b. 21-0694-SDR1 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - FOR FOUR PROPOSED PRE-FABRICATED STRUCTURES CONSISTING OF A 520 SQUARE-FOOT BAR AND KITCHEN BUILDING, TWO 160-SQUARE-FOOT RESTROOM BUILDINGS, AND A 800 SQUARE-FOOT OFFICE BUILDING WITH WAIVERS OF THE APPENDIX F INTERIM DOWNTOWN DEVELOPMENT STANDARDS

Minutes:

See Items 51-51b for related backup.

Motion made by Stavros Anthony to Strike Items 12 and 41 and Hold in Abeyance Items 51a and 51b and 53 to 3/16/2022

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

52. 21-0646 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: VENTURA ENTERPRISES INVESTMENTS & DEVELOPMENT, INC. - OWNER: SVS PROPERTIES LTD, LLC - For possible action on the following Land Use Entitlement project requests on 1.46 acres at 700 East Charleston Boulevard (APN 162-03-501-003), P-R (Professional Office and Parking) Zone, Ward 3 (Diaz). The Planning Commission (5-0 vote) and Staff recommend DENIAL on the entire Land Use Entitlement project.

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 52-52d.

JOHN SULLIVAN, 1980 Festival Plaza Drive, representing the applicant, described the location, which is the former Federal Bureau of Investigation (FBI) headquarters, which he referred to as a unique complex. The property is in the Charleston Corridor and is zoned for P-R (Professional Office). They initially had a larger project and thought they had the support of the neighbors after holding a neighborhood meeting. However, they discovered at the Planning Commission meeting that the neighbors were opposed. Consequently, they redesigned the project.

MR. SULLIVAN showed a drawing and said some units will be added in the middle, which is currently dead space. The requested conforming rezoning to C-1 (Limited Commercial) with a Special Use Permit is for a mini-storage facility. There will be access elevators from inside and that is because of the protections to the

structure. A mini-storage facility is the least traffic intense use, and this is reflected in Public Works' traffic notes that state the difference in traffic between an office building and a mini-storage facility is about 900 trips daily.

The building height will not change, and the footage is approximately 74,000 square feet. The facility will have 650 mixed-size storage units, with 18 units located to the exterior, in order to accommodate various stored items, even vintage vehicles. The utility easements of five feet each in the rear and to the side limits the landscaping, but they added a 50-foot buffer. The variances requested for the larger project for 52 percent coverage and for residential adjacency standards are no longer needed. This is an existing, unique building, so unfortunately they are limited on the landscaping. They do meet ADA (American with Disabilities Act) compliance. There is no visibility to the exterior through the windows. He emphasized that the vacated building has been vandalized repeatedly, had copper wire stolen and almost had an air conditioning unit stolen. He requested approval.

PETER LOWENSTEIN, Deputy Director of Planning, reported that the applicant was correct, in that the previous drawings necessitated a Variance. The revised drawings have resulted in the elimination of the need for the Variance for 52b. Staff found the proposed Mini-Storage Facility land use is not compatible with the surrounding land uses, and is not a use that supports the overall goals of the Founders District. Therefore, staff recommended denial.

DAYVID FIGLER, President of the Historic John S. Park Neighborhood, which consists of the stewards of the area, pointed out that the residents alerted the owner about the theft on the property. He said they are not indifferent to the challenges, but they feel the number of units is too much for this non-contributing use, which is non-conforming with the Founders District. If the Council is sincere about the Master Plan, it should deny these types of projects. This project will attract the high concentration of homeless in the area and problems. There is already a storage-unit facility on Park Paseo, and it is a site well known for problems by the Las Vegas Metropolitan Police Department (LVMPD). Although the applicant responded to the concerns with the shared wall, it is not enough to allow the non-conforming use. He noted that the Planning Commission has denied the project several times and while some of the residents were in support initially, they held back support when they discovered the applicant is the same owner for the storage facility on Park Paseo. He urged the Council to give credence to the Master Plan and the Founder's District by denying the project.

MIKE GANSON, area resident, said the applicant refused to work with the community and proposed a chain link fence that will offer no privacy for the residents. Additionally, they will not have a contact person.

PATRICIA ROBERTSON, long-time area resident, said the proposed project can work with strict stipulations. She suggested storage by Storage One be monitored and regulated. An inside brick wall with a landscape screen to the interior should be erected. Proper ventilation should be included in units used for jet skis or any vehicle with gasoline, and all HVAC units should be soundproof if they are located on the top of the building. She expressed support only with her suggestions.

JEANNE ASMUSSEN, area resident, was sympathetic to the attempt to fill the long-time vacant building. The residents would prefer an eight-foot block wall to shield their property as a major compromise. They also want a responsible security company with a contact person to take the burden off the residents.

ROBERT ALLEN, area resident, bought his house in 2003, which was the same year that the John S. Park Historic District was established nationally and locally. This is why he is so passionate, like his fellow residents, about the neighborhood. He loves his neighbors and they all know each other. He requested that if approved, installation of a ten-foot wall be required.

MAYOR GOODMAN said the neighbors had very good and clear suggestions.

SAM VENTURA, building owner, said he has invested significantly in security and improvements. He has been in business for over 19 years and believes the only option for the site is a storage facility. He assured the Councilmembers that there will be 24/7 monitoring and a surveillance system. He said there are issues in the area, but it is because of the homeless, who congregate at the nearby 7-Eleven store. He requested approval so this long-time vacant building can be occupied and improved.

COUNCILWOMAN DIAZ underscored that in making any decision as a Councilmember, she does extensive research before making a decision, because she has to do the best she can for all her constituents. She first learned about this matter when it came to the Planning Commission because of all the concerns. She consequently met with MESSRS. VENTURA and SULLIVAN to discuss possible changes to address the concerns raised by the residents.

While Planning staff recommends denial of projects that do not fit to perfection, COUNCILWOMAN DIAZ believes that exceptions have to be made, especially since the COVID-19 pandemic has shown that people want to work from home, which makes it harder to develop office space. However, it would not be fair to keep the property vacant.

The Councilwoman visited the site and saw the dilapidated block wall, which is about to fall, so she understands why the residents are concerned about it. She asked for a condition to require installation of an eight-foot block wall, as the landscaping will create a nice buffer, especially to the southerly neighbors. MR. SULLIVAN said the applicant is amenable to replacing the wall with an eight-foot wall if the neighbors agree. If not, the applicant can leave it and install a separate fence.

In looking at stats, COUNCILWOMAN DIAZ observed that the recession of 2008 started a progressive decline of office space rentals. Because people started to downsize, they needed more storage space, so she believes there is a need for storage. In meeting with Planning, she found out this use will have a lesser traffic impact. She hopes that as things pick up, the applicant will consider transforming the structure. She requested a meeting with the surveillance company to ensure proper monitoring with a direct contact number to a specific person in order to avoid a homeless situation similar to the one at the facility on Charleston Boulevard and Las Vegas Boulevard. MAYOR GOODMAN suggested having a security contact person for the neighbors, and confirmed the requirement of an eight-foot block wall.

MS. ROBERTSON asked for a ten-foot wall and if the applicant will remove the existing wall. MR. LOWENSTEIN indicated that a ten-foot wall would require a Variance under a separate item.

MR. LOWENSTEIN suggested an added condition for the Special Use Permit (Item 52c) to require an administrative review, along with the suggested added condition regarding contact information and for the Site Development Plan Review (52d) regarding the wall, all of which he read. DEPUTY CITY ATTORNEY JAMES LEWIS said the applicant and neighbors will have to work on the condition for the wall to allow access, because the City cannot require allowing access.

MR. GANSON requested that the block wall be required to meet Clark County decorative specifications, and MAYOR GOODMAN said the property is subject to the City's Code. She added that COUNCILWOMAN DIAZ is doing everything to help occupy the building while addressing the concerns of the residents.

COUNCILWOMAN DIAZ asked that an emergency contact number be posted on the building. To the Mayor's question about holding the project to March to address all the loose ends, COUNCILWOMAN DIAZ said the applicant has waited a long time. She added that an eight-foot wall would suffice compared to the residents' existing five-foot wall, noting that making the project work is about compromise. She asked MR. VENTURA to make this a quality facility, like his facility on Galleria Drive and Gibson Road. MR. VENTURA assured her that he will operate a quality project and that surveillance and an emergency contact will be provided, as he wants the safety of his property and the surrounding residents.

COUNCILMAN KNUDSEN asked for broader discussion regarding the requirements of the Master Plan to get a better understanding.

MR. SULLIVAN appreciated the efforts of everyone who worked with them. MR. VENTURA advised the Mayor that he hopes to get started as soon as possible.

See Items 52a-52d related backup.

MAYOR GOODMAN declared the Public Hearing closed for Items 52-52d.

- 52a. 21-0646-ZON1 - ABEYANCE ITEM - REZONING - FROM: P-R (PROFESSIONAL OFFICE AND PARKING) TO: C-1 (LIMITED COMMERCIAL)

Minutes:

See Item 52 for related discussion and Items 52-52d related backup.

Motion made by Olivia Diaz to Approve Items 52a, 52c and 52d subject to condition(s) and added conditions for Items 52c and 52d

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

- 52b. 21-0646-VAR1 - ABEYANCE ITEM - VARIANCE - TO ALLOW 52 PERCENT LOT COVERAGE WHERE 50 PERCENT IS THE MAXIMUM ALLOWED AND A 20-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 112 FEET IS REQUIRED

Minutes:

See Item 52 for related discussion and Items 52-52d related backup.

Motion made by Olivia Diaz to Strike

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

- 52c. 21-0646-SUP1 - ABEYANCE ITEM - SPECIAL USE PERMIT - FOR A PROPOSED MINI-STORAGE FACILITY USE

Minutes:

See Item 52 for related discussion and Items 52-52d related backup.

Motion made by Olivia Diaz to Approve Items 52a, 52c and 52d subject to condition(s) and adding the following conditions as read for the record:

A. An administrative required review shall be conducted one year from the date of issuance of a business license.

B. The applicant shall provide emergency contact information to the City of Las Vegas and surrounding neighbors, as well as post a sign in conformance with Title 19 displaying the information.

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

- 52d. 21-0646-SDR1 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 400-UNIT, 98,537 SQUARE-FOOT, THREE-STORY MINI-STORAGE FACILITY WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS

Minutes:

See Item 52 for related discussion and Items 52-52d related backup.

Motion made by Olivia Diaz to Approve Items 52a, 52c and 52d subject to condition(s) and adding the following condition as read for the record:

A. The applicant, upon receiving consent from adjacent property owners, shall remove and replace the existing perimeter walls adjacent to the residential properties with a new eight (8) foot tall solid decorative block wall.

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

53. 21-0381-SDR1 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: ALLAN SILBERSTANG - OWNER: DOWNTOWN EMPIRE, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED FIVE-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH WAIVERS OF TITLE 19.09 FORM BASED CODE STANDARDS on 0.16 acres at 313 North 8th Street (APN 139-34-512-083), T5-MS (T5 Main Street) Zone, Ward 5 (Crear). The Planning Commission (7-0 vote) and Staff recommend DENIAL.

Motion made by Stavros Anthony to Strike Items 12 and 41 and Hold in Abeyance Items 51a and 51b and 53 to 3/16/2022

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

54. 21-0525 - PUBLIC HEARING - APPLICANT: BIOMAT USA, INC. - OWNER: VERONA GROUP, LLC - For possible action on the following Land Use Entitlement project requests on 10.68 acres at the southwest corner of Lake Mead Boulevard and Tenaya Way (APNs 138-22-317-002 through 005), Ward 1 (Knudsen). Staff recommends DENIAL on the entire Land Use Entitlement project. The Planning Commission (5-2 vote) recommends APPROVAL on the entire Land Use Entitlement project.

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 54-54c.

ATTORNEY JENNIFER LAZOVICH, representing the applicant, explained that Grifols Plasma has space in a building located at Las Vegas Boulevard and Garces Avenue, but the City has determined to use the space for other uses, and all the tenants must relocate. However, it is not easy for a blood plasma center to find a new location. The area selected is within a center at Lake Mead Boulevard and Tenaya Way, and she described some of the businesses in the center. For the plasma center to operate at the selected location, C-2 (General Commercial) zoning is necessary, pursuant to the current Code. The operator is Grifols Plasma under a company known as Biomat, which has 24,000 employees in 30 countries and 350 plasma centers in the United States, Germany and Hungary, with four locations in Southern Nevada. The company has been in business for over 100 years.

She noted the signage is very professional and will fit well with the signage for the existing businesses in the center. A significant investment will be made in building improvements. A neighborhood meeting was held, but no one appeared in protest, and the Planning Commission unanimously supported the requests.

MAYOR GOODMAN asked why the location is not near a hospital or the Medical District. MS. LAZOVICH said the location is near a hospital on Cheyenne Avenue and I-95, but radius is the main component they look at in considering a perfect location.

PETER LOWENSTEIN, Deputy Director of Planning, reported the requested Blood Plasma Donor Center use cannot be approved without the approval of a General Plan Amendment and Rezoning. The requested General Plan Amendment and Rezoning would create a spot-zoning situation where non-compatible uses could be operated next to each other. As such, staff does not support the request and recommended denial of all applications.

COUNCILMAN KNUDSEN said there was a lot of opposition to the blood plasma center on Sahara Avenue and Valley View Boulevard, but the area has improved significantly. He did research into plasma collection, and he found that the reason these types of centers do not locate near hospitals is because there is a diverse population that donates, such as former Director of Government Services, TED OLIVAS, to help out, and the Councilman's nephew, to make extra money as a college student. Therefore, it is not just the homeless who donate. He felt the subject site is a good location, and he noted that at the Planning Commission meeting, COMMISSIONER ROGAN requested that consideration be given to allow blood plasma centers in C-1 (Limited Commercial) zoning, which he has requested as well.

See Items 54a-54c for related backup.

MAYOR GOODMAN declared the Public Hearing closed for Items 54-54c.

- 54a. 21-0525-GPA1 - GENERAL PLAN AMENDMENT - FROM: SC (SERVICE COMMERCIAL) TO: GC (GENERAL COMMERCIAL)

Minutes:

See Item 54 for related discussion and Items 54-54c for related backup.

Motion made by Brian Knudsen to Approve Items 54a-54c subject to condition(s)

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

- 54b. 21-0525-ZON1 - REZONING - FROM: C-1 (LIMITED COMMERCIAL) TO: C-2 (GENERAL COMMERCIAL)

Minutes:

See Item 54 for related discussion and Items 54-54c for related backup.

Motion made by Brian Knudsen to Approve Items 54a-54c subject to condition(s)

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

- 54c. 21-0525-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED BLOOD PLASMA DONOR CENTER USE at 7311 West Lake Mead Boulevard, Suites #100-101

Minutes:

See Item 54 for related discussion and Items 54-54c for related backup.

Motion made by Brian Knudsen to Approve Items 54a-54c subject to condition(s)

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

55. 21-0540-SDR1 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: RAMDA PROPERTIES NEVADA, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED SEVEN-UNIT ADDITION, CHANGES TO EXTERIOR ELEVATIONS AND ONSITE IMPROVEMENTS TO AN EXISTING 11-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH WAIVERS OF TITLE 19.09 FORM BASED CODE STANDARDS on 0.20 acres at 306 North 9th Street (APN 139-34-612-069), T5-MS (T5 Main Street) Zone, Ward 5 (Crear). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL.

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

BRUCE LANGSON, representing the owner, said the 50-year-old apartment community is in an area that has changed and where two-bedroom apartments are no longer needed. The owner would like to adjust the complex to 18 studio and one-bedroom units, which creates a parking space issue, according to staff. If the use is changed, the owner can add a parking machine that will park 20 cars in the space of two. He requested approval. MAYOR GOODMAN confirmed with MR. LANGSON that it is similar to the elevator parking garage at the Carvana located near the Rio Hotel and Casino, but not as large because it is two-cars wide and 62 feet tall. No parked cars will be visible.

PETER LOWENSTEIN, Deputy Director of Planning, said the multi-family residential use is greatly intensified by the additional units and the automated vehicle parking structure, which is out of character for buildings in this area. Therefore, staff recommended denial of the requested Site Development Plan Review.

COUNCILMAN CREAR liked the proposed project, as it will aesthetically enhance the area. The parking component is unique and could be the precedent for the area in the future.

MAYOR GOODMAN declared the Public Hearing closed.

Motion made by Cedric Crear to Approve subject to condition(s)

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

56. 21-0588 - PUBLIC HEARING - APPLICANT/OWNER: SULEMA C. GUZMAN - For possible action on the following Land Use Entitlement project requests on 0.51 acres at 4848 Irene Avenue (APN 140-29-810-027), R-E (Residence Estates) Zone, Ward 3 (Diaz). Staff recommends DENIAL on the entire Land Use Entitlement project. The Planning Commission (7-0 vote) recommends DENIAL on 21-0588-VAR1. The Planning Commission (7-0 vote) recommends APPROVAL on 21-0588-SUP1.

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 56-56b.

This project was trailed until after Item 57.

LUIS GUZMAN, representing the applicant/owner, said the shed will be demolished in compliance with Code. He requested approval of the horses.

PETER LOWENSTEIN, Deputy Director of Planning, reported the applicant created a self-imposed hardship by constructing accessory structures without the proper building permits and acquiring more animals than allowed by Title 19.12. Therefore, staff recommended denial of the requested Variance and Special Use Permit. The Planning Commission conditioned the Special Use Permit to allow a maximum of five horses, which still exceeds Code allowances.

COUNCILWOMAN FIORE verified with MR. GUZMAN that the property is about .5 acres.

Given that COUNCILWOMAN FIORE wanted to allow the applicant to keep the stables for five horses, but demolish the shed, she and COUNCILMAN KNUDSEN discussed with MR. LOWENSTEIN and DEPUTY CITY ATTORNEY JAMES LEWIS the necessary conditions and their consequences.

See Items 56a and 56b for related backup.

MAYOR GOODMAN declared the Public Hearing closed for Items 56-56b.

- 56a. 21-0588-VAR1 - VARIANCE - TO ALLOW A ZERO-FOOT SIDE YARD SETBACK WHERE FIVE FEET IS REQUIRED AND A ZERO-FOOT REAR YARD SETBACK WHERE FIVE FEET IS REQUIRED FOR AN EXISTING ACCESSORY STRUCTURE (CLASS II) [STABLE] AND AN EXISTING ACCESSORY STRUCTURE (CLASS II) [STORAGE SHED]

Minutes:

See Item 56 for related discussion and Items 56-56b for related backup.

Motion made by Brian Knudsen to Approve Items 56a and 56b subject to condition(s) and deleting Condition 2 of Item 56a with direction to allow 60 days to remove the shed

NOTE: Councilwoman Diaz abstained from voting due to her long-time, close friendship with the applicant and family.

Passed For: 6; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen; Abstain-Olivia Diaz;

- 56b. 21-0588-SUP1 - SPECIAL USE PERMIT - FOR AN EXISTING ANIMAL KEEPING AND HUSBANDRY USE TO ALLOW TEN HORSES WHERE TWO IS THE MAXIMUM ALLOWED

Minutes:

See Item 56 for related discussion and Items 56-56b for related backup.

Motion made by Brian Knudsen to Approve Items 56a and 56b subject to condition(s) and deleting Condition 2 of Item 56a

NOTE: Councilwoman Diaz abstained from voting due to her long-time, close friendship with the applicant and family.

Passed For: 6; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen; Abstain-Olivia Diaz;

57. 21-0639-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT: LAURA McSWAIN - OWNER: McSWAIN FAMILY TRUST - For possible action on an Appeal of the Approval by the Planning Commission on a Land Use Entitlement project request TO ALLOW THE HEIGHT OF A PROPOSED ACCESSORY STRUCTURE (CLASS II) [CASITA] TO EXCEED THE HEIGHT OF THE MAIN DWELLING WHERE SUCH IS NOT ALLOWED WITHIN TEN FEET OF THE REAR PROPERTY LINE, AND TO ALLOW A SEVEN-FOOT CORNER SIDE YARD SETBACK WHERE 15 FEET IS REQUIRED on 0.56 acres at 2727 Ashby Avenue (APN 162-05-510-023), R-E (Residence Estates) Zone, Ward 1 (Knudsen). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

ROY and DIANA BICKEL, who filed the appeal, were present. MS. BICKEL read a statement, a copy of which was not submitted for the record, and said this has been a very difficult process for them that has led them to question if they want to continue living in the City if it does not consider its residents and the protections provided in Code. She emphasized protections are in place for a reason and should not be disregarded just a few years after adoption, especially in a situation caused by a self-imposed hardship, where the proposed structure will loom over her entire front yard. She said the McSWAINS should be required to proceed with the original design they had and required to build to Code. MR. BICKEL said the two-story casita is very intrusive to

them, and he showed photos, which were not submitted for the record. He claimed the proposed casita is 15 feet from the property line. He requested five feet of air space above both properties and urged denial of the Variance.

PETER LOWENSTEIN, Deputy Director of Planning, said the applicant created a self-imposed hardship by proposing an accessory structure that exceeds the building limitations set forth by Title 19.06, and staff recommended denial of the requested Variance.

LAURA and ED McSWAIN were present, and MS. McSWAIN said this is their forever home, which they purchased knowing they would have to make a significant remodel. When they met with Planning about the remodel, they were advised they could build the additional structure with a five-foot setback. However, the Code changed from the time of their initial inquiry to where the top floor has to be setback an additional five feet to meet a ten-foot distance separation, but the bottom floor can have a five-foot setback. She discovered the change in Code after the application had been submitted to Planning and all the engineering work had been done. In reviewing their options, she found they could build one of the designs without a Variance.

MS. McSWAIN said there is a lot of confusion, but it was due to a misunderstanding by staff initially telling them their application was fine. She stressed that their neighborhood is R-E, not R-1 like the rest of the McNeil neighborhood. They thought the Variance requested was appropriate because the five-foot setback does not provide a buffer, from a visual standpoint. She showed photos, which were not submitted, of the structures and pointed to the setback. Referring to the photo with a scissor lift, she clarified that the lift depicted should actually be five feet further east because their property wall sits five feet into the public right-of-way, and they have an agreement with the City regarding this.

MS. McSWAIN read a statement from the BICKELS stating that the proposed plan includes a two-story structure that will be an eyesore for them and block their view; however, MS. McSWAIN showed the elevation drawings and countered that it is an improvement supported by various neighbors.

MR. McSWAIN said that when he tried to meet with the BICKELS, he was met with disaccord, and they rejected the offer to install large trees to serve as a barrier. He explained to the Mayor that the materials will match their existing house and will not resemble a modular building. MS. McSWAIN added that they are making a significant investment in their project.

CHARLIE CARTER, McNeil Estates resident, said she likes the McSWAINS and the BICKELS, as well as the design of the McSWAINS' project. She noted they are only seeking five feet to build a garage, which will only block the view into the McSWAINS' back yard, because it is on the side of the BICKEL'S home, not the front yard. MS. CARTER said that the one thing she liked about the neighborhood is the customization and mix of large and small homes that did not all have to have the same color of paint or materials. She could not believe the McSWAINS were having such difficulty because they live on Ashby Avenue instead of on Mason Avenue. She urged denial of the appeal.

COUNCILMAN KNUDSEN underscored the difficulty of this matter, and he was very familiar with the neighborhood because he lived on Mason Avenue for more than ten years. However, as a Councilmember, he has a different purview and, as he pointed out in a letter to the BICKELS, 36 variances have been granted in the neighborhood directly surrounding the McSWAINS, including two for the BICKELS and two for the McSWAINS. After reviewing the matter several times, watching the item before the Planning Commission at two meetings and given the request is only for five feet and not for the entire proposed structure, he supported the Variance requested. He sympathized with the frustrations; however, he made his decision based on the evidence presented.

After the vote, DEPUTY CITY ATTORNEY JAMES LEWIS explained to MAYOR GOODMAN that denial of the appeal serves as an affirmation of the Planning Commission's approval.

MAYOR GOODMAN declared the Public Hearing closed.

Motion made by Brian Knudsen to Deny the Appeal

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

58. 21-0687-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: HILDIBERTO PEREZ - For possible action on a Land Use Entitlement project request TO ALLOW AN EXISTING EIGHT-FOOT TALL SCREEN WALL WHERE FIVE-FEET IS THE MAXIMUM HEIGHT ALLOWED at 401 Kane Avenue (APN 140-32-613-029), R-1 (Single Family Residential) Zone, Ward 3 (Diaz). The Planning Commission (7-0 vote) and Staff recommend DENIAL.

Minutes:

COUNCILWOMAN DIAZ asked for abeyance to an earlier time during the next meeting, because the applicant had to leave to go to work. PETER LOWENSTEIN, Deputy Director of Planning, said it will probably be the only item on the agenda, so it will be heard fairly early.

Motion made by Olivia Diaz to Hold in Abeyance to 3/2/2022

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

For-Victoria Seaman, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz; Did Not Vote-Cedric Crear;

59. 21-0709 - PUBLIC HEARING - APPLICANT: J.A. KENNEDY DEVELOPMENT COMPANY - OWNER: THE TRIMMER FAMILY, LLC, ET AL - For possible action on the following Land Use Entitlement project requests on 1.78 acres at the northeast corner of Ann Road and Rio Vista Street (APN 125-27-802-016), Ward 6 (Fiore). Staff recommends DENIAL on the entire Land Use Entitlement project. The Planning Commission (7-0 vote) recommends APPROVAL on the entire Land Use Entitlement project.

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 59-59d.

DAVID BROWN, 520 South 4th Street, appeared representing the applicant and said the request is for a zone change from office to a restaurant to be able to have a drive-through, which will be located as far away from the residents as possible. The applicant had initially agreed to Condition 16 of the Site Development Plan Review, but would like it removed instead because the tenant disagreed with it, and the applicant believes the vehicles can be queued properly.

PETER LOWENSTEIN, Deputy Director of Planning, reported the applicant's request to rezone would allow for commercial uses that would not be appropriate at this location. Furthermore, the particular uses sought through rezoning are purposely restricted by Title 19 to protect adjacent residential uses, yet the proposal requires that these restrictions be loosened. This is an indication that the proposed uses are still too intense for this site and not compatible with adjacent uses. Staff recommended denial of the two Special Use Permit requests and the associated Site Development Plan Review.

COUNCILWOMAN FIORE felt the 21 conditions are more than sufficient, so she had no problem with amending Condition 16 by striking the last two sentences, noting that things cannot be created and then changed. BART ANDERSON, Engineering Project Manager, encouraged allowing the first two parts of Condition 16 to remain, given that one part addresses modification of the median on Ann Road to avoid cars lining up in a travel lane to make a left-hand turn. The second part speaks to the possibility of extending queues onto Rio Vista and asks for a solution to avoid that scenario. The Councilwoman agreed with MR. ANDERSON on the Ann Road portion of the condition, but felt having 21 conditions was already placing an undue burden on the applicant. She confirmed MR. BROWN'S agreement with deleting the last two sentences of Condition 16 of Item 59d (21-0709-SDR1).

See Items 59a-59d for related backup.

MAYOR GOODMAN declared the Public Hearing closed for Items 59-59d.

59a. 21-0709-ZON1 - REZONING - FROM: P-R (PROFESSIONAL OFFICE AND PARKING) TO: O (OFFICE)

Minutes:

See Item 59 for related discussion and Items 59-59d for related backup.

Motion made by Michele Fiore to Approve Items 59a-59d subject to condition(s) and amending Condition 16 for Item 59d

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

For-Victoria Seaman, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz; Did Not Vote-Cedric Crear;

59b. 21-0709-SUP1 - SPECIAL USE PERMIT - FOR A RESTAURANT USE

Minutes:

See Item 59 for related discussion and Items 59-59d for related backup.

Motion made by Michele Fiore to Approve Items 59a-59d subject to condition(s) and amending Condition 16 for Item 59d

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

For-Victoria Seaman, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz; Did Not Vote-Cedric Crear;

59c. 21-0709-SUP2 - SPECIAL USE PERMIT - FOR A DRIVE-THROUGH USE

Minutes:

See Item 59 for related discussion and Items 59-59d for related backup.

Motion made by Michele Fiore to Approve Items 59a-59d subject to condition(s) and amending Condition 16 for Item 59d

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

For-Victoria Seaman, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz; Did Not Vote-Cedric Crear;

59d. 21-0709-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED COMMERCIAL DEVELOPMENT CONSISTING OF A SINGLE-STORY, 6,000 SQUARE-FOOT OFFICE BUILDING AND A 2,000 SQUARE-FOOT RESTAURANT WITH DRIVE THROUGH AND 375 SQUARE FEET OF OUTDOOR SEATING WITH WAIVERS OF PERIMETER LANDSCAPE BUFFER AND BUILDING ORIENTATION STANDARDS

Minutes:

See Item 59 for related discussion and Items 59-59d for related backup.

Motion made by Michele Fiore to Approve Items 59a-59d subject to condition(s) and amending Condition 16 for Item 59d as follows:

16. Concurrent with development of this site, modify the existing median island in Ann Road, to the satisfaction of the City Traffic Engineer, to restrict the entrance to right turns only while maintaining westbound left turns in to Blooming Street. Additionally, if onsite queues from the drive-through extend into Rio Vista Street, the owner shall propose mitigation to address Rio Vista Street queueing. If queueing mitigation efforts are not successful, the Rio Vista Street driveway may be closed at the direction of the City of Las Vegas Traffic Engineer.

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

For-Victoria Seaman, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz; Did Not Vote-Cedric Crear;

60. 21-0764 - PUBLIC HEARING - APPLICANT: CENTENNIAL HILLS APARTMENTS, LLC - OWNER: CENTENNIAL HILLS MOB OWNERS, LLC - For possible action on the following Land Use Entitlement project requests on 8.80 acres at the northwest corner of Durango Drive and Grand Montecito Parkway (APN 125-29-512-015), Ward 4 (Anthony). Staff recommends DENIAL on the Land Use Entitlement project. The Planning Commission (6-1 vote) recommends APPROVAL on the entire Land Use Entitlement project.

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 60-60d.

ATTORNEY ROBERT GRONAUER, 1980 Festival Plaza Drive, representing the applicant, reported that this entails a major modification. He provided background on the project. When the applicant started the process, the site was located in Ward 6, so they worked with COUNCILWOMAN FIORE. In February, the property became part of Ward 4, and they recently started working with COUNCILMAN ANTHONY. The property is located near an existing City park and the Durango Drive curve. The main egress/ingress is off Grand Montecito Parkway, with a secondary access off the existing commercial center. Although a Major Modification does not require a neighborhood meeting, the applicant held a meeting, which various residents attended with concerns, and he addressed those.

Regarding traffic, the area has large roads, Grand Montecito Parkway is at 9 percent capacity, and Durango Drive is at 45 percent capacity, meaning there is still room for growth. The approved 42,000 square-foot shopping center on the nine-acre property will not create any more traffic than a multi-family residential project during peak hours, as indicated in engineering reports. He added that COMMISSIONER TOUSSAINT, of the Planning Commission, even visited the site and observed traffic is nowhere near what some of the residents were claiming.

With respect to the parking Variance, he underscored that the applicant is a Class A developer who is well aware of the demographics in the area and will ensure there is sufficient parking, especially for the rent price. Nevertheless, Las Vegas is unique because it has three different working shifts, unlike in many cities in the country, which means that peak hours are at different times of the day. This is according to the engineer's analysis report, which states that using the average rate, the parking demand was found to be an average 346 spaces on a weekday and 322 spaces on a weekend. Therefore, the more than 400 parking spaces for the project will meet the parking demand. Additionally, the property owner, who is a declarant on an adjacent property, has entered into a cross-access parking agreement to ensure sufficient parking. Moreover, the parking study conducted for different times of the day came back showing that essentially there will be 266 spaces available during peak-hour usage.

To meet compliance with COUNCILWOMAN FIORE'S request, the design includes a modern, four-story building with many windows adjacent to an office complex. MAYOR GOODMAN verified that the building design includes elevators.

PETER LOWENSTEIN, Deputy Director of Planning, reported the proposed development deviates from a number of Town Center Development standards; therefore, staff recommended denial.

MATHEW LEVEQUE, resident across the street from the proposed development, said he lives in a rural preservation area historically zoned for approximately two units to the acre, unlike the proposed project. He claimed the project is not consistent with the intent of the Unified Development Code and questioned conformance with the Residential Adjacency Standards since it does not include a buffer to the Lone Mountain residential neighborhood. He also expressed concern with the students possibly having to walk in areas with no sidewalks and the high traffic this project will generate.

SHANE SCOTT pointed to an office building he owns and agreed with MR. LEVEQUE'S comments. He alleged that the applicant's parking count is off because the offices are not at full capacity due to the effects of the COVID-19 pandemic. Regarding the parking agreement, he countered that the building owners, including him, own the property, and he is opposed to the subject developer having access to the parking lot for the

businesses including his. If approved, he asked that the Council impose a condition prohibiting access to regular traffic and only allow emergency access.

In looking at the site map, COUNCILMAN ANTHONY pointed out that the property is not near any residential neighborhood; the nearest one is north of the I-215 Beltway, and he agrees there is no concern with high traffic. The Councilman confirmed with DEPUTY CITY ATTORNEY JAMES LEWIS that the parking agreement is not under the purview of the City. He did not believe such a high-end development would not provide adequate parking, and the project is a good fit for the area.

See Items 60a-60d for related backup.

MAYOR GOODMAN declared the Public Hearing closed for Items 60-60d.

- 60a. 21-0764-MOD1 - MAJOR MODIFICATION - FROM: SC-TC (SERVICE COMMERCIAL - TOWN CENTER)  
TO: UC-TC (URBAN CENTER MIXED-USE - TOWN CENTER)

Minutes:

See Item 60 for related discussion and Items 60-60d for related backup.

Motion made by Stavros Anthony to Approve Items 60a-60d subject to condition(s)

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

- 60b. 21-0764-VAR1 - VARIANCE - TO ALLOW 404 PARKING SPACES WHERE 440 ARE REQUIRED

Minutes:

See Item 60 for related discussion and Items 60-60d for related backup.

Motion made by Stavros Anthony to Approve Items 60a-60d subject to condition(s)

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

- 60c. 21-0764-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED SINGLE-USE HIGH DENSITY  
RESIDENTIAL USE

Minutes:

See Item 60 for related discussion and Items 60-60d for related backup.

Motion made by Stavros Anthony to Approve Items 60a-60d subject to condition(s)

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

- 60d. 21-0764-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 264-UNIT, MULTI-FAMILY  
RESIDENTIAL DEVELOPMENT WITH WAIVERS OF THE TOWN CENTER DEVELOPMENT  
STANDARDS

Minutes:

See Item 60 for related discussion and Items 60a-60d for related backup.

Motion made by Stavros Anthony to Approve Items 60a-60d subject to condition(s)

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

## **REPORTS AND PRESENTATIONS**

61. Report by Jason Morado, ETC Institute, regarding the 2021 Community Survey Results - All Wards

Minutes:

DAVID RIGGLEMAN, Director of Communications, introduced JASON MORADO, ETC Institute, who conducted the survey in 2021, and pointed out that the 2020 survey was cancelled due to the COVID-19 pandemic.

Using a PowerPoint presentation, a copy of which was submitted for the record, MR. MORADO gave an overview of the results of the survey for 2021. He opened by commenting that ETC has been specializing in conducting community surveys for local governments for nearly 40 years, and it is one of the leading firms in the business. In the last ten years, ETC conducted surveys in more than 900 communities across the country.

Agenda – MR. MORADO said he would cover the purpose and methodology, bottom line up front, major findings and summary and then take questions.

Purpose – This slide provided a rundown of the purpose of the survey, to get an objective assessment of residents' satisfaction with the delivery of services, to determine priorities for the City, to measure trends from previous surveys generally asking the same questions to measure trends and to compare the City's results with other communities across the country.

Methodology – MR. MORADO explained that the survey for 2021 was conducted via mail and online to select households randomly throughout the City, which is their standard methodology. The goal was to receive 900 completed surveys, including 150 from each of the City wards. Fortunately, they had a very good response, with 976 completed surveys, including more than 150 from each ward. The results at the 95 percent level of confidence have a level of confidence of +/- 3.1 percent. This means that if the survey were to be conducted the same way 100 times, 95 times the results would be +/- 3.1 percent. Therefore, the margin of error, although not perfect, is very small.

Location of Survey Respondents – This slide depicted a City ward map in yellow, with the red dots representing the houses that were distributed the survey. Good representation was ensured by using key demographic areas, such as age, race/ethnicity and gender.

Bottom Line Up Front (slides 7 and 8) – MR. MORADO reviewed the findings, and said that 68 percent of the residents in the City of Las Vegas are satisfied with the overall quality of services received, compared to only 7 percent, or a 10:1 ratio, of those satisfied to those not satisfied. He noted that this is one of the most important questions of the survey, because the residents were asked to consider all the different services the City provides. Overall, the satisfaction ratings have improved slightly since 2017, which is very positive, because most other cities showed a decline in ratings, mostly due to the pandemic. Significant increases were seen in customer service and in the level of safety felt by the residents. The ratings were 90 percent above average for overall quality of services, which is another key question, and the City is 13 percent above the national average in customer service provided by City employees. The top overall priorities include maintaining City streets, economic development, police services and enforcing codes and ordinances. All of which have been high priorities in previous surveys.

In looking at results for residents' general perceptions of the City (slides 10 and 11), MR. MORADO explained the color representations: dark blue is very satisfied; light blue is satisfied; gray is neutral, which is interpreted as meeting expectations; and pink is very dissatisfied. Overall, the positive ratings outweigh the negative ratings. Most residents are satisfied with the quality of their neighborhood, as well as with the overall quality of City services, compared to only 7 percent who are dissatisfied. The first question was intended to obtain a rating regarding satisfaction of major categories of City services, and subsequently, the survey asked more specific

questions in some of the categories listed. MR. MORADO said that for all areas, the positive ratings exceeded the negative ratings, particularly the service areas of public safety, fire, emergency medical, police, sewer and customer.

Referencing slides 12-15, MR. MORADO reported that satisfaction of quality of City services is high in all areas of the City. The ward map on slide 13 depicted all wards in blue, meaning that residents in all parts of the City are satisfied with the quality of services they are receiving, and that they are being provided equally in all wards. This is very positive because sometimes even though the results may come back with overall satisfaction, there are pockets of residents who are dissatisfied. The survey results were the same for police services, as shown on the blue map (slide 14). Residents are very satisfied with fire services they are receiving, as depicted in dark blue on the map (slide 15).

Trend Analysis (slide 17) – MR. MORADO mentioned that satisfaction trends improved overall since the 2017 survey. The areas with the highest improvement dealt with customer service, including employees being courteous and polite (+10%), knowledgeable and competent (+10%), prompt and accurate (+7%), customer service (+7%), facilities safety (+7%), resolution of issues (+6%), neighborhood quality (+6%) and safety of walkable neighborhoods (+5%).

Trend Analysis (slide 18) – This slide shows notable decreases in satisfaction since the last survey in 2017, and MR. MORADO listed those: homeless services (-9%), building permits (-7%), overall quality of building inspections (-6%), level of public involvement in local decision-making (-6%), senior citizen programs and services (-5%), zoning services (-5%), building inspections (-5%) and cleanliness of City streets and other public areas (-5%).

In comparing results to other communities (slide 20), MR. MORADO explained the blue line represents City of Las Vegas residents, the gray bar is for the Mountain Region, including Nevada and surrounding states, and the red is the entire country. The blue arrow represents significantly higher overall satisfaction and the red arrow represents significantly lower satisfaction, and this is based on communities of different sizes. The areas above the national average are parks and recreation, police protection, quality of services from the City, quality customer service and communication. Streets maintenance came in slightly lower, and the category of enforcement of City codes and ordinances decreased significantly.

Slide 21 depicted ratings for comparisons to other large communities in the past few years, such as Dallas, Kansas City, Oklahoma City and Miami. MR. MORADO explained that the yellow dot represents the City's results, the number to the left the lowest average, the number to the right the highest average and the green is average. The location of the yellow dot depicted to the right of the green bar means the City came in above average compared to other large communities. The City came in significantly higher in four areas, including sewer utilities, customer service, streets maintenance and city codes and ordinances enforcement.

With respect to Top Priorities (slides 22-29), MR. MORADO said the Importance-Satisfaction Rating analysis was based on how satisfied residents are with services and which services are the most important over the immediate two-year timeframe. The top two highest priorities, as shown on slide 23, are streets maintenance and economic development, with police services and City codes and ordinances enforcement coming in second. Slide 24 showed the results from slide 23 in another format, with the highest priorities starting at the left. In the category of maintenance services (slide 25), the top highest priority is cleanliness of City streets and other public areas and subsequently street lighting, and maintenance of sidewalks and neighborhood streets. Slide 26 showed ratings for public safety, and the highest priorities are efforts to prevent crime, police visibility in neighborhoods and traffic laws enforcement, and then subsequently, how quickly police officers respond to emergencies. Slide 27 showed top priorities for community development and beautification services as clean-up and removal of junk and debris, graffiti removal, City sponsored neighborhood clean-ups, Downtown parking access and information and exterior maintenance of residential properties. Slide 28 depicted homeless services and senior citizens programs and centers as the highest priorities for parks, recreation, cultural and community services, and subsequently, walking and biking trails, arts, culture and special events programs and youth enrichment programs.

In summary (slides 29 and 30), MR. MORADO said City residents have a very positive perception of the City, especially with the overall quality of services, and they have improved in the areas of customer service and

public safety. The City rated higher than other communities did in quality of services and in customer service. The top overall priorities for City residents are streets maintenance, economic development, police services and codes and ordinances enforcement.

COUNCILMAN KNUDSEN appreciated conducting the surveys because they are very useful. He asked CITY MANAGER JORGE CERVANTES if the data will be used to set future goals and if the results can be shared with the employees because they should know they are doing a good job. MR. CERVANTES replied that results are timely, because the data is used to allocate resources and to identify in the budget the opportunities to address the community's greatest needs, taking into consideration fiscal and staffing resources. With regard to communicating the results to staff, they will be made available via video from the Office of Communications. He agreed employees should be made aware of the excellent services they provide.

COUNCILMAN ANTHONY was happy to learn the good news that City residents feel safe and are satisfied with the level of services they are receiving. The area he feels is lacking is streets maintenance; however, he pointed out that most of the residents throughout Las Vegas do not know the jurisdiction of the streets, and ongoing construction does not help. He asked if the survey includes more in-depth questions about streets, and MR. MORADO said they could consider that and see what could be done, although he pointed out that the ratings are better, compared to other large communities, despite the ratings for this survey coming in a little lower.

MAYOR GOODMAN noted that the City Council priorities set at the last retreat for safety, parks and recreation, City neighborhoods and healthcare are reflective of the survey results. She asked when the next survey would be conducted, and MR. RIGGLEMAN replied that it would be for the fall of 2023. He added that the survey was also provided in Spanish. MR. MORADO said that the survey was available in Spanish, and over 30 percent of respondents were Hispanic, although most of them filled out the English version.

MAYOR GOODMAN appreciated the presentation.

62. Report by Jorge Cervantes, City Manager, regarding the Fact Finding recommendations for the Las Vegas City Employees' Association (LVCEA) contract for fiscal year 2022

Minutes:

Using a PowerPoint presentation, a copy of which was submitted for the record, CITY MANAGER JORGE CERVANTES reported that ongoing negotiations with the LVCEA (Las Vegas City Employees' Association), which is the largest labor group, were prolonged. Because they had not come to a resolution, both parties entered a fact-finding state. The contract being negotiated is for July 1, 2021 through June 30, 2022, which is the current fiscal year; therefore, any resolution will be retroactive to July of 2021. The fact finder issued a non-binding report and Nevada Revised Statutes (NRS) require discussion of the findings at a public meeting within 45 days of the findings.

The fact finder recommended a 3 percent COLA (Cost of Living Adjustment) instead of the counter offer the City made of 2.25 percent to the LVCEA'S 4.5 percent request, totaling a fiscal impact of over \$3,387,000. Additionally, there was a recommendation dealing with the ability to accrue sick leave within the first six months of employment, which is a fiscal impact of \$208,000, for a grand total fiscal impact of \$3,595,000.

ASSISTANT CITY ATTORNEY MORGAN DAVIS said the negotiations process has been arduous and the fact-finding recommendations are not binding. He offered to go into detail, if necessary, on any of the articles at issue listed on slide 4. He believes the LVCEA agrees with the findings, and staff should have a bargaining agreement for consideration and approval in the near future. The major economic factors were the COLA and payment on dependent insurance; however, the fact finder agreed on a lower COLA amount than requested and that the dependent insurance remain as is. Additionally, since the LVCEA is the only labor group that did not have the accrual and use of sick leave clause in their contract, the City did not counter the finding. He offered to answer any questions, but noted that the fact-findings had to be presented as required by NRS.

The Mayor appreciated the hard work and verified that the contract will be brought back as soon as the LVCEA ratifies the contract.

## **SET DATE**

63. Set date on any appeals filed or required public hearings from the City Planning Commission Meetings and Dangerous Building or Nuisance/Litter Abatements.

Minutes:

MAYOR GOODMAN advised the City Clerk, LUANN D. HOLMES, to set the date for all applicable items.

### **CITIZENS PARTICIPATION**

64. Citizens Participation: Public comment during this portion of the agenda must be limited to matters within the jurisdiction of the City Council. No subject may be acted upon by the City Council unless that subject is on the agenda and is scheduled for action. If you wish to be heard, come to the podium and give your name for the record. The amount of discussion on any single subject, as well as the amount of time any single speaker is allowed, may be limited.

Minutes:

DAVID MASON, who came from Pennsylvania, said he came to Las Vegas in 2020 in a useless attempt to rescue a young woman who was on meth. She ended up in California and died. He described some of the incidents he experienced with her. He added that he has met over 100 women in Las Vegas addicted to meth, and he urged the police to arrest them so those women can get help. They should also be fined. He said the Homeless Resource Center should be expanded to accommodate more than 75 people comfortably. He warned that if nothing is done, he will report issues he sees daily via e-mail. The Mayor said she is aware of the prevalence of drug use and asked staff to get MR. MASON'S contact number to direct him properly.

GRACE ALBANESE said that STEVE BARRIOS is using an app to download and see her thoughts and dreams. She urged the passage of laws to classify thoughts and dreams as private property. She complained about other issues she is having with MR. BARRIOS, who also has problems with the police.

Regarding Item 10, CHARLENE ACRES appreciated COUNCILWOMAN SEAMAN'S comments to resolve the litigation. DEPUTY CITY ATTORNEY JAMES LEWIS said the item was approved. COUNCILWOMAN SEAMAN said she voted no because she wants it resolved.

DANIEL BRAISTED stated the stock of one of the major vaccine suppliers dropped, and insiders are selling. He said that at the Alternative Health Conference at the Venetian, there were many ways of dealing with the COVID-19 pandemic. He suggested space be allotted in the Medical District to deal with alternative medicine and proposed a Tenth Amendment Medical District.

### **COUNCIL EMERGING ISSUES**

**Comments made by Council members during this portion of the agenda must refer solely to proposals for future agenda item topics to be brought before the Council for consideration and action at a later date. Any discussion must be limited to whether or not such proposed items shall be placed on a future agenda and no discussion regarding the substance of any such proposed topic shall occur. No action shall be taken.**

65. Discussion regarding potential items for future City Council agendas - All Wards

Minutes:

None.

### **COUNCIL MEMBER RECOGNITION**

66. Council Member Recognition: Comments made by individual City Council Members during this portion of the agenda will not be acted upon by the City Council unless that subject is on the agenda and scheduled for action.

Minutes:

COUNCILMEMBERS DIAZ, KNUDSEN, FIORE, ANTHONY, CREAR and SEAMAN announced the events taking place in their respective wards on various dates throughout the months of February and March. Some of the Councilmembers submitted flyers, which are attached as backup, regarding their events and points of interest. COUNCILMAN CREAR added that for Black History Month, his father would be honored at the Springs Preserve on the upcoming weekend for his contributions to the community as a doctor.

MAYOR GOODMAN wished MARSHAL DUSTIN LOBOCK well. He was hit by a speeding car and ended up in the hospital. Additionally, she announced the Las Vegas Mayor's Cup International Tournament in Ward 1, the celebration on February 17, 2022 of the Mob Museum's 10th Anniversary Gala, the English Hotel opening on Main Street and the return of the Rock 'n Roll Las Vegas Marathon.

The Mayor thanked all staff involved in running a successful meeting and announced that the next City Council meeting will be March 2, 2022.

The meeting was recessed from 9:20 a.m. to 9:30 a.m. and was adjourned at 2:01 p.m.

Respectfully submitted:

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Gabriela Portillo-Brenner, Deputy City Clerk

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LuAnn D. Holmes, MMC, City Clerk

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THIS MEETING WAS PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS  
IN ACCORDANCE WITH THE NOTICING STANDARDS AS OUTLINED IN NRS 241.020:

The City of Las Vegas website – [www.lasvegasnevada.gov](http://www.lasvegasnevada.gov)  
The Nevada Public Notice website – [notice.nv.gov](http://notice.nv.gov)  
City Hall, 495 South Main Street, 1st Floor