

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



Commissioner Louis De Salvio, Chair
Commissioner Trinity Haven Schlottman, Vice Chair
Commissioner Sam Cherry
Commissioner Donna Toussaint
Commissioner Anthony Williams
Commissioner Jeff Rogan
Commissioner Sigal Chattah

Planning Commission Minutes

Council Chambers - 495 South Main Street - Phone 229-6011
City of Las Vegas Internet Address: www.lasvegasnevada.gov

January 14, 2020
6:00 PM

BUSINESS ITEMS:

1. Call to Order

Minutes:

CHAIR DE SALVIO called the meeting to order at 6:04 p.m.

2. Announcement: Compliance with Open Meeting Law

Minutes:

ANNOUNCEMENT MADE: This meeting has been noticed and posted at the following locations: City Hall, 495 South Main Street, 1st Floor; Clark County Government Center, 500 South Grand Central Parkway; Grant Sawyer Building, 555 East Washington Avenue; City of Las Vegas Development Services Center, 333 North Rancho Drive.

3. Roll Call

Minutes:

PRESENT: CHAIR DE SALVIO and COMMISSIONERS SCHLOTTMAN, CHERRY, TOUSSAINT, WILLIAMS, ROGAN and CHATTAH

ALSO PRESENT: ROBERT SUMMERFIELD, Planning Director; ERIC McCAMMOND, Sr. Management Analyst; JONATHAN BOYLES, Sr. Planner; VICTOR BOLANOS, Sr. Engineering Associate; RICHARD ROZIER, Deputy Fire Marshal; BRYAN SCOTT, Assistant City Attorney; GABRIELA PORTILLO-BRENNER and ASHLEY FOSTER, Deputy City Clerks

4. 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:

COUNCILWOMAN FIORE thanked the Commissioners for their service and congratulated CHAIR DE SALVIO, her Commission appointee, on being elected as Chair and wished him well.

5. For Possible Action to Approve the Final Minutes for the Planning Commission Meeting of November 26, 2019 and December 10, 2019.

Motion made by Trinity Haven Schlottman to Approve

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

NOTE: CHAIR DE SALVIO disclosed that although he was not present for the December 10, 2019, meeting, he did not feel he had to abstain on approval of the minutes because he watched the proceedings from home. ASSISTANT CITY ATTORNEY BRYAN SCOTT advised him that he could vote if he felt comfortable.

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint,

Jeff Rogan;

6. For Possible Action - Any Items from the Planning Commission, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time.

Minutes:

COMMISSIONER WILLIAMS requested that Items 32-36 be included for action and held in abeyance to the meeting of 3/10/2020, and he clarified for ASSISTANT CITY ATTORNEY BRYAN SCOTT that he was requesting the abeyance.

ERIC McCAMMOND, Sr. Management Analyst, read the list of items recommended for action under this matter.

NORMAN KLOKE, Las Vegas resident, asked to speak on Item 32, and he submitted a stack of postcards for the record from people he claimed were confused because the name of the church is on all of them at the top. CHAIR DE SALVIO advised him that he could put his comments on the record. MR. KLOKE commented that he and his neighbors, who make up a community of about 105 condominium homes, do not want anything but houses across the street from them, and he alleged they have been adamant about this for the past five years. Their small community has more than enough businesses surrounding it, and they do not want traffic to increase around them because people already speed through their 25-mph-zone neighborhood. Almost all the residents are retired, and they want to be able to walk in their neighborhood safely. The Chair advised him that the case for Item 32 would be brought back at the 3/10/2020 meeting and there would be notification sent; however, ASSISTANT CITY ATTORNEY SCOTT interjected that there would not be another notification mailed.

LYDIA GARRETT, President of the North Valley Neighborhood Association, DR. S.S. ROGERS, Pastor/Teacher of Greater Alliance, and ANDRE BATIS spoke on Item 8. MS. GARRETT and MR. ROGERS said the community was not notified about the application, and they would like to meet with the applicant to see the plans for the business, just like they did with the existing Dollar store owners, who were very considerate of the neighborhood. MS. GARRETT stressed that the community is doing well, their property values are up and crime is down, so they would like to maintain that course. MR. ROGERS said he would like to be able to have a meeting with the owner at his church so that the community can see the plans and ask questions. MR. BATIS was opposed to the Family Dollar store coming into the neighborhood, given that they already have four similar stores within a one-mile radius. ASSISTANT CITY ATTORNEY SCOTT commented that this discussion was only to determine if the item should be held in abeyance to 2/11/2020, which would be a better time for the residents to put their comments on the record. GENE COLLINS came forward for Item 8 and decided to wait until 2/11/2020 to speak.

For Items 32-36, MARIE DISCH CAMPANELLA submitted a petition and her postcards in opposition for the record.

KIM BRYAN said she wanted to speak on Item 14.

MARILYN McCORLEY, stated she wanted to speak on Items 30 and 31, and CHAIR DE SALVIO advised her that those items would be heard at this meeting.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 8, 11, 12 and 49-52 to 2/11/2020, Items 32-36 and 47 and 48 to 3/10/2020 and Withdraw without prejudice Items 40-42

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

ONE MOTION - ONE VOTE

The following are items that may be considered in one motion/one vote. They are considered routine non-public and public hearing items. All public hearings and non-public hearings will be opened at one time. Any person representing an application or a member of the public or a member of the Planning Commission 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.

7. TMP-77903 - TENTATIVE MAP - SKYE CANYON PARCEL 2.02 - APPLICANT: RICHMOND AMERICAN HOMES OF NEVADA, INC. - OWNER: MF LAND, LLC - For possible action on a request for a Tentative Map

FOR A 145-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 19.2 acres generally located at the west side of Grand Canyon Drive, approximately 1,038 feet north of W Skye Canyon Park Drive (APN 125-07-111-001), T-D (Traditional Development) Zone [ML-A (Residential Medium Low - Attached) Skye Canyon Special Land Use Designation], Ward 6 (Fiore) [PRJ-77879]. Staff recommends APPROVAL.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open for Items 7, 9, 10, 13 and 15-19.

CHAIR DE SALVIO asked KIM BRYAN to come forward if she wanted to comment on Item 14, and ASSISTANT CITY ATTORNEY BRYAN SCOTT suggested taking action on the One Motion One Vote portion and allowing comment under Item 14.

CHAIR DE SALVIO declared the Public Hearing closed for Items 7, 9, 10, 13 and 15-19.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote subject to condition(s) except Item(s) 8, 11, 12 and 14

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

8. GPA-77891 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: DAPPER COMPANIES - OWNER: MLK CAREY, LLC - For possible action on a request for a General Plan Amendment FROM: MXU (MIXED USE) TO: SC (SERVICE COMMERCIAL) on 0.59 acres at 2360 North Martin L. King Boulevard (APN 139-21-510-001), Ward 5 (Crear) [PRJ-77889]. Staff recommends APPROVAL.

Minutes:

See Item 6 for related discussion.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 8, 11, 12 and 49-52 to 2/11/2020, Items 32-36 and 47 and 48 to 3/10/2020 and Withdraw without prejudice Items 40-42

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

9. MOD-77751 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT/OWNER: THE HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Major Modification of the approved Summerlin Village 22 Development Plan (MDR-73901) TO AMEND THE SUMMERLIN LAND USE DESIGNATION OF VARIOUS PARCELS WITHIN VILLAGE 22 on 444.45 acres at the southwest corner of Lake Mead Boulevard and Clark County 215 (APNs 137-14-401-006 and 137-23-101-002), P-C (Planned Community) Zone, Ward 2 (Seaman) [PRJ-77582]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion and Item 10 for related backup.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote subject to condition(s) except Item(s) 8, 11, 12 and 14

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

10. TMP-77752 - TENTATIVE MAP RELATED TO MOD-77751 - PUBLIC HEARING - APPLICANT/OWNER: THE HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Tentative Map FOR A 37-PARCEL MASTER PLANNED VILLAGE WITH DEVIATIONS OF THE SUMMERLIN DEVELOPMENT STANDARDS on 444.45 acres at the southwest corner of Lake Mead Boulevard and Clark County 215 (APNs 137-14-401-006 and 137-23-101-002), P-C (Planned Community) Zone, Ward 2 (Seaman) [PRJ-77582]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion and Items 9 and 10 for related backup.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote subject to condition(s) except Item(s) 8, 11, 12 and 14

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

11. SUP-77904 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: NEVADA STATE HIGH SCHOOL - OWNER: TENAYA VILLAGE, LLC - For possible action on a request for a Special Use Permit FOR A PUBLIC SCHOOL, SECONDARY USE at 7240 West Azure Drive, Suite #110 (APN 125-27-113-007), T-C (Town Center) Zone [GC-TC (General Commercial - Town Center) Special Land Use Designation], Ward 6 (Fiore) [PRJ-77779]. Staff recommends APPROVAL.

Minutes:

See Item 12 for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 8, 11, 12 and 49-52 to 2/11/2020, Items 32-36 and 47 and 48 to 3/10/2020 and Withdraw without prejudice Items 40-42

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

12. SDR-77922 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-77904 - PUBLIC HEARING - APPLICANT: NEVADA STATE HIGH SCHOOL - OWNER: TENAYA VILLAGE, LLC - For possible action on a request for a Site Development Plan Review FOR A 1,409 SQUARE-FOOT PUBLIC SCHOOL, SECONDARY WITHIN AN EXISTING BUILDING on 6.29 acres at 7240 West Azure Drive, Suite #110 (APN 125-27-113-007), T-C (Town Center) Zone [GC-TC (General Commercial - Town Center) Special Land Use Designation], Ward 6 (Fiore) [PRJ-77779]. Staff recommends APPROVAL.

Minutes:

See Items 11 and 12 for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 8, 11, 12 and 49-52 to 2/11/2020, Items 32-36 and 47 and 48 to 3/10/2020 and Withdraw without prejudice Items 40-42

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

13. SUP-77833 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: LEONARD CHRISTOPHER - For possible action on a request for a Special Use Permit FOR AN ACCESSORY STRUCTURE (CLASS I) [CASITA] USE at 6880 Jeanette Street (APN 125-24-202-018), R-E (Residential Estate) Zone, Ward 6 (Fiore) [PRJ-77825]. Staff recommends APPROVAL.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote subject to condition(s) except Item(s) 8, 11, 12 and 14

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

14. SUP-77902 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: JANETTA OLMEDA SOTO - OWNER: HIMIDIAN NERCES SARKIS LIVING TRUST - For possible action on a request for a Special Use Permit FOR A PROPOSED 1,130 SQUARE FOOT BEER/WINE/COOLER ON-SALE ESTABLISHMENT USE at 1436 East Charleston Boulevard (APN 162-02-110-007), C-1 (Limited Commercial) Zone, Ward 3 (Diaz) [PRJ-77551]. Staff recommends APPROVAL.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open.

KIM BRYAN, area resident, was concerned about the increase in traffic this project might create in her neighborhood, of which she wants to retain the small-family character.

RAAFAT VALENTINE stated he owns a similar store on Charleston Boulevard and there is another one opening,

so he is concerned about the impact this store will have on his business. To address MR. VALENTINE'S concern with competition, COMMISSIONER SCHLOTTMAN confirmed with ERIC McCAMMOND, Sr. Management Analyst, that this application is for an establishment to be able to serve beer/wine/cooler with meals. MR. McCAMMOND added that the establishment is an existing Mexican sushi restaurant.

See Items 6 and 7 for related discussion.

CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Trinity Haven Schlottman to Approve subject to condition(s)

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

15. SUP-77915 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: PRESTIGE TATTOO AND BLADE - OWNER: SUMMERHILL PLAZA PARTNERS, LLC - For possible action on a request for a Special Use Permit FOR A TATTOO PARLOR/BODY PIERCING STUDIO USE at 7581 West Lake Mead Boulevard, Suite #140 (APN 138-22-316-015), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen) [PRJ-77886]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote subject to condition(s) except Item(s) 8, 11, 12 and 14

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

16. SUP-77942 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: HYPATIA M. SOTO - OWNER: JOSE AND ALEJANDRA LIVING TRUST - For possible action on a request for a Special Use Permit FOR A PROPOSED 1,125 SQUARE-FOOT BEER/WINE/COOLER ON-SALE ESTABLISHMENT USE at 2201 South Maryland Parkway (APN 162-02-410-073), C-1 (Limited Commercial) Zone, Ward 3 (Diaz) [PRJ-77848]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote subject to condition(s) except Item(s) 8, 11, 12 and 14

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

17. SDR-77829 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: WASHWORK EXPRESS, LLC - OWNER: PANDA INN, INC. - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 4,366 SQUARE-FOOT CAR WASH, FULL-SERVICE WITH A WAIVER TO ALLOW THE CAR WASH BAY TO FACE THE RIGHT-OF-WAY WHERE SUCH IS NOT ALLOWED on 1.24 acres at 421 North Nellis Boulevard (APN 140-32-517-003), C-2 (General Commercial) Zone, Ward 3 (Diaz) [PRJ-77618]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote subject to condition(s) except Item(s) 8, 11, 12 and 14

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

18. VAC-77920 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: THE HOWARD HUGHES COMPANY -

For possible action on a request for a Petition to Vacate public right-of-way generally located along Carrage Hills Drive, between Redpoint Drive and Kindle Corner Avenue, Ward 2 (Seaman) [PRJ-77843]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote subject to condition(s) except Item(s) 8, 11, 12 and 14

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

19. VAC-77921 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: THE HOWARD HUGHES COMPANY -

For possible action on a request for a Petition to Vacate public right-of-way generally located along Desert Foothills Drive, between Redpoint Drive and Kindle Corner Avenue, Ward 2 (Seaman) [PRJ-77843]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote subject to condition(s) except Item(s) 8, 11, 12 and 14

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

PUBLIC HEARING ITEMS

20. ABEYANCE - VAR-76939 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: LAND CAPITAL PARTNERS, LLC - For possible action on a request for a Variance TO ALLOW 23 PARKING SPACES WHERE 29 PARKING SPACES ARE REQUIRED on 0.37 acres at the southwest corner of Charleston Boulevard and Hillside Place (APNs 162-02-111-040 and 041), C-1 (Limited Commercial) Zone, Ward 3 (Diaz) [PRJ-75615]. Staff recommends DENIAL.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open for Items 20-22, which were heard after Item 58, which was pulled forward after hearing Item 14.

ERIC McCAMMOND, Sr. Management Analyst, reported that the proposed development is in proximity to the Founders District and supports the goals of the Founders District and the Vision 2045 Downtown Las Vegas Masterplan. However, because it is not part of the district, it is subject to the development standards set forth by Title 19.08. The applicant has proposed to over-develop the subject site, as evidenced by the requested Variances and Waivers; therefore, staff recommends denial of the Site Development Plan Review and all associated applications.

BRIAN NAGLE, representing the applicant, appreciated being able to meet with staff to go over the site plan, to which trees were added. He explained that the third Variance is for the parking space requirements because the required number of spaces is not needed given that the project is for an appointment-based medical office. He did not see an issue at all with reduced parking. As far as the meeting with staff is concerned, he felt they accomplished what was necessary for the project.

COMMISSIONER SCHLOTTMAN recalled seeing a plan a long time ago. He pointed out that the revisions show there are plenty of trees along East Charleston Boulevard and felt that this project will complement the neighborhood. He encouraged the applicant to build quicker.

See Items 21 and 22 for related backup.

CHAIR DE SALVIO declared the Public Hearing closed for Items 20-22.

Motion made by Trinity Haven Schlottman to Approve subject to condition(s)

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

21. ABEYANCE - VAR-76940 - VARIANCE RELATED TO VAR-76940 - PUBLIC HEARING - APPLICANT/OWNER: LAND CAPITAL PARTNERS, LLC - For possible action on a request for a Variance TO ALLOW A 90-FOOT RESIDENTIAL ADJACENCY SETBACK FROM THE SOUTH PROPERTY LINE WHERE 138 FEET IS REQUIRED on 0.37 acres at the southwest corner of Charleston Boulevard and Hillside Place (APNs 162-02-111-040 and 041), C-1 (Limited Commercial) Zone, Ward 3 (Diaz) [PRJ-75615]. [NOTE: RELATED TO VAR-76939]. Staff recommends DENIAL.

Minutes:

See Item 20 for related discussion and Items 20-22 for related backup.

Motion made by Trinity Haven Schlottman to Approve subject to condition(s)

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

22. ABEYANCE - SDR-76941 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-76939 AND VAR-76940 - PUBLIC HEARING - APPLICANT/OWNER: LAND CAPITAL PARTNERS, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 5,031 SQUARE-FOOT COMMERCIAL SHELL BUILDING WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER STANDARDS on 0.37 acres at the southwest corner of Charleston Boulevard and Hillside Place (APNs 162-02-111-040 and 041), C-1 (Limited Commercial) Zone, Ward 3 (Diaz) [PRJ-75615]. Staff recommends DENIAL.

Minutes:

See Item 20 for related discussion and Items 20-22 for related backup.

Motion made by Trinity Haven Schlottman to Approve subject to condition(s)

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

23. ABEYANCE - ZON-77758 - REZONING - PUBLIC HEARING - APPLICANT: KB HOMES - OWNER: UNITED STATES OF AMERICA - For possible action on a request for a Rezoning FROM: U (UNDEVELOPED) [TC (TOWN CENTER) GENERAL PLAN DESIGNATION] TO: T-C (TOWN CENTER) on 10.00 acres at the southeast corner of Grand Teton Drive and Tee Pee Lane (APN 125-18-501-014), Ward 6 (Fiore) [PRJ-77723]. Staff recommends APPROVAL.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open for Items 23-28.

ERIC McCAMMOND, Sr. Management Analyst, stated that staff supports the proposed Rezoning and Major Modification as they conform to the existing Town Center General Plan designation and would be harmonious and compatible with existing development in the area. Staff has no objection to the Vacation request. However, due to the requested waivers, staff has determined that the proposed development is not compatible with surrounding development. Staff recommends approval of the Rezoning, Major Modification and Vacation requests but denial of the Special Use Permit, Site Development Plan Review and Tentative Map.

Moreover, updated plans, maps, justification letter and staff report can be found in a supplemental information packet. Revised plans submitted on January 13, 2020 depict the following changes: 1) Overall lots were reduced from 73 lots to 72 lots; 2) The proposed Tentative Map has been reoriented with proposed stub streets to terminate on the eastern perimeter of the subject site instead of the western perimeter to provide drainage and access to the 10-foot drainage easement to the east of this parcel. The 10-foot area is proposed to be used as a trail connection, eliminating an unusable dead space between developments as previously proposed; 3) Open space has been reduced from 12.40 percent to 11.90 percent; 4) A revised perimeter wall detail is provided for the eastern perimeter of the site which depicts a six-foot retaining wall with six-foot CMU (concrete masonry unit) block wall adjacent to the 10-foot drainage easement. The drainage easement includes a four-foot sidewalk for pedestrian access. Additional protest and support letters were received since publication.

MARK BANGAN, representing KB Homes, appreciated working with the City Council and Planning Commission representatives for the area and with staff, as well as all the insight received from the City because it will address issues brought up in the beginning. He regarded this as a great project and agreed with all the conditions.

CHAIR DE SALVIO commented that he and COUNCILWOMAN FIORE worked hard with MR. BANGAN to make sure the 10-foot easement does not turn into an encampment area and made design changes to make the plan more compatible with the community, as well as other necessary changes.

See Items 24-28 for related backup.

CHAIR DE SALVIO declared the Public Hearing closed for Items 23-28.

Motion made by Louis De Salvio to Approve

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

24. ABEYANCE - MOD-77759 - MAJOR MODIFICATION RELATED TO ZON-77758 - PUBLIC HEARING - APPLICANT: KB HOMES - OWNER: UNITED STATES OF AMERICA - For possible action on a request for a Major Modification of the Town Center Land Use Plan to amend the Special Land Use Designation FROM: PF-TC (PUBLIC FACILITIES - TOWN CENTER) TO: ML-TC (MEDIUM LOW DENSITY RESIDENTIAL - TOWN CENTER) on 10.00 acres at the southeast corner of Grand Teton Drive and Tee Pee Lane (APN 125-18-501-014), Ward 6 (Fiore) [PRJ-77723]. Staff recommends APPROVAL.

Minutes:

See Item 23 for related discussion and Items 23-28 for related backup.

Motion made by Louis De Salvio to Approve

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

25. ABEYANCE - SUP-77761 - SPECIAL USE PERMIT RELATED TO ZON-77758 AND MOD-77759 -PUBLIC HEARING - APPLICANT: KB HOMES - OWNER: UNITED STATES OF AMERICA - For possible action on a request for a Special Use Permit FOR A PROPOSED GATED COMMUNITY WITH PRIVATE STREETS WITH A WAIVER TO ALLOW ONE GATED ENTRANCE WHERE TWO ENTRANCES ARE REQUIRED at the southeast corner of Grand Teton Drive and Tee Pee Lane (APN 125-18-501-014), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center)], Ward 6 (Fiore) [PRJ-77723]. Staff recommends DENIAL.

Minutes:

See Item 23 for related discussion and Items 23-28 for related backup.

Motion made by Louis De Salvio to Approve subject to condition(s)

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

26. ABEYANCE - VAC-77763 - VACATION RELATED TO ZON-77758, MOD-77759, SUP-77761 AND SDR-77762 - PUBLIC HEARING - APPLICANT: KB HOMES - OWNER: UNITED STATES OF AMERICA - For possible action on a request for a Petition to Vacate City of Las Vegas right-of-way, sewer, drainage, construction and trail easements at the southeast corner of Grand Teton Drive and Tee Pee Lane (APN 125-18-501-014), Ward 6 (Fiore) [PRJ-77723]. Staff recommends APPROVAL.

Minutes:

See Item 23 for related discussion and Items 23-28 for related backup.

Motion made by Louis De Salvio to Approve subject to condition(s)

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

27. ABEYANCE - SDR-77762 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-77758, MOD-77759, SUP-77761 AND VAC-77763 - PUBLIC HEARING - APPLICANT: KB HOMES - OWNER: UNITED STATES OF AMERICA - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 73-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT WITH A WAIVER OF TOWN CENTER STREETSCAPE, WALL HEIGHT AND SINGLE FAMILY RESIDENTIAL DEVELOPMENT STANDARDS on 10.00 acres at the southeast corner of Grand Teton Drive and Tee Pee Lane (APN 125-18-501-014), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center)], Ward 6 (Fiore) [PRJ-77723]. Staff recommends DENIAL.

Minutes:

See Item 23 for related discussion and Items 23-28 for related backup.

Motion made by Louis De Salvio to Approve subject to condition(s)

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

28. ABEYANCE - TMP-77764 - TENTATIVE MAP RELATED TO ZON-77758, MOD-77759, SUP-77761, VAC-77763 AND SDR-77762 - BREMERTON - PUBLIC HEARING - APPLICANT: KB HOMES - OWNER: UNITED STATES OF AMERICA - For possible action on a request for a Tentative Map FOR A PROPOSED 73-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION WITH A WAIVER TO ALLOW PRIVATE STUB STREETS THAT EXCEED ONE PER 660 FEET on 10.00 acres at the southeast corner of Grand Teton Drive and Tee Pee Lane (APN 125-18-501-014), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center)], Ward 6 (Fiore) [PRJ-77723]. Staff recommends DENIAL.

Minutes:

See Item 23 for related discussion and Items 23-28 for related backup.

Motion made by Louis De Salvio to Approve subject to condition(s)

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

29. ABEYANCE - VAR-77766 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: RICHARD FOSTER - For possible action on a request for a Variance TO ALLOW AN EXISTING SEVEN-FOOT TALL SOLID BLOCK WALL IN THE FRONT YARD WHERE FIVE FEET WITH TWO FEET SOLID IS ALLOWED on 0.46 acres at 1916 West Oakley Boulevard (APN 162-04-210-089), R-E (Residence Estates) Zone, Ward 1 (Knudsen) [PRJ-77716]. Staff recommends DENIAL.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open.

ERIC McCAMMOND, Sr. Management Analyst, reported that this application is a result of Code Enforcement action. A building permit was finalized in May 2018 for a block wall. However, the applicant continued to build the wall beyond what was permitted. A Code Enforcement Case was opened in July 2019 for the front wall being built taller than allowed by Title 19 and without permits. The applicant has provided no evidence of a unique or extraordinary circumstance to support the requested Variance. Staff recommends denial. Additional letters of protest were received since publication.

RICHARD FOSTER, the applicant/owner, said he was surprised to hear it reported that a permit had been submitted. He went on to explain that the existing wall was very low, and they had a lot of issues with break-ins within the first two weeks of moving into the home. Consequently, he contracted someone to make his property safer by raising the wall while he was in the midst of selling his home in California. He thought everything would be taken care of to satisfy the code, but obviously that was not the case. The issues on his property diminished somewhat but the problem persisted, and he was told that he could raise the height to the same level as the walls of his west- and east-side neighbors. However, someone complained to the Code Enforcement Division,

whose officers responded and advised him that he would have to pull a permit for any wall-height additions. It was also found that there was no permit pulled for the initial height he hired someone to add to the wall, so the City advised him that it would be a problem because the height limit was five feet.

MR. FOSTER asserted that he just wanted to increase the wall height for added security for his home, pointing out that all the surrounding property boundaries have different code requirements.

COMMISSIONER ROGAN said that he met with the applicant and that MR. FOSTER is correct that there are varying wall heights because over the years, the City has vacated streets running north and south through the Scotch 80's neighborhood, creating a situation where suddenly there are tall walls next to other properties with scaling lower walls. He noted that there are four owners along the street who will receive citations and will probably be appearing before the Planning Commission. He remarked that last year other applicants were approved, and he did not see any reason why the Commission should not do the same for MR. FOSTER. He expressed is support.

COMMISSIONER SCHLOTTMAN shared the sentiments of COMMISSIONER ROGAN but requested that Condition 2, which he read, include a timeline for completion. With MR. FOSTER indicating that he already had a plan to address the issues, COMMISSIONER SCHLOTTMAN thought allowing a 60-day timeline would be sufficient. ROBERT SUMMERFIELD, Planning Director, suggested making it 60-days from issuance of the permit. With the applicant seemingly doing his due diligence, it could be finished and if not, Code Enforcement will respond and cite MR. FOSTER again. COMMISSIONERS SCHLOTTMAN and ROGAN agreed with MR. SUMMERFIELD'S suggestion.

CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Jeff Rogan to Approve subject to condition(s) and amending Condition 2 as read for the record:

2. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety within 60 days of issuance of building permit.

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

30. GPA-77475 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: RALLEIGH GRANDBERRY IV - For possible action on a request for a General Plan Amendment FROM: M (MEDIUM DENSITY RESIDENTIAL) TO: ML (MEDIUM LOW DENSITY RESIDENTIAL) on 0.24 acres at 1957 Simmons Street (APN 139-20-301-009), Ward 5 (Crear) [PRJ-77474]. Staff recommends DENIAL.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open for Items 30 and 31.

ERIC McCAMMOND, Sr. Management Analyst, reported that amending the General Plan designation and rezoning the subject site would allow the site to be remapped into two separate parcels, each containing a single-family residence. This would allow each residence to be sold, thus supporting increased home ownership within West Las Vegas, a goal of the West Las Vegas Plan. However, the requested General Plan amendment and Rezoning would create a situation commonly known as "spot zoning" with one single-family residential lot surrounded primarily by multi-family zoning. Staff, therefore, recommends denial of both applications. Additional letters of protest were received since publication.

WILLIAM SCHLAF, with Signature Real Estate Group, appeared with and representing RALLEIGH GRANDBERRY, the applicant/owner. MR. SCHLAF said that he is helping MR. GRANDBERRY to develop the subject lot as proposed to help improve the neighborhood and its property values and to create more opportunities for first time homebuyers to purchase a home in the area. In addressing the spot zoning issue, he conceded that with R-CL (Single Family Compact-Lot) zoning close to the property, it would help the overall neighborhood by going with single-family residential homes, as opposed to duplexes, and improve the corridor along Simmons Street. He described some of the surrounding properties and noted that they are down zoning. He understood staff's concerns; however, he stressed there is enough R-CL zoning surrounding the subject site to support the proposed project. He felt it is an amazing location.

MR. GRANDBERRY commented that the overall goals of the West Las Vegas Plan is to improve the opportunity

for home ownership and to increase the value of the area. He hopes to be able to purchase the adjacent property as well to develop it with a desire to reinvest in the community.

WILLIAM McCURDY, long-time Las Vegas resident, active community citizen and member of the City of Las Vegas Parks and Recreation Advisory Commission, supported the project because he feels single-family housing is needed in West Las Vegas to help it become a thriving community and to attract businesses. He applauded MR. GRANDBERRY for wanting to invest in the community and help revitalize it.

MARILYN McCORLEY lives directly across from the subject site and welcomed this development. She hopes to have the opportunity to do the same in the future.

MR. SCHLAF mentioned the site meets all setbacks for the zoning designation.

COMMISSIONER CHERRY commented that areas being revitalized may bring issues with inconsistent zoning; however, he believes the positives far outweigh such concerns. He supported the applications.

COMMISSIONER WILLIAMS added that even though the Commission is typically opposed to spot zoning, he supports this project because of the benefit it will bring to the neighborhood.

See Item 6 for related discussion and Item 31 for related backup.

CHAIR DE SALVIO declared the Public Hearing closed for Items 30 and 31.

Motion made by Anthony Williams to Approve

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

31. ZON-77476 - REZONING RELATED TO GPA-77475 - PUBLIC HEARING - APPLICANT/OWNER: RALLEIGH GRANDBERRY IV - For possible action on a request for a Rezoning FROM: R-3 (MEDIUM DENSITY RESIDENTIAL) TO: R-CL (SINGLE FAMILY COMPACT-LOT) on 0.24 acres at 1957 Simmons Street (APN 139-20-301-009), Ward 5 (Crear) [PRJ-77474]. Staff recommends DENIAL.

Minutes:

See Items 6 and 30 for related discussion and Items 30 and 31 for related backup.

Motion made by Anthony Williams to Approve

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

32. GPA-77808 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: FIRST THAI-LAOTIAN PRESBYTERIAN CHURCH - For possible action on a request for a General Plan Amendment FROM: ML (MEDIUM LOW DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) on 2.50 acres at the northwest corner of Smoke Ranch Road and Michael Way (APN 138-13-403-001), Ward 5 (Crear) [PRJ-77341]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 33-36 for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 8, 11, 12 and 49-52 to 2/11/2020, Items 32-36 and 47 and 48 to 3/10/2020 and Withdraw without prejudice Items 40-42

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

33. ZON-77809 - REZONING RELATED TO GPA-77808 - PUBLIC HEARING - APPLICANT/OWNER: FIRST THAI-LAOTIAN PRESBYTERIAN CHURCH - For possible action on a request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-1 (LIMITED COMMERCIAL) on 2.50 acres at the northwest corner of Smoke Ranch Road and Michael Way (APN 138-13-403-001), Ward 5 (Crear) [PRJ-77341]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 32-36 for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 8, 11, 12 and 49-52 to 2/11/2020, Items 32-36 and 47 and 48 to 3/10/2020 and Withdraw without prejudice Items 40-42

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

34. SUP-77810 - SPECIAL USE PERMIT RELATED TO GPA-77808 AND ZON-77809 - PUBLIC HEARING - APPLICANT/OWNER: FIRST THAI-LAOTIAN PRESBYTERIAN CHURCH - For possible action on a request for a Special Use Permit FOR A 5,000 SQUARE-FOOT BEER/WINE/COOLER OFF-SALE ESTABLISHMENT USE WITH A WAIVER TO ALLOW A 315-FOOT DISTANCE SEPARATION FROM A CHURCH WHERE 400 FEET IS REQUIRED at the northwest corner of Smoke Ranch Road and Michael Way (APN 138-13-403-001), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 5 (Crear) [PRJ-77341]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 32-36 for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 8, 11, 12 and 49-52 to 2/11/2020, Items 32-36 and 47 and 48 to 3/10/2020 and Withdraw without prejudice Items 40-42

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

35. SUP-78083 - SPECIAL USE PERMIT RELATED TO GPA-77808, ZON-77809 AND SUP-77810 - PUBLIC HEARING - APPLICANT/OWNER: FIRST THAI LAOTIAN PRESBYTERIAN CHURCH - For possible action on a request for a Special Use Permit FOR A CAR WASH, FULL SERVICE OR AUTO DETAILING at the northwest corner of Smoke Ranch and Michael Way (APN 138-13-403-001), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 5 (Crear) [PRJ-77341]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 32-36 for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 8, 11, 12 and 49-52 to 2/11/2020, Items 32-36 and 47 and 48 to 3/10/2020 and Withdraw without prejudice Items 40-42

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

36. SDR-77811 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-77808, ZON-77809 , SUP-77810 AND SUP-78083 - PUBLIC HEARING - APPLICANT/OWNER: FIRST THAI-LAOTIAN PRESBYTERIAN CHURCH - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 5,000 SQUARE-FOOT CONVENIENCE STORE WITH FUEL PUMPS AND A CANOPY; A CAR WASH; AND A WAIVER OF THE BUILDING ORIENTATION REQUIREMENTS on 2.50 acres at the northwest corner of Smoke Ranch Road and Michael Way (APN 138-13-403-001), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 5 (Crear) [PRJ-77341]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 32-36 for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 8, 11, 12 and 49-52 to 2/11/2020, Items 32-36 and 47 and 48 to 3/10/2020 and Withdraw without prejudice Items 40-42

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

37. GPA-77917 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: MOISES CARPIO - For possible action on a request for a General Plan Amendment FROM: O (OFFICE) TO: GC (GENERAL COMMERCIAL) on 0.19 acres at 1208 South Eastern Avenue (APN 162-02-517-019), Ward 3 (Diaz) [PRJ-77410]. Staff recommends DENIAL.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open for Items 37-39.

ERIC McCAMMOND, Sr. Management Analyst, reported that staff finds the proposed commercial General Plan Amendment and Rezoning to be incompatible in a neighborhood that almost consists entirely of single-family residences and offices. Staff recommends denial of all applications. Additional letters of support were received since publication.

BRADLEY MAYER, appeared with and representing the applicant/owner, MOISES CARPIO. MR. MAYER explained that MR. CARPIO operates an air conditioning business, and he needs to be able to park the work vehicles on-site overnight while new employees are on 90-day probation. After that period, they can take their vehicles home. MR. MAYER said MR. CARPIO is cleaning up the area and making it safer by adding surveillance cameras. He showed a photo of the type of truck the business uses. They approached the City with the problem, discussed with staff several solutions and came up with potentially rezoning the property and possibly the P-R (Professional Office and Parking) being changed for the area in the future.

MR. CARPIO stated that he and his daughter surveyed the area and most of the residents they spoke with are concerned about graffiti, trespassing and the property being vacant. He urged approval.

COMMISSIONER SCHLOTTMAN, who spoke with MR. MAYER about the project, said one of his main concerns is the number of illegal signs being erected on the properties along the Eastern Avenue corridor. He fears allowing C-1 (Limited Commercial) zoning will introduce a new element and other uses that are not allowed under P-R zoning. He would like the area improved but feels a meeting, with staff's assistance, is necessary to figure out the best solution for the area, noting that they need some development guidelines before some changes can be made. He considered MR. CARPIO'S situation as a self-imposed hardship, because if he did not have the work trucks, he could operate his business by dispatching his employees. He could not support the request for C-1 rezoning because no conditions could be included with it and given the surrounding residential properties and no tree buffer being provided between. He encouraged the applicant to keep pushing forward and work with staff and his Council representative on possible solutions.

See Items 38-39 for related backup.

CHAIR DE SALVIO declared the Public Hearing closed for Items 37-39.

Motion made by Trinity Haven Schlottman to Deny

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

38. ZON-77919 - REZONING RELATED TO GPA-77917 - PUBLIC HEARING - APPLICANT/OWNER: MOISES CARPIO - For possible action on a request for a Rezoning FROM: P-R (PROFESSIONAL OFFICE AND PARKING) TO: C-1 (LIMITED COMMERCIAL) on 0.19 acres at 1208 South Eastern Avenue (APN 162-02-517-019), Ward 3 (Diaz) [PRJ-77410]. Staff recommends DENIAL.

Minutes:

See Item 37 for related discussion and Items 37-39 for related backup.

Motion made by Trinity Haven Schlottman to Deny

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

39. VAR-78113 - VARIANCE RELATED TO GPA-77917 AND ZON-77919 - PUBLIC HEARING - APPLICANT/OWNER: MOISES CARPIO - For possible action on a request for a Variance TO ALLOW A 64-FOOT LOT WIDTH WHERE 100 FEET IS REQUIRED, A THREE-FOOT SIDE YARD SETBACK AND A FIVE-FOOT CORNER SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED at 1208 South Eastern Avenue (APN 162-02-517-019), Ward 3 (Diaz) [PRJ-77410]. Staff recommends DENIAL.
- Minutes:
See Item 37 for related discussion and Items 37-39 for related backup.
- Motion made by Trinity Haven Schlottman to Deny
- Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
- For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;
40. VAR-77887 - VARIANCE - PUBLIC HEARING - APPLICANT: DT FERGUSON, LLC - OWNER: 1000 FREMONT, LLC, ET AL - For possible action on a request for a Variance TO ALLOW ZERO PARKING SPACES WHERE 158 ARE REQUIRED on 0.67 acres at the northeast corner of Fremont Street and 10th Street (APNs Multiple), T5-MS (T5 Main Street) Zone, Ward 3 (Diaz) [PRJ-77594]. Staff recommends DENIAL.
- Minutes:
See Items 41 and 42 for related backup.
- Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 8, 11, 12 and 49-52 to 2/11/2020, Items 32-36 and 47 and 48 to 3/10/2020 and Withdraw without prejudice Items 40-42
- Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
- For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;
41. SUP-77777 - SPECIAL USE PERMIT RELATED TO VAR-77887 - PUBLIC HEARING - APPLICANT: DT FERGUSON, LLC - OWNER: 1000 FREMONT, LLC, ET AL - For possible action on a request for a Major Amendment to an approved Special Use Permit (SUP-73906) FOR A PROPOSED ADDITION OF 7,712 SQUARE-FEET OF FLOOR AREA WITH 20,640 SQUARE-FEET OF OUTDOOR PLAZA AREA TO AN EXISTING 33,386 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT USE at the northeast corner of Fremont Street and 10th Street (APNs Multiple), T5-MS (T5 Main Street) Zone, Ward 3 (Diaz) [PRJ-77594]. Staff recommends DENIAL.
- Minutes:
See Items 40-42 for related backup.
- Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 8, 11, 12 and 49-52 to 2/11/2020, Items 32-36 and 47 and 48 to 3/10/2020 and Withdraw without prejudice Items 40-42
- Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
- For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;
42. SDR-77778 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-77887 AND SUP-77777 - PUBLIC HEARING - APPLICANT: DT FERGUSON, LLC - OWNER: 1000 FREMONT, LLC, ET AL - For possible action on a request for a Major Amendment to an approved Site Development Plan Review (SDR-76987) FOR AN EXISTING 7,712 SQUARE-FOOT COMMERCIAL DEVELOPMENT AND 8,835 SQUARE-FOOT PLAZA AREA on 0.67 acres at the northeast corner of Fremont Street and 10th Street (APNs Multiple), T5-MS (T5 Main Street) Zone, Ward 3 (Diaz) [PRJ-77594]. Staff recommends DENIAL.
- Minutes:
See Items 40-42 for related backup.
- Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 8, 11, 12 and 49-52 to 2/11/2020, Items 32-36 and 47 and 48 to 3/10/2020 and Withdraw without prejudice Items 40-42
- Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

43. VAR-77907 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: SK USA, LLC - For possible action on a request for a Variance TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED AND A FOUR-FOOT CORNER SIDE YARD SETBACK WHERE FIVE FEET IS REQUIRED on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard (APN 139-30-306-003), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Crear) [PRJ-77784]. Staff recommends DENIAL.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open for Items 43-46.

JONATHAN BOYLES, Sr. Planner, reported that although the subject site is a flag-shaped lot, staff finds that the subject site provides an adequate buildable area, which would allow compliance with Title 19 development standards. As the proposed development is inconsistent with Title 19 development standards pertaining to building setbacks and Complete Street development standards, staff recommends denial of the related applications. Additional letters of protest were received since publication.

JOHN HAMILTON, representing the applicant, explained that the project has a long history. The former site plan, which he showed on the overhead, was denied because it entailed three-story buildings, 18 units and 20-foot setbacks. The project received a lot of opposition from the residents. Since then, the applicant has worked with COUNCILMAN CREAR and the residents and came up with a new plan, reducing the initially proposed three-story buildings and subsequent proposed two-story buildings to single-story buildings with nine units. Additionally, in their desire to be good neighbors, they redesigned the layout and centered the buildings on the property instead of on the perimeter to achieve more distance from the adjacent neighbors. They have held multiple neighborhood meetings, and they believe they have addressed all of the concerns from the residents and COUNCILMAN CREAR.

Although the applicant's changes were more acceptable, JOHN NAPOLEON, area resident, did not understand why variances are needed if there are unnecessary changes. He said that when he purchased in the area, he expected the surrounding area to be developed similarly to his neighborhood. Alleging that he received the postcard for this meeting on 1/13/2020, he asserted that he would like the opportunity to review the plans, and added that he does not want the developer to lose money but would like for everyone to follow the guidelines.

LOLLY NAPOLEON said that they have been dealing with this property since former COUNCILMAN BARLOW was in office. The initial proposal with three-story buildings with 18 units were shot down, as well as the subsequent two-story buildings because of the density and the invasion of privacy of the residents. She said that they have middle and high schools in the area, and when she asked what would happen if there was a fire in this older neighborhood with the added density of the proposed project, she was advised that they will have sprinklers. She indicated that she has not met COUNCILMAN CREAR and has not been invited to any meeting.

MR. HAMILTON reiterated that they have reduced the number of units to nine and have centered the buildings, eliminating the need for perimeter waivers.

CHAIR DE SALVIO appreciated the new drawings, the reduced height and density and all the work that went into the neighborhood meetings. He noted that the property is a difficult piece due to the long driveway. But he felt the changes made is a testament to the effort made to work with the community. COMMISSIONER CHERRY agreed and expressed his support. He said the applicant has come a long way.

COMMISSIONER WILLIAMS said the applicant has made significant efforts and has been considerate of the neighbors.

See Items 44-46 for related backup.

CHAIR DE SALVIO declared the Public Hearing closed for Items 43-46.

Motion made by Anthony Williams to Approve subject to condition(s)

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

44. VAR-77908 - VARIANCE RELATED TO VAR-77907 - PUBLIC HEARING - APPLICANT/OWNER: SK USA, LLC - For possible action on a request for a Variance TO ALLOW A 25-FOOT WIDE PRIVATE STREET WHERE 47 FEET IS THE MINIMUM ALLOWED, TO ALLOW A 47-FOOT WIDE ACCESS CONTROL GATE WHERE 50 FEET IS REQUIRED; TO ALLOW SIDEWALKS ON ONE SIDE WHERE SIDEWALKS ON BOTH SIDES ARE REQUIRED AND TO ALLOW A CONNECTIVITY RATIO OF 1.25 WHERE 1.30 IS REQUIRED on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard (APN 139-30-306-003), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Crear) [PRJ-77784]. Staff recommends DENIAL.

Minutes:

See Item 43 for related discussion and Items 43-46 for related backup.

Motion made by Anthony Williams to Approve subject to condition(s)

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

45. SDR-77909 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-77907 AND VAR-77908 - PUBLIC HEARING - APPLICANT/OWNER: SK USA, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED NINE-UNIT DUPLEX AND SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard (APN 139-30-306-003), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Crear) [PRJ-77784]. Staff recommends DENIAL.

Minutes:

See Item 43 for related discussion and Items 43-46 for related backup.

Motion made by Anthony Williams to Approve subject to condition(s)

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

46. TMP-77910 - TENTATIVE MAP RELATED TO VAR-77907, VAR-77908 AND SDR-77909 - MONTAGE ESTATES - APPLICANT/OWNER: SK USA, LLC - For possible action on a request for a Tentative Map FOR A ONE-LOT CONDOMINIUM SUBDIVISION on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard (APN 139-30-306-003), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Crear) [PRJ-77784]. Staff recommends DENIAL.

Minutes:

See Item 43 for related discussion and Items 43-46 for related backup.

Motion made by Anthony Williams to Approve subject to condition(s)

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

47. VAR-77923 - VARIANCE - PUBLIC HEARING - APPLICANT: RONALD M. POWELL - OWNER: HOLLY & SIMMONS, LLC - For possible action on a request for a Variance TO ALLOW A 21-FOOT FRONT YARD, 15-FOOT SIDE YARD, 22-FOOT CORNER SIDE YARD AND A 31-FOOT REAR YARD SETBACK WHERE 50 FEET IS REQUIRED FOR EACH WHEN ADJACENT TO A RESIDENTIAL ZONING DISTRICT; AND TO ALLOW A 15-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 45 FEET IS REQUIRED on 6.58 acres at the southeast corner of Holly Avenue and Simmons Street (APN 139-20-817-001), M (Industrial) Zone, Ward 5 (Crear) [PRJ-77696]. Staff recommends DENIAL.

Minutes:

See Item 48 for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 8, 11, 12 and 49-52 to 2/11/2020, Items 32-36 and 47 and 48 to 3/10/2020 and Withdraw without prejudice Items 40-42

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

48. SDR-77925 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-77923 - PUBLIC HEARING - APPLICANT: RONALD M. POWELL - OWNER: HOLLY & SIMMONS, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED ONE-STORY, 69,055 SQUARE-FOOT, 479-UNIT MINI-STORAGE FACILITY WITH A WAIVER TO ALLOW A ZERO-FOOT WIDE LANDSCAPE BUFFER ADJACENT TO THE INTERIOR LOT LINE WHERE EIGHT FEET IS REQUIRED on 6.58 acres at the southeast corner of Holly Avenue and Simmons Street (APN 139-20-817-001), M (Industrial) Zone, Ward 5 (Crear) [PRJ-77696]. Staff recommends DENIAL.

Minutes:

See Items 47 and 48 for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 8, 11, 12 and 49-52 to 2/11/2020, Items 32-36 and 47 and 48 to 3/10/2020 and Withdraw without prejudice Items 40-42

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

49. VAR-78088 - VARIANCE - PUBLIC HEARING - APPLICANT: MARIOS MARKET - OWNER: JOHNSON FAMILY TRUST II - For possible action on a request for a Variance TO ALLOW A ROOF SIGN, WALL SIGNS AND MARQUEE SIGNS TO COVER 100 PERCENT OF THE BUILDING ELEVATION WHERE 20 IS THE MAXIMUM ALLOWED; AND TO ALLOW A NINE-FOOT TALL ROOF SIGN WHERE EIGHT FEET IS THE MAXIMUM HEIGHT ALLOWED on 2.11 acres at 1960 North Martin L. King Boulevard and 1425 Lake Mead Boulevard (APNs 139-21-701-009 and 010), C-1 (Limited Commercial) Zone, Ward 5 (Crear) [PRJ-77553]. Staff recommends DENIAL.

Minutes:

See Items 50-52 for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 8, 11, 12 and 49-52 to 2/11/2020, Items 32-36 and 47 and 48 to 3/10/2020 and Withdraw without prejudice Items 40-42

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

50. SUP-77686 - SPECIAL USE PERMIT RELATED TO VAR-78088 - PUBLIC HEARING - APPLICANT: MARIOS MARKET - OWNER: JOHNSON FAMILY TRUST II - For possible action on a request for a Special Use Permit FOR A PROPOSED OPEN AIR VENDING/TRANSIENT SALES LOT USE on 2.11 acres at 1960 North Martin L. King Boulevard and 1425 Lake Mead Boulevard (APNs 139-21-701-009 and 010), C-1 (Limited Commercial) Zone, Ward 5 (Crear) [PRJ-77553]. Staff recommends DENIAL.

Minutes:

See Items 49-52 for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 8, 11, 12 and 49-52 to 2/11/2020, Items 32-36 and 47 and 48 to 3/10/2020 and Withdraw without prejudice Items 40-42

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

51. MSP-77687 - MASTER SIGN PLAN RELATED TO VAR-78088 AND SUP-77686 - PUBLIC HEARING - APPLICANT: MARIOS MARKET - OWNER: JOHNSON FAMILY TRUST II - For possible action on a request for a Major Amendment to an existing Master Sign Plan (MSP-0004-02) FOR A PROPOSED LED DISPLAY ROOF SIGN at 1960 North Martin L. King Boulevard (APN 139-21-701-009), C-1 (Limited Commercial) Zone, Ward 5 (Crear) [PRJ-77553]. Staff recommends DENIAL.

Minutes:

See Items 49-52 for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 8, 11, 12 and 49-52 to 2/11/2020, Items 32-36 and 47 and 48 to 3/10/2020 and Withdraw without prejudice Items 40-42

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

52. SDR-77688 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-78088, SUP-77686 AND MSP-77687 - PUBLIC HEARING - APPLICANT: MARIOS MARKET - OWNER: JOHNSON FAMILY TRUST II - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 250 SQUARE-FOOT RESTAURANT on 1.11 acres at 1960 North Martin L. King Boulevard (APN 139-21-701-009), C-1 (Limited Commercial) Zone, Ward 5 (Crear) [PRJ-77553]. Staff recommends DENIAL.

Minutes:

See Items 49-52 for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 8, 11, 12 and 49-52 to 2/11/2020, Items 32-36 and 47 and 48 to 3/10/2020 and Withdraw without prejudice Items 40-42

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

53. VAR-77905 - VARIANCE - PUBLIC HEARING - APPLICANT: RAD MANAGEMENT, LLC - OWNER: DSRS PROPERTIES, LLC - For possible action on a request for a Variance TO ALLOW A LOT SIZE OF 1,000 SQUARE FEET WHERE 18,000 FEET IS REQUIRED AND A LOT WIDTH OF 10 FEET WHERE 100 FEET IS REQUIRED at 835 Shetland Road (APN 139-32-802-025), R-E (Residence Estates) Zone, Ward 1 (Knudsen) [PRJ-77826]. Staff recommends DENIAL.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open.

JONATHAN BOYLES, Sr. Planner, reported that according to the submitted justification letter, the future goal of this proposal is to add the 1,000 square-foot parcel to the adjacent medical office development to the south. This would allow for additional parking spaces to be added to the existing medical office use on the subject lot. The proposed future realignment of the subject site fails to meet Goal #1 of the Rancho Charleston Land Use Study, which states, "Protect the existing residential neighborhoods from any additional encroachment by commercial and/or office uses." Staff recommends denial of the requested entitlement as it does not meet the minimum Title 19 development standards and does not align with the goals of the Rancho Charleston Lane Use Study Area. Additional protest and support letters were received since publication.

RUSSELL SHAH, owner of the medical building at 2628 and at 2622 West Charleston Boulevard and long-time practicing physician in the area, said there is hardly any parking in the area. The property at Shetland Road came up for sale approximately 14 months ago. It is odd shaped and his proposal includes using a small amount of the land to provide approximately eight additional parking spaces. The original proposal he submitted about seven months ago met a lot of resistance from the residents. This proposal is more uniform and will provide parking for the patients, and will not change the frontage along Shetland Road. The irregular properties will include a straight wall design, and the renovation will force vehicles to enter in one direction off of Shetland Road. They will retain the historical character of the street. He held two neighborhood meetings around the holidays; however, hardly anyone attended. KEVIN BUCKLEY, a long-time resident of the area, called him to get information on the project, and he also received a letter from a neighbor, who was present.

CHRIS ANDRASFAVY, Shetland Road resident, supported the project because it will provide more parking and retain the residential aspect. He conceded the property is oddly shaped and that this addition will create a straight, clean line.

COMMISSIONER CHERRY said he recently had to be in the area for blood work at Quest Diagnostics, where an annual meeting was being held. He could not find any parking and ended up parking in front of a home, which made him think about this application.

COMMISSIONER ROGAN said he was confused when he initially saw the application. However, after understanding the proposal, he sees that MR. SHAH is trying to square off the boundary, and he appreciated

MR. SHAW not extending his commercial property because the residents are very active in the area.

CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Jeff Rogan to Approve subject to condition(s)

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

54. VAR-77932 - VARIANCE - PUBLIC HEARING - APPLICANT: KENT SCOW - OWNER: SCOW CLARK REVOCABLE LIVING TRUST AND SCOW CLARK TRUST - For possible action on a request for a Variance TO ALLOW A ZERO-FOOT SIDE AND REAR YARD SETBACK WHERE THREE FEET IS REQUIRED FOR AN EXISTING ACCESSORY STRUCTURE (CLASS II) [SHED]; AN EXISTING 720 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS II) [SHED] WHERE 514 SQUARE FEET IS THE MAXIMUM ALLOWED; A FIVE-FOOT DISTANCE SEPARATION FROM THE MAIN BUILDING WHERE SIX FEET IS REQUIRED FOR AN EXISTING ACCESSORY STRUCTURE (CLASS II) [SHED]; AND TWO EXISTING ACCESSORY STRUCTURES (CLASS II) [SHED] THAT ARE NOT AESTHETICALLY COMPATIBLE WITH THE PRIMARY RESIDENCE WHERE SUCH IS REQUIRED on 0.14 acres at 1916 Constantine Avenue (APN 139-26-711-072), R-1 (Single Family Residential) Zone, Ward 3 (Diaz) [PRJ-77847]. Staff recommends DENIAL.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open.

JONATHAN BOYLES, Sr. Planner, reported that this is a request for a Variance to allow two existing sheds located on the east perimeter of the rear yard that were erected without obtaining building permits and do not comply with Title 19 development standards pertaining to setbacks, size and aesthetic compatibility. No substantial evidence has been presented to warrant the requested Variance, as the two existing Accessory Structures were constructed without building permits and do not comply with Title 19 development standards. Given that the applicant has provided no compelling evidence of a unique or extraordinary circumstance related to the site itself, staff recommends denial. Additional support and protest letters were received since publication.

KENT SCOW, applicant, submitted support letters from surrounding residents for the record. He gave some history on the property. His father purchased in 1953, and he worked with his father to install a tin shed. Approximately six years later the neighbor's olive tree crushed it, so it was replaced and the wall repaired through the neighbor's insurance. When his father inquired at Planning if he needed a permit to replace the shed, he was advised that he did not need a permit as long as he was replacing it and not increasing the footprint, so his father installed a tough, barn-style shed instead of a tin shed.

MR. SCOW conceded that the shed is too close to the property line and, therefore, offered to one-hour fire rate the walls to the east and south sides, to obtain a permit to install sheetrock on the exterior and place tin on the exterior so that it will withstand the elements. He commented that if his father had been told by a building official in 1996 when he obtained permits for the perimeter property wall that the shed was non-compliant, he would have suggested fire rating it then because it was too close to the property lines.

MR. SCOW explained that this became a problem for him when he complained to his neighbor about the tree branches left blocking the sidewalk. CHAIR DE SALVIO interjected and asked him to not digress and stay on point with the shed issue.

COMMISSIONER SCHLOTTMAN stated that he generally has difficulty with unpermitted sheds, especially when they are too close to the property line because the residents have to look at them. He said approval of this application would set a precedent.

COMMISSIONER ROGAN appreciated the unfortunate circumstances; however, he said that the reality is that it was erected without proper permits, and the Commission has made a previous applicant tear down a \$70,000 shed; he could not support this application because he believes the rules have to be followed. COMMISSIONER WILLIAMS concurred with COMMISSIONER ROGAN and could not give his support.

COMMISSIONER SCHLOTTMAN discussed with ERIC McCAMMOND, Sr. Management Analyst, that the structure on the south was legally installed and could remain; the other two structures would have to be removed if denied.

COMMISSIONER SCHLOTTMAN made a motion to grant a variance for the legal structure; however, MR. BOYLES pointed out that the only two structures in question were the ones on the eastern perimeter; the legal structure could remain. COMMISSIONER SCHLOTTMAN supported staff's recommendation for denial.

CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Trinity Haven Schlottman to Deny

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

55. SUP-77896 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DT FERGUSONS, LLC - OWNER: 11TH STREET TAVERN, LLC - For possible action on a request for a Special Use Permit FOR AN OPEN AIR VENDING/ TRANSIENT SALES LOT USE at 1031 Fremont Street (APN 139-34-715-001), T5-MS (T5 Main Street) Zone, Ward 3 (Diaz) [PRJ-77311]. Staff recommends APPROVAL.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open for Items 55 and 56.

JONATHAN BOYLES, Sr. Planner, reported the applicant is proposing to operate a variety of events multiple times a month on an existing 12,096 square-foot alley and plaza at the southwest corner of Fremont Street and 11th Street. Currently, special events are operated on the subject site through Special Event permits. These permits limit the duration of the events, as well as how many times a year the events may occur. Staff finds that the proposed outdoor event space with mobile food vendors supports the goals of the Vision 2045 Downtown Master Plan. The site will help promote a vibrant urban environment in downtown Las Vegas that focuses on activity around transit hubs and activity nodes. Therefore, staff recommends approval of the requested Special Use Permit and Site Development Plan Review with conditions. Additional support letters were received since publication. Also, the Fire Department suggested some condition changes, which ERIC McCAMMOND, Sr. Management Analyst, read into the record for Condition 4 of Item 56.

JEN TALER, representing the applicant, said they want to have a gathering space for the community. CHAIR DE SALVIO confirmed MS. TALER'S agreeance with amended Condition 4.

COMMISSIONER CHERRY liked the project.

See Item 56 for related backup.

CHAIR DE SALVIO declared the Public Hearing closed for Items 55 and 56.

Motion made by Sam Cherry to Approve subject to condition(s)

NOTE: COMMISSIONER SCHLOTTMAN abstained because he is dealing with the applicant on other properties in the neighborhood. Additionally, COMMISSIONER CHERRY disclosed that his property is within the notification area, which would not affect him any greater or lesser than any other property owner, so he would vote.

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Donna Toussaint, Jeff Rogan; Abstain-Trinity Haven Schlottman;

56. SDR-77897 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-77896 - PUBLIC HEARING - APPLICANT: DT FERGUSONS, LLC - OWNER: 11TH STREET TAVERN, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 9,000 SQUARE FOOT PLAZA at 1031 Fremont Street (APN 139-34-715-001), T5-MS (T5 Main Street) Zone, Ward 3 (Diaz) [PRJ-77311]. Staff recommends APPROVAL.

Minutes:

See Items 55 and 56 for related backup.

Motion made by Sam Cherry to Approve subject to condition(s) and amending Condition 4 as read for the record:

4. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Departments of Building and Safety and Fire and Rescue. Compliance

issues to be addressed shall include but not be limited to establishment of an occupant load calculated according to building area, code compliant exiting and exit paths, electrical layouts, shade structures and required fire extinguishers.

NOTE: COMMISSIONER SCHLOTTMAN abstained because he is dealing with the applicant on other properties in the neighborhood. Additionally, COMMISSIONER CHERRY disclosed that his property is within the notification area, which would not affect him any greater or lesser than any other property owner, so he would vote.

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Donna Toussaint, Jeff Rogan; Abstain-Trinity Haven Schlottman;

57. SDR-77943 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: LAP INVESTMENT, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 9,750 SQUARE-FOOT PARKING LOT WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS on 0.22 acres on the north side of Charleston Boulevard approximately 330 feet west of Moonlight Drive (APN 140-31-802-004), C-1 (Limited Commercial) Zone, Ward 3 (Diaz) [PRJ-77713]. Staff recommends DENIAL.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open.

JONATHAN BOYLES, Sr. Planner, reported the applicant constructed a 27-space commercial parking lot adjacent to an existing medical office at 4236 East Charleston Boulevard to provide additional parking for the staff and patients. The parking lot was paved and developed without the necessary Site Development Plan Review and building permits, thus resulting in Code Enforcement action. Staff does not support the requested Waivers or the overall design of the parking lot, as it utilizes an unnecessary driveway from Charleston Boulevard that creates an additional traffic conflict with pedestrians and motorists alike on Charleston Boulevard, which is a 104-foot-wide Primary Arterial as defined by the Master Plan of Streets and Highways. Therefore, staff is recommends denial of this application. Additional support and protest letters were received since publication.

The applicant was not present.

COMMISSIONER SCHLOTTMAN agreed with staff's recommendation for denial as he felt the lot looks like a concrete island. He added that the Commission needs to stop granting variances for trees and recalled that TODD FARLOW would be very upset.

CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Trinity Haven Schlottman to Deny

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

DIRECTOR'S BUSINESS:

58. TXT-77937 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on a request to amend LVMC Title 19.09 and Title 19 Appendix F, and to provide for other related matters. Staff recommends APPROVAL.

Minutes:

CHAIR DE SALVIO called this item forward for discussion subsequent to hearing Item 14 and declared the Public Hearing open.

MIKE HOWE, Planning Section Manager, and LORENZO MASTINO, Planner II, shared in making a PowerPoint presentation, a copy of which was submitted for the record. MR. HOWE started and went over the Form Base Code (FBC) six-month review process. The FBC has been in place for approximately one year, including the Fremont East update that was approved during the summer. Thus far, there have been three minor site development plan reviews in the Medical District, with three upcoming projects in the Medical District and three in the Fremont East District, both of which have allowed staff the benefit of working with the architects, designers and developers to see how those projects in their early stage would meet the FBC. This prompted development refinements to ensure the spirit of the FBC is being met without blocking feasible development.

Before continuing with the PowerPoint presentation regarding amendments, MR. MASTINO stated that being able to review some of the projects under the new FBC has been critical to the methodology applied when Planning staff came up with fine-tuning and making revisions to the FBC. He explained that the Amendment Summary slide depicts a matrix of various evaluated projects and what areas that did not quite fit depending on different standards. Staff tried to grade each project to find out what was and was not working too well. The reason the Text Amendment is substantial is because the review took into consideration all the transect zones in all the zoning districts, thereby having to make changes in all 10 Zones.

There are four key areas being amended: 1) The way the City deals with floor-to-ceiling heights and ground floor finish level requirements based on industry standards and FEMA (Federal Emergency Management Agency) flood requirements. 2) Allowing flexibility in parking design, which will require revision of setback requirements to allow smaller setbacks and allows temporary lots; 3) Re-introduction of a threshold matrix, which is used in the Downtown Centennial Plan, to allow for better coordination of off-site improvements and relocation of utilities; 4) Routine update of maps and correction of clerical errors.

MR. MASTINO went over the timeline. These amendments will be considered by City Council in March for possible adoption. Between February and June of 2020, the Long Range Planning Division will focus on expanding the FBC for the Historic Westside District. The next update and review is slated for May or June of 2020.

COMMISSIONER SCHLOTTMAN recalled meeting at the Historic Fifth Street School for a presentation of the FBC, and he is glad the plans are being brought forward and implemented without hesitation, understanding that changes can be made. He thanked staff for all their work and supported moving forward.

COMMISSIONER CHERRY said he was lucky to be a part of a pre-application meeting. It will be nice to see how the projects are streamlined and aligned with neighborhoods. He appreciated staff meeting with the development community and the residents to obtain input in order to make necessary changes moving forward. He expressed his full support.

CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Sam Cherry to Approve

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

59. TXT-78081- TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on a request to amend the Minimum Special Use Permit Requirements for the Beer/Wine/Cooler Off-Sale Establishment and Beer/Wine/Cooler On- and Off-Sale Establishment uses in LVMC Title 19.12 Permissible Uses, and to provide for other related matters. Staff has NO RECOMMENDATION.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open.

ERIC McCAMMOND, Sr. Management Analyst, reported the proposed amendment would allow a Waiver of the required distance separation from protected uses for retail establishments having at least 15,000 square feet of building area under specific circumstances for the Beer/Wine/Cooler Off-Sale Establishment and the Beer/Wine/Cooler On- and Off-Sale Establishment uses where Title 19 currently requires at least 20,000 square feet of building area. Staff had no recommendation.

CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Trinity Haven Schlottman to Approve

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

For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;

Citizens Participation:

60. Citizens Participation: Public comment during this portion of the agenda must be limited to matters within the jurisdiction of the Planning Commission. No subject may be acted upon by the Planning Commission 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:

CHAIR DE SALVIO thanked the Commissioners for their good wishes on his wedding anniversary and in his capacity as Planning Commission Chair. He is looking forward to the 2020 year.

The meeting was adjourned at 8:04 p.m.

Respectfully submitted:

Gabriela Portillo-Brenner, Deputy City Clerk

Ashley Foster, Deputy City Clerk

THIS MEETING WAS PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS:

City Hall, 495 South Main Street, 1st Floor
Clark County Government Center, 500 South Grand Central Parkway
Grant Sawyer Building, 555 East Washington Avenue
City of Las Vegas Development Services Center, 333 North Rancho Drive