# Planning Commission Minutes

Council Chambers - 495 South Main Street - Phone 702-229-6011
City of Las Vegas Internet Address: www.lasvegasnevada.gov

## March 8, 2022
### 6:00 PM

## BUSINESS ITEMS:

1. Call to Order

Minutes:
CHAIR SCHLOTTMAN called the meeting to order at 6:00 p.m.

2. Announcement: 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; and The Nevada Public Notice website – notice.nv.gov.

3. Roll Call

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

ALSO PRESENT: SETH FLOYD, Director of Community Development; ERIC McCAMMOND, Senior Management Analyst; COUREY STEWART, Planner II; LUCIEN PAET, Engineering Project Manager; RICHARD ROZIER, Deputy Fire Marshal; JAMES LEWIS, Deputy City Attorney IV; REBECCA WOLFSON, Deputy City Attorney II; CHEYENNE LaRANCE, Deputy City Clerk; and GABRIELA PORTILLO-BRENNER, Deputy City Clerk

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:
None.

5. For Possible Action to Approve the Final Minutes for the Planning Commission Meeting of February 8, 2022.

Motion made by Jeff Rogan to Approve

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

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

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:
ERIC McCAMMOND, Senior Management Analyst, announced requests for Items 26a and 26b to be tabled, and Items 27a-27d to be held in abeyance, noting it was the third abeyance request.

ATTORNEY TONY CELESTE appeared representing Items 27a-27d and explained they are actively working with COUNCILMAN CEDRIC CREAR'S office to address outstanding issues and would like a 30-day abeyance.

Motion made by Jeff Rogan to Table Items 26a and 26b and Hold in Abeyance Items 27a-27d to 4/12/2022

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

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

## CONSENT ITEMS:

Consent items are considered routine by the Planning Commission and may be enacted by one motion. However, any item may be discussed if a Commission member or applicant so desires.

7. 21-0727-TMP1 - TENTATIVE MAP - SUMMERLIN VILLAGE 22 PARCEL N, O & P - APPLICANT: TOLL BROTHERS - OWNER: THE HOWARD HUGHES COMPANY, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED 150-LOT SINGLE-FAMILY ATTACHED RESIDENTIAL SUBDIVISION on 12.76 acres at the southeast corner of Fleet Wing Avenue and Kettle Ridge Drive (Book 166 Page 80 of Plats), P-C (Planned Community) Zone [SFSD (Single Family Special Lot Development) Special Land Use Designation], Ward 2 (Seaman). Staff recommends APPROVAL.

Motion made by Jeff Rogan to Approve the Consent Agenda except Item(s) None

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

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

8. 22-0031-TMP1 - TENTATIVE MAP - VUE APTS AT CENTENNIAL PHASE III - APPLICANT/OWNER: SHIRON DEVELOPMENT, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED ONE-LOT COMMERCIAL SUBDIVISION on 16.38 acres on the northeast corner of Centennial Parkway and John Herbert Boulevard (APNs 125-22-401-009 and 016), T-C (Town Center) Zone [SX-TC (Suburban Mixed-Use - Town Center) Special Land Use Designation], Ward 6 (Fiore). Staff recommends APPROVAL.

Motion made by Jeff Rogan to Approve the Consent Agenda except Item(s) None

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

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

9. 22-0039-TMP1 - TENTATIVE MAP - PARCEL 3 AT SUNSTONE PHASE 4A - APPLICANT/OWNER: NORTHLAND, LLC - For possible action on a Land Use Entitlement project request FOR A 150-LOT SINGLE-FAMILY DETACHED AND ATTACHED RESIDENTIAL SUBDIVISION on a 24.84-acre portion of 82.37 acres at the northeast corner of Sunstone Parkway and Sun Village Park Drive (APNs 125-06-211-016 and 107), Ward 6 (Fiore). Staff recommends APPROVAL.

Motion made by Jeff Rogan to Approve the Consent Agenda except Item(s) None

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

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

## 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 with a Staff recommendation of approval. 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.

10. 21-0592-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: HORSE TRAILER HIDEOUT - OWNER: STICKY VI, LLC - For possible action on a Land Use Entitlement project request for a Major Amendment to a previously approved Special Use Permit (SUP-78837) FOR A PROPOSED 3,142 SQUARE-FOOT EXPANSION OF A PREVIOUSLY APPROVED TAVERN-LIMITED ESTABLISHMENT USE at 1506 South Main Street (APN 162-03-210-015), C-2 (General Commercial) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:
CHAIR SCHLOTTMAN declared the Public Hearing open for Items 10-25.

Regarding Item 14, MATT McCLURE said the easement is behind his property line, and he had questions regarding that. CHAIR SCHLOTTMAN said he would pull the item for discussion.

ERIC TAYLOR wished to speak on Item 15.

CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 10-25.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 14 and 15

NOTE: The video does not reflect the vote accurately, in that Commissioner Cherry abstained from voting on Items 10, 19, 21 and 23 out of an abundance of caution as they all have common ownership, and he is involved in a project that has a pending dispute with them. He also disclosed that he has a financial interest in Items 11 and 12 but would be voting on these items as this does not affect him any greater or lesser. Commissioner Schlottman abstained from voting on Items 10, 19, 21 and 23 as they all have the common ownership of Gary Creagh, Jr. and Gary Creagh, Sr., and he is under contract with them for a project on Main Street. Commissioner Toussaint disclosed that she lives within the notification area of Item 18, but would be voting on this item as this does not affect her any greater or lesser.

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

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

11. 21-0820-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: OAK BROOK REALTY INVESTMENTS II, LLC - For possible action on a Land Use Entitlement project request FOR A BAILBOND SERVICE USE at 321 South Casino Center Boulevard, Suite #101 (APN 139-34-201-020), C-2 (General Commercial) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:
See Item 10 for related discussion.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 14 and 15

NOTE: Commissioner Cherry disclosed that he has a financial interest in Items 11 and 12 but would be voting on these items as this does not affect him any greater or lesser.

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

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

12. 21-0828-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MAKERS & FINDERS - OWNER: 1120 VEGAS, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED 2,025 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT USE at 1120 South Main Street, Suite #110 (APN 162-03-110-106), C-M (Commercial/Industrial) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:
See Item 10 for related discussion.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 14 and 15

NOTE: Commissioner Cherry disclosed that he has a financial interest in Items 11 and 12 but would be voting on these items as this does not affect him any greater or lesser.

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

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

13. 21-0830-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: YUKON PRODUCTIONS DBA YUKON PIZZA - OWNER: TEN15 HUNTRIDGE, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED 1,151 SQUARE-FOOT BEER/WINE/COOLER ON-SALE ESTABLISHMENT USE at 1120 South Maryland Parkway (APN 162-03-513-008), C-2 (General Commercial) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:
See Item 10 for related discussion.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 14 and 15

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

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

14. 21-0838-VAC1 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: CENTURY COMMUNITIES OF NEVADA, LLC - For possible action on a Land Use Entitlement project request for a Petition to Vacate a public drainage easement generally located at the southeast corner of W Skye Canyon Park Dr and Egan Crest Drive (APN 126-12-712-051), T-D (Traditional Development) Zone, Ward 6 (Fiore). Staff recommends APPROVAL.

Minutes:
CHAIR SCHLOTTMAN declared the Public Hearing open.

ERIC McCAMMOND, Senior Management Analyst, reported that the proposed Vacation is acceptable with recordation of the accompanying subdivision map, which will grant a new easement in a different location; therefore, staff recommended approval.

MICHAEL FANG appeared representing the application and said they need the Vacation for the easement.

MATT McCLURE said he and the other residents are concerned because they thought nothing would be developed behind their houses. They thought there would be a walking trail but found out this application will remove that section of the easement and expand the developer's ability to build a double housing track, which they are opposed to. He wished for the developer to speak with the residents so they can understand the next steps of the project.

COMMISSIONER DE SALVIO understood this to be a typical petition to vacate for a drainage easement and believed no development will occur in the area. CHAIR SCHLOTTMAN appreciated the long-term concerns but noted the Planning Commission can only consider the current application. LUCIEN PAET, Engineering Project Manager, said this easement is coming before the Commissioners following Tentative Maps that were already seen. This Vacation cleans up the wider easement and narrows it down to the walking trail that MR. McCLURE referred to. He noted this is also the situation for Item 15.

MR. McCLURE asked the developer to provide information about their proposed plan so the residents are assured the removal of the easement is not intended to expand the development.

MR. PAET said the space that has been vacated is being used for development. As such, there will be expansion into the vacated area, but the wash is already defined. PETER LOWENSTEIN, Deputy Planning Director, added that Skye Canyon is governed by a development agreement, which is available on the City's website. Within the development agreement is a land use plan, which the master developer must conform with. If they were to change anything, a public hearing would be required. He did not believe there were any modifications to land use designations at the moment.

See Items 10 and 15 for related discussion.

CHAIR SCHLOTTMAN declared the Public Hearing closed.

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-Louis De Salvio, Anthony Williams, Sam Cherry, Trinity Haven Schlottman, Jeff Rogan, Donna Toussaint, Donald Walsh;

15. 21-0839-VAC1 - VACATION - PUBLIC HEARING - APPLICANT: CENTURY COMMUNITIES OF NEVADA, LLC - OWNER: THE SKYE CANYON COMMUNITY ASSOCIATION - For possible action on a Land Use Entitlement project request for a Petition to Vacate a public drainage easement generally located at the southeast corner of W Skye Canyon Park Dr and Shaumber Road (APN 126-12-713-010), T-D (Traditional Development) Zone, Ward 6 (Fiore). Staff recommends APPROVAL.

Minutes:
CHAIR SCHLOTTMAN declared the Public Hearing open.

ERIC McCAMMOND, Senior Management Analyst, reported that the proposed Vacation is acceptable with recordation of the accompanying subdivision map, which will grant a new easement in a different location; therefore, staff recommended approval. He noted there was an additional letter of protest received since publication.

MICHAEL FANG appeared representing the application and explained this Vacation request was similar to Item 14 for property located west of the Egan Crest Estates.

ERIC TAYLOR said he and his wife purchased their home with an $11,000 lot premium and a wrought-iron-fenced open backyard. There was a public hearing similar to this one regarding a nearby parcel 16 months ago where he heard the arroyo could not be filled in without coming before the Planning Commission for approval. He was upset because most of the arroyo has already been filled in. He was opposed to this application and believed the applicant should explain why they filled in the arroyo.

LUCIEN PAET, Engineering Project Manager, believed a Modification was already completed to fill in the arroyo, as well as to install the trail system. The Commission has already seen the Tentative Map associated with the north side of the wash, and he thought the City Council already took action on the arroyo modifications.

COMMISSIONER DE SALVIO believed what has been promised by the developer will come to fruition, but the drainage must be addressed first.

See Items 10 and 14 for related discussion.

CHAIR SCHLOTTMAN declared the Public Hearing closed.

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-Louis De Salvio, Anthony Williams, Sam Cherry, Trinity Haven Schlottman, Jeff Rogan, Donna Toussaint, Donald Walsh;

16. 22-0002-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: GERBER COLLISION - OWNER: GARDEN CITY, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED 12,579 SQUARE-FOOT AUTO REPAIR GARAGE (MAJOR) USE WITHIN AN EXISTING USED MOTOR VEHICLES SALES FACILITY WITH A WAIVER TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A SINGLE-FAMILY DETACHED DWELLING WHERE 330 FEET IS REQUIRED at 5750 Sky Pointe Drive (APN 125-27-402-005), T-C (Town Center) Zone [GC-TC (General Commercial - Town Center) Special Land Use Designation], Ward 6 (Fiore). Staff recommends APPROVAL.

Minutes:
See Item 10 for related discussion.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 14 and 15

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

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

17. 22-0003-VAC1 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: TRI POINTE HOMES NEVADA, INC. - For possible action on a Land Use Entitlement project request for a Petition to Vacate Public Right-of-Way and U.S. Government Patent easements generally located at the northeast corner of Iron Mountain Road and Alpine Ridge Way (APNs 126-01-801-010, 011, 012, 013, 014, 015 and 016), R-TH (Single Family Attached) Zone, Ward 6 (Fiore). Staff recommends APPROVAL.

Minutes:
See Item 10 for related discussion.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 14 and 15

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

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

18. 22-0007-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: GLOBAL CONCESSION ALLIANCE, INC. - OWNER: SUMMERHILL PLAZA PARTNERS, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED 3,987 SQUARE-FOOT BEER/WINE/COOLER ON-SALE ESTABLISHMENT USE at 7501 West Lake Mead Boulevard, Suite #100 (APN 138-22-316-015), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen). Staff recommends APPROVAL.

Minutes:
See Item 10 for related discussion.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 14 and 15

NOTE: Commissioner Toussaint disclosed that she lives within the notification area of Item 18, but would be voting on this item as this does not affect her any greater or lesser.

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

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

19. 22-0019-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: KOLHEBELL, LLC - OWNER: STICKY 2, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED 3,969 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT USE WITH 357 SQUARE FEET OF OUTDOOR SEATING AREA at 1301 South Main Street (APN 162-03-101-002), C-M (Commercial/Industrial) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:
See Item 10 for related discussion.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 14 and 15

NOTE: The video does not reflect the vote accurately, in that Commissioner Cherry abstained from voting on Items 10, 19, 21 and 23 out of an abundance of caution as they all have common ownership, and he is involved in a project that has a pending dispute with them. Commissioner Schlottman abstained from voting on Items 10, 19, 21 and 23 as they all have the common ownership of Gary Creagh, Jr. and Gary Creagh, Sr., and he is under contract with them for a project on Main Street.

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

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

20. 22-0021-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: YUNXIA FANG - OWNER: RAINBOW STATION SOUTH, LLC - For possible action on a Land Use Entitlement project request FOR A MASSAGE ESTABLISHMENT USE WITH A WAIVER TO ALLOW A 105-FOOT DISTANCE SEPERATION FROM AN EXISTING MASSAGE ESTABLISHMENT WHERE 1000 FEET IS REQUIRED AND A ZERO-FOOT DISTANCE SEPARATION FROM A RESIDENTIAL PROPERTY WHERE 400 FEET IS REQUIRED at 6834 West Charleston (APN 138-34-814-007), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen). Staff recommends APPROVAL.

Minutes:
See Items 10 and 39 for related discussion.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 14 and 15

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

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

21. 22-0022-WVR1 - WAIVER - PUBLIC HEARING - APPLICANT/OWNER: STICKY 7, LLC - For possible action on a Land Use Entitlement project request TO ALLOW MECHANICAL UTILITY EQUIPMENT WITHIN THE RIGHT-OF-WAY WHERE SUCH IS PROHIBITED BY APPENDIX F INTERIM DOWNTOWN LAS VEGAS DEVELOPMENT STANDARDS on the south side of Utah Avenue between Commerce Street and Main Street (APN 162-03-210-007), Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:
See Item 10 for related discussion.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 14 and 15

NOTE: The video does not reflect the vote accurately, in that Commissioner Cherry abstained from voting on Items 10, 19, 21 and 23 out of an abundance of caution as they all have common ownership, and he is involved in a project that has a pending dispute with them. Commissioner Schlottman abstained from voting on Items 10, 19, 21 and 23 as they all have the common ownership of Gary Creagh, Jr. and Gary Creagh, Sr., and he is under contract with them for a project on Main Street.

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

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

22. 22-0027 - PUBLIC HEARING - APPLICANT: TRI POINTE HOMES - OWNER: NORTHWEST KYLE CANYON, LLC - For possible action on the following Land Use Entitlement project requests on 9.08 acres on the north side of the Rocky Avenue alignment, approximately 610 feet west of Oso Blanca Road (APNs 126-01-501-006 and 007), PD (Planned Development) Zone [L (Residential Low) Kyle Canyon Gateway Special Land Use Designation], Ward 6 (Fiore). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:
See Item 10 for related discussion and Items 22a-22c for related backup.

22a. 22-0027-VAC1 - VACATION - PETITION TO VACATE U.S. GOVERNMENT PATENT EASEMENTS

Minutes:
See Item 10 for related discussion and Items 22-22c for related backup.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 14 and 15

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

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

22b. 22-0027-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A 41-LOT SINGLE-FAMILY DETACHED RESIDENTIAL DEVELOPMENT

Minutes:
See Item 10 for related discussion and Items 22-22c for related backup.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 14 and 15

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

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

22c. 22-0027-TMP1 - TENTATIVE MAP - KYLE CANYON GATEWAY UNIT 2 - FOR A 41-LOT SINGLE-FAMILY DETACHED RESIDENTIAL SUBDIVISION

Minutes:
See Item 10 for related discussion and Items 22-22c for related backup.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 14 and 15

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

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

23. 22-0030-WVR1 - WAIVER - PUBLIC HEARING - APPLICANT/OWNER: GARY CREACH SR. AND GARY CREACH JR. - For possible action on a Land Use Entitlement project request TO ALLOW MECHANICAL UTILITY EQUIPMENT WITHIN THE RIGHT-OF-WAY WHERE SUCH IS PROHIBITED BY APPENDIX F INTERIM DOWNTOWN LAS VEGAS DEVELOPMENT STANDARDS on the south side of Imperial Avenue between Commerce Street and Main Street (APN 162-03-210-019), Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:
See Item 10 for related discussion.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 14 and 15

NOTE: The video does not reflect the vote accurately, in that Commissioner Cherry abstained from voting on Items 10, 19, 21 and 23 out of an abundance of caution as they all have common ownership, and he is involved in a project that has a pending dispute with them. Commissioner Schlottman abstained from voting on Items 10, 19, 21 and 23 as they all have the common ownership of Gary Creagh, Jr. and Gary Creagh, Sr., and he is under contract with them for a project on Main Street.

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

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

24. 22-0060-ZON1 - REZONING - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: CITY PARKWAY V, INC. - For possible action on a Land Use Entitlement project request FROM: C-M (COMMERCIAL/INDUSTRIAL) TO: C-2 (GENERAL COMMERCIAL) on 0.08 acres at 513 North Main Street (APN 139-34-210-016), Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:
See Item 10 for related discussion.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 14 and 15

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

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

25. 22-0061-ZON1 - REZONING - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: CITY PARKWAY V, INC. - For possible action on a Land Use Entitlement project request FROM: C-M (COMMERCIAL/INDUSTRIAL) TO: C-2 (GENERAL COMMERCIAL) on 0.32 acres at the northeast corner of Bonneville Avenue and Main Street (APNs 139-34-311-004 through 006), Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:
See Item 10 for related discussion.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 14 and 15

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

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

## PUBLIC HEARING ITEMS

26. ABEYANCE - 21-0765 - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on the following Land Use Entitlement project requests on approximately 131.00 acres generally bounded by Gass Avenue on the north; Las Vegas Boulevard, 4th Street and 3rd Street on the east; Imperial Avenue on the south; and Commerce Street and the Union Pacific Railroad on the west (APNs multiple), Ward 3 (Diaz). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:
See Item 6 for discussion and Items 26a and 26b for related backup.

26a. ABEYANCE - 21-0765-GPA1 - GENERAL PLAN AMENDMENT - FROM: MXU (MIXED USE), C (COMMERCIAL), LI/R (LIGHT INDUSTRY/RESEARCH) AND PF (PUBLIC FACILITIES) TO: FBC (FORM-BASED CODE)

Minutes:
See Item 6 for discussion and Items 26-26b for related backup.

Motion made by Jeff Rogan to Table Items 26a and 26b and Hold in Abeyance Items 27a-27d to 4/12/2022

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

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

26b. ABEYANCE - 21-0765-ZON1 - REZONING - FROM: R-4 (HIGH DENSITY RESIDENTIAL), C-1 (LIMITED COMMERCIAL), C-2 (GENERAL COMMERCIAL), C-M (COMMERCIAL/INDUSTRIAL), C-V (CIVIC) AND M (INDUSTRIAL) TO: T4-MS (T4 MAIN STREET), T4-M (T4 MAKER), T5-MS (T5 MAIN STREET), T5-C (T5 CORRIDOR), T6-UC (T6 URBAN CORE), T6-UG (T6 URBAN GENERAL) AND T6-UG-L (T6 URBAN GENERAL LIMITED)

Minutes:
See Item 6 for discussion and Items 26-26b for related backup.

Motion made by Jeff Rogan to Table Items 26a and 26b and Hold in Abeyance Items 27a-27d to 4/12/2022

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

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

27. ABEYANCE - 21-0736 - PUBLIC HEARING - APPLICANT/OWNER: PORFIRIO MORA AND JOSE LUIS MORA - For possible action on the following Land Entitlement project requests on 2.35 acres on the west side of Apricot Lane, approximately 180 feet south of Roberta Lane (APN 138-13-801-011), Ward 5 (Crear). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:
See Item 6 for related discussion and Items 27a-27d for related backup.

27a. ABEYANCE - 21-0736-GPA1 - GENERAL PLAN AMENDMENT - FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: ML (MEDIUM-LOW DENSITY RESIDENTIAL)

Minutes:
See Item 6 for related discussion and Items 27-27d for related backup.

Motion made by Jeff Rogan to Table Items 26a and 26b and Hold in Abeyance Items 27a-27d to 4/12/2022

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

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

27b. ABEYANCE - 21-0736-ZON1 - REZONING - FROM: R-E (RESIDENCE ESTATES) TO: R-SL (RESIDENTIAL SMALL LOT)

Minutes:
See Item 6 for related discussion and Items 27-27d for related backup.

Motion made by Jeff Rogan to Table Items 26a and 26b and Hold in Abeyance Items 27a-27d to 4/12/2022

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

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

27c. ABEYANCE - 21-0736-VAR1 - VARIANCE - TO ALLOW A 1.00 CONNECTIVITY RATIO WHERE 1.30 IS THE MINIMUM REQUIRED

Minutes:
See Item 6 for related discussion and Items 27-27d for related backup.

Motion made by Jeff Rogan to Table Items 26a and 26b and Hold in Abeyance Items 27a-27d to 4/12/2022

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

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

27d. ABEYANCE - 21-0736-TMP1 - TENTATIVE MAP - APRICOT & ROBERTA - FOR A PROPOSED 16-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION

Minutes:
See Item 6 for related discussion and Items 27-27d for related backup.

Motion made by Jeff Rogan to Table Items 26a and 26b and Hold in Abeyance Items 27a-27d to 4/12/2022

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

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

28. ABEYANCE - 21-0569-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: D C RAMPART OWNER, LLC - For possible action on a Land Use Entitlement project request TO ALLOW A 15-FOOT RESIDENTIAL ADJACENCY SETBACK FOR EXISTING CARPORTS AND TO ALLOW A DEVIATION FROM THE LAS VEGAS RENAISSANCE MASTER PLAN SECTION 2.10 TO ALLOW STRUCTURES (CARPORTS) WITHIN A REQUIRED 60-FOOT NO BUILDING/STRUCTURE ZONE on 15.60 acres at 8791 Alta Drive (APN 138-32-723-003), PD (Planned Development) Zone, Ward 2 (Seaman). Staff recommends APPROVAL.

Minutes:
CHAIR SCHLOTTMAN declared the Public Hearing open.

ERIC McCAMMOND, Senior Management Analyst, reported that as a result of the increased topographical differences for the multi-family development compared to the surrounding area, the existing carports exceed the residential adjacency standards. Residential adjacency standards in Title 19.08 may be greater or lesser when dealing with a natural grade; however, the subject grading differences are not naturally occurring as they are the result to correct the drainage study and grading plan. Staff found that a hardship has been created consequential to the previously approved drainage study but recommended approval. He noted an additional letter of protest was received since publication.

ATTORNEY TONY CELESTE appeared representing the applicant, The Calida Group, and displayed an aerial map of the site, which is 15 acres located off of Alta Drive and Rampart Boulevard. This project was approved five years ago by both the Planning Commission and City Council for a 359 multi-family unit development, which has been constructed and fully leased out since last spring. While building the project, all of the topography, drainage and grading studies were approved. The drainage and grading study resulted in the applicant needing to elevate the site in certain areas, which the applicant has complied with. As a result of compliance, the carports received building permits as well as certificates of occupancy. However, because the site had to be elevated slightly, the 12-foot carport was determined to impact setback requirements and is the reason for this application.

He thanked COUNCILWOMAN VICTORIA SEAMAN and her staff for coordinating neighborhood meetings as well as Planning staffs' involvement with those meeting. The neighbors asked the developer to provide additional landscaping on the southern portion of the site. MR. CELESTE displayed a letter to the Department of Planning explaining why 36-inch box trees would not be appropriate for the site, so the developer has added 24-inch box trees instead. In addition, a metal screen fence was added to block light pollution from vehicular lights as well as shielding to the carport lighting. Lighting was removed from the upper portion of the exterior of the southernmost building. He presented photos of the landscaping of the larger berm area, noting the berm area has not been interfered with except for removing and replacing dead foliage. Lastly, MR. CELESTE confirmed there would not be any carports near the southeast property line, which was a concern.

LARA KOLBERG, President of the West Mesa Estates Neighborhood Coalition, read a statement, a copy of which was submitted for the record, and explained their neighborhood aligns with the southern portion of the subject property where the setback and landscape buffer is only 15 feet. Since July, the neighborhood turned to COUNCILWOMAN SEAMAN for help because the carports were towering over the neighborhood wall, and the additional trees promised by the applicant were not planted. The adjacent residents had excessive lighting spilling over from the parking lot and had no privacy. After two neighborhood meetings with City staff, it was determined that there were several code violations. The City assured the neighbors that The Calida Group had come into compliance with the lighting codes, and they were asked to consider an arrangement where the applicant would plant larger trees so they would support the Variance, which they agreed to. MS. KOLBERG indicated The Calida Group subsequently determined that larger trees could not be planted due to the steep slope of the 15-foot landscape buffer. Over the past ten weeks, she asked neighbors if they were in support of the changes, and they were prepared to compromise if some conditions were added. MS. KOLBERG pointed out what she thought were discrepancies in a letter written by Kaempfer and Cowell regarding the carports and a previously approved Variance for a trash enclosure. The letter also indicated the residential adjacency setback issue was never raised by the City, but MS. KOLBERG said the neighbors would have mentioned it if they had known the carports were a part of the plan. She stated that the neighbors do not believe the hardship definition applies to this Variance, and they compiled several suggestions to the City's approval process, which she submitted for the record.

The Commissioners read through the proposed conditions provided by MS. KOLBERG, who shared photos on the overhead of the dead trees along the property line, in the berm area and a power box close to the wall, which has collected a lot of trash. CHAIR SCHLOTTMAN believed if the conditions specify the replacement of dead trees, the applicant must abide by them. He shared the proposed conditions with MR. CELESTE.

AL NEEDHAM said he is the homeowner next to the power box along the 15-foot landscape buffer and noted there is no room to plant additional trees because of a lack of space and the concrete base of the power box.

Reading from MS. KOLBERG'S proposed conditions, MR. CELESTE responded that the utility box cannot be relocated. He also did not have the authority to add an additional metal screen fence. The rest of the conditions he believed were standard. SETH FLOYD, Director of Community Development, said whatever is approved on the site plan will be followed. Additionally, lights and screening have their own requirements within the code. The applicant must abide by the approved landscape plan. Trees are approved varieties per the Southern Nevada Water Authority. Monthly trash maintenance would also be a code enforcement issue. DEPUTY CITY ATTORNEY JIM LEWIS advised the Commissioners to stick to the Variance application for consideration. MR. CELESTE reiterated that they would agree to a condition not to add carports along the southeast property line; however, MR. LEWIS said an application for additional carports would have to be submitted anyway.

COMMISSIONER WALSH understood COUNCILWOMAN SEAMAN visited the site and met with the neighbors and an agreement was established that four items would be agreed upon before the Variance was approved, which he reviewed.

CHAIR SCHLOTTMAN declared the Public Hearing closed.

Motion made by Donald Walsh to Approve subject to condition(s)

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

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

29. ABEYANCE - 21-0676-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: TRACY ANN SOARES AND PAMELA SUE LAUBY - For possible action on a Land Use Entitlement project request TO ALLOW A ONE-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED FOR AN EXISTING ACCESSORY STRUCTURE (CLASS II) [CARPORT] on 0.15 acres at 1721 Cedar Avenue (APN 139-35-510-157), R-1 (Single Family Residential) Zone, Ward 3 (Diaz). Staff recommends DENIAL.

Minutes:
CHAIR SCHLOTTMAN declared the Public Hearing open.

ERIC McCAMMOND, Senior Management Analyst, reported that staff found the applicant created a self-imposed hardship by building a structure without permits that does not meet Title 19 setback requirements and recommended denial.

PAMELA LAUBY requested a Variance for a carport. She displayed a photo on the overheard and pointed to where she is willing to remove two panels and green screening on the carport for a more aesthetic sight line to the property. Her neighbors had no issue with the carport.

KELLI FAVELA, nearby neighbor, said the carport is not an eyesore, and it has been there a long time. GARY and TAMARA FAVELA also supported the Variance.

JOHN LAUBY stated that the carport has been there for over 20 years, and they have only lived at the address for three years. He was in agreement with MS. LAUBY'S modifications to the carport and wished to keep it in place.

CHAIR SCHLOTTMAN pointed out that this carport is one foot behind the fence, and he has never approved a carport that was so close to the front fence or in the front yard. He wished to hear from the other Commissioners.

COMMISSIONER ROGAN felt the Commission receives a lot of inquiries about front yard carports and did not believe they have ever approved anything this close to the property line. He thought the precedent should be kept, adding that this carport is not harmonious or compatible with the neighboring properties. COMMISSIONER WILLIAMS agreed.

COMMISSIONER CHERRY asked if this application would go to the City Council, to which CHAIR SCHLOTTMAN said it would if denied. COMMISSIONER CHERRY echoed the previous comments but suggested MS. LAUBY return to the City Council with support as they may have a different criteria.

Subsequent to the vote, MS. LAUBY said she will not be in town on April 20th, and CHAIR SCHLOTTMAN said she could request an abeyance from the Ward 3 office. She then asked how long they would have to remove it if they had to do so, and CHAIR SCHLOTTMAN advised that would be determined by the City Council. He also recommended that she seek approval for their side yard carport.

CHAIR SCHLOTTMAN declared the Public Hearing closed.

Motion made by Sam Cherry to Deny

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

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

30. ABEYANCE - 21-0823 - PUBLIC HEARING - APPLICANT: RICHARD TORRES - OWNER: NV LANDSCAPES, LLC - For the possible action on the following Land Use Entitlement project requests on 0.52 acres at the southwest corner of Coran Lane and Sycamore Trail (APN 139-19-701-001), Ward 5 (Crear). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:
CHAIR SCHLOTTMAN declared the Public Hearing open for Items 30-30c.

ERIC McCAMMOND, Senior Management Analyst, reported that staff determined the proposed project is not compatible with surrounding development in the area, as existing residential uses are adjacent to the subject site to the north and west. Furthermore, the requested Industrial zoning district does not comply with the existing Transit Oriented Corridor - 2 General Plan designation, which calls for lower intensity and linear corridor mixed use suitable for future bus rapid transit corridors. Such uses include shopping services, dining, residential, offices and civic land uses. Staff recommended denial of all applications.

DAVID STRAIT was present with RICHARD TORRES, owner, and explained the proposed project is for an equipment yard for a landscaping company. He believed the project was consistent with much of the surrounding lots, because it is only a block west of Rancho Road, and it fits in with the local environment. The applicant wished to build an attractive eight-foot CMU (concrete masonry unit) fence and has agreed to staff's recommendation to develop offsite curbs, gutters and sidewalks. MR. STRAIT asked that Condition 6 of the Variance be removed.

COMMISSIONER WILLIAMS said the Commission has seen several similar projects, noting this part of town has transitioned to have more industrial storage yards. As long as the applicant agreed to make the improvements specified in the conditions, he could support the application.

LUCIEN PAET, Engineering Project Manager, recommended Item 30b be stricken, noting Condition 14 of Item 30c requires the construction of offsite improvements. MR. McCAMMOND suggested a withdrawal without prejudice, but DEPUTY CITY ATTORNEY REBECCA WOLFSON advised that striking Item 30b would be fine.

See Items 30a-30c for related backup.

CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 30-30c.

30a. ABEYANCE - 21-0823-ZON1 - REZONING - FROM: C-2 (GENERAL COMMERCIAL) TO: M (INDUSTRIAL)

Minutes:
See Item 30 for related discussion and Items 30-30c for related backup.

Motion made by Anthony Williams to Approve Items 30a and 30c subject to condition(s) and Strike Item 30b

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

For-Louis De Salvio, Anthony Williams, Sam Cherry, Trinity Haven Schlottman, Donna Toussaint, Donald Walsh; Against-Jeff Rogan;

30b. ABEYANCE - 21-0823-VAR1 - VARIANCE - TO ALLOW NO REQUIRED COMPLETE STREET IMPROVEMENTS (CURB/GUTTER/SIDEWALK/STREETLIGHTS) WHERE SUCH IS REQUIRED

Minutes:
See Item 30 for related discussion and Items 30-30c for related backup.

Motion made by Anthony Williams to Approve Items 30a and 30c subject to condition(s) and Strike Item 30b

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

For-Louis De Salvio, Anthony Williams, Sam Cherry, Trinity Haven Schlottman, Donna Toussaint, Donald Walsh; Against-Jeff Rogan;

30c. ABEYANCE - 21-0823-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED CONTRACTOR'S PLANT, SHOP & STORAGE YARD DEVELOPMENT WITH A WAIVER OF PERIMETER LANDSCAPE DEVELOPMENT STANDARDS

Minutes:
See Item 30 for related discussion and Items 30-30c for related backup.

Motion made by Anthony Williams to Approve Items 30a and 30c subject to condition(s) and Strike Item 30b

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

For-Louis De Salvio, Anthony Williams, Sam Cherry, Trinity Haven Schlottman, Donna Toussaint, Donald Walsh; Against-Jeff Rogan;

31. 22-0005-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: JOSE CALZADO RIVERA - For possible action on a Land Use Entitlement project request TO ALLOW A 558 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS II) [SHED] AND A 360 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS II) [SHED] TO EXCEED THE FLOOR AREA OF THE PRINCIPAL DWELLING UNIT BY 88 PERCENT WHERE 50 PERCENT IS THE MAXIMUM ALLOWED; AND A 19-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED FOR AN EXISTING ADDITION TO THE PRINCIPLE DWELLING on 0.15 acres at 2309 Cedar Avenue (APN 139-35-513-040), R-1 (Single Family Residential) Zone, Ward 3 (Diaz). Staff recommends DENIAL.

Minutes:
CHAIR SCHLOTTMAN declared the Public Hearing open.

ERIC McCAMMOND, Senior Management Analyst, reported that staff found the applicant has created a self-imposed hardship by building an addition without permits that does not meet Title 19 lot coverage and setback requirements. Staff recommended denial. He noted an additional letter of support was received since publication.

JOSE CALZADO was present and needed a translator, however, one was not present. CHAIR SCHLOTTMAN offered an abeyance, which MR. CALZADO agreed to.

CHAIR SCHLOTTMAN declared the Public Hearing closed.

Motion made by Jeff Rogan to Hold in Abeyance to 4/12/2022

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

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

32. 22-0015 - PUBLIC HEARING - APPLICANT/OWNER: GOLD LT RE, LLC #6 - For possible action on the following Land Use Entitlement project requests on 1.06 acres on the east side of Rainbow Boulevard approximately 520 feet south of Ann Road (APN 125-35-101-007), C-1 (Limited Commercial) Zone, Ward 6 (Fiore). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:
CHAIR SCHLOTTMAN declared the Public Hearing open for Items 32-32d.

COUREY STEWART, Planner II, reported that the proposed RV (Recreational Vehicle) and Boat Storage use fails to comply with Title 19, regarding outdoor storage, parking and landscaping. As evidenced by the associated Waiver and Variance requests, the proposed development is not compatible with the existing surrounding residential development; therefore, staff recommended denial of all entitlements. He noted additional letters of protest were received since publication.

ERAN GOLD, owner and developer, submitted two letters of support for the record. He stated that the subject parcel has been vacant for ten years, and the community needs a place to park RVs and boats. Before approaching the Ward 6 office, he visited the neighbors to the rear of the site, and they were supportive. He then spoke with COUNCILWOMAN MICHELE FIORE'S office, and she was also in support. Lastly, he met with COMMISSIONER DE SALVIO at the site and worked with the HOA (homeowners association) president on proposed conditions prior to this meeting.

He addressed the two Variances being requested. There is an existing eight-foot wall on the north side of the site, and after speaking with the neighbors, the applicant also proposed eight-foot walls on the rear and side of the property line to offer the neighbors more privacy. There is plenty of landscaping, and the applicant will remove parking spots from the back of the property and add a five-foot landscape buffer, which he pointed to on the overhead. He also pointed out where additional landscaping will be added along the north side of the site and in the back. In addition, there will be a six-foot fence in the front, and the HOA requested a landscape buffer in front of that fence. Lastly, a handicap parking space will be provided as well.

KEITH LETUS, President of the Timber Creek Homeowners' Association, liked the proposed use and thanked the applicant for meeting with them. He hoped the proposed conditions would be approved, but if not, the neighbors were willing to meet with the applicant again. MR. LETUS submitted a protest postcard from a neighbor for the record. He said this neighbor was in support of an eight-foot wall as well as removing the two closest parking spaces to the wall and replacing them with landscaping. The hours of operation were also a concern for this neighbor, but MR. LETUS already discussed this with the applicant. He hoped for a 15-foot landscape buffer and tall shrubs along Rainbow Boulevard.

COMMISSIONER DE SALVIO shared the same concerns regarding the six-foot wall and appreciated that MR. GOLD met with the neighbors. However, he felt the Commissioners might be confused given all of the changes and recommended an abeyance so MR. GOLD can submit a new site plan that reflects all of the changes that were discussed. He supported the less intense use but felt it was best to abey the item.

MR. GOLD asked if the application would be approved at the next meeting, and COMMISSIONER DE SALVIO said he is supportive if the neighbors are.

COMMISSIONER CHERRY believed the setback from Rainbow Boulevard should be eight to ten feet. COMMISSIONER DE SALVIO agreed, noting it is important for the wall to fit into the community. MR. GOLD said there is only one area that will have a narrower landscape buffer.

Subsequent to the motion and vote, COMMISSIONER WALSH asked if a fire truck could get through the roads surrounding the structures, to which MR. GOLD said the roads are 24 feet and 34 feet wide. There are two entrance gates, and he would have these identified on the new site plan.

See Items 32a-32d for related backup.

CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 32-32d.

32a. 22-0015-VAR1 - VARIANCE - TO ALLOW OUTDOOR STORAGE WITHIN THE SETBACK AREA WHERE SUCH IS NOT ALLOWED; AND A SIX-FOOT TALL SCREEN WALL WHERE OUTDOOR STORAGE SCREENING DEVELOPMENT STANDARDS REQUIRE AN EIGHT-FOOT TALL SOLID SCREEN WALL

Minutes:
See Item 32 for related discussion and Items 32-32d for related backup.

Motion made by Louis De Salvio to Hold in Abeyance Items 32a-32d to 4/12/2022

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

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

32b. 22-0015-VAR2 - VARIANCE - TO ALLOW THREE PARKING SPACES ON THE EXTERIOR OF THE SECURITY FENCE WHERE FIVE ARE REQUIRED AND TO ALLOW ZERO PARKING SPACES SPREAD THROUGHOUT THE DEVELOPMENT WHERE TWO ARE REQUIRED

Minutes:
See Item 32 for related discussion and Items 32-32d for related backup.

Motion made by Louis De Salvio to Hold in Abeyance Items 32a-32d to 4/12/2022

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

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

32c. 22-0015-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED RECREATIONAL VEHICLE AND BOAT STORAGE USE WITH WAIVERS TO ALLOW THE STORAGE AREA TO BE VISIBLE FROM PUBLIC STREETS AND ADJOINING PROPERTIES WITHOUT BEING SCREENED BY AN EIGHT-FOOT TALL SCREENING DEVICE AND STORAGE WITHIN THE SETBACK AND LANDSCAPE BUFFER AREA

Minutes:
See Item 32 for related discussion and Items 32-32d for related backup.

Motion made by Louis De Salvio to Hold in Abeyance Items 32a-32d to 4/12/2022

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

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

32d. 22-0015-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED RECREATIONAL VEHICLE AND BOAT STORAGE PARKING LOT WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS

Minutes:
See Item 32 for related discussion and Items 32-32d for related backup.

Motion made by Louis De Salvio to Hold in Abeyance Items 32a-32d to 4/12/2022

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

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

33. 22-0016-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: TINA LASHAUN ALLEN-MAJOR AND LISIMBA M. MAJOR - For possible action on a Land Use Entitlement project request TO ALLOW A 35-FOOT FRONT YARD SETBACK WHERE 50 FEET IS REQUIRED FOR A PROPOSED SINGLE FAMILY DWELLING on 1.00 acre at the northwest corner of Donald Nelson Avenue and Jones Boulevard (APN 125-14-604-005), R-E (Residence Estates) Zone, Ward 6 (Fiore). Staff recommends DENIAL.

Minutes:
CHAIR SCHLOTTMAN declared the Public Hearing open.

COUREY STEWART, Planner II, reported that staff found the setback Variance request to be a self-imposed hardship and recommended denial. He noted an additional letter of support was received since publication.

NATHAN TAYLOR appeared representing the applicant and requested approval. He thanked COMMISSIONER DE SALVIO for the site visit and believed this project will be a great addition to the area.

COMMISSIONER DE SALVIO said he met with the property owners and discussed the size and layout of the house, as well as the future use of the rear yard. He thought the request was harmonious and compatible to what will be next to their property. The Commissioner was thankful for the request for a 6,000-square-foot house on a corner lot.

CHAIR SCHLOTTMAN declared the Public Hearing closed.

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-Louis De Salvio, Anthony Williams, Sam Cherry, Trinity Haven Schlottman, Jeff Rogan, Donna Toussaint, Donald Walsh;

34. 22-0018-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: WICK, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED CAR WASH, FULL SERVICE OR AUTO DETAILING USE WITH A WAIVER TO ALLOW NO STACKING WHERE STACKING FOR SIX VEHICLES IS REQUIRED at 3230 North Durango Drive (APN 138-09-422-004), C-1 (Limited Commercial) Zone, Ward 4 (Anthony). Staff recommends DENIAL.

Minutes:
CHAIR SCHLOTTMAN declared the Public Hearing open.

COUREY STEWART, Planner II, reported that staff found the proposed car wash use without a stacking lane would intensify the poor circulation within the subject commercial center. Furthermore, there is already an active Full Service Car Wash use in operation within the subject center; therefore, staff recommended denial. He noted additional letters of protest were received since publication.

SEAN STONE, present with his wife SVITLANA, said they are the owners and operators of the automotive repair facility at the subject property. MR. STONE requested approval of a car wash and detailing service, citing that more people are investing in their vehicles, and they would like to improve their services by returning vehicles cleaned through the car wash and detailing service. They were not asking for a full car wash but wished to offer existing clientele an add-on service while their vehicle is in for repairs. One of their existing bays will be converted in order to wash the cars, and MR. STONE reiterated that cars will not be stacked and washing will be by appointment only. He added that they tried to outsource to mobile car washers with no success, and the nearby car wash is run down and nobody provides hand washing.

PAWAN NANDA said he is the owner and operator of the 7-Eleven next to the subject property. He corrected that the car wash is run down because of the COVID-19 pandemic, and the boarded up windows are for the detail shop that was vandalized. He was willing to work with the STONES to share resources as he was concerned about losing business.

COMMISSIONER TOUSSAINT agreed that something needs to be done about the run down car wash nearby. Initially, she was confused about car stacking, but MR. STONE informed her that they already operate an appointment-based services and are simply adding an extra service to their menu. COMMISSIONER TOUSSAINT also felt this plan was environmentally safe and asked staff to read the added conditions, which MR. STONE agreed to.

CHAIR SCHLOTTMAN declared the Public Hearing closed.

Motion made by Donna Toussaint to Approve 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 business license issuance for the Car Wash, Full Service or Auto Detailing use.

B. The Car Wash, Full Service or Auto Detailing use shall be performed within a completely enclosed building.

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

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

35. 22-0024 - PUBLIC HEARING - APPLICANT: BUILD TO SUIT, INC. - OWNER: CANYON LAKES, LLC - For possible action on the following Land Use Entitlement project requests on 5.57 acres at 9100 West Sahara Avenue (APN 163-05-410-004), Ward 2 (Seaman). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:
CHAIR SCHLOTTMAN declared the Public Hearing open for Items 35-35b.

COUREY STEWART, Planner II, reported that the requested Blood Plasma Donor Center use cannot be approved without the approval of the associated Rezoning request. Approval of the Rezoning would create a situation where non-compatible uses could be operated next to each other. As such, staff recommended denial of both entitlement requests. He noted additional letters of protest were received since publication.

LORA DREJA appeared on behalf of BioLife Plasma Services (BioLife) and said that blood plasma is a vital part of the Valley's healthcare system and is needed by people with immune deficiencies, hereditary angioedema, hemophilia, liver disease, and autoimmune deficiencies caused by chemotherapy. The list of conditions plasma can treat is growing as well as the need for blood plasma. The subject site is located in proximity to established donors, who are listed in an industry-wide database. BioLife operates three facilities in the Valley, and none of them have generated any calls to law enforcement. MS. DREJA displayed photos of the other locations, which operates from 8:00 a.m. to 6:00 p.m. BioLife is by appointment only and no cash is kept onsite. Payment is made following the donors second session in the course of one week. Additionally, any individual that tests positive for an illegal substance is permanently banned from ever donating again. Although she understood that spot zoning was a concern, she was confident the five acres and spot zoning will not change the physical characteristics of the site or the neighborhood.

COMMISSIONER WALSH said he heard various comments on this project, but he realizes how important blood plasma is to saving lives. The Commissioner liked this project and thought it fills a large void in the complex.

MS. DREJA agreed to all conditions.

See Items 35a and 35b for related backup.

CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 35-35b.

35a. 22-0024-ZON1 - REZONING - FROM: C-1 (LIMITED COMMERCIAL) TO: C-2 (GENERAL COMMERCIAL)

Minutes:
See Item 35 for related discussion and Items 35-35b for related backup.

Motion made by Donald Walsh to Approve Items 35a and 35b subject to condition(s)

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

For-Louis De Salvio, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Donna Toussaint, Donald Walsh; Against-Sam Cherry;

35b. 22-0024-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED BLOOD PLASMA DONOR CENTER USE

Minutes:
See Item 35 for related discussion and Items 35-35b for related backup.

Motion made by Donald Walsh to Approve Items 35a and 35b subject to condition(s)

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

For-Louis De Salvio, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Donna Toussaint, Donald Walsh; Against-Sam Cherry;

36. 22-0026 - PUBLIC HEARING - APPLICANT: NYS, LLC - OWNER: CITY OF LAS VEGAS - For possible action on the following Land Use Entitlement project requests on 0.41 acres at 1150 West Owens Avenue (APN 139-21-803-006), C-1 (Limited Commercial) Zone, Ward 5 (Crear). Staff recommends DENIAL on the Land Use Entitlement project. [NOTE: The correct applicant name is MYS, LLC.]

Minutes:
CHAIR SCHLOTTMAN declared the Public Hearing open for Items 36-36b.

COUREY STEWART, Planner II, reported that while the proposed office development supports the overall intent of the West Las Vegas Plan, staff recommended denial due to the associated Variance request for parking. He noted an additional letter of protest was received since publication.

DANITHZA OLSON, KME Architects, corrected the name of the applicant on the Agenda, which should read MYS, LLC. She appeared with MYISHA BOYCE on this application for an office building, which is approximately 6,135 square feet and contains two tenant spaces, a main office, and a shared courtyard to be used by tenants. Requested was a landscape buffer of zero feet where eight feet is required in the north and east corner of the property as well as a parking Variance.

MS. BOYCE identified herself as the owner and land developer and expressed her excitement for the project, as she is a first generation business and land owner and they want to reinvest back into the community. She appreciated COUNCILMAN CEDRIC CREAR'S support on this project. She introduced the development consultant, NIC STEELE.

MR. STEELE said this project was born out of the desire to be a spark in the area, and this location was chosen as an opportunity to reverse the blight and deterioration of the neighborhood. The subject property has been vacant for over 10 years. The proposed design is beautiful and has already attracted other developers, and he hoped it would be one of many developments within the corridor. Speaking to the parking Variance, this building has two tenants with eight or less employees, which is less than the requested Variance for 12 parking spaces. There is a training room for guests and one-on-one consulting, but there is no expectation of an overflow of vehicles that would cause a parking issue.

MS. OLSON demonstrated the landscape plan for COMMISSIONER WILLIAMS on the overhead. The Commissioner understood the project supports the overall revitalization of the Historic Westside and economic development within the area.

See Items 36a and 36b for related backup.

CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 36-36b.

36a. 22-0026-VAR1 - VARIANCE - TO ALLOW 12 PARKING SPACES WHERE 21 ARE REQUIRED

Minutes:
See Item 36 for related discussion and Items 36-36b for related backup.

Motion made by Anthony Williams to Approve Items 36a and 36b subject to condition(s)

NOTE: The correct applicant name is MYS, LLC

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

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

36b. 22-0026-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 6,135 SQUARE-FOOT OFFICE DEVELOPMENT WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS

Minutes:
See Item 36 for related discussion and Items 36-36b for related backup.

Motion made by Anthony Williams to Approve Items 36a and 36b subject to condition(s)

NOTE: The correct applicant name is MYS, LLC

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

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

37. 22-0040-SDR1 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: AZURE DEVELOPMENT, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED 38-FOOT TALL, 85,137 SQUARE-FOOT, 556-UNIT MINI-STORAGE FACILITY WITH WAIVERS OF THE TOWN CENTER DEVELOPMENT STANDARDS MANUAL on 1.43 acres on the south side of Azure Drive, approximately 460 feet west of Tenaya Way (APN 125-27-222-014), T-C (Town Center) Zone [GC-TC (General Commercial - Town Center) Special Land Use Designation], Ward 6 (Fiore). Staff recommends DENIAL.

Minutes:
CHAIR SCHLOTTMAN declared the Public Hearing open.

COUREY STEWART, Planner II, reported that the proposed Mini-Storage development does not meet the overall intent of the Town Center Development Standards Manual. This is evidenced by the associated Waiver requests regarding building design, setbacks and landscaping. As such, staff recommended denial. He noted additional letters of protest were received since publication.

LORA DREJA, appearing on behalf of the Seto Family, stated that this is the last proposal for this commercial subdivision that broke ground in 2005. The applicant requested a three-story building due to the inset solar panels and an elevator structure. The nearest established residential development is to the south of the subject site, and the application meets setback requirements. The northern site plan ensures the site will not shade the building, and there are two residential lots abutting the site as well as mature landscaping that exists at the property line. Alternative landscaping standards have been requested to provide shade trees in lieu of clusters of palm trees. Additionally, the intent of the Town Center design standards are met with the street-side footprint, the fenestration, and the varying textures of the building. Parking lots are screened and the building is set away from residential development as much as possible. The setback issue does not represent the majority of the frontage, and there is a portion of the existing sidewalk that curves towards the building. She believed the design fits well with the existing streetscape and is compatible with the surroundings.

COMMISSIONER DE SALVIO asked about the hours of operation of the facility, to which MS. DREJA said the facility will be staffed from 8:00 a.m. to 6:00 p.m., but those who lease units will have 24-hour access. She confirmed the units are all located indoors. The Commissioner also confirmed through MS. DREJA that no windows will overlook the residential area, and all fenestration on the elevations will be faux to make the building more attractive. There will be no mounted lights or parking lights than what code recommends for safety reasons.

COMMISSIONER DE SALVIO approved of the shade trees instead of palm trees and understood the need for the height of the building due to the solar panels. He would rather see this use on the subject site, but did not know how intense the use would be if there is 24-hour access. MS. DREJA explained that there is an entrance on the south and west sides of the building. She displayed the elevations for the Commissioner and said the south side entrance has roll-up doors, noting there is more than 30-50 feet between the building and the residential area.

COMMISSIONER ROGAN suggested a one year administrative review, which MS. DREJA was amenable to as well as to all other conditions.

CHAIR SCHLOTTMAN declared the Public Hearing closed.

Motion made by Louis De Salvio to Approve subject to condition(s) and adding the following condition:

A. An administrative required review shall be conducted one year from the date of business license issuance for the Mini-Storage Facility use.

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

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

## DIRECTOR'S BUSINESS:

38. 22-0054-TXT1 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on a request to amend LVMC Title 19 Interim Downtown Las Vegas Development Standards regarding underground utility regulations, and to provide for other related matters. Staff recommends APPROVAL.

Minutes:
CHAIR SCHLOTTMAN declared the Public Hearing open.

ERIC McCAMMOND, Senior Management Analyst, reported that the proposed amendment would allow staff the flexibility to allow for alternative locations of utility appurtenances without the need for waivers of the Interim Downtown Las Vegas Development Standards. This amendment does not affect sites in which there are existing utilities and no new utilities are determined to be needed. Staff recommended approval.

CHAIR SCHLOTTMAN said this has been a problem in the downtown area for many years because as buildings are built out to the property line, the utility device cannot be put on the property. Bringing the utility device to the back of the property will not always work due to a State law. He thought it was also unfortunate that they cannot be placed below ground like in other cities. The Chair stated that the Las Vegas Water District was kind in working with City staff and in assisting with running a pilot program that will be discussed at a later date. He hoped this amendment would help move projects along.

CHAIR SCHLOTTMAN 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-Louis De Salvio, Anthony Williams, Sam Cherry, Trinity Haven Schlottman, Jeff Rogan, Donna Toussaint, Donald Walsh;

## **Citizens Participation:**

39. 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 SCHLOTTMAN and SETH FLOYD, Director of Community Development, informed DOUGLAS C. SHARP that the application for YUNXIA FANG, Item 20, was approved under the One Motion One Vote Agenda and will move forward to the April 20, 2022 City Council Meeting.

The meeting was adjourned at 8:09 p.m.

Respectfully submitted:

____________________________________
Cheyenne LaRance, Deputy City Clerk

____________________________________
Gabriela Portillo-Brenner, Deputy City Clerk

Minutes Prepared by:
Ashley Foster, CMC, Deputy City Clerk

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
The Nevada Public Notice website – notice.nv.gov
City Hall, 495 South Main Street, 1st Floor