Planning Commission Minutes

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

April 9, 2019
6:00 PM

ACTIONS: All actions except general plan amendments, rezonings, and related cases thereto are final unless an appeal is filed by the applicant or an aggrieved person, or a review is requested by a member of the city council within ten days and payment of those costs shall be made upon filing of the application.

BUSINESS ITEMS:

1. Call to Order

Minutes:
CHAIR CHERRY called the meeting to order at 6:09 p.m.

2. Announcement: Compliance with Open Meeting Law

Minutes:
ANNOUNCEMENT MADE: This meeting has been 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.

3. Roll Call

Minutes:
PRESENT: CHAIR CHERRY and COMMISSIONERS DE SALVIO, QUINN (excused at 6:44 p.m.), SCHLOTTMAN (excused from 8:30 p.m. to 8:32 p.m.), TOUSSAINT, ROUSH and WILLIAMS (excused at 9:16 p.m.)

Also Present: ROBERT SUMMERFIELD, Planning Director, ERIC McCAMMOND, Senior Management Analyst, JONATHAN BOYLES, Senior Planner, CRAIG CROMPTON, Planner I, VICTOR BOLANOS, Senior Engineering Associate, BRIAN HALVORSON, Assistant Fire Protection Engineer, SETH FLOYD, Deputy City Attorney, DEBRA A. OUTLAND, Deputy City Clerk, and JACQUIE MILLER, 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 March 12, 2019.

Motion made by Louis De Salvio to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Vicki Quinn, Brenda Williams;

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ERIC McCAMMOND, Senior Management Analyst, announced those items requested to be withdrawn and abeyed.

NOTE: The video does not reflect the vote accurately in that Commissioner Roush abstained from voting on Items 40 and 41 as her firm, Cushman & Wakefield, is the property manager for those properties.

Motion made by Louis De Salvio to Withdraw without prejudice Items 19 and 20 and Hold in abeyance Items 40 and 41 to 6/25/2019

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Vicki Quinn, Brenda Williams;

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-75817 - TENTATIVE MAP - 3100-3190 WEST SAHARA AVENUE (A COMMERCIAL SUBDIVISION) - APPLICANT/OWNER: SAHARA WEST EXECUTIVE PARK, LLC - For possible action on a request for a Tentative Map FOR A ONE-LOT COMMERCIAL SUBDIVISION on 6.73 acres at 3100, 3150 and 3190 West Sahara Avenue (APNs 162-05-403-001, 002 and 004), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian) [PRJ-75758]. Staff recommends APPROVAL.

Minutes:
By way of reading these items, CHAIR CHERRY declared the Public Hearing open for Items 8-18, and by way of calling for the motion, CHAIR CHERRY declared the Public Hearing closed for Items 8-18.

Subsequent to hearing Item 56, ROBERT SUMMERFIELD, Planning Director, clarified that this item was final action unless appealed to the City Clerk’s Office within 7 days.

NOTE: The video does not reflect the vote accurately in that Commissioner Schlottman abstained from voting on Item 17 due to a past business relationship with the property owner and ongoing business with one of the applicant's representatives who he believed has part ownership in the business as well. Commissioner Cherry disclosed he lives within the notification area of Item 17, but that would not affect him any greater or lesser, and he would be voting.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Vicki Quinn, Brenda Williams;

8. GPA-75784 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: ASPECT HOMES - OWNER: CHARLESTON LAMB, LLC - For possible action on a request for a General Plan Amendment FROM: MLA (MEDIUM LOW ATTACHED DENSITY RESIDENTIAL) TO: ML (MEDIUM LOW DENSITY RESIDENTIAL) on 3.62 acres at the northwest corner of Wales Green Lane and Corwood Green Lane (APN 140-31-801-001), Ward 3 (Coffin) [PRJ-75766]. Staff recommends APPROVAL.

Minutes:
See Item 7 for related discussion and Item 9 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Vicki Quinn, Brenda Williams;

9. ZON-75786 - REZONING RELATED TO GPA-75784 - PUBLIC HEARING - APPLICANT: ASPECT HOMES - OWNER: CHARLESTON LAMB, LLC - For possible action on a request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: R-CL (SINGLE FAMILY COMPACT-LOT) on 3.62 acres at the northwest corner of Wales Green Lane and Corwood Green Lane (APN 140-31-801-001), Ward 3 (Coffin) [PRJ-75766]. Staff recommends APPROVAL.

Minutes:
See Item 7 for related discussion and Items 8 and 9 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Vicki Quinn, Brenda Williams;

10. GPA-75827 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: MARKS GARAGE ONE, LLC - For possible action on a request for a General Plan Amendment FROM: O (OFFICE) AND SC (SERVICE COMMERCIAL) TO: GC (GENERAL COMMERCIAL) on 2.60 acres at 1700 East Sahara Avenue (APNs 162-02-801-001 and 002), Ward 3 (Coffin) [PRJ-74677]. Staff recommends APPROVAL.

Minutes:
See Item 7 for related discussion and Items 11 and 12 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Vicki Quinn, Brenda Williams;

11. ZON-75828 - REZONING RELATED TO GPA-75827 - PUBLIC HEARING - APPLICANT/OWNER: MARKS GARAGE ONE, LLC - For possible action on a request for a Rezoning FROM: P-R (PROFESSIONAL OFFICE AND PARKING) TO: C-2 (GENERAL COMMERCIAL) on 2.60 acres at 1700 East Sahara Avenue (APNs 162-02-801-001 and 002), Ward 3 (Coffin) [PRJ-74677]. Staff recommends APPROVAL.

Minutes:
See Item 7 for related discussion and Items 10-12 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Vicki Quinn, Brenda Williams;

12. SDR-74835 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-75827 AND ZON-75828 - PUBLIC HEARING - APPLICANT/OWNER: MARKS GARAGE ONE, LLC - For possible action on a request for a Major Amendment to previously approved Plot Plan Reviews (Z-0071-80 and Z-71-86) FOR A PROPOSED 5,906 SQUARE-FOOT ADDITION TO AN EXISTING 28,969 SQUARE-FOOT MOTOR VEHICLE SALES (NEW) DEALERSHIP on 2.60 acres at 1700 East Sahara Avenue (APNs 162-02-801-001 and 002), C-2 (General Commercial) and P-R (Professional Office and Parking) Zones [PROPOSED: C-2 (General Commercial)], Ward 3 (Coffin) [PRJ-74677]. Staff recommends APPROVAL.

Minutes:
See Item 7 for related discussion and Items 10-12 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Vicki Quinn, Brenda Williams;

13. GPA-75846 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: SCHOOL BOARD OF TRUSTEES - For possible action on a request for a General Plan Amendment FROM: M (MEDIUM DENSITY RESIDENTIAL) TO: PF (PUBLIC FACILITIES) on 15.64 acres at 491 North Lamb Boulevard (APN 140-31-601-002), C-1 (Limited Commercial) Zone, Ward 3 (Coffin) [PRJ-75613]. Staff recommends APPROVAL.

Minutes:
See Item 7 for related discussion and Items 14-16 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Vicki Quinn, Brenda Williams;

14. ZON-75847 - REZONING RELATED TO GPA-75846 - PUBLIC HEARING - APPLICANT/OWNER: SCHOOL BOARD OF TRUSTEES - For possible action on a request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) TO: C-V (CIVIC) on 15.64 acres at 491 North Lamb Boulevard (APN 140-31-601-002), C-1 (Limited Commercial) Zone, Ward 3 (Coffin) [PRJ-75613]. Staff recommends APPROVAL.

Minutes:
See Item 7 for related discussion and Items 13-16 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Vicki Quinn, Brenda Williams;

15. VAR-75848 - VARIANCE RELATED TO GPA-75846 AND ZON-75847 - PUBLIC HEARING - APPLICANT/OWNER: SCHOOL BOARD OF TRUSTEES - For possible action on a request for a Variance TO ALLOW DEVIATIONS FROM TITLE 19.10.020 C-V (CIVIC) DEVELOPMENT STANDARDS on 15.64 acres at 491 North Lamb Boulevard (APN 140-31-601-002), C-1 (Limited Commercial) Zone, Ward 3 (Coffin) [PRJ-75613]. Staff recommends APPROVAL.

Minutes:
See Item 7 for related discussion and Items 13-16 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Vicki Quinn, Brenda Williams;

16. SDR-75849 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-75846, ZON-75847 AND VAR-75848 - PUBLIC HEARING - APPLICANT/OWNER: SCHOOL BOARD OF TRUSTEES - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 22,927 SQUARE-FOOT BUILDING ADDITION TO AN EXISTING 69,315 SQUARE-FOOT PUBLIC SCHOOL, PRIMARY DEVELOPMENT on 15.64 acres at 491 North Lamb Boulevard (APN 140-31-601-002), C-1 (Limited Commercial) Zone, Ward 3 (Coffin) [PRJ-75613]. Staff recommends APPROVAL.

Minutes:
See Item 7 for related discussion and Items 13-16 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Vicki Quinn, Brenda Williams;

17. WVR-75948 - WAIVER - PUBLIC HEARING - APPLICANT/ OWNER: 201 CHARLESTON, LLC - For possible action on a request for a Waiver of the INTERIM DOWNTOWN LAS VEGAS OVERLAY DISTRICT STREETSCAPE STANDARDS on 0.65 acres at the northwest corner of Charleston Boulevard and Casino Center Boulevard (APN Multiple), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-75910]. Staff recommends APPROVAL.

Minutes:
See Item 7 for related discussion.

NOTE: The video does not reflect the vote accurately in that Commissioner Schlottman abstained from voting due to a past business relationship with the property owner and ongoing business with one of the applicant's representatives who he believed has part ownership in the business as well. Commissioner Cherry disclosed he lives within the notification area, but that would not affect him any greater or lesser, and he would be voting.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions

Passed For: 6; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 0
For-Christina Roush, Donna Toussaint, Sam Cherry, Louis De Salvio, Vicki Quinn, Brenda Williams; Abstain-Trinity Haven Schlottman;

18. SUP-75757 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LAUREN OWENS - OWNER: CIM/116 N. 3RD LV, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 90 SQUARE-FOOT OFF-PREMISE SIGN USE at 116 North 3rd Street (APN 139-34-510-021), C-2 (General Commercial) Zone, Ward 5 (Crear) [PRJ-75622]. Staff recommends APPROVAL.

Minutes:
See Item 7 for related discussion.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Vicki Quinn, Brenda Williams;

PUBLIC HEARING ITEMS

19. ABEYANCE - SUP-75084 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: ON 3010 SAHARA, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 3,000 SQUARE-FOOT BEER/WINE/COOLER OFF-SALE ESTABLISHMENT USE at 3010 West Sahara Avenue (APN 162-05-403-005), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian) [PRJ-74991]. Staff recommends DENIAL.

Minutes:
See Item 6 for related discussion and Item 20 for related backup.

Motion made by Louis De Salvio to Withdraw without prejudice Items 19 and 20 and Hold in abeyance Items 40 and 41 to 6/25/2019

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Vicki Quinn, Brenda Williams;

20. ABEYANCE - SDR-75082 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-75084 - PUBLIC HEARING - APPLICANT/OWNER: ON 3010 SAHARA, LLC - For possible action on a request for a Major Amendment to an approved Site Development Plan Review (SDR-56141) FOR A PROPOSED 3,000 SQUARE-FOOT GENERAL RETAIL STORE, OTHER THAN LISTED [CONVENIENCE STORE] WITH FUEL PUMPS AND CANOPY WITH A WAIVER TO NOT ORIENT THE BUILDING TO THE CORNER WHERE SUCH IS REQUIRED on 0.91 acres at 3010 West Sahara Avenue (APN 162-05-403-005), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian) [PRJ-74991]. Staff recommends DENIAL.

Minutes:
See Item 6 for related discussion and Items 19 and 20 for related backup.

Motion made by Louis De Salvio to Withdraw without prejudice Items 19 and 20 and Hold in abeyance Items 40 and 41 to 6/25/2019

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Vicki Quinn, Brenda Williams;

21. ABEYANCE – VAR-75636 - VARIANCE - PUBLIC HEARING - APPLICANT: FISHER BROTHERS - OWNER: INTEGRAL PARTNERS PARK PLACE CENTRE-LAS VEGAS, LLC - For possible action on a request for a Variance TO ALLOW PROPOSED WALL SIGNS TO COVER 29 PERCENT OF THE EAST ELEVATION AND 24 PERCENT OF THE NORTH ELEVATION OF THE BUILDING WHERE 20 PERCENT IS THE MAXIMUM

ALLOWED on 14.72 acres at the southwest corner of Sirius Avenue and Rancho Drive (APN 162-08-418-002), C-2 (General Commercial) Zone, Ward 1 (Tarkanian) [PRJ-75581]. Staff recommends APPROVAL.

Minutes:
CHAIR CHERRY declared the Public Hearing open for Items 21 and 22.

JONATHAN BOYLES, Senior Planner, stated this is a request for a Master Sign Plan for a previously-approved Commercial Recreation/Amusement (Indoor and Outdoor) development at the southwest corner of Sirius Avenue and Rancho Drive. A Variance has been requested to allow the proposed wall signs to cover 29 percent of the east elevation and 24 percent of the north elevation of the building where 20 percent is the maximum allowed. Staff recommended approval of the Variance and Master Sign Plan as all proposed signs are consistent with the proposed Commercial Recreation/Amusement (Indoor and Outdoor) development scope. Additionally, the signs are located in satisfactory locations that do not adversely impact commercial or residential properties in the immediate vicinity.

ATTORNEY STEPHANIE ALLEN appeared on behalf of the applicant and ATTORNEY JENNIFER LAZOVICH who was at the State Legislature. She noted this location is the former Fletcher Jones auto site and was previously approved for an amusement/recreation facility known as Area 15. The location is scheduled to open in November, and MARK WHITEHOUSE, High Impact Signs, was also present if the Commission had questions. She displayed photos of the proposed exterior signage, the pylon sign, which is the main sign that will be seen from Interstate 15, and the lower monument sign off of Rancho Dive.

CHAIR CHERRY asked if the mural was done by Meow Wolf. MR. WHITEHOUSE believed Meow Wolf was a prospective tenant.

See Item 22 for related backup.

CHAIR CHERRY declared the Public Hearing closed for Items 21 and 22.

NOTE: Commissioner Roush abstained from voting on Items 21 and 22 as her company, Cushman & Wakefield, handles the property management for the applicant/owner.

Motion made by Louis De Salvio to Approve subject to conditions

Passed For: 5; Against: 0; Abstain: 1; Did Not Vote: 1; Excused: 0
For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Brenda Williams; Abstain-Christina Roush; Did Not Vote-Vicki Quinn;

22. ABEYANCE – MSP-75637 - MASTER SIGN PLAN RELATED TO VAR-75636 - PUBLIC HEARING - APPLICANT: FISHER BROTHERS - OWNER: INTEGRAL PARTNERS PARK PLACE CENTRE-LAS VEGAS, LLC - For possible action on a request for a Master Sign Plan FOR AN APPROVED COMMERCIAL RECREATION/AMUSEMENT (INDOOR AND OUTDOOR) DEVELOPMENT on 14.72 acres at the southwest corner of Sirius Avenue and Rancho Drive (APN 162-08-418-002), C-2 (General Commercial) Zone, Ward 1 (Tarkanian) [PRJ-75581]. Staff recommends APPROVAL.

Minutes:
See Item 21 for related discussion and Items 21 and 22 for related backup.

NOTE: Commissioner Roush abstained from voting on Items 21 and 22 as her company, Cushman & Wakefield, handles the property management for the applicant/owner.

Motion made by Louis De Salvio to Approve subject to conditions

Passed For: 5; Against: 0; Abstain: 1; Did Not Vote: 1; Excused: 0

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Brenda Williams; Abstain-Christina Roush; Did Not Vote-Vicki Quinn;

23. TABLED - RENOTIFICATION - GPA-74312 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: CENTURA DEVELOPMENT - OWNER: CHARLIE RAH RAH IRREVOCABLE BUSINESS TRUST, ET AL - For possible action on a request for a General Plan Amendment FROM: SC (SERVICE COMMERCIAL) TO: H (HIGH DENSITY RESIDENTIAL) on 4.62 acres at the southeast corner of Charleston Boulevard and Lindell Road (APNs 163-01-501-001 and 002), Ward 1 (Tarkanian) [PRJ-74089]. Staff recommends DENIAL.

Minutes:
CHAIR CHERRY declared the Public Hearing open for Items 23-25.

JONATHAN BOYLES, Senior Planner, stated the applicant is requesting to amend the Southeast Sector Plan from SC (Service Commercial) to H (High Density Residential) and to rezone the property from C-1 (Limited Commercial) to R-4 (High Density Residential) on two parcels located at the southeast corner of Charleston Boulevard and Lindell Road for a proposed 144-unit senior citizens' apartment development. The adjacent properties to the west are designated MXU (Mixed Use) and SC. The land to the north of Charleston Boulevard and east of the property are designated MXU, and land to the south is designated L (Low Density Residential). The requested H land use designation is not compatible with the land use designations of the properties to the north, south, west and east of the subject site.

Staff did not support the requested General Plan Amendment, Rezoning and associated Site Development Plan Review (SDR) as the proposed development is not compatible with the existing development in the surrounding area; therefore, staff recommended denial of all requested entitlements. He noted additional letters of support and protest were received since publication.

LUCY STEWART, LAS Consulting, appeared representing the applicant along with the applicant, RODMAN JORDAN. MS. STEWART stated this property had been before the Commission previously as a request for R-3 (Medium Density Residential) zoning when it was proposed as a family community. The applicant held several neighborhood meetings where the main concerns expressed were overcrowded schools and traffic. Because of these concerns, it was suggested the project be changed to an age-restricted community, which the applicant agreed to. Two required neighborhood meetings were held, along with another that was not. Additionally, the applicant met with individuals one-on-one in their homes.

She pointed out on a map those in opposition and in favor, specifically those that would be most impacted. This is an ongoing project, and the applicant continues to meet with the neighbors to try to address their concerns. Additional revisions resulting from these meetings included increased landscaping and parking, making it a gated community, some of the two-bedroom units were reduced to one-bedroom and the windows have been eliminated on the buildings adjacent to the houses to the south. The architecture is still a work in progress, but the intent is to do a Santa Barbara mission-style architecture. MS. STEWART pointed out there will be a really attractive entry feature into the neighborhood along with additional landscaping and a monument sign. The applicant also understood staff's concern with regard to zoning and was willing to deed the property to make it age-restricted only.

MR. JORDAN stated they have been working on the project for approximately six months. Changing the project to age-restricted addressed more than half of the neighbors' concerns with regard to the school, teenagers, traffic and on-street parking. He noted there will be a shuttle service available that is owned by the property to take the residents to the grocery store, bank, etc. which will help with traffic concerns. The focus of the project is to create a lifestyle and offer companionship to the elderly who wish to stay in Ward 1. He pointed out there is nothing like this project in this area, and it is very much needed as the demographic in this area continues to get older. He displayed a list of those neighbors that signed into the neighborhood meetings, but he felt every opposition was addressed with the exception of providing exclusive access off Charleston Boulevard so as not to impact Lindell Road. The Nevada Department of Transportation denied that request after two meetings with them claiming life-safety issues. He indicated he does not resent any of the comments or changes that were made as they turned out to be pretty good ideas.

RICHARD CUMMINS expressed support for the project and was surprised staff recommended denial. He thought it was compatible and that the applicant bent over backwards to satisfy the neighbors. The subject property has been vacant for many years, and he thought there was enough commercial in the area. LEE POPP indicated he was originally opposed to the project, but after the changes that were made, he now could support it. LAURA LUCAS also supported the proposed project, noting that the applicant has done everything possible to alleviate any concerns.

EUGENE DARLAU spoke in opposition expressing concerns regarding negatively impacting their way of life, traffic, elevations, it being a three-story development, there should be a minimum of two bedrooms and the loss of property if the road is expanded.

MS. STEWART stated they appreciated the neighbors' comments over the last few months and believed it to be a much better project because of those comments. As far as traffic concerns, she reiterated this will be a gated community and age restricted with a shuttle so hopefully the residents will go to destinations as group, and there will be excess parking to alleviate parking on the street.

COMMISSIONER ROUSH thought this was a lovely project, architecturally striking, and she would be proud to have her family live there. She thought more senior housing was needed, and she applauded the applicant for creating something beautiful in this area. She thought the area had become somewhat blighted so she was happy to see development and hopes it spurs more. She encouraged staff to be broader in its thinking when looking at an area such as this where no more commercial is needed.

COMMISSIONER TOUSSAINT stated she met with MR. JORDAN and MS. STEWART, and she, too would be proud to live in a community such as this. It is an established neighborhood, and going from a family project to seniors resolved a lot of issues. She agreed the majority of the residents would use the shuttle instead of driving and indicated her support.

When considering the other types of businesses that could go onto the property, CHAIR CHERRY thought going to age-restricted housing was a good fit. He and COMMISSIONER SCHOLOTTMAN supported the project as well.

DEPUTY CITY ATTORNEY SETH FLOYD confirmed for the Chair the deed restriction was already a condition on the SDR.

See Items 24 and 25 for related backup.

CHAIR CHERRY declared the Public Hearing closed for Items 23-25.

NOTE: During this item, Commissioner De Salvio announced that Commissioner Quinn was excused from the meeting.

Motion made by Trinity Haven Schlottman to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1
For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Brenda Williams; Excused-Vicki Quinn;

24. TABLED - RENOTIFICATION - ZON-74313 - REZONING RELATED TO GPA-74312 - PUBLIC HEARING - APPLICANT: CENTURA DEVELOPMENT - OWNER: CHARLIE RAH RAH IRREVOCABLE BUSINESS TRUST, ET AL - For possible action on a request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) TO: R-4 (HIGH DENSITY RESIDENTIAL) on 4.62 acres at the southeast corner of Charleston Boulevard and Lindell Road (APNs 163-01-501-001 and 002), Ward 1 (Tarkanian) [PRJ-74089]. Staff recommends DENIAL.

Minutes:
See Item 23 for related discussion and Items 23-25 for related backup.

Motion made by Trinity Haven Schlottman to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1
For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Brenda Williams; Excused-Vicki Quinn;

25. SDR-75858 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-74312 AND ZON-74313 - PUBLIC HEARING - APPLICANT/OWNER: CHARLIE RAH RAH IRREVOCABLE BUSINESS TRUST, ET AL - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 144-UNIT SENIOR CITIZEN APARTMENTS DEVELOPMENT on 4.62 acres at the southeast corner of Charleston Boulevard and Lindell Road (APNs 163-01-501-001 and 002), C-1 (Limited Commercial) Zone [PROPOSED: R-4 (High Density Residential)], Ward 1 (Tarkanian) [PRJ-75792]. Staff recommends DENIAL.

Minutes:
See Item 23 for related discussion and Items 23-25 for related backup.

Motion made by Trinity Haven Schlottman to Approve subject to conditions

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1
For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Brenda Williams; Excused-Vicki Quinn;

26. GPA-75814 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on a request for a General Plan Amendment to amend portions of the Southeast Sector Land Use Map of the General Plan FROM: C (COMMERCIAL) AND MXU (MIXED USE) TO: FBC (FORM-BASED CODE) on approximately 226 acres in the Fremont East District generally located south of Interstate 515, west of Eastern Avenue, north of Carson Avenue, and east of Las Vegas Boulevard (APNs Multiple), Wards 3 (Coffin) and 5 (Crear) [PRJ-75868]. Staff recommends APPROVAL.

Minutes:
Subsequent to the One Motion One Vote Agenda, CHAIR CHERRY called forward Items 26 and 56.

MICHAEL HOWE, Planning Section Manager, suggested hearing Item 56 prior to Item 26 because staff would look for approval of the Text Amendment to guide the approval of the General Plan Amendment (GPA). He further explained for DEPUTY CITY ATTORNEY SETH FLOYD that the Text Amendment introduces zoning categories that the GPA would then use. As such, Item 26 was heard subsequent to Item 56.

CHAIR CHERRY declared the Public Hearing open.

Tying into the discussion under Item 56, MR. HOWE explained this GPA puts a blanket form-based code land use designation over the Fremont East District. This step would allow for applying those transect zoning districts to the Fremont East District. He noted staff is having ongoing discussion with stakeholders in the community to get their input, and a draft of the zoning map would be presented identifying the transect zones.

COMMISSIONER SCHLOTTMAN commented this basically changes everything from commercial and mixed use to the form-based code, but the transects will come at a later date through meetings with stakeholders in the area; MR. HOWE confirmed. The transect zoning districts are based on the existing uses and characteristics of the district in place now. Approval of the GPA does not change the current zoning or any of the uses in the Fremont East District. A form-based code is set up for future development; as such anything occurring legally today would continue to occur until an owner initiated a change.

COMMISSIONER SCHLOTTMAN asked how this would work with regard to maintaining the hotels/motels on Fremont Street. MR. HOWE explained the idea is that the hotels would have a higher transect zoning than what they are. These key properties, which have been identified as historic hotels/motels, could take advantage of the wider range of permitted uses that a T5 zoning district would have without having to make alterations or adding extra stories. The challenge is that it is hard to operate some of the hotels as a viable business, so if the owner wants to initiate more intensive development, that zoning district will support that. The key idea is to not put too much pressure on the motels to change to a higher intensity development.

MR. HOWE confirmed for CHAIR CHERRY that there was still a process in place if a developer wanted to push forward with a project that did not fit in the transect; that process would be the standard discretionary public hearing process.

See Item 56 for related discussion.

CHAIR CHERRY declared the Public Hearing closed.

Motion made by Trinity Haven Schlottman to Approve

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

For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Brenda Williams; Did Not Vote-Vicki Quinn;

27. ZON-75886 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: ROMAN CATHOLIC BISHOP LAS VEGAS - For possible action on a request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-1 (SINGLE FAMILY RESIDENTIAL) on 55.52 acres at the southeast corner of Elkhorn Road and Jones Boulevard (APNs 125-24-101-001 and 125-24-201-001), Ward 6 (Fiore) [PRJ-75680]. Staff recommends APPROVAL.

Minutes:
CHAIR CHERRY declared the Public Hearing open for Items 27-29.

ERIC McCAMMOND, Senior Management Analyst, stated the proposed Rezoning would allow a minimum lot size of 6,500 square feet while limiting the density to 3.59 dwelling units per acre due to the underlying Rural Density Residential General Plan Designation. Staff found this allowed lot size and density to be comparable to other developments in the local area and supported the Rezoning request.

However, staff found no evidence to support the associated Variance and Waiver requests. Any associated hardships could be eliminated by redesign of the site and installation of off-site improvements. Furthermore, if off-site improvements are not installed as requested, this could create a short “rural” segment along Leon Avenue that would be incompatible with the adjacent segments that already have off-site improvements installed. Therefore, staff recommended approval of the Rezoning but denial of the Variance and Tentative Map. He noted additional letters of protest and support were received since publication.

ATTORNEY STEPHANIE ALLEN and CHIP MAXFIELD appeared on behalf of the Diocese of Las Vegas Roman Catholic Church. DOUG RANKIN appeared on behalf of the future property owner of the subject site.

MS. ALLEN stated MR. MAXFIELD, MR. RANKIN and ATTORNEY CHRIS KAEMPFER have worked closely with the residents holding three neighborhood meetings. A list of conditions was compiled that she believed the majority of the residents agreed to or requested.

She pointed out the location of the subject property and the land use plan for the area. She noted they have a zone change that conforms to the General Plan and comes in under the density allowed in the rural zoning category. She reviewed a zoning exhibit specifically pointing out R-1 (Single Family Residential) zoning, which has been developed similar to what is being proposed. There are also R-PD 3 (Residential Planned Development) projects to the north and south of the property with similar densities.

Referring to the site plan, MS. ALLEN pointed out the surrounding streets and those lots that were over 11,000 square feet on the perimeter, noting they worked closely with the neighbors on the overall layout. While the internal lots are smaller, there will be a good mix of homes, and this will be a nice upscale community with conforming densities already in the area.

To address the concern of keeping traffic impacts to a minimum on Leon Avenue and keeping it rural, MS. ALLEN stated there will be gated entrances on Elkhorn Road and on Jones Boulevard only, with no access from Leon Avenue. They have worked with staff on a condition to address the rural aspect, and another proposed condition will address the neighbors' request for one-story homes on certain lots which she pointed out as well.

Because some of the adjacent property falls under Clark County's jurisdiction, MS. ALLEN noted they have worked with COMMISSIONER KIRKPATRICK'S Office as well as COUNCILWOMAN FIORE'S Office since this impacts both County and City properties.

MS. ALLEN read numerous conditions into the record that were discussed at the third neighborhood meeting on February 20, 2019.

MR. RANKIN requested removal of the condition relating to sewer being placed on Leon Avenue as they plan on leaving Leon Avenue as is.

BOB MARA submitted signatures opposed to the project expressing concerns with traffic in the area.

DANA CRIBBS expressed concerns with the elevation on Leon Avenue because of drainage onto his property when it rains.

WILLIAM DAVIS did not want to have any house facing Leon Avenue, and if so, they should be required to have a 75-foot setback. He also spoke of the street elevation and related flooding. He indicated he has called the attorney's office several times to comment, but no one called him back.

RAY STRICKLIN appreciated the Archdiocese listening to them. He expressed concerns with traffic on Jones Boulevard and with there being a gap between the two walls where trash could collect and attract rodents, but otherwise, he thought the applicant had done a great job.

VICTOR COLE expressed concerns relating to density, increased traffic, the aesthetics of the wall and there being no parks included. He wondered why the Planning Commission continued to approve developments at the maximum density.

SUSAN MICAL appreciated that the Archdiocese kept the neighborhood well informed and supported the plan as agreed to by the residents at the neighborhood meetings. She agreed with the comments made regarding traffic and density. With regard to staff's recommendation for denial on Item 29, they recognize development is inevitable but requested the City do what it could to maintain the equestrian ambience that is there along with the rural history.

MS. ALLEN thanked the neighbors who participated; at the first meeting there were about 40 neighbors who provided a lot of input. In response to the concerns expressed regarding traffic and drainage, she explained traffic and drainage studies are required as conditions of approval. She thought drainage would improve with this development as it will drain through the streets of the development and alleviate some drainage problems noted to the east. She explained there would be no homes facing Leon Avenue and described the rural standards concept they are proposing on that street. She expressed they tried to reach out to the neighborhood, but if there was someone present that they did not contact, she was willing to speak to them prior to the City Council meeting. As far as the gap between the block walls, the code requires the gap be filled in to make sure no rodents can get in between them. With regard to parks, none have been incorporated into the plan as these are very large lots with enough room for children to play in the backyard. She thought staff's recommendation for denial related to connectivity; because this is a gated community with limited access on Leon Avenue they could not meet the connectivity ratio, but this was at the request of the neighbors.

CHAIR CHERRY asked Public Works staff if there was a condition for no curb and gutter if there was still some consideration for drainage. VICTOR BOLANOS, Senior Engineering Associate, confirmed having a swell was how the property owner planned to take care of the drainage.

To address comments made by the neighbors, COMMISSIONER DE SALVIO stated anything that moved forward would require traffic and drainage studies. As far as the concern for the gap between the walls, he believed it could not be greater than three inches. He pointed out everything was done based on comments from the stakeholders in the community, and he believed it was a good project because of the possibility of what else might go there. He confirmed the rural standards would be retained along Leon Avenue and that he would add another condition relating to a dry sewer line and tying in without an SID (Special Improvement District) or an LID (Limited Improvement District). This is a large, 55-acre project with various lot sizes so the neighborhood will be universal. He thought the applicant took every concern into consideration. It is unfortunate not everyone will be happy, but he believed the majority of people would be pleased. He supported this project because it is what the majority of the people want and is the perfect example of the applicant working with the community.

COMMISSIONER ROUSH commented she feels the pain the neighborhood is experiencing when it comes to development in an area they moved to that is rural in nature, but one of the byproducts of a successful community is that they cannot hold back progress. The Las Vegas community is growing rapidly, and she does not want to stand in the way of progress. They do not often see large lots with single family homes such as this. She also liked the trail aspect even though she did not think she would, but the rendering reminded her of the old neighborhoods off of Rancho Drive and Palomino Lane which are stately homes that have stood the test of time. It will add to the property values, is a good use of the land and is in conformance with the zoning, so she would support it.

Subsequent to the vote for Item 28, COMMISSIONER DE SALVIO confirmed for staff he wished for a condition to be added to Item 29 relating to the dry sewer line along Leon Avenue. MS. ALLEN believed Condition 12 crafted by staff addressed the sewer line; MR. BOLANOS confirmed. MR. McCAMMOND read the added conditions into the record for Item 29.

MS. ALLEN accepted those conditions and clarified they will continue to work with the neighborhood on the Elkhorn Road/Jones Boulevard eight-foot wall and that it would be cleared up prior to City Council.

See Items 28 and 29 for related backup.

CHAIR CHERRY declared the Public Hearing closed for Items 27-29.

Motion made by Christina Roush to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1
For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Brenda Williams; Excused-Vicki Quinn;

28. VAR-75956 - VARIANCE RELATED TO ZON-75886 - PUBLIC HEARING - APPLICANT/OWNER: ROMAN CATHOLIC BISHOP LAS VEGAS - For possible action on a request for a Variance TO ALLOW A 1.09 CONNECTIVITY RATIO WHERE 1.30 IS REQUIRED on 55.52 acres at the southeast corner of Elkhorn Road and Jones Boulevard (APNs 125-24-101-001 and 125-24-201-001), R-E (Residence Estates) Zone [PROPOSED: R-1 (Single Family Residential)], Ward 6 (Fiore) [PRJ-75680]. Staff recommends DENIAL.

Minutes:
See Item 27 for related discussion and Items 27-29 for related backup.

Motion made by Christina Roush to Approve subject to conditions

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1
For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Brenda Williams; Excused-Vicki Quinn;

29. TMP-75888 - TENTATIVE MAP RELATED TO ZON-75886 AND VAR-75956 - JONES / ELKHORN - PUBLIC HEARING - APPLICANT/OWNER: ROMAN CATHOLIC BISHOP LAS VEGAS - For possible action on a request

for a Tentative Map FOR A PROPOSED 199-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION WITH WAIVERS TO ALLOW NON-STANDARD PUBLIC STREET IMPROVEMENTS INCLUDING NO CURB, GUTTER OR SIDEWALK AND NO EXTERIOR STREETLIGHTS FOR LEON AVENUE WHERE SUCH ARE REQUIRED FOR A PROPOSED SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 55.52 acres at the southeast corner of Elkhorn Road and Jones Boulevard (APNs 125-24-101-001 and 125-24-201-001), R-E (Residence Estates) Zone [PROPOSED: R-1 (Single Family Residential)], Ward 6 (Fiore) [PRJ-75680]. Staff recommends DENIAL.

Minutes:
See Item 27 for related discussion and Items 27-29 for related backup.

Motion made by Christina Roush to Approve subject to conditions, amending Conditions 12 an 13 and adding the following conditions as read for the record:

12. Construct a public sewer in Leon Avenue north to Donald Road at a size and location acceptable to the Sanitary Sewer Section of the Department of Public Works.

13. Streetlights and above ground off-site improvements on Leon Avenue are hereby deferred. In accordance with Title 19.02.025.F, the applicant shall make an improvement contribution equal to 50 percent of the City's bond estimate costs for all deferred improvements with the street light contribution at 25 percent if a service pedestal is constructed.

A. The entryway landscaping on either side of the gates shall be enhanced with a minimum of 36-inch box trees.

B. Perimeter subdivision walls adjacent to public rights-of-way shall be eight (8) feet in height, except along Elkhorn Road. The perimeter subdivision wall along the southern property line of the site shall either match the existing height of the adjacent subdivision to the south or be lower.

C. The proposed subdivision shall be gated.

D. There shall be no vehicular access to Leon Avenue.

E. Lots 15, 17, 22, 29 through 31, 34, and 37 through 39 shall be limited to single-story homes.

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1
For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Brenda Williams; Excused-Vicki Quinn;

30. VAR-75808 - VARIANCE RELATED TO SUP-75807 - PUBLIC HEARING - APPLICANT/OWNER: HARRIS INVESTMENT HOLDINGS, LLC - For possible action on a request for a Variance TO ALLOW ZERO ADDITIONAL PARKING SPACES WHERE TWO ADDITIONAL PARKING SPACES ARE REQUIRED FOR A PARKING-IMPAIRED DEVELOPMENT on 0.17 acres at 444 East Sahara Avenue (APN 162-03-416-026), C-1 (Limited Commercial) Zone, Ward 3 (Coffin) [PRJ-75616]. Staff recommends DENIAL.

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

CRAIG CROMPTON, Planner I, reported the applicant has proposed a Daily Labor Services use within a 2,300 square-foot vacant building located on the northwest corner of East Sahara Avenue and Santa Rosa Avenue. Some interior tenant improvements will be carried out as part of the project, but there are no plans to increase the floor area of the existing building. The proposed Daily Labor Services use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit (SUP). The subject site is considered to be parking-impaired. A Variance is being sought to provide zero additional spaces where two spaces are required.

The proposed Daily Labor Services use complies with all minimum SUP requirements; however, the use does not comply with the on-site parking requirements per Title 19.12. Based on these findings, staff recommended denial of both entitlements. He noted additional letters of protest and support were received since publication.

VICTOR KNIGHT, architect, appeared representing the applicant; the owner was also present to answer questions. MR. KNIGHT reiterated the existing building would remain with no increase in square footage; interior walls were being moved to open up the space for day labor use. Appointment times will be staggered so the number of people onsite will be managed appropriately. While they are tight on availability for parking, as many spaces as possible have been added.

COMMISSIONER ROUSH wondered why angled parking behind the building was not a viable option. MR. KNIGHT explained that area is currently enclosed by fences and is being utilized as a storage yard for the business. He added there are five parking spaces along Sahara Avenue, and two are being added along Santa Rosa Drive, but they are still two spaces short of the requirement.

COMMISSIONER SCHLOTTMAN noted there are a lot of commercial properties along this corridor on Sahara Avenue. He acknowledged many of the day laborers do not have vehicles and would not necessarily drive to this location. He did not believe the proposed use would detract from this neighborhood.

COMMISSIONER DE SALVIO asked about the inner workings of the day labor operation. MR. KNIGHT confirmed individuals show up at the location and get dispatched to the client from there. MR. DELUCA stated these individuals are dispatched primarily in the morning, generally by 8:00 a.m. The number of people to be dispatched varies, and it is staggered beginning about 6:00 a.m. The Commissioner noted parking is a concern for him. MR. DELUCA explained 90 percent of the day laborers use public transportation, and there are only two staff members, one in the morning and one in the afternoon along with a salesperson that is rarely at the office. He noted it takes about 20 minutes for a person to apply and then they leave so it is fluid throughout the day.

See Item 31 for related backup.

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

NOTE: Commissioner Roush disclosed at one time it looked as though her firm, Cushman & Wakefield, was handling the property for sale, but that individual no longer works for them and it is currently not an assignment of theirs.

Motion made by Trinity Haven Schlottman to Approve subject to conditions

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

For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Brenda Williams; Excused-Vicki Quinn;

31. SUP-75807 - SPECIAL USE PERMIT RELATED TO VAR-75808 - PUBLIC HEARING - APPLICANT/OWNER: HARRIS INVESTMENT HOLDINGS, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 2,300 SQUARE-FOOT DAILY LABOR SERVICE USE at 444 East Sahara Avenue (APN 162-03-416-026), C-1 (Limited Commercial) Zone, Ward 3 (Coffin) [PRJ-75616]. Staff recommends DENIAL.

Minutes:

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

NOTE: Commissioner Roush disclosed at one time it looked as though her firm, Cushman & Wakefield, was handling the property for sale, but that individual no longer works for them and it is currently not an assignment of theirs.

Motion made by Trinity Haven Schlottman to Approve subject to conditions

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

For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Brenda Williams; Excused-Vicki Quinn;

32. VAR-75819 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: SK USA, LLC - For possible action on a request for a Variance TO ALLOW RESIDENTIAL BUILDINGS TO HAVE A HEIGHT OF THREE STORIES WHERE TWO STORIES IS THE MAXIMUM ALLOWED ON LOT ONE OF A TWO LOT PROPOSED RESIDENTIAL 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-75700]. Staff recommends DENIAL.

CHAIR CHERRY declared the Public Hearing open for Items 32-36.

JONATHAN BOYLES, Senior Planner, stated the applicant is proposing to develop the subject site into an 18-unit single family attached [duplex] development. The proposed associated Tentative Map (TMP-75823) for the development will subdivide the site into three lots, which consists of two residential lots and one lot for the proposed private street. Two Variances (VAR-75819 and VAR-75820) have been requested to allow a height of three stories where two stories is the maximum allowed on Lot #1 and Lot #2. The applicant has also requested an additional Variance (VAR-75821) of Complete Street development. Although the subject site is a flag-shaped lot, staff found it does not provide a significant hardship to warrant approval of the requested Variances as the development could be redesigned to provide further compliance with Title 19. Staff recommended denial of the three Variances, Site Development Plan Review and associated Tentative Map request because the proposed development is inconsistent with Title 19 development standards pertaining to building height and 19.04 Complete Street development standards. MR. BOYLES noted additional letters of protest were received since publication.

CSABA MEISZBURGER, developer, and JOHN HAMILTON, civil engineer, were present. MR. HAMILTON stated they do not feel they created the situation and referenced them being a victim of circumstance because the site is only 47 1/2 feet wide, and 50 feet is required in order to provide adequate gates, Fire Department access and landscaping. He noted there was some confusion regarding a prior high density development, but they have had overwhelming neighborhood support of the 18-unit concept plan.

MR. MEISZBURGER explained the property is being divided into three lots and believed the Variances were issued for Lots 1 and 2, and Lot 3 is the street. He addressed the major issues of contention, which were the sidewalk and the three stories. He explained only the units in the cul-de-sac would be three stories and that building up was necessary in order to fit an actual living unit, but that they are still within the threshold where a 35-foot two-story unit would be allowed. Plan One has a garage with 577 square feet, with 127 square feet on the first floor and living quarters on the second and third floors.

JOHN and LOLLIE NAPOLEON spoke in opposition and expressed concerns with safety, privacy due to the three-stories, increased traffic and crime and decreased property values. They also pointed out this project was turned down three years ago.

MR. HAMILTON clarified the opposition to the zoning change in 2017 was for a prior development with a higher density, and not the one being proposed. They met with many of the homeowners, and what is before the Commission is the product that the neighbors liked. There is overwhelming support documented in the record, which is why the zone change occurred. They are conforming to the codes and regulations regarding height restrictions and reiterated the need for the three stories is only for the units in the cul-de-sac because of the limited building footprint. Whether two stories or three stories, the height would not extend above 35 feet.

COMMISSIONER WILLIAMS asked if the applicant had met with residents in 2019; MR. HAMILTON indicated they had not. COMMISSIONER WILLIAMS asked staff how many protest postcards were received. She acknowledged the subject property is unique, but she did not like the idea of having three stories nor putting 18 units on a small piece of property. She spoke of the schools in close proximity to the site and the traffic congestion on Bonanza Road associated with those schools. As such, she did not believe there to be an easy ingress/egress to the property, especially when school is let out. She believed approving this development would exacerbate a condition that is already bad, and she could not support placing three-stories in a well-established older neighborhood.

COMMISSIONER SCHLOTTMAN commented that something residential would eventually be placed at the location, but the biggest issue for him was the request for three stories going into an area with residential homes with lower heights.

See Items 33-36 for related backup.

CHAIR CHERRY declared the Public Hearing closed for Items 32-36.

Motion made by Brenda Williams to Deny

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

For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Brenda Williams; Excused-Vicki Quinn;

33. VAR-75820 - VARIANCE RELATED TO VAR-75819 - PUBLIC HEARING - APPLICANT/OWNER: SK USA, LLC - For possible action on a request for a Variance TO ALLOW RESIDENTIAL BUILDINGS TO HAVE A HEIGHT OF THREE STORIES WHERE TWO STORIES IS THE MAXIMUM ALLOWED ON LOT TWO OF A TWO LOT PROPOSED RESIDENTIAL 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-75700]. Staff recommends DENIAL.

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

Motion made by Brenda Williams to Deny

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

For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Brenda Williams; Excused-Vicki Quinn;

34. VAR-75821 - VARIANCE RELATED TO VAR-75819 AND VAR-75820 - PUBLIC HEARING - APPLICANT/OWNER: SK USA, LLC - For possible action on a request for a Variance 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 1.00 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-75700]. Staff recommends DENIAL.

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

Motion made by Brenda Williams to Deny

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

For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Brenda Williams; Excused-Vicki Quinn;

35. SDR-75822 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-75819, VAR-75820 AND VAR-75821 - PUBLIC HEARING - APPLICANT/OWNER: SK USA, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 18-UNIT RESIDENTIAL 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-75700]. Staff recommends DENIAL.

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

Motion made by Brenda Williams to Deny

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1
For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Brenda Williams; Excused-Vicki Quinn;

36. TMP-75823 - TENTATIVE MAP RELATED TO VAR-75819, VAR-75820, VAR-75821 AND SDR-75822 - MONTAGE ESTATES - PUBLIC HEARING - APPLICANT/OWNER: SK USA, LLC - For possible action on a request for a Tentative Map FOR A THREE-LOT RESIDENTIAL 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-75700]. Staff recommends DENIAL.

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

Motion made by Brenda Williams to Deny

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1
For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Brenda Williams; Excused-Vicki Quinn;

37. VAR-75829 - VARIANCE - PUBLIC HEARING - APPLICANT: JASON MAHEU - OWNER: MICHAEL & DIANA MOORE TRUST AND MATTHEWS FAMILY TRUST - For possible action on a request for a Variance TO ALLOW 20 PARKING SPACES WHERE 32 PARKING SPACES ARE REQUIRED on 0.42 acres at 1807 West Charleston Boulevard (APN 162-04-112-021), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian) [PRJ-75798]. Staff recommends DENIAL.

Minutes:
The meeting was recessed at 8:19 p.m. and reconvened at 8:30 p.m.

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

JONATHAN BOYLES, Senior Planner, stated the applicant has proposed a Site Development Plan Review (SDR) to develop an undeveloped 0.42 acre parcel with a 4,860 square-foot medical office building at 1807 West Charleston Boulevard. The subject site is located within the Downtown Las Vegas Overlay – Las Vegas Medical District within Area 2. Two Variances, Waivers and an exception of planting materials within the interior parking lot are being sought to allow reduced parking, a reduced side and rear yard setback, to allow blank facades where such treatments are not acceptable, to allow reduced landscape buffers to all property lines and an exception of parking lot landscaping materials, none of which comply with the provisions of Title 19. As such, staff recommended denial of the two Variances and the associated SDR. He noted additional letters of support and protest were received since publication.

JASON MAHEU appeared on behalf of the property owners who he stated decided to tear down and redevelop the subject property after two recent fires caused by homeless individuals. He pointed out there was no room for landscaping on the north end because of the 24-foot drive aisle access easement to the other parcels, and on the Shadow Lane side, a 15-foot landscape buffer would result in the loss of four parking spaces on a parcel that is already parking impaired. Additionally, to add a parking lot landscape finger would result in the loss of one additional parking space. The site is parking impaired partly because it has joint parking with the other three lots on the corner.

MR. MAHEU explained the applicant is trying to set the building up to look similar to the building on the adjacent site which is the reason for the reduced setbacks on the side and rear of the property. The blank facades requested are for the rear and side of the building; the side is right side to another building and the rear would match the building adjacent to the site with a blank rear wall. They are dressing up the front and side with the intention at some point to redo the facades on the other two buildings on the property to match the façade of the new building in order to update the entire corner.

The applicant has some concerns with the impact of the Charleston Boulevard widening project where the City will be taking 15 feet of the front of the property which will impact the drive-through of the Del Taco. With the constraints of that widening project, they are trying to develop this into a nice project and at some point, update the other two buildings.

RIC TRUESDELL stated he knows the property owners and understands their concerns, but they own the property around the subject site and have worked with staff for years to try to get a development started. He noted the Medical District standards require landscaping on Shadow Lane, and he did not believe considering variances on one of the first applications set the standard for this newly adopted plan. If the form-based code applied to this area, that may provide some flexibility, but he thought the proposed project may be overbuilt as proposed. He hoped the variances would be denied.

MR. MAHEU explained the reason for the reduced landscaping was to provide additional parking and explained the ownership of the adjacent buildings for COMMISSIONER ROUSH. He also believed a reciprocal easement agreement for parking and access between the two parcels was already in place.

COMMISSIONER ROUSH asked staff to display an aerial map so she could see what was adjacent to the proposed building and the blank wall to the south. MR. MAHEU explained it was a commercial property and not a residence.

CHAIR CHERRY commented he had expressed repeatedly when going through the Medical District and the form-based code that he hoped the south side would have been included to avoid this type of situation and to allow for some consistency with what happens everywhere. Initially, he was concerned with the blank facades, but after seeing the backup and hearing the discussion at the meeting, this was no longer a concern for him. He asked how big the structure was that was there before. MR. MAHEU did not recall the size, but stated it was an old house in the center of the property. The Chair commented landscaping should be added where possible, and if the City moves forward with what is happening on Charleston Boulevard, there will be standards that tie in to the Medical District.

ROBERT SUMMERFIELD, Planning Director, stated there are a number of projects in this area; including a complete redo of the Shadow Lane streetscape along with the work being done on Charleston Boulevard as part of the City's citywide master plan effort along Charleston Boulevard. He believed at this time the Shadow Lane improvements were currently Charleston Boulevard north, not south.

CHAIR CHERRY struggled with not having consistency of what the City was trying to achieve in this area and an application such as this. He thought he could support Items 37 and 38, but he was unsure of Item 39.

COMMISSIONER TOUSSAINT agreed and did not like the idea of having no landscaping with regard to Item 39 as she did not believe that was the intent. MR. MAHEU clarified there would be landscaping along Shadow Lane, but instead of 15 feet, it would be 10 feet at the building and six feet behind the parking. There will not be any landscaping on the north side between Del Taco because of the 24-foot drive aisle.

CHAIR CHERRY asked if the north parcel where the Del Taco is located was staying the way it currently is. MR. MAHEU stated for now it was, but if they lose the ability to utilize the drive-through with the Charleston Boulevard widening project, the building may be torn down and moved; it is undetermined at this point.

MR. MAHEU clarified for COMMISSIONER DE SALVIO the parking numbers were based on the entire corner, not just the address of 1807 West Charleston Boulevard, and he thought this particular site required either 26 or 27 spaces. He confirmed even utilizing all of the other parcels, the location was still parking deficient. The Commissioner asked what use was proposed for the building; MR. MAHEU indicated the hope was to rent it out as medical office space. They will lease it out as a shell for now and then do the tenant improvements as the space is leased for whoever is moving into the space.

See Items 38 and 39 for related backup.

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

Motion made by Sam Cherry to Approve subject to conditions

Passed For: 5; Against: 1; Abstain: 0; Did Not Vote: 0; Excused: 1

For-Christina Roush, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Brenda Williams; Against-Donna Toussaint; Excused-Vicki Quinn;

38. VAR-75832 - VARIANCE RELATED TO VAR-75829 - PUBLIC HEARING - APPLICANT: APPLICANT:JASON MAHEU - OWNER: MICHAEL & DIANA MOORE TRUST AND MATTHEWS FAMILY TRUST - For possible action on a request for a Variance TO ALLOW A FIVE-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED AND TO ALLOW A SIX-FOOT REAR YARD SETBACK WHERE 20 FEET IS REQUIRED on 0.42 acres at 1807 West Charleston Boulevard (APN 162-04-112-021), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian) [PRJ-75798]. Staff recommends DENIAL.

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

Motion made by Sam Cherry to Approve subject to conditions

Passed For: 5; Against: 1; Abstain: 0; Did Not Vote: 0; Excused: 1

For-Christina Roush, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Brenda Williams; Against-Donna Toussaint; Excused-Vicki Quinn;

39. SDR-75833 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-75829 AND VAR-75832 - PUBLIC HEARING - APPLICANT: JASON MAHEU - OWNER: MICHAEL & DIANA MOORE TRUST AND MATTHEWS FAMILY TRUST - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 4,860 SQUARE-FOOT MEDICAL OFFICE DEVELOPMENT WITH WAIVERS TO ALLOW A SIX-FOOT LANDSCAPE BUFFER ALONG A PORTION OF THE EAST PROPERTY LINE WHERE 15 FEET IS REQUIRED; TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG THE NORTH, SOUTH AND WEST PROPERTY LINE WHERE EIGHT FEET IS REQUIRED; TO ALLOW BLANK FACADES WHERE SUCH IS NOT ALLOWED; AND TO ALLOW LESS PARKING LOT LANDSCAPING THAN WHAT IS ALLOWED on 0.42 acres at 1807 West Charleston Boulevard (APN 162-04-112-021), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian) [PRJ-75798]. Staff recommends DENIAL.

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

NOTE: An initial motion by Cherry for Denial failed with Roush, Schlottman and De Salvio voting No and Quinn Excused.

Motion made by Christina Roush to Approve subject to conditions

Passed For: 4; Against: 2; Abstain: 0; Did Not Vote: 0; Excused: 1

For-Christina Roush, Trinity Haven Schlottman, Louis De Salvio, Brenda Williams; Against-Donna Toussaint, Sam Cherry; Excused-Vicki Quinn;

40. VAR-75852 - VARIANCE - PUBLIC HEARING - APPLICANT: FISHER BROTHERS - OWNER: INTEGRAL PARTNERS PARK PLACE CENTRE-LAS VEGAS, LLC - For possible action on a request for a Variance TO ALLOW 921 PARKING SPACES WHERE 1,065 PARKING SPACES ARE REQUIRED on 14.71 acres at the southwest corner of Sirius Avenue and Rancho Drive (APN 162-08-418-002), C-2 (General Commercial) Zone, Ward 1 (Tarkanian) [PRJ-75760]. Staff recommends DENIAL.

Minutes:
See Item 6 for related discussion and Item 41 for related backup.

NOTE: The video does not reflect the vote accurately in that Commissioner Roush abstained from voting on Items 40 and 41 as her firm, Cushman & Wakefield, is the property manager for those properties.

Motion made by Louis De Salvio to Withdraw without prejudice Items 19 and 20 and Hold in abeyance Items 40 and 41 to 6/25/2019

Passed For: 6; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 0
For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Vicki Quinn, Brenda Williams; Abstain-Christina Roush;

41. SDR-75854 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-75852 - PUBLIC HEARING - APPLICANT: FISHER BROTHERS - OWNER: INTEGRAL PARTNERS PARK PLACE CENTRE-LAS VEGAS, LLC - For possible action on a request for a Major Amendment of an approved Site Development Plan Review (SDR-70652) FOR A PROPOSED 6,800 SQUARE-FOOT INDOOR FLOOR AREA ADDITION TO AN APPROVED 205,972 SQUARE-FOOT COMMERCIAL RECREATION/AMUSEMENT (INDOOR AND OUTDOOR) DEVELOPMENT on 14.71 acres at the southwest corner of Sirius Avenue and Rancho Drive (APN 162-08-418-002), C-2 (General Commercial) Zone, Ward 1 (Tarkanian) [PRJ-75760]. Staff recommends DENIAL.

Minutes:
See Item 6 for related discussion and Items 40 and 41 for related backup.

NOTE: The video does not reflect the vote accurately in that Commissioner Roush abstained from voting on Items 40 and 41 as her firm, Cushman & Wakefield, is the property manager for those properties.

Motion made by Louis De Salvio to Withdraw without prejudice Items 19 and 20 and Hold in abeyance Items 40 and 41 to 6/25/2019

Passed For: 6; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 0
For- Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Vicki Quinn, Brenda Williams; Abstain-Christina Roush;

42. VAR-75869 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: JEANNINE LEE, ET AL - For possible action on a request for a Variance TO ALLOW FIVE PARKING SPACES WHERE 12 ARE REQUIRED on 0.16 acres at 2517 Valley Street (APN 139-36-410-015), R-3 (Medium Density Residential) Zone, Ward 3 (Coffin) [PRJ-75270]. Staff recommends DENIAL.

Minutes:
CHAIR CHERRY declared the Public Hearing open for Items 42 and 43.

ERIC McCAMMOND, Senior Management Analyst, stated while a multi-family residential development is appropriate in the R-3 (Medium Density Residential) zoning district, no evidence of hardship imposed by the site's physical characteristics were presented and that any hardships are self-imposed. By reducing the number of dwelling units, the applicant could redesign the site to meet Title 19 requirements. Due to the requested Variance, staff recommended denial of both entitlements.

BRUCE (last name not provided), LC & D Construction LLC, appeared on behalf of the applicant and property owners. He noted the adjacent property was owned by the same individual and mentioned the possibility of a shared parking area. He spoke of the site being designed as such because of the requirements relating to parking, trash and the various landscape buffers. He noted this will be low income rentals and asked for any recommendations to make the proposal feasible.

GARY BUTTON opposed the request because parking is already a problem in this area, and he thought the site was overbuilt.
.
COMMISSIONER SCHLOTTMAN stated he reviewed the backup, and sometimes the Commission can grant variances in certain situations, but not providing even one parking space per unit, encourages people to park on the street. Because there are a lot of apartments and vehicles that park on the street already in this area, he could not support this request.

BRUCE reiterated the project was designed with the possibility of utilizing a shared parking area. CHAIR CHERRY indicated the Commission could not design a project during the meeting and suggested he speak with staff. He noted in his experience, an architect usually works through these issues.

See Item 43 for related backup.

CHAIR CHERRY declared the Public Hearing closed for Items 42 and 43.

Motion made by Trinity Haven Schlottman to Deny

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1
For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Brenda Williams; Excused-Vicki Quinn;

43. SDR-75870- SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-75869 - PUBLIC HEARING - APPLICANT/OWNER: JEANNINE LEE, ET AL - For possible action on a request for a Site Development Plan Review FOR A PROPOSED SIX-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH WAIVERS TO ALLOW A THREE-FOOT LANDSCAPE BUFFER WIDTH ALONG THE EAST AND WEST PROPERTY LINES WHERE SIX FEET IS REQUIRED AND A FOUR-FOOT LANDSCAPE BUFFER WIDTH ALONG THE SOUTH PROPERTY LINE WHERE 10 FEET IS REQUIRED on 0.16 acres at 2517 Valley Street (APN 139-36-410-015), R-3 (Medium Density Residential) Zone, Ward 3 (Coffin) [PRJ-75270]. Staff recommends DENIAL.

Minutes:
See Item 42 for related discussion and Items 42 and 43 for related backup.

Motion made by Trinity Haven Schlottman to Deny

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1
For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Brenda Williams; Excused-Vicki Quinn;

44. VAR-75818 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: SERENITY BIRTH CENTER, LLC - For possible action on a request for a Variance TO ALLOW A ZERO-FOOT SETBACK WHERE A FIVE-FOOT SETBACK IS THE MINIMUM REQUIRED FOR A PROPOSED MONUMENT SIGN at 332 South Jones Boulevard (APN 138-36-210-008), O (Office) Zone, Ward 1 (Tarkanian) [PRJ-75764]. Staff recommends DENIAL.

Minutes:
CHAIR CHERRY declared the Public Hearing open.

ERIC McCAMMOND, Senior Management Analyst, stated while the proposed monument sign is appropriate in conjunction with the previously approved use and current zoning district, staff was presented with no evidence of a unique or extraordinary circumstance to support the zero-foot setback request. As such, staff recommended denial of the entitlement. He noted additional letters of protest and support were received since publication.

DOUG RANKIN stated this is the Serenity Birthing Center located between Alta Boulevard and Jones Boulevard. He described the sign to be seven feet tall and approximately four feet by four feet and that it will be indirectly lit. Due to handicapped and other required parking on the lot, there is not much space for the sign. He noted an area that had mature landscaping, and if the sign was placed at that location, three trees would have to be removed. He pointed out the only location that would not require the removal of any landscaping.

COMMISSIONER TOUSSAINT expressed her support of the birthing center, this projects and the sign.

CHAIR CHERRY declared the Public Hearing closed.

Motion made by Donna Toussaint to Approve subject to conditions

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1
For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Brenda Williams; Excused-Vicki Quinn;

45. VAR-75824 - VARIANCE - PUBLIC HEARING - APPLICANT: RAD MANAGEMENT, LLC - OWNER: DSRS PROPERTIES, LLC - For possible action on a request for a Variance TO ALLOW REDUCED LOT SIZES AND WIDTHS FOR THREE PROPOSED LOTS WHERE A 20,000 SQUARE-FOOT LOT SIZE AND A 100-FOOT LOT WIDTH ARE REQUIRED AND TO ALLOW A REAR YARD SETBACK OF 26 FEET WHERE 35 FEET IS THE MINIMUM REQUIRED on 0.70 acres at 835 Shetland Road (APN 139-32-802-025), R-E (Residence Estates) Zone, Ward 1 (Tarkanian) [PRJ-75738]. Staff recommends DENIAL.

Minutes:
CHAIR CHERRY declared the Public Hearing open.

ERIC McCAMMOND, Senior Management Analyst, stated the applicant is requesting a Variance to divide the subject parcel into three lots to allow a future mapping realignment which will require several steps and entitlements in order to accomplish the proposed end result. If the subject Variance is approved, three nonconforming lots and a nonconforming structure will be created. To correct this, requests of a Parcel Map, General Plan Amendment, Rezoning, and Site Development Plan Review must follow. No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing to create lots that do not conform to Title 19 requirements. Therefore, staff recommended denial of the Variance request. He noted additional letters of protest and support were received since publication.

RUSSELL SHAH, neurologist and property owner, stated he has been a practicing physician out of 2622 and 2628 West Charleston Boulevard for 13 years, and he bought the 835 Shetland Avenue residential property behind these locations. He provided background information relating to the purchase of the property and also trying to acquire the lot at 2500 West Charleston Boulevard. He noted the location has been parking deficient since it was built in 1990 and that the previous owner allowed his staff to park on the Shetland Avenue property.

He explained the different variances associated with this application and described the permanent solution to the parking issue that he was proposing, which is a four-step process. He spoke of creating a loop where the parking is coming off of Shetland Avenue, dividing the residential parking and adding 13 parking spaces to bring the total to 18. He stated there is a 2,430 square-foot structure in the back that needed to be upgraded that he would like to make commercial for a private office. He reiterated what he was proposing was a permanent solution for this property.

KEVIN BUCKLEY, ALICE HARTLING, RANDY McDONALD, CHRIS ANDRASFAY, FELIX ARELLANO, JOE MOMOT, TONI McDONALD, ERIK KING, JUDY SANTELMAN and RIC TRUESDELL spoke in opposition. They expressed concerns with parking, traffic, the lack of a neighborhood meeting, their wish to preserve this historic rural/equestrian neighborhood, there being no reason to become a commercial property when there are more than a dozen vacant properties the doctor could move to, no reason to split the lots, encroaching a commercial use into a residential area, the requests are all major variances that would require several more meetings and their wish for the applicant to bring it to the neighbors as a whole package.

DR. SHAH rebutted that he inherited the parking problem when he bought the property, and he thought the proposal would decrease the neighbors' problems.

COMMISSIONER DE SALVIO stated he could not support the proposed request, and he would like to see at least a 30-day abeyance in order for the applicant to meet with the neighbors to see if he can gain their support.

CHAIR CHERRY stated although he understood more towards the end, he found the doctor's presentation confusing. He thought a lot of work needed to take place between the applicant and neighbors so that they can clearly understand the complete vision.

After COMMISSIONER SCHLOTTMAN wondered if a 60-day abeyance might be more appropriate, COMMISSIONER DE SALVIO asked if the applicant would agree to a 60-day or 90-day abeyance; DR. SHAH agreed to a 60-day abeyance.

As this is COMMISSIONER QUINN'S area, COMMISSIONER ROUSH wished to defer to her. This neighborhood is very historic; there is pride of ownership, and it is difficult to see it go commercial. She believed the neighbors were afraid of a bait and switch scenario with regard to utilizing the lot behind the subject site for parking and that it might set the stage for tearing the buildings down and building a larger commercial facility that would encroach into their neighborhood. That may not be the applicant's intention so it would be a good reason to meet with the neighbors. She was in favor of getting the cars off of the street and thought there were a number of solutions to the parking problem. She thought it sounded as though the Doctor wished to be a good neighbor, but it should be done in the proper way where a site plan is drawn up indicating where the parking will be, the traffic flow, etc. She did not believe she had enough information to make a decision at this time.

DR. SHAH indicated he had met with COUNCILWOMAN TARKANIAN and COMMISSIONER QUINN to discuss his plan and the various conditions. COMMISSIONER ROUSH thought what he was trying to do was noble, but she wanted to make sure he met with the neighbors. DR. SHAH apologized to the neighbors because he did not think the two neighborhood meetings were to be held until he completed this first step.

COMMISSIONER TOUSSAINT agreed with COMMISSIONER DE SALVIO in that the applicant needed time. She also was confused by the applicant's intent and reiterated he should meet with the neighbors.

ROBERT SUMMERFIELD, Planning Director, asked DR. SHAH to provide his contact information to staff so they could help in setting up the neighborhood meeting.

CHAIR CHERRY declared the Public Hearing closed.

NOTE: The video does not reflect the vote accurately in that Commissioner De Salvio announced that Commissioner Williams was excused from the meeting.

Motion made by Louis De Salvio to Hold in abeyance to 6/11/2019

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2
For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio; Excused-Vicki Quinn, Brenda Williams;

46. VAR-75831 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: BRO HYMN, LLC - For possible action on a request for a Variance TO ALLOW TWO PROPOSED 60-FOOT TALL FREESTANDING SIGNS WHERE 40 FEET IS THE MAXIMUM HEIGHT ALLOWED on 0.72 acres at 1736 South Las Vegas Boulevard (APN 162-03-302-010), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-75734]. Staff recommends DENIAL.

Minutes:
VICE CHAIR DE SALVIO declared the Public Hearing open.

JONATHAN BOYLES, Senior Planner, stated the City Council approved a Special Use Permit (SUP-72982) request to allow a Marijuana Dispensary at the subject site on May 8, 2018. The applicant proposes to replace two existing freestanding signs with two new freestanding signs that do not meet the minimum Title 19 height requirements. The subject site is located within the C-2 (General Commercial) zoning district and is subject to Title 19 sign development standards. The applicant has requested the subject Variance to allow a height of 60 feet where 40 feet is the maximum height allowed. The applicant presented no evidence of unique or extraordinary circumstances pursuant to Title 19.16 that would justify the height increase of the freestanding sign from 40 feet to 60 feet; therefore, staff recommended denial of this request.

LUCY STEWART, LAS Consulting, appeared representing the applicant. ED GEHRES, President of Curaleaf Nevada, stated this was their building. MS. STEWART noted the subject building is the former Burger King that was located on the west side of Las Vegas Boulevard south of the White Cross building. This portion of Las Vegas Boulevard is going through a lot of redevelopment, including the landscape beautification in the center of Las Vegas Boulevard. As a result of that and the entry gateway sign, this location has ended up being a victim of the success in that area. The taco sign to the immediate south is exactly 40 feet in height, so if the proposed sign was also at 40 feet, one would not be able to see it until they were on the property. The applicant requested an increased height because the palm trees would obscure the view of the sign with most of the clients anticipated to be coming from the hotels to the south.

MS. STEWART described the sign, noting it meets the requirements of the Scenic Byway. In order to be able to see the sign, she thought it needed to be higher than the other signs and palm trees along Las Vegas Boulevard. She pointed out the only mechanism to do this was via the Variance. MR. GEHRES added with the redevelopment of the area, they put a lot of work into creating a sign with new features that stood out and supported the Arts District. He reiterated if it were at 40 feet, it would not be seen.

COMMISSIONER SCHLOTTMAN indicated he was torn on this request because everything on this portion of Las Vegas Boulevard is mostly the same height. Las Vegas is unique in that there are different types of signs along this corridor. He thought there would have been opposition from the Beverly Green area residents, but he has not heard any.

COMMISSIONER ROUSH understood the applicant felt there was clutter along the Byway, but she did not know that the applicant made a case to justify the right to have a sign that is 20 feet taller than everything else. She thought the sign was very attractive but wished the applicant had utilized the existing Burger King pole and sign enclosure. She thought this was a different argument than merely wanting to be 20 feet taller because the applicant wants everyone to see their sign in order to sell more marijuana. She indicated she meant no disrespect to the applicant's use because it is legal, and most buildings with this use have been renovated to a very high standard and have been a nice addition to the neighborhood which has resulted in revitalization. She was proud to drive by many of the properties because they are attractive but did not understand approving this request just because the applicant wished to stand out and be more competitive.

MR. GEHRES explained the 20 feet was designed by their architect on the east coast, and agreed that may be too much. He understood the concerns of the neighbors and not being overly exaggerated, but argued a height differential would benefit the Del Taco and White Cross Drug businesses as well. The applicant was looking for a Variance that would get them above the clutter, but they were willing to lower the height if necessary. That appealed to COMMISSIONER ROUSH, but she deferred to COMMISSIONER SCHLOTTMAN since this was in the ward he represents.

COMMISSIONER SCHLOTTMAN agreed something less than 60 feet would be more appropriate; 40 feet would be appropriate since that is the code requirement.

COMMISSIONER TOUSSAINT thought the sign was beautiful, but that 60 feet was too tall.

MS. STEWART asked if 50 feet would be amenable to the Commission. COMMISSIONER TOUSSAINT stated she could support a 50-foot sign. COMMISSIONER ROUSH stated in some ways she wanted to reward the applicant for the effort and money put into the building. She wanted it to be successful, but at the same time did not want it to be such an egregious approval that it sets a precedent. She deferred to COMMISSIONER SCHLOTTMAN to make the final decision.

Subsequent to the motion and vote, MS. STEWART accepted the approval of the Variance for a 50-foot sign height.

VICE CHAIR DE SALVIO declared the Public Hearing closed.

NOTE: Chair Cherry abstained from voting as his family is in the cannabis business. Commissioner Schlottman disclosed he has worked on several cultivation facilities, dispensaries, testing facilities and production facilities, but he has not worked with these individuals and his independence of judgement would not be affected one way or another, so he would be voting.

Motion made by Trinity Haven Schlottman to Approve a Variance to allow two 50-foot tall freestanding signs subject to conditions

Passed For: 4; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 2

For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio; Abstain-Sam Cherry; Excused-Vicki Quinn, Brenda Williams;

47. VAR-75834 - VARIANCE - PUBLIC HEARING - APPLICANT: OSEVENA NOEL - OWNER: MARIE GENISTE - For possible action on a request for a Variance TO ALLOW A TWO-FOOT CORNER SIDE YARD SETBACK WHERE 15 FEET IS REQUIRED FOR AN EXISTING ADDITION TO A SINGLE FAMILY DWELLING AND AN EXISTING NINE-FOOT TALL PERIMETER WALL WHERE EIGHT FEET IS THE MAXIMUM ALLOWED at 500 Vincent Way (APN 138-34-711-009), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian) [PRJ-75747]. Staff recommends DENIAL.

Minutes:
CHAIR CHERRY declared the Public Hearing open.

JONATHAN BOYLES, Senior Planner, stated the subject property is zoned R-1 (Single Family Residential). The applicant constructed a room addition that does not comply with the corner side yard setback requirement and has requested a Variance to allow a two-foot corner side yard setback where 15 feet is required.

On the submitted drawings, the applicant indicated that a nine-foot tall perimeter wall would screen the addition to the single family, detached dwelling. Title 19.06 requires a maximum perimeter wall height of six to eight feet in an R-1 zone; therefore, a Variance was requested to allow the nine-foot tall perimeter wall. However, site observations revealed an eight-foot tall perimeter wall with a retaining wall of varying height, culminating in a total wall height of nine feet at its highest point. As such, the Variance associated with the perimeter wall height is no longer required. However, no evidence of a unique or extraordinary circumstance was presented in regard to the room addition, and the applicant created a self-imposed hardship by constructing an addition to an existing single family, detached dwelling, which does not comply with Title 19.06 development standards for corner yard setbacks; therefore, staff recommended denial of this request. He noted additional letters of support and protest were received since publication.

OSEVENA NOEL, applicant, stated the wall is not nine feet high due to the elevation which he described. He also described the various setbacks on the property. He explained the room addition was an exercise room and that everything was built according to the building codes except for the setbacks. He explained the property owner had already spent a lot of money hiring various professionals and to build the structure. He also noted the house cannot be seen from Alta Drive or Vincent Way due to the six-foot fence.

CHAIR CHERRY asked if this item was on the agenda as the result of a Code Enforcement action. ROBERT SUMMERFIELD, Planning Director, confirmed there were Code Enforcement issues on this property. While a building permit was requested for this room addition in November 2018, no permit was issued and yet the room was constructed. As such, it does not meet zoning requirements. Additionally, there have been other code violations at this property relating to trash and vehicles, but those issues were resolved. There is an open case regarding complaints that there were people living in a rear shed or accessory structure on the property, but the subject Variance related to the submittal of a building permit from November 2018.

CHAIR CHERRY declared the Public Hearing closed.

Motion made by Louis De Salvio to Deny

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2
For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio; Excused-Vicki Quinn, Brenda Williams;

48. SUP-75850 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: MIGUEL GUTIERREZ - For possible action on a request for a Special Use Permit FOR A BUILDING MAINTENANCE SERVICE AND SALES USE at 4485 North Rainbow Boulevard (APN 138-03-602-013), C-1 (Limited Commercial) Zone, Ward 4 (Anthony) [PRJ-75587]. Staff recommends APPROVAL.

Minutes:
CHAIR CHERRY declared the Public Hearing open for Items 48 and 49.

JONATHAN BOYLES, Senior Planner, stated the applicant is proposing a Special Use Permit (SUP) and Site Development Plan Review (SDR-75851) to develop the subject site which contains an existing 4,503 square-foot contractor’s office with an additional 9,000 square-foot building for a proposed Building Maintenance Service and Sales development with an accessory 1,834 square-foot Outdoor Storage use. The subject site is located in the Centennial Hills Sector of the General Plan and has a current land use designation of SC (Service Commercial) and zoning designation of C-1 (Limited Commercial), which requires approval of an SUP for the Building Maintenance Service and Sales use to allow the proposed outdoor service area located on the south perimeter of the site, which is appropriately screened from view of the Rainbow Boulevard right-of-way and adjacent properties.

On January 18, 2012, the City Council approved SDR-43004 and SUP-43005 for a Building Maintenance Service and Sales use at the subject site. However, the entitlements expired on January 18, 2014. The applicant sought to re-establish the use on the subject site. It has been determined that the proposed Building Maintenance Services and Sales use can be conducted in a manner that is compatible with the surrounding land uses, therefore, staff recommended approval. He noted additional letters of support and protest were received since publication.

MIGUEL and VICKI GUTIERREZ, applicants, were present. MS. GUTIERREZ stated they agree to staff's conditions and recommendations.

COMMISSIONER TOUSSAINT indicated she drove by the site and agreed with staff that the proposal is harmonious and compatible with the neighborhood.

See Item 49 for related backup.

CHAIR CHERRY declared the Public Hearing closed for Items 48 and 49.

Motion made by Donna Toussaint to Approve subject to conditions

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2
For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio; Excused-Vicki Quinn, Brenda Williams;

49. SDR-75851 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-75850 - APPLICANT/OWNER: MIGUEL GUTIERREZ - For possible action on a request for a Site Development Plan Review FOR THE ADDITION OF A PROPOSED 9,000 SQUARE-FOOT BUILDING TO A SITE CONTAINING AN EXISTING 4,053 SQUARE-FOOT COMMERCIAL BUILDING WITH WAIVERS TO ALLOW A FIVE-FOOT LANDSCAPE BUFFER ON A PORTION OF THE SOUTH PERIMETER AND A ZERO-FOOT LANDSCAPE BUFFER ON A PORTION OF THE NORTH PERIMETER WHERE EIGHT FEET IS REQUIRED on 1.21 acres at 4485 North Rainbow Boulevard (APN 138-03-602-013), C-1 (Limited Commercial) Zone, Ward 4 (Anthony) [PRJ-75587]. Staff recommends APPROVAL.

Minutes:
See Item 48 for related discussion and Items 48 and 49 for related backup.

Motion made by Donna Toussaint to Approve subject to conditions

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2
For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio; Excused-Vicki Quinn, Brenda Williams;

50. SUP-75861 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: TERRIBLE HERBST, INC. - OWNER: GRAND TETON LODGE LAND, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 4,330 SQUARE-FOOT BEER/WINE/COOLER OFF-SALE ESTABLISHMENT USE at the northeast corner of Grand Teton Drive and Durango Drive (APN 125-09-401-031), C-1 (Limited Commercial) Zone, Ward 6 (Fiore) [PRJ-75685]. Staff recommends APPROVAL.

Minutes:
CHAIR CHERRY declared the Public Hearing open for Items 50-52.

ERIC McCAMMOND, Senior Management Analyst, stated the proposed project is an amendment to a previously-approved Site Development Plan Review. The applicant has requested an exception to allow 12 interior parking lot trees where 17 are required but meets all other Title 19 requirements to include all requirements for the two requested Special Use Permits. Staff found the requested landscape exception would have minimal impact and that the overall proposed project is compatible with adjacent development in the area. As such, staff recommended approval of all entitlements. He noted additional letters of protest and support were received since publication.

CHRIS RICHARDSON, RWA Architects, appeared on behalf of the applicant, Terrible Herbst. They appreciated staff's favorable recommendation and in working with the land owner, who understands the history of development on the property and provided guidance on the plan before the Commission. He noted the applicant agrees to the conditions in the staff report.

COMMISSIONER DE SALVIO asked if the landscaping would mirror the landscaping at the Ann Road/Rainbow Boulevard location, but MR. RICHARDSON indicated he was not familiar with the landscaping at that location. The Commissioner stated the neighbors had requested that the landscaping at the proposed location either meet or exceed what was at the Ann Road/Rainbow Boulevard location. The Commissioner asked staff if the landscaping being proposed met that standard. JONATHAN BOYLES, Senior Planner, stated the landscaping plan submitted with this request meets Title 19 standards; however, he did not have information regarding the landscaping that was approved with the proposal at the other site.

COMMISSIONER DE SALVIO asked if a condition could be added to address this prior to the City Council meeting. ROBERT SUMMERFIELD, Planning Director, stated this item was final action, but a condition could be added that prior to building permits, a revised landscape plan must be submitted to the Planning Department for comparable landscaping to the project he was referring to, and staff could conduct an administrative review of that. MR. RICHARDSON agreed to this. MR. SUMMERFIELD added this would be provided there were no variances or exceptions involved at the Ann Road/Rainbow Boulevard location that would diminish this landscaping below code requirements. MR. RICHARDSON thought the current proposal exceeded Title 19 standards.

COMMISSIONER DE SALVIO wished the applicant had met with him because he thought a car wash that could accommodate such vehicles as fifth wheels, horse trailers, quads, etc. was needed in this area. MR. RICHARDSON stated he would take this information back to his client so it could be considered at future locations.

See Items 51 and 52 for related backup.

CHAIR CHERRY declared the Public Hearing closed for Items 50-52.

Motion made by Louis De Salvio to Approve subject to conditions

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

For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio; Excused-Vicki Quinn, Brenda Williams;

51. SUP-75862 - SPECIAL USE PERMIT RELATED TO SUP-75861 - PUBLIC HEARING - APPLICANT: TERRIBLE HERBST, INC. - OWNER: GRAND TETON LODGE LAND, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED CAR WASH, FULL SERVICE OR AUTO DETAILING USE at the northeast corner of Grand Teton Drive and Durango Drive (APN 125-09-401-031), C-1 (Limited Commercial) Zone, Ward 6 (Fiore) [PRJ-75685]. Staff recommends APPROVAL.

Minutes:
See Item 50 for related discussion and Items 50-52 for related backup.

Motion made by Louis De Salvio to Approve subject to conditions

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

For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio; Excused-Vicki Quinn, Brenda Williams;

52. SDR-75863 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-75861 AND SUP-75862 - PUBLIC HEARING - APPLICANT: TERRIBLE HERBST, INC. - OWNER: GRAND TETON LODGE LAND, LLC - For possible action on a request for a Major Amendment to an approved Site Development Plan Review (SDR-5689) FOR A PROPOSED 4,330 SQUARE-FOOT GENERAL RETAIL STORE [CONVENIENCE STORE] WITH FUEL PUMPS AND 1,080 SQUARE-FOOT CAR WASH, FULL SERVICE on a portion of 2.71 acres at the northeast corner of Grand Teton Drive and Durango Drive (APN 125-09-401-031), C-1 (Limited Commercial) Zone, Ward 6 (Fiore) [PRJ-75685]. Staff recommends APPROVAL.

Minutes:
See Item 50 for related discussion and Items 50-52 for related backup.

Motion made by Louis De Salvio to Approve subject to conditions and adding the following condition as read for the record:

A. Prior to submittal for building permits, submit an updated landscape plan that depicts landscaping comparable to the Terrible-Herbst development on Ann Road and Rainbow Boulevard (SDR-60985)

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2
For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio; Excused-Vicki Quinn, Brenda Williams;

53. SUP-75838 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: ROMMEL V. FAJARDO AND LORENA DE LIOS FAJARDO - For possible action on a request for a Special Use Permit FOR A COMMUNITY RESIDENCE USE WITH A WAIVER TO ALLOW A 455-FOOT DISTANCE SEPARATION FROM A SIMILAR USE WHERE 660 FEET IS REQUIRED at 125 Antelope Way (APN 138-34-514-001), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian) [PRJ-75806]. Staff recommends DENIAL.

Minutes:
CHAIR CHERRY declared the Public Hearing open.

ERIC McCAMMOND, Senior Management Analyst, stated the applicant proposes to use an existing six-bedroom, three-bath, single-story, detached residential home as a community residence. The proposed use is approximately 455 feet away from an existing community residence where 660 feet is required. Because of the decreased distance separation, staff found the proposed use incompatible with neighboring development and recommended denial of the application. He noted additional letters of protest and support were received since publication.

ROBERT FAJARDO, brother of the applicant/owner, stated this request was for a community residence with up to 10 residents. He understood the 660-foot distance requirement, where the proposed site was 455 feet away.

COMMISSIONER ROUSH asked what the house would be used for specifically and who would be operating it. MR. FAJARDO explained it would be a community residence for up to 10 elderly residents with Alzheimer's, and that it would be a properly licensed facility through the State of Nevada with appropriate caregivers. He added his brother and his wife owned the building, and potentially they would be caregivers or employees may be as well. He reiterated for the Commissioner all proper licensing would be obtained.

CHAIR CHERRY declared the Public Hearing closed.

Motion made by Christina Roush to Approve subject to conditions

Passed For: 4; Against: 1; Abstain: 0; Did Not Vote: 0; Excused: 2
For-Christina Roush, Donna Toussaint, Sam Cherry, Louis De Salvio; Against-Trinity Haven Schlottman; Excused-Vicki Quinn, Brenda Williams;

54. VAC-75859 - VACATION - PUBLIC HEARING - APPLICANT: BP HOLDINGS, INC. - OWNER: VFR-SOUTHWEST DESERT EQUITIES, LLC - For possible action on a request for a Petition to Vacate a U.S. Government Patent Easement located on the north and east perimeter of the site and a 30-foot portion of the north half of Darling Road located east of Hualapai Way, Ward 6 (Fiore) [PRJ-75736]. Staff recommends DENIAL.

Minutes:
CHAIR CHERRY declared the Public Hearing open for Items 54 and 55.

ERIC McCAMMOND, Senior Management Analyst, stated the proposed vacation of the Darling Road right-of-way could eliminate public street access to the parcel to the east of the subject site and result in a landlocked parcel. Additionally, staff found no evidence of a unique or extraordinary circumstance to support the decreased landscape buffer along the south property line. Therefore, staff found the proposed development to be inharmonious with surrounding properties in the area and recommended denial of both applications. He noted additional letters of protest and support were received since publication.

JULIA IZZOLO appeared on behalf of the applicant. She stated this is for a previously-approved Site Design Review (SDR) where they are requesting to vacate the north 30 feet of Darling Road along with the existing 33-foot patent easements on the site. In conjunction with that, they are requesting a Waiver of the condition of the SDR to construct the off sites on Darling Road.

See Item 55 for related backup.

CHAIR CHERRY declared the Public Hearing closed for Items 54 and 55.

Motion made by Louis De Salvio to Approve subject to conditions

Passed For: 4; Against: 1; Abstain: 0; Did Not Vote: 0; Excused: 2
For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio; Against-Christina Roush; Excused-Vicki Quinn, Brenda Willliams;

55. SDR-75860 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAC-75859 - PUBLIC HEARING - APPLICANT: BP HOLDINGS, INC. - OWNER: VFR-SOUTHWEST DESERT EQUITIES, LLC - For possible action on a request for a Major Amendment to a previously approved Site Development Plan Review (SDR-73576) FOR THE PROPOSED EXPANSION OF THE SUBJECT SITE AND PARKING LOT RECONFIGURATION FOR A 9,043 SQUARE-FOOT COMMERCIAL DEVELOPMENT WITH A WAIVER TO ALLOW AN EIGHT-FOOT LANDSCAPE BUFFER ON THE SOUTH PERIMETER WHERE 15 FEET IS REQUIRED on 2.02 acres at 6840 North Hualapai Way (APN 125-19-401-002), C-1 (Limited Commercial) Zone, Ward 6 (Fiore) [PRJ-75736]. Staff recommends DENIAL.

Minutes:
See Item 54 for related discussion and Items 54 and 55 for related backup.

Motion made by Louis De Salvio to Approve subject to conditions

Passed For: 4; Against: 1; Abstain: 0; Did Not Vote: 0; Excused: 2
For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio; Against-Christina Roush; Excused-Vicki Quinn, Brenda Willliams;

DIRECTOR'S BUSINESS:

56. TXT-75815 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on a request to remove and replace LVMC Title 19.09 Form-Based Code with an updated version of LVMC Title 19.09 Form-Based Code, amend the LVMC Title 19 Appendix F Interim Downtown Las Vegas Development Standards as applicable, and to provide for other related matters. Staff recommends APPROVAL.

Minutes:
This item was heard subsequent to Item 26.

CHAIR CHERRY declared the Public Hearing open.

MICHAEL HOWE, Planning Section Manager, explained the point of the proposed Text Amendment. Recalling the approval of the Medical District pilot plan area, one of the assurances given was that a 180-day review would be done of the adopted code. Incorporated into that review is the proposal of a new district – the Fremont East District.

Over the past few months, staff worked closely with developers and hospital administrators and operators to review the code to make sure the language worked and everything needed got addressed. Additionally, three new transect zones are being introduced that are oriented towards the Fremont East District. This is a new district that has different characteristics than the Las Vegas Medical District.

The three new transect zones include a T6-Urban Core, which is a more substantial high-rise-type district that the Medical District would not have. There are also the T4–Main Street and T4–Neighborhood zones. Language is also being introduced for Historic Hotels and Motels Adaptive Reuse to ensure the code does not push out the existing hotels/motels on Fremont Street, as they are a substantial contributing factor to the uniqueness on Fremont Street. The code will allow these hotels to utilize the flexibility of the form-based code without requiring them to change.

MR. HOWE reviewed the open space requirements for the higher density zoning districts. These requirements could be met onsite, but work is underway to use strategies on a district level scale to enable multiple properties to contribute to the ability of building parks downtown. He also explained the community benefits program is an incentive where developers are allowed extra stories or lot coverage if they provide a percentage of affordable housing.

He reemphasized the Text Amendment is inter-related with the General Plan Amendment (GPA). The first step is getting the standards in place along with the new zoning districts that are going to be included with the Fremont East District and ironing out the bits and pieces from the Medical District and putting that together with the General Plan Land Use Amendment. This step is preparatory in nature; what exercises a form-based code for the Fremont East District would be the rezoning which is not yet in place. The Text Amendment and General Plan Amendment have to get fixed first. Additionally, they are also going through some scheduling considerations with new Councilmembers coming in.

He reviewed the effects of the Text Amendment and the GPA; which can be found in the backup. He clarified that this Text Amendment would not alter or change the Las Vegas Medical District use categories.

Every six months the code will be reviewed to make sure that it is consistent and to change those things that are not working. It needs to be friendly to development but also protect the community. The GPA will make those three transects being introduced in the Text Amendment available for zoning.

This has been a seven-month process, and there has been wonderful outreach and partnerships with local food and beverage companies with hosted events to go through the visioning process. He also mentioned the surveys, exercises the planners have done, the draft plans and proposed maps which were reviewed by stakeholders to provide guidance. To date, there have been 1,777 visits to the website, five meetings and events and a GPA meeting where there were more than 33 neighbors in attendance.

The next steps involve dialogue with the stakeholders to make sure the zoning categories are right. Staff balances suggestions from the consultants with the challenges developers have. It is anticipated the rezoning would occur late summer to early fall at the soonest, again taking into consideration the new Councilmembers that will be coming onboard.

COMMISSIONER ROUSH wanted to make sure the Commission was only voting on the notification area provided in the backup (East Fremont District) and not anything related to the Las Vegas Medical District. MR. HOWE stated the Text Amendment will have language fixing those glitches found in the Medical District when working with the developers, but it is not rezoning the Medical District.

COMMISSIONER SCHLOTTMAN commented this replaces the form-based code with an updated version, and he asked if the version that contained strike-throughs in the backup was the updated version. MR. HOWE explained the Staff Report contains detailed page-by-page corrections, Appendix A is the currently adopted code, and Appendix B shows the proposed amendments with all changes in red font.

COMMISSIONER SCHLOTTMAN commented the current form-based code is implemented in the Medical District and not the other areas. He wondered if the GPA would include part of the implementation of the form-based code in the Fremont East District. MR. HOWE explained the GPA would be the first step to allow the rezoning to put the specific transect zones in the Fremont East District. He confirmed the approval of the form-based code in that area would come back at a later time.

The Commissioner stated this is a lot of information; he has attended many workshops and has been to Carson City to present on this, but even though the form-based code is not in effect, there is an interim form-based code which somewhat overlaps Title 19 and provides some flexibility to the Planning Department. MR. HOWE stated someone could utilize the interim development standards that apply to all of downtown, but they do not have much specificity or clarity. They are trying to develop more precise standards district by district to balance between what the neighborhood expects to see and what the developer needs to know as far as what they can build.

COMMISSIONER SCHLOTTMAN asked how far south the form-based code extended. MR. HOWE confirmed it will eventually include the entire Founders District.

As other areas are brought onboard, CHAIR CHERRY asked if they would go through his process again and adjust things as necessary in the various districts. MR. HOWE responded one of the things staff expects to occur is that eventually most of the zoning districts and language needed will be in place. It can then be put together in a single package – the Text Amendment, GPA and zoning altogether. It is a unique bureaucratic occurrence where they have to have the language of a zoning district in the code prior to pulling a GPA and then have that in place prior to the rezoning. When they get enough language in the code itself, staff can start hearing them without having to go through this sequential order. He confirmed for CHAIR CHERRY they will all be interim until all of the areas are reviewed and it is fully adopted.

COMMISSIONER SCHLOTTMAN appreciated the time staff put into this.

See Item 26 for related discussion.

CHAIR CHERRY declared the Public Hearing closed.

NOTE: Commissioner Roush disclosed she owns a couple of small residential properties in the Medical District, but that would not affect her any greater or lesser, so she would be voting.

Motion made by Trinity Haven Schlottman to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0
For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Brenda Williams; Did Not Vote-Vicki Quinn;

Citizens Participation:

57. 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:
COMMISSIONER DE SALVIO thanked the City and Highway Patrol for the fabulous services they provided to his son who was involved in a rollover accident. He thought Unit 48 of the ambulance service responded; they were top notch and he wished to give them a shout out and say thank you. CHAIR CHERRY stated their prayers are with the Commissioner and his family.

The meeting was recessed at 8:19 p.m., reconvened at 8:30 p.m. and was adjourned at 10:07 p.m.

Respectfully submitted:

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Debra A. Outland, Deputy City Clerk

Jacquie Miller, Deputy City Clerk

Facilities are provided throughout City Hall for the convenience of persons with disabilities. Reasonable efforts will be made to assist and accommodate persons with disabilities or impairments. If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 702-229-6311 and advise of your need at least 48 hours in advance of the meeting. Dial 7-1-1 for Relay Nevada.

THIS MEETING HAS BEEN 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