

Mayor Carolyn G. Goodman (At-Large)
Mayor Pro-Tem Lois Tarkanian (Ward 1)
Vacant (Ward 2)
Councilman Bob Coffin (Ward 3)
Councilman Stavros S. Anthony (Ward 4)
Councilman Cedric Crear (Ward 5)
Councilwoman Michele Fiore (Ward 6)



Commissioner Sam Cherry, Chair
Commissioner Louis De Salvio, Vice Chair
Commissioner Vicki Quinn
Commissioner Trinity Haven Schlottman
Commissioner Donna Toussaint
Commissioner Christina E. Roush
Commissioner Brenda J. Williams

Planning Commission Minutes

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

April 23, 2019
6:00 PM

BUSINESS ITEMS:

1. Call to Order
Minutes:
VICE CHAIR DE SALVIO called the meeting to order at 6:00 p.m.
2. Announcement: Compliance with Open Meeting Law
Minutes:
ANNOUNCEMENT MADE: This meeting has been properly noticed and posted at the following locations: 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: VICE CHAIR DE SALVIO and COMMISSIONERS SCHLOTTMAN, TOUSSAINT and ROUSH
EXCUSED: CHAIR CHERRY and COMMISSIONERS QUINN and WILLIAMS
ALSO PRESENT: ROBERT SUMMERFIELD, Director of Planning; ERIC McCAMMOND, Sr. Management Analyst; NICOLE EDDOWES, Sr. Planner; LUCIEN PAET, Engineering Project Manager; STEVE TAULBEE, Assistant Fire Protection Engineer; BRYAN SCOTT, Senior Assistant 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 26, 2019.

Motion made by Donna Toussaint to Approve

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio; Excused-Sam Cherry, 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, Sr. Management Analyst, read the items recommended for action.

ATTORNEY TONY CELESTE appeared on behalf of the applicant for Items 8 and 9 and requested that those items be held in abeyance to 6/25/2019.

Subsequent to the motion and vote, ROBERT SUMMERFIELD, Director of Planning, announced that although there was a quorum of the Planning Commission, there were not enough Commissioners present to make a super majority, which is necessary for approval of a General Plan Amendment (GPA). Full discussion and a vote may take place, but as there was no super majority, the GPAs would move forward to the June 5, 2019 City Council meeting without a recommendation or tantamount to a Denial.

Motion made by Donna Toussaint to Hold in abeyance Items 8, 9, 24 and 25 to 6/25/2019 and Items 26-29 and 35-44 to 5/28/2019 and Withdraw without prejudice Items 10-12 and 19

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

For-Christina Roush, Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio; Excused-Sam Cherry, 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-75951 - TENTATIVE MAP - SHOWBOAT 2019 (A COMMERCIAL SUBDIVISION) - APPLICANT: LOCHSA ENGINEERING - OWNER: 2800 FREMONT, LLC - For possible action on a request for a Tentative Map FOR A ONE-LOT COMMERCIAL SUBDIVISION on 25.55 acres at 2800 Fremont Street (APNs 162-01-201-006 and 007), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-75892]. Staff recommends APPROVAL.

Minutes:

VICE CHAIR DE SALVIO declared the Public Hearing open for Items 7-15; there being no one present to speak, he declared the Public Hearing closed.

Motion made by Donna Toussaint to Approve the One Motion One Vote Agenda subject to condition(s) except Items 8-12

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

8. GPA-75937 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: BUS YARD PROPERTIES, LLC, ET AL - For possible action on a request for a General Plan Amendment FROM: M (MEDIUM DENSITY RESIDENTIAL) TO: ML (MEDIUM LOW DENSITY RESIDENTIAL) on 15.00 acres generally located west of the intersection of Ann Road and Shaumber Road (APNs 126-36-101-006, 007 and 027), Ward 6 (Fiore) [PRJ-75900]. Staff recommends APPROVAL.

Minutes:

See Item 6 for related discussion and Item 9 for related backup.

Motion made by Donna Toussaint to Hold in abeyance Items 8, 9, 24 and 25 to 6/25/2019 and Items 26-29 and 35-44 to 5/28/2019 and Withdraw without prejudice Items 10-12 and 19

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

9. ZON-75938 - REZONING RELATED TO GPA-75937 - PUBLIC HEARING - APPLICANT/OWNER: BUS YARD PROPERTIES, LLC, ET AL - For possible action on a request for a Rezoning FROM: R-3 (MEDIUM DENSITY RESIDENTIAL) TO: R-CL (SINGLE FAMILY COMPACT-LOT) on 15.00 acres generally located west of the intersection of Ann Road and Shaumber Road (APNs 126-36-101-006, 007 and 027), Ward 6 (Fiore) [PRJ-75900]. Staff recommends APPROVAL.

Minutes:

See Item 6 for related discussion and Item 8 for related backup.

Motion made by Donna Toussaint to Hold in abeyance Items 8, 9, 24 and 25 to 6/25/2019 and Items 26-29 and 35-44 to 5/28/2019 and Withdraw without prejudice Items 10-12 and 19

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

10. GPA-75942 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: AMH DEVELOPMENT, LLC - OWNER: MNC HOLDINGS, LLC - For possible action on a request for a General Plan Amendment FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) AND RNP (RURAL NEIGHBORHOOD PRESERVATION) TO: L (LOW DENSITY RESIDENTIAL) on 3.81 acres at the southeast corner of Craig Road and Buffalo Drive (APNs 138-03-301-001 and 004), Ward 4 (Anthony) [PRJ-75274]. Staff recommends APPROVAL.

Minutes:

See Item 6 for related discussion and Items 11 and 12 for related backup.

Motion made by Donna Toussaint to Hold in abeyance Items 8, 9, 24 and 25 to 6/25/2019 and Items 26-29 and 35-44 to 5/28/2019 and Withdraw without prejudice Items 10-12 and 19

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

11. ZON-75943 - REZONING RELATED TO GPA-75942 - PUBLIC HEARING - APPLICANT: AMH DEVELOPMENT, LLC - OWNER: MNC HOLDINGS, LLC - For possible action on a request for a Rezoning FROM: U (UNDEVELOPED) [DR (DESERT RURAL DENSITY RESIDENTIAL) AND RNP (RURAL NEIGHBORHOOD PRESERVATION) GENERAL PLAN DESIGNATIONS] TO: R-1 (SINGLE FAMILY RESIDENTIAL) on 3.81 acres at the southeast corner of Craig Road and Buffalo Drive (APNs 138-03-301-001 and 004), Ward 4 (Anthony) [PRJ-75274]. Staff recommends APPROVAL.

Minutes:

See Item 6 for related discussion and Items 10-12 for related backup.

Motion made by Donna Toussaint to Hold in abeyance Items 8, 9, 24 and 25 to 6/25/2019 and Items 26-29 and 35-44 to 5/28/2019 and Withdraw without prejudice Items 10-12 and 19

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

12. TMP-75945 - TENTATIVE MAP RELATED TO GPA-75942 AND ZON-75943 - CRAIG & BUFFALO - PUBLIC HEARING - APPLICANT: AMH DEVELOPMENT, LLC - OWNER: MNC HOLDINGS, LLC - For possible action on a request for a Tentative Map FOR A 19-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 3.81 acres at the southeast corner of Craig Road and Buffalo Drive (APNs 138-03-301-001 and 004), U (Undeveloped) Zone [DR (Desert Rural Density Residential) and RNP (Rural Neighborhood Preservation) General Plan Designations] [PROPOSED: R-1 (Single Family Residential)], Ward 4 (Anthony) [PRJ-75274]. Staff recommends APPROVAL.

Minutes:

See Item 6 for related discussion and Items 10-12 for related backup.

Motion made by Donna Toussaint to Hold in abeyance Items 8, 9, 24 and 25 to 6/25/2019 and Items 26-29 and 35-44 to 5/28/2019 and Withdraw without prejudice Items 10-12 and 19

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

13. WVR-75925 - WAIVER - PUBLIC HEARING - APPLICANT/OWNER: CARMEL CANYON HOA - For possible action on a request for a Waiver TO ALLOW NO LANDSCAPING ALONG PORTIONS OF LA CONCHA ROAD AND LEON AVENUE WHERE SUCH IS REQUIRED FOR AN EXISTING RESIDENTIAL SUBDIVISION on a portion of 51.50 acres adjacent to the northeast corner of Iron Mountain Road and Jones Boulevard (APNs 125-01-397-019; 125-01-497-006 and 012), RPD-3 (Residential Planned Development - 3 Units per Acre) Zone, Ward 6 (Fiore) [PRJ-75733]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion.

Motion made by Donna Toussaint to Approve the One Motion One Vote Agenda subject to condition(s) except Items 8-12

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

14. VAR-75872 - VARIANCE - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: STATE OF NEVADA - For possible action on a request for a Variance TO ALLOW AN EXISTING 63-FOOT TALL OFF-PREMISE SIGN TO BE INCREASED TO 83 FEET IN HEIGHT on 2.12 acres at 1604 West Oakey Boulevard (APN 162-04-602-009), M (Industrial) Zone, Ward 3 (Coffin) [PRJ-75866]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion.

Motion made by Donna Toussaint to Approve the One Motion One Vote Agenda subject to condition(s) except Items 8-12

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

15. SUP-75967 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SOUTHERN NEVADA OCCUPATIONAL HEALTH CLINIC - OWNER: A. NICKNAM, PC, ET AL - For possible action on a request for a Special Use Permit FOR AN ALTERNATIVE PARKING STANDARD TO ALLOW 15 PARKING SPACES WHERE 22 PARKING SPACES ARE REQUIRED FOR A PROPOSED 4,928 SQUARE-FOOT CLINIC USE at 1640 East Sahara Avenue (APN 162-02-411-031), C-1 (Limited Commercial) Zone, Ward 3 (Coffin) [PRJ-75911]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion.

Motion made by Donna Toussaint to Approve the One Motion One Vote Agenda subject to condition(s) except Items 8-12

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

PUBLIC HEARING ITEMS

16. ABEYANCE - RENOTIFICATION - VAR-75123 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: DZ ANN RAINBOW, LLC, ET AL - For possible action on a request for a Variance TO ALLOW A 25-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 79 FEET IS REQUIRED on 3.24 acres at the northeast corner of Ann Road and Rainbow Boulevard (APNs 125-26-410-004, 005, 006 and 007), C-1 (Limited Commercial) Zone, Ward 6 (Fiore) [PRJ-75062]. Staff recommends DENIAL.

Minutes:

VICE CHAIR DE SALVIO declared the Public Hearing open for Items 16-18.

ERIC McCAMMOND, Sr. Management Analyst, reported that a Waiver is being requested to allow a zero-foot wide landscape buffer adjacent to the east property line. Staff supports this request as it is due to an existing access easement for an active well. However, the applicant has provided no evidence of unique or extraordinary circumstances to support the remaining Variance, Waivers, or Exception. Therefore, staff recommended denial of all three applications. Additional protest letters were received since publication.

ATTORNEY LIZ DELK appeared on behalf of the applicant. She showed a map of the four parcels that comprised the subject site noting that the property is zoned C-1 (Limited Commercial) and was previously approved for a drive through on the southern parcel and four retail buildings on the three northern parcels. This request is a Site Development Plan Review for two retail buildings on the northern portion of the property and a convenience store and gas pumps on the southern portion. They are also requesting a Special Use Permit (SUP) for the sale of beer and wine from the convenience store. There are two retail buildings and a C-store located on the eastern portion of the property.

After meeting with the neighbors and based on their preference of the site layout, the proposed buildings have been moved to the east side of the property. An intense landscape buffer has also been added to the eastern side and an eight-foot wall was added on the northern and eastern part of the property to provide additional buffering for the neighbors. MS. DELK stated that all buildings will be one story, and they meet all of the distance separation requirements of the SUP for the sale of beer and wine. She also noted that there were requests to add an additional four-feet of wrought iron to the walls along the well, to work with the neighbors regarding relocating the electrical for the well and that lights be shielded and point away from the neighbors. MS. DELK acknowledged that this is a difficult piece of property and appreciated the neighbors' input.

JIM EPLEY, one of the applicants, had a support letter from Kinder Prep Academy, which he read and submitted as backup.

MARIA KRISHER stated that she lives next to the proposed strip mall, and informed the Commissioners that according to NRS (Nevada Revised Statutes) 445A.415, nothing can be developed within 1,000 feet of the community well. She requested denial.

KEITH PEARSON stated that he also lives to the north of the proposed development, and he had not seen the location change of the convenience store; he was much more comfortable with the stores against the alleyway and the parking lot towards Rainbow Boulevard. He felt the current proposal invites more complications with the alleyway and puts more cars in line with the well and the fencing around it.

MS. DELK showed the site plan with the buildings pushed up to the east property line. She also stated that they will be required to comply with all of the Southern Nevada Health District regulations regarding the community well.

COMMISSIONER ROUSH asked staff about their position regarding the community well, and LUCIEN PAET, Engineering Project Manager, replied that he did not have any information regarding Health District regulations.

COMMISSIONER SCHLOTTMAN was not sure this Commission had any ability to regulate as the well is not on the subject property. He added that this body did not have the ability to approve adding four feet of wrought iron on top of the existing wall because there was no Variance request for it on this agenda. He did agree with shielding the lights and had spoken with ROBERT SUMMERFIELD, Director of Planning, who indicated that within the conditions and backup, there is information that states all conditions of Title 19 must be met, and shielding against the residential neighborhood would be one of those conditions.

MR. PAET stated that according to the Clark County Assessor's map, the well appears to be on the third parcel north of Ann Road. ASSISTANT CITY ATTORNEY BRYAN SCOTT stated that the applicant noted they would have to comply with certain requirements of the Health District to make sure the well is not compromised. MS. DELK confirmed.

COMMISSIONER TOUSSAINT did not like the idea of wrought iron on top of the eight-foot wall. She was in support.

VICE CHAIR DE SALVIO stated that there have been many meetings regarding this project. He was also in support of this project, but agreed with COMMISSIONER TOUSSAINT about the wrought iron fence and did not think it would be a deterrent or aesthetically pleasing.

Prior to the vote on Item 18, MR. PAET requested that Condition 14 on that item be deleted. VICE CHAIR DE SALVIO also reiterated the requests to add a gate on the east side of the well and adding an eight-foot wall and shielding the lighting on the east property line.

MR. SUMMERFIELD indicated that shielding lighting is a requirement in the code and does not need to be added as a condition. MR. McCAMMOND read the additional conditions regarding the gate and wall for the record.

See Items 17-19 for related backup.

VICE CHAIR DE SALVIO declared the Public Hearing closed for Items 16-18.

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

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

17. ABEYANCE - RENOTIFICATION - SUP-75124 - SPECIAL USE PERMIT RELATED TO VAR-75123 - PUBLIC HEARING - APPLICANT/OWNER: DZ ANN RAINBOW, LLC, ET AL - For possible action on a request for a Special Use Permit FOR A PROPOSED 2,985 SQUARE-FOOT BEER/WINE/COOLER OFF-SALE ESTABLISHMENT USE at the northeast corner of Ann Road and Rainbow Boulevard (APN 125-26-410-007), C-1 (Limited Commercial) Zone, Ward 6 (Fiore) [PRJ-75062]. Staff recommends DENIAL.

Minutes:

See Item 16 for related discussion and Items 16-18 for related backup.

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

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

18. ABEYANCE - RENOTIFICATION - SDR-75125 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-75123 AND SUP-75124 - PUBLIC HEARING - APPLICANT/OWNER: DZ ANN RAINBOW, LLC, ET AL - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 19,785 SQUARE-FOOT COMMERCIAL CENTER INCLUDING A 2,985 SQUARE-FOOT CONVENIENCE STORE WITH FUEL PUMPS AND CANOPY; AND TWO, 8,400 SQUARE-FOOT COMMERCIAL BUILDINGS WITH WAIVERS TO NOT ORIENT THE BUILDINGS TO THE CORNER OR THE STREET FRONT WHERE SUCH IS REQUIRED; TO ALLOW PORTIONS OF THE LANDSCAPE BUFFER ADJACENT TO THE WEST PROPERTY LINE TO BE THREE FEET, AND PORTIONS OF THE SOUTH PROPERTY LINE TO BE FIVE FEET WHERE 15 FEET IS REQUIRED FOR BOTH; AND TO ALLOW PORTIONS OF THE LANDSCAPE BUFFER ADJACENT TO THE EAST PROPERTY LINE TO BE FIVE FEET WHERE EIGHT FEET IS REQUIRED on 3.24 acres at the northeast corner of Ann Road and Rainbow Boulevard (APNs 125-26-410-004, 005, 006 and 007), C-1 (Limited Commercial) Zone, Ward 6 (Fiore) [PRJ-75062]. Staff recommends DENIAL.

Minutes:

See Item 16 for related discussion and Items 16-18 for related backup.

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

- A. A gate will be installed along the property line on the east side of the well.
- B. An 8-foot block wall will be installed along the east and north property lines.

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

19. ABEYANCE – SDR-75583 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: DEBRA J. REOCH, ET AL - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 16,800 SQUARE-FOOT GENERAL RETAIL STORE, OTHER THAN LISTED WITH A WAIVER TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER WHERE EIGHT FEET IS REQUIRED ALONG THE EAST PERIMETER on 2.42 acres on the east side of Rainbow Boulevard, approximately 85 feet north of Ann Road (APNs 125-26-410-004 through 006), C-1 (Limited Commercial) Zone, Ward 6 (Fiore) [PRJ-75062]. Staff recommends APPROVAL.

Minutes:

See Item 6 for related discussion.

Motion made by Donna Toussaint to Hold in abeyance Items 8, 9, 24 and 25 to 6/25/2019 and Items 26-29 and 35-44 to 5/28/2019 and Withdraw without prejudice Items 10-12 and 19

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

20. ABEYANCE – VAR-75755 - VARIANCE RELATED TO GPA-75732 - PUBLIC HEARING - APPLICANT: TOUCHSTONE LIVING, INC. - OWNER: TOUCHSTONE ALEXANDER, LLC - For possible action on a request for a Variance TO ALLOW A STUB STREET TERMINUS WHERE A CUL-DE-SAC IS REQUIRED AND TO ALLOW A 25-FOOT PRIVATE STREET WITHOUT A SIDEWALK WHERE SUCH IS REQUIRED on 7.60 acres on the east side of Hualapai Way, approximately 960 feet south of Alexander Road (APNs 138-07-103-006; 138-07-201-001 and 002), PD (Planned Development) Zone [MFM (Multi-Family Medium) Lone Mountain Special Land Use Designation], Ward 4 (Anthony) [PRJ-75604]. Staff recommends DENIAL.

Minutes:

VICE CHAIR DE SALVIO declared the Public Hearing open for Items 20-23.

ERIC McCAMMOND, Sr. Management Analyst, reported that the proposed development meets density and height requirements for the applicable Lone Mountain Master Plan Design Standards. However, the applicant has provided no evidence of unique or extraordinary circumstances to support the parking and street standard

Variances; therefore, staff recommended denial of all applications. Additional protest letters have been received since publication.

WES PETTY appeared on behalf of the applicant and explained that they changed their application after meeting with the neighbors. They are proposing 124 single family attached townhomes, and he indicated that is what is shown on their Tentative Map and Site Development Plan Review. Additionally, they are requesting two Variances for stub streets and removal of the sidewalk within the community. MR. PETTY stated that they have walking trails between the buildings in common spaces, which are in relatively close proximity to the pool area. The third Variance is regarding parking as City code requires 269 spaces. MR. PETTY stated that the new site plan reflects 269 spaces, but the allocation is slightly different than the code requirements of two unimpeded spaces per unit. He explained that this development provides on street parking and stalls along with three different garage types; a single car, a double car tandem and a traditional double car. He said that they are requesting the Variance to address the allocation.

ROBERT SUMMERFIELD, Director of Planning, indicated that the backup did not reflect the project being described and asked when the revised drawings were submitted to staff for review. MR. PETTY indicated they had been submitted at the end of February.

ROBIN VITIELLO stated that she was opposed to Items 21-23 as she did not feel it was aesthetically congruent with the nearby parks, and visitors would be inconvenienced when visiting the parks. She explained that pedestrian traffic can currently access the park through the parcel but if this project moves forward, pedestrian traffic will have to go to the north or south end of the park. MS. VITIELLO did not like that a three-story structure would block the city view. She also thought that the stub streets would be confusing for visitors who might think they were entering the park but would be entering a private condo complex. She disagreed that there was enough parking spaces for the project. She felt that overflow parking from the complex would end up in the park or on Hualapai Way, and said that public parking at the park is very full when events are taking place. MS. VITIELLO expressed concern about safety on Hualapai Way noting that many pedestrians and cyclists use that street. She also informed the Commissioners that Metro (Las Vegas Metropolitan Police Department) has their training academy in the area, and they run up and down Hualapai Way; if cars are parked on Hualapai Way, it will be a safety hazard.

COMMISSIONER ROUSH stated that this is a difficult site due to the shape, size and location. She felt this was a very intense use next to a family type of use.

VICE CHAIR DE SALVIO asked if the garages were being counted as parking to meet the requirement of 282 parking spaces. MR. PETTY explained that the requirement for 124 units is to provide 269 spaces. They are partially counting garage spaces towards the parking requirement as follows: one per single garage, one per two-car tandem garage and two per two-car traditional garage. He reiterated that they also have parking stalls and on-street parking. VICE CHAIR DE SALVIO questioned the requirement of 282 spaces, and MR. PETTY explained that was the requirement when they were proposing 130 units. However, after meeting with the neighbors, they changed the site plan, changed the architecture to allow for the two-car traditional garages, added more parking and widened the streets to allow for on-street parking. VICE CHAIR DE SALVIO noted that the agenda item showed the request for 130 units. MR. PETTY explained that they resubmitted new applications after the neighborhood meeting and were now requesting only 124 units.

There was some confusion regarding the revised plans that MR. PETTY was showing and what was included in the backup. MR. SUMMERFIELD was able to clarify that the plans MR. PETTY had looked a little different but were the same plans.

COMMISSIONER TOUSSAINT asked if this community was gated, and MR. PETTY confirmed that it would be gated, and people would not accidentally drive into the neighborhood. He also confirmed that they dropped six units to increase the parking spaces to 269 and noted that they did not account for the second space in the two-car tandem garage, which would be an additional 42 spaces. The Commissioner asked if they were having a pet lot and a tot lot for the homeowners, and MR. PETTY pointed out the pool and grassy areas and the walking trails. He also stated that the neighbors requested connectivity with the park through this development. COMMISSIONER TOUSSAINT said that this was an odd-shaped lot, and she thought this was a nice project.

COMMISSIONER ROUSH inquired about the access points and if the exits on Hualapai Way were exit only crash gates. MR. PETTY pointed out the main entrance/exit and the one that was for emergency access. He confirmed that there were no other access points.

COMMISSIONER TOUSSAINT asked about the parking variance for Item 21, and MR. SUMMERFIELD stated that staff would read the updated numbers for the Variance they would be approving. MR. McCAMMOND stated that the Variance would be 237 parking spaces where 269 are required.

See Items 21-23 for related backup.

VICE CHAIR DE SALVIO declared the Public Hearing closed for Items 20-23.

Motion made by Donna Toussaint to Approve subject to condition(s)

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

21. ABEYANCE – VAR-75756 - VARIANCE RELATED TO GPA-75732 AND VAR-75755 - PUBLIC HEARING - APPLICANT: TOUCHSTONE LIVING, INC. - OWNER: TOUCHSTONE ALEXANDER, LLC - For possible action on a request for a Variance TO ALLOW 179 PARKING SPACES WHERE 282 PARKING SPACES ARE REQUIRED on 7.60 acres, on the east side of Hualapai Way (APNs 138-07-103-006; 138-07-201-001 and 002), PD (Planned Development) Zone [MFM (Multi-Family Medium) Lone Mountain Special Land Use Designation], Ward 4 (Anthony) [PRJ-75604]. Staff recommends DENIAL.

Minutes:

See Item 20 for related discussion and Items 20-23 for related backup.

Motion made by Donna Toussaint to Approve subject to condition(s)

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

22. ABEYANCE – SDR-75639 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-75732 AND VAR-75755 AND VAR-75756 - PUBLIC HEARING - APPLICANT: TOUCHSTONE LIVING, INC. - OWNER: TOUCHSTONE ALEXANDER, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 130-UNIT SINGLE FAMILY ATTACHED RESIDENTIAL DEVELOPMENT on 7.60 acres on the east side of Hualapai Way, approximately 960 feet south of Alexander Road (APNs 138-07-103-006; 138-07-201-001 and 002), PD (Planned Development) Zone [MFM (Multi-Family Medium) Lone Mountain Special Land Use Designation], Ward 4 (Anthony) [PRJ-75604]. Staff recommends DENIAL.

Minutes:

See Item 20 for related discussion and Items 20-23 for related backup.

Motion made by Donna Toussaint to Approve subject to condition(s)

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

23. ABEYANCE – TMP-75640 - TENTATIVE MAP RELATED TO GPA-75732, VAR-75755, VAR-75756 AND SDR-75639 - HUALAPAI AND ALEXANDER - PUBLIC HEARING - APPLICANT: TOUCHSTONE LIVING, INC. - OWNER: TOUCHSTONE ALEXANDER, LLC - For possible action on a request for a Tentative Map FOR A PROPOSED 130-UNIT SINGLE FAMILY ATTACHED RESIDENTIAL SUBDIVISION on 7.60 acres on the east side of Hualapai Way, approximately 960 feet south of Alexander Road (APNs 138-07-103-006; 138-07-201-001 and 002), PD (Planned Development) Zone [MFM (Multi-Family Medium) Lone Mountain Special Land Use Designation], Ward 4 (Anthony) [PRJ-75604]. Staff recommends DENIAL.

Minutes:

See Item 20 for related discussion and Items 20-23 for related backup.

Motion made by Donna Toussaint to Approve subject to condition(s)

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

24. GPA-75668 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: ZION LOVINGIER - For possible action on a request for a General Plan Amendment FROM: PCD (PLANNED COMMUNITY DEVELOPMENT) TO: SC (SERVICE COMMERCIAL) on 1.50 acres at 8311 Farm Road (APN 125-16-301-003), Ward 6 (Fiore) [PRJ-75621]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Item 25 for related backup.

Motion made by Donna Toussaint to Hold in abeyance Items 8, 9, 24 and 25 to 6/25/2019 and Items 26-29 and 35-44 to 5/28/2019 and Withdraw without prejudice Items 10-12 and 19

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

25. ZON-75669 - REZONING RELATED TO GPA-75668 - PUBLIC HEARING - APPLICANT/OWNER: ZION LOVINGIER - For possible action on a request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-1 (LIMITED COMMERCIAL) on 1.50 acres at 8311 Farm Road (APN 125-16-301-003), Ward 6 (Fiore) [PRJ-75621]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Item 24 for related backup.

Motion made by Donna Toussaint to Hold in abeyance Items 8, 9, 24 and 25 to 6/25/2019 and Items 26-29 and 35-44 to 5/28/2019 and Withdraw without prejudice Items 10-12 and 19

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

26. GPA-75931 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: JOHN J SARAPUCHIELLO TRUST - For possible action on a request for a General Plan Amendment FROM: PCD (PLANNED COMMUNITY DEVELOPMENT) TO: R (RURAL DENSITY RESIDENTIAL) on 1.25 acres on the west side of El Capitan Way, approximately 340 feet north of O'Hare Road (APN 125-05-302-012), Ward 6 (Fiore) [PRJ-75902]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Item 27 for related backup.

Motion made by Donna Toussaint to Hold in abeyance Items 8, 9, 24 and 25 to 6/25/2019 and Items 26-29 and 35-44 to 5/28/2019 and Withdraw without prejudice Items 10-12 and 19

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

27. ZON-75932 - REZONING - RELATED TO GPA-75931 - PUBLIC HEARING - APPLICANT/OWNER: JOHN J SARAPUCHIELLO TRUST - For possible action on a request for a Rezoning FROM: U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: R-D (SINGLE FAMILY RESIDENTIAL-RESTRICTED) on 1.25 acres on the west side of El Capitan Way, approximately 340 feet north of O'Hare Road (APN 125-05-302-012), Ward 6 (Fiore) [PRJ-75902]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Item 26 for related backup.

Motion made by Donna Toussaint to Hold in abeyance Items 8, 9, 24 and 25 to 6/25/2019 and Items 26-29 and 35-44 to 5/28/2019 and Withdraw without prejudice Items 10-12 and 19

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

28. GPA-75954 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: GOLD LT RE, LLC - For possible action on a request for a General Plan Amendment FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) on 1.06 acres at 5445 North Rainbow Boulevard (APN 125-35-101-007), Ward 4 (Anthony) [PRJ-75934]. Staff recommends APPROVAL.

Minutes:

See Item 6 for related discussion and Item 29 for related backup.

Motion made by Donna Toussaint to Hold in abeyance Items 8, 9, 24 and 25 to 6/25/2019 and Items 26-29 and 35-44 to 5/28/2019 and Withdraw without prejudice Items 10-12 and 19

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

29. ZON-75955 - REZONING RELATED TO GPA-75954 - PUBLIC HEARING - APPLICANT/OWNER: GOLD LT RE, LLC - For possible action on a request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-1 (LIMITED COMMERCIAL) on 1.06 acres at 5445 North Rainbow Boulevard (APN 125-35-101-007), Ward 4 (Anthony) [PRJ-75934]. Staff recommends APPROVAL.

Minutes:

See Item 6 for related discussion and Item 28 for related backup.

Motion made by Donna Toussaint to Hold in abeyance Items 8, 9, 24 and 25 to 6/25/2019 and Items 26-29 and 35-44 to 5/28/2019 and Withdraw without prejudice Items 10-12 and 19

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

30. GPA-75958 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: FRANK D & JANE PERUCHINI - For possible action on a request for a General Plan Amendment FROM: R (RURAL DENSITY RESIDENTIAL) AND RNP (RURAL NEIGHBORHOOD PRESERVATION) TO: L (LOW DENSITY RESIDENTIAL) on 4.43 acres on the north side of Regena Avenue, approximately 320 feet east of Tee Pee Lane (APN 125-30-502-008), Ward 6 (Fiore) [PRJ-75893]. Staff recommends APPROVAL.

Minutes:

VICE CHAIR DE SALVIO declared the Public Hearing open for Items 30-34.

ERIC McCAMMOND, Sr. Management Analyst, reported that the proposed rezoning would allow 6,500 square-foot lots while the proposed General Plan Amendment (GPA) would limit the density to 5.49 units per acre. Although the applicant is currently proposing lot sizes greater than 10,000 square feet, which is consistent with the Interlocal Agreement, the proposed rezoning could allow lot sizes less than 10,000 square feet, which is not allowed with the Interlocal Agreement. Staff supports the GPA and has no objection to the Vacation request, but has revised its recommendation and does not support the Rezoning request. The applicant has provided no evidence of unique or extraordinary circumstances to support the Waiver or Variances; therefore, staff recommended approval of the GPA and Vacation requests but denial of the Rezoning, Variance, and Tentative Map. Additional letters of protest have been received since publication.

ATTORNEY TONY CELESTE appeared on behalf of the applicant and described the location of the 4.5 acre parcel noting that it is adjacent to property that is zoned as R-1 (Single Family Residential), which is what they are requesting. He explained that the initial application submittal included an 18-lot subdivision but based on comments at the neighborhood meeting, the subdivision has been reduced to 16 lots, all of which are a minimum of 10,000 square feet. As a result, they wish to change the GPA request from L (Low Density Residential) to R (Rural Density Residential). He discussed the size of the lots and explained that 12 of them are accessed off of Centennial Parkway, and four lots front Regena Avenue.

MR. CELESTE addressed technical issues regarding the street offset, and explained that they are proposing their street location in the middle of the site. The development to the north located their street to the east, and because the driveways cannot be lined up, there is only a 60-foot offset where 220 feet is required. Staff suggested flipping the design, but the developer does not want to burden the RNP (Rural Neighborhood Preservation) area with additional traffic.

During the design process, the neighbors requested not having block walls and wished to have some of the homes fronting Regena Avenue; this project proposes that four front Regena Avenue, and the remaining 12 would be in the cul-de-sac.

MR. CELESTE addressed conflicting left hand turns on Centennial Parkway and Condition 10 in the backup requiring a median for only right-in and right-out traffic to mitigate the left-hand turns and the conflicting turning movements. Additionally, he addressed the connectivity ratio noting that this is a small development.

BRYAN VEDDER stated that he lives across the street from the development. He said that he thought they would need flood abatement because the flood water would go to Regena Avenue, and he showed a drawing of the one-half acre lots in the area and photos of the existing streets and DR Horton project streets. MR. VEDDER submitted notification postcards as backup.

RICHARD GALECKI stated that everyone in the neighborhood wants the new development to look like the rest of the street, and they do not want all of the traffic on Regena Avenue. Using the drawing, he addressed the four lots proposed for Regena Avenue and thought it would be better if there were only two lots like the neighboring property so it would conform to what is in the neighborhood.

SHARON CRAIG-OLSON concurred with comments made regarding continuity and would like to see only 10 lots to accomplish that and to maintain a rural environment. She submitted notification postcards as backup.

MR. CELESTE reiterated that they are providing 10,000 square-foot lots, which is in compliance with the Interlocal Agreement. Regarding continuity, he pointed out that they are facing four lots to Regena Avenue instead of having a block wall, and directly across the street are three lots.

COMMISSIONER ROUSH stated that this has historically been a controversial area. She understood the neighbors' concerns regarding continuity but thought this proposal cleans up the area and is a nice development. She asked about the height of the homes, and MR. CELESTE replied that there is no site plan, but the developer does a mixture of two- and three-story homes. He also confirmed that the lots are all at least 10,000 square feet. COMMISSIONER ROUSH was in support of this project.

COMMISSIONER SCHLOTTMAN agreed with COMMISSIONER ROUSH about off-site improvements but also understood that keeping the area rural was important to the residents. However, since the developers have agreed to contribute funding for future improvements, he has been able to waiver on that a little. The Commissioner is usually against not meeting a connectivity ratio, but with this project, there is connectivity to Regena Avenue, and he believed that the neighbors would prefer to not have access to Regena Avenue from within this community.

VICE CHAIR DE SALVIO thanked MR. CELESTE for holding the neighborhood meetings and making adjustments to the project based on neighborhood requests. He was in support of this item.

See Items 31-34 for related backup.

VICE CHAIR DE SALVIO declared the Public Hearing closed for Items 30-34.

NOTE: Approval motion failed due to lack of super majority vote which is tantamount to Denial

Motion made by Louis De Salvio to Approve

Failed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

31. ZON-75959 - REZONING RELATED TO GPA-75958 - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: FRANK D & JANE PERUCHINI - For possible action on a request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-1 (SINGLE FAMILY RESIDENTIAL) on 4.43 acres on the north side of Regena Avenue, approximately 320 feet east of Tee Pee Lane (APN 125-30-502-008), Ward 6 (Fiore) [PRJ-75893]. Staff recommends APPROVAL.

Minutes:

See Item 30 for related discussion and Items 30-34 for related backup.

Motion made by Louis De Salvio to Approve

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

32. VAR-75960 - VARIANCE RELATED TO GPA-75958 AND ZON-75959 - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: FRANK D & JANE PERUCHINI - For possible action on a request for a Variance TO ALLOW A 1.00 CONNECTIVITY RATIO WHERE 1.30 IS THE MINIMUM REQUIRED AND A PRIVATE STREET WITHOUT AN ACCESS GATE NOT TO BE CONSTRUCTED TO PUBLIC STREET STANDARDS on 4.43 acres on the north side of Regena Avenue, approximately 320 feet east of Tee Pee Lane (APN 125-30-502-008), R-E (Residence Estates) Zone [PROPOSED: R-1 (Single Family Residential)], Ward 6 (Fiore) [PRJ-75893]. Staff recommends DENIAL.

Minutes:

See Item 30 for related discussion and Items 30-34 for related backup.

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

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

33. VAC-75961 - VACATION RELATED TO GPA-75958, ZON-75959 AND VAR-75960 - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: FRANK D & JANE PERUCHINI - For possible action on a request for a Petition to Vacate U.S. Government Patent Easements generally located north of Regena Avenue, east of Tee Pee Lane (APN 125-30-502-008), Ward 6 (Fiore) [PRJ-75893]. Staff recommends DENIAL.

Minutes:

See Item 30 for related discussion and Items 30-34 for related backup.

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

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

34. TMP-75962 - TENTATIVE MAP RELATED TO GPA-75958, ZON-75959, VAR-75960 AND VAC-75961 - REGENA CHIEFTAIN - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: FRANK D & JANE PERUCHINI - For possible action on a request for a Tentative Map FOR A PROPOSED 16-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION WITH A WAIVER TO ALLOW A 60-FOOT INTERSECTION OFFSET WHERE 220 FEET IS REQUIRED AND TO DEFER OFFSITE IMPROVEMENTS INCLUDING STREETLIGHTS FOR REGENA AVENUE WHERE OFFSITE IMPROVEMENTS ARE REQUIRED AT THE TIME OF DEVELOPMENT on 4.43 acres on the north side of Regena Avenue, approximately 320 feet east of Tee Pee Lane (APN 125-30-502-008), R-E (Residence Estates) Zone [PROPOSED: R-1 (Single Family Residential)], Ward 6 (Fiore) [PRJ-75893]. Staff recommends DENIAL.

Minutes:

See Item 30 for related discussion and Items 30-34 for related backup.

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

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

35. GPA-75969 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: SCOTT FAMILY TRUST, ET AL - For possible action on a request for a General Plan Amendment FROM: R (RURAL DENSITY RESIDENTIAL) TO: L (LOW DENSITY RESIDENTIAL) on 2.11 acres on the north side of Alexander Road, approximately 960 feet west of Durango Drive (APN 138-05-801-027), Ward 4 (Anthony) [PRJ-75904]. Staff recommends DENIAL.

Minutes:

See Items 6 for related discussion and Items 36-39 for related backup.

Motion made by Donna Toussaint to Hold in abeyance Items 8, 9, 24 and 25 to 6/25/2019 and Items 26-29 and 35-44 to 5/28/2019 and Withdraw without prejudice Items 10-12 and 19

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

36. ZON-75972 - REZONING RELATED TO GPA-75969 - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: SCOTT FAMILY TRUST, ET AL - For possible action on a request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-1 (SINGLE FAMILY RESIDENTIAL) on 2.11 acres on the north side of Alexander Road, approximately 960 feet west of Durango Drive (APN 138-05-801-027), Ward 4 (Anthony) [PRJ-75904]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 35-39 for related backup.

Motion made by Donna Toussaint to Hold in abeyance Items 8, 9, 24 and 25 to 6/25/2019 and Items 26-29 and 35-44 to 5/28/2019 and Withdraw without prejudice Items 10-12 and 19

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

37. VAR-75973 - VARIANCE RELATED TO GPA-75969 AND ZON-75972 - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: SCOTT FAMILY TRUST, ET AL - For possible action on a request for a Variance TO ALLOW A 1.00 CONNECTIVITY RATIO WHERE 1.30 IS THE MINIMUM REQUIRED; PRIVATE STREETS WITHOUT A GATE TO NOT BE CONSTRUCTED TO PUBLIC STREET STANDARDS; AND A NON-GATED MODIFIED STREET TERMINUS WHERE A CUL-DE-SAC IS REQUIRED on 2.11 acres on the north side of Alexander Road, approximately 960 feet west of Durango Drive (APN 138-05-801-027), R-E (Residence Estates) Zone [PROPOSED: R-1 (Single Family Residential)], Ward 4 (Anthony) [PRJ-75904]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 35-39 for related backup.

Motion made by Donna Toussaint to Hold in abeyance Items 8, 9, 24 and 25 to 6/25/2019 and Items 26-29 and 35-44 to 5/28/2019 and Withdraw without prejudice Items 10-12 and 19

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

38. VAC-75974 - VACATION RELATED TO GPA-75969, ZON-75972 AND VAR-75973 - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: SCOTT FAMILY TRUST, ET AL - For possible action on a request for a Petition to Vacate U.S. Government Patent Easements and portions of a public sewer easement generally located on the north side of Alexander Road, west of Durango Drive (APN 138-05-801-027), Ward 4 (Anthony) [PRJ-75904]. Staff recommends APPROVAL.

Minutes:

See Item 6 for related discussion and Items 35-39 for related backup.

Motion made by Donna Toussaint to Hold in abeyance Items 8, 9, 24 and 25 to 6/25/2019 and Items 26-29 and 35-44 to 5/28/2019 and Withdraw without prejudice Items 10-12 and 19

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

39. TMP-75975 - TENTATIVE MAP RELATED TO GPA-75969, ZON-75972, VAR-75973 AND VAC-75974 - ALEXANDER JULIANO EAST - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: SCOTT FAMILY TRUST, ET AL - For possible action on a request for a Tentative Map FOR A PROPOSED EIGHT-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 2.11 acres on the north side of Alexander Road, approximately 960 feet west of Durango Drive (APN 138-05-801-027), R-E (Residence Estates) Zone [PROPOSED: R-1 (Single Family Residential)], Ward 4 (Anthony) [PRJ-75904]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 35-39 for related backup.

Motion made by Donna Toussaint to Hold in abeyance Items 8, 9, 24 and 25 to 6/25/2019 and Items 26-29 and 35-44 to 5/28/2019 and Withdraw without prejudice Items 10-12 and 19

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

40. GPA-75971 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: JOHNSON TRUST - For possible action on a request for a General Plan Amendment FROM: R (RURAL DENSITY RESIDENTIAL) TO: L (LOW DENSITY RESIDENTIAL) on 2.09 acres on the north side of Alexander Road, approximately 1,640 feet west of Durango Drive (APN 138-05-801-025), Ward 4 (Anthony) [PRJ-75903]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 41-44 for related backup.

Motion made by Donna Toussaint to Hold in abeyance Items 8, 9, 24 and 25 to 6/25/2019 and Items 26-29 and 35-44 to 5/28/2019 and Withdraw without prejudice Items 10-12 and 19

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

41. ZON-75976 - REZONING RELATED TO GPA-75971 - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: JOHNSON TRUST - For possible action on a request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-1 (SINGLE FAMILY RESIDENTIAL) on 2.09 acres on the north side of Alexander Road, approximately 1,640 feet west of Durango Drive (APN 138-05-801-025), Ward 4 (Anthony) [PRJ-75903]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 40-44 for related backup.

Motion made by Donna Toussaint to Hold in abeyance Items 8, 9, 24 and 25 to 6/25/2019 and Items 26-29 and 35-44 to 5/28/2019 and Withdraw without prejudice Items 10-12 and 19

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

42. VAR-75977 - VARIANCE RELATED TO GPA-75971 AND ZON-75976 - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: JOHNSON TRUST - For possible action on a request for a Variance TO ALLOW A 1.00 CONNECTIVITY RATIO WHERE 1.30 IS THE MINIMUM REQUIRED; PRIVATE STREETS NOT CONSTRUCTED TO PUBLIC STREET STANDARDS AND WITHOUT AN ACCESS GATE WHERE SUCH IS REQUIRED; AND A MODIFIED STREET TERMINUS WHERE A CUL-DE-SAC OR HAMMERHEAD IS REQUIRED on 2.09 acres on the north side of Alexander Road, approximately 1,640 feet west of Durango Drive (APN 138-05-801-025), R-E (Residence Estates) Zone [PROPOSED: R-1 (Single Family Residential)], Ward 4 (Anthony) [PRJ-75903]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 40-44 for related backup.

Motion made by Donna Toussaint to Hold in abeyance Items 8, 9, 24 and 25 to 6/25/2019 and Items 26-29 and 35-44 to 5/28/2019 and Withdraw without prejudice Items 10-12 and 19

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

43. VAC-75978 - VACATION RELATED TO GPA-75971, ZON-75976, AND VAR-75977 - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: JOHNSON TRUST - For possible action on a request for a Petition to Vacate U.S. Government Patent Easements generally located on the north side of Alexander Road, west of Durango Drive (APN 138-05-801-025), Ward 4 (Anthony) [PRJ-75903]. Staff recommends APPROVAL.

Minutes:

See Item 6 for related discussion and Items 40-44 for related backup.

Motion made by Donna Toussaint to Hold in abeyance Items 8, 9, 24 and 25 to 6/25/2019 and Items 26-29 and 35-44 to 5/28/2019 and Withdraw without prejudice Items 10-12 and 19

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

44. TMP-75979 - TENTATIVE MAP RELATED TO GPA-75971, ZON-75976, VAR-75977 AND VAC-75978 - ALEXANDER JULIANO WEST - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: JOHNSON TRUST - For possible action on a request for a Tentative Map FOR A PROPOSED EIGHT-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 2.09 acres on the north side of Alexander Road, approximately 1,640 feet west of Durango Drive (APN 138-05-801-025), R-E (Residence Estates) Zone [PROPOSED: R-1 (Single Family Residential)], Ward 4 (Anthony) [PRJ-75903]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 40-44 for related backup.

Motion made by Donna Toussaint to Hold in abeyance Items 8, 9, 24 and 25 to 6/25/2019 and Items 26-29 and 35-44 to 5/28/2019 and Withdraw without prejudice Items 10-12 and 19

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

45. GPA-75997 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: TP 1000, LLC - For possible action on a request for a General Plan Amendment FROM: R (RURAL DENSITY RESIDENTIAL) AND RNP (RURAL NEIGHBORHOOD PRESERVATION) TO: SC (SERVICE COMMERCIAL) on 5.03 acres at the southeast corner of Elkhorn Road and Hualapai Way (APN 125-19-101-010 and Lot 2 of File 124 Page 42 of Parcel Maps), Ward 6 (Fiore) [PRJ-75936]. Staff recommends DENIAL.

Minutes:

VICE CHAIR DE SALVIO declared the Public Hearing open for Items 45-50.

NICOLE EDDOWES, Sr. Planner, reported that the project as proposed generally conforms to Title 19 requirements. However, it is inconsistent with the provisions included in the 2016 Interlocal Agreement to keep Planning Area B parcels residential. As staff supports the Interlocal Agreement, it cannot recommend approval of any of the applicant's requests. Additional protest and support letters were received since publication.

RICHARD BRYAN appeared representing the applicant, and he was joined by GREG BORDEL, Planning Consultant. MR. BRYAN pointed out the location of this 10-acre parcel on a site map and reviewed the proposal which included a commercial development with a restaurant/lounge, a restaurant, a convenience market and four additional retail spaces on the western portion of the property and a six-lot housing development on the eastern portion. This plan represents a compromise from the original proposal before the City approximately three-and-a-half years ago. He explained that they tried to accommodate the neighbors' concerns by eliminating the car wash, providing lower density single-story residential with a rural feel and having no ingress/egress from the commercial development to the residential development and a more intense landscape buffer between the two. He also shared an excerpt from a survey they conducted.

MR. BRYAN read from the Staff Report with respect to the General Plan Amendment and Zoning change and stated that staff recommended denial because of the Interlocal Agreement. He indicated that the Ward 6 Councilperson informed him that Clark County has no objection to this proposal, and he requested approval.

NATHAN TAYLOR stated that he lives in and represents some of the neighbors in the area, and they could not find a support letter from Clark County COMMISSIONER LARRY BROWN, who represents that area. MR. TAYLOR informed the Commissioners that east of Hualapai Way is very rural and there is rural preservation in the area as well. He pointed out that northeast of the subject site is a church, and he did not feel it was appropriate to put a tavern across the street from a church or that the project was harmonious and compatible with the neighborhood. MR. TAYLOR stated that the Planning Commission and the City Council denied a similar proposal by this applicant on this property years ago. He did not think commercial development was needed on this site and pointed out that a new Albertsons shopping center with two fast food restaurants, a C-store and a car wash opened two weeks ago and is only five blocks away. The applicant noted that there is commercial across the street, but MR. TAYLOR explained that began construction in 2013 and was part of the Providence community. He showed the proposal from 2015 and the current proposal noting the projects do not resemble one another, the neighbors do not want it, and he requested denial.

KINGDON CHEW stated that he is opposed to this project and submitted a protest petition from the Bristlecone Ranch residents for the record. He opined that this proposal does not fit, and he was concerned that the increase in commercial traffic would jeopardize the Centennial High School students jogging along Hualapai Way and the middle school students crossing Elkhorn Road.

AMY JACKSON stated that she was opposed due to the increased trash, and she did not think there was a compelling reason to add another convenience store and gas pumps.

NOEL WYTKO lives in Providence and stated that the residents do not want this development as everything in the immediate area, with the exception of the Providence commercial development that was there from the beginning, is residential. He informed the Commissioners that there are already three gas stations within a half-mile radius and they also have three convenience stores and the new Albertsons complex. He questioned why

the predominantly commercial developer purchased this residentially zoned property that buffers the rural zone on the east and everything around it is residential. MR. WYTKO submitted a protest postcard for the record and requested denial.

WENDY MARTINEZ and GREG HJELSTROM appeared and MR. HJELSTROM stated that his home is across from the subject site. He looked at the surrounding zoning when purchasing his home and may not have purchased if he knew there would be a gas station and a tavern there. MS. MARTINEZ referred to the nearby church stating that she is a member, and there are 600 to 1,000 members that attend the church weekly on Sundays and multiple times during the week. They have activities for the more than 200 youth who are there on a weekly basis. This project would significantly affect the traffic and the church. She said that she has not talked to a single neighbor who is in support.

RANDY STERNS and JIM FELDHOUSE appeared and MS. STERNS stated that they live across the street from the subject site. She concurred with her neighbors' comments and added that they moved to the area because it was a quiet, rural neighborhood, and if they had known it would be commercial, they would not have bought the property. She felt that approval of this project would set a very bad precedent for neighborhoods like theirs, and that the land use plan was supposed to protect the neighborhoods. She thought it was wrong for the area and implored the Commissioners to vote against this project.

VICE CHAIR DE SALVIO asked for a show of hands of those in the audience who were in protest and support and requested that they not repeat what others have already said.

MARY SANDERS stated that she has lived directly across from the subject property for almost 20 years. She stated that they are asking for continuity in the rural area, and they would like residential development in the area.

BRIGITTE SOLVIE displayed site maps of the five-acres proposed for commercial that was denied in 2015 and that is currently being proposed. She noted the increased intensity and that there are more parking spaces. Additionally, she displayed an overlay map she compiled that indicated communications from people that are in protest. MS. SOLVIE stated that she spoke with SUE BAKER, COMMISSIONER BROWN'S liaison, who assured her that there was no letter from COMMISSIONER BROWN to provide a modification to the Interlocal Agreement. MS. SOLVIE requested denial of this application.

MARK WAIT (phonetic), Facilities Manager for the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints, felt that the zone change and variances are incompatible and detrimental to the neighborhood and contrary to the reasonable expectations of the church and other homeowners as well as inconsistent with the City's master plan.

CARLOS MONTOKA lives in the Bristolcone Ranch development and stated that this would not add value to the neighborhood, and he was opposed to the project

MICHELLE DISHON stated that there were 20 acres north of the subject site that DR Horton developed as residential, and Richmond American Homes is developing residential on five acres south of that. She thought that this developer needs to do what is right for the neighborhood.

STEVEN COOPER stated that he bought his home a year and a half ago, which is north of the subject property, believing that the subject site was residential. He was opposed for reasons which included safety and stated that nobody contacted him regarding the survey.

SUSANNE WILLIAMS moved to the community a couple of years ago and loves the beauty of the area. She stated that the RNP (Rural Neighborhood Preservation) area does not have curbs, walls or lights; it is virtually free of crime, and she would like it to stay that way. She also noted that Elkhorn Road has become a speedway, and she felt that adding on-site alcohol consumption in the area would cause issues.

TOM MICHELE stated that his back yard overlooks the subject site, and that peoples' greatest invest is their homes. He was concerned about standing on his deck and looking at gas pumps and a convenience strip across the street. He was in support of development but not at that location.

ROSS COLLETTA stated that he was a prior elected public official in Northern Nevada, but he has never seen a consensus develop around an issue like they have around this. He hoped that the Commissioners would listen to the people as this is not something they want in their community.

DAVID ROBINSON stated that there are four congregations that meet at the church and there are children's programs and Scouting during the week. He did not see how anyone could put a 24-hour tavern across the street.

PAT GOODWIN stated that she was opposed to this project. She runs on Elkhorn Road, which is a raceway, and Hualapai Way every morning, and additional traffic from commercial development will add to this hazard. She also discussed the close proximity to similar services that the proposed project is offering.

KATHLEEN BRUCE and her husband, STEVE STETSMAN, appeared and MS. BRUCE stated that nobody surveyed them regarding this project. She said that they have worked with other developers and have been able to come to an agreement/consensus, but this developer has ignored what the neighbors want. MR. STETSMAN stated that they probably would not have bought there if they knew commercial would be across the street. He noted that the police cannot keep up with writing traffic tickets and was concerned about adding alcohol in the area.

DIANE and DAVID LEWIS appeared and MS. LEWIS expressed concern about commercial development and said they moved to the area as it was nice, quiet and open. MR. LEWIS pointed out the number of people who were against this project.

MICHAEL BURNS stated that they want to keep the neighborhood residential.

CARL STELLING stated that he thought the developer wants to make money and does not care about the residents in the area.

JESSICA CAMPAGNA said that at the neighborhood meeting with the BECKERS, they indicated that they wanted to enhance the community, bring value to the neighborhood and bring the community together. While she did not think that a tavern, a gas station and a convenience store would do that, this process has brought the City and Clark County residents together.

MR. BORGEL stated that this is not the same proposal that was previously denied as they have reserved part of the site for R-E (Residential Estates) development. This project has responded to the neighbors' concerns, and MR. BORGEL provided additional details about the development including that all existing R-E development has been designed to be matched with new R-E development on the east end of the project.

MR. BRYAN stated that he understood resistance to change, but the community has grown and so has need for commercial. Staff indicated that this project is compatible, and he urged the Commissioners to support staff's recommendation. He said that they will continue to work with Clark County to make sure they satisfy the provisions of the Interlocal Agreement, and they are amenable to continue working with the community.

COMMISSIONER ROUSH pointed out that the decision at this meeting has little bearing since there is not a super majority of the Planning Commission present. She sympathized with the residents and understood that their homes are large investments. COMMISSIONER ROUSH stated that the checkerboard pattern of development in this valley where the BLM (Bureau of Land Management) owns large parcels is what is pushing homebuilders and commercial developers into neighborhoods. The problem the Commissioners listen to at every meeting is that people do not want development near them, but there is no way to make everyone happy. This project sits on two major arterials and has half the impact on the neighborhood as was first proposed. She understood the proximity to the church but felt commercial was the appropriate use on the five-acre parcel and pointed out that the developer could have put mixed-use, mini storage or apartments on the other five acres. She would not support the liquor portion of the application, but she would support the rest of the project.

COMMISSIONER TOUSSAINT stated that she understood how the homeowners felt. It appeared to her that this developer was willing to work with the neighborhood. She said that any time there is new development, it requires additional services. She thought this was a difficult issue but is compatible with the area.

VICE CHAIR DE SALVIO stated that this has been difficult and thought that at one point in time it was designed for 40 residential lots, which people were also opposed to. MR. BORGEL was aware that there were attempts to lay out residential development on the property, but it had never reached the point of coming to the Planning Commission or City Council. VICE CHAIR DE SALVIO stated that the landscape in 2015 was different than it is now, and he discussed how this application has responded to the neighbors' requests noting that frontages of houses face one another, there are rural accommodations and they have requested that there be no site

improvements on the street. He did not think that the commercial development would bring a lot more traffic as it is the community that will be utilizing the services.

VICE CHAIR DE SALVIO was concerned about traffic and found that there will be a street light on the corner of Elkhorn Road and Hualapai Way. He also liked that commercial backs up and falls in line with existing commercial on the corner. He noted that to the south of the proposed commercial is R-1, which are substantially smaller lots than are what is being proposed by this developer, and the developer agreed to one-story homes. There is also a 32-foot landscape buffer between the two five-acre parcels. MR. BORGEL reviewed the landscape buffers on the site noting that landscaping has been enhanced where there is existing or proposed residential. The Commissioner commented that change is hard, but he thought this was harmonious and compatible with the area. He had concerns about the tavern and on-sale liquor at the convenience store, but staff approved this because of the 100-foot right-of-way. VICE CHAIR DE SALVIO said that he has been informed that COMMISSIONER BROWN did not have an issue with this project.

COMMISSIONER SCHLOTTMAN discussed the issues he considered prior to making his decision and noted that he was not necessarily in support of a tavern and thought a restaurant would be more appropriate. He was also not in support of more fuel pumps and alcohol in the convenience store. Overall, he felt the issues needed to be addressed further prior to going to the City Council.

Prior to the vote on Item 50, ERIC McCAMMOND, Sr. Management Analyst, requested that Condition 5 be deleted as it relates to CC&R's (Conditions, Covenants and Restrictions), which are not required for commercial property.

See Items 46-50 for related backup.

VICE CHAIR DE SALVIO declared the Public Hearing closed for Items 45-50.

NOTE: Approval motion failed due to lack of super majority vote which is tantamount to Denial

Motion made by Louis De Salvio to Approve

Failed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

46. ZON-75998 - REZONING RELATED TO GPA-75997 - PUBLIC HEARING - APPLICANT/OWNER: TP 1000, LLC - For possible action on a request for a Rezoning FROM: U (UNDEVELOPED) [R (RURAL DENSITY RESIDENTIAL) AND RNP (RURAL NEIGHBORHOOD PRESERVATION) GENERAL PLAN DESIGNATIONS] TO: C-1 (LIMITED COMMERCIAL) on 5.03 acres at the southeast corner of Elkhorn Road and Hualapai Way (APN 125-19-101-010 and Lot 2 of File 124 Page 42 of Parcel Maps), Ward 6 (Fiore) [PRJ-75936]. Staff recommends DENIAL.

Minutes:

See Item 45 for related discussion and Items 45-50 for related backup.

Motion made by Louis De Salvio to Approve

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

47. SUP-75999 - SPECIAL USE PERMIT RELATED TO GPA-75997 AND ZON-75998 - PUBLIC HEARING - APPLICANT/OWNER: TP 1000, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 3,500 SQUARE-FOOT LIQUOR ESTABLISHMENT (TAVERN) USE WITH A WAIVER TO ALLOW A 630-FOOT DISTANCE SEPARATION FROM A CHURCH/HOUSE OF WORSHIP WHERE 1,500 FEET IS REQUIRED at the southeast corner of Elkhorn Road and Hualapai Way (APN 125-19-101-010 and Lot 2 of File 124 Page 42 of Parcel Maps), U (Undeveloped) Zone [R (Rural Density Residential) and RNP (Rural Neighborhood Preservation) General Plan Designations] [PROPOSED: C-1 (Limited Commercial)], Ward 6 (Fiore) [PRJ-75936]. Staff recommends DENIAL.

Minutes:

See Item 45 for related discussion and Items 45-50 for related backup.

NOTE: An initial motion for Approval by Commissioner De Salvio failed with Commissioners Schlottman, Toussaint and Roush voting No.

Motion made by Trinity Haven Schlottman to Deny

Passed For: 3; Against: 1; Abstain: 0; Did Not Vote: 0; Excused: 3

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

48. SUP-76000 - SPECIAL USE PERMIT RELATED TO GPA-75997, ZON-75998 AND SUP-75999 - PUBLIC HEARING - APPLICANT/OWNER: TP 1000, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 6,000 SQUARE-FOOT BEER/WINE/COOLER OFF-SALE ESTABLISHMENT USE at the southeast corner of Elkhorn Road and Hualapai Way (APN 125-19-101-010 and Lot 2 of File 124 Page 42 of Parcel Maps), U (Undeveloped) Zone [R (Rural Density Residential) and RNP (Rural Neighborhood Preservation) General Plan Designations] [PROPOSED: C-1 (Limited Commercial)], Ward 6 (Fiore) [PRJ-75936]. Staff recommends DENIAL.

Minutes:

See Item 45 for related discussion and Items 45-50 for related backup.

NOTE: An initial motion for Approval by Commissioner De Salvio failed with Commissioners Schlottman, Toussaint and Roush voting No.

Motion made by Trinity Haven Schlottman to Deny

Passed For: 3; Against: 1; Abstain: 0; Did Not Vote: 0; Excused: 3

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

49. SDR-76002 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-75997, ZON-75998, SUP-75999 AND SUP-76000 - PUBLIC HEARING - APPLICANT/OWNER: TP 1000, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 18,500 SQUARE-FOOT COMMERCIAL DEVELOPMENT, INCLUDING A 6,000 SQUARE-FOOT CONVENIENCE STORE WITH FUEL PUMPS AND CANOPY, RESTAURANT AND DRIVE THROUGH LANE; 3,500 SQUARE-FOOT TAVERN; 5,000 SQUARE-FOOT RESTAURANT AND 4,000 SQUARE FEET OF GENERAL RETAIL SPACE WITH A WAIVER TO ALLOW BUILDINGS NOT TO BE ORIENTED TO THE CORNER AND STREET FRONTAGES WHERE SUCH IS REQUIRED on 5.03 acres at the southeast corner of Elkhorn Road and Hualapai Way (APN 125-19-101-010 and Lot 2 of File 124 Page 42 of Parcel Maps), U (Undeveloped) Zone [R (Rural Density Residential) and RNP (Rural Neighborhood Preservation) General Plan Designations] [PROPOSED: C-1 (Limited Commercial)], Ward 6 (Fiore) [PRJ-75936]. Staff recommends DENIAL.

Minutes:

See Item 45 for related discussion and Items 45-50 for related backup.

NOTE: The initial motion for Approval by Commissioner De Salvio resulted in a tie vote with Commissioners Schlottman and Toussaint voting No. The subsequent motion for Denial by Commissioner Schlottman also resulted in a tie vote with Chair De Salvio and Commissioner Roush voting No.

Motion made by Trinity Haven Schlottman to Deny

Failed For: 2; Against: 2; Abstain: 0; Did Not Vote: 0; Excused: 3

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

50. TMP-76001 - TENTATIVE MAP RELATED TO GPA-75997, ZON-75998, SUP-75999, SUP-76000 AND SDR-76002 - PUBLIC HEARING - ELKHORN PLAZA (A COMMERCIAL SUBDIVISION) - APPLICANT/OWNER: TP 1000, LLC - For possible action on a request for a Tentative Map FOR A ONE-LOT COMMERCIAL SUBDIVISION on 5.03 acres at the southeast corner of Elkhorn Road and Hualapai Way (APN 125-19-101-010 and Lot 2 of File 124 Page 42 of Parcel Maps), U (Undeveloped) Zone [R (Rural Density Residential) and RNP (Rural Neighborhood Preservation) General Plan Designations] [PROPOSED: C-1 (Limited Commercial)], Ward 6 (Fiore) [PRJ-75936]. Staff recommends DENIAL.

Minutes:

See Item 45 for related discussion and Items 45-50 for related backup.

Motion made by Louis De Salvio to Approve subject to condition(s) and deleting Condition 5

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

51. ZON-76145 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: TP 1000, LLC - For possible action on a request for a Rezoning FROM: U (UNDEVELOPED) [RNP (RURAL NEIGHBORHOOD PRESERVATION) GENERAL PLAN DESIGNATION] TO: R-E (RESIDENCE ESTATES) on 3.55 acres at the southwest corner of Elkhorn Road and Eula Street (Lot 1 of File 124 Page 42 of Parcel Maps), Ward 6 (Fiore) [PRJ-75935]. Staff recommends APPROVAL.

Minutes:

VICE CHAIR DE SALVIO declared the Public Hearing open for Items 51 and 52.

NICOLE EDDOWES, Sr. Planner, reported that the existing Undeveloped zoning district is a temporary classification until development is proposed. In this instance, the applicant is proposing a large lot single family development with a Residence Estates (R-E) zoning district which conforms to the existing RNP (Rural Neighborhood Preservation) land use designation. The proposed Tentative Map conforms to Nevada Revised Statutes and Title 19 requirements for tentative maps, and the Department of Public Works has administratively approved deferral of offsite improvements along Eula Street and Wittig Avenue. The proposed Tentative Map also meets the minimum lot size requirements set forth by the Interlocal Agreement; therefore, staff recommended approval of both requests. Additional protest and support letters were received after publication.

GREG BORGEL, Planning Consultant, stated that this item was to address the six R-E lots on the eastern portion of the 10 acres. He said that the applicant has reviewed and agreed to the conditions and staff's recommendations. He believed this was compatible and requested approval.

BRIGITTE SOLVIE stated that she was in support as it was in compliance with the Interlocal Agreement and the City's general plan of residential.

MARY SANDERS stated that she lives across from the property, and she was not opposed to residential development, but they did not bring this to a neighborhood meeting. She did not receive notification of this and thought that this was the first time the neighbors have seen the project. She thought there have been things proposed by the developer that are not true and felt the Commissioners had been misled.

COMMISSIONER SCHLOTTMAN stated that he thought this was compatible.

See Item 52 for related backup.

VICE CHAIR DE SALVIO declared the Public Hearing closed for Items 51 and 52.

Motion made by Trinity Haven Schlottman to Approve

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

52. TMP-76004 - TENTATIVE MAP RELATED TO ZON-76145 - ELKHORN ESTATES - PUBLIC HEARING - APPLICANT/OWNER: TP 1000, LLC - For possible action on a request for a Tentative Map FOR A SIX-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 3.55 acres at the southwest corner of Elkhorn Road and Eula Street (Lot 1 of File 124 Page 42 of Parcel Maps), U (Undeveloped) Zone [RNP (Rural Neighborhood Preservation) General Plan Designation] [PROPOSED: R-E (Residence Estates)], Ward 6 (Fiore) [PRJ-75935]. Staff recommends APPROVAL.

Minutes:

See Item 51 for related discussion and backup.

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

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

53. ZON-75980 - REZONING - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: 1997 MORTON M.F. WONG AND EUNICE ELIZABETH WONG REVOCABLE TRUST - For possible action on a request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-1 (SINGLE FAMILY RESIDENTIAL) on 5.09 acres on the north side of Deer Springs Way, approximately 300 feet east of Hualapai Way (APN 125-19-202-007), Ward 6 (Fiore) [PRJ-75891]. Staff recommends APPROVAL.

Minutes:

VICE CHAIR DE SALVIO declared the Public Hearing open for Items 53-56.

ERIC McCAMMOND, Sr. Management Analyst, reported that the proposed Rezoning would allow 6,500 square-foot lots while the underlying General Plan designation limits density to 3.59 units per acre. The proposed Rezoning would allow lot sizes less than 10,000 square feet which is not allowed by the Interlocal Agreement. The Tentative Map proposed by the applicant also contains lot sizes which are less than 10,000 square feet. Therefore, staff revised its recommendation and does not support the Rezoning request. Staff has no objection to the Vacation request. The applicant has provided no evidence of unique or extraordinary circumstances to support the Waiver or Variances; therefore, staff recommended approval of the Vacation request but denial of the Rezoning, Variance, and Tentative Map. Additional support letters were received since publication.

ETHAN THOMPSON appeared on behalf of the applicant. He showed the 5.09 acre property on a site map and described its location and the surrounding development. He pointed out that everything west of Eula Street is currently zoned R-1 (Single Family Residential) and Commercial, and everything to the west is R-D (Single Family Residential-Restricted) with bigger lot sizes. MR. THOMPSON displayed the tentative map and addressed the connectivity ratio stating that they are willing to agree to a condition to add an additional connection to Eula Street which would solve the connectivity issue. He believed this project would serve both the interest of the City and his clients, and this use is consistent with neighborhood. MR. THOMPSON requested approval.

BRIGITTE SOLVIE stated that she does not have a problem with the residential development but was concerned about the intersection and the proposed break in the median, which she pointed to on the tentative map. For safety reasons, she would prefer that all of the connectivity come out on Eula Street. She was also concerned about the lot sizes as the Interlocal Agreement recommends a 10,000 minimum square-foot lot size, and only a few of the lots are that size. MS. SOLVIE suggested a reduction in density to increase the lot sizes.

MR. THOMPSON responded that the current General Plan designation allows for a maximum density of 3.49 units per acre, and the proposed density is 3.14 units per acre. He added that when looking at the current layout of the neighborhood, Eula Street is the demarcation line. He believed that changing the subject site to R-1 would be consistent with the neighborhood.

COMMISSIONER TOUSSAINT stated that this is a good project, and she thought it was compatible.

MR. THOMPSON confirmed for VICE CHAIR DE SALVIO that they agreed to have an ingress/egress from Eula Street. MR. McCAMMOND read the additional condition for the record, and MR. THOMPSON reiterated agreement.

See Items 54-56 for related backup.

VICE CHAIR DE SALVIO declared the Public Hearing closed for Items 53-56.

Motion made by Louis De Salvio to Approve

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

54. VAR-75981 - VARIANCE RELATED TO ZON-75980 AND VAR-75981 - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: 1997 MORTON M.F. WONG AND EUNICE ELIZABETH WONG REVOCABLE TRUST - For possible action on a request for a Variance TO ALLOW A 1.00 CONNECTIVITY RATIO WHERE 1.30 IS THE MINIMUM REQUIRED; PRIVATE STREETS NOT CONSTRUCTED TO PUBLIC STREET STANDARDS WITHOUT AN ACCESS GATE; AND PRIVATE STREETS TO TERMINATE IN STUB STREETS WHERE CUL-DE-SACS OR HAMMERHEADS ARE REQUIRED on 5.09 acres on the north side of Deer Springs Way, approximately 300 feet east of Hualapai Way (APN 125-19-202-007), R-E (Residence Estates) Zone [PROPOSED: R-1 (Single Family Residential)], Ward 6 (Fiore) [PRJ-75891]. Staff recommends DENIAL.

Minutes:

See Item 53 for related discussion and Items 53-56 for related backup.

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

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

55. VAC-75983 - VACATION RELATED TO ZON-75980 AND VAR-75981 - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: 1997 MORTON M.F. WONG AND EUNICE ELIZABETH WONG REVOCABLE TRUST - For possible action on a request for a Petition to Vacate U.S. Government Patent Easements generally located on the north side of Deer Springs Way, east of Hualapai Way (APN 125-19-202-007), Ward 6 (Fiore) [PRJ-75891]. Staff recommends APPROVAL.

Minutes:

See Item 53 for related discussion and Items 53-56 for related backup.

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

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

56. TMP-75984 - TENTATIVE MAP RELATED TO ZON-75980, VAR-75981 AND VAC-75983 - DEER SPRINGS EULA - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: 1997 MORTON M.F. WONG AND EUNICE ELIZABETH WONG REVOCABLE TRUST - For possible action on a request for a Tentative Map FOR A PROPOSED 16-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION WITH A WAIVER TO ALLOW A 181-FOOT INTERSECTION OFFSET WHERE 220 FEET IS REQUIRED on 5.09 acres on the north side of Deer Springs Way, approximately 300 feet east of Hualapai Way (APN 125-19-202-007), R-E (Residence Estates) Zone [PROPOSED: R-1 (Single Family Residential)], Ward 6 (Fiore) [PRJ-75891]. Staff recommends DENIAL.

Minutes:

See Item 53 for related discussion and Items 53-56 for related backup.

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

A. A revised Tentative Map will be submitted with Northeast stub street connecting through to Eula Street.

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

57. VAR-75906 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: GILCREASE NATURE SANCTUARY - For possible action on a request for a Variance TO ALLOW 38 PARKING SPACES WHERE 94 ARE REQUIRED on 7.88 acres at 8103 Racel Street (APN 125-09-401-033), Ward 6 (Fiore) [PRJ-74896]. Staff recommends DENIAL.

Minutes:

VICE CHAIR DE SALVIO declared the Public Hearing open for Items 57-59.

ERIC McCAMMOND, Sr. Management Analyst, reported that the site is currently developed with 38 parking stalls where 55 are required. With the proposed building addition, the site would require nine additional parking spaces while the applicant proposes to provide zero. The applicant also requests the permanent removal of off-site improvement requirements and to make no improvement contribution. The applicant has provided no evidence of unique or extraordinary circumstances to support the Variances; therefore, staff recommended denial of all applications. Additional protest letters were received since publication.

GREG CRATER (phonetic) appeared and stated that the goal of this non-profit organization is to build a 2,000 square-foot sanctuary to house birds that people cannot continue to take care of. This is a service to the community, and it provides an opportunity for people to go to the facility free of charge and learn about the birds. The new aviary building is to house birds and will have no impact on parking or other amenities. They are requesting the Variances as they do not have the funds to put in curb and gutter all around their property in order to build the aviary building.

BONNIE GRAFTON, Director of Gilcrease Nature Sanctuary, stated that they provide education, events for the community and a safe haven for approximately 500 animals. They are trying to build this aviary to provide a better quality of care for the animals as they currently live in cages. The aviary would provide the ability for more natural behavior, which would also allow for further public education regarding keeping of wild birds in captivity.

COMMISSIONER TOUSSAINT stated that she applauded what the Sanctuary does and thanked them for taking care of our fine-feathered friends.

VICE CHAIR DE SALVIO stated that he had no problem with the parking issue because there would not be a lot of cars at the site at any given time; however, he could not go against federal ADA (Americans with Disabilities Act) guidelines. He was fine with no improvements on the street, but there has to be some type of contribution made towards infrastructure for development that may take place in the future so residents would not be burdened with an SID (Special Improvement District) bill. He stated that the applicant's 50 percent contribution would be \$128,000. VICE CHAIR DE SALVIO thought that could be decreased to 25 to 30 percent and deferred for two years. He thought this would provide the applicant with the ability to get started with their project and allow time for them to fundraise the money for their contribution.

LUCIEN PAET, Engineering Project Manager, explained that the code requires 50 percent of the improvement contribution for 60-foot streets and 100 percent for 80-foot streets, and in the master plan Racel Street is built as a 60-foot street on the south side and an 80-foot street on the north side. He explained how the \$128,000 figure was derived, and what it would be if the street was a 60-foot street in the future.

MR. PAET referred to the conditions and requested deleting verbiage regarding the Phasing Plan from Condition 9 as there was no Phasing Plan for this project. He also requested adding verbiage to the conditions regarding the off-site improvements and posting of a bond, which he read for the record and MR. CRATER agreed to.

MR. CRATER also stated that they are not requesting an ADA waiver; they were trying to clarify that there are only certain gates that the public uses or has access to, and they wanted to make those access gates ADA accessible. They do not want to make places that are not accessible to the public ADA accessible. VICE CHAIR DE SALVIO indicated that he would add that as a condition, and MR. CRATER agreed.

MR. PAET confirmed for COMMISSIONER ROUSH that the half-street improvements were on Racel Street and Al Carrison Street, and he explained the contribution percentages required based on the width of the streets.

Due to the condition changes for Item 59, MR. PAET advised the Commissioners that if those were approved, Item 58 could be denied or withdrawn. VICE CHAIR DE SALVIO confirmed for ASSISTANT CITY ATTORNEY BRYAN SCOTT that they would vote on Item 59 before Item 58. Subsequent to the approval of Item 59, MR. PAET verified for ROBERT SUMMERFIELD, Director of Planning, that Item 58 could be stricken.

See Items 58 and 59 for related backup.

VICE CHAIR DE SALVIO declared the Public Hearing closed for Items 57-59.

Motion made by Christina Roush to Approve subject to condition(s)

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

58. VAR-76015 - VARIANCE RELATED TO VAR-75906 - PUBLIC HEARING - APPLICANT/OWNER: GILCREASE NATURE SANCTUARY - For possible action on a request for a Variance TO ALLOW NO HALF-STREET IMPROVEMENTS WHERE SUCH ARE REQUIRED on 7.88 acres at 8103 Racel Street (APN 125-09-401-033), Ward 6 (Fiore) [PRJ-74896]. Staff recommends DENIAL.

Minutes:

See Item 57 for related discussion and Items 57-59 for related backup.

Motion made by Christina Roush to Strike

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

59. SDR-75907 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-75906 AND VAR-76015 - PUBLIC HEARING - APPLICANT/OWNER: GILCREASE NATURE SANCTUARY - For possible action on a request for a Major Amendment to an approved Site Development Plan Review (SDR-43981) FOR THE PROPOSED 3,500 SQUARE-FOOT EXPANSION OF AN EXISTING COMMERCIAL RECREATION/AMUSEMENT (OUTDOOR) FACILITY [NATURE SANCTUARY] on 7.88 acres at 8103 Racel Street (APN 125-09-401-033), Ward 6 (Fiore) [PRJ-74896]. Staff recommends DENIAL.

Minutes:

See Item 57 for related discussion and Items 57-59 for related backup.

Motion made by Christina Roush to Approve subject to condition(s) and adding and amending Conditions 9 and 10 as read for the record:

A. Any publicly accessible areas shall be ADA compliant.

9. Construct all incomplete half-street improvements on Racel Street and Al Carrison Street in accordance with the approved Site Plan concurrent with on-site development as shown on the approved Phasing Plan. Racel Street may be constructed to a 60-foot width to match the adjacent street improvements. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). Alternatively, the applicant shall design, but not construct off-site improvements for Al Carrison Street and Racel Street and post a bond for all improvements not constructed at this time on Al Carrison Street and Racel Street or make the appropriate improvement contribution required by Title 19.02.025 prior to the issuance of permits for this site. This condition shall not be imposed if VAR-76015 is approved.

10. Prior to the approval of Construction drawings for this site, sign a Covenant Running with Land agreement for the possible future installation of any off-site improvements that are not constructed or bonded for at this time. The Covenant agreement must be recorded with the County Recorder and a copy of the recorded document must be provided to the City prior to the issuance of building permits for this site.

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

60. VAR-75964 - VARIANCE - PUBLIC HEARING - APPLICANT: LAS VEGAS VALLEY WATER DISTRICT - OWNER: LAS VEGAS VALLEY WATER DISTRICT, ET AL - For possible action on a request for a Variance TO ALLOW DEVIATIONS FROM TITLE 19.10.020 C-V (CIVIC) DEVELOPMENT STANDARDS on a portion of 20.00 acres at the northwest corner of Centennial Parkway and Fort Apache Road (APNs 125-19-802-013 and 006), C-V (Civic) Zone, Ward 6 (Fiore) [PRJ-75913]. Staff recommends APPROVAL.

Minutes:

VICE CHAIR DE SALVIO declared the Public Hearing open for Items 60 and 61.

ERIC McCAMMOND, Sr. Management Analyst, reported that the proposed Utility Installation is a unique development that is located close to, and among residential neighborhoods, yet often produces noise and light that is difficult to conceal from outside the property. Thus, the applicant requests to locate structures and equipment at the center of the site rather than oriented to the street frontage. The applicant is also requesting a ten-foot wall rather than an eight-foot wall to provide additional site security. Due to the project's unique circumstances, staff recommends approval of both applications. Additional protest letters were received since publication.

JASON GIFFORD appeared on behalf of the applicant, the Las Vegas Valley Water District, and stated that they are in the process of designing site improvements at the 14-acre Water District property located at the northwest corner of Centennial Parkway and Fort Apache Road. The Centennial 2635 Zone reservoir consists of a five million gallon below grade reinforced concrete reservoir that will provide gravity storage for the 2635 pressure zone and ultimately transfer for pressure zones to the northwest. The Centennial 2745 Zone pumping station will consist of a pumping station building size to pump 38 million gallons per day. An operations building and a disinfection building will be built separate from the pumping station building. The project is on schedule to begin construction in January 2020 and to be completed in March 2021. This reservoir and pumping station will upgrade the reliability of the community's water system in the Centennial Hills area. It will bolster infrastructure in the area and minimize the potential for service interruptions for Water District customers. The District requests approval of the Site Development plan with the addition of a Variance to allow for tubular seal fencing along Centennial Parkway and Fort Apache Road. The north end of the property as well as the north part of the western border will be block wall, and the remainder of the western wall is existing block wall. The Variance would allow for tubular seal fencing, improve site security, will not obstruct the view of the cameras and will add to the aesthetics of the site.

See Item 61 for related backup.

VICE CHAIR DE SALVIO declared the Public Hearing closed for Items 60 and 61.

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

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

61. SDR-75965 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-75964 - PUBLIC HEARING - APPLICANT: LAS VEGAS VALLEY WATER DISTRICT - OWNER: LAS VEGAS VALLEY WATER DISTRICT, ET AL - For possible action on a request for a Site Development Plan Review FOR A PROPOSED UTILITY INSTALLATION [ZONE RESERVOIR AND PUMPING STATION] on a portion of 20.00 acres at the northwest corner of Centennial Parkway and Fort Apache Road (APNs 125-19-802-013 and 006), C-V (Civic) Zone, Ward 6 (Fiore) [PRJ-75913]. Staff recommends APPROVAL.

Minutes:

See Item 60 for related discussion and backup.

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

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

62. VAR-75957 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: LAS VEGAS-CLARK COUNTY LIBRARY DISTRICT - For possible action on a request for a Variance TO ALLOW A PROPOSED 16-FOOT TALL FREESTANDING SIGN WHERE 12 FEET IS THE MAXIMUM ALLOWED AND A PROPOSED ANIMATED SIGN WITHIN 200 FEET OF PROPERTY ZONED FOR RESIDENTIAL USE WHERE SUCH IS PROHIBITED on 8.32 acres at 2851 East Bonanza Road (APN 139-36-101-001), C-V (Civic) Zone, Ward 3 (Coffin) [PRJ-75912]. Staff recommends DENIAL.

Minutes:

VICE CHAIR DE SALVIO declared the Public Hearing open.

NICOLE EDDOWES, Sr. Planner, reported that the applicant has not adequately demonstrated that the proposed sign would not be placed or designed in a manner such that light from the sign would not be visible from the adjacent multi-family residential developments. Furthermore, there is nothing extraordinary about the property that warrants use of an animated display when a non-animated display would meet Title 19 requirements. Therefore, staff recommended denial of the requested Variance, subject to conditions if approved, which include standard Title 19 restrictions on animated on-premise signs such as brightness, transition time between messages and duration of message display. Additional protest letters were received since publication.

SEAN COULTER appeared representing the applicant, the Las Vegas-Clark County Library District, and described the location of the sign, pointing out that it is against Bonanza Road. He said that one of the rationales for having the animated LED sign is that the new library is opening, and they have more than 50 programs being offered on a regular basis. The neighborhood needs this support but many people in the neighborhood do not have internet access, and this sign would allow the residents to see the programs and activities being offered. MR. COULTER said that the Library District would consider dimming the signage at night so it would not be as obtrusive. He requested approval.

SMILJANA SAVICIC stated that she is one of the sign designers and urged the Commissioners to consider approving the signage. She said they are sensitive to minimizing light pollution to surrounding residential areas, but the intent of the Library District is to expand library services, and one of the easiest ways to communicate that information to those who may have limited resources is through direct messaging on a sign like this. She explained that they considered placing the sign at alternate locations on the site, but Bonanza Road is a large thoroughfare and would provide good visibility. She reiterated that the Library District would consider dimming the lights during the night time hours.

COMMISSIONER SCHLOTTMAN asked about the plan to minimize the light pollution to neighboring properties, and MR. COULTER replied that the sign is perpendicular to the street, so he hoped it would not be obtrusive to the apartments across the street and noted that the residential to the east is 198 feet away. MR. COULTER said that the Library District can dim the signage after sunset and before sunrise, and they would be willing to turn the sign off at night if necessary. It is important to the District to advertise the programs because the community really needs them.

COMMISSIONER SCHLOTTMAN did not want to put too many restrictions on the sign, but if there was light pollution, they could bring it back to the Planning Commission or reach out to the Library District. He thought it was a beautiful sign.

VICE CHAIR DE SALVIO declared the Public Hearing closed.

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

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

63. SUP-75949 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: THAI HEALING SOLUTIONS SPA - OWNER: DEER SPRINGS VILLAGE, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 1,432 SQUARE-FOOT MASSAGE ESTABLISHMENT USE WITH A WAIVER TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A RESIDENTIALLY ZONED PROPERTY WHERE 400 FEET IS REQUIRED at 6720 North Hualapai Way, Suite #180 (APN 125-19-313-004), C-1 (Limited Commercial) Zone, Ward 6 (Fiore) [PRJ-75933]. Staff recommends APPROVAL.

Minutes:

VICE CHAIR DE SALVIO declared the Public Hearing open.

NICOLE EDDOWES, Sr. Planner, reported that the subject site is a developing shopping center designed to accommodate a variety of land uses, including the proposed Massage Establishment use. The proposed use is separated from the adjacent residentially zoned property by a block wall that does not allow direct access. Staff finds the proposed use to be compatible with the surrounding land uses and recommended approval with conditions. Additional protest letters were received after publication.

MARK HAAG appeared and stated that his wife has been a Massage Therapist for 10 years and is ready to start her own business. It will be a small footprint in a developing area, and there are no other spa/massage establishments in the area. He said that she does massage therapy and works with doctor and physical therapist referrals.

COMMISSIONER TOUSSAINT did not have a problem with this, and she was in support.

VICE CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Donna Toussaint to Approve subject to condition(s)

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

64. SDR-75970 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: TORAH LEARNING CENTER, INC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED TWO-STORY, 5,675 SQUARE-FOOT CLASSROOM BUILDING ADDITION TO AN EXISTING HOUSE OF WORSHIP on 0.60 acres at 9590 West Sahara Avenue (APN 163-06-816-024), C-1 (Limited Commercial) Zone, Ward 2 (Vacant) [PRJ-75914]. Staff recommends APPROVAL.

Minutes:

VICE CHAIR DE SALVIO declared the Public Hearing open.

NICOLE EDDOWES, Sr. Planner, reported that the proposed building addition contributes to an attractive, integrated environment consistent with the intent of the commercial development and the adjacent neighborhoods. Staff finds the proposed development meets the requirements of Title 19 and recommended approval of this Site Development Plan Review. Additional protest letters were received after publication.

JAMES GRINDSTAFF appeared representing the Torah Learning Academy. He thanked staff for their recommendation of approval and requested approval from the Commissioners.

COMMISSIONER ROUSH thought this was a lovely building and it was harmonious and compatible with the existing development in the area.

VICE CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Christina Roush to Approve subject to condition(s)

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

DIRECTOR'S BUSINESS:

65. TXT-76115- TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on a request to amend LVMC Title 19.12 Permissible Uses to add Minimum Special Use Permit requirements to the Multi-Family Residential use, and to provide for other related matters. Staff recommends APPROVAL.

Minutes:

VICE CHAIR DE SALVIO declared the Public Hearing open.

ERIC McCAMMOND, Sr. Management Analyst, reported that in 2012, Title 19 was amended to allow multi-family residential units conditionally as part of a mixed-use development in commercial zoning districts where previously the use had been allowed only in certain residential zoning districts. But by allowing the use conditionally, it opened the door to allowing multi-family development as a standalone use in commercial districts via approval of a Special Use Permit. This amendment would close that loophole and restrict multi-family development in commercial zoning districts as part of a mixed-use development only. Staff recommended approval.

COMMISSIONER SCHLOTTMAN stated that he reviewed this with City staff and read the findings.

VICE CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Trinity Haven Schlottman to Approve

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

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

Citizens Participation:

66. 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:

None.

The meeting was recessed at 8:40 p.m., reconvened at 8:49 p.m. and adjourned at 9:38 p.m.

Respectfully submitted:

Jacquie Miller, Deputy City Clerk

Debra A. Outland, Deputy City Clerk

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

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