Planning Commission Minutes

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

May 12, 2020
6:00 PM

BUSINESS ITEMS:

1. Call to Order

   Minutes:
   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 in accordance with the State of Nevada Executive Department Declaration of Emergency Directive 006: The City of Las Vegas website – www.lasvegasnevada.gov and The Nevada Public Notice Website – notice.nv.gov.

3. Roll Call

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

   ALSO PRESENT: ROBERT SUMMERFIELD, Planning Director; ERIC McCAMMOND, Sr. Management Analyst; JONATHAN BOYLES, Sr. Planner; LUCIEN PAET, Engineering Project Manager; ROBERT NOLAN, Deputy Fire Chief; BRYAN SCOTT, Assistant City Attorney; GABRIELA PORTILLO-BRENNER and ASHLEY FOSTER, Deputy City Clerks

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

   Minutes:
   None.

5. For Possible Action to Approve the Final Minutes for the Planning Commission Meeting of April 14, 2020.

   Motion made by Trinity Haven Schlottman to Approve

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

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

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:
   Before considering this matter, CHAIR DE SALVIO explained the process for how public comments received

online would be handled. After he opens the public hearing, anyone present could come forward and speak, and then he would yield to ASSISTANT CITY ATTORNEY BRYAN SCOTT to read any comments received online for the respective item being heard. ROBERT SUMMERFIELD, Planning Director, added that any comments received after items have been heard, would not be read but would be added to the record.

ERIC McCAMMOND, Sr. Management Analyst, read the list of items recommended for action under this matter, indicating the applicant for Item 32 requested abeyance for the second time.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Item 32 to 7/14/2020

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

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

CONSENT ITEMS:

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

7. TMP-78592 - TENTATIVE MAP - SUMMERLIN VILLAGE 25 PARCEL D - APPLICANT: PN II, INC. - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Tentative Map FOR A 111-UNIT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 27.16 acres at the northeast corner of Far Hills Avenue and Sky Vista Drive (APN 137-27-215-001), P-C (Planned Community) Zone [SF3 (Single Family Detached) Summerlin Special Land Use Designation], Ward 2 (Seaman) [PRJ-78571]. Staff recommends APPROVAL.

Minutes:
CHAIR DE SALVIO deferred to staff for amended conditions, and ERIC McCAMMOND, Sr. Management Analyst, read amended Condition 7 for Item 9 (TMP-78615) and also asked that Condition 8 of Item 9 be deleted.

Motion made by Trinity Haven Schlottman to Approve the Consent Agenda except Item(s) None and amended conditions on Item 9

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

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

8. TMP-78595 - TENTATIVE MAP - FALCON CREST VILLAGE 22 - PARCEL C & D - APPLICANT: RICHMOND AMERICAN HOMES OF NEVADA - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Tentative Map FOR A 116-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION 27.3 acres at the northwest corner of Desert Foothills Drive and Kestrel Creek Avenue (APN 137-14-401-007), P-C (Planned Community) Zone [SF3 (Single Family Detached) Summerlin Special Land Use Designation], Ward 2 (Seaman) [PRJ-78575]. Staff recommends APPROVAL.

Motion made by Trinity Haven Schlottman to Approve the Consent Agenda except Item(s) None and amended conditions on Item 9

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

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

9. TMP-78615 - TENTATIVE MAP - SKYE CANYON PARCEL 2.10 - APPLICANT/OWNER: CENTURY COMMUNITIES OF NEVADA, LLC - For possible action on a request for a Tentative Map FOR A 221-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on a portion of 41.27 acres on the northeast corner of W Skye Canyon Park Dr and Shaumber Road (APN 126-12-610-002), T-D (Traditional Development) Zone [ML (Medium-Low) Special Land Use Designation], Ward 6 (Fiore) [PRJ-78579]. Staff recommends APPROVAL.

Minutes:
See Item 7 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the Consent Agenda except Item(s) None amending Condition 7 as read for the record and deleting Condition 8

7. Prior to the submittal of civil plans, provide a letter from the Master Developer or Master Developer's Engineer to the Sanitary Sewer Planning Section of the Department of Public Works documenting how the total number of proposed residential units of Parcels 2.08, 2.09, and 2.10 will connect to the public sewers in Skye Canyon Park

Drive and Skye Village Road and will not exceed the maximum number of units identified in the Skye Canyon West Wastewater Master Plan Update dated July 2019 at each point of connection.

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

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

ONE MOTION - ONE VOTE

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

10. GPA-78402 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: INTERNATIONAL, LLC, ET AL - For possible action on a request for a General Plan Amendment FROM: RNP (RURAL NEIGHBORHOOD PRESERVATION) TO: M (MEDIUM DENSITY RESIDENTIAL) on 7.73 acres generally located on the north and south sides of La Mancha Avenue, approximately 315 feet west of Shaumber Road (APNs 126-25-401-004,126-25-401-005 and 126-25-401-008), Ward 6 (Fiore) [PRJ-78354]. Staff recommends APPROVAL.

Minutes:
CHAIR DE SALVIO declared the Public Hearing open for Items 10-28.

After ROBERT SUMMERFIELD, Planning Director, announced which of these items were final action and which ones would be going to City Council for consideration, and since he announced that Item 27 would be going to the City Council meeting of June 17, 2020, JENNIFER LAZOVICH, 1980 Festival Plaza Drive, representing the applicant for Item 27, questioned it because she thought the item was Final Action by this Commission. MR. SUMMERFIELD advised her he would look into it.

See Item 11 for related backup.

CHAIR DE SALVIO declared the Public Hearing closed for Items 10-28.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

NOTE: Commissioner Cherry disclosed for Item 23 that he lives within the notification area but as this does not affect him any greater or lesser, he would be voting. Also, Commissioner Schlottman disclosed that he owns an urban lounge within the notification area but as this does not affect him any greater or lesser unless it were a different business type, he would be voting.

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

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

11. ZON-78403 - REZONING RELATED TO GPA-78402 - PUBLIC HEARING - APPLICANT/OWNER: INTERNATIONAL, LLC, ET AL - For possible action on a request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-3 (MEDIUM DENSITY RESIDENTIAL) on 7.73 acres generally located on the north and south sides of La Mancha Avenue, approximately 315 feet west of Shaumber Road (APNs 126-25-401-004,126-25-401-005 and 126-25-401-008), Ward 6 (Fiore) [PRJ-78354]. Staff recommends APPROVAL.

Minutes:
See Item 10 for related discussion and Items 10 and 11 for related backup.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

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

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

12. GPA-78418 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: CIRRUS PROPERTY GROUP, LLC - OWNER: UNIFIED AIRCRAFT SERVICES, INC. - For possible action on a request for a General Plan Amendment FROM: SC (SERVICE COMMERCIAL) TO: ML (MEDIUM LOW DENSITY RESIDENTIAL) on 0.45 acres on the west side of James Bilbray Drive, approximately 110 feet south of Smoke Ranch Road (APN 138-23-110-032), Ward 5 (Crear) [PRJ-78380]. Staff recommends APPROVAL.

Minutes:
See Item 10 for related discussion and Item 13 for related backup.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

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

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

13. ZON-78419 - REZONING RELATED TO GPA-78418 - PUBLIC HEARING - APPLICANT: CIRRUS PROPERTY GROUP, LLC - OWNER: UNIFIED AIRCRAFT SERVICES, INC. - For possible action on a request for a Rezoning FROM: P-R (PROFESSIONAL OFFICE AND PARKING) TO: R-CL (SINGLE FAMILY COMPACT-LOT) on 0.45 acres on the west side of James Bilbray Drive, approximately 110 feet south of Smoke Ranch Road, (APN 138-23-110-032), Ward 5 (Crear) [PRJ-78380]. Staff recommends APPROVAL.

Minutes:
See Item 10 for related discussion and Items 12 and 13 for related backup.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

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

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

14. MOD-78606 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT: SHEA HOMES LIMITED PARTNERSHIP - OWNER: NORTHLAND, LLC - For possible action on a request for a Major Modification of the approved Sunstone Development Agreement TO ESTABLISH THE DESIGN OF THE ACTIVE ADULT PARK on a 6.80 acre portion of 552.21 acres at the northeast corner of Log Cabin Way and Sky Pointe Drive (APNs 125-06-301-002, 125-06-501-001 and 125-06-701-001), T-D (Traditional Development) Zone, Ward 6 (Fiore) [PRJ-78388]. Staff recommends APPROVAL.

Minutes:
See Item 10 for related discussion and Items 15 and 16 for related backup.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

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

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

15. SUP-78437 - SPECIAL USE PERMIT RELATED TO MOD-78606 - PUBLIC HEARING - APPLICANT: SHEA HOMES LIMITED PARTNERSHIP - OWNER: NORTHLAND, LLC - For possible action on a request for a Special Use Permit FOR A 5,090 SQUARE-FOOT RESTAURANT WITH ALCOHOL USE WITH 1,125 SQUARE FEET OF OUTDOOR SEATING at the northeast corner of Log Cabin Way and Sky Pointe Drive (APNs 125-06-301-002, 125-06-501-001 and 125-06-701-001), T-D (Traditional Development) Zone, Ward 6 (Fiore) [PRJ-78388]. Staff recommends APPROVAL.

Minutes:
See Item 10 for related discussion and Items 14-16 for related backup.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

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

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

16. SDR-78438 - SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-78606 AND SUP-78437 - PUBLIC HEARING - APPLICANT: SHEA HOMES LIMITED PARTNERSHIP - OWNER: NORTHLAND, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 16,381 SQUARE-FOOT COMMUNITY CENTER AND A 500 SQUARE-FOOT GUARD BUILDING on a 6.80 acre portion of 552.21 acres at the northeast corner of Log Cabin Way and Sky Pointe Drive (APNs 125-06-301-002, 125-06-501-001 and 125-06-701-001), T-D (Traditional Development) Zone, Ward 6 (Fiore) [PRJ-78388]. Staff recommends APPROVAL.

Minutes:
See Item 10 for related discussion and Items 14-16 for related backup.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

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

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

17. SCD-78256 - MAJOR DEVIATION - PUBLIC HEARING - APPLICANT: WILLIAM LYON HOMES - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Summerlin Major Deviation TO ALLOW 14-FOOT TALL WALLS WHERE 10 FEET IS ALLOWED AND EIGHT-FOOT TALL RETAINING WALLS WHERE FOUR FEET IS ALLOWED on 23.71 acres at the northwest corner of Far Hills Avenue and Fox Hill Drive (APN 137-27-617-001), P-C (Planned Community) Zone [SF3 (Single Family Detached) Summerlin Special Land Use Designation], Ward 2 (Seaman) [PRJ-78214]. Staff recommends APPROVAL.

Minutes:
See Item 10 for related discussion and Items 18 and 19 for related backup.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

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

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

18. VAC-78597 - VACATION RELATED TO SCD-78256 - PUBLIC HEARING - APPLICANT: WILLIAM LYON HOMES - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Petition to Vacate public sewer easements generally located on the north side of Far Hills Drive, west of Fox Hill Drive (APN 137-27-617-001), Ward 2 (Seaman) [PRJ-78214]. Staff recommends APPROVAL.

Minutes:
See Item 10 for related discussion and Items 17-19 for related backup.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

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

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

19. TMP-78257 - TENTATIVE MAP RELATED TO SCD-78256 AND VAC-78597 - SUMMERLIN VILLAGE 25 PARCEL A - PUBLIC HEARING - APPLICANT: WILLIAM LYON HOMES - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Tentative Map FOR A 91-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 23.71 acres at the northwest corner of Far Hill Avenue and Fox Hill Drive (APN 137-27-617-001), P-C (Planned Community) Zone [SF3 (Single Family Detached) Summerlin Special Land Use Designation], Ward 2 (Seaman) [PRJ-78214]. Staff recommends APPROVAL.

Minutes:
See Items 10 and 29 for related discussion and Items 17-19 for related backup.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

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

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

20. VAR-78544 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: EFRAIN & SOCORRO ARTEAGA - For possible action on a request for a Variance TO ALLOW AN EXISTING SIX-FOOT TALL SOLID BLOCK WALL/GATE IN THE FRONT YARD WHERE FIVE FEET WITH TWO FEET SOLID BASE IS ALLOWED on 0.46 acres at 1806 West Oakey Boulevard (APN 162-04-210-083), R-E (Residence Estates) Zone, Ward 1 (Knudsen) [PRJ-78435]. Staff recommends APPROVAL.

Minutes:
See Item 10 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

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

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

21. SUP-78582 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: REAGAN A. SHALLAL - For possible action on a request for a Special Use Permit FOR A PROPOSED CAR WASH, FULL SERVICE OR AUTO DETAILING USE at the east side of Pecos Road approximately 240 feet south of Washington Avenue (APN 140-30-317-003), C-1 (Limited Commercial) Zone, Ward 3 (Diaz) [PRJ-78494]. Staff recommends APPROVAL.

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

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

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

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

22. SDR-78583 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-78582 - PUBLIC HEARING - APPLICANT/OWNER: REAGAN A. SHALLAL - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 6,131 SQUARE-FOOT CAR WASH DEVELOPMENT on 1.83 acres on the east side of Pecos Road approximately 240 feet south of Washington Avenue (APN 140-30-317-003), C-1 (Limited Commercial) Zone, Ward 3 (Diaz) [PRJ-78494]. Staff recommends APPROVAL.

Minutes:
See Item 10 for related discussion and Items 21 and 22 for related backup.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

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

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

23. SUP-78499 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: HARDLINE TATTOO STUDIO - OWNER: WATTENBARGER TRUST, ET AL - For possible action on a request for a Special Use Permit FOR A PROPOSED 576 SQUARE-FOOT TATTOO PARLOR/BODY PIERCING STUDIO USE at 1000 South 3rd Street, Suite B (APN 139-34-410-087), C-2 (General Commercial) Zone, Ward 3 (Diaz) [PRJ-78498]. Staff recommends APPROVAL.

Minutes:
See Item 10 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

NOTE: Commissioner Cherry disclosed for Item 23 that he lives within the notification area but as this does not affect him any greater or lesser, he would be voting. Also, Commissioner Schlottman disclosed that he owns an urban lounge within the notification area but as this does not affect him any greater or lesser unless it were a different business type, he would be voting.

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

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

24. SUP-78537 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: UNCLMARIO PRODUCTION - OWNER: GARY JR. & GARY SR. CREAGH - For possible action on a request for a Special Use Permit FOR A PROPOSED 1,600 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT USE WITH A 5,400 SQUARE-FOOT COURTYARD at 1500 South Main Street (APN 162-03-210-015), C-2 (General Commercial) Zone, Ward 3 (Diaz) [PRJ-78536]. Staff recommends APPROVAL.

Minutes:
See Item 10 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

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

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

25. SUP-78359 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: NITTAYA'S LITTLE KITCHEN - OWNER: RH CENTENNIAL, LLC, ET AL - For possible action on a request for a Special Use Permit FOR A PROPOSED 1,495 SQUARE-FOOT BEER/WINE/COOLER ON-SALE ESTABLISHMENT USE WITH A WAIVER TO ALLOW A 138-FOOT DISTANCE SEPARATION FROM A CITY PARK WHERE 400 FEET IS REQUIRED on 0.50 acres at 7575 Norman Rockwell Lane, Suite #140 (APN 125-17-719-004), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Fiore) [PRJ-78314]. Staff recommends APPROVAL.

Minutes:
See Item 10 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

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

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

26. SDR-78589 - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: JACKSON SHAW, INC. - OWNER: CITY PARKWAY V, INC. - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 441-UNIT HOTEL WITH WAIVERS OF SYMPHONY PARK DESIGN STANDARDS on 2.61 acres at the southeast corner of Symphony Park Avenue and Grand Central Parkway (APN 139-33-610-029), P-D (Planned Development) Zone, Ward 5 (Crear) [PRJ-78523]. Staff recommends APPROVAL.

Minutes:
See Item 10 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

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

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

27. MSP-78543 - MASTER SIGN PLAN - PUBLIC HEARING - APPLICANT: FISHER BROTHERS - OWNER: INTEGRAL PARTNERS PARK PLACE CENTRE-LAS VEGAS, LLC - For possible action on a request for a Major Amendment to a previously approved Master Sign Plan (MSP-75637) FOR AN APPROVED COMMERCIAL RECREATION/AMUSEMENT (INDOOR AND OUTDOOR) DEVELOPMENT on 14.72 acres at the southwest corner of Sirius Avenue and Rancho Drive (APN 162-08-418-002), C-2 (General Commercial) Zone, Ward 1 (Knudsen) [PRJ-78316]. Staff recommends APPROVAL.

Minutes:
See Items 10 and 29 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

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

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

28. VAC-78581 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: WOODSIDE HOMES NEVADA, LLC - For possible action on a request for a Petition to Vacate a 30-foot public drainage and public sewer easement located on the eastern property boundary, adjacent to Carriage Hill Drive (APN 137-26-212-001 and 002), P-C (Planned Community) Zone, Ward 2 (Seaman) [PRJ-78552]. Staff recommends APPROVAL.

Minutes:
See Item 10 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

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

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

PUBLIC HEARING ITEMS

29. ABEYANCE - RENOTIFICATION - VAR-78439 - VARIANCE - PUBLIC HEARING - APPLICANT: CALIDA RESIDENTIAL, LLC - OWNER: DC RAMPART OWNER, LLC - For possible action on a request for a Variance TO ALLOW TWO WALL SIGNS WHICH ARE 54 AND 74 SQUARE FEET WHERE 50 SQUARE FEET IS THE MAXIMUM AREA ALLOWED; TO ALLOW THREE WALL SIGNS THAT DO NOT FACE A STREET FRONTAGE WHERE ONE SIGN FACING THE STREET FRONTAGE IS ALLOWED AND TO ALLOW A 12-FOOT TALL, 193 SQUARE-FOOT MONUMENT SIGN WHERE EIGHT FEET AND 60 SQUARE FEET ARE THE MAXIMUM ALLOWED on 15.60 acres located at 8791 Alta Drive (APN 138-32-723-003), PD (Planned Development) Zone, Ward 2 (Seaman) [PRJ-78397]. Staff recommends DENIAL.

Minutes:
CHAIR DE SALVIO declared the Public Hearing open for Items 29 and 30.

ERIC McCAMMOND, Sr. Management Analyst, reported that no evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing signage that exceeds the maximum height, sign area and quantities allowed under Title 19.06 development standards. Staff recommended denial of both applications. This project was held in abeyance and re-notified due to an error in the original public hearing notification list. All required notifications have since been made in accordance with NRS (Nevada Revised Statutes) requirements. Additional letters of protest and support were received since publication.

TONY CELESTE, 1980 Festival Plaza Drive, representing the applicant, described the project. This 15-acre site was once a part of a larger Boca Park plan that included the eight acres on the corner of Alta Drive and Rampart Boulevard. In 2017, the Planning Commission recommended approval. Subsequently, the City Council approved, through an amendment to the development standards, a luxury, multi-family development with 359 units. He noted that construction was underway.

As part of the revisions to the development standards, the applicant was required to submit a master sign plan for approval. MR. CELESTE explained that the site consists of four signs. The freestanding sign is located at Alta Drive at the main entrance, which was relocated to line up with the existing stop sign and across from Tivoli Village. The reason for the waiver is because of the length of the sign due to the fancy design of the name of the development “Elysian.” As shown on the elevations, Wall Signs Two and Four are located on Building One and the Parking Garage. These signs are facing west and toward Rampart Boulevard. Sign Three is located along the eastern elevation, at grade level and is separated from the residential area by a 125-foot, lush landscaping berm, which is a requirement included in the development guidelines. He added that the applicant has worked vigorously with the surrounding residents, including the Tuscany North Homeowners Association (HOA), through COUNCILWOMAN SEAMAN’S office. To his understanding, the HOA submitted a support letter of the proposed sign package.

ASSISTANT CITY ATTORNEY BRYAN SCOTT read several E-comments received in opposition which were submitted for the record.

COMMISSIONER CHATTAH stated that she received several E-comments, which she took into consideration; however, she believes this development is needed in the area and that it is in line with Tivoli Village and other surrounding developments. Additionally, the signage is in harmony with the intent and purpose of the ordinance.

Before moving on to Item 31, ROBERT SUMMERFIELD, Planning Director, announced that Item 27 is Final Action by the Planning Commission, and at the request of MR. SCOTT, MR. SUMMERFIELD clarified that Item 19 is Final Action, unless appealed within seven days as indicated on the Agenda Summary Page for the item.

See Item 30 for related backup.

CHAIR DE SALVIO declared the Public Hearing closed for Items 29 and 30.

Motion made by Sigal Chattah to Approve Subject to Conditions

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

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

30. ABEYANCE - RENOTIFICATION - MSP-78440 - MASTER SIGN PLAN RELATED TO VAR-78439 - PUBLIC HEARING - APPLICANT: CALIDA RESIDENTIAL, LLC - OWNER: DC RAMPART OWNER, LLC - For possible action on a request for a Master Sign Plan FOR AN APPROVED MULTI-FAMILY RESIDENTIAL DEVELOPMENT on 15.60 acres at 8791 Alta Drive (APN 138-32-723-003), PD (Planned Development) Zone, Ward 2 (Seaman) [PRJ-78397]. Staff recommends DENIAL.

Minutes:
See Item 29 for related discussion and Items 29 and 30 for related backup.

Motion made by Sigal Chattah to Approve Subject to Conditions

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

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

31. ABEYANCE - SUP-78301 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DEEP ROOTS MEDICAL, LLC - OWNER: CLK HOLDINGS BRUCE, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 8,391 SQUARE-FOOT MARIJUANA DISPENSARY USE at 5991 West Cheyenne Avenue (APN 138-13-101-005), C-1 (Limited Commercial) Zone, Ward 5 (Crear) [PRJ-78300]. Staff recommends APPROVAL.

Minutes:
CHAIR DE SALVIO declared the Public Hearing open.

ERIC McCAMMOND, Sr. Management Analyst, stated that the proposed marijuana establishment meets all Title 19 Special Use Permit requirements. Staff, therefore, recommended approval. Additional letters of support were received since publication.

RYAN ARNOLD, representing the applicant, stated that their intent is to use the front 8,000 square feet of the existing 16,000 square-foot structure for a dispensary, with the remaining 8,000 square feet to the rear to be used as their executive office space, given that they currently have similar operations in Mesquite and Wendover, Nevada.

He acknowledged that some of the typical concerns with these types of establishments is security and crime. However, MR. ARNOLD explained that this facility, like others the applicant owns, will have 24/7 on-site security, surveillance and ample lighting. He pointed out that all of the product will be pre-packaged, which will prevent any odor emissions, which is another big complaint with dispensaries. The clientele of their other facilities are in their 40's, so the principals have gone out of their way to set the atmosphere for this age group. He displayed a picture of the Mesquite property to show the layout, likening it to a high-end electronics store. He showed the site plan and elevations and noted that the signage will be kept as tasteful as possible in an attempt to blend in and to comply with the standards. It is anticipated that more than 40 local employees will be hired for the dispensary alone, with a starting salary of $26,000 and opportunities for upward mobility.

Regarding neighborhood meetings, MR. ARNOLD commented that they met with COUNCILMAN CREAR, who advised them to raise support from the neighborhood. Subsequently, they held a meeting in February to try to assuage the fears of some of the residents, noting that some people are fearful no matter the explanation and are adamantly opposed to the end. They scheduled a follow-up meeting for April 8, but it was cancelled due to COVID-19 social distancing guidelines. Consequently, they sent out a two-sided mailer addressing as many concerns as possible that were raised at the first neighborhood meeting, as well as provided facts about the organization and an email address and a telephone number in case anyone had questions. He submitted logs of protest/support calls they received.

Interestingly, one of the main concerns brought up at the first meeting is pedestrian safety, due to the number of assisted-living facilities in the area and the high-traffic intersections nearby. Thereafter, MR. ARNOLD made contact with the Nevada Department of Transportation (NDOT) and with the city's Traffic Engineer, and he found out from NDOT that they had just conducted a pedestrian safety study for the area and were in the process of compiling the results and putting together recommendations for improvements, which are forthcoming. The city Traffic Engineer, in the interim, agreed to extend the crosswalk times.

In addressing some of the other issues raised at the meeting, MR. ARNOLD advised the Commissioners that because the owners are Nevadans and do a lot of charity work, they responded to residents' requests by cleaning up the trash and debris at a nearby vacant lot.

Lastly, MR. ARNOLD stated that the survey they conducted of the neighborhood to get a sense of how the residents feel about recreational marijuana revealed a 63 percent approval rating, so they feel the location is appropriate for the use. He assured the Commissioners that they experienced difficulties in the beginning with their other locations; however, they slowly gained the approval of the surrounding residents because they proved themselves by following through on their commitments to the neighborhoods. He submitted for the record support letters from government officials and chambers of commerce in Mesquite and Wendover to speak to their character.

BRANDON ALLISON said he is one of the founding members of Deep Root Harvest and explained that they came up with the name because most of the members are locals who are familiar with a lot of the business owners. He has been running businesses for most of his life, and he believes they put together a fantastic team consisting of reputable members of the community, and they have proven themselves with their experience. He conceded that many people were initially against their business in Mesquite; however, they changed their minds after they saw how they operate. Additionally, they truly believe in creating employment and hiring locally, and he assured the Commissioners that they will be an asset to the community.

LEX ANDERSON, historian for the Northwest Area Residents Association (NARA), submitted for the record a map and a copy of the comments he read, stating that NARA was involved in lengthy meetings regarding recreational marijuana to set the standards and to keep it away from residential and recreational areas. He went over the history of a meeting held in 2014 regarding a dispensary in Regal Plaza located at Jones Boulevard and Craig Road, and he mentioned that the Planning Commission and the City Council denied this application, which was very similar to the subject application. He requested denial of this dispensary based on the same grounds for the denial of the application in 2014. He cited other instances in which similar applications were denied. He added that this applicant has no experience in Ward 5, and it all has to do with providing the residents of Ward 4 access to a dispensary.

ASSISTANT CITY ATTORNEY BRYAN SCOTT read a support E-comment, which was made a part of the record.

MR. ARNOLD emphasized that everyone is aware of how difficult it is to find a good location for this type of business, noting that application for the dispensary on Tenaya Way was withdrawn because of nearby protected uses. He requested approval.

COMMISSIONER WILLIAMS requested information about the public meetings held because to his understanding, there was a lot of opposition initially. MR. ARNOLD advised the Commissioner that they held a meeting that was attended by approximately 25 people in opposition because of their fear of allowing marijuana businesses near them. They did their best to calm those concerns, but they had a lot of difficulty. They even stayed to speak with people for about 1.5 hours after the meeting concluded to try to make them feel more comfortable and to answer all their questions. He mentioned that the majority of the people are concerned about traffic circulation and neighborhood ingress and egress.

COMMISSIONEER CHATTAH wondered how the applicant addressed the opposition from the neighborhood consisting of 156 multi-family units that is located behind this site. MR. ARNOLD replied that he had not mapped out the opposition, noting that for the first meeting they issued notices to residents within a 1,500-foot radius, and then they went as far as a 3,000-foot radius with the mailers because their meeting was cancelled. Before the City Council meeting, they intend to try to communicate more creatively because COUNCILMAN CREAR made it very clear he wants them to speak with the neighbors. COMMISSIONER CHATTAH did not consider this operation to be harmonious and compatible given the 150-unit assisted living facility located across from this site, as well as the gymnastics school. MR. ARNOLD did not see how their operation would affect the assisted living facility. However, regarding the gymnastics studio, he assured the Commissioner that the owner expressed support especially because they are helping to clear up the vacant lot across the street, and they are doing everything possible to show their good intentions. He acknowledged that people fear that customers will purchase marijuana and smoke it nearby, but he explained that their customers are not that type.

With other dispensaries located within two miles of this site, COMMISSIONER CHATTAH felt this dispensary would add to the saturation. MR. ARNOLD said that the nearest dispensary to this site is 2.7 miles away, another at 4.1 miles and another at 5 miles, which does not constitute saturation. He asserted that the model supports the location because there is not another dispensary for 2.7 miles, emphasizing that other areas have more proximity between these types of businesses.

COMMISSIONER TOUSSAINT agreed with staff's recommendation and added that the similar business denied in Ward 4 was because of the nearby karate school in the center and the ballet studio across the street.

COMMISSIONER WILLIAMS commented that it is important to have harmony and compatibility when it comes to these types of applications. He really thought there would be more opposition instead of so much support. He acknowledged that the applicant addressed the concerns, held meetings and reached out to the residents as requested, despite the limitations brought on by COVID-19; however, he motioned for denial.

CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Jeff Rogan to Approve Subject to Conditions

NOTE: Commissioner Cherry abstained from voting because he and his family are in the cannabis business. Commissioner Schlottman disclosed that he has worked on a lot of cannabis-type facilities in the past and has always voted on them, and he has never worked with this applicant; therefore, he would be voting.

NOTE: The initial motion for Denial by Commissioner Williams failed with Chair De Salvio and Commissioners Schlottman, Toussaint and Rogan voting No and Cherry abstaining.

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

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

32. ABEYANCE - SDR-78443 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: DENNY'S INC., ET AL - For possible action on a request for a Site Development Plan Review FOR THE PROPOSED ADDITION OF DIGITAL (LED) ELECTRONIC MESSAGE BOARD ILLUMINATION TO AN EXISTING NONCONFORMING OFF-PREMISE SIGN on 0.08 acres at 1830 South Las Vegas Boulevard (APN 162-03-302-005), C-2 (General Commercial) Zone, Ward 3 (Diaz) [PRJ-78367]. Staff recommends DENIAL.

Minutes:
See Item 6 for related discussion.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Item 32 to 7/14/2020

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

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

33. GPA-78413 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: KARDIA PROPERTIES, LLC - For possible action on a request for a General Plan Amendment FROM: L (LOW DENSITY RESIDENTIAL) TO: H (HIGH DENSITY RESIDENTIAL) on 1.69 acres located on the south side of Harris Avenue between Lilly Lane and Effinger Street (APNs Multiple), Ward 3 (Diaz) [PRJ-78384]. Staff recommends DENIAL.

Minutes:
CHAIR DE SALVIO declared the Public Hearing open for Items 33-36.

ERIC McCAMMOND, Sr. Management Analyst, reported that staff finds the proposed General Plan Amendment, Rezoning, and Site Development Plan Review would allow a development too dense in relation to the surrounding area. Additionally, the requested Variance, Waivers, and Exceptions reinforce the unsuitability of the proposed project. Staff recommended denial of all applications. Additional protest letters were received since publication.

JARED LEBO, Lebo Designs, representing the applicant, said the area is surrounded by R-3 zoning and the applicant would like to rezone to R-4 (High Density Residential) to make the project viable. Staff expressed concern with the landscaping and the reduced parking. MR. LEBO explained that one of the landscape buffers had to be reduced to five feet because they had to give up 30 feet of right-of-way to widen Effinger Street. Additionally, they had to grant a five-foot easement to the city for the sidewalk, which limited them as well. Another concern is this development might overload the existing school across the street; however, he pointed out that the study revealed that only seven students would be added to the elementary school.

MR. LEBO explained that they are asking for the R-4 zoning because they cannot accomplish what they need to under R-3, which allows six students, noting that they do not intend to build to the full extent allowed under R-4 anyway, only about 10 units more, so only one more is being added.

He conceded they are requesting a reduction in parking and explained it is needed because they are dealing with a small parcel. He strongly believes it is a pedestrian-friendly property with approximately seven bus stops nearby, which will alleviate traffic and required parking.

He reiterated that R-4 zoning is not that different from R-3 and that the applicant is not looking to rezone to put in another use but rather to develop a successful project, and they intend to retain the property for as long as they can. They want to offer a quality project with good management. He showed the renderings of the units.

GEORGE GEKAKIS supported staff's denial recommendation, and added that when former COUNCILMAN GARY REESE was in office, he had to go through a lengthy process and had to visit every neighbor in order to get his project approved. He did not feel another similar project is needed in the area, noting that the applicant is requesting a significant reduction in parking. He requested denial.

MR. LEBO insisted that the property owner intends to build a high-quality project and keep it for a long time.

COMMISSIONER SCHLOTTMAN asked if this was a new application after he noticed there was a previous approval for multi-family, and MR. LEBO was not aware of any other application. COMMISSIONER SCHLOTTMAN made some observations and comments regarding the number of neighborhood meeting attendees, the parking ratio of 1:1, and the adjacent R-E zoning, which surprisingly did not bring out more opposition. He asked staff to verify the zoning map, because according to the Staff Report, the property is surrounded by medium density but the surrounding zoning is shaded in dark brown, which is different. Despite all this, he emphasized that he would like this infill property developed. MR. McCAMMOND said the land use map under the General Plan Amendment application has the wrong key; the land use map under the Rezoning application shows individual zoning designations. He indicated the slide shown on the monitor shows the right key, noting that brown represents medium density and not R-4 for the General Plan.

COMMISSIONER ROGAN supported the proposed project and advised MR. GEKAKIS that since he was the first to develop in the neighborhood, he had to go through a lot of barriers and really set the precedent for future development. He strongly felt these types of infill projects are needed in the older areas of the city. COMMISSIONER CHATTAH shared the sentiments of COMMISSIONER ROGAN and said the project is beautiful. COMMISSIONERS CHERRY, WILLIAMS and TOUSSAINT agreed.

See Items 34-36 for related backup.

CHAIR DE SALVIO declared the Public Hearing closed for Items 33-36.

Motion made by Trinity Haven Schlottman to Approve

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

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

34. ZON-78414 - REZONING RELATED TO GPA-78413 - PUBLIC HEARING - APPLICANT/OWNER: KARDIA PROPERTIES, LLC - For possible action on a request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-4 (HIGH DENSITY RESIDENTIAL) on 1.69 acres located on the south side of Harris Avenue between Lilly Lane and Effinger Street (APNs Multiple), Ward 3 (Diaz) [PRJ-78384]. Staff recommends DENIAL.

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

Motion made by Trinity Haven Schlottman to Approve

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

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

35. VAR-78416 - VARIANCE RELATED TO GPA-78413 AND ZON-78414 - PUBLIC HEARING - APPLICANT/OWNER: KARDIA PROPERTIES, LLC - For possible action on a request for a Variance TO ALLOW 68 PARKING SPACES WHERE 95 PARKING SPACES ARE REQUIRED on 1.69 acres located on the south side of Harris Avenue between Lilly Lane and Effinger Street (APNs Multiple), R-E (Residence Estates) Zone [PROPOSED: R-4 (High Density Residential)], Ward 3 (Diaz) [PRJ-78384]. Staff recommends DENIAL.

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

Motion made by Trinity Haven Schlottman to Approve Subject to Conditions

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

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

36. SDR-78417 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-78413, ZON-78414, AND VAR-78416 - PUBLIC HEARING - APPLICANT/OWNER: KARDIA PROPERTIES, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED THREE STORY, 53-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH A WAIVER OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS on 1.69 acres located on the south side of Harris Avenue between Lilly Lane and Effinger Street (APNs Multiple), R-E (Residence Estates) Zone [PROPOSED: R-4 High Density Residential)], Ward 3 (Diaz) [PRJ-78384]. Staff recommends DENIAL.

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

Motion made by Trinity Haven Schlottman to Approve Subject to Conditions

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

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

37. VAR-78457 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: PATVAKANYAN GOHAR - For possible action on a request for a Variance TO ALLOW AN EIGHT-FOOT REAR YARD SETBACK WHERE 15 FEET IS REQUIRED on 0.16 acres at 935 South Decatur Boulevard (APN 139-31-410-120), P-R (Professional Office and Parking) Zone, Ward 1 (Knudsen) [PRJ-78383]. Staff recommends DENIAL.

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

ERIC McCAMMOND, Sr. Management Analyst, reported that the applicant is proposing to over-develop the subject site as evidenced by the requested Variances and Waiver. A reduction in the size of the proposed office would allow conformance with Title 19 development standards. Therefore, staff recommended denial of all applications. Additional support letters were received since publication.

LANDON CHRISTOPHERSON, DLC Consulting, appeared on behalf of the applicant and explained the requests. He said the previous building on the site was demolished. They would like to construct a building similar in size and meet the intent of the code. To compensate for the requested landscaping variances, they are willing to install a dense 15-foot landscaping buffer around the building instead of 10 feet. He requested approval.

After COMMISSIONER ROGAN verified with MR. CHRISTOPHERSON that he had not spoken with the neighbor to the east with a larger lot and casita, he expressed his support because this involves a smaller lot that was probably residential at one point and difficult to develop. Nevertheless, he asked MR. CHIRTOPHERSON to reach out to the neighbor behind this property to explain the project and the variances.

See Items 38 and 39 for related backup.

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

Motion made by Jeff Rogan to Approve Subject to Conditions

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

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

38. VAR-78458 - VARIANCE RELATED TO VAR-78457 - PUBLIC HEARING - APPLICANT/OWNER: PATVAKANYAN GOHAR - For possible action on a request for a Variance TO ALLOW SEVEN PARKING SPACES WHERE EIGHT ARE REQUIRED on 0.16 acres at 935 South Decatur Boulevard (APN 139-31-410-120), P-R (Professional Office and Parking) Zone, Ward 1 (Knudsen) [PRJ-78383]. Staff recommends DENIAL.

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

Motion made by Jeff Rogan to Approve Subject to Conditions

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

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

39. SDR-78459 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-78457 AND VAR-78458 - PUBLIC HEARING - APPLICANT/OWNER: PATVAKANYAN GOHAR - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 2,280 SQUARE-FOOT OFFICE BUILDING WITH A WAIVER OF PERIMETER LANDSCAPE BUFFER REQUIREMENTS on 0.16 acres at 935 South Decatur Boulevard (APN 139-31-410-120), P-R (Professional Office and Parking) Zone, Ward 1 (Knudsen) [PRJ-78383]. Staff recommends DENIAL.

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

Motion made by Jeff Rogan to Approve Subject to Conditions

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

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

40. VAR-78593 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: MARK A. MCINTIRE - For possible action on a request for a Variance TO ALLOW A ZERO-FOOT CORNER SIDE YARD SETBACK WHERE 15 FEET IS REQUIRED FOR TWO ACCESSORY STRUCTURES (CLASS II) [BARBEQUE AND FIREPLACE] on 0.34 acres at 400 Park West Way (APN 139-32-610-049), R-1 (Single Family Residential) Zone, Ward 5 (Crear) [PRJ-78591]. Staff recommends DENIAL.

Minutes:
CHAIR DE SALVIO declared the Public Hearing open.

JONATHAN BOYLES, Sr. Planner, reported that the applicant has proposed to install a barbeque and fireplace that will be connected to utilities and require a building permit. Due to the fact these are permanent structures, they are considered class two accessory structures and required to adhere to the zoning code regulations including setbacks.

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing accessory structures to be built within the required corner side-yard setback area. Repositioning these proposed amenities in other areas of the yard would allow conformance to the Title 19 requirements. If approved, it will be subject to conditions. Additional support and protest letters were received since publication.

ADAN CASTILLO, representing the applicant/owner, explained the need for the Variance. The zero-foot setback is needed to accommodate the proposed barbeque and fireplace. He showed renderings for both structures, noting they have a simple design and are additions every household wants nowadays.

In reviewing the project, COMMISSIONER WILLIAMS said the height of the walls shields the view from the neighbors. He thought it was straightforward and nicely laid out.

CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Anthony Williams to Approve Subject to Conditions

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

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

41. SUP-78656 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ENTERPRISE RENT-A-CAR, LLC - OWNER: GARDEN CITY, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED MOTOR VEHICLE SALES (USED) on 7.02 acres at 5750 Sky Pointe Drive (APN 125-27-402-005), T-C (Town Center) Zone [GC-TC (General Commercial - Town Center) Special Land Use Designation], Ward 6 (Fiore) [PRJ-77440]. Staff recommends APPROVAL.

Minutes:
CHAIR DE SALVIO declared the Public Hearing open for Items 41-43.

JONATHAN BOYLES, Sr. Planner, gave the staff report. The applicant is proposing to operate a used motor vehicle dealership with automobile and truck rentals at the subject site. On February 19, 2020 the City Council approved Ordinance Number 6725, which amended the Town Center Development Standards Manual to provide for the Motor Vehicle Sales (Used) as an allowed use within the GC-TC (General Commercial-Town Center) special land-use district by means of a Special Use Permit. Previously, this land use was restricted to the area commonly known as the “Automall” located within Centennial Center and was allowed only in conjunction with a new automobile dealership.

Staff finds the proposed used motor vehicle sales and automobile rental uses are able to be operated in a manner that is harmonious and compatible with the existing surrounding land uses and is recommending approval of both Special Use Permit requests. However, due to the zero-foot distance separation Waiver request from the existing residential neighborhood to the north and the future condominium development currently under construction to the east of the subject site, staff cannot support the proposed Truck Rental land use and is recommending denial of the requested Special Use Permit. Additional protest letters were received since publication.

LORA DREJA, appeared representing the applicant and indicated KELLY McNAMARA, Enterprise Holdings, was also in the audience. MS. DREJA described the request. This property was vacated by a Dodge dealership that sold new and used vehicles, and staff supports re-establishing this use, including vehicle rentals. With regard to truck rentals, there are some technicalities with the code. She showed a site plan and indicated there is a 330-foot distance separation requirement from residential and because they share a property line with a fronting residential development, although separated by a drainage channel, it appears as though there is a zero separation between the two uses. She commented that the purple area represents the area where the rental trucks will be parked. As depicted, all but one home is separated from the truck rental space by a 33,000-square-foot building and one other home has exposure and is separated by over 430 feet, which exceeds the requirement. The trucks have direct access to Sky Pointe Drive without circling behind the building near the residential properties. Another issue is visibility of the roll-up doors from Sky Pointe Drive, because although the dealership was designed to have the showroom as the prominent façade, the irregular-shaped parcel made it impossible to limited visibility of the bays. MS. DREJA indicated that they held a neighborhood meeting, at which the neighbors were grateful they allocated space to ensure no alarms disrupt their sleep during the night. They are also relieved the property will be occupied after being vacant for so long. She requested approval.

CHAIR DE SALVIO verified with ASSISTANT CITY ATTORNEY BRYAN SCOTT there were no E-comments received. The Chair then said he was surprised when he saw the application again. He was contacted by the community in overwhelming support because they want a tenant in there who can take care of the property, which has sat vacant too long. The supporters are fine with having a similar use.

CHAIR DE SALVIO declared the Public Hearing closed for Items 41-43.

Motion made by Louis De Salvio to Approve Subject to Conditions

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

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

42. SUP-77728 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ENTERPRISE RENT-A-CAR, LLC - OWNER: GARDEN CITY, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED AUTOMOBILE RENTAL USE WITH WAIVERS TO ALLOW MORE THAN FIVE RENTAL VEHICLES TO BE STORED ON SITE AND THE SALE OF USED AUTOMOBILES WHERE SUCH IS NOT ALLOWED on 7.02 acres at 5750 Sky Pointe Drive (APN 125-27-402-005), T-C (Town Center) Zone [GC-TC (General Commercial - Town Center) Special Land Use Designation], Ward 6 (Fiore) [PRJ-77440]. Staff recommends APPROVAL.

Minutes:
See Item 41 for related discussion.

Motion made by Louis De Salvio to Approve Subject to Conditions

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

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

43. SUP-77684 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ENTERPRISE RENT-A-CAR, LLC - OWNER: GARDEN CITY, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED TRUCK RENTAL USE WITH WAIVERS TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A SINGLE-FAMILY DETACHED DWELLING WHERE 330 FEET IS REQUIRED, ACCESSORY SERVICES THAT ARE NOT PERFORMED WITHIN AN ENCLOSED STRUCTURE, AND SERVICE BAYS THAT FACE THE PUBLIC RIGHT-OF-WAY on 7.02 acres at 5750 Sky Pointe Drive (APN 125-27-402-005), T-C (Town Center) Zone [GC-TC (General Commercial - Town Center) Special Land Use Designation], Ward 6 (Fiore) [PRJ-77440]. Staff recommends DENIAL.

Minutes:
See Item 41 for related discussion.

Motion made by Louis De Salvio to Approve Subject to Conditions

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

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

44. SUP-78577 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: OPORTUN, LLC - OWNER: WRI CHARLESTON COMMONS, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 1,572 SQUARE-FOOT FINANCIAL INSTITUTION, SPECIFIED USE WITH A WAIVER TO ALLOW A 150-FOOT DISTANCE SEPARATION FROM A RESIDENTIAL USE WHERE 200 FEET IS REQUIRED AND TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM AN EXISTING FINANCIAL INSTITUTION, SPECIFIED USE WHERE 1,000 FEET IS REQUIRED at 81 North Nellis Boulevard (APN 140-32-802-007), C-1 (Limited Commercial) Zone, Ward 3 (Diaz) [PRJ-78485]. Staff recommends DENIAL.

Minutes:
CHAIR DE SALVIO declared the Public Hearing open.
JONATHAN BOYLES, Sr. Planner, reported there is a drainage channel that separates the Financial Institution, Specified use from the residentially zoned properties to the west, which provides an adequate visual and physical buffer, thereby mitigating the requested 150-foot distance separation Waiver. However, staff does not support the requested waiver to allow a zero-foot separation from another existing Financial Institution, Specified use, as the impact from the additional Financial Institution, Specified use to the existing shopping center development will result in an oversaturation of the Financial Institution, Specified use to the surrounding area. Therefore staff recommends denial of the request. Additional support letters were received since publication.

VICTOR DE LA CRUZ and ALEJANDRA VELAZQUEZ, were present on behalf of the applicant, Oportun, LLC. MR. DE LA CRUZ understood the city's requirements for distance separation between financial uses and that they fall under the description of payday and auto title loan establishments; however, he argued that Oportun is a publicly traded company with over 3,000 locations throughout the country and is nothing like a check cashing, auto loan or payday establishment. He alleged that they are quite the opposite a payday lender-type of business, in that they have been certified since 2009 as a CDFI (community development financial institution), and he indicated that he submitted a letter to staff from the U.S. Department of the Treasury and other materials describing the company, a copy of which he submitted for the record. He added that as a CDFI, they have to obtain certification yearly.

Time magazine has named Oportun one of 50 genius companies in the United States because it uses a computer model developed by scientists that uses analytics to score individuals that would otherwise not be able to receive loans, with a focus on individuals without a credit history who would have to turn to a payday lender and pay high rates on a loan. This helps their customers avoid a cycle of debt. Oportun only issues loans and does not accept deposits.

MR. DE LA CRUZ went through the list of awards and recognitions the company has received from academic and non-profit organizations for changing the model, noting that having this type of business to give emergency borrowers an option is not a bad thing.

MS. VELAZQUEZ commented on the positive impact they have made in the community since they started doing business locally in 2015 with seven locations. They issue loans ranging from $300 to $9,000, with pay-back terms of up to six-months with zero interest and on equal monthly installments. They have dispersed approximately $120 million in Las Vegas since 2015 and have saved customers over $40,000 in interest, while helping them re-establish their credit score. They also provide financial education to their customers, and their goal is to help low-to-moderate income individuals. She emphasized that they like to be located next to payday lenders to give people an option in emergency situations without having to pay so much interest.

HECTOR CRUZ appeared representing DALINDA TORRES, President, and CARLOS BELIZ, Director, Patriotic Committee, a non-profit, who were also present. He showed a card with their website, and explained that they started giving out scholarships for youth in various subjects in communities with need. They started with educational entertainment for their event Christmas in El Barrio, which was attended by over 200 families. They also provide computer classes, and they do all of this by relying on sponsorships. Four years ago, Oportun started sponsoring their Committee and has been their biggest sponsor yet. They have also helped members of their Committee with loans. To the Patriotic Committee and the community, the success of Oportun is very important because they in turn will help youth and provide more scholarships to children and adults in the community throughout the year. On behalf of MS. TORRES and MR. BELIZ, MR. CRUZ requested approval of this application and submitted a letter from the Patriotic Committee for the record.

CHAIR DE SALVIO verified with ASSISTANT CITY ATTORNEY BRYAN SCOTT that there were no E-comments received.

MR. DE LA CRUZ pointed out that the document they submitted includes Exhibit B, which includes letters from several jurisdictions with an interpretation allowing them by right, as a financial institution, because of their particular use. Unfortunately, in Las Vegas, they get captured under the classification of payday lending institution. MR. SCOTT indicated that such a letter was submitted.

COMMISSIONER SCHLOTTMAN appreciated their business and what they do for the community; however, he pointed out that this is a land-use matter, which has nothing to do with fixed loans, and even though they may not charge as much interest as payday lenders, they still charge quite a bit. Nevertheless, he insisted that this is a matter of distance separation.
COMMISSIONER CHATTAH verified with MS. VELAZQUEZ that they will disperse funds from and take payments at the subject site, and then said there really is no difference between this use and a payday lender. MR. DE LA CRUZ interjected that payday lenders charge up to 400 percent interest, whereas Oportun charges no more than 36 percent and they help people build credit because they report to credit agencies. Their loans are also secured by the Treasury. COMMISSIIONER CHATTAH regarded his comments as a description of their business model, which she commended them for, but persisted that the Commission’s concern is with the land use.

COMMISSIONER CHERRY commented that there are different types of financial establishments; however, the Commissioners have to base their decision on the land use and distance separation requirements. COMMISSIONERS TOUSSAINT and ROGAN agreed and COMMISSIONER ROGAN suggested meeting with COUNCILWOMAN DIAZ and ROBERT SUMMERFIELD, Planning Director, to see if their model can be accommodated separately from a payday type of business.

COMMISSIONER SCHLOTTMAN stated the model does not fit under any existing uses. He felt compelled to vote as he has done previously when there is an issue of distance separation from a similar establishment.

CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Trinity Haven Schlottman to Deny

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

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

45. SDR-78584 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: INDUSTRIAL ROAD 2440-2497, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 39,178 SQUARE-FOOT WAREHOUSE AND MANUFACTURING BUILDING AND A PROPOSED 10,709 SQUARE-FOOT TAVERN AND BANQUET FACILITY on 2.65 acres at 2476 Industrial Road (APN 162-04-407-001), M (Industrial) Zone, Ward 3 (Diaz) [PRJ-78481]. Staff recommends APPROVAL.

Minutes:
CHAIR DE SALVIO declared the Public Hearing open.

JONATHAN BOYLES, Sr. Planner, reported that this is a request to allow a multi-building development consisting of a Warehouse, Liquor Establishment (Tavern) and Banquet Facility uses at 476 Industrial Road.

The subject site is zoned M (Industrial) with an LI/R (Light Industry/Research) General Plan designation and subject to Title 19 development standards. It is also located within Area 1 (Design District) of Appendix F Interim Downtown Las Vegas Masterplan Area. The applicant proposes to demolish the existing in-line, multi-tenant building on the site and construct two buildings: a 39,178 square-foot warehouse and a 10,709 square-foot tavern and banquet facility. The owner of the property plans to subdivide the site into two parcels.

The existing Liquor Establishment (Tavern) use on the subject site is nonconforming and was considered abandoned August 23, 2014. The applicant has been annually granted Extensions of Time pursuant to Title 19.14.030 to maintain the use. Both of the proposed Warehouse/Distribution Center and Banquet Facility uses are listed as permitted in the M (Industrial) zoning district.

The proposed development conforms to all Title 19 requirements and aligns with the City of Las Vegas 2020 Master Plan. It is also compatible with the existing development in the surrounding area and the overall vision of the Design District which is characterized by a mixture of commercial services.

He read and added condition of approval and added that additional support letters were received since publication.

JIM DiFIORE, DiFiore Consulting and Business Services, appearing on behalf of the applicant, explained that his client could not be present out of caution because he fell ill in California. Unfortunately, this left MR. DiFIORE without visuals to show the Commissioners; however, he assured the Commissioners that they will abide by the conditions. He indicated that this site housed a sexually oriented business since about 1970 up to 2014, with a break around 2007, and the owner wants to have a liquor use and lease the event center and warehouse building. He requested approval.

COMMISSONER SCHLOTTMAN said the requested use fits the area, and he made sure MR. DiFIORE concurred with the added condition of approval, as requested by ROBERT SUMMERFIELD, Planning Director.

CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Trinity Haven Schlottman to Approve Subject to Conditions and adding the following condition as read for the record:

A. Approval of Site Development Plan Review (SDR-78584) does not constitute the approval of a Sexually Oriented Business use in accordance with Title 19.12.

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

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

46. SDR-78599 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: GEORGE GEKAKIS, INC. - OWNER: DECATUR & ALTA LIMITED PARTNERSHIP - For possible action on a request for a Major Amendment to a previously approved Site Development Plan Review (SDR-76704) FOR A PROPOSED PARKING LOT AND SITE RECONFIGURATION WITH A 16,121 SQUARE-FOOT DECREASE IN COMMERCIAL SPACE WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS on 19.62 acres at 400 South Decatur Boulevard (APN 138-36-601-

009), C-2 (General Commercial) Zone, Ward 1 (Knudsen) [PRJ-78573]. Staff recommends APPROVAL.

Minutes:
CHAIR DE SALVIO declared the Public Hearing open.

JONATHAN BOYLES, Sr. Planner, reported that the redesign of this site allows for increased landscaping, efficient on-site mobility and better aligns the commercial portion of the site to the Decatur Boulevard commercial corridor. Due to the large and unusual shape of the subject site, addition of affordable housing, use of solar panel carports, infill nature of the project and the increased number of trees to mitigate the landscape requirements; staff finds the provided landscaping to be appropriate for the area and recommends approval of the waivers of landscaping. Therefore, staff recommended approval on this Site Development Plan Review subject to conditions. Additional protest letters were received since publication.

ROBERT GRONAUER, 1980 Festival Drive, appeared representing the applicant, GEORGE GEKAKIS, who was present, and Nevada HAND. MR. GRONAUER explained that in August of 2019, the Planning Commission approved this project, which consists of approximately 19.62 acres, which are divided into two projects, Family Affordable Product to the north and a mixed-use with senior housing and commercial uses to the south. He appreciated staff working with them on all the waivers, primarily due to the drainage and technical analysis, which required adjustments to the plans to reconfigure the site. In turn, they are adding more trees to the open space to make it more usable. He requested approval.

COMMISSIONER ROGAN was not concerned with the requested changes because there were ample opportunities previously to voice concerns on this project. He supported the application and noted that the Planning Commission was only considering the revisions.

CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Jeff Rogan to Approve Subject to Conditions

NOTE: Commissioner Rogan disclosed that he previously abstained in August in this matter because his mother-in-law was working with one of the project partners; however, she is no longer employed with them, so he felt comfortable voting.

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

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

DIRECTOR'S BUSINESS:

47. TXT-77317 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on a request to amend LVMC Title 19.10 Special Area and Overlay Districts, LVMC Title 19.12 Permissible Uses, and LVMC 19.18 Definitions and Measures to allow Off-Premise Messaging in conjunction with certain land uses, and to provide for other related matters. Staff has NO RECOMMENDATION.

Minutes:
CHAIR DE SALVIO declared the Public Hearing open.

ERIC McCAMMOND, Sr. Management Analyst, reported that the proposed Text Amendment would change off-premise messaging requirements in conjunction with a non-restricted gaming establishment with a hotel having more than 200 rooms and a commercial recreation/amusement establishment with permanent fixed seating for over 9,000 people, providing parity with existing Clark County off-premise sign regulations for like uses. Staff had no recommendation.

KERRIE KRAMER, Argentum Partners, representing World Market Center of Las Vegas, supported the proposed amendment and added that they would like to see convention and trade show facilities included so that they can work with downtown stakeholders and advertisers. She submitted a support letter for the record.

JENNIFER LAVOVICH, representing Lamar Outdoor Advertising, remarked that they worked for a number of years on an ordinance similar to this for Clark County, and it was narrowly crafted as to where on- and off-premise advertising is allowed. As indicated in the Staff Report, this amendment mirrors that County ordinance and restricts it to casinos with rooms as well as a 9,000-seat arena. She opposed allowing any expansion beyond the subject text amendment.

CHAIR DE SALVIO confirmed with ASSISTANT CITY ATTORNEY BRYAN SCOTT that no E-comments were received.

ROBERT SUMMERFIELD, Planning Director, explained that staff did not realize that the County regards a convention center as a recreation facility, so they approved convention centers as part of their bill. Therefore, he and his staff will have to further examine that aspect before introducing a bill for consideration and adoption to the City Council, noting that the intent was to have the City's ordinance mirror what the County approved.

COMMISSIONER ROGAN could not support this amendment because it is for one group of businesses, and he believes it is very difficult to draw a distinction between uses. He fears approval will a create desire for businesses to ask for off-premise signs in the future to generate income. He emphasized that he has been very clear in the past about his position regarding off-premise signs and his belief that they just litter the landscape rather than enhance it. He cautioned the Commissioners to examine it closely before considering approving it.

COMMISSIONER SCHLOTTMAN said he has had similar concern in the past with off-premise advertising, but this is for non-restricted gaming, and he sees owners of multiple properties downtown having the ability to cross-promote different venues, such as restaurants or events. For this reason, he supported it. CHAIR DE SALVIO agreed with COMMISSINER SCHLOTTMAN'S comments.

COMMISSIONER CHERRY recalled that years ago the Fremont Hotel asked for an off-site sign to advertise another one of its properties. He felt it makes sense to allow this in the downtown area in order to stay relevant for big events.

In comparing a convention center with the furniture mart, COMMISSIONER CHATTAH stated that they are different types of properties and did not think the CES (Consumer Electronics Show) would ever be held at the World Market Center, so she was a bit confused. MR. SUMMERFIELD explained that the World Market Center has a convention center component and the trade show buildings.

COMMISSIONER ROGAN asked if casinos located outside of Fremont Street, such as Red Rock Hotel and Casino, would be allowed to have off-premise advertising under this amendment, and MR. SUMMERFIELD replied that in looking at the language for off-premise messaging, this amendment would allow off-premise messaging on any non-restricted gaming establishment operated in conjunction with a 200-room hotel, so that would include any property that meets that qualification, such as Station Casinos, which likes to do cross-promotion amongst its properties. COMMISSIONER ROGAN understood the cross-promotion aspect but was concerned that the text amendment does not limit it to cross-promotion to other properties and allows all types of off-premise advertising. Until this is changed, he could not give his support of the amendment as written.
COMMISSIONER CHATTAH asked if the World Market Center would be allowed to erect a supergraphic sign as well, and MR. SUMMERFIELD answered that it could not. A super-graphic sign can only have messaging consistent with the occurring activity on-site; supergraphics cannot have off-premise advertising.

COMMISSIONER CHERRY asked if existing qualifying properties would now be allowed to have off-premise advertising under their existing master sign plan, or if they would be required to submit a new plan. MR. SUMMERFIELD answered by reading the language again as to the types of properties allowed. The Commissioner further asked if this amendment would allow a property to continuously erect a billboard, which would only litter the property. MR. SUMMERFIELD replied that billboards would not be allowed because they exceed on-premise signage allowed. The applicant could apply for a variance, but the Planning Commission has been consistent in their decisions on those types of cases. He noted that this is about allowed off-premise messaging within the approved existing sign package for a site. MR. SCOTT interjected that the Red Rock Hotel and Casino is located in Clark County. Given the clarification made by COMMISSIONER CHERRY, COMMISSIONER ROGAN said he could support this amendment because it allows off-premise messaging as part of existing sign plans.

CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Sam Cherry to Approve

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

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

Citizens Participation:

48. 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 adjourned at 8:24 p.m.

Respectfully submitted:

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Gabriela Portillo-Brenner, Deputy City Clerk

____
Ashley Foster, Deputy City Clerk

THIS MEETING WAS BEEN PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS IN ACCORDANCE WITH THE STATE OF NEVADA EXECUTIVE DEPARTMENT DECLARATION OF EMERGENCY DIRECTIVE 006
The City of Las Vegas Website – www.lasvegasnevada.gov
and
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