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 Brenda J. Williams

Planning Commission Minutes

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

May 14, 2019
6:00 PM

BUSINESS ITEMS:

1. Call to Order

Minutes:
CHAIR CHERRY called the meeting to order at 6:01 p.m.

2. Announcement Regarding: Compliance with Open Meeting Law

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

3. Roll Call

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

EXCUSED: COMMISSIONER QUINN

ALSO PRESENT: ROBERT SUMMERFIELD, Planning Director, PETER LOWENSTEIN , Deputy Planning Director, ERIC McCAMMOND, Sr. Management Analyst, COUREY STEWART, Planner II, LUCIEN PAET, Engineering Project Manager, DAVID KLEIN, Deputy Fire Marshal, BRYAN SCOTT, Assistant City Attorney, GABRIELA PORTILLO-BRENNER and PATTY HLAVAC, 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:
CHAIR CHERRY clarified for STUART MANN, resident, that if he wished to speak in opposition of an item, he would come forward at the time the item is called.

5. For Possible Action to Approve the Final Minutes for the Planning Commission Meeting of April 9, 2019.

NOTE: COMMISSIONER WILLIAMS abstained from voting on this item because she was not present for the April 9, 2019 Planning Commission meeting.

Motion made by Louis De Salvio to Approve

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

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

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:
CHAIR CHERRY noted that he would be pulling Item 10 forward for discussion during the Public Hearing portion of the agenda.

ERIC McCAMMOND, Sr. Management Analyst, noted the item requested for action and clarified for ASSISTANT CITY ATTORNEY BRYAN SCOTT that it was for Item 25.

Motion made by Louis De Salvio to Hold in Abeyance Item 25 to 6/11/2019

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

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

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-76112 - TENTATIVE MAP - SKYE CANYON II PARCEL 2.21C - APPLICANT/OWNER: CENTURY COMMUNITIES NEVADA, LLC AND BEAZER HOMES HOLDINGS, LLC - For possible action on a request for a Tentative Map FOR AN 11-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 1.02 acres on the north side of Grand Teton Drive, 877 feet west of Egan Crest Drive (APNs 126-12-410-001 and 126-12-817-039), T-D (Traditional Development) Zone [ML (Medium Low) Kyle Canyon Special Land Use Designation], Ward 6 (Fiore) [PRJ-76089]. Staff recommends APPROVAL.

Motion made by Louis De Salvio to Approve the Consent Agenda Subject to Condition(s)

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

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

8. TMP-76122 - TENTATIVE MAP - FOXTAIL - SUMMERLIN VILLAGE 24A PARCEL N - APPLICANT/OWNER: THE HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Tentative Map FOR A 92-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 20.11 acres at the northwest corner of Alta Drive and Sky Vista Drive (APN 137-33-501-001), P-C (Planned Community) Zone [SF3 (Single Family Detached) Summerlin Special Land Use Designation], Ward 2 (Vacant) [PRJ-76088]. Staff recommends APPROVAL.

Motion made by Louis De Salvio to Approve the Consent Agenda Subject to Condition(s)

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

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

9. TMP-76125 - TENTATIVE MAP - STARLING - SUMMERLIN VILLAGE 24A PARCEL O - APPLICANT/OWNER: THE HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Tentative Map FOR A 120-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 27.28 acres west of Sky Vista Drive, approximately 800 feet north of Alta Drive (APNs 137-33-501-001 and 137-28-000-003), P-C (Planned Community) Zone [SF3 (Single Family Detached) Summerlin Special Land Use Designation], Ward 2 (Vacant) [PRJ-76091]. Staff recommends APPROVAL.

Motion made by Louis De Salvio to Approve the Consent Agenda Subject to Condition(s)

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

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

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. ZON-76105 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: S. & D. GRAHAM PROPERTIES, LLC - For possible action on a request for a Rezoning FROM: P-R (PROFESSIONAL OFFICE AND PARKING) TO: C-1 (LIMITED COMMERCIAL) on 1.00 acre at 1353 Arville Street (APN 162-06-510-015), Ward 1 (Tarkanian) [PRJ-76094]. Staff recommends APPROVAL.

Minutes:
This item was heard subsequent to hearing Items 27-30.

CHAIR CHERRY declared the Public Hearing open.

ERIC McCAMMOND, Sr. Management Analyst, provided the staff report. He stated that the subject parcel contains an existing General Retail business within the Professional Office and Parking zoning district with a General Plan designation of Service Commercial. The proposed C-1 zoning is compatible with existing development in the area and the underlying General Plan designation; therefore, staff recommended approval of the application. MR. McCAMMOND also noted that additional letters of protest and support had been submitted since publication.

JEFF SATTERLEE, Results Realty, appeared on behalf of the applicants, who were on vacation in Florida.

CHAIR CHERRY commented that because COMMISSIONER QUINN was not present, he wanted to pull the item forward for discussion, because he had received a few calls from individuals who were concerned with the C-1 zoning change. He also noted that the neighborhood has been working on getting sidewalks and crosswalks in place because there is a school nearby. He suggested holding the item in abeyance to allow time for a meeting with these concerned individuals. MR. SATTERLEE agreed and requested additional details so that the applicants could help to resolve any issues. CHAIR CHERRY stated that he would reach out to COMMISSIONER QUINN and find out if she would be available to facilitate a meeting, and if not, he would do so.

MR. SATTERLEE clarified that the owners would be back within a week.

See Item 6 for related discussion.

CHAIR CHERRY declared the Public Hearing closed.

Motion made by Sam Cherry to Hold in Abeyance to 6/11/2019

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

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

11. SUP-76046 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: HOP NUTS BREWING - OWNER: GREAT WASH PARK, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 1,389 SQUARE-FOOT BEER/WINE/COOLER ON-SALE ESTABLISHMENT USE INCLUDING 447 SQUARE FEET OF OUTDOOR SEATING AREA WITH A WAIVER TO ALLOW A 141-FOOT DISTANCE SEPARATION FROM A CITY PARK WHERE 400 FEET IS REQUIRED at 430 South Rampart Boulevard, Suite #190 (APN 138-32-615-001), C-2 (General Commercial) Zone, Ward 2 (Vacant) [PRJ-76014]. Staff recommends APPROVAL.

Minutes:
CHAIR CHERRY declared the Public Hearing open for Items 11-13. There being no one present to speak, CHAIR CHERRY declared the Public Hearing closed for Items 11-13.

Motion made by Louis De Salvio to Approve the One Motion One Vote Subject to Condition(s) except Item 10

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

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

12. SDR-76117 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: RCIP SERIES VIII, LLC, ET AL - For possible action on a request for a Major Amendment to previously approved Site Development Plan Reviews (SDR-66658) and (SD-0020-97) FOR AN EXISTING BUILDING MAINTENANCE SERVICE AND SALES FACILITY WITH A WAIVER TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG A SHARED PROPERTY LINE WHERE EIGHT FEET IS REQUIRED on 1.82 acres at 3808 Melody Lane and 1801 North Rancho Drive (APNs 139-19-704-011 and 012), C-2 (General Commercial) Zone, Ward 5 (Crear) [PRJ-76074]. Staff recommends APPROVAL.

Minutes:
See Item 11 for related discussion.

Motion made by Louis De Salvio to Approve the One Motion One Vote Subject to Condition(s) except Item 10

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

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

13. VAC-76108 - VACATION - PUBLIC HEARING - APPLICANT: VTN NEVADA - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Petition to Vacate a Public Access Easement located west of Carriage Hills Drive, 835 feet north of Far Hills Avenue (APN 137-26-101-001), Ward 2 (Vacant) [PRJ-76100]. Staff recommends APPROVAL.

Minutes:
See Item 11 for related discussion.

Motion made by Louis De Salvio to Approve the One Motion One Vote Subject to Condition(s) except Item 10

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

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

PUBLIC HEARING ITEMS

14. SCD-75882 - MAJOR DEVIATION - PUBLIC HEARING - APPLICANT/OWNER: SCHOOL BOARD OF TRUSTEES - For possible action on a request for a Major Deviation of the Summerlin Development Standards TO ALLOW A PROPOSED 36 SQUARE-FOOT ANIMATED WALL SIGN WHERE SUCH IS PROHIBITED on 10.86 acres at 215 Antelope Ridge Drive (APN 137-27-813-001), P-C (Planned Community) Zone [SF3/NF (Single Family Detached/Neighborhood Focus) Summerlin Special Land Use Designation], Ward 2 (Vacant) [PRJ-75881]. Staff recommends DENIAL.

Minutes:
This item was heard subsequent to Item 10.

CHAIR CHERRY declared the Public Hearing open.

ERIC McCAMMOND, Sr. Management Analyst, reported that the Summerlin Non-Residential Design Review Committee (SNRDRC) acknowledged and supports the subject deviation, as the sign will be in support of an existing Clark County, operated elementary school. However, the Summerlin Development Standards specifically prohibit animated signs. Staff finds that this deviation could potentially have a negative impact on the surrounding residential development and, therefore, recommended denial of the application. Further, he noted that additional letters of protest had been submitted since publication.

CHRIS DINGELL, Clark County School District representative, described the location for the requested wall sign and pointed out its location on a map, which was displayed on the overhead. He said the area where the sign will be placed is on the north side of the bus drop-off on an existing planter/retaining wall. He described what the sign would look like, noting that it has two parts. Referencing a rendering of the project, he pointed out that one area on the sign will have the school logo and name, and the other portion will consist of the Light Emitting Diode (LED) lighting. He reiterated that the sign had been approved by the SNRDRC and will be 10-foot by six-foot in size. The SNRDRC also conditioned that the sign must be painted tan to match the wall, and could only be on one hour before and after school, Monday through Friday. MR. DINGELL noted that Clark County School District was also in agreement with following the City's condition that they must follow any SNRDRC conditions.

STEWART VAN, resident, explained that Castellari Drive is parallel to Antelope Ridge Drive. He said that when he purchased this home, they were aware that an elementary school would be built directly across the street; however, they were unaware that the school would be two-stories and one of the first of its kind. He shared that because the land was uneven, they had to build up the property, which gives the school the appearance of being three levels high. While he appreciated having a school in the area, he felt it was an eyesore. The height was making it difficult for them to sell their home, so he put in two tall trees to try and block the view. Further, he was opposed to the animated sign because he understood that it was a violation of the Summerlin Development Standards of September 15, 2004.

MR. DINGELL reiterated that the sign was approved by the SNRDRC and pointed out that it does not include any neon, that it will be dimmable, and that it could be adjusted based on the sunlight.

COMMISSIONER TOUSSAINT had no problem with the sign being on one hour before and one hour after school, and MR. DINGELL affirmed for her that the sign would only be on during school hours.

COMMISSIONER DE SALVIO asked about the elevation, as he wanted to know if there would be any light pollution going into backyards. As to the sign placement and given the elevation of the school, he wondered if the sign would actually be located at a third-story level rather than a two-story level. MR. DINGELL provided a rough mockup of where the sign would be placed, noting that it would be higher than the grade across the street but substantially lower than the school.

COMMISSIONER SCHLOTTMAN felt he could support the item because of the approval by the SNRDRC and because the sign would only be on during the day and not at night.

CHAIR CHERRY asked if any consideration had been given to installing the sign perpendicularly and if it could face a direction other than towards residential homes. RICH HINSHAW, Patrick Sign, explained that the original plan was to place the sign north and south; however, SNRDRC wanted the sign to be further back, lower to the ground and set off of the property line, not on the street, as they wanted it to have as low of a profile as possible.

NOTE: The video does not reflect accurately in that COMMISSIONER WILLIAMS verbally requested that her vote be reflected in the affirmative.

CHAIR CHERRY declared the Public Hearing closed.

Motion made by Donna Toussaint to Approve Subject to Condition(s)

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

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

15. VAR-76077 - VARIANCE - PUBLIC HEARING - APPLICANT: CLARK COUNTY SCHOOL DISTRICT - OWNER: SCHOOL BOARD OF TRUSTEES - For possible action on a request for a Variance TO ALLOW DEVIATIONS FROM TITLE 19.10.020 C-V (CIVIC) DEVELOPMENT STANDARDS on 7.03 acres at 950 North Tonopah Drive (APN 139-28-210-007), C-V (Civic) Zone, Ward 5 (Crear) [PRJ-75793]. Staff recommends DENIAL.

Minutes:
CHAIR CHERRY declared the Public Hearing open for Items 15 and 16.

COUREY STEWART, Planner I, provided the staff report noting that the applicant has proposed a Site Development Plan Review to develop the subject site with four new structures at an existing primary public school site. The submitted justification letter indicated the existing school would be demolished (except for two remaining structures) after the 2019–20 school year and would reopen for the 2021 school year. The applicant has requested the following Variances of required development standards within the (C-V) Civic district:

1. To allow a 39.33-foot building height where 35 feet is the maximum allowed.
2. To allow no trees within a portion of the west property line buffer.
3. To allow 31 interior parking lot trees where 34 are required.
4. To allow a zero-foot landscape buffer along a portion of the west property line and a 10-foot buffer along the east perimeter where 15 feet is required.
5. To allow buildings within the development to not be oriented at the front of the site.
6. To allow the proposed parking lot to be located in the front corner of the subject site, where parking lots are required to be located away from the street front.

MR. STEWART stated that due to a failure to meet the minimum requirements of the Title 19 Development Standards, staff recommended denial of the project. He also noted that additional letters of support had been received since the publication of this item.

MARK McGINTY, Architect, indicated that this was a difficult site, as it has been in existence since 1963. He explained that most of the variances are driven by trying to squeeze in the facility and still get in the required playground locations.

MR. McGINTY discussed the issues that arose when they met with the neighbors and concerned citizens in and around Bonanza Village, one being that the residents would like to see access off of Virginia City Avenue go away because people park in their driveways and on their grass, as these are Ranch Estates. MR. McGINTY went on to discuss the proposed changes, noting that they are switching to allow greater access off of North Tonopah Drive. He also commented on the Variance request for the height, as this would be for a small portion of the stair tower that encloses some air conditioning units.

MR. McGINTY stated that should the Planning Commission wish to approve this item, the applicant would like for a portion of Public Works Condition 10 to be stricken, which he noted for the record. Additionally, he indicated that the applicant agrees with staff as to some of the changes on the North Tonopah Drive improvement; however, they are asking that the section immediately in front of the existing facility and parking lot remain and not be brought up to City standards. He believed that making changes to these areas would cause the elimination of the parking lot, and he explained that one of the driving ideas behind this site configuration was to allow 132 parking spaces on site where 129 are required. He shared that this site is grossly under parked and keeping the existing curb line along North Tonopah Drive would be in the public's best interest.

MR. McGINTY affirmed for CHAIR CHERRY that the grass area in the original photos was the area they were looking at, as this was a shared park/playground between the City of Las Vegas and Clark County School District under an old Memorandum of Understanding. He stated that the City has indicated they would be in support of helping the Clark County School District gain more parking spaces. The discussion continued between CHAIR CHERRY and MR. McGINTY regarding the changes, layout, and security for the school facility, and MR. McGINTY affirmed that there would be a perimeter school fence to secure the area, as well as a courtyard area. However, he pointed out that this was hard to do with only seven acres. CHAIR CHERRY hoped the area would be improved to a better standard.

COMMISSIONER WILLIAMS stated she was in support of this project, noting that this was a historic site that has an increasing number of students who need to be educated. She could understand the request to increase the height to two-stories, given that there are apartments to the west and the east. She shared that her sister lives next to the school and was concerned that bus parking would not be a problem. She was also worried that the two-story structure would allow children to be looking into her yard. COMMISSIONER WILLIAMS noted that she had not received any opposition from the neighbors and hoped the Planning staff and the Clark County School District could work together to make this happen.

LUCIEN PAET, Engineering Project Manager, clarified that before Item 16 (SDR-76079) could be addressed, he did not believe the application, as submitted, could address the off-site improvements and that the applicant would need a variance to request not doing off-site improvements on Virginia City Avenue.

ASSISTANT CITY ATTORNEY BRYAN SCOTT wondered if the applicant would need to hold this application until they apply a variance. MR. PAET stated that was a possibility, or the applicant could go with things as they were and file a separate review of conditions in combination with a Variance. MR. SCOTT clarified that the Planning Commission would have to condition the applications subject to a variance being granted.

In response to CHAIR CHERRY'S inquiry as to how the applicant would like to proceed, CHRIS DINGELL, Clark County School District representative, indicated that they would like to move forward and submit a variance application at a later date.

See Item 16 for related backup.

CHAIR CHERRY declared the Public Hearing closed for Items 15 and 16.

NOTE: COMMISSIONER WILLIAMS disclosed that she lives in Bonanza Village; however, she did not feel her concerns regarding this project would affect her judgement any greater or lesser because she lives there.

Motion made by Brenda Williams to Approve Subject to Condition(s)

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

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

16. SDR-76079 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-76077 - PUBLIC HEARING - APPLICANT: CLARK COUNTY SCHOOL DISTRICT - OWNER: SCHOOL BOARD OF TRUSTEES - For possible action on a request for a Site Development Plan Review FOR A PROPOSED TWO-STORY, 88,540 SQUARE-FOOT PRIMARY PUBLIC SCHOOL DEVELOPMENT on 7.03 acres at 950 North Tonopah Drive (APN 139-28-210-007), C-V (Civic) Zone, Ward 5 (Crear) [PRJ-75793]. Staff recommends DENIAL.

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

NOTE: COMMISSIONER WILLIAMS disclosed that she lives in Bonanza Village; however, she did not feel her concerns regarding this project would affect her judgement any greater or lesser because she lives there.

Motion made by Brenda Williams to Approve Subject to Condition(s)

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

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

17. VAR-76103 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: SPROUL LIVING TRUST - For possible action on a request for a Variance TO ALLOW A 20-FOOT FRONT YARD SETBACK WHERE 50 FEET IS REQUIRED AND A 23-FOOT REAR YARD SETBACK WHERE 35 FEET IS REQUIRED FOR A PROPOSED SINGLE FAMILY DWELLING on 0.39 acres at 5255 Racel Street (APN 125-12-801-035), R-E (Residence Estates) Zone, Ward 6 (Fiore) [PRJ-76057]. Staff recommends APPROVAL.

Minutes:
CHAIR CHERRY declared the Public Hearing open for Items 17 and 18.

COUREY STEWART, Planner I, stated that the subject shallow lots have a width of 150 feet along the front property lines and 106 feet along the side interior property lines. If the applicant were to meet the front yard and rear yard setback requirements, they would not be left with an adequate buildable lot. Due to the irregular shape of the lots, staff finds the Variance requests are justified and, therefore, recommended approval, subject to conditions. MR. STEWART also noted that additional letters of protest had been received since publication.

JARED RUSSMAN, on behalf of the applicant, thought that staff had covered the basis for the Variance requests.

ERIC McCAMMOND, Sr. Management Analyst, clarified for COMMISSIONER DE SALVIO that staff was only approving the setback Variance. He stated that theoretically, the applicant could come in with a different house design; however, that would still require the requested Variance. He also clarified the conditions under which the applicant would be required to return to the Planning Commission for a new variance request.

COMMISSIONER DE SALVIO requested to confirm that the structure was single-story, as he was concerned the applicant could come in and put in a two-story structure. ROBERT SUMMERFIELD, Planning Director, suggested that if he felt the height was a mitigating factor for justifying the setback, then the Planning Commission had the right to limit the building height to the proposed setback for the single-story home.

MR. RUSSMAN confirmed that the applicant did not have any intention of constructing anything over a single story home at this time.

COMMISSIONER DE SALVIO requested that the additional recommendation for the single-story structure be included as part of the conditions.

See Item 18 for related backup.

CHAIR CHERRY declared the Public Hearing closed for Items 17 and 18.

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

A. Structures on the subject parcel will be limited to one-story in height.

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

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

18. VAR-76104 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: SPROUL LIVING TRUST - For possible action on a request for a Variance TO ALLOW A 20-FOOT FRONT YARD SETBACK WHERE 50 FEET IS REQUIRED AND A 23-FOOT REAR YARD SETBACK WHERE 35 FEET IS REQUIRED FOR A PROPOSED SINGLE FAMILY DWELLING on 0.39 acres At 5251 Racel Street (APN 125-12-801-036), R-E (Residence Estates) Zone, Ward 6 (Fiore) [PRJ-76057]. Staff recommends APPROVAL.

Minutes:
See Item 17 for related discussion and Items 17 and 18 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. Structures on the subject parcel will be limited to one-story in height.

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

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

19. VAR-76120 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: BEST AMIGOS, LLC - For possible action on a request for a Variance TO ALLOW A ZERO-FOOT REAR YARD SETBACK WHERE 20 FEET IS REQUIRED on 0.59 acres at 2401 North Rancho Drive (APN 139-18-403-002), C-2 (General Commercial) Zone, Ward 5 (Crear) [PRJ-76097]. Staff recommends DENIAL.

Minutes:
CHAIR CHERRY declared the Public Hearing open for Items 19-21.

COUREY STEWART, Planner I, stated that this is a request to expand an existing auto repair shop. The subject site has an open Code Enforcement Case regarding weeds and outdoor tire storage. Due to the associated Variances and Waivers, staff finds that the proposed building expansion, as configured, is not harmonious and compatible with the surrounding area; therefore, staff recommended denial of all requested entitlements. MR. STEWART also noted that additional letters of protest were received after publication.

MIGUEL GUTIERREZ, applicant, agreed that this corner is an eyesore. He stated that he has been working with Best Amigos Partners, LLC for the past six months, and they are turning properties around by running a clean operation. He clarified that his definition of a clean operation included the addition of a warehouse, as well as contracts in place for tire disposal three times a week. He indicated that the applicant wants to make this a nice, clean, inviting, and safe location. Further, he said the owner/operator recently purchased the property in 2017, and they are ready to make improvements.

COMMISSIONER DE SALVIO wondered if the active Code Enforcement problem was still an issue. MR. STEWART affirmed that the Code Enforcement case was still open and that it was due to issues with weeds and outdoor tire storage. ERIC McCAMMOND, Sr. Management Analyst, noted for COMMISSIONER DE SALVIO that he did not have specifics as to when the last time the property had been checked; however, he had received word from the Manager of Code Enforcement that the case was still open due to outstanding issues.

CHAIR CHERRY understood that the applicant was aware of all the issues with the site; however, he felt a better application could be brought forward to address the problems. He also thought the storage of the tires was a hazard and requested further comment from DEPUTY FIRE MARSHAL DAVID KLEIN, who affirmed that the tires were a problem and reiterated that there was a Code Enforcement case pending. Further, he noted that in the pre-application consultation on this site, this exact thing was brought up and it was expressed that the abatement of all tires would occur. He shared how the Fire and Rescue Department diligently works on these sites because they present a risk to the neighborhood, as there are other locations with similar problems.

CHAIR CHERRY expressed that he could not support the request as presented.

See Items 20 and 21 for related backup.

CHAIR CHERRY declared the Public Hearing closed for Items 19-21.

Motion made by Brenda Williams to Deny

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

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

20. VAR-76267 - VARIANCE RELATED TO VAR-76120 - PUBLIC HEARING - APPLICANT/OWNER: BEST AMIGOS, LLC - For possible action on a request for a Variance TO ALLOW 15 PARKING SPACES WHERE 27 SPACES ARE REQUIRED on 0.59 acres at 2401 North Rancho Drive (APN 139-18-403-002), C-2 (General Commercial) Zone, Ward 5 (Crear) [PRJ-76097]. Staff recommends DENIAL.

Minutes:
See Item 19 for related discussion and Items 19-21 for related backup.

Motion made by Brenda Williams to Deny

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

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

21. SDR-76121 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-76120 AND VAR-76267 - PUBLIC HEARING - APPLICANT/OWNER: BEST AMIGOS, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 2,078 SQUARE-FOOT EXPANSION OF AN EXISTING AUTO REPAIR GARAGE, MINOR BUILDING WITH WAIVERS TO ALLOW SERVICE BAY DOORS TO FACE THE RIGHT-OF-WAY AND ZERO-FOOT WIDE LANDSCAPE BUFFERS ADJACENT TO THE NORTH AND WEST PROPERTY LINES WHERE EIGHT FEET IS REQUIRED on 0.59 acres at 2401 North Rancho Drive (APN 139-18-403-002), C-2 (General Commercial) Zone, Ward 5 (Crear) [PRJ-76097]. Staff recommends DENIAL.

Minutes:
See Item 19 for related discussion and Items 19-21 for related backup.

Motion made by Brenda Williams to Deny

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

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

22. SUP-76080 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: 121 NORTH FOURTH STREET, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 4,433 SQUARE-FOOT MARIJUANA DISPENSARY USE at 121 North 4th Street (APN 139-34-510-029), C-2 (General Commercial) Zone, Ward 5 (Crear) [PRJ-75796]. Staff recommends APPROVAL.

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

ERIC McCAMMOND, Sr. Management Analyst, stated that the proposed Marijuana Dispensary use meets all Title 19 Special Use Permit requirements. Staff finds that the proposed use is compatible with surrounding uses and recommended approval of the application. MR. McCAMMOND further noted that additional letters of protest had been received since publication.

ATTORNEY RORY REID, introduced, MICHAEL NAHASS, President and Chief Operating Officer for the applicant. MR. REID noted the reasons for why this application should be approved: 1) the proposed site is suitable for a marijuana dispensary; 2) it meets or exceeds all the requirements of the City Code in that regard; 3) the site exceeds the separation requirement that the Code requires; 4) it is owned C2 (General Commercial), which allows the use, if a Special Use Permit is issued; 5) it is in an area that has already been highly developed with intense commercial uses; 6) the site has the infrastructure to serve any new customers brought to the area by this use, and 7) the applicant is not seeking any variances or waivers. For these reasons, the site will not have any negative impact on the neighboring properties. Further, the applicant believes the site is compatible with existing uses and not within the buffered area that the City created to protect Fremont Street. The applicant has the expertise to operate the site, as they have a proven record, which MR. REID elaborated on, and they use best practices to ensure the safety of their customers and the public.

ATTORNEY JEFF SILVER, Dickinson Wright, PLLC, representing the Fremont Street Experience, LLC, was present. He provided some brief history on Fremont Street Experience, LLC, and its participants and explained that in 1992, the City of Las Vegas was looking for a vehicle to revitalize downtown. In doing so, they asked various casino companies on Fremont Street what could be done to bring excitement and entertainment to that area. Ultimately, the idea of developing a celestial light vault, also known as the canopy, was created. He stated that, essentially, Fremont Street was vacated on the strength of this plan and each of the casino companies contributed a substantial sum of money to create this attraction; now it draws approximately 22 million people to the downtown area. Further, he noted that the Fremont Street Experience is not just a place for gamblers and people over 21 as many special events bring in minors and family members for events like New Year's Eve.

MR. SILVER shared that he was perplexed when he saw a conclusory recommendation that the use achieves the vision of the Resort and Casino District that seeks to reinforce the district's identity as the activity and entertainment anchor for Downtown Las Vegas, and on that basis, that staff would support the action item. Additionally, MR. SILVER indicated that members of the Fremont Street Experience asked him to submit opposition letters to this request, and he submitted copies of such for the record. He noted that these were the companies responsible for the refurbishment of the celestial vault, as well as casino owners who put significant funding into their properties, and he referenced some of them for the Commissioners. He shared that they were doing so based on the Fremont Street Experience's strength of the continuation of neutrality. MR. SILVER pointed out that when the marijuana laws passed, not everyone supported them, and they want to ensure they are not offending anyone at the same time they are servicing people’s entertainment needs. He also pointed out that in 2014, these members of the Fremont Street Experience submitted letters in opposition to an application for a medical marijuana facility located in the 200 block north of 3rd Street, copies of which he submitted for the record, which the City Council denied.

MR. SILVER discussed how the Fremont Street Experience was very special and that ideas, concepts, and marketing needs should have great deference in terms of what the City allows for this location. Ultimately, he thought of this as a two-pronged opposition, noting that the first was with giving deference to the Fremont Street Experience, what it sees for its purposes, and taking into consideration the money that was spent, and second, as to the human nature aspect of what is found in terms of dispensary operations. He believed dispensaries should be on 100-foot-wide right-of-way streets and have internal parking because the people who frequent these locations are supposed to buy a product and take it back to their private residence to consume. He shared that even though staff has indicated this location complies with the requirements of the Code, it does not mean that it will meet all of the other requirements of a marijuana dispensary operation. As an example, he stated that this area should have 26 on-site parking spaces so that people can drive their vehicles up and take the product away. He said that even though common sense tells people that marijuana does not belong in this area, people's human nature will be to purchase products at this location and consume it somewhere at the Fremont Street Experience where there are lights and music. He believed that even though the Special Use Permit may be appropriate in other circumstances, strict adherence to the marijuana laws should be given weight and attention by the Planning Commissioners.

MR. SILVER had additional comments related to the ordinance dealing with consumption lounges where the City Council indicated that the lounges must be at least 1,000 feet from any non-restricted gaming property, and he provided further examples as to why dispensaries have no business being located on the doorstep to these casinos. He indicated that his practice is essentially gaming law and from a gaming perspective, he believes marijuana and casinos do not mix, as there have been many studies, conferences and policy commissions that discuss how these two types of businesses should not intersect one way or the other. He explained that with the Fremont Street Experience being the foyer for the casinos, if someone is found using this product, the casinos now have a responsibility and liability relative to this because they are the owners of the Fremont Street Experience LLC.

CAPTIAN LAZ CHAVEZ, Las Vegas Metropolitan Police Department (LVMPD), spoke in opposition of the request, noting that from a public safety perspective, LVMPD has already been receiving many complaints about the pungent smell from the people smoking marijuana. Officers are required to sift through the crowd, find these individuals and detain them. The evidence must then be impounded, taken to the lab, tested and prepared for court, all of which is a great burden on the police department. CAPTAIN CHAVEZ noted that if this dispensary were to be approved, it would only magnify the problem for officers and tourists. Ultimately, he thought everyone needed to be looking out for the safety of the employees, police officers, the citizens, and the tourists who are coming to this attraction.

DAWN CHRISTENSEN, Nevada Resort Association, noted their concern with the Special Use Permit, given the location and proximity to gaming resorts on the Fremont Street Experience. They also believe marijuana businesses are not compatible with gaming establishments. She explained that there is a long-standing directive from the Nevada Gaming Commission and the Gaming Control Board that the gaming industry and the marijuana industry do not meet. Gaming regulators based this mandate on federal law, as the Justice Department continues to list marijuana as a Schedule I illegal drug under the Controlled Substance Act. Conflicts between state, federal, and local laws present unique challenges for gaming licenses, and gaming regulators have been very clear about keeping the two industries separate as long as there are conflicts. She said that Nevada's gaming regulators did not come to this decision lightly and did so to protect the reputation and integrity of Nevada's largest industry. Given the regulators' decision, the gaming industry is bound to follow federal law, or they risk disciplinary action that can result in fines and possible loss of their license. Staying in compliance is paramount for the gaming industry, particularly given the significant investments the industry has been making on Fremont Street. MS.CHRISTENSEN stated they believe the Special Use Permit is not compatible with the existing and future surrounding land uses and asked that the Planning Commissioners continue to keep the two industries separated.

ERIN McMULLEN, on behalf of Boyd Gaming, also spoke in opposition, as they feel this could potentially threaten tourism and the downtown environment. She noted that they submitted letters of opposition on behalf of their three properties downtown, and were in agreement with many of the comments that had already been made. She said the Governor and the Legislature recently introduced a bill from the Cannabis Compliance

Board Advisory Council that proposes a 1,500-foot separation from marijuana consumption lounges and non-restricted licensees.

MR. REID stated that they have tremendous respect for all of the parties who spoke and for what the Fremont Street Experience has done for the city and economy. However, they felt it was unfair to put the burden to protect the gaming industry on a single operator who is requesting to conduct a business that is legal within the City and in complete conformance with City Code. With respect to MR. SILVER'S comments on parking, MR. REID noted that they were not seeking any parking waivers, as this complies fully with City Code in that regard. Regarding the comment that a marijuana dispensary has no place being near a casino, he felt it needed to be recognized that in adopting the Code that regulates this legal industry, the City Council considered this concern and created a buffer to protect Fremont Street and those that operate in that area. As to LVMPD's concerns, the applicant understands that it is illegal for anyone to consume the product that they seek to sell in this location, outside in any public area. They believe it would be unfair to put the burden of enforcement on a single operator and to suggest that one additional dispensary will unfairly burden that interest. As to the suggestion that there are policies to prevent consumption lounges from being within 1,500 feet of a casino, he pointed out that this request was not a consumption lounge nor do they intend to put a consumption lounge in this location. Finally, he reiterated that this use fully complies with City Code.

COMMISSIONER SCHLOTTMAN stated that he has traditionally supported dispensary applications if they met all of the City requirements, except for some that did not meet the required parking and things of this nature. He pointed out the 1,000-foot distance separation requirement for dispensaries from schools and the 300-foot distance separation requirement for specific uses and uses whose primary function is to provide recreational opportunities to minors. Ultimately, he thought there were appropriate and inappropriate areas for dispensaries, and because of this, the Planning Commissioners needed to look at these requests on a case-by-case basis.

MR. McCAMMOND clarified for COMMISSIONER SCHLOTTMAN noted that a dispensary shall not be located on any property that abuts Fremont Street, west of 8th Street. COMMISSIONER SCHLOTTMAN believed the Planning Commission needed to look at the use and how it will have a greater impact on the neighborhood, Fremont Street Experience, or generally within the area. The Commissioner talked about an experience he had in Seattle, Washington, where it seemed that individuals were smoking cannabis on every corner and how annoying it became after three or four days. He thought approval of this dispensary would allow people greater access to Fremont Street than they ordinarily would have if it was farther away. He was also concerned about how the consumption lounges would affect Fremont Street, and he felt that when the Planning Commissioners were considering approval of these types of applications near Fremont Street, they needed to ensure that whatever they were approving fit what the people at the Fremont Experience were looking for.

COMMISSIONER TOUSSAINT also thought people would purchase marijuana and walk outside to smoke it.

COMMISSIONER WILLIAMS felt the issue was whether or not the Planning Commission should grant the Special Use Permit, as the issue was not about consumption. She also thought it was unfair to assume that people would be smoking it in that area just because they purchased it there. She expressed her support for the application because the applicant met the requirements of the law.

VICE CHAIR DE SALVIO recalled how packaged liquor got out of control once the City allowed it, which took a long time to regain control, and he was concerned that this was like Pandora's box. He shared that he does not believe Special Use Permits are any different from a short-term rental in that they either fit or they do not. He was also concerned over LVMPD's comments and felt the Planning Commissioners needed to take their consideration into account.

ROBERT SUMMERFIELD, Planning Director, clarified for VICE CHAIR DE SALVIO that this location does not have an opportunity to turn into a Consumption Lounge because the City Council specifically required that an approved Special Use Permit had to be in place as of the date they passed the consumption lounge ordinance. Therefore, any dispensary approved from this point forward would not be eligible for at least one year.

VICE CHAIR DE SALVIO inquired as to how the applicant got around the parking requirements, and MR. McCAMMOND explained that in this particular part of Las Vegas, the City does not automatically apply parking standards. VICE CHAIR DE SALVIO wondered if this was just for this particular street. MR. SUMMERFIELD explained that anywhere in the Downtown Master Plan area, in what they refer to as Area 1, is the old Centennial Plan. Under this old plan, the City does not automatically apply the parking standards, and applications are taken on a case-by-case basis. Given that it is an urban area, it is based on what the applicant can provide on-site, as well as any additional amenities.

MR. SUMMERFIELD also clarified for VICE CHAIR DE SALVIO that there is no distance separation to gaming under any state or local jurisdiction requirements. However, the City did create the carve-out for the Fremont Street Experience west of 8th Street where applications for marijuana use are not allowed on anything that abuts Fremont Street. He noted that this was the only limitation, which was not based on gaming but the pedestrian mall and tourist area.

VICE CHAIR DE SALVIO stated that he did not feel this was the right fit for the location because of the intensity that it would bring under the canopy.

COMMISSIONER WILLIAMS appreciated all that was shared but felt the Planning Commissioners were assuming what would happen rather than looking at the facts.

VICE CHAIR DE SALVIO declared the Public Hearing closed.

NOTE: CHAIR CHERRY abstained on this item as his family is involved in the marijuana industry. COMMISSIONER SCHLOTTMAN disclosed that in the past, he has built distilleries and production, and cultivation facilities; however, he did not feel this would affect his judgment any greater or lesser and would, therefore, be voting on this item.

NOTE: An initial motion by COMMISSIONER WILLIAMS for approval failed with CHAIR CHERRY abstaining and COMMISSIONERS SCHLOTTMAN, DE SALVIO and TOUSSAINT voting no.

Motion made by Trinity Haven Schlottman to Deny

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

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

23. SUP-76107 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MENA BOKTOR - OWNER: BOKTOR MOTORS, INC - For possible action on a request for a Special Use Permit FOR MOTOR VEHICLE SALES (USED) USE WITH A WAIVER TO ALLOW 13,504 SQUARE FEET OF AREA FOR THE USE WHERE 25,000 SQUARE FEET IS THE MINIMUM REQUIRED at 3939 Coran Lane (APN 139-19-703-001), C-2 (General Commercial) Zone, Ward 5 (Crear) [PRJ-74989]. Staff recommends DENIAL.

Minutes:
CHAIR CHERRY declared the Public Hearing open.

ERIC McCAMMOND, Sr. Management Analyst, stated that the proposed Waiver would allow a 46 percent deviation from the 25,000 square feet required to be dedicated to the proposed use. Due to the Waiver request, staff finds that the proposed use cannot be conducted in a manner that is harmonious and compatible with surrounding land uses and therefore, recommended denial of the application. MR. McCAMMOND also noted that additional letters of protest had been submitted since publication.

JULIO BOGARIN, on behalf of the applicant, stated that they operate an internet-based dealership; therefore, they would have very little foot traffic. Additionally, they plan to keep an inventory of under 15 cars. He explained that this location used to be an old auto shop where they repaired their own customers' vehicles. He described the other surrounding businesses and pointed out that there were no visible residential areas nearby.

RAMON RODRIGUEZ, neighbor, felt this business would be a nuisance to the neighborhood. He was concerned because there are no speed bumps on Coran Lane, and he had experience with one of the mechanics racing cars down this street. He told the mechanic to slow down a few times, as he has grandchildren in the neighborhood. MR. RODRIGUEZ also shared that he has been in the neighborhood for 35 years, and he has watched the properties turn around, as no one takes care of their properties anymore.

MR. BOGARIN explained that they are not bringing any trucks to the property; only family vehicles, sedans, and SUVs. Additionally, he explained that they do not have any control over what vehicles are running through there at this time because they just leased the property last month. However, he was in support of the speed bumps. He indicated that they were also expecting most of their traffic to come off of Rancho Drive, which is less than half a block away from the subject location.

COMMISSIONER WILLIAMS said she visited this location recently and saw two cars in the bay being repaired. In looking at this property, she observed that it was an unusual neighborhood. Ultimately, she did not feel this use would be compatible with the area and would not enhance the quality of the neighborhood.

CHAIR CHERRY declared the Public Hearing closed.

Motion made by Brenda Williams to Deny

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

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

24. SUP-76116 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ANGEL L. HAMMERING - OWNER: PAUL C. GALLO TRUST - For possible action on a request for a Special Use Permit FOR A PROPOSED 984 SQUARE-FOOT MASSAGE ESTABLISHMENT USE WITH A WAIVER TO ALLOW A 600-FOOT DISTANCE SEPARATION FROM AN EXISTING MASSAGE ESTABLISHMENT WHERE 1,000 FEET IS REQUIRED AND A ZERO-FOOT DISTANCE SEPARATION FROM A CITY PARK WHERE 400 FEET IS REQUIRED at 2911 North Tenaya Way, Suite #215 (APN 138-15-610-012), C-PB (Planned Business Park) Zone, Ward 1 (Tarkanian) [PRJ-75839]. Staff recommends DENIAL.

Minutes:
CHAIR CHERRY declared the Public Hearing open.

ERIC McCAMMOND, Sr. Management Analyst, stated that due to the associated distance separation Waiver requests, staff finds the proposed use cannot be conducted in a manner that is harmonious and compatible with surrounding land uses. Therefore, staff recommend denial of the application. MR. McCAMMOND also noted that additional letters of protest had been submitted since publication.

ANGEL HAMMERING, applicant, said that she has been a licensed independent massage therapist for 22 years in Las Vegas. During those 22 years, she has completed close to 3,000 hours of continued education and has focused primarily on medical, sports, and neural-muscular massage therapy. MS. HAMMERING described her experience in greater detail for the last 16 years, including her work alongside a chiropractor, on injury rehabilitation and prevention patients, patients who have TMJ (Temporomandibular Joint) dysfunction, as well as worked with clients who have bad postural habits and everyday aches and pains. Her intention is to open a medical massage practice to train and educate massage therapists in the manner that she has given over the last 22 years, and they will be under constant supervision and guidance. MS. HAMMERING noted that in her application, she submitted 11 letters of recommendation and had one letter to submit from a therapist she had trained, a copy of which she submitted for the record.

MS. HAMMERING noted that the location she chose is in a medical complex because she wants to offer a strictly medical practice. Additionally, the lease agreement that was signed states that the tenant shall use the premises solely as medical office space, which was her intention. MS. HAMMERING pointed out that she has personally gone to every medical complex and met with either the office managers or the physicians to create relationships with those offices.

MS. HAMMERING reviewed the requested Waivers and provided her reasons for support and discussed correspondence that she submitted between herself and DR. CHEREE SANDNESS D.C. (Doctor of Chiropractic), which indicated DR. SANDNESS' full support. MS. HAMMERING displayed an updated schematic of the office to discuss the layout and pointed out that it was being designed as a medical office. She explained the zero-foot waiver request from Doc Romeo Park, noting that she understood Doc Romeo Park was located directly on the opposite side of the property wall; however, there was a large detention basin that was not accessible to the public or children.

Those speaking in support of MS. HAMMERING included BIANCA SMITH, Compliance Inspector for Southern Nevada area of the Nevada State Board of Massage; DR. JOSEPH NICOLA, D.C.; DR. TODD KUHNWALD, PA-C; ATTORNEY ERIC HEIDEN; STEPHEN MILLER; GLORIA E. NELSON-LARRIMORE; ZACHARY LINDER, and FRANCISCO HERNANDEZ. MS. SMITH noted that historically, MS. HAMMERING has never had any issues with the Massage Therapy Board. DR. NICOLA explained how MS. HAMMERING used to work for him and elaborated on her professionalism. DR. KUHNWALD said he was currently referring patients to her because she's one of the few therapists in town who performs TMJ massage therapy. MR. HEIDEN shared that he has always known MS. HAMMERING to be an exceptional businesswoman and MR. MILLLER, a patient, talked about how much she has helped him with his TMJ.

CHAIR CHERRY felt all the support spoke loudly of how MS. HAMMERING has done business in the past and expressed his support.

COMMISSIONER TOUSSAINT agreed that the distance between Doc Romeo Park was not an issue. Both COMMISSIONER DE SALVIO and COMMISSIONER TOUSSAINT noted that it was essential to take Special Use Permits on a case-by-case basis. COMMISSIONER DE SALVIO felt this use was a good fit for this location.

CHAIR CHERRY declared the Public Hearing closed.

Motion made by Donna Toussaint to Approve Subject to Condition(s)

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

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

25. SDR-76062 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: HELLFIRE MEDIA, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 1,542 SQUARE-FOOT ADDITION TO AN EXISTING 10,594 SQUARE-FOOT MUSEUM WITH WAIVERS OF DOWNTOWN LAS VEGAS OVERLAY PARKING AND SETBACK STANDARDS on 0.78 acres at 600 East Charleston Boulevard (APN 162-03-501-001), P-R (Professional Office and Parking) Zone, Ward 3 (Coffin) [PRJ-76060]. Staff recommends APPROVAL.

Minutes:
See Item 6 for related discussion.

Motion made by Louis De Salvio to Hold in Abeyance Item 25 to 6/11/2019

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

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

26. SDR-76101 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: LOU BAUTISTA - OWNER: E.A.E. PROPERTY, LLC - For possible action on a request for a Site Development Plan Review TO

INCREASE THE NUMBER OF RESIDENTIAL UNITS FROM TWO TO FIVE FOR AN EXISTING TWO UNIT, TWO-STORY MIXED-USE DEVELOPMENT on 0.17 acres at 1228 South Casino Center Boulevard (APN 162-03-110-063), C-1 (Limited Commercial) Zone, Ward 3 (Coffin) [PRJ-75677]. Staff recommends APPROVAL.

Minutes:
CHAIR CHERRY declared the Public Hearing open.

ERIC McCAMMOND, Sr. Management Analyst, stated that the proposed project is essentially for an interior remodel that requires no streetscape, lot landscaping, or additional parking. Staff finds the mixed-use proposal to be compatible and harmonious within the Downtown Las Vegas Arts District and recommends approval of the application. MR. McCAMMOND noted that additional letters of support had been received since publication.

LOU BAUTISTA, on behalf of the applicant, stated that they are requesting approval to remodel a mixed-use building, as they want to convert the second floor into five livable and rentable units, as well as provide landscaping in the back.

CHAIR CHERRY stated he would be supporting the application as he feels more units are needed downtown in the Arts District and on East Fremont Street to support the businesses in that area.

CHAIR CHERRY declared the Public Hearing closed.

NOTE: CHAIR CHERRY disclosed that his company is doing a multi-family project across; however, he did not feel this would affect him in any way; therefore, he would be voting on the item.

Motion made by Trinity Haven Schlottman to Approve Subject to Condition(s)

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

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

DIRECTOR'S BUSINESS:

27. DIR-76242 - DIRECTOR'S BUSINESS - PUBLIC HEARING - APPLICANT: NINETY FIVE MANAGEMENT, LLC - OWNER: KAG PROPERTY, LLC, ET AL - For possible action on a request regarding the adoption of the fifth amendment and restatement of the Skye Canyon Development Agreement on approximately 1,030 acres at the northwest corner of Grand Teton Drive and Grand Canyon Drive (APNs Multiple), Ward 6 (Fiore) [PRJ-76124]. Staff recommends APPROVAL.

Minutes:
This item was heard subsequent to Item 31.

CHAIR CHERRY declared the Public Hearing open for Items 27-30.

PETER LOWENSTEIN, Deputy Planning Director, provided the staff report. He stated that in October of 2018, staff presented the Planning Commission members with the two development agreements that split the existing Skye Canyon Master Development Plan into two portions. Those development agreements were subsequently entered into by the approval of City Council, and this presentation is the current proposed amendment and restatement of each of the two development agreements.

MR. LOWENSTEIN noted the following major changes, which have occurred in each of the respective development agreements:

- Each agreement includes a $250,000 contribution to the future regional park to be located on approximately 160 acres at the northeast corner of North Skye Canyon Park Drive and Log Cabin Way.
- Each agreement includes new language pertaining to the processing of future modifications and requiring land use designation changes to come before both the Planning Commission and City Council.
- Each agreement includes updated exhibits, including their phasing plans, land use plans, and conceptual park plans.

MR. LOWENSTEIN discussed the major changes to the Skye Canyon Development Agreement, which include:
- The fire station will no longer be tied to a development trigger and will be constructed within 42 months of the effective date of this agreement.
- The community will now have an elementary and middle school as part of the community versus that of an elementary and high school, due in part to a high school being planned as part of the future regional park campus.

Further, MR. LOWENSTEIN listed the major changes to the Sunstone Development Agreement, which included:
- The adoption of two new development standards for the age-qualified portion of the community, as well as the rest of the community.
- The incorporation of an amenitized trail system or AVID Trail system, thereby linking parks, streetscapes, and subdivisions throughout the community.

MR. LOWENSTEIN said that in addition to those changes, staff had an additional modification that was needed, which he read for the record and pointed out required the inclusion of Exhibit T to the Skye Canyon Development Agreement, as well as the amendment of Section 3.13 of the Skye Canyon Development Agreement as follows:

- Common Area Landscaping - all common area landscaping abutting Village Streets shall be designed and constructed in accordance with the Skye Canyon Design Guidelines. Sidewalks, landscaping, and other appurtenances within common areas abutting Village Streets shall be maintained by the Master Homeowners' Association (HOA). Master Developer, and its successor and assigns, including the Master HOA, is hereby granted a perpetual license to plan, install, operate, maintain, and replace landscaping, irrigation, community signing, and related appurtenances in the City right-of-way (collectively, the Encroachments). The Encroachments shall be shown on off-site improvement plans or other drawings submitted by the Master Developer to the City for approval. The Encroachments shall conform to the terms and conditions contained in Exhibit T. Any existing encroachment agreements entered into between the Parties prior to the Effective Date of this Agreement are hereby terminated, and the encroachments contemplated thereunder are hereby authorized under the terms of this Agreement. The Parties agree that such right of encroachment is for the mutual benefit of the City, Master Developer, and the Master HOA and any Sub-HOA. The Master Developer shall have the right to assign such encroachment rights to the Master HOA and any Sub-HOA and shall obtain approval in writing from the City prior to a transfer of encroachment obligation.

MR. LOWENSTEIN said that with the before mentioned exhibit addition, as well as the amendment to Section 3.13 of the Development Agreement, staff recommended approval of both the Skye Canyon Development Agreement and Parks Agreement, as well as the Sunstone Development Agreement and Parks Agreement.

ATTORNEY STEPHANIE ALLEN, on behalf of both applicants, introduced CHRIS ARMSTRONG, Master Developer for Skye Canyon, and DAVE COURNOYER, Master Developer for Sunstone. MS. ALLEN expressed their appreciation for staffs efforts and all of the hard work they contributed working on these agreements. MS. ALLEN felt these were exciting agreements that would add a lot of housing and exciting projects, noting that the applicants were requesting approval.

COMMISSIONER DE SALVIO recommended to go along with staff's recommendation of approval.

See Items 28-30 for related backup.

CHAIR CHERRY declared the Public Hearing closed for Items 27-30.

Motion made by Louis De Salvio to Approve, Subject to Condition(s), adding the inclusion of Exhibit T to the Skye Canyon Development Agreement and amending Section 3.13 of the Skye Canyon Development Agreement as read for the record

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

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

28. DIR-76243 - DIRECTOR'S BUSINESS - PUBLIC HEARING - APPLICANT: NINETY FIVE MANAGEMENT, LLC - OWNER: KAG PROPERTY, LLC, ET AL - For possible action on a request regarding the second amendment and restatement of the Parks Agreement as included within the fifth amendment and restatement of the Skye Canyon Development Agreement on approximately 1,030 acres at the northwest corner of Grand Teton Drive and Grand Canyon Drive (APNs Multiple), Ward 6 (Fiore) [PRJ-76124]. Staff recommends APPROVAL.

Minutes:
See Item 27 for related discussion and Items 27-30 for related backup.

Motion made by Louis De Salvio to Approve

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

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

29. DIR-76290 - DIRECTOR'S BUSINESS - PUBLIC HEARING - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: EASTLAND, LLC, ET AL - For possible action on a request regarding the first amendment and restatement of the Sunstone Development Agreement on approximately 628 acres at the southwest corner of N Skye Canyon Park Drive and Moccasin Road (APNs Multiple), Ward 6 (Fiore) [PRJ-76123]. Staff recommends APPROVAL.

Minutes:
See Item 27 for related discussion and Items 27-30 for related backup.

Motion made by Louis De Salvio to Approve

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

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

30. DIR-76291 - DIRECTOR'S BUSINESS - PUBLIC HEARING - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: EASTLAND, LLC, ET AL - For possible action on a request regarding the first amendment and restatement of the Sunstone Parks Agreement on approximately 628 acres at the southwest corner of North Skye Canyon Park Drive and Moccasin Road (APNs Multiple), Ward 6 (Fiore) [PRJ-76123]. Staff recommends APPROVAL.

Minutes:
See Item 27 for related discussion and Items 27-30 for related backup.

Motion made by Louis De Salvio to Approve

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

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

31. DIR-76341 - DIRECTOR'S BUSINESS - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion for possible action on a report on the City of Las Vegas 2050 Master Plan, All Wards. Staff recommends APPROVAL.

Minutes:
This item was pulled forward and heard after Items 11-13.

MARCO VELOTTA, Sr. Management Analyst, referenced a PowerPoint presentation, a copy of which was submitted for the record, and provided the progress report on the City of Las Vegas 2050 Master Plan. He stated that since the last update, the Planning Department had done considerable visioning with the Planning Commissioners, City Councilmembers, and members of the public.

MR. VELOTTA discussed a few fitting phrases that the Planning Department believes helped to shape their efforts with the new Master Plan. He said that Las Vegas had defied the odds, changed expectations and perceptions, and was now a metropolitan community, which has grown considerably since the City incorporated on May 15, 1911. He talked about how the city is currently at a reflection point with its resources, as they are limited and dwindling, which means new strategies need to be identified as Las Vegas moves forward. He shared how the City continues to be recognized as a regional, global, and national leader, noting that City leadership has shown that implementable planning and visionary planning can yield results that are transferable for the community. Finally, he shared how the Las Vegas 2050 Master Plan would be visionary, noting that the City was looking to create something that can be taken into the future with a year-to-year framework for both short-term and long-term periods.

MR. VELOTTA reported, as to the Master Plan accomplishments, that staff anticipates continued socio-economic and demographic changes with another 250,000 people living within the city, as well as another one million living within the region. As the City builds off of their previous efforts, staff hopes to develop a clear vision for the future, as they want this vision to provide direction for future development and be complete with recommendations that are implementation oriented, yet adaptable to changing conditions over time. Staff also hopes to continue public involvement and build community consensus as they transition into plan writing and development.

MR. VELOTTA conveyed how staff is currently at the mid-point of the planning effort with the Master Plan, and they are exploring options based on the input they have received during the visioning process. He also noted that the City has a Citizen's Advisory Committee, and that staff has made a concerted effort to go to people and stakeholder organizations within the community. To date, they have attended 43 of 50 scheduled community events, received input from more than 2,000 members of the public through various surveys and questionnaires, and they are expecting results from a statistically significant survey that was conducted through applied analysis, which will continue through June 2019. Further, staff, along with the Smith Group Consulting team (Smith Group), will be holding public open houses and workshops in mid-June at City community centers.

MR. VELOTTA discussed what was heard through these efforts, which included concerns with the state of education, crime and public safety, homelessness, open space preservation, accessibility, as well as water and drought concerns, as the Southern Nevada Water Authority and the City are concerned about sustainability based on the projected growth for the metropolitan area. He pointed out that other issues were mentioned, but that these topics resounded the most over the past few months.

MR. VELOTTA said these topics fit well with the general plan themes that the Smith Group was proposing, which included land use and environment, transportation and infrastructure, and economy and education. The City plans to use these core themes, along with the guiding principles to transform these challenges into new opportunities, as they believe this is the proper framework and makeup for the plan.

MR. VELOTTA referenced the guiding principles on the left-hand side of Slides 13 and 14, as well as the Vision Statement, and asked for the Planning Commissioners' general support. He noted that staff plans to continue to wordsmith these elements with the Smith Group, but that the Planning Commissioners' thoughts would help frame the direction for the plan. He explained that in general, these would help staff measure success across each of the themes, weigh recommendations, foster community-driven implementation, and help improve the overall quality of life. MR. VELOTTA also provided examples of how Las Vegas is an equitable, resilient, healthy, livable, and innovative city.

MR. VELOTTA reviewed the next steps, which included continued outreach through May and June 2019 and sharing comments from the statistically significant survey, questionnaires and follow-up questions that staff will be posing to the public. He indicated that a draft concept of the plan was anticipated by summer 2019, with the adoption of the Master Plan by early 2020, and that staff would be providing regular updates along the way.

MR. VELOTTA clarified for COMMISSIONER SCHLOTTMAN that by the end of the summer, staff plans to have general concepts on the themes and show how the Guiding Principles align with them, as well as other considerations that may arise. By the beginning of next year, staff expects to have a more thorough and complete version of the entire plan. Once the new master plan has been established, staff will go through the legal process for adopting it through the Planning Commission and City Council, which they anticipate will be in early 2020. MR. VELOTTA also noted that the draft plan is currently on the City's website for public consideration at masterplan.vegas.

COMMISSIONER DE SALVIO asked if the Master Plan would show a breakout as to what was being prosed for each ward through 2050. MR. VELOTTA clarified that this is a concept they have been discussing with the Smith Group, and staff intends to take a look at different parts of the City, which may not be ward-by-ward, but perhaps district-by-district. He explained that specific land uses have already been established; however, there might be areas where opportunities exist, such as the suburban areas in Wards 2, 4 and 6, or the possibility for infill along corridors in Wards 1, 3 and 5.

COMMISSIONER TOUSSAINT expressed that she was looking forward to what happens next and felt this was a positive direction.

CHAIR CHERRY hoped the Master Plan would include a significant focus on how to connect Downtown Las Vegas to the rest of the community and keep it connected through things such as trails and transportation. He shared that his friends in the suburbs are now talking about coming downtown when they get bored, whereas, in the past, people would not even consider coming downtown. He asked, with the Form-Based Code (FBC) currently being focused on Downtown, if staff thought this would spread out throughout the rest of the community, and if so, would it be discussed in the Master Plan. MR. VELOTTA agreed this could be a consideration, as zoning is the basis of the General Plan. He indicated that staff would talk to the Smith Group as to how zoning plays into this relationship, noting that any actions would need to be approved by the Planning Commission.

ROBERT SUMMERFIELD, Planning Director, requested to draw extra attention to the masterplan.vegas website, as he believes this is a great avenue for the community to continue to interact with this process.

COMMISSIONER WILLIAMS shared concern with how the Master Plan would affect Ward 5, even though she was pleased with it. She was particularly concerned with the west Las Vegas area because this area often gets left out of the Master Plan. She hoped the plan would be something that all of Las Vegas would be proud of and was confident that COUNCILMAN CREAR would address these types of issues with Planning staff. MR. VELOTTA shared that staff would be taking a look at the entire City, as they want to ensure all residents have an equitable, healthy, innovative, resilient city, no matter where they live.

ASSISTANT CITY ATTORNEY BRYAN SCOTT noted that the Deputy City Clerk pointed out that this matter was scheduled as a Public Hearing.

CHAIR CHERRY declared the Public Hearing open. There being no one present to speak, he declared the Public Hearing closed.

Citizens Participation:

32. 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:
This being COMMISSIONER WILLIAMS last meeting with the Planning Commission, the Commissioners thanked her for all that she had done and presented her with a plaque to show their appreciation.

The meeting adjourned at 8:32 p.m.

Respectfully submitted:

____
Patty Hlavac, Deputy City Clerk

____
Gabriela Portillo-Brenner, Deputy City Clerk

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

THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS:
City Hall, 495 South Main Street, 1st Floor
Clark County Government Center, 500 South Grand Central Parkway
Grant Sawyer Building, 555 East Washington Avenue
City of Las Vegas Development Services Center, 333 North Rancho Drive