Carolyn G. Goodman, Mayor (At-Large)
Stavros S. Anthony, Mayor Pro Tem (Ward 4)
Brian Knudsen (Ward 1)
Victoria Seaman (Ward 2)
Olivia Diaz (Ward 3)
Cedric Crear (Ward 5)
Michele Fiore (Ward 6)

City Manager Jorge Cervantes
City Attorney Bryan K. Scott
City Clerk LuAnn D. Holmes

City Council Minutes

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

April 20, 2022
9:00 AM

CEREMONIAL MATTERS

1. Call to Order

Minutes:
MAYOR GOODMAN called the meeting to order at 9:00 a.m.

PRESENT: MAYOR GOODMAN and COUNCILMEMBERS ANTHONY, FIORE (excused until 9:08 a.m.), CREAR, KNUDSEN, SEAMAN, and DIAZ (excused until 9:01 a.m.)

ALSO PRESENT: CHIEF FINANCIAL OFFICER GARY AMELING, ASSISTANT CITY ATTORNEY JEFF DOROCAK, DEPUTY CITY ATTORNEY JAMES LEWIS, and CITY CLERK LUANN D. HOLMES

2. Announcement Regarding: Compliance with Open Meeting Law

Minutes:
ANNOUNCEMENT MADE: This meeting has been properly noticed and posted at the following locations in accordance with the noticing standards as outlined in NRS 241.020: City Hall, 495 South Main Street, 1st Floor; The City of Las Vegas website – www.lasvegasnevada.gov; and The Nevada Public Notice website – notice.nv.gov.

3. Invocation - Pastor Brad Beckman, First Good Shepherd Lutheran Church

Minutes:
PASTOR BRAD BECKMAN, First Good Shepherd Lutheran Church, gave the invocation.

4. Pledge of Allegiance

Minutes:
MAYOR GOODMAN led the audience in the Pledge of Allegiance.

5. Recognition of the Employee of the Month

Minutes:
MAYOR GOODMAN invited JERRY WALKER, Director of Operations and Maintenance, to the podium. She recognized JOSHUA NELSON, Streets and Sanitation Supervisor, as the Employee of the Month for April. MR. NELSON has been employed with the City since 2001 and works with a crew of 25 people at the East Yard. During the COVID-19 pandemic, state and federal guidelines recommended that individuals experiencing homelessness be allowed to shelter in place. This created large encampments and the accumulation of trash, human waste, debris, and biohazards. MR. NELSON oversaw the cleaning of five large encampments in August of 2021, while the City's outreach teams worked to connect these individuals with services and housing.

She thanked him for all that he does for the community, as public safety is a top priority of the City and keeping the city clean is a major component of this.

MR. WALKER said MR. NELSON began with the City as a Maintenance Worker in the Parks and Ground Maintenance Division, where he promoted to an Equipment Operator. He then transferred to the Streets and Sanitation Division in 2008, and recently progressed to his current supervisory position. His career progression is due in large part to high levels of competence, proficiency, and productivity, but he also has exemplary leadership and interpersonal skills. MR. WALKER mentioned the efforts made by MR. NELSON and his crew during the pandemic and thanked them for providing great work during that time.

MR. NELSON was presented with a plaque, and the Mayor expressed how proud the City was of him. MR. NELSON thanked the Mayor, Council, and MR. WALKER. He felt blessed to be part of the City family and gave credit to his crew, who was present in the audience.

6. Recognition of the UNLV School of Nursing

Minutes:
COUNCILMAN KNUDSEN said he represents the Medical District and was honored to proclaim April 20, 2022 as UNLV (University of Nevada, Las Vegas) School of Nursing Day. He stated that the City of Las Vegas has adopted healthcare as a priority, and he was grateful to City staff who have invested time and energy into how the City can improve the quality, quantity, and access to healthcare. The Councilman felt that healthcare cannot be spoken about without talking about nurses, and he shared a few personal stories about why nurses are important to him. COUNCILMAN KNUDSEN expressed his thanks to the nurses present and read from a proclamation, a copy of which was submitted for the record. He stated that the time and investment of nurses is incredibly important as there is a current nursing shortage.

ANGELA AMAR, Dean of the UNLV School of Nursing, thanked the Mayor and Council for this honor, and expressed gratitude for COUNCILMAN KNUDSEN, who has been a huge supporter of nursing. She spoke about the importance of nurses, noting UNLV takes pride in educating its nursing students. The University offers a Bachelor of Nursing program as well as a Master of Nursing (MSN) program for students to become FNPs (Family Nurse Practitioners) and Psychiatric Nurse Practitioners. There is also a Doctor of Nursing Program as well as a Ph.D. Nursing program, which trains nurse educators. Additionally, there are midwifery and nurse anesthetist programs in the works. She reiterated feeling honored for the recognition and acknowledged the great work of the students.

JANELLE, Level II nursing student, said that nursing school is hard, but she was grateful to be working with her nursing peers and is honored to know that they will be part of the future of healthcare.

WENDY, MSN student, said she is on track to become a nurse educator. She understood that nurses help their patients in more than one way, and she wished to help the future generation of nurses. She is a passionate advocate for the power of education and was grateful to be studying at an esteemed university that continues to inspire her to become a future leader and educator within the community.

CHRIS L. HEAVEY, Ph.D., Executive Vice President of Provost, thanked the Mayor and Council for the recognition and thanked DEAN AMAR for being an incredible leader of the program.

MAYOR GOODMAN presented the students with Good Luck Mayor Chips, explaining that they come with prayers and gratitude to the students. She spoke of her father, who was an OBGYN (Obstetrician-Gynecologist) in New York City and taught at a nursing school in the Bronx.

Subsequent to the item, COUNCILMAN ANTHONY acknowledged the students of Strong Generation Christian Academy, some of whom were present in the audience.

BUSINESS ITEMS - 9:30 A.M. SESSION

PUBLIC COMMENT

7. 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.

BUSINESS ITEMS - 9:30 A.M. Session

8. For Possible Action - Any items from the 9:30 a.m. session that the Council, staff and/or the applicant wish to be stricken, tabled, withdrawn or held in abeyance to a future meeting may be brought forward and acted upon at this time.

Motion made by Stavros Anthony to Strike Item 38, Withdraw without Prejudice Items 53a and 53b, and Hold in Abeyance Items 54a-54c to 5/18/2022, Items 57a and 57b to 5/4/2022, and Items 58a and 58b to 6/1/2022

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

9. For possible action to approve the Final Minutes by reference of the March 16, 2022 Regular City Council Meeting

Motion made by Stavros Anthony to Approve

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

CONSENT AGENDA

Matters listed on the Consent Agenda are considered to be routine and have been recommended for approval by the Submitting Departments. All items on the Consent Agenda may be approved in a single motion. However, if a Council Member so requests, any consent item may be moved to the discussion portion of the agenda and other action, including postponement or denial of the item, may take place.

CITY ATTORNEY - CONSENT

10. For possible action to approve continued funding in an amount not to exceed $100,000 for Leonard Law to represent the City of Las Vegas in inverse condemnation appellate matters arising in the Badlands litigation, which involves the former Badlands Golf Course generally located south of Alta Drive, east of Hualapai Way, and north of Charleston Boulevard (General Fund) - Ward 2 (Seaman)

Minutes:
COUNCILWOMAN SEAMAN stated that she is continuously asked by the residents of Ward 2 when the situation with Badlands will end. She felt they are tired of the never-ending legal proceedings and waste of taxpayer dollars. The Councilwoman shared this frustration and said she will continue to work towards a resolution but will not continue to spend taxpayer dollars; therefore, she would vote No on the additional request for funding under Item 10.

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

NOTE: The video does not reflect the vote accurately, in that Mayor Goodman abstained from voting on Items 20 and 21 due to her son’s involvement in the marijuana industry. Councilman Crear requested his vote be reflected as No for Item 21. Councilwomen Fiore and Seaman requested their votes be reflected as No for Item 10.

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

For-Cedric Crear, Stavros Anthony, Carolyn Goodman, Brian Knudsen, Olivia Diaz; Against-Victoria Seaman, Michele Fiore;

FINANCE - PURCHASING AND CONTRACTS - CONSENT

11. For possible action to approve award of Bid No. 21.MWA087-JH, Harris Avenue - Bruce Street to Mojave Road, to the lowest responsive and responsible bidder - Department of Public Works - Award recommended to: LAS VEGAS PAVING CORPORATION ($5,740,000 - Traffic Improvements Capital Projects Fund and Sanitation Enterprise Capital Projects Fund) - Wards 3 and 5 (Diaz and Crear)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

12. For possible action to approve award of Contract No. 220205-JH, Blanket General and Civil Engineering Services for Bridge Inspection and Rehabilitation - Structural Engineering - Department of Operations and Maintenance - Award recommended to: HDR ENGINEERING, INC. (Not-to-Exceed $600,000 - Various Funds) - All Wards

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

13. For possible action to approve award of Contract No. 220206-JH, Blanket Operations and Maintenance Materials Testing and Construction Inspection Services for Roadway Rehabilitation Projects - Department of Operations and Maintenance - Award recommended to: AZTECH INSPECTIONS AND TESTING LLC (Not-to-Exceed $800,000 - Various Funds) - All Wards

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

14. For possible action to approve award of Contract No. 220217-JH, Blanket Designated Services for Citywide Transportation Grant Support and General Engineering Services - Department of Public Works - Award recommended to: HDR ENGINEERING, INC. (Not-to-Exceed $300,000 - Various Funds) - All Wards

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

15. For possible action to approve award of Modification No. 1 to Contract No. 170067-CB, Blanket Services for Professional Consulting Services - Department of Public Works - Award recommended to: CAROLLO ENGINEERS, INC. ($500,000 - Sanitation Enterprise Fund) - All Wards

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

INFORMATION TECHNOLOGIES - CONSENT

16. For possible action to approve the Southern Nevada Geographic Information Interlocal Contract between the City of Las Vegas (City) and Clark County, which allows the City continued access to the Southern Nevada GIS Central Repository through June 30, 2026 (Not-to-Exceed $39,000 - General Fund) - All Wards

    Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

    For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

OPERATIONS AND MAINTENANCE - CONSENT

17. For possible action to approve an Interlocal Cooperative Agreement Amendment and Renewal between the City of Las Vegas and the Las Vegas Valley Water District (LVVWD) for the City of Las Vegas' Children's Memorial Park, located at 6601 West Gowan Road, to renew the term of the existing agreement with the new term ending May 4, 2052 - Ward 5 (Crear)

    Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

    For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

18. For possible action to approve a First Amendment to the Operating Grant Agreement between the City of Las Vegas and the Neon Museum to terminate the Agreement for the Reed Whipple expansion of the Neon Museum campus, located at 821 Las Vegas Boulevard North - Ward 5 (Crear)

    Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

    For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

PLANNING - CONSENT

19. For possible action to approve the ratification of the Commission for the Las Vegas Centennial award of $236,160 to the Economic Opportunity Board of Clark County to be used for the costs associated with the production of a documentary film about the 50-year history of KCEP Radio Station - All Wards

    Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

    For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

PLANNING - BUSINESS LICENSING - CONSENT

20. For possible action to approve a Cannabis Distributor License (Medical/Recreational) for EUPHORIA WELLNESS LLC dba EUPHORIA WELLNESS LLC at 3926 Ponderosa Way - Clark County, Nevada

    Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

    NOTE: The video does not reflect the vote accurately, in that Mayor Goodman abstained from voting on Items 20 and 21 due to her son’s involvement in the marijuana industry.

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Michele Fiore, Brian Knudsen, Olivia Diaz; Abstain-Carolyn Goodman;

21. For possible action to approve a Retail Cannabis Store License for DEEP ROOTS HARVEST INC dba DEEP ROOTS HARVEST at 5991 West Cheyenne Avenue - Ward 5 (Crear)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

NOTE: The video does not reflect the vote accurately, in that Mayor Goodman abstained from voting on Items 20 and 21 due to her son's involvement in the marijuana industry. Councilman Crear requested his vote be reflected as No for this item.

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

For-Victoria Seaman, Stavros Anthony, Michele Fiore, Brian Knudsen, Olivia Diaz; Against-Cedric Crear; Abstain-Carolyn Goodman;

22. For possible action to approve a One-Day Opening for a Non-Restricted Gaming license FIFTH STREET GAMING LLC dba FIFTH STREET GAMING LLC db at WESTERN HOTEL & CASINO at 899 Fremont Street - Ward 3 (Diaz)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

23. For possible action to approve a Restricted Gaming license for FTP VIII LLC dba FLOWING TIDE PUB at 6420 Centennial Center Boulevard, Suite #100 - Ward 4 (Anthony)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

PUBLIC WORKS - CONSENT

24. For possible action to approve Reimbursement Agreement - Preliminary Engineering Services between Union Pacific Railroad Company (UPRR) and the City of Las Vegas (CLV) to evaluate proposed improvements for a vehicle overpass for the Symphony Park 'L' Garage Expansion and Vehicle Bridge Project ($75,000 - City Facilities Capital Project Fund [CPF]) - Wards 3 and 5 (Diaz and Crear)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

25. For possible action to approve Interlocal Contract LAS33A22 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) for the design of Owens Avenue East - LV Wash to Eastern Project ($2,332,191 - Road and Flood Capital Project Fund [CPF]) - Ward 3 (Diaz)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

26. For possible action to approve First Supplemental Interlocal Contract LAS05M20 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to increase funding for design of the Meadows Detention Basin Upgrade Project ($109,063 - Capital Project Fund [CPF]) - Ward 1 (Knudsen)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

YOUTH DEVELOPMENT AND SOCIAL INNOVATION - CONSENT

27. For possible action to approve the Amended and Restated Bylaws of CLV Strong Start Academy Elementary Schools, Inc., a Nevada Nonprofit Corporation, to increase the number of Directors from seven to nine - All Wards

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

RESOLUTIONS - CONSENT

28. R-18-2022 - For possible action to approve a Resolution concerning the City of Las Vegas, Nevada, Special Improvement District (SID) No. 1516 - Fremont Street Maintenance District FY2023 (Las Vegas Boulevard to 8th Street); overruling complaints, protests, and objections made to the assessments at the hearing of said assessment roll; and confirming the assessment roll - Ward 3 (Diaz)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

29. R-19-2022 - For possible action to approve a Resolution concerning the City of Las Vegas, Nevada, Special Improvement District (SID) No. 1485 - Alta Drive (Landscape Maintenance FY2023); overruling complaints, protests, and objections made to the assessments at the hearing of said assessment roll; and confirming the assessment roll - Ward 1 (Knudsen)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

DISCUSSION/ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

30. Discussion for possible action regarding the ratification of Steven Ford as the Director of the Parks and Recreation Department ($167,069 + Benefits - General Fund) - All Wards

Minutes:
CHIEF FINANCIAL OFFICER GARY AMELING appeared on behalf of the City Manager's Office with STEVE FORD, Acting Director of Parks and Recreation. MR. FORD has been with the City since 1997 and has served in several key positions. He began his career as a Project Engineer in the Department of Public Works and later served as the Facilities Manager overseeing all of the City's facilities. As the Deputy Director of Operations and

Maintenance, his responsibilities included oversight of the Parks and Ground Maintenance Division. MR. FORD has worked as the City Engineer and managed the City's extensive Capital Improvement Program including the design and construction of City parks, community centers, and recreational facilities. Most recently he served as both the City Engineer and Acting Director of Parks and Recreation. He has overseen the development of over 20 park capital improvement projects, advocated for competitive rates for the hourly positions, and balanced the Department's budget. Lastly, MR. AMELING stated that MR. FORD was a member of the United States Air Force and Air Force Reserves for over 23 years and has retired as a lieutenant colonel. Additionally, he is a graduate of Brigham Young University and the Air Force Institute of Technology. On behalf of CITY MANAGER JORGE CERVANTES, MR. AMELING submitted MR. FORD for ratification as the new Parks and Recreation Director.

MAYOR GOODMAN recognized the work of MR. FORD and thanked him for his years of service. COUNCILMAN KNUDSEN admired MR. FORD when he was a previous City employee and still admires him as a model public servant. He was grateful to have MR. FORD as part of the City's team. COUNCILWOMAN FIORE echoed these comments and loved MR. FORD'S attitude about getting things done. COUNCILWOMAN SEAMAN was excited to work on a new park and said MR. FORD has always been there to share ideas with. COUNCILWOMAN DIAZ valued his commitment to the City and believed MR. FORD would continue to drive the Department to be innovative and creative.

Subsequent to the motion and vote, MR. FORD said he was thankful for the kind words. When he started as a Project Engineer, he had no idea at that time about the opportunities that would be made available to him. He introduced his wife, BRENDA, and his daughters, and he hoped that his contributions will be acceptable.

Motion made by Victoria Seaman to Approve

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

BOARDS AND COMMISSIONS - DISCUSSION

31. Discussion for possible action regarding the appointment of nominee Heather Bednarczyk as the Mayor's designee on the Arts Commission

Minutes:
MAYOR GOODMAN announced that HEATHER BEDNARCZYK'S term is effective beginning April 21, 2022. COUNCILWOMAN FIORE said she loved DAVID TUPAZ, Arts Commissioner, and was sad to see his term ending. The Mayor thanked the Commissioner for his many years of service.

Motion made by Carolyn Goodman to Approve the appointment

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

32. Discussion for possible action regarding the reappointment of Richard Becker to a Ward 2 seat on the Parks and Recreation Advisory Commission

Minutes:
MAYOR GOODMAN thanked RICHARD BECKER, Parks and Recreation Advisory Commissioner, for his service and looked forward to his continuation.

Motion made by Victoria Seaman to Approve the reappointment

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

33. Discussion for possible action regarding the appointment of the following nominees to the Board of Directors of CLV Strong Start Academy Elementary Schools, Inc.: Heather Nay, Dachresha Harris and Alee Moore (Mayor's Designees) to two-year terms ending February 2, 2024 - All Wards

Minutes:
MAYOR GOODMAN looked forward to the appointees' service.

Motion made by Carolyn Goodman to Approve the appointments

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

34. Discussion for possible action regarding the reappointments of Gary Ameling and Vincent Zamora and the appointment of nominee LuAnn Kutch to the Other Post-Employment Benefits Trust Fund Board of Trustees

Motion made by Carolyn Goodman to Approve the reappointments and appointment

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

35. Bill No. 2022-7 - For possible action - Amends LVMC 6.86.150, relating to work cards, to authorize the Director of Planning to overturn the denial of a work card based on the applicant's criminal history if the applicant submits a qualifying statement/affidavit of employer support. Sponsored by: Councilwoman Michele Fiore and Councilwoman Olivia Díaz

Minutes:
Second reading and bill adopted as introduced as Ordinance No. 6807.

Motion made by Stavros Anthony to Approve

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

There is no public comment on these items and no action will be taken by the Council at this meeting, except those items which may be stricken or tabled. Public testimony takes place at the Recommending Committee Meeting held for that purpose.

36. Bill No. 2022-8 - Repeals and replaces LVMC 1.16.020 to 1.16.070, inclusive, to update the description of City ward boundaries to reflect precinct-numbering changes made by the Clark County Election Department. Proposed by: LuAnn D. Holmes, City Clerk

Minutes:
Recommendation noted.

5/4/2022 Council Agenda

37. Bill No. 2022-9 - Annexation No. 22-0062-ANX1 - Property location: North side of Alexander Road between El Capitan Way and Juliano Road; Petitioned by: CAB Properties, LLC Clark County Vacant Series; Acreage: 5.18 acres; Zoned: R-E (County Zoning), R-E (City equivalent). Sponsored by: Councilman Stavros S. Anthony

Minutes:
Recommendation noted.

5/4/2022 Council Agenda

38. Bill No. 2022-10 - Amends various sections of LVMC Chapter 11.68 to update provisions governing street performers and other activities within the Pedestrian Mall. Proposed by: Jorge Cervantes, City Manager

Motion made by Stavros Anthony to Strike Item 38, Withdraw without Prejudice Items 53a and 53b, and Hold in Abeyance Items 54a-54c to 5/18/2022, Items 57a and 57b to 5/4/2022, and Items 58a and 58b to 6/1/2022

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

NEW BILLS

There is no public comment on these items and no action will be taken by the Council at this meeting, except those items which may be stricken or tabled. Public testimony takes place at the Recommending Committee Meeting held for that purpose.

39. Bill No. 2022-11 - Ordinance concerning the City of Las Vegas, Nevada, Special Improvement District No. 1485 - Alta Drive (Landscape Maintenance FY2023); providing for the payment of the costs and expenses of maintaining street beautification improvements; assessing the cost of maintenance against the assessable lots, tracts, and parcels of land benefitted by said maintenance. Proposed by: Mike Janssen, Director of Public Works

Minutes:
First Reading - Referred - COUNCILMEMBERS ANTHONY, FIORE, and KNUDSEN

5/2/2022 Recommending Committee
5/4/2022 Council Agenda

See Item 51 for related discussion.

40. Bill No. 2022-12 - Ordinance concerning the City of Las Vegas, Nevada, Special Improvement District No. 1516 - Fremont Street Maintenance District FY2023 (Las Vegas Boulevard to 8th Street); providing for the payment of the costs and expenses of a Neighborhood Improvement Project, assessing the cost of the project against the assessable lots, tracts, and parcels of land benefitted by said improvements. Proposed by: Mike Janssen, Director of Public Works

Minutes:
First Reading - Referred - COUNCILMEMBERS ANTHONY, FIORE, and KNUDSEN

5/2/2022 Recommending Committee
5/4/2022 Council Agenda

See Item 51 for related discussion.

41. Bill No. 2022-13 - Amends LVMC Chapter 2.20 to authorize the Department of Fire and Rescue to enter into agreements with owners or operators of various types of public and private facilities by which the Department's public safety bomb squad or other specialized units will provide inspection, security and related services for specified events or types of events, and authorizes the Department to establish and charge fees in connection with providing such services. Proposed by: Jeff Buchanan, Chief of Fire and Rescue

Minutes:
First Reading - Referred - COUNCILMEMBERS ANTHONY, FIORE, and KNUDSEN

5/2/2022 Recommending Committee
5/4/2022 Council Agenda

See Item 51 for related discussion.

PLANNING

The items listed below, where appropriate, have been reviewed by the various City departments relative to the requirements for storm drainage and flood control, connection to sanitary sewer, traffic circulation, and Building and Fire regulations. Their comments and/or requirements have been incorporated into the action.

PLANNING - CONSENT

All items listed on the Consent Agenda are considered to be routine and have been recommended "for approval". All items on the consent agenda may be approved in a single motion. However, if a Council Member so requests, any consent item may be moved to the Discussion portion of the agenda and other action, including postponement or denial of the item, may take place.

42. 22-0053-EOT1 - EXTENSION OF TIME- SITE DEVELOPMENT PLAN REVIEW - APPLICANT/OWNER: FORTRESS OGDEN, LLC, ET AL - For possible action on a request for a first Extension of Time for a previously approved Site Development Plan Review (SDR-78259) FOR A PROPOSED FIVE STORY MIXED-USE DEVELOPMENT CONSISTING OF 2,774 SQUARE FEET OF COMMERCIAL SPACE AND 80 MULTI-FAMILY RESIDENTIAL UNITS WITH WAIVERS OF TITLE 19.09 FORM BASED CODE STANDARDS on 0.80 acres at 116 East Ogden Avenue (APNs Multiple), T4-MS (T4 Main Street) Zone, Ward 5 (Crear). Staff recommends APPROVAL.

    Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

    For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

43. 22-0110 - APPLICANT: SCHOOL BOARD OF TRUSTEES - OWNER: NEVADA POWER COMPANY, ET AL - For possible action on the following Land Use Entitlement project requests on 2.77 acres at 1300 Pauline Way (APNs 162-02-203-007 and 162-02-101-001) C-V (Civic) Zone, Ward 3 (Diaz). Staff recommends APPROVAL on the entire Land Use Entitlement project request.

    Minutes:
    See Items 43a and 43b for related backup.

    43a. 22-0110-EOT1 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - Second Extension of Time of an approved Site Development Plan Review (SDR-72145) FOR THE PROPOSED RECONFIGURATION OF THE ONSITE PARKING LOT AND IMPROVEMENTS TO AN EXISTING OFFSITE PARKING LOT AT AN EXISTING SCHOOL on a portion of 9.96 acres at 1300 Pauline Way (APNs 162-02-203-007, 162-02-101-001, 162-02-501-003 and 162-02-601-002), C-V (Civic) Zone, Ward 3 (Diaz).

    Minutes:
    See Items 43-43b for related backup.

    Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

    For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

    43b. 22-0110-EOT2 - EXTENSION OF TIME - VARIANCE - Second Extension of Time of a previously approved Variance (VAR-72144) TO ALLOW ZERO-FOOT PERIMETER LANDSCAPE BUFFERS ALONG THE INTERIOR PROPERTY LINES AND ALONG A PORTION OF THE EAST PROPERTY LINE WHERE EIGHT FEET IS REQUIRED, A 10-FOOT BUFFER ALONG THE SOUTH PROPERTY LINE WHERE 15 FEET IS REQUIRED AND NO PERIMETER BUFFER TREES ALONG THE WEST, SOUTH

AND EAST PROPERTY LINES WHERE 67 TREES ARE REQUIRED FOR AN APPROVED PARKING LOT on a portion of 3.80 acres at 1300 Pauline Way (APNs 162-02-203-007 and 162-02-101-001), C-V (Civic) Zone, Ward 3 (Diaz).

Minutes:
See Items 43-43b for related backup.

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

PLANNING - ONE MOTION/ONE VOTE

The following are items that may be considered in one motion/one vote. They are considered to be routine non-public and public hearing items with a Planning Commission and/or Staff recommendation of approval. All public hearings and non-public hearings items will be opened at one time. Any person representing an application or a member of the public or a member of the City Council 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.

44. 22-0003-VAC1 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: TRI POINTE HOMES NEVADA, INC. - For possible action on a Land Use Entitlement project request for a Petition to Vacate Public Right-of-Way and U.S. Government Patent easements generally located at the northeast corner of Iron Mountain Road and Alpine Ridge Way (APNs 126-01-801-010, 011, 012, 013, 014, 015 and 016), R-TH (Single Family Attached) Zone, Ward 6 (Fiore). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open for Items 44-50. There being no one present to speak, she declared the Public Hearing closed for Items 44-50.

Motion made by Stavros Anthony to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

NOTE: Due to technical difficulties, the video did not capture Councilman Crear's entire disclosure regarding Items 47 and 48, in that he owns an advertising billboard company, but there is no conflict; therefore, he would vote on these items.

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

45. 22-0007-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: GLOBAL CONCESSION ALLIANCE, INC. - OWNER: SUMMERHILL PLAZA PARTNERS, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED 3,987 SQUARE-FOOT BEER/WINE/COOLER ON-SALE ESTABLISHMENT USE at 7501 West Lake Mead Boulevard, Suite #100 (APN 138-22-316-015), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:
See Item 44 for related discussion.

Motion made by Stavros Anthony 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-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

46. 22-0021-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: YUNXIA FANG - OWNER: RAINBOW STATION SOUTH, LLC - For possible action on a Land Use Entitlement project request FOR A MASSAGE ESTABLISHMENT USE WITH A WAIVER TO ALLOW A 105-FOOT DISTANCE SEPARATION FROM AN EXISTING MASSAGE ESTABLISHMENT WHERE 1,000 FEET IS REQUIRED AND A ZERO-FOOT DISTANCE SEPARATION FROM A RESIDENTIAL PROPERTY WHERE 400 FEET IS REQUIRED at 6834 West Charleston (APN 138-34-814-007), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:
See Item 44 for related discussion.

Motion made by Stavros Anthony 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-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

47. 22-0032-RQR1 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: CBS OUTDOOR - OWNER: SAHARA RANCHO OFFICE CENTER, LLC - For possible action on a Land Use Entitlement project request FOR THE THREE-YEAR REQUIRED REVIEW OF AN APPROVED VARIANCE (V-0154-94) FOR A 90-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN on 12.60 acres at 2320 South Rancho Drive (APN 162-04-412-005), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen). Staff recommends APPROVAL.

Minutes:
See Item 44 for related discussion.

Motion made by Stavros Anthony to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

NOTE: Due to technical difficulties, the video did not capture Councilman Crear’s entire disclosure, in that he owns an advertising billboard company, but there is no conflict; therefore, he would vote on this item.

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

48. 22-0033-RQR1 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: OUTFRONT MEDIA - OWNER: 840/844 RANCHO, LLC - For possible action on a Land Use Entitlement project request FOR THE FIVE-YEAR REQUIRED REVIEW OF AN APPROVED SPECIAL USE PERMIT (U-0319-94) FOR A 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN on 1.34 acres at 840 North Rancho Drive (APN 139-29-702-002), C-1 (Limited Commercial) Zone, Ward 5 (Crear). Staff recommends APPROVAL.

Minutes:
See Item 44 for related discussion.

Motion made by Stavros Anthony to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

NOTE: Due to technical difficulties, the video did not capture Councilman Crear’s entire disclosure, in that he owns an advertising billboard company, but there is no conflict; therefore, he would vote on this item.

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

49. 22-0060-ZON1 - REZONING - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: CITY PARKWAY V, INC. - For possible action on a Land Use Entitlement project request FROM: C-M

(COMMERCIAL/INDUSTRIAL) TO: C-2 (GENERAL COMMERCIAL) on 0.08 acres at 513 North Main Street (APN 139-34-210-016), Ward 3 (Diaz). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:
See Item 44 for related discussion.

Motion made by Stavros Anthony 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-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

50. 22-0061-ZON1 - REZONING - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: CITY PARKWAY V, INC. - For possible action on a Land Use Entitlement project request FROM: C-M (COMMERCIAL/INDUSTRIAL) TO: C-2 (GENERAL COMMERCIAL) on 0.32 acres at the northeast corner of Bonneville Avenue and Main Street (APNs 139-34-311-004 through 006), Ward 3 (Diaz). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:
See Item 44 for related discussion.

Motion made by Stavros Anthony 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-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

PLANNING - DISCUSSION

51. 21-0665 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: SIENA HOLDING MANAGEMENT COMPANY, LLC - OWNER: MARY BARTSAS 14, LLC - For possible action on the following Land Use Entitlement project requests on 3.75 acres on the west side of Eastern Avenue, approximately 160 feet south of Sunrise Avenue (APN 139-35-804-002), C-1 (Limited Commercial) Zone, Ward 3 (Diaz). Staff recommends DENIAL on the entire Land Use Entitlement project. The Planning Commission (5-1 vote) recommends APPROVAL on the entire Land Use Entitlement project.

Minutes:
MAYOR GOODMAN declared the Public Hearing open for Items 51-52c.

MITCH OGRON, Manager and Principal of Siena Holding Management Company, LLC, appeared with GREG BORGELL to present on this project. MR. OGRON stated that this is a 5.92-acre mixed-use development at the northwest corner of Fremont Street and Eastern Avenue. Being proposed is a Raising Cane's Chicken Fingers and Starbucks, each with a drive-through. To the north of these businesses will be an apartment complex on a separate, legally described parcel of 3.75 acres, which is zoned C-1 (Limited Commercial). The applicant seeks a Special Use Permit to allow the apartment complex to be constructed. He shared renderings of the proposed uses on the overhead, pointing out that the proposed Raising Cane's Chicken Fingers is a prototype and will be the first of its kind built in Las Vegas. The color scheme of the Starbucks is harmonious and compatible with the Raising Cane's Chicken Fingers as well as the proposed apartment complex. MR. OGRON noted that the architecture of the apartment complex has been constructed at the northwest corner of Flamingo Road and Spencer Street, and a similar development will be constructed on Paradise Road and Flamingo Road.

He displayed a site plan of the proposed project, indicating where the Raising Cane's Chicken Fingers and Starbucks will be located as well as 60 parking spaces. The applicant has requested a General Plan Amendment to bring the corner of the parcel into conformance with the Form-Based Code and to allow a rezoning from T5-MS (T5 Main Street), where drive-throughs are not currently allowed, to a T4-C (T4 Corridor), which allows the Drive-Through use. Staff recommended approval of this rezoning. The Form-Based Code requires the buildings to be as close to the street as possible; however, the parcel is somewhat triangular in nature. Therefore, Waivers were being requested to accommodate the site setup.

MR. OGRON said the entire project is in a transit-oriented corridor and promotes the use of mass transit. He pointed out a bus turnout along Eastern Avenue. MAYOR GOODMAN asked for an explanation of the pathway for the Starbucks drive-through. MR. OGRON pointed out on the site plan the number 13, which indicates the number of vehicles that can be stacked in the drive-through. There is ample parking for the employees, and the Starbucks will have a walk-up window. CC&Rs (covenants, conditions, and restrictions), land use agreements, and cross easement agreements will be put in place for the parking. He demonstrated for the Mayor the multiple ways patrons have access to the site, and he believed there was adequate on-site stacking to accommodate the Starbucks drive-through. He noted City code requires space for six vehicles to be stacked, and the applicant is providing double this requirement.

Speaking to the apartment complex, MR. OGRON said this is a 224-unit project. The parcel is currently zoned C-1, and such a use is allowed with a Special Use Permit. The applicant does not meet the technical definition of mixed-use because a retail use is not attached to the ground floor of the apartment building. This is primarily due to it being a gated community, which serves as an amenity to the residents within the area. With regard to the landscape Waivers, he pointed out the site visibility zone that he and the City's Traffic Engineers worked on together in order to accommodate the left turn into the site from northbound traffic on Eastern Avenue. In having the site visibility zone, certain landscaping Waivers were requested in order not to block the visibility of oncoming vehicles driving southbound on Eastern Avenue and cars exiting the site. A reduction in landscaping was also sought near the bus turnout along Eastern Avenue.

COUNCILMAN CREAR said a Raising Cane's Chicken Fingers drive-through is often more busy than a Starbucks drive-through. He wondered if the applicant has conducted traffic studies with regard to the bus turnout. MR. OGRON confirmed and noted that the bus turnout is an additional lane, which will navigate buses out of the flow of traffic along Eastern Avenue.

MR. BORGELL indicated the subject site is located in a master planned area for transit-oriented development. He showed a transit map and said the proposed project was the best nexus for transit-oriented development that exists in the city. He pointed out some of the connecting routes to the development, noting three major bus thoroughfares connect at the site. Because of the transit-oriented development and the buses that service the site from multiple directions, MR. BORGELL believed there was considerably less need for people to have or want to have the expense of a vehicle; however, he felt the applicant has provided the standard ratio for this development. MR. BORGELL also mentioned that the applicant has several other properties, one of which had more parking spaces than needed. The proposed project provides the same ratio of parking per unit as what exists at the Flamingo Road site. To confirm this, the proposed developer conducted a parking lot vehicle count study, which MR. BORGELL submitted for the record. After a reduction of parking spaces at the existing Flamingo Road site, there was no less than 50 empty spaces for parking. MR. BORGELL asserted that this project is a mixed-use development, and the developer exceeded the requirements of what a mixed-use development is. MAYOR GOODMAN asked when the traffic study was conducted, to which MR. BORGELL replied that it was conducted at 9:00 a.m. and 9:00 p.m.

Regarding Item 51, SETH FLOYD, Director of Community Development, reported that the Multi-Family Residential development, as proposed, is intended to be compatible with and provide access to a commercial development proposed at the corner of Fremont Street and Eastern Avenue. However, the development lacks sufficient parking and requires multiple deviations from the Unified Development Code in order to accommodate the number of units proposed, indicating that the site is being overbuilt. As such, staff was not in support and recommended denial of Items 51a-51c.

Regarding Item 52, MR. FLOYD reported that the applicant requested to rezone the site to T4-C, which is the only transect district that allows the Drive-Through use. A bill is being drafted that conditionally allows this use in all non-neighborhood level transect districts, but there is no timetable for adoption. The proposed T4-C transect is a lower intensity designation than T5-MS, but is well-suited to major arterial streets such as Fremont Street and Eastern Avenue; therefore, staff recommended approval of the requested General Plan Amendment and Rezoning. However, the design of the site does not meet basic principles of the Form-Based Code. This is an auto-oriented, suburban-style development with buildings placed far back on site away from the street frontages in order to accommodate long drive-through lanes and additional parking. A core objective of the Vision 2045 Downtown Las Vegas Master Plan, and for any T4 transect zoning district, is to be walkable and pedestrian friendly; therefore, staff recommended denial of the requested Site Development Plan Review.

COUNCILMAN KNUDSEN appreciated the presentation and agreed there is a desperate need for more housing. He wondered how many units will be provided and at what price point. MR. OGRON said there are a total of 224 apartments with 160 one-bedroom units and 64 two-bedroom units. He believed the Vision 2045 Downtown Las Vegas Master Plan designated the subject area for High-Density Urban Residential. He noted the applicant is spending an excess of $50 million on the project and has not sought any funding assistance. The project will be based on the market rent rate; however, he estimated the units will be priced at $1,300 and $1,600-$1,700 per month. He indicated there are one-bedroom units leasing within the area for half this price, but he understood the economic risks.

MR. OGRON informed COUNCILWOMAN SEAMAN that the subject site is currently vacant and attracts homeless encampments. Additionally, there are billboards on the site, but they will be removed. The Councilwoman thought the project would improve the area. MAYOR GOODMAN agreed that the area should be rehabilitated. She expressed concerns about the affordability of the units and wondered about the square footage of the units, if they will be furnished, and whether there will be washers and dryers within each unit. MR. OGRON said the one-bedroom units are between 400-500 square feet and the two-bedroom units are between 750-800 square feet. There is a shared laundry facility for each of the two buildings, which will be located on the ground floor of the buildings. MAYOR GOODMAN inquired about the project timeline. MR. OGRON hoped the project was about nine to 12 months from Building and Safety Department approval and would break ground shortly after. He believed the project would take approximately 30 months to complete.

COUNCILWOMAN DIAZ was aware the site has been an eyesore and that development is important, but she believed the type of development should be appropriate. She was an advocate of having affordable housing units for residents. The Councilwoman felt that although there is a desire to incentivize alternate modes of transportation, it is not always utilized. She used the Arts District as an example, which many people thought would encourage residents to use different modes of transportation. She did not see how someone paying so much for rent would not want to have their own vehicle and wished for the parking deficit to be addressed. The Councilwoman was open to decreasing the number of units, making the parking ratio one-to-one. She supported the commercial aspect of the project but felt the resident development was overbuilt and asked if it could be refined.

COUNCILMAN KNUDSEN wondered if an abeyance would be appropriate in order to rethink some of the Councilwoman's requests. MR. OGRON said this item has been abeyed a few times since January, and he is facing an economic decision with the seller of the property. He informed COUNCILWOMAN DIAZ that he could not reduce the number of units given the amount of money he is spending for the property and architecture of the units. There is another project pending in the County that is much larger in scale and scope, which he hoped to build concurrently with these units. He shared in the Councilwoman's concerns about parking and mentioned having entered into a lease agreement with the City of Las Vegas on a parcel at Utah Avenue and Imperial Avenue to alleviate some of the parking issues in the Arts District. Regarding the subject site, MR. OGRON said he walked from the property to the El Cortez Hotel and Casino, which took him 15 minutes. He believed there were many other businesses within walking and biking distance, and more parking is not needed.

COUNCILWOMAN FIORE did not think developers should decide whether tenants walk or drive. She agreed with COUNCILWOMAN DIAZ regarding there being parking issues within the Ward and would support the Councilwoman's decision.

MAYOR GOODMAN thought the Councilmembers provided wise input. She believed the area is desperate for development but also agreed with the issues brought up by COUNCILWOMAN DIAZ. She felt there is a desperate need for housing and believed the rental price quoted by MR. OGRON would only increase over time given the rise in costs for building materials. The Mayor also acknowledged there is a desperate need for housing for seniors, noting oftentimes they must have a roommate. However, she thought a 400-square-foot unit is small to include a roommate. She appreciated the applicant's initiative to develop the subject site.

COUNCILMAN CREAR thought the project was great. He felt the benefits outweigh the parking challenges, and the market will dictate the cost of the units. He understood the need for affordable housing but realized that not all projects will be that.

COUNCILWOMAN SEAMAN respected COUNCILWOMAN DIAZ'S concerns but also agreed with the Mayor and COUNCILMAN CREAR that there is a need for housing. She appreciated that MR. OGRON was taking a risk and thanked him. She did not like to disagree with her colleagues but saw the need for housing and would support this project.

COUNCILMAN KNUDSEN thought there were excellent points made, recognized there is a desperate need for housing, and that vacant lots are not helpful to the downtown area. He anticipated he would also receive complaints about parking within his Ward as the Medical District grows.

MAYOR GOODMAN noted that all of the Councilmembers supported the concerns of COUNCILWOMAN DIAZ. The Councilwoman appreciated their support of the project but pointed out that the other Councilmembers will not be receiving the complaints regarding a lack of parking. If she could know the contingency plan for providing additional parking, she would support the project. The Councilwoman asked staff about parking standards and wondered where the City of Las Vegas stands on that topic. MR. FLOYD confirmed that the subject site is within an area of the 2050 Master Plan and is designated as a transit-oriented development corridor. The regulatory framework of the vision is still needed, part of which includes a coordinated effort through the RTC (Regional Transportation Commission of Southern Nevada) as well as updating the City's regulations.

MR. OGRON mentioned the Councilwoman's offer to match parking at a ratio of one-to-one and said there will be cross-access to parking spaces near the Raising Cane's Chicken Fingers and Starbucks areas. When those businesses are closed in the evening, parking will be available to residents as well as their guests. He noted that he is sensitive to the needs of his tenants and their patrons when it comes to parking, noting he has worked on this project for more than four years and would not undertake a project with insufficient parking.

COUNCILWOMAN FIORE wondered how the 164 parking spaces will be made available to the residents. MR. OGRON said parking for residents will occur behind the security gates on a non-exclusive basis. There is also parking outside of the gates along Eastern Avenue fronting the main office of the project for prospective residents and guests.

Given the discussion, COUNCILWOMAN DIAZ expressed that she did not see anything differently. Although affordable housing is needed, she did not think these price points were the market rate and were too high compared to what is being offered. She agreed with staff's recommendation that the project is overbuilt and the hardship is self-imposed.

Subsequent to the motions and votes for Items 51a-51c and 52a-52c, MAYOR GOODMAN clarified that the New Bills, Bill Nos. 2022-11 through 2022-13, will be heard at the May 2, 2022 Recommending Committee Meeting.

See Items 51-51c for related backup.

MAYOR GOODMAN declared the Public Hearing closed for Items 51-52c.

51a. 21-0665-VAR1 - ABEYANCE ITEM - VARIANCE - TO ALLOW 163 PARKING SPACES WHERE 350 ARE REQUIRED

Minutes:
See Item 51 for related discussion and Items 51-51c for related backup.

Motion made by Stavros Anthony to Approve Items 51a-51c subject to condition(s)

NOTE: An initial motion by Councilwoman Diaz to Deny failed with Mayor Goodman and Councilmembers Anthony, Crear, Knudsen, and Seaman voting No.

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Brian Knudsen; Against-Michele Fiore, Olivia Diaz;

51b. 21-0665-SUP1 - ABEYANCE ITEM - SPECIAL USE PERMIT - FOR A MULTI-FAMILY RESIDENTIAL USE

Minutes:
See Item 51 for related discussion and Items 51-51c for related backup.

Motion made by Stavros Anthony to Approve Items 51a-51c subject to condition(s)

NOTE: An initial motion by Councilwoman Diaz to Deny failed with Mayor Goodman and Councilmembers Anthony, Crear, Knudsen, and Seaman voting No.

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Brian Knudsen; Against-Michele Fiore, Olivia Diaz;

51c. 21-0665-SDR1 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED FOUR-STORY, 224-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH WAIVERS OF BUILDING PLACEMENT AND PERIMETER LANDSCAPE BUFFER STANDARDS

Minutes:
See Item 51 for related discussion and Items 51-51c for related backup.

Motion made by Stavros Anthony to Approve Items 51a-51c subject to condition(s)

NOTE: An initial motion by Councilwoman Diaz to Deny failed with Mayor Goodman and Councilmembers Anthony, Crear, Knudsen, and Seaman voting No.

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Brian Knudsen; Against-Michele Fiore, Olivia Diaz;

52. 21-0666 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: SIENA HOLDING MANAGEMENT COMPANY, LLC - OWNER: MARY BARTSAS 14, LLC - For possible action on the following Land Use Entitlement project requests on 2.17 acres at the northwest corner of Fremont Street and Eastern Avenue (APNs 139-35-804-008 through 010), Ward 3 (Diaz). Staff recommends APPROVAL on 21-0666-GPA1 and 21-0666-ZON1. Staff recommends DENIAL on 21-0666-SDR1. The Planning Commission (5-1 vote) recommends APPROVAL on the entire Land Use Entitlement project.

Minutes:
See Item 51 for related discussion and Items 52a-52c for related backup.

52a. 21-0666-GPA1 - ABEYANCE ITEM - GENERAL PLAN AMENDMENT - FROM: TOD-1 (TRANSIT ORIENTED DEVELOPMENT - HIGH) TO: FBC (FORM-BASED CODE) on 0.51 acres [APN 139-35-804-010]

Minutes:
See Item 51 for related discussion and Items 52-52c for related backup.

Motion made by Olivia Diaz to Approve Items 42a-52c subject to condition(s)

NOTE: The vote initially posted reflecting Mayor Goodman’s vote as No; however, she corrected her vote verbally, and it was reposted to reflect her vote in the affirmative.

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

52b. 21-0666-ZON1 - ABEYANCE ITEM - REZONING - FROM: T5-MS (T5 MAIN STREET) TO: T4-C (T4 CORRIDOR)

Minutes:
See Item 51 for related discussion and Items 52-52c for related backup.

Motion made by Olivia Diaz to Approve Items 42a-52c subject to condition(s)

NOTE: The vote initially posted reflecting Mayor Goodman's vote as No; however, she corrected her vote verbally, and it was reposted to reflect her vote in the affirmative.

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

52c. 21-0666-SDR1 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 3,727 SQUARE-FOOT COMMERCIAL DEVELOPMENT WITH WAIVERS OF THE TITLE 19.09 FORM BASED CODE DEVELOPMENT STANDARDS

Minutes:
See Item 51 for related discussion and Items 52-52c for related backup.

Motion made by Olivia Diaz to Approve Items 42a-52c subject to condition(s)

NOTE: The vote initially posted reflecting Mayor Goodman's vote as No; however, she corrected her vote verbally, and it was reposted to reflect her vote in the affirmative.

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

53. 21-0694 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: SPACEMAKER, LLC - For possible action on an Appeal of the Denial by the Planning Commission on the following Land Use Entitlement project requests on 0.32 acres on the east side of Las Vegas Boulevard, approximately 142 feet south of Bonneville Avenue (APN 139-34-310-054), C-2 (General Commercial) Zone, Ward 3 (Diaz). The Planning Commission (5-0 vote) and Staff recommend DENIAL on the entire Land Use Entitlement project.

Minutes:
See Items 53a and 53b for related backup.

53a. 21-0694-SUP1 - ABEYANCE ITEM - SPECIAL USE PERMIT - FOR A PROPOSED 13,939 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT USE

Motion made by Stavros Anthony to Strike Item 38, Withdraw without Prejudice Items 53a and 53b, and Hold in Abeyance Items 54a-54c to 5/18/2022, Items 57a and 57b to 5/4/2022, and Items 58a and 58b to 6/1/2022

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

Minutes:
See Items 53-53b for related backup.

53b. 21-0694-SDR1 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - FOR FOUR PROPOSED PRE-FABRICATED STRUCTURES CONSISTING OF A 520 SQUARE-FOOT BAR AND KITCHEN BUILDING, TWO 160-SQUARE-FOOT RESTROOM BUILDINGS, AND A 800 SQUARE-FOOT OFFICE BUILDING WITH WAIVERS OF THE APPENDIX F INTERIM DOWNTOWN DEVELOPMENT STANDARDS

Motion made by Stavros Anthony to Strike Item 38, Withdraw without Prejudice Items 53a and 53b, and Hold in Abeyance Items 54a-54c to 5/18/2022, Items 57a and 57b to 5/4/2022, and Items 58a and 58b to 6/1/2022

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

Minutes:
See Items 53-53b for related backup.

54. 21-0379 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DESTINY HOMES, LLC - OWNER: JOVAN AND JOHN F. JACKSON - For possible action on the following Land Use Entitlement project requests on 0.26 acres at 600 and 602 North 1st Street (APNs 139-27-810-008 and 009), Ward 5 (Crear). The Planning Commission (6-0 vote) and Staff recommend DENIAL on the entire Land Use Entitlement project.

Minutes:
See Items 54a-54c for related backup.

54a. 21-0379-ZON1 - ABEYANCE ITEM - REZONING - FROM: R-1 (SINGLE FAMILY RESIDENTIAL) AND P-R (PROFESSIONAL OFFICE AND PARKING) TO: C-2 (GENERAL COMMERCIAL)

Motion made by Stavros Anthony to Strike Item 38, Withdraw without Prejudice Items 53a and 53b, and Hold in Abeyance Items 54a-54c to 5/18/2022, Items 57a and 57b to 5/4/2022, and Items 58a and 58b to 6/1/2022

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

Minutes:
See Items 54-54c for related backup.

54b. 21-0379-SUP1 - ABEYANCE ITEM - SPECIAL USE PERMIT - FOR A PROPOSED MIXED USE DEVELOPMENT

Motion made by Stavros Anthony to Strike Item 38, Withdraw without Prejudice Items 53a and 53b, and Hold in Abeyance Items 54a-54c to 5/18/2022, Items 57a and 57b to 5/4/2022, and Items 58a and 58b to 6/1/2022

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

Minutes:
See Items 54-54c for related backup.

54c. 21-0379-SDR1 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED THREE-STORY TALL, 18-UNIT MIXED-USE DEVELOPMENT WITH 4,862 SQUARE FEET OF COMMERCIAL SPACE WITH WAIVERS OF APPENDIX F INTERIM DOWNTOWN LAS VEGAS AREA 2 DEVELOPMENT STANDARDS

Motion made by Stavros Anthony to Strike Item 38, Withdraw without Prejudice Items 53a and 53b, and Hold in Abeyance Items 54a-54c to 5/18/2022, Items 57a and 57b to 5/4/2022, and Items 58a and 58b to 6/1/2022

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

Minutes:
See Items 54-54c for related backup.

55. SUP-77274 - SPECIAL USE PERMIT - PUBLIC RE-HEARING BY COURT ORDER - APPLICANT/OWNER: NEVADA CRT, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 4,800 SQUARE-FOOT MARIJUANA DISPENSARY USE at 9140 West Sahara Avenue (APN 163-05-410-030), C-1 (Limited Commercial) Zone, Ward 2 (Seaman) [PRJ-77173]. The Planning Commission (4-1-1 vote) and Staff recommend APPROVAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open.

After opening the item, the Mayor excused herself from the discussion and vote as her son is involved in the medical marijuana industry.

DEPUTY CITY ATTORNEY JAMES LEWIS said this item is a court ordered rehearing on the Special Use Permit (SUP) that was heard and denied by the Council on February 5, 2020. On March 5, 2020, the applicant filed a petition for judicial review with the District Court to review the Council's decision on the matter. The District Court did not overturn the City's decision to Deny the proposed SUP for a marijuana dispensary, did not vacate the Denial, and upheld the decision by finding there was substantial evidence on the record to support the decision of the Council; however, the District Court asked the Council to revisit the subject SUP application while endeavoring to make sure that there are no Councilmembers who advocated for or against the application prior to evaluation. The City Attorney's Office has determined this to mean that the Council should treat this hearing as de novo review, which means the Council will hear the matter as it would hear any other matter on the Planning agenda. MR. LEWIS stated that the applicant will be allowed to make a presentation on why they meet their legal burden to satisfy the requirements of granting the SUP, and the Council will consider all testimony and evidence on the record, which includes not only evidence from this hearing, but any and all evidence and documentary testimonial from the February 5, 2020 City Council and December 10, 2019 Planning Commission Meetings. It was his understanding that COUNCILWOMAN SEAMAN will make a request of the City Clerk to include all prior documents and testimony regarding the SUP application during the hearing on this matter. He noted the applicant's counsel may argue that the District Court's order limits the Council in its discretion to make a decision on this application, but this is not the case. The item (SUP-77274) is to be heard, and the City Attorney's Office advised that the Council hear the item in its normal course and make a decision based upon the evidence and testimony and the entirety of the record before them. MR. LEWIS confirmed the City Attorney's Office received a letter from the applicant's counsel regarding objections to this process today. He advised that the applicant be allowed to place objections on the record, after which MR. LEWIS will respond followed by the applicant presenting their application for the SUP before the Council for a final decision.

BRADLEY MAYER, Partner with Argentum Partners, appeared representing the applicant and gave a brief presentation. With him was MATT McCLURE, Chief Operating Officer of Cultivate. MR. MAYER confirmed this item was heard and approved by the Planning Commission in December of 2019 and was heard by the Council in February of 2020. He showed the subject site on the attached Location Map, which is located on Sahara Avenue and Fort Apache Road, and pointed out on the attached Aerial Map where there are no restricted uses within close radius of the proposed property. The Staff Report found the land use to be harmonious and compatible as it meets all requirements under Title 19. MR. MAYER shared a blueprint of the proposed layout of the dispensary, adding that the building is standalone and was previously a veterinary clinic. He indicated there were several townhall meetings held, and he oversaw a field crew that visited the nearby residents. He shared several maps of households in support and opposition of the application. He acknowledged the Agenda Summary Page, which indicated there were 79 support and 22 opposition postcards submitted from over 800 notices mailed. In the totality of what has been collected, MR. MAYER indicated 982 signatures were received in support and 387 signatures were received in opposition. Lastly, he spoke to the need for dispensaries to be evenly distributed throughout the wards, and if not this location in Ward 2, then he wondered where as the subject location meets all parking requirements and is a standalone building in a commercial center.

MR. McCLURE shared information about the applicant, Nevada CRT, LLC, which is a Nevada-based real estate developer that specializes in developing properties for cannabis uses and cannabis-related operators.

The operator of the subject site is Cultivate, which was established in 2018 and has now become a well-known staple in the dispensary landscape across Las Vegas and surrounding areas. Cultivate has built its reputation by offering unmatched quality products and great customer service. He explained the business focuses on cannabis, community, and culture. He explained their efforts to help the community, noting the team has dedicated time to volunteering and donating money to several local organizations. By approving this application, 14 new team members will be hired to work in this space.

MR. McCLURE showed several maps detailing other possible target sites, stating that when they conducted an analysis of dispensaries in Ward 2, the results indicated there were no active applications at that time. He mentioned having lived in Ward 2 for many years, and when describing the data used to determine the demographic of patrons that visit their other location at Spring Mountain Road and Valley View Boulevard, many come from the Ward 2 area. He reiterated MR. MAYER'S comment regarding Special Use Permits congested into three specific wards, and that they should be placed within the entirety of the city. MR. McCLURE shared several maps of Ward 2. One map illustrated the Summerlin overlay, which limits the places a dispensary can be located within Ward 2. He shared another map of the potential zoning uses within the Summerlin overlay. On this map, the yellow represents the residential areas of the Ward, which dominates most of the available land. Lastly, he showed a map of available spaces for the applicant's proposed use. He detailed why each other available space, identified by numbers one through six on the map, was not a viable option. Area 6 is surrounded on all sides by commercial uses, is a standalone parcel, and was vacant for three years prior to the applicant's purchase. There is a Restricted Gaming License for a Dotty's within the subject commercial center, but most importantly, there are no youth-focused establishments within the center. He noted that City staff, as well as the Planning Commission, recommended approval, and COMMISSIONER DONNA TOUSSAINT mentioned that she was a resident of the ward and believed this was the perfect location for the proposed use.

MR. McCLURE said feedback was received from two neighborhood meetings, and he shared the concerns presented during those meetings. Homelessness and vagrancy were present concerns, and he explained the efforts made by Cultivate to help mitigate these concerns. He noted that staff undergoes training on how to assist individuals suffering from mental health disorders and addiction to help address homelessness and vagrancy. Additionally, Cultivate continues to provide donations and homeless assistance to local organizations, and current staff reports to Metro's (Las Vegas Metropolitan Police Department) homeless outreach team whenever there are individuals around the retail store that need assistance.

Crime was another concern voiced by the residents. To address this, MR. McCLURE stated that staff has participated in Metro's Vegas Safecam program and continues to provide surveillance to Metro. Currently, security is staffed at the applicant's existing building, and the same will be done at the proposed location. Additionally, they have offered to staff 24/7 security at the new facility as well as another guard on patrol in an armed vehicle that will help to police the entire commercial center. Cultivate Cares will continue to provide volunteers for the Metro Volunteer Program as well as increased lighting for the area.

Youth drug use was another concern mentioned by the residents, and MR. McCLURE asserted that customers under 21 years old are not allowed admittance into the building. In addition, products are placed in childproof packaging or an exit bag before leaving the store. Cultivate security strictly enforces the practice of purchasing products on behalf of someone and monitors the storefront and parking facilities for underage individuals. Staff must undergo training to identify and assist customers that may be potentially under the influence of drugs or alcohol, they are audited and secret shopped regularly, and are prohibited from working on a commission basis. Lastly, there were concerns about holding too much cash on hand; however, he noted they are one of a few businesses that have a banking option.

He confirmed that MR. MAYER managed a team who canvassed the neighborhood for residents' comments, and there was a vast majority in support of the SUP. He shared a list on the overhead that compared previously approved SUPs with applicant names and addresses. He pointed out that in every category there is an applicant that scored worse than Cultivate but was approved. He also addressed the distance requirements of the approved applications. MR. McCLURE also shared a list of the total support and opposition submitted, noting they filtered through the results to find duplicate responses.

He summarized that the proposed Ward 2 location is best suited for a dispensary. Their application also had overwhelming support compared to the opposition, and applications previously approved had far more opposition than support on record. They have reviewed the negative comments made to demonstrate that they were the same concerns previously heard by the Councilmembers on various applications. He requested the

Councilmembers' approval and was happy to have conditions placed on the application, if needed.

PETER LOWENSTEIN, Deputy Planning Director, reported that the proposed Marijuana Dispensary complies with the minimum Title 19 Special Use Permit requirements; therefore, staff recommended approval of the application.

SENATOR WARREN HARDY, representing La Paloma Funeral Services, stated that they are an adjacent business to the proposed location and had concerns that the application was not appropriate for the area. He was concerned about the judiciary decision to rehear the item and felt the Legislature has given authority to City Councils to make land use planning decisions for their cities, a matter he aggressively defended in the Senate.

WAYNE COOK did not believe much has changed within the area since 2020 and all of the applicant's supporting documents are the same that were used in 2019. Most of the e-mails in support provided no additional information and were created by Cultivate. He indicated that nearby business owners are in opposition to the application and shared a letter by the owner of IHOP, who believed this dispensary would attract the most violent of criminals. MR. COOK said his tenants, Cox Communications and Chipotle Mexican Grill, are against the dispensary at the proposed location, and employees are concerned about their future safety. He spoke about the many residents in opposition and shared photos from one of the neighborhood meetings.

RICHARD LEVIN, resident of Peccole Ranch, said he was part of the team that met with the Councilmembers and remembered when they showed the Councilmembers pictures of the applicant hosting a marijuana dispensary party with children in attendance. He felt it was deplorable and reprehensible that COUNCILWOMAN SEAMAN'S honor, integrity, and character were questioned by a judicial review. MR. LEVIN indicated that he was part of the team that reviewed the residents' responses and believed the applicant's presentation was full of lies and misrepresentations.

LISA MAYO-DeRISO commented that she knows MR. MAYER. She was asked by many entities within the community to help oppose the application and felt that nothing has changed since the Council's original decision. MS. MAYO-DeRISO said she thoroughly read the lawsuit and wished to clarify that at no time was she in communication with the Councilwoman. She thought that Summerlin had the right idea to say no to dispensaries and believed the application is not compatible or harmonious with the neighborhood.

BARBARA RUGGIERO said she lives in the subject area and has two children. The community is walkable, and there are middle school and high school bus stops nearby. There are children that walk along Fort Apache Road and that access the other businesses within the commercial center.

MR. McCLURE responded to MR. COOK by stating that the documents he presented were newly generated. In response to MR. LEVIN, he stated that the party held was a truck-or-treat event for staff and employees of the surrounding businesses. At that time, there was no cannabis retail use license at that location. Additionally, no one under the age of 21 would be allowed on site. Lastly, he mentioned that the theCoderSchool is 68 feet from property line to property line and is not considered a school.

COUNCILMAN KNUDSEN said he was angry with the lawsuit and wished to clarify his statements. He did not believe the Council did anything wrong and did not appreciate the judicial system weighing in; however, he has taken the advice of the City's legal counsel to consider this application new. He found that the majority of dispensaries are located within Wards 1, 3, and 5. Voters overwhelmingly voted in support of marijuana use, and he has conducted additional ride-a-longs with Metro. In every ride-a-long he asks about dispensaries and is told by the officers that the dispensaries have no impact on crime, and they speak highly about the dispensaries and their operators. Although MR. McCLURE provided a great presentation, this was not what swayed him. He was swayed by the fact that dispensaries are congested within Wards 1, 3, and 5. He would support the application based on the evidence presented.

COUNCILWOMAN FIORE agreed with SENATOR HARDY about setting a precedence. She also mentioned knowing JUDGE JERRY A. WIESE II and believed him to be fair. The Councilwoman mentioned MR. COOK'S statement that the application was not harmonious and compatible and said she reached out to previous Planning Commissioner ATTORNEY SIGAL CHATTAH, who said COUNCILWOMAN SEAMAN told her to vote against the application because it was not harmonious and compatible. COUNCILWOMAN FIORE did not think it was fair that the same words were used and asserted that she would support this application.

COUNCILWOMAN DIAZ said it is difficult because the Council wants to hear from the constituents but must also consider what is good for the economy. She pointed out that City staff recommended approval of the application, and it checks all necessary requirements. The Councilwoman believed the proposed use will occupy a vacated storefront, will provide jobs, and she noted that this matter is an equity issue in terms of access points. She has the most dispensaries of all of the wards and does not receive a lot of complaints because of them. She did not think there were other locations the dispensary could go within Ward 2 and noted that the Council has articulated that dispensaries should be placed in other areas besides Wards 1, 3, and 5. She would also support the application.

COUNCILWOMAN SEAMAN thanked everyone for being present and specifically thanked SENATOR HARDY because she believed it was important to talk about the autonomy of local government. She made a request to the City Clerk to incorporate the entire record from the prior City Council hearing from February 5, 2020 to this meeting's record, including but not limited to: those documents and records as provided with this agenda item that includes the entirety of the backup documentation and oral testimony from the February 5, 2020 hearing on this item, all documentation received after the February 5, 2020 final agenda was published, and additional e-mails or documents received by the City prior to or during this hearing, and the e-mails received by her office prior to this meeting, which she submitted for the record. She also stated that, as backup documentation to this item, the City Attorney's Office included all records produced from the applicant's April 14, 2020 public records request to the City regarding e-mails related to this application. There are 1,144 documents, which include e-mails, text messages, and communications regarding the application, and there are approximately 13 pages in support and approximately 71 pages in opposition to the SUP.

COUNCILWOMAN SEAMAN denied the application as she believed it was not harmonious and compatible with the surrounding area. She asked the Council for the same unanimous vote to deny this application. She believed the standard for granting a Special Use Permit is based on the location being harmonious and compatible with the neighborhood, and based upon the testimony provided at this meeting, the many e-mails, texts, and postcards received in opposition, and the proximity of the proposed location to residential neighborhoods, schools, and school children, she found this use is not harmonious and compatible with the surrounding neighborhood. Although there were residents who expressed their support for this application, it is her job as Councilwoman to listen to all residents, and she agreed with the 80 percent who were opposed. She believed the data and input from the residents was the reason the previous applicant withdrew their application for this same location and thought there were other places within Ward 2 that might be a better fit.

MAYOR PRO TEM ANTHONY declared the Public Hearing closed.

Motion made by Brian Knudsen to Approve subject to condition(s)

NOTE: An initial motion by Councilwoman Seaman to Deny failed due to a tie vote with Councilmembers Fiore, Knudsen, and Diaz voting No and Mayor Goodman abstaining. The application is DENIED due to the failed motions.

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

For-Michele Fiore, Brian Knudsen, Olivia Diaz; Against-Victoria Seaman, Cedric Crear, Stavros Anthony; Abstain-Carolyn Goodman;

56. 21-0676-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: TRACY ANN SOARES AND PAMELA SUE LAUBY - For possible action on a Land Use Entitlement project request TO ALLOW A ONE-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED FOR AN EXISTING ACCESSORY STRUCTURE (CLASS II) [CARPORT] on 0.15 acres at 1721 Cedar Avenue (APN 139-35-510-157), R-1 (Single Family Residential) Zone, Ward 3 (Diaz). The Planning Commission (6-1 vote) and Staff recommend DENIAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open.

GARY FAVELA said the structure in question was built over 20 years ago when his father lived in the house. His father has been deceased for several years and since that time, his sister and brother-in-law have moved into the home. He shared photos of the awning and asked the Council to reconsider the Denial recommendation.

SETH FLOYD, Director of Community Development, reported that staff found that the applicant created a self-imposed hardship by building a structure without permits that does not meet Title 19 setback requirements and recommended denial of the request.

TRACY ANN SOARES introduced herself as partial owner of the house. She asked for time to remove the awning, as her sister is away and will return in September. MR. LOWENSTEIN told MS. SOARES that it is at the discretion of COUNCILWOMAN DIAZ.

COUNCILWOMAN DIAZ informed the Councilmembers that the applicants want to bring the structure into compliance. She has grown up in the area and noted there are similar structures there. The Councilwoman also mentioned that the applicants received support signatures from their neighbors. She had no issue in supporting the Variance request.

MR. LOWENSTEIN informed COUNCILWOMAN DIAZ that if the Variance is approved, the applicants must apply for the proper permitting through the Department of Building and Safety to ensure it is structurally sound and permitted. He added that there was no deadline to apply for a permit and that the Department accepts electronic submittals. If this application is subject to a Code Enforcement case, the Code Enforcement Officer will follow up with the applicants. CHIEF OPERATIONS AND DEVELOPMENT OFFICER TOM PERRIGO offered for someone from the Department to meet with the applicants on site.

COUNCILWOMAN FIORE wished to ensure that the applicants are able to keep the structure in place while applying for a permit. MR. LOWENSTEIN replied that the Variance will allow the structure to stay where it is. During the building permit review, staff will review the application according to the Building Code. Any additional improvements to make the awning structurally sound will come out of that process. MR. PERRIGO reiterated his offer to work with the applicants.

MAYOR GOODMAN declared the Public Hearing closed.

Motion made by Olivia Diaz to Approve subject to condition(s)

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

57. 21-0823 - PUBLIC HEARING - APPLICANT: RICHARD TORRES - OWNER: NV LANDSCAPES, LLC - For possible action on the following Land Use Entitlement project requests on 0.52 acres at the southwest corner of Coran Lane and Sycamore Trail (APN 139-19-701-001), Ward 5 (Crear). Staff recommends DENIAL on the Land Use Entitlement project. The Planning Commission (6-1 vote) recommends APPROVAL on the entire Land Use Entitlement project.

Minutes:
See Items 57a and 57b for related backup.

57a. 21-0823-ZON1 - REZONING - FROM: C-2 (GENERAL COMMERCIAL) TO: M (INDUSTRIAL)

Motion made by Stavros Anthony to Strike Item 38, Withdraw without Prejudice Items 53a and 53b, and Hold in Abeyance Items 54a-54c to 5/18/2022, Items 57a and 57b to 5/4/2022, and Items 58a and 58b to 6/1/2022

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

Minutes:
See Items 57-57b for related backup.

57b. 21-0823-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED CONTRACTOR'S PLANT, SHOP & STORAGE YARD DEVELOPMENT WITH A WAIVER OF PERIMETER LANDSCAPE DEVELOPMENT STANDARDS

Motion made by Stavros Anthony to Strike Item 38, Withdraw without Prejudice Items 53a and 53b, and Hold in Abeyance Items 54a-54c to 5/18/2022, Items 57a and 57b to 5/4/2022, and Items 58a and 58b to 6/1/2022

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

Minutes:
See Items 57-57b for related backup.

58. 22-0024 - PUBLIC HEARING - APPLICANT: BUILD TO SUIT, INC. - OWNER: CANYON LAKES, LLC - For possible action on the following Land Use Entitlement project requests on 5.57 acres at 9100 West Sahara Avenue (APN 163-05-410-004), Ward 2 (Seaman). Staff recommends DENIAL on the entire Land Use Entitlement project. The Planning Commission (6-1 vote) recommends APPROVAL on the entire Land Use Entitlement project.

Minutes:
See Items 58a and 58b for related discussion.

58a. 22-0024-ZON1 - REZONING - FROM: C-1 (LIMITED COMMERCIAL) TO: C-2 (GENERAL COMMERCIAL)

Motion made by Stavros Anthony to Strike Item 38, Withdraw without Prejudice Items 53a and 53b, and Hold in Abeyance Items 54a-54c to 5/18/2022, Items 57a and 57b to 5/4/2022, and Items 58a and 58b to 6/1/2022

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

Minutes:
See Items 58-58b for related backup.

58b. 22-0024-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED BLOOD PLASMA DONOR CENTER USE

Motion made by Stavros Anthony to Strike Item 38, Withdraw without Prejudice Items 53a and 53b, and Hold in Abeyance Items 54a-54c to 5/18/2022, Items 57a and 57b to 5/4/2022, and Items 58a and 58b to 6/1/2022

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

Minutes:
See Items 58-58b for related backup.

59. 22-0111-EOT1 - EXTENSION OF TIME - NONCONFORMING - PUBLIC HEARING - APPLICANT/OWNER: FREMONT PROPERTIES, LLC - For possible action on a Land Use Entitlement project request for an 11th Extension of Time FOR A NONCONFORMING LIQUOR ESTABLISHMENT (TAVERN) USE at 1930 Fremont Street, Suite A (APN 139-35-803-005), T4-C (T4 Corridor) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:
MAYOR GOODMAN declared the Public Hearing open.

JOHN WOLFSON, Managing Member of Fremont Properties, LLC, said they recently sold the building to EUN ALTIZER, who was also present. MR. WOLFSON said MS. ALTIZER found a tavern operator and requested an Extension of Time to get settled as well as rent the building.

PETER LOWENSTEIN, Deputy Planning Director, reported that since the last Extension of Time approval and during the pandemic State of Emergency period, the applicant has made a good faith effort to secure a building tenant and re-establish the Tavern use on this site; therefore, staff recommended approval of the request, subject to conditions.

COUNCILWOMAN DIAZ was happy to hear there was movement at the site and looked forward to the area's transformation.

MAYOR GOODMAN declared the Public Hearing closed.

Motion made by Olivia Diaz to Approve subject to condition(s)

NOTE: The video does not reflect the vote accurately, in that subsequent to Item 60, Councilmembers Fiore and Crear requested their votes be reflected in the affirmative for this item.

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

SET DATE

60. Set date on any appeals filed or required public hearings from the City Planning Commission Meetings and Dangerous Building or Nuisance/Litter Abatements.

Minutes:
MAYOR GOODMAN advised the City Clerk, LUANN D. HOLMES, to set the date for all applicable items.

Appeal for 22-0051-SUP1 – 5/18/2022 Agenda

CITIZENS PARTICIPATION

61. Citizens Participation: Public comment during this portion of the agenda must be limited to matters within the jurisdiction of the City Council. No subject may be acted upon by the City Council 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:
DANIEL BRAISTED requested that advertisements and event announcements be shown via PowerPoint presentations.

COUNCIL EMERGING ISSUES

Comments made by Council members during this portion of the agenda must refer solely to proposals for future agenda item topics to be brought before the Council for consideration and action at a later date. Any discussion must be limited to whether or not such proposed items shall be placed on a future agenda and no discussion regarding the substance of any such proposed topic shall occur. No action shall be taken.

62. Discussion regarding potential items for future City Council agendas - All Wards

Minutes:
None.

COUNCIL MEMBER RECOGNITION

63. Council Member Recognition: Comments made by individual City Council Members during this portion of the agenda will not be acted upon by the City Council unless that subject is on the agenda and scheduled for action.

Minutes:
COUNCILMEMBERS CREAR, DIAZ, SEAMAN, KNUDSEN, FIORE, and ANTHONY announced the various events taking place in their wards on various dates throughout the months of April and May. Some of the Councilmembers submitted flyers, which are attached as backup, regarding their events and points of interest.

COUNCILMAN ANTHONY announced the 2022 Annual Agape Picnic would be held on Sunday at Saint John the Baptist Greek Orthodox Church to celebrate Greek Orthodox Easter.

MAYOR GOODMAN said the Best in Show would be held Sunday, May 1st at the Thomas & Mack Center. She invited visitors of the NFL Draft to Downtown Las Vegas. Lastly, the Mayor recognized CHIEF FINANCIAL OFFICER GARY AMELING for acting as City Manager during the meeting and thanked the staff who assisted with the meeting.

The meeting was adjourned at 1:05 p.m.

Respectfully submitted:

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Ashley Foster, CMC, Deputy City Clerk

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LuAnn D. Holmes, MMC, City Clerk

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THIS MEETING WAS PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS IN ACCORDANCE WITH THE NOTICING STANDARDS AS OUTLINED IN NRS 241.020:
The City of Las Vegas website – www.lasvegasnevada.gov
The Nevada Public Notice website – notice.nv.gov
City Hall, 495 South Main Street, 1st Floor