

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



Commissioner Sam Cherry, Chair
Commissioner Louis De Salvio, Vice Chair
Commissioner Vicki Quinn
Commissioner Trinity Haven Schlottman
Commissioner Donna Toussaint
Commissioner Gus W. Flangas
Commissioner Anthony Williams

Planning Commission Minutes

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

July 9, 2019
6:00 PM

BUSINESS ITEMS:

1. Call to Order

Minutes:

CHAIR CHERRY called the meeting to order at 6:00 p.m.

2. Announcement: Compliance with Open Meeting Law

Minutes:

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

3. Roll Call

Minutes:

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

EXCUSED: COMMISSIONER FLANGAS

ALSO PRESENT: ROBERT SUMMERFIELD, Director of Planning; PETER LOWENSTEIN, Deputy Director of Planning; ERIC McCAMMOND, Sr. Management Analyst; JONATHAN BOYLES, Sr. Planner; ROGER BAILEY, Sr. Engineering Associate; STEVEN TAULBEE, Assistant Fire Protection Engineer; SETH FLOYD, Deputy City Attorney; PATTY HLAVAC, Deputy City Clerk; and JACQUIE MILLER, Deputy City Clerk

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

Minutes:

Former Planning Commissioner VICTORIA QUINN stated that she was very grateful to have been a Planning Commissioner for the past eleven and one-half years as it was very important in her life, and she was forever grateful to former Councilwoman LOIS TARKANIAN.

MS. QUINN reported that she would be assisting COUNCILMAN KNUDSEN for the next six to eight weeks, and she asked the Commissioners to welcome the new Planning Commissioner, JEFF ROGAN. She said that COMMISSIONER ROGAN comes with a lot of experience as he is a District Attorney, and he loves the neighborhood and Ward 1.

MS. QUINN stated that her legacy is but one thing and requested that the Commissioners always remember in whatever they approve that the disabled be able to go into any office, restaurant or bathroom the same way as any able-bodied person would. She wished the Commissioners the best.

CHAIR CHERRY stated that they would take her comments to heart and will keep that carried on in spirit. He also welcomed COMMISSIONER ROGAN to the Planning Commission.

5. For Possible Action to Approve the Final Minutes for the Planning Commission Meeting of June 11, 2019.

Minutes:

COMMISSIONER SCHLOTTMAN said that he was unsure if he was in attendance at the June 11th meeting, and DEPUTY CITY ATTORNEY SETH FLOYD explained that he could still vote on this item as the vote is to approve that these are the Final Minutes. He added that Counsel would usually suggest that he not make the motion, but he could still vote.

Motion made by Louis De Salvio to Approve

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Excused-Gus Flangas;

6. For Possible Action - Any Items from the Planning Commission, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time.

Minutes:

COMMISSIONER ROGAN requested that Items 34 and 35 be pulled from the One Motion One Vote agenda for discussion.

ERIC McCAMMOND, Sr. Management Analyst, read the items recommended for action, noting that this was the applicants' second abeyance request for Item 39, and first abeyance request for Items 56-59.

Motion made by Louis De Salvio to Hold in Abeyance Items 39 and 56-59 to 8/13/2019

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Excused-Gus Flangas;

ONE MOTION - ONE VOTE

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

7. EOT-76473 - EXTENSION OF TIME - VARIANCE - APPLICANT/OWNER: BOCA PARK MARKETPLACE SYNDICATIONS GROUP, LLC - For possible action on a request for a first Extension of Time of a previously approved Variance (VAR-69662) TO ALLOW THREE PROPOSED 24-FOOT TALL MONUMENT SIGNS WHERE 10 FEET IS ALLOWED; TO ALLOW ONE 383 SQUARE-FOOT AND TWO 208 SQUARE-FOOT MONUMENT SIGNS WHERE 75 SQUARE FEET PER SIGN IS ALLOWED; AND TO ALLOW AN EIGHT-FOOT SEPARATION BETWEEN THREE PROPOSED MONUMENT SIGNS WHERE A MINIMUM SEPARATION OF 100 FEET BETWEEN SIGNS IS REQUIRED on 72.55 acres at the northeast corner of Charleston Boulevard and Rampart Boulevard (APNs Multiple), C-1 (Limited Commercial) and PD (Planned Development) Zones, Ward 2 (Vacant). Staff recommends APPROVAL.

Minutes:

CHAIR CHERRY declared the Public Hearing open for Items 8-33 and 36-38.

COMMISSIONER DE SALVIO announced that there was an amendment to the conditions on Item 38, which ERIC McCAMMOND, Sr. Management Analyst, read for the record.

CHAIR CHERRY asked the applicant to come forward and if he agreed with the additional condition. MICHAEL BELLON appeared representing the applicant, JOHN STALUPPI, and stated that they agreed to the condition.

CHAIR CHERRY declared the Public Hearing closed for Items 8-33 and 36-38.

NOTE: Chair Cherry disclosed that he lives within the notification area for Item 37; however, this would not affect him any lesser or greater, and he voted on Item 37. The video does not reflect the vote accurately, in that Commissioner Schlottman abstained from voting on Item 36 as he has an ongoing business relationship with the property owner and on Item 37 as he owns a bar across the street from that subject tavern.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions except Items 34 and 35 and amended conditions on Item 38

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan;
Excused-Gus Flangas;

8. MOD-76535 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Major Modification of the approved Summerlin Village 24 Master Development Plan TO CHANGE THE SUMMERLIN LAND USE DESIGNATION FROM: SF2 (SINGLE FAMILY DETACHED - 6 UNITS PER ACRE) TO: SFSD (SINGLE FAMILY SPECIAL LOT DEVELOPMENT - 18 UNITS PER ACRE) on 103.82 acres on the south side of Crossbridge Drive, approximately 2,700 feet south of Sun creek Drive (APN 164-04-511-001), P-C (Planned Community) Zone, Ward 2 (Vacant) [PRJ-76194]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion and Items 9-31 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions except Items 34 and 35 and amended conditions on Item 38

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan;
Excused-Gus Flangas;

9. SCD-76513 - MAJOR DEVIATION RELATED TO MOD-76535 - PUBLIC HEARING - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Summerlin Major Deviation TO ALLOW A THREE-FOOT TO EIGHT-FOOT OR 18-FOOT GARAGE DOOR SETBACK WHERE THREE FEET TO FIVE FEET OR 18 FEET IS REQUIRED ON LOT #133 OF A 421-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on a portion of 103.82 acres on the south side of Crossbridge Drive, approximately 2,700 feet south of Sun creek Drive (APN 164-04-511-001), P-C (Planned Community) Zone, Ward 2 (Vacant) [PRJ-76194]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion and Items 8-31 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions except Items 34 and 35 and amended conditions on Item 38

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan;
Excused-Gus Flangas;

10. SCD-76514 - MAJOR DEVIATION RELATED TO MOD-76535 - PUBLIC HEARING - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Summerlin Major Deviation TO ALLOW A THREE-FOOT TO EIGHT-FOOT OR 18-FOOT GARAGE DOOR SETBACK WHERE THREE FEET TO FIVE FEET OR 18 FEET IS REQUIRED ON LOT #137 OF A 421-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on a portion of 103.82 acres on the south side of Crossbridge Drive, approximately 2,700 feet south of Sun creek Drive (APN 164-04-511-001), P-C (Planned Community) Zone, Ward 2 (Vacant) [PRJ-76194]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion and Items 8-31 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions except Items 34 and 35 and amended conditions on Item 38

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Excused-Gus Flangas;

11. SCD-76515 - MAJOR DEVIATION RELATED TO MOD-76535 - PUBLIC HEARING - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Summerlin Major Deviation TO ALLOW A THREE-FOOT TO EIGHT-FOOT OR 18-FOOT GARAGE DOOR SETBACK WHERE THREE FEET TO FIVE FEET OR 18 FEET IS REQUIRED ON LOT #138 OF A 421-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on a portion of 103.82 acres on the south side of Crossbridge Drive, approximately 2,700 feet south of Sun creek Drive (APN 164-04-511-001), P-C (Planned Community) Zone, Ward 2 (Vacant) [PRJ-76194]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion and Items 8-31 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions except Items 34 and 35 and amended conditions on Item 38

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Excused-Gus Flangas;

12. SCD-76516 - MAJOR DEVIATION RELATED TO MOD-76535 - PUBLIC HEARING - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Summerlin Major Deviation TO ALLOW A THREE-FOOT TO EIGHT-FOOT OR 18-FOOT GARAGE DOOR SETBACK WHERE THREE FEET TO FIVE FEET OR 18 FEET IS REQUIRED ON LOT #139 OF A 421-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on a portion of 103.82 acres on the south side of Crossbridge Drive, approximately 2,700 feet south of Sun creek Drive (APN 164-04-511-001), P-C (Planned Community) Zone, Ward 2 (Vacant) [PRJ-76194]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion and Items 8-31 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions except Items 34 and 35 and amended conditions on Item 38

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Excused-Gus Flangas;

13. SCD-76517 - MAJOR DEVIATION RELATED TO MOD-76535 - PUBLIC HEARING - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Summerlin Major Deviation TO ALLOW A THREE-FOOT TO EIGHT-FOOT OR 18-FOOT GARAGE DOOR SETBACK WHERE THREE FEET TO FIVE FEET OR 18 FEET IS REQUIRED ON LOT #142 OF A 421-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on a portion of 103.82 acres on the south side of Crossbridge Drive, approximately 2,700 feet south of Sun creek Drive (APN 164-04-511-001), P-C (Planned Community) Zone, Ward 2 (Vacant) [PRJ-76194]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion and Items 8-31 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions except Items 34 and 35 and amended conditions on Item 38

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan;
Excused-Gus Flangas;

14. SCD-76518 - MAJOR DEVIATION RELATED TO MOD-76535 - PUBLIC HEARING - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Summerlin Major Deviation TO ALLOW A THREE-FOOT TO EIGHT-FOOT OR 18-FOOT GARAGE DOOR SETBACK WHERE THREE FEET TO FIVE FEET OR 18 FEET IS REQUIRED ON LOT #144 OF A 421-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on a portion of 103.82 acres on the south side of Crossbridge Drive, approximately 2,700 feet south of Sun creek Drive (APN 164-04-511-001), P-C (Planned Community) Zone, Ward 2 (Vacant) [PRJ-76194]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion and Items 8-31 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions except Items 34 and 35 and amended conditions on Item 38

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan;
Excused-Gus Flangas;

15. SCD-76519 - MAJOR DEVIATION RELATED TO MOD-76535 - PUBLIC HEARING - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Summerlin Major Deviation TO ALLOW A THREE-FOOT TO EIGHT-FOOT OR 18-FOOT GARAGE DOOR SETBACK WHERE THREE FEET TO FIVE FEET OR 18 FEET IS REQUIRED ON LOT #145 OF A 421-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on a portion of 103.82 acres on the south side of Crossbridge Drive, approximately 2,700 feet south of Sun creek Drive (APN 164-04-511-001), P-C (Planned Community) Zone, Ward 2 (Vacant) [PRJ-76194]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion and Items 8-31 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions except Items 34 and 35 and amended conditions on Item 38

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan;
Excused-Gus Flangas;

16. SCD-76520 - MAJOR DEVIATION RELATED TO MOD-76535 - PUBLIC HEARING - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Summerlin Major Deviation TO ALLOW A THREE-FOOT TO EIGHT-FOOT OR 18-FOOT GARAGE DOOR SETBACK WHERE THREE FEET TO FIVE FEET OR 18 FEET IS REQUIRED ON LOT #152 OF A 421-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on a portion of 103.82 acres on the south side of Crossbridge Drive, approximately 2,700 feet south of Sun creek Drive (APN 164-04-511-001), P-C (Planned Community) Zone, Ward 2 (Vacant) [PRJ-76194]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion and Items 8-31 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions except Items 34 and 35 and amended conditions on Item 38

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan;
Excused-Gus Flangas;

17. SCD-76521 - MAJOR DEVIATION RELATED TO MOD-76535 - PUBLIC HEARING - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Summerlin Major Deviation TO ALLOW A THREE-FOOT TO EIGHT-FOOT OR 18-FOOT GARAGE DOOR SETBACK WHERE THREE FEET TO FIVE FEET OR 18 FEET IS REQUIRED ON LOT #158 OF A 421-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on a portion of 103.82 acres on the south side of Crossbridge Drive, approximately 2,700 feet south of Sun creek Drive (APN 164-04-511-001), P-C (Planned Community) Zone, Ward 2 (Vacant) [PRJ-76194]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion and Items 8-31 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions except Items 34 and 35 and amended conditions on Item 38

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Excused-Gus Flangas;

18. SCD-76522 - MAJOR DEVIATION RELATED TO MOD-76535 - PUBLIC HEARING - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Summerlin Major Deviation TO ALLOW A THREE-FOOT TO EIGHT-FOOT OR 18-FOOT GARAGE DOOR SETBACK WHERE THREE FEET TO FIVE FEET OR 18 FEET IS REQUIRED ON LOT #159 OF A 421-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on a portion of 103.82 acres on the south side of Crossbridge Drive, approximately 2,700 feet south of Suncreek Drive (APN 164-04-511-001), P-C (Planned Community) Zone, Ward 2 (Vacant) [PRJ-76194]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion and Items 8-31 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions except Items 34 and 35 and amended conditions on Item 38

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Excused-Gus Flangas;

19. SCD-76523 - MAJOR DEVIATION RELATED TO MOD-76535 - PUBLIC HEARING - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Summerlin Major Deviation TO ALLOW A THREE-FOOT TO EIGHT-FOOT OR 18-FOOT GARAGE DOOR SETBACK WHERE THREE FEET TO FIVE FEET OR 18 FEET IS REQUIRED ON LOT #163 OF A 421-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on a portion of 103.82 acres on the south side of Crossbridge Drive, approximately 2,700 feet south of Suncreek Drive (APN 164-04-511-001), P-C (Planned Community) Zone, Ward 2 (Vacant) [PRJ-76194]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion and Items 8-31 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions except Items 34 and 35 and amended conditions on Item 38

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Excused-Gus Flangas;

20. SCD-76524 - MAJOR DEVIATION RELATED TO MOD-76535 - PUBLIC HEARING - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Summerlin Major Deviation TO ALLOW A THREE-FOOT TO EIGHT-FOOT OR 18-FOOT GARAGE DOOR SETBACK WHERE THREE FEET TO FIVE FEET OR 18 FEET IS REQUIRED ON LOT #164 OF A 421-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on a portion of 103.82 acres on the south side of Crossbridge Drive, approximately 2,700 feet south of Suncreek Drive (APN 164-04-511-001), P-C (Planned Community) Zone, Ward 2 (Vacant) [PRJ-76194]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion and Items 8-31 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions except Items 34 and 35 and amended conditions on Item 38

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

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

Excused-Gus Flangas;

21. SCD-76525 - MAJOR DEVIATION RELATED TO MOD-76535 - PUBLIC HEARING - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Summerlin Major Deviation TO ALLOW A THREE-FOOT TO EIGHT-FOOT OR 18-FOOT GARAGE DOOR SETBACK WHERE THREE FEET TO FIVE FEET OR 18 FEET IS REQUIRED ON LOT #165 OF A 421-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on a portion of 103.82 acres on the south side of Crossbridge Drive, approximately 2,700 feet south of Sun Creek Drive (APN 164-04-511-001), P-C (Planned Community) Zone, Ward 2 (Vacant) [PRJ-76194]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion and Items 8-31 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions except Items 34 and 35 and amended conditions on Item 38

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan;
Excused-Gus Flangas;

22. SCD-76526 - MAJOR DEVIATION RELATED TO MOD-76535 - PUBLIC HEARING - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Summerlin Major Deviation TO ALLOW A THREE-FOOT TO EIGHT-FOOT OR 18-FOOT GARAGE DOOR SETBACK WHERE THREE FEET TO FIVE FEET OR 18 FEET IS REQUIRED ON LOT #166 OF A 421-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on a portion of 103.82 acres on the south side of Crossbridge Drive, approximately 2,700 feet south of Sun Creek Drive (APN 164-04-511-001), P-C (Planned Community) Zone, Ward 2 (Vacant) [PRJ-76194]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion and Items 8-31 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions except Items 34 and 35 and amended conditions on Item 38

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan;
Excused-Gus Flangas;

23. SCD-76527 - MAJOR DEVIATION RELATED TO MOD-76535 - PUBLIC HEARING - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Summerlin Major Deviation TO ALLOW A THREE-FOOT TO EIGHT-FOOT OR 18-FOOT GARAGE DOOR SETBACK WHERE THREE FEET TO FIVE FEET OR 18 FEET IS REQUIRED ON LOT #174 OF A 421-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on a portion of 103.82 acres on the south side of Crossbridge Drive, approximately 2,700 feet south of Sun Creek Drive (APN 164-04-511-001), P-C (Planned Community) Zone, Ward 2 (Vacant) [PRJ-76194]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion and Items 8-31 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions except Items 34 and 35 and amended conditions on Item 38

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan;
Excused-Gus Flangas;

24. SCD-76528 - MAJOR DEVIATION RELATED TO MOD-76535 - PUBLIC HEARING - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Summerlin Major Deviation TO ALLOW A THREE-FOOT TO EIGHT-FOOT OR 18-FOOT GARAGE DOOR SETBACK WHERE THREE FEET TO FIVE FEET OR 18 FEET IS REQUIRED ON LOT #308 OF A 421-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on a portion of 103.82 acres on the south side of Crossbridge Drive, approximately 2,700 feet south of Sun Creek Drive (APN 164-04-511-001), P-C (Planned Community) Zone, Ward 2 (Vacant) [PRJ-76194]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion and Items 8-31 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions except Items 34 and 35 and amended conditions on Item 38

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Excused-Gus Flangas;

25. SCD-76529 - MAJOR DEVIATION RELATED TO MOD-76535 - PUBLIC HEARING - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Summerlin Major Deviation TO ALLOW A THREE-FOOT TO EIGHT-FOOT OR 18-FOOT GARAGE DOOR SETBACK WHERE THREE FEET TO FIVE FEET OR 18 FEET IS REQUIRED ON LOT #309 OF A 421-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on a portion of 103.82 acres on the south side of Crossbridge Drive, approximately 2,700 feet south of Sun creek Drive (APN 164-04-511-001), P-C (Planned Community) Zone, Ward 2 (Vacant) [PRJ-76194]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion and Items 8-31 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions except Items 34 and 35 and amended conditions on Item 38

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Excused-Gus Flangas;

26. SCD-76530 - MAJOR DEVIATION RELATED TO MOD-76535 - PUBLIC HEARING - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Summerlin Major Deviation TO ALLOW A THREE-FOOT TO EIGHT-FOOT OR 18-FOOT GARAGE DOOR SETBACK WHERE THREE FEET TO FIVE FEET OR 18 FEET IS REQUIRED ON LOT #325 OF A 421-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on a portion of 103.82 acres on the south side of Crossbridge Drive, approximately 2,700 feet south of Sun creek Drive (APN 164-04-511-001), P-C (Planned Community) Zone, Ward 2 (Vacant) [PRJ-76194]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion and Items 8-31 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions except Items 34 and 35 and amended conditions on Item 38

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Excused-Gus Flangas;

27. SCD-76531 - MAJOR DEVIATION RELATED TO MOD-76535 - PUBLIC HEARING - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Summerlin Major Deviation TO ALLOW A THREE-FOOT TO EIGHT-FOOT OR 18-FOOT GARAGE DOOR SETBACK WHERE THREE FEET TO FIVE FEET OR 18 FEET IS REQUIRED ON LOT #339 OF A 421-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on a portion of 103.82 acres on the south side of Crossbridge Drive, approximately 2,700 feet south of Sun creek Drive (APN 164-04-511-001), P-C (Planned Community) Zone, Ward 2 (Vacant) [PRJ-76194]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion and Items 8-31 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions except Items 34 and 35 and amended conditions on Item 38

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

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

Excused-Gus Flangas;

28. SCD-76532 - MAJOR DEVIATION RELATED TO MOD-76535 - PUBLIC HEARING - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Summerlin Major Deviation TO ALLOW A THREE-FOOT TO EIGHT-FOOT OR 18-FOOT GARAGE DOOR SETBACK WHERE THREE FEET TO FIVE FEET OR 18 FEET IS REQUIRED ON LOT #351 OF A 421-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on a portion of 103.82 acres on the south side of Crossbridge Drive, approximately 2,700 feet south of Suncrest Drive (APN 164-04-511-001), P-C (Planned Community) Zone, Ward 2 (Vacant) [PRJ-76194]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion and Items 8-31 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions except Items 34 and 35 and amended conditions on Item 38

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan;
Excused-Gus Flangas;

29. SCD-76533 - MAJOR DEVIATION RELATED TO MOD-76535 - PUBLIC HEARING - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Summerlin Major Deviation TO ALLOW A THREE-FOOT TO EIGHT-FOOT OR 18-FOOT GARAGE DOOR SETBACK WHERE THREE FEET TO FIVE FEET OR 18 FEET IS REQUIRED ON LOT #352 OF A 421-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on a portion of 103.82 acres on the south side of Crossbridge Drive, approximately 2,700 feet south of Suncrest Drive (APN 164-04-511-001), P-C (Planned Community) Zone, Ward 2 (Vacant) [PRJ-76194]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion and Items 8-31 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions except Items 34 and 35 and amended conditions on Item 38

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan;
Excused-Gus Flangas;

30. SCD-76534 - MAJOR DEVIATION RELATED TO MOD-76535 - PUBLIC HEARING - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Summerlin Major Deviation TO ALLOW A THREE-FOOT TO EIGHT-FOOT OR 18-FOOT GARAGE DOOR SETBACK WHERE THREE FEET TO FIVE FEET OR 18 FEET IS REQUIRED ON LOT #412 OF A 421-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on a portion of 103.82 acres on the south side of Crossbridge Drive, approximately 2,700 feet south of Suncrest Drive (APN 164-04-511-001), P-C (Planned Community) Zone, Ward 2 (Vacant) [PRJ-76194]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion and Items 8-31 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions except Items 34 and 35 and amended conditions on Item 38

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan;
Excused-Gus Flangas;

31. TMP-76536 - TENTATIVE MAP RELATED TO MOD-76535 AND SCD-76513 THROUGH SCD-76534 - SUMMERLIN VILLAGE 24 PARCEL FGH - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Tentative Map FOR A 421-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 103.82 acres on the south side of Crossbridge Drive, approximately 2,700 feet south of Suncrest Drive (APN 164-04-511-001), P-C (Planned Community) Zone, Ward 2 (Vacant) [PRJ-76194]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion and Items 8-31 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions except Items 34 and 35 and amended conditions on Item 38

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Excused-Gus Flangas;

32. GPA-76545 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY - For possible action on a request for a General Plan Amendment FROM: M (MEDIUM DENSITY RESIDENTIAL) TO: PF (PUBLIC FACILITIES) on 1.30 acres at the northeast corner of Bonanza Road and Wardell Street (APN 139-25-405-012), Ward 3 (Coffin) [PRJ-76544]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion and Item 33 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions except Items 34 and 35 and amended conditions on Item 38

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Excused-Gus Flangas;

33. ZON-76546 - REZONING RELATED TO GPA-76545 - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY - For possible action on a request for a Rezoning FROM: R-3 (MEDIUM DENSITY RESIDENTIAL) TO: C-V (CIVIC) on 1.30 acres at the northeast corner of Bonanza Road and Wardell Street (APN 139-25-405-012), Ward 3 (Coffin) [PRJ-76544]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion and Item 32 for related backup.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions except Items 34 and 35 and amended conditions on Item 38

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Excused-Gus Flangas;

34. SUP-76493 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: COUNT'S VAMP'D - OWNER: CKPB, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 3,003 SQUARE-FOOT LIQUOR ESTABLISHMENT (TAVERN) USE WITH 397 SQUARE FEET OF OUTDOOR SEATING WITH A WAIVER TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A CHURCH/HOUSE OF WORSHIP WHERE 1,500 FEET IS REQUIRED at 6750 West Sahara Avenue (APN 163-02-415-012), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian) [PRJ-76403]. Staff recommends APPROVAL.

Minutes:

CHAIR CHERRY declared the Public Hearing open.

ERIC McCAMMOND, Sr. Management Analyst, reported that the proposed Tavern-Restricted Liquor Establishment does not conform to minimum distance separation requirements per Title 19. However, the distance separation requirement can be waived subject to the applicant obtaining a Tavern-Restricted Alcoholic Beverage license pursuant to Las Vegas Municipal Code Title 6. The subject site has operated as a Supper Club use since 2009 and a Night Club use since 2015. Staff found the proposed use to be compatible and harmonious with neighboring development and recommended approval of this Special Use Permit. Additional protest and support letters were received since publication.

KEVIN MACK stated that a Tavern-Restricted license has been introduced, which means no gaming is allowed. He felt that they should have had a Tavern license, but there was already one at the China Buffet on the corner. He said that he had spoken with that property owner, who is a California resident, many years ago through the

City offering to purchase their license for \$100,000, and he would sell it back for \$1 if that owner sold his building. That property owner was not interested in selling the Tavern license. MR. MACK stated that former

Councilwoman LOIS TARKANIAN worked very hard to get the Tavern-Restricted license. This would allow them to operate without requiring that they have 55 percent alcohol and 45 percent food sales.

COMMISSIONER ROGAN asked if the church in the area was closed, and PETER LOWENSTEIN, Deputy Director of Planning, replied that he spoke with the applicant, and they acknowledged that the building had been vacated.

See Item 6 for related discussion.

CHAIR CHERRY declared the Public Hearing closed.

Motion made by Jeff Rogan to Approve subject to condition(s)

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Excused-Gus Flangas;

35. SUP-76579 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: NEVADA ORGANIC REMEDIES, LLC - OWNER: BRIDGE GROUP INVESTMENTS, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 1,146 SQUARE-FOOT MARIJUANA DISPENSARY USE at 1725 South Rainbow Boulevard, Suite #21 (APN 163-03-603-011), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian) [PRJ-76479]. Staff recommends APPROVAL.

Minutes:

VICE CHAIR DE SALVIO declared the Public Hearing open.

ERIC McCAMMOND, Sr. Management Analyst, reported that the subject site complies with all minimum distance separations as set forth by Title 19.12, and staff found the use can be conducted in a compatible and harmonious manner with the existing surrounding land uses; therefore, staff recommended approval of this Special Use Permit. He noted that there was an updated map included in the Commissioners' backup. Additional protest and support letters were received since publication.

RYAN ARNOLD appeared representing Nevada Organic Remedies, and stated that they were applying for a dispensary use that meets all requirements.

GRAHM CODER stated that he and his neighbors just received notification of this application the night before, and he requested that it be pulled from the agenda so a neighborhood meeting could be held. He referred to the aerial map and pointed out a City park where his children play baseball and Bonanza High School that is full of at-risk youth who will walk by this dispensary. He opined that this seemed like an inappropriate location and would be a problem in this neighborhood. MR. CODER commented that marijuana is not safe. He said that he is a federal agent and has spent the past 10 years combatting the cartel. He stated that the reason dispensaries have such high security is to protect them from the criminal element and noted that a dispensary needs a place to put its seeds and its money as it is not federally legal yet. He said they cannot bank 100 percent in federal banks so they will keep their cash nearby, and it will be robbed.

MR. ARNOLD respected MR. CODER'S comments but pointed out that they meet all the requirements of the State law. He also clarified that this is a dispensary, and they would not be growing anything. He said The Source has several locations in the valley and is by far one of the best operations he has experienced, and they do not have the clientele people are fearful of. MR. ARNOLD requested approval.

COMMISSIONER ROGAN asked MR. ARNOLD if he would be interested in abeying this item and meeting with the neighbors, and MR. ARNOLD replied in the affirmative. He did point out that the applicant has nothing to do with notification as the City handles that. He requested that they be able to meet with the neighbors between this meeting and the City Council meeting due to time constraints. He explained that they are one of the most recent awardees for a license, and they have to perfect it prior to December 4th. A delay would be detrimental to the timeframe of getting the building built and operational.

ROBERT SUMMERFIELD, Director of Planning, interjected that 594 notices were mailed in compliance with the Open Meeting Law and in compliance with the City ordinance. He also informed the Commissioners that this item

would be final action at this meeting and would not go to the City Council so if an abeyance was desired, this was the appropriate time to request that.

MR. RYAN stated that he was not aware this would not be moving forward to the City Council. He said it would be preferable to meet with the neighbors within the next two weeks, but MR. SUMMERFIELD explained that he did not think staff could adequately notice a meeting in two weeks. He asked that if there was an abeyance request for a neighborhood meeting that requires proper notification, the item be abeyed for 30 days. MR. ARNOLD agreed to the abeyance.

See Item 6 for related discussion.

VICE CHAIR DE SALVIO declared the Public Hearing closed.

NOTE: Chair Cherry abstained from voting as his family is involved in the cannabis industry, and they sell to multiple local dispensaries. Commissioner Schlottman disclosed that his construction company has built cultivation and production facilities and dispensaries in the past, but he has never worked with the subject group, and he voted on this item.

Motion made by Jeff Rogan to Hold in Abeyance to 8/13/2019

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

For-Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams, Jeff Rogan; Abstain-Sam Cherry; Excused-Gus Flangas;

36. SUP-76596 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: 612 CARSON, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 1,348 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT WITH 83 SQUARE FEET OF OUTDOOR SEATING AREA at 616 East Carson Avenue, Suite #140 (APN 139-34-611-024), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-76480]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion.

NOTE: The video does not reflect the vote accurately, in that Commissioner Schlottman abstained from voting on this item as he has an ongoing business relationship with the property owner.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions except Items 34 and 35 and amended conditions on Item 38

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

For-Donna Toussaint, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Abstain-Trinity Haven Schlottman; Excused-Gus Flangas;

37. SUP-76605 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: JESS THE MESS, LLC - OWNER: 201 CHARLESTON, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 1,639 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT WITH 600 SQUARE FEET OF OUTDOOR SEATING AREA at 201 East Charleston Boulevard, Suite #100 (APN 139-34-410-047), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-76560]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion.

NOTE: Chair Cherry disclosed that he lives within the notification area; however, this would not affect him any lesser or greater, and he voted on this item. The video does not reflect the vote accurately, in that Commissioner Schlottman abstained from voting on this item as he owns a bar across the street from the subject tavern.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions except Items 34 and 35 and amended conditions on Item 38

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

For-Donna Toussaint, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Abstain-Trinity Haven Schlottman; Excused-Gus Flangas;

38. SDR-76438 - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: JOHN STALUPPI JR. - OWNER: DANIELLE REALTY, LLC - For possible action on a request for a Major Amendment to approved Rezoning and Plot Plan Review (Z-0084-92) FOR A PROPOSED 9,225 SQUARE-FOOT BUILDING AT AN EXISTING AUTO DEALERINVENTORY STORAGE DEVELOPMENT WITH A WAIVER TO ALLOW BUILDING FACADES WITH NO VISUAL INTEREST WHERE SUCH IS REQUIRED on 2.56 acres at 2249 Red Rock Street (APN 163-01-401-005), C-2 (General Commercial) Zone, Ward 1 (Tarkanian) [PRJ-76355]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion.

Motion made by Louis De Salvio to Approve the One Motion One Vote Agenda subject to conditions except Items 34 and 35 and adding the following condition to Item 38 as read for the record:

A. The trash enclosure shall be relocated to the midpoint along the west property line.

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Excused-Gus Flangas;

PUBLIC HEARING ITEMS

39. ABEYANCE - SDR-76350 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: TRUE LOVE MISSIONARY BAPTIST CHURCH - For possible action on a request for a Site Development Plan Review FOR A PROPOSED PARKING LOT EXPANSION on 2.28 acres at 1941 H Street (APN 139-21-703-003), C-V (Civic) Zone, Ward 5 (Crear) [PRJ-76225]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion.

Motion made by Louis De Salvio to Hold in Abeyance Items 39 and 56-59 to 8/13/2019

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Excused-Gus Flangas;

40. ABEYANCE - VAR-76469 - VARIANCE - PUBLIC HEARING - APPLICANT: RHYTHM'S DANCE STUDIO - OWNER: 4545 WEST SAHARA AVE, LLC - For possible action on a request for a Variance TO ALLOW 47 PARKING SPACES WHERE 173 SPACES ARE REQUIRED on 0.76 acres at 4545 West Sahara Avenue (APN 162-07-101-020), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian) [PRJ-76404]. Staff recommends DENIAL.

Minutes:

CHAIR CHERRY declared the Public Hearing open for Items 40-42.

ERIC McCAMMOND, Sr. Management Analyst, reported that both the proposed Tavern-Restricted Liquor Establishment and the Nightclub uses require a 1,500-foot distance separation from any Church/House of Worship. At the time of application, it was noted that a Church/House of Worship was located approximately 385 feet from the subject site. During a recent field visit, it was noted that a second Church/House of Worship was located directly adjacent to the subject parcel resulting in a zero-foot distance separation. This distance separation may be waived at the discretion of Planning Commission. However, staff found no evidence of unique or extraordinary circumstance to support the parking Variance request and that the proposed uses are too intense for the subject site; therefore, staff recommended denial of all applications. He noted that there was an updated Special Map included in the Commissioners' supplemental information packets. Additionally, there were protest letters received since publication.

CHAIR CHERRY asked if the applicant was present, but no one came forward to speak.

ALEJANDRO JANO stated that he lives behind the subject premises and is a member of the church next door. He stated that there was not more than 300 feet between the subject site and the church, and wondered why their church was not on the map. He expressed concern about the kids playing next door and commented that

the applicant has been having a lot of parties and issues even though they do not have a permit yet.

COMMISSIONER ROGAN informed MR. JANO that it appeared staff just recently found out about the church he spoke of, and it was included in the supplemental materials the Commissioners had. He stated that he had the same concerns staff listed with regards to parking and being too intense of a use and made motions for denial of each application, which carried unanimously with Commissioner Flangas excused.

Subsequent to hearing Items 53-55, ROBERT SUMMERFIELD, Director of Planning, informed CHAIR CHERRY that the applicant for these items was now present, and he believed COMMISSIONER ROGAN was willing to reconsider the items in order for the applicant to put his comments on the record.

NATHAN STRAGER, co-owner, appeared and apologized for being tardy. MR. STRAGER said that they have a \$2.5 million loan for the land and building, and their facility is a dance studio and event center. They have nine dance teams that include youth and adults, and they host weddings, birthdays and other events. He has been operating as a Nightclub for more than a year and has had no complaints. MR. STRAGER said he has been working with former Councilwoman LOIS TARKANIAN'S office for more than two years with regards to the Tavern-Restricted use, which is only for a small area on Sahara Avenue from Arville Street to Durango Drive and would only be applicable to a few businesses. He stated that it is extremely crucial to receive approval so they can continue to operate and noted that they have turned down many public events to remain in compliance and have done everything the City has recommended. MR. STRAGER requested approval.

CHAIR CHERRY noted that there was a resident who spoke in opposition to the application when the items were first opened, and COMMISSIONER ROGAN clarified that it was a resident and person who attended church immediately to the west of the subject property. MR. STRAGER reiterated that they have never had any issues with their neighbors.

COMMISSIONER ROGAN stated that he was concerned about the request regarding parking, which would make parking spaces 73 percent deficient, and said that the objections received were regarding the parking situation. He did not believe there was a manner to alleviate that concern, and MR. STRAGER informed the Commissioner that they have a parking easement to the east that is good for 90 years, which they can use any time after 5:00 p.m.

COMMISSIONER ROGAN asked staff if that information was included in their analysis, and MR. McCAMMOND replied that they did not use that in the analysis as it was not brought to their attention. MR. STRAGER explained that they have never had an issue with neighbors regarding parking, and they work hand in hand with the liquor store next door.

COMMISSIONER ROGAN confirmed with CHAIR CHERRY that this item would be final action. He reiterated that he was very concerned about the parking situation and indicated he would move for denial. He also said that he would meet with MR. STRAGER and that MR. STRAGER could file an appeal and meet with the Councilman prior to the August 21st meeting. In response to MR. STRAGER'S inquiry regarding what COMMISSIONER ROGAN'S decision was based on, the Commissioner explained that his decision was due to the parking. MR. STRAGER reiterated that they have never had an issue with parking, and COMMISSIONER ROGAN reiterated his concern.

COMMISSIONER SCHLOTTMAN added that the concern is not just about the parking as it pertains to MR. STRAGER'S business and explained that the Variance runs with the land so they have to take that into consideration.

Subsequent to the votes for Items 40-43, MR. SUMMERFIELD encouraged MR. STRAGER to reach out to the Planning Department if he had any questions regarding filing an appeal and to reach out to the Ward 1 Council office prior to the City Council meeting if he does file an appeal.

MR. STRAGER asked about his options if he had to close his doors, and COMMISSIONER ROGAN indicated that was a self-imposed hardship and perhaps this location was not the best for what they intended to do with their business. CHAIR CHERRY reiterated that this was a self-imposed hardship but thought that there may be something that could work. MR. STRAGER stated that he had been working with different people for the past two years and did not think it was appropriate that they spent \$2.5 million dollars to improve the community but it did not matter if they have to close their doors.

See Items 41 and 42 for related backup.

CHAIR CHERRY declared the Public Hearing closed for Items 40-42.

NOTE: An initial motion for Denial by Commissioner Rogan carried unanimously with Commissioner Flangas Excused, and Items 40-42 were Reconsidered upon a motion by Commissioner Rogan which also carried unanimously with Commissioner Flangas Excused.

Motion made by Jeff Rogan to Deny

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Excused-Gus Flangas;

41. ABEYANCE - SUP-76470 - SPECIAL USE PERMIT RELATED TO VAR-76469 - PUBLIC HEARING - APPLICANT: RHYTHM'S DANCE STUDIO - OWNER: 4545 WEST SAHARA AVE, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 7,800 SQUARE-FOOT LIQUOR ESTABLISHMENT (TAVERN) [TAVERN-RESTRICTED] USE WITH 1,000 SQUARE FEET OF OUTDOOR SEATING WITH A WAIVER TO ALLOW A 150-FOOT DISTANCE SEPARATION FROM A SIMILAR USE WHERE 1,500 FEET IS REQUIRED at 4545 West Sahara Avenue (APN 162-07-101-020), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian) [PRJ-76404]. Staff recommends DENIAL.

Minutes:

See Item 40 for related discussion and Items 40-42 for related backup.

NOTE: An initial motion for Denial by Commissioner Rogan carried unanimously with Commissioner Flangas Excused, and Items 40-42 were Reconsidered upon a motion by Commissioner Rogan which also carried unanimously with Commissioner Flangas Excused.

Motion made by Jeff Rogan to Deny

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Excused-Gus Flangas;

42. ABEYANCE - RENOTIFICATION - SUP-76471 - SPECIAL USE PERMIT RELATED TO VAR-76469 AND SUP-76470 - PUBLIC HEARING - APPLICANT: RHYTHM'S DANCE STUDIO - OWNER: 4545 WEST SAHARA AVE, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 7,800 SQUARE-FOOT NIGHTCLUB USE WITH 1,000 SQUARE FEET OF OUTDOOR SEATING WITH A WAIVER TO ALLOW A 385-FOOT DISTANCE SEPARATION FROM A CHURCH/HOUSE OF WORSHIP WHERE 1,500 FEET IS REQUIRED at 4545 West Sahara Avenue (APN 162-07-101-020), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian) [PRJ-76404]. Staff recommends DENIAL.

Minutes:

See Item 40 for related discussion and Items 40-42 for related backup.

NOTE: An initial motion for Denial by Commissioner Rogan carried unanimously with Commissioner Flangas Excused, and Items 40-42 were Reconsidered upon a motion by Commissioner Rogan which also carried unanimously with Commissioner Flangas Excused.

Motion made by Jeff Rogan to Deny

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Excused-Gus Flangas;

43. GPA-76550 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: AMERCO REAL ESTATE COMPANY - OWNER: BALJINDER SINGH RANDHAWA - For possible action on a request for a General Plan Amendment FROM: SC (SERVICE COMMERCIAL) TO: LI/R (LIGHT INDUSTRY/RESEARCH) on 0.63 acres at 3951 North Rancho Drive (APN 138-12-110-003), C-1 (Limited Commercial) Zone, Ward 5 (Crear) [PRJ-76315]. Staff recommends DENIAL.

Minutes:

CHAIR CHERRY declared the Public Hearing open for Items 43 and 44.

ERIC McCAMMOND, Sr. Management Analyst, reported that the proposed General Plan Amendment and Rezoning provides for a variety of compatible business, warehouse, wholesale, office and limited industrial uses that are intended to be located away from areas of low and medium density residential development. Staff determined the proposed General Plan designation and zoning district are not compatible with the existing Limited Commercial and Single Family Residential developments in the area; therefore, staff recommended denial of these applications. Additional protest and support letters were received since publication.

MIKE VARGOVICH, President of U-Haul Company of Nevada, stated that they are proposing an extension of their existing business, which is a large storage and truck-sharing facility. He said that in between their property and the Crystal Palace skating rink, there is a .63 acre parcel that has been vacant since 1937, and they would like to put a mobile storage facility, which is a newer, more convenient means of storage. MR. VARGOVICH showed a rendering of the warehouse, which he felt would enhance the area. He stated they would be compliant with City requirements and would be installing landscaping. He has spoken with the owner of Crystal Palace and Cobblestone Construction and also noted that the property across the street is C-2 (General Commercial). MR. VARGOVICH requested approval.

COMMISSIONER DE SALVIO expressed great concern with the C-M (Commercial/Industrial) zoning using the example of rocket fuel being allowed under that designation and asked why this was not being requested as C-2. JONATHAN BOYLES, Sr. Planner, explained that the proposal for the development of this site will encompass a warehouse facility for mobile pod storage. The warehouse facility is a permitted use under the proposed C-M zoning district, but the C-2 zoning does not allow for a warehouse as a permissible land use. MR. BOYLES confirmed for COMMISSIONER DE SALVIO that once it is hard zoned to C-M, it could be developed with any permitted use under that land use zoning designation.

CHAIR CHERRY asked if it the applicant could apply for an SUP (Special Use Permit) as Mini Storage if it was zoned C-2, and ROBERT SUMMERFIELD, Director of Planning, replied that warehousing is not a use that is allowed outside of an industrial zone.

MR. VARGOVICH stated that U-Haul has been at their site since 1997. He agreed with the comments regarding rezoning; however, he said it will be a storage facility, or a storage warehouse as determined by Planning Department staff, from here until eternity. He understood the concerns, but requested approval so they could move forward with the project.

COMMISSIONER DE SALVIO thought this was a beautiful project but reiterated his concern again about other uses that could be allowed on the property. He asked if there was another way to accomplish this besides zoning to C-M as he did not think that the zoning was harmonious and compatible with the area. MR. BOYLES reiterated that once a property is hard zoned, it could be developed with any permitted use under Title 19.12; however, the Warehouse Distribution land use is not permitted at all within the C-2 zoning district, so an SUP would not apply. He added that any future development on the site would require a Site Development Plan Review and would come before the Planning Commission.

COMMISSIONER WILLIAMS visited the site and felt that when considering Rancho Drive and the adjacent properties and what is happening in the area, the area could benefit from this type of product.

See Item 44 for related backup.

CHAIR CHERRY declared the Public Hearing closed for Items 43 and 44.

Motion made by Anthony Williams to Approve

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Excused-Gus Flangas;

44. ZON-76551 - REZONING RELATED TO GPA-76550 - PUBLIC HEARING - APPLICANT: AMERCO REAL ESTATE COMPANY - OWNER: BALJINDER SINGH RANDHAWA - For possible action on a request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) TO: C-M (COMMERCIAL/INDUSTRIAL) on 0.63 acres at 3951 North Rancho Drive (APN 138-12-110-003), C-1 (Limited Commercial) Zone, Ward 5 (Crear) [PRJ-76315]. Staff recommends DENIAL.

Minutes:

See Item 43 for related discussion and backup.

Motion made by Anthony Williams to Approve

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan;
Excused-Gus Flangas;

45. GPA-76573 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: MISTTEEROSE HOLDINGS, LLC, ET AL - For possible action on a request for a General Plan Amendment FROM: GC (GENERAL COMMERCIAL) TO: LI/R (LIGHT INDUSTRY/RESEARCH) on 1.28 acres at 1616, 1622 and 1630 Sunset Drive (APNs 139-19-812-011, 012 & 013), Ward 5 (Crear) [PRJ-76322]. Staff recommends DENIAL.

Minutes:

CHAIR CHERRY declared the Public Hearing open for Items 45-50.

ERIC McCAMMOND, Sr. Management Analyst, reported that the proposed General Plan designation and zoning district is intended to provide for heavy manufacturing industries in locations where they will be compatible with and not adversely impact adjacent land uses. The district is intended to be located away from all residential development. In addition, the proposed Site Development Plans require Variances to comply with Title 19 standards. Because of the adjacent residential uses and the associated Variances, staff found the proposed General Plan Amendment, Rezoning and Site Development Plans to be incompatible with other properties in the area; therefore, staff recommended denial of all applications. MR. McCAMMOND noted that an updated Staff Report containing neighborhood meeting information was included in the Commissioners' supplemental information packets. Additional protest letters were received since publication

RICKI BARLOW appeared on behalf of the applicant and stated that this particular site has been owned by two families for more than a decade each and has been operating as a landscape yard for over a decade. The City of Las Vegas approached the applicant and other property owners surrounding this site who are also coming forward in the near future with the same application, because the designation of what they have been using the yard for is not in compliance with the City code. The City asked the applicant to come forward to appropriately zone the parcel. He noted that every surrounding property is operating as industrial uses but are not zoned that way. MR. BARLOW noted that two of the sites have been awarded the contract to assist with the expansion of US Highway 95 and Interstate 15; however, they will not be storing heavy utility dump trucks. He said that he walked the neighborhood and spoke with the neighbors, and they also held a neighborhood meeting and nobody other than City staff was in attendance. He described the traffic flow in the area and stated that this will not impact the neighborhood. MR. BARLOW requested approval.

COMMISSIONER WILLIAMS requested holding Items 45-50 in abeyance for 30 days in order to meet with MR. BARLOW and the applicant so he could get a better understanding of this project. MR. BARLOW confirmed for CHAIR CHERRY that he was in agreement.

See Items 46-50 for related backup.

CHAIR CHERRY declared the Public Hearing closed for Items 45-50.

Motion made by Anthony Williams to Hold in Abeyance Items 45-50 to 8/13/2019

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan;
Excused-Gus Flangas;

46. ZON-76574 - REZONING RELATED TO GPA-76573 - PUBLIC HEARING - APPLICANT/OWNER: MISTTEEROSE HOLDINGS, LLC, ET AL - For possible action on a request for a Rezoning FROM: C-2 (GENERAL COMMERCIAL) TO: M (INDUSTRIAL) on 1.28 acres at 1616, 1622 and 1630 Sunset Drive (APNs 139-19-812-011, 012 & 013), Ward 5 (Crear) [PRJ-76322]. Staff recommends DENIAL.

Minutes:

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

Motion made by Anthony Williams to Hold in Abeyance Items 45-50 to 8/13/2019

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio Anthony Williams, Jeff Rogan;
Excused-Gus Flangas;

47. VAR-76575 - VARIANCE RELATED TO GPA-76573 AND ZON-76574 - APPLICANT/OWNER: GEORGE TONY LOPEZ - For possible action on a request for a Variance TO ALLOW A 95-FOOT WIDE LOT WIDTH WHERE 100 FEET IS REQUIRED; AND TO ALLOW AN EIGHT-FOOT FRONT YARD WALL WHERE FIVE FEET IS THE MAXIMUM ALLOWED at 1616 Sunset Drive (APN 139-19-812-011), C-2 (General Commercial) Zone [PROPOSED: M (Industrial)], Ward 5 (Crear) [PRJ-76322]. Staff recommends DENIAL.

Minutes:

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

Motion made by Anthony Williams to Hold in Abeyance Items 45-50 to 8/13/2019

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan;
Excused-Gus Flangas;

48. SDR-76576 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-76573, ZON-76574 AND VAR-76575 - APPLICANT/OWNER: GEORGE TONY LOPEZ - For possible action on a request for a Site Development Plan Review FOR A HEAVY MACHINERY AND EQUIPMENT STORAGE DEVELOPMENT on 0.44 acres at 1616 Sunset Drive (APN 139-19-812-011), C-2 (General Commercial) Zone [PROPOSED: M (Industrial)], Ward 5 (Crear) [PRJ-76322]. Staff recommends DENIAL.

Minutes:

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

Motion made by Anthony Williams to Hold in Abeyance Items 45-50 to 8/13/2019

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan;
Excused-Gus Flangas;

49. VAR-76577 - VARIANCE RELATED TO GPA-76573 AND ZON-76574 - APPLICANT/OWNER: MISTTEEROSE HOLDINGS, LLC - For possible action on a request for a Variance TO ALLOW AN EIGHT-FOOT FRONT YARD WALL WHERE FIVE FEET IS THE MAXIMUM ALLOWED at 1622 and 1630 Sunset Drive (APNs 139-19-812-012 and 013), C-2 (General Commercial) Zone [PROPOSED: M (Industrial)], Ward 5 (Crear) [PRJ-76322]. Staff recommends DENIAL.

Minutes:

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

Motion made by Anthony Williams to Hold in Abeyance Items 45-50 to 8/13/2019

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan;
Excused-Gus Flangas;

50. SDR-76578 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-76573, ZON-76574 AND VAR-76577 - APPLICANT/OWNER: MISTTEEROSE HOLDINGS, LLC - For possible action on a request for a Site Development Plan Review FOR A HEAVY MACHINERY AND EQUIPMENT STORAGE DEVELOPMENT on 0.84 acres at 1622 and 1630 Sunset Drive (APNs 139-19-812-012 and 013), C-2 (General Commercial) Zone [PROPOSED: M (Industrial)], Ward 5 (Crear) [PRJ-76322]. Staff recommends DENIAL.

Minutes:

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

Motion made by Anthony Williams to Hold in Abeyance Items 45-50 to 8/13/2019

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan;
Excused-Gus Flangas;

51. GPA-76580 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: 4HIM4LIFE, INC - For possible action on a request for a General Plan Amendment FROM: PF (PUBLIC FACILITIES) TO: SC (SERVICE COMMERCIAL) on 4.50 acres at 800 North Bruce Street (APNs 139-26-701-001 and 002), Ward 3 (Coffin) [PRJ-76325]. Staff recommends DENIAL.

Minutes:

CHAIR CHERRY declared the Public Hearing open for Items 51 and 52.

ERIC McCAMMOND, Sr. Management Analyst, reported that staff found the proposed Service Commercial General Plan designation and Limited Commercial zoning district would permit land uses too intense directly abutting the existing residential developments. Allowed uses such as Restaurants and General Personal Services are typically open past normal business hours and would introduce public activity that is incompatible with the detached, single family residences that currently exist in the immediate area; therefore, staff recommended denial of both requests. MR. McCAMMOND noted that an updated Staff Report containing neighborhood meeting information was included in the Commissioners' supplemental information packets. Additional support letters were received since publication.

RICKI BARLOW appeared representing the applicant and stated that this is an infill parcel that sits east of Cashman Field. The neighbors were concerned about development that could be coming into their neighborhood and how it would impact the area. They held a neighborhood meeting and shared with the residents that they want to bring a harmonious development to this area. MR. BARLOW reviewed the project and explained that on the western most portion of the site, they would have commercial frontage with approximately 12 retail units facing Bruce Street. He reported that the neighbors liked that idea as it would provide amenities within walking distance. They asked the neighbors if they would like to have all apartments on the land, and they indicated that they would not, but approved of having softer retail on the front. MR. BARLOW stated that they would have no liquor sales due to adjacency to the school. The east portion of the property would be no more than two-story residential units, and they worked with neighbors to determine which type of units they would support. He said that they would like to continue working with the neighbors regarding appropriate development that would support this neighborhood.

PETER WATSON stated that he attended the meeting and confirmed that he liked the idea of the mixed-use development that was proposed, the way the property was laid out and the drawings they were shown. MR. WATSON requested approval of this project.

COMMISSIONER SCHLOTTMAN asked when a Site Development Review would be brought to the Planning Commission, and MR. BARLOW stated that it would be this year. He added that they are working with the neighbors to come up with a concept they will support as they were concerned about the impact to the school and traffic in the area.

COMMISSIONER SCHLOTTMAN clarified that the vote at this meeting was regarding the land use only. He also cautioned against overbuilding with too much commercial. MR. BARLOW replied that they have no interest in being 100 percent commercial as they have worked with the neighbors and staff to make sure there is the appropriate percentage of residential and commercial. COMMISSIONER SCHLOTTMAN also wanted to ensure there would not be anything like fast food put in the area.

Subsequent to the vote, MR. BARLOW stated that when the site development plan comes forward, he would like to meet with COMMISSIONER SCHLOTTMAN.

See Item 52 for related backup.

CHAIR CHERRY declared the Public Hearing closed for Items 51 and 52

Motion made by Trinity Haven Schlottman to Approve

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Excused-Gus Flangas;

52. ZON-76581 - REZONING RELATED TO GPA-76580 - PUBLIC HEARING - APPLICANT/OWNER: 4HIM4LIFE, INC - For possible action on a request for a Rezoning FROM: C-V (CIVIC) TO: C-1 (LIMITED COMMERCIAL) on 4.50 acres at 800 North Bruce Street (APNs 139-26-701-001 and 002), Ward 3 (Coffin) [PRJ-76325]. Staff recommends DENIAL.

Minutes:

See Item 51 for related discussion and backup.

Motion made by Trinity Haven Schlottman to Approve

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Excused-Gus Flangas;

53. GPA-76598 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: 634 N. MAIN STREET, LLC - For possible action on a request for a General Plan Amendment FROM: MXU (MIXED USE) TO: LI/R (LIGHT INDUSTRY/RESEARCH) on 2.60 acres at the northeast corner of Bonanza Road and Main Street (APNs Multiple), Ward 5 (Crear) [PRJ-76561]. Staff recommends DENIAL.

Minutes:

VICE CHAIR DE SALVIO declared the Public Hearing open for Items 53-55.

JONATHAN BOYLES, Sr. Planner, reported that the subject site is located within the Downtown Las Vegas Cashman District, which allows all deviations from Title 19 development standards to be addressed as Waivers associated with the Site Development Plan Review. The applicant requested multiple Waivers of Appendix F Interim Downtown Las Vegas Development Standards to allow reduced required onsite parking, building setbacks, landscape buffers, and residential adjacency setbacks and to allow increased perimeter wall height and lot coverage throughout the site.

Due to the multiple Waivers of Title 19 development standards associated with this project, staff determined that the proposed project is not compatible with surrounding development in the area and will have a negative impact to the adjacent single-family residential properties located to the north and east of the subject site; therefore, staff recommended denial of this project. Additional protest letters were received since publication.

TODD KESSLER appeared and stated that this warehouse will be an integral component of the new Circa Resort, Casino and Hotel scheduled to open in December 2020, and it will also help the facilities at The D and the Golden Gate Casino hotels. He thought this was appropriate as they have been mindful of the residential to the east and north, the design incorporated a sloped roof, the building has rounded corners along Main Street and First Street, and there are many windows that let in a lot of light. They also used color variations to break up the scheme and masonry walls to be reminiscent of the time.

MR. KESSLER addressed the rezoning noting that there are existing C-M (Commercial/Industrial) properties on all three other existing hard corners of Main Street and Bonanza Road as well as M (Medium Density Residential) zoning along the west side and C-M zoning on the east side of Main Street. He stated that the Waivers are due to the unique nature of the downtown experience along this corridor, and they requested the following: a 10-foot fence for security and screening reasons; a parking waiver as there will only be three full-time employees at this location; and shortened landscape buffers as they thought about what could occur in the area.

A neighborhood meeting was held on June 12th, and he has spoken with many landowners since that time including HEIDI SWANK, Nevada Preservation Foundation, and the applicant is open to her ideas.

MR. KESSLER requested approval.

OLIVER MOORE stated that he owns two properties in the area and said that Bonanza Road and Main Street is one of the oldest intersections in town. He did not think it was smart to build a garage a couple of blocks from the downtown area.

DIANA LUK stated that she owns homes in area, and they are opposed to mixed use in the residential area. She said that they can see the downtown lights from the homes, and they do not want to lose that. The homes were built in 1942 and 1943, and she requested that the Commissioners preserve the district and leave it as it is.

MS. SWANK stated that she met with the applicant, and she shared some of the neighborhood's concerns regarding compatibility. She requested that the Commissioners take it very seriously any time a project will diverge from the design standards as it sets a precedent moving forward. They received a call from the neighbors regarding this project, and she met with applicant. She shared some ideas she had to soften the building and gain better reception from the neighbors should this project be approved: make the setback on 1st Street the same size as on Main Street and Bonanza Road; install eucalyptus trees instead of palm trees as it provides more greenery and a much softer look; add cat claw or a similar vine to the wall on 1st Street; add some welcoming text along the northern part of the wall on 1st Street regarding Biltmore Bungalows and when it was established; replace the square windows on the warehouse with larger, elongated obscure windows that have lighting behind them that would activate the building at night; and change the color scheme to muted colors of the 1940's. Should this be approved, she hoped that the modifications would be made to make it friendlier to the neighbors.

KOREY VINSON stated that she moved into the neighborhood in 1962, and she still owns a property that is one block off of 1st Street. This is a historic neighborhood and everyone is trying to preserve it, and a warehouse in the area is not preservation of the neighborhood. She said that they all pay taxes, and she thought some of it should be for neighbors to keep up their homes. MS. VINSON stated that people in the area park on the streets and have children, and she did not feel it was a place for trucks, big lights or a business.

CHARMAINE LAI owns a property in the area and said that many residents have spent money to improve the neighborhood. Most homes are one-story, and they do not want anything higher than those. MS. LAI felt there were places that were more suitable for a warehouse and wished to preserve the historical nature of the area. She requested denial.

MR. KESSLER clarified that this is a warehouse not a garage. He was receptive to many of the ideas MS. SWANK spoke of, and he will continue to work with her prior to the August 21st City Council meeting. He stated that the design was very mindful of residential to the east, and the only entry point is on Main Street, which is already a traffic corridor. There will be no access or activity on 1st Street or Bonanza Road.

COMMISSIONER WILLIAMS requested holding Items 53-55 in abeyance to get a better idea of what the building would look like.

COMMISSIONER TOUSSAINT liked the idea of using eucalyptus trees, and the color scheme mentioned would enhance the neighborhood. She would be in favor.

COMMISSIONER SCHLOTTMAN concurred and wondered if MS. SWANK could submit the copy of her color chart for the record, which she did. He pointed out that this project will be heard by the City Council, and he would like to see this move forward.

COMMISSIONER WILLIAMS asked MR. KESSLER if he would agree to the abeyance, and MR. KESSLER replied that he would prefer to work this out between this meeting and the City Council meeting rather than hold it in abeyance as they are on a tight schedule. He stated that this is an integral component to Circa's opening, and he would continue to work with the neighbors. COMMISSIONER DE SALVIO asked how it was vital, and MR. KESSLER replied that it is a warehouse and affects how goods are delivered into the system and has a ripple effect on everything.

COMMISSIONER WILLIAMS asked that MR. KESSLER make the changes and be prepared for the City Council meeting.

ROBERT SUMMERFIELD, Director of Planning, mentioned for the applicant that time is of the essence to submit revised plans as everything suggested by MS. SWANK would require revisions to the plans.

See Items 54 and 55 for related backup.

VICE CHAIR DE SALVIO declared the Public Hearing closed for Items 53-55.

NOTE: Chair Cherry abstained from voting on Items 53-55 out of an abundance of caution as his company has a

financial interest that works directly with the principals, who are the applicants.

Motion made by Anthony Williams to Approve

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

For-Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams, Jeff Rogan; Abstain-Sam Cherry; Excused-Gus Flangas;

54. ZON-76599 - REZONING RELATED TO GPA-76598 - PUBLIC HEARING - APPLICANT/OWNER: 634 N. MAIN STREET, LLC - For possible action on a request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) TO: C-M (COMMERCIAL/INDUSTRIAL) on 2.60 acres at the northeast corner of Bonanza Road and Main Street (APNs Multiple), Ward 5 (Crear) [PRJ-76561]. Staff recommends DENIAL.

Minutes:

See Item 53 for related discussion and Items 53-55 for related backup.

NOTE: Chair Cherry abstained from voting on Items 53-55 out of an abundance of caution as his company has a financial interest that works directly with the principals, who are the applicants.

Motion made by Anthony Williams to Approve

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

For-Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams, Jeff Rogan; Abstain-Sam Cherry; Excused-Gus Flangas;

55. SDR-76600 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-76598 AND ZON-76599 - PUBLIC HEARING - APPLICANT/OWNER: 634 N. MAIN STREET, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 62,976 SQUARE-FOOT WAREHOUSE DEVELOPMENT AND 10,000 SQUARE-FOOT SHADE STRUCTURE WITH WAIVERS OF APPENDIX F INTERIM DOWNTOWN LAS VEGAS AREA 2 DEVELOPMENT STANDARDS on 2.60 acres at the northeast corner of Bonanza Road and Main Street (APNs Multiple), C-1 (Limited Commercial) Zone [PROPOSED: C-M (Commercial/Industrial)], Ward 5 (Crear) [PRJ-76561]. Staff recommends DENIAL.

Minutes:

See Item 53 for related discussion and Items 53-55 for related backup.

NOTE: Chair Cherry abstained from voting on Items 53-55 out of an abundance of caution as his company has a financial interest that works directly with the principals, who are the applicants.

Motion made by Anthony Williams to Approve subject to condition(s)

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

For-Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams, Jeff Rogan; Abstain-Sam Cherry; Excused-Gus Flangas;

56. VAR-76590 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: RUBIO RAMIREZ, LLC - For possible action on a request for a Variance TO ALLOW 39 PARKING SPACES WHERE 50 PARKING SPACES ARE REQUIRED on 0.78 acres at 1385 and 1395 North Nellis Boulevard (APN 140-29-601-001), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-76300]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 57-59 for related backup.

Motion made by Louis De Salvio to Hold in Abeyance Items 39 and 56-59 to 8/13/2019

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Excused-Gus Flangas;

57. VAR-76594 - VARIANCE RELATED TO VAR-76590 - PUBLIC HEARING - APPLICANT/OWNER: RUBIO RAMIREZ, LLC - For possible action on a request for a Variance TO ALLOW A ZERO-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED, A ZERO-FOOT REAR YARD SETBACK WHERE 20 FEET IS REQUIRED, TO ALLOW A ZERO-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 70 FEET IS REQUIRED AND TO

ALLOW A SIX-FOOT TALL FRONT YARD WALL/FENCE WHERE A MAXIMUM OF FIVE FEET WITH A TWO-FOOT SOLID BASE IS ALLOWED on 0.78 acres at 1385 and 1395 North Nellis Boulevard (APN 140-29-601-001), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-76300]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 56-59 for related backup.

Motion made by Louis De Salvio to Hold in Abeyance Items 39 and 56-59 to 8/13/2019

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Excused-Gus Flangas;

58. SUP-76595 - SPECIAL USE PERMIT RELATED TO VAR-76590 AND VAR-76594 - PUBLIC HEARING - APPLICANT/OWNER: RUBIO RAMIREZ, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED AUTO REPAIR GARAGE (MAJOR) USE WITH WAIVERS TO ALLOW VEHICLES TO BE PARKED ON THE PREMISE FOR SALE AND TO ALLOW THE USE ADJACENT TO PROPERTY ZONED R-E (RESIDENCE ESTATES) WHERE SUCH IS PROHIBITED at 1385 and 1395 North Nellis Boulevard (APN 140-29-601-001), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-76300]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 56-59 for related backup.

Motion made by Louis De Salvio to Hold in Abeyance Items 39 and 56-59 to 8/13/2019

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Excused-Gus Flangas;

59. SDR-76597 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-76590, VAR-76594 AND SUP-76595 - PUBLIC HEARING - APPLICANT/OWNER: RUBIO RAMIREZ, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 8,228 SQUARE-FOOT AUTO REPAIR GARAGE (MAJOR) FACILITY WITH AN EXISTING 1,308 SQUARE-FOOT MOTOR VEHICLE SALES (USED) DEVELOPMENT AND PARKING LOT RECONFIGURATION WITH WAIVERS TO ALLOW DEVIATIONS TO PERIMETERLANDSCAPE BUFFER DEVELOPMENT STANDARDS, TO ALLOW BUILDING FACADES WITH NO VISUAL INTEREST WHERE SUCH IS REQUIRED AND TO ALLOW A SERVICE BAY DOOR TO FACE THE RIGHT-OF-WAY WHERE SUCH IS NOT ALLOWED on 0.78 acres at 1385 and 1395 North Nellis Boulevard (APN 140-29-601-001), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-76300]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 56-59 for related backup.

Motion made by Louis De Salvio to Hold in Abeyance Items 39 and 56-59 to 8/13/2019

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Excused-Gus Flangas;

60. VAR-76602 - VARIANCE - PUBLIC HEARING - APPLICANT: JONATHAN IBARRA - OWNER: AGCOM I, LLC - For possible action on a request for a Variance TO ALLOW A NINE-FOOT TALL PERIMETER FENCE WHERE EIGHT FEET IS THE MAXIMUM ALLOWED, WITH BARBED WIRE WHERE SUCH IS PROHIBITED on 0.66 acres at 1935 Fremont Street (APN 139-35-810-003), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-75780]. Staff recommends DENIAL.

Minutes:

CHAIR CHERRY declared the Public Hearing open for Items 60 and 61.

JONATHAN BOYLES, Sr. Planner, reported that the applicant requested a Special Use Permit (SUP) for an Open Air Vending/Transient Sales Lot use, operating from a 128 square-foot food truck in a parking space adjacent to an existing building that contains a Delivery and Service Vehicle Storage use at 1935 Fremont Street. An SUP is required because the applicant does not meet Conditional Use Regulation Number 7(f) which

states "On any lot that is adjacent to residentially zoned property, the hours of operation shall be limited to a period between 10:00 a.m. and 8:00 p.m." The applicant proposed to operate 24 hours per day. Staff determined that due to the limited distance from the residential development and proposed hours of operation, the use cannot be conducted in a manner that is harmonious and compatible with the surrounding land uses.

In addition, an existing eight-foot tall concrete block perimeter wall is located around the north, east and west property lines behind the Delivery and Service Vehicle Storage building. The applicant is requesting a Variance to allow a nine-foot tall perimeter wall with the top one foot consisting of barbed wire. As the proposed perimeter wall does not comply with the perimeter wall height and building material standards set forth in Title 19, staff recommended denial of the Variance request as well. Additional protest and support letters were received since publication.

JONATHAN IBARRA and SALVADOR IBARRA appeared, and MR. J. IBARRA explained that they have a commissary with a parking lot on the property, and they are proposing to keep the barbed wire for additional security around the property on the sides and back where the food trucks and trailers are stored. He said that they removed the barbed wire from the front so it is not visible from Fremont Street.

COMMISSIONER SCHLOTTMAN asked if they were already operating at the subject location, and MR. J. IBARRA replied in the affirmative and explained that they have been doing construction for about two years and have invested nearly a half-million dollars. The commissary provides food to about 20 food trucks and trailers, where the food is prepared. He also confirmed for COMMISSIONER SCHLOTTMAN that there is one food truck on site. The Commissioner did not think this was disturbing anyone, and he lives nearby and could not smell the food. However, he did not think there was any justification to have a nine-foot tall fence or barbed wire in the downtown area. He asked MR. J. IBARRA if they would be open to removing the barbed wire, and he replied that they are trying to uplift the area which is why they removed it from the front; however, there are a lot of homeless people in the area, and they are responsible for the security of more than 25 food trucks that cost between \$80,000 and \$100,000. He added that the barbed wire was already in place, and they would like to maintain it for added security. COMMISSIONER SCHLOTTMAN understood, but stated that as they are approving new entitlements up and down Fremont Street and trying to improve the area, they are trying to remove barbed and constantine wire to make things look better. In the spirit of trying to improve the area, he could not support it.

COMMISSIONER DE SALVIO asked if it was possible to have barbed wire on the inside of wall so it is not intrusive to the neighborhood. COMMISSIONER SCHLOTTMAN replied that they do have the ability to put barbed wire on the inside of the fence where it does not extend higher than the concrete fence; however if someone jumps over the fence and does not see the barbed wire, they would get hurt. This would not change his motion because denial would mean they would have to remove it, and if it was installed on the inside of the wall, a Variance would not be necessary.

See Item 61 for related backup.

CHAIR CHERRY declared the Public Hearing closed for Items 60 and 61.

NOTE: Commissioner Schlottman disclosed that he lives in the neighborhood in the Fremont Street Lofts, but he would not be affected any lesser or greater, and he voted on Items 60 and 61.

Motion made by Trinity Haven Schlottman to Deny

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Excused-Gus Flangas;

61. SUP-76603 - SPECIAL USE PERMIT RELATED TO VAR-76602 - PUBLIC HEARING - APPLICANT: JONATHAN IBARRA - OWNER: AGCOM I, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED OPEN AIR VENDING/TRANSIENT SALES LOT USE at 1935 Fremont Street (APN 139-35-810-003), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-75780]. Staff recommends DENIAL.

Minutes:

See Item 60 for related discussion and backup.

NOTE: Commissioner Schlottman disclosed that he lives in the neighborhood in the Fremont Street Lofts, but he would not be affected any lesser or greater, and he voted on Items 60 and 61.

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

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Excused-Gus Flangas;

62. VAR-76612 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: COX COMMUNICATIONS LAS VEGAS, INC. - For possible action on a request for a Variance TO ALLOW A 15-FOOT TALL WALL/FENCE WHERE A MAXIMUM OF EIGHT FEET IS ALLOWED on 0.40 acres at 3850 North Tenaya Way (APN 138-10-516-004), C-1 (Limited Commercial) Zone, Ward 4 (Anthony) [PRJ-76445]. Staff recommends DENIAL.

Minutes:

CHAIR CHERRY declared the Public Hearing open for Items 62-64.

JONATHAN BOYLES, Sr. Planner, reported that the applicant proposed to install a 14-foot, eight-inch perimeter screen wall on the southern perimeter of an existing structure, which will extend to the southern property line, which will create an enclosed rear yard area for the building. As proposed, the wall height exceeds the allowable height outlined in Title 19 development standards, which allows a maximum height of eight feet for a perimeter screen wall. In addition, this wall will encroach into the required landscape buffer area, reducing its width from 30 feet to zero feet.

Staff found that the removal of the required perimeter landscape buffer and planting materials will create a visual intrusion and will create a negative impact to surrounding properties. Also, the applicant proposed to locate a trash enclosure within the interior of the site which will require removal of onsite parking spaces. As such, the required Variance and Waivers further reinforce the unsuitability of this site for the proposed development; therefore, staff recommended denial of the project and all associated land use entitlement applications. Additional protest letters were received since publication.

BRIAN WOLFE appeared representing the applicant, and stated that the 15-foot fence was for security of the Cox Communications building as it is a data hub for the valley, and security for this is crucial. A 15-foot perimeter wall would also help screen the equipment on the property, and they would like to continue the existing 15-foot wall on the south and east property. The applicant requested a waiver for a zero-foot landscape buffer because new equipment pads will be created, and the mechanical units are very large and need to be secured. A 30-foot setback would not allow room for the equipment on the ground. MR. WOLFE addressed the parking variance explaining that the applicant would like to locate the trash enclosures on the property, which would eliminate one parking spot.

BILL FISCHBECK, Cox Communications, stated that this is one of his sites, and the reason for some of the proposals are because he currently has four 40-ton custom air conditioner units on the roof that need to be replaced, and he needs to put the new ones on the ground. He also showed where the generators and switch gear were located noting that anyone could jump the eight-foot wall.

COMMISSIONER TOUSSAINT understood the need to raise the wall as it is sensitive equipment. She was in support. She asked about the possibility of landscaping around the facility, and MR. FISCHBECK explained that they do not have vegetation on the back side of the building, which is a parking lot with storage units, and would lose it on the south wall on Mellott Road, which has residential across the street with a 10-foot wall. All of the vegetation on the front along Tenaya Way would remain undisturbed.

MR. FISCHBECK confirmed for CHAIR CHERRY that air conditioning units would be on the ground, but the Chair said that he would put the units on the roof and would not support the zero landscape application. MR. FISCHBECK stated that their building holds the 911 switch gear, and they need to protect it along with his generators and switch gear.

See Items 63 and 64 for related backup.

CHAIR CHERRY declared the Public Hearing closed for Items 62-64.

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

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

For-Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams, Jeff Rogan; Against-Sam Cherry; Excused-Gus Flangas;

63. VAR-76754 - VARIANCE RELATED TO VAR-76612 - PUBLIC HEARING - APPLICANT/OWNER: COX COMMUNICATIONS LAS VEGAS, INC. - For possible action on a request for a Variance TO ALLOW 90 PARKING SPACES WHERE 91 PARKING SPACES ARE REQUIRED on 0.40 acres at 3850 North Tenaya Way (APN 138-10-516-003 through 007), C-1 (Limited Commercial) Zone, Ward 4 (Anthony) [PRJ-76445]. Staff recommends DENIAL.

Minutes:

See Item 62 for related discussion and Items 62-64 for related backup.

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

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Excused-Gus Flangas;

64. SDR-76613 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-76612 AND VAR-76754 - PUBLIC HEARING - APPLICANT/OWNER: COX COMMUNICATIONS LAS VEGAS, INC. - For possible action on a request for a Major Modification to an approved Site Development Plan Review (SDR-26819) WITH A WAIVER TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ON THE SOUTH PERIMETER WHERE 30 FEET IS THE MINIMUM REQUIRED on 0.40 acres at 3850 North Tenaya Way (APN 138-10-516-004), C-1 (Limited Commercial) Zone, Ward 4 (Anthony) [PRJ-76445]. Staff recommends DENIAL.

Minutes:

See Item 62 for related discussion and Items 62-64 for related backup.

NOTE: The video does not reflect the vote accurately, in that Chair Cherry requested that his vote be reflected as No.

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

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

For-Donna Toussaint, Louis De Salvio, Anthony Williams, Jeff Rogan; Against-Trinity Haven Schlottman, Sam Cherry; Excused-Gus Flangas;

65. VAR-76601 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: DANUTA SZUSTER AND LAURA ST JAMES - For possible action on a request for a Variance TO ALLOW A 16-FOOT TALL PERIMETER WALL WHERE 12 FEET IS REQUIRED; TO ALLOW A 13-FOOT TALL FRONT YARD WALL/FENCE WHERE A MAXIMUM OF FIVE FEET WITH A TWO-FOOT SOLID BASE IS ALLOWED; AND TO ALLOW A CORRUGATED METAL FENCE WHERE SUCH BUILDING MATERIALS ARE NOT ALLOWED on 0.20 acres at 325 Falcon Lane (APN 138-36-219-004), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian) [PRJ-76570]. Staff recommends DENIAL.

Minutes:

CHAIR CHERRY declared the Public Hearing open.

JONATHAN BOYLES, Senior Planner, reported that the subject property is zoned R-1 (Single Family Residential) and contains a single family, detached building with a pool on the southwest corner. A five-foot tall corrugated metal fence was constructed on top of an existing concrete block retaining wall of varying height along the west and south property lines. The wall currently does not comply with Title 19.06 perimeter wall development standards, nor have any building permits been obtained. The applicant's justification letter states that the existing fence on the south and west property lines is to provide privacy from direct views from the public street to the pool area. As the development does not comply with Title 19.06 perimeter wall development standards, staff recommended denial of the request. He noted that additional site inspection pictures had been added to the Commissioners' supplemental information packet. Additional protest and support letters were received since publication.

LAURA ST. JAMES and DANUTA SZUSTER, applicants, appeared and MS. ST. JAMES stated that they just purchased the subject property. She hoped that the Commissioners read her justification letter, and she indicated that she had e-mailed COUNCILMAN KNUDSEN, but she did not get a response. MS. ST. JAMES read the letter she wrote to the Councilman, which she did not submit as backup, that contained

information regarding their past project renovation, the state of disrepair the subject property was in when they purchased it and the need for a fence to provide privacy, safety and noise abatement. She discussed the material used to construct the fence, which was chosen because it holds up to the weather and keeps with the mid-century look of the home, as well as the large, whimsical metal sculptures they installed on the fence. Additionally, they wanted it to be environmentally friendly and decided to make part of it a living fence with many affixed containers filled with plants and flowers. They were not aware that they needed permits to make permanent changes to the fence but complied with the City's rules after a Code Enforcement Officer stopped at their home and informed them of such. MS. ST. JAMES indicated that she had eight letters of support from the neighbors, and she requested approval.

CAMILLE COLLINS lives in the neighborhood and she stated that it used to be very quiet, but Falcon Lane is an alternate route to Decatur Boulevard, and there are many homeless people in the neighborhood. The subject property has been abused and neglected, and they are thrilled about the fence. MS. COLLINS appreciated the new property owners as neighbors and hoped they could keep the fence.

JAMAL CROSBY stated that he has known MS. ST. JAMES for a long time, and the intentions for this project were pure in nature and included upgrades to the property. When installing the fence, there was a lot of attention from the neighbors and onlookers, and someone even tried to hire them. The purpose of the wall is for safety and privacy and it is stable, sturdy and effective.

STEVEN WEISS stated that he was the realtor representing the purchase of the home, and he had never seen a pool in the front yard. He stated that the fence previously had unstable wrought iron on it, and the aesthetic of the new fence was impressive.

RON WALT stated that he has known the applicants for 15 to 20 years, and the quality of work they do is great. He saw the fence before and after and thought this was a great improvement.

COMMISSIONER ROGAN appreciated what the applicants are doing with the property. He was not as concerned about the variance of the height requirement, but he wanted to hold this item in abeyance so he could meet with them to discuss some of the issues the neighbors had brought up as he received seven protests. MS. ST. JAMES was in agreement.

CHAIR CHERRY requested the support letters from MS. ST. JAMES, and she submitted them as backup.

CHAIR CHERRY declared the Public Hearing closed.

Motion made by Jeff Rogan to Hold in Abeyance to 8/13/2019

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Excused-Gus Flangas;

66. VAC-76744 - VACATION - PUBLIC HEARING - APPLICANT: BDR CASCADIA, LLC - OWNER: BDR CASCADIA, LLC, ET AL - For possible action on a request for a Petition to Vacate a portion of a 20-foot wide public alley west of Maryland Parkway, between Lewis Avenue and Bridger Avenue, Ward 3 (Coffin) [PRJ-76507]. Staff recommends APPROVAL.

Minutes:

CHAIR CHERRY declared the Public Hearing open for Items 66 and 67.

JONATHAN BOYLES, Sr. Planner, reported that this was a request to allow proposed modifications to a previously approved Mixed Use Development located on the northwest corner of Lewis Avenue and Maryland Parkway. While the Founders District does encourage land uses such as a Mixed Use Development for the subject site, the project as proposed is overbuilt. This is evidenced by the requested Waivers and previously approved Variances; therefore, staff recommended denial of the Site Development Plan Review modification request.

With regards to the requested petition of Vacation, staff recommended approval as this is a proposed re-entitlement of a previously approved Vacation, VAC-70268, which expired on July 19, 2018. Additional support letters were received since publication.

ATTORNEY TONY CELESTE and ED VANCE, EVA Architects, appeared on behalf of the applicant, BDR

Cascadia. MR. CELESTE introduced those present in the audience, which included DANIEL RICEBERG, principal and visionary who has been involved with the project since its inception, along with his equity partners, JOHN ROGERS and BOB CORRIGAN from Chicago, who have entered into a joint venture to develop this property.

MR. CELESTE described the location of the just over one-acre property and informed the Commissioners that two years ago, this project was entitled for a 15-story, 183-foot mixed-use development with 193 units and just under 30,000 square feet of commercial retail/office/restaurant/lounge with additional exhibit and open space. That was approved by the Planning Commission and the City Council. Since that time, there have been changes including bringing on equity partners who are professional developers, and they thought that the project needed to be slimmed down, and it is now a 13-story, 159-foot building, and the mass of the building has been reduced by 100,000 square feet. He noted that they previously were approved for a parking reduction, and they were requesting to reduce that further.

MR. CELESTE stated that there has been a movement with respect to an establishment of a rapid transit corridor from the airport along Maryland Parkway, past UNLV (University of Nevada, Las Vegas), down to the area of the subject site and up along Carson Street and the Bonneville/Alta alignment to the Medical District. Details are still being discussed, but he thought this would be coming with some type of approval from the City by next summer. There are also transit oriented districts associated with this, and the site will be near those districts, making them uniquely positioned to take advantage of the rapid transportation corridor. The idea is this will be a work/play development so the people working in the offices will have the opportunity to live where they work, and it is not a destination type property. They will have 219 units, and although they are requesting a parking reduction, every unit will still have its own parking space and there will be an additional 30 spaces for the mixed use component. MR. CELESTE also pointed out that there are 57 rental units on the property and only 20 of the tenants have vehicles.

MR. CELESTE informed the Commissioners that they held a neighborhood meeting, and approximately 22 people were in attendance, and they liked the project. He stated that the existing tenants' rent has stayed the same, and approximately three months prior to the commencement of construction they will receive free rent and have an opportunity to take a move-out location payment fee. They will also have the opportunity to move back with a discounted rent rate after construction.

MR. VANCE showed the site plan and stated that they modified the plan to accommodate a high-rise by incorporating the high-rise requirements of the emergency generator command center and a secondary water source. The parking takes up approximately one-third of the first floor, and the other two-thirds, which is approximately 20,000 square feet including the vertical transportation, has been preserved for the rentable community center oriented space for the residents and the community. The floor plates above are approximately 34,000 square feet, but the perimeter of the project has been pulled back allowing for approximately 4,000 square feet of covered amenity space. He showed on the site plan the location for accessing the ramp for the garage, the location of the trash, the area people would use when moving in and where services would be brought in through the alleyway.

There are three floors of parking, which will be screened, and above that is a 30,000 square-foot rentable office space with a common courtyard that will be shaded nearly 100 percent of the time. Above that are six levels of residential, and because of the saw tooth pattern of the building, none of the units will look into another. There is also a mezzanine level, but they discussed eliminating this, which would make the structure 12 stories tall. The top deck includes a private area with a pool for the tenants and a public area for community events, farmers markets, cinema night and functions the community can share as well as a small restaurant and tavern. MR. VANCE showed renderings of the project and pointed out that they may provide a transit stop in the future.

COMMISSIONER SCHLOTTMAN recalled when this was brought before the Planning Commission previously, and he did not vote for approval because he did not see it moving forward and it had some issues he was not comfortable with. He liked the design of the project and thought that being a block off of the transit system makes it easy for people to walk back and forth. He had concerns in the past regarding building high-rises outside of the downtown core area, but there is a lot of activity starting on Maryland Parkway, and he thought this could be a new core going all the way down to Maryland Parkway.

COMMISSIONER TOUSSAINT was excited about this project, and she was in support.

CHAIR CHERRY stated that his building on Las Vegas Boulevard is right across the street from the double decker bus stop, and there are people who live in that building and work on the strip that access the public

transportation. Development like this that properly interfaces with transportation creates connectivity and good places to live, and he believed that as Las Vegas grows people will jump at the opportunity to live in the area instead of making long commutes. He was in support.

Subsequent to the vote, CHAIR CHERRY commented that it was good to see MR. RICEBERG was still in the fight. MR. RICEBERG replied that it was good to be back and still involved in the project. He said that when the entitlements were approved, he promised MAYOR GOODMAN that he would do his best to see it through.

See Item 67 for related backup.

CHAIR CHERRY declared the Public Hearing closed for Items 66 and 67.

NOTE: Chair Cherry disclosed that when this project came before the Planning Commission previously, he abstained because he had worked with their architect; however, as the project has a new architect, he would vote on Items 66 and 67. Additionally, he disclosed that he worked with Ed Vance, architect, who he believed was at a different firm at the time, on a high rise on Las Vegas Boulevard more than a decade ago.

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

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Excused-Gus Flangas;

67. SDR-76593 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAC-76744 - PUBLIC HEARING - APPLICANT: BDR CASCADIA, LLC - OWNER: BDR CASCADIA, LLC, ET AL - For possible action on a request for a Major Amendment to a previously approved Site Development Plan Review (SDR-70269) FOR A PROPOSED BUILDING HEIGHT DECREASE FROM 15 TO 13 STORIES, AN INCREASE IN MULTI-FAMILY RESIDENTIAL UNITS FROM 193 TO 219, A DECREASE OF COMMERCIAL SPACE FROM 28,817 SQUARE FEET TO 15,996 SQUARE FEET, AN ADDITION OF 27,195 SQUARE FEET OF OFFICE SPACE AND 3,488 SQUARE FEET OF RESTAURANT SPACE WITH WAIVERS OF APPENDIX F INTERIM DOWNTOWN LAS VEGAS AREA 2 DEVELOPMENT STANDARDS FOR A PROPOSED MIXED USE DEVELOPMENT on 1.05 acres at the northwest corner of Lewis Avenue and Maryland Parkway (APNs 139-34-712-099, 100, 101 and 120), C-1 (Limited Commercial) Zone, Ward 3 (Coffin) [PRJ-76507]. Staff recommends DENIAL.

Minutes:

See Item 66 for related discussion and backup.

NOTE: Chair Cherry disclosed that when this project came before the Planning Commission previously, he abstained because he had worked with their architect; however, as the project has a new architect, he would vote on Items 66 and 67. Additionally, he disclosed that he worked with Ed Vance, architect, who he believed was at a different firm at the time, on a high rise on Las Vegas Boulevard more than a decade ago.

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

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

For-Donna Toussaint, Trinity Haven Schlottman, Sam Cherry, Louis De Salvio, Anthony Williams, Jeff Rogan; Excused-Gus Flangas;

Citizens Participation:

68. Citizens Participation: Public comment during this portion of the agenda must be limited to matters within the jurisdiction of the Planning Commission. No subject may be acted upon by the Planning Commission unless that subject is on the agenda and is scheduled for action. If you wish to be heard, come to the podium and give your name for the record. The amount of discussion on any single subject, as well as the amount of time any single speaker is allowed, may be limited.

Minutes:

None.

COMMISSIONER DE SALVIO congratulated CHAIR CHERRY on his reappointment and welcomed COMMISSIONER ROGAN. He also wished former Mayor OSCAR GOODMAN a Happy 80th Birthday on behalf

of his family and Laborers Local 872.

The meeting was adjourned at 8:45 p.m.

Respectfully submitted:

Jacquie Miller, Deputy City Clerk

Patty Hlavac, Deputy City Clerk

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

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