

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



Commissioner Trinity Haven Schlottman, Chair
Commissioner Jeff Rogan, Vice Chair
Commissioner Sam Cherry
Commissioner Donna Toussaint
Commissioner Louis De Salvio
Commissioner Anthony Williams
Commissioner Donald Walsh

Planning Commission Minutes

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

July 12, 2022
6:00 PM

BUSINESS ITEMS:

1. Call to Order

Minutes:

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

2. Announcement: Compliance with Open Meeting Law

Minutes:

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

3. Roll Call

Minutes:

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

EXCUSED: COMMISSIONER WILLIAMS

ALSO PRESENT: SETH FLOYD, Director of Community Development; NICOLE EDDOWES, Community Development Coordinator; JONATHAN BOYLES, Senior Planner; ROBERT NOLAN, Senior Deputy Fire Chief and Fire Marshal; LUCIEN PAET, Engineering Project Manager; REBECCA WOLFSON, Deputy City Attorney II; and ASHLEY FOSTER and BRIAN CARROLL, Deputy City Clerks

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

Minutes:

None.

5. For Possible Action to Approve the Final Minutes for the Planning Commission Meeting of June 21, 2022.

Motion made by Jeff Rogan to Approve

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

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

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

Minutes:

NICOLE EDDOWES, Community Development Coordinator, announced requests to pull Item 36 forward, to hold Items 7a and 7b and 21a-21c to the meeting of August 9, 2022, and Items 29a and 29b to the meeting of October 11, 2022, to Table Items 16a and 16b, and to Withdraw without Prejudice Items 17c and 18a-18d. She noted Item 11 in the Commissioners' backup had an updated Justification Letter that clarifies the hours of operation to be 4:00 a.m. and not 4:00 p.m.

Regarding Items 18a-18d, FELICIA SLON said the community does not need another gas station, car wash, or storage unit on the subject site, because there is a storage unit facility across the street. There are also restaurants, shopping, and gas stations surrounding the area. She noted the applicant requested to change the zoning designation from Residential to Professional Office over a decade ago but has not found anyone to occupy the site under that designation. MS. SLON believed the neighbors would support a single-family residential development on this site but felt the applicant will only want to commercialize the property.

CHAIR SCHLOTTMAN confirmed for TIM MURPHY that the applicant will have to reapply if Items 18a-18d are Withdrawn without Prejudice.

Motion made by Jeff Rogan to Hold in Abeyance Items 7a-7b and 21a-21c to 8/9/2022 and Items 29a-29b to 10/11/2022, Table Items 16a-16b, and Withdraw without Prejudice Items 17c and 18a-18d

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

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

ONE MOTION - ONE VOTE

The following are items that may be considered in one motion/one vote. They are considered routine non-public and public hearing items with a Staff recommendation of approval. 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. ABEYANCE - 22-0241 - PUBLIC HEARING - APPLICANT/OWNER: PACIFIC CLASSIC, LLC, ET AL - For possible action on the following Land Use Entitlement project requests on 27.63 acres at the northwest corner of Iron Mountain Road and Skye Village Road (APNs 126-01-801-005, 006, 009, 017, 018, and 019), C-1 (Limited Commercial) Zone, Ward 6 (Fiore). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:

See Item 6 for related discussion and Items 7a and 7b for related backup.

- 7a. ABEYANCE - 22-0241-VAC1 - VACATION - PETITION TO VACATE A BUREAU OF LAND MANAGEMENT (BLM) RIGHT-OF-WAY GRANT EASEMENT AND U.S. GOVERNMENT PATENT EASEMENTS GENERALLY LOCATED AT THE NORTHWEST CORNER OF IRON MOUNTAIN ROAD AND SKYE VILLAGE ROAD

Minutes:

See Item 6 for related discussion and Items 7-7b for related backup.

Motion made by Jeff Rogan to Hold in Abeyance Items 7a-7b and 21a-21c to 8/9/2022 and Items 29a-29b to 10/11/2022, Table Items 16a-16b, and Withdraw without Prejudice Items 17c and 18a-18d

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

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

7b. ABEYANCE - 22-0241-TMP1 - TENTATIVE MAP - IRON MOUNTAIN PLAZA - FOR A ONE-LOT COMMERCIAL SUBDIVISION

Minutes:

See Item 6 for related discussion and Items 7-7b for related backup.

Motion made by Jeff Rogan to Hold in Abeyance Items 7a-7b and 21a-21c to 8/9/2022 and Items 29a-29b to 10/11/2022, Table Items 16a-16b, and Withdraw without Prejudice Items 17c and 18a-18d

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

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

8. ABEYANCE - RENOTIFICATION - 22-0250-VAC1 - VACATION - PUBLIC HEARING - APPLICANT: OLYMPIA COMPANIES, LLC - OWNER: CENTURY COMMUNITIES OF NEVADA, LLC - For possible action on a Land Use Entitlement project request for a Petition to Vacate a public drainage easement generally located at the southwest corner of Iron Mountain Road and Sheep Mountain Parkway (APN 126-12-101-003), Ward 6 (Fiore). Staff recommends APPROVAL.

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open for Items 8-15b.

NEAL BERKEY appeared representing Liberty Baptist Church and stated their opposition to Item 10 because of the distance separation requirement of 400 feet from a House of Worship and School use. He confirmed for the Chair that he would like the item pulled from the One Motion One Vote Agenda.

NICOLE EDDOWES, Community Development Coordinator, confirmed the Commissioners had the updated Justification Letter for Item 11 regarding the updated hours of operation for the application.

CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 8-15b.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 7a-7b and 10

NOTE: The video does not reflect the vote accurately, in that Chair Schlottman abstained from voting on Item 12 as he is the general contractor for that project. Commissioner Cherry disclosed that he has property within the notification area for Item 12. This does not affect him any greater or lesser; therefore, he would vote on this item.

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

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

9. 22-0188-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: TACOS LOS MACHOS - OWNER: ESLAMBOLI INVESTMENTS, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED OPEN AIR VENDING/TRANSIENT SALES LOT USE at 1402 North Eastern Avenue (APN 139-25-101-017), C-1 (Limited Commercial) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:

See Item 8 for related discussion.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 7a-7b and 10

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

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

10. 22-0248-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: RAINBOW SEAFOOD GROUP, LLC - OWNER: VESTAR BEST IN THE WEST PROPERTY, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED 3,482 SQUARE-FOOT ALCOHOL, ON-PREMISE FULL USE WITH A WAIVER TO ALLOW A 100-FOOT DISTANCE SEPARATION FROM A SCHOOL AND A 162-FOOT DISTANCE SEPARATION FROM A CHURCH/HOUSE OF WORSHIP USE WHERE 400 FEET IS REQUIRED at 2080 North Rainbow Boulevard (APN 138-23-215-012), C-1 (Limited Commercial) Zone, Ward 5 (Crear). Staff recommends APPROVAL.

Minutes:

This item was pulled from the One Motion One Vote Agenda and heard separately.

CHAIR SCHLOTTMAN declared the public hearing open.

JONATHAN BOYLES, Senior Planner, reported that this is a Special Use Permit request for proposed alcohol use on-premise full use within an existing restaurant at 2080 North Rainbow Boulevard. While distance separation waivers are requested, the proposed use is located within a shopping center with other similar uses and is separated from the protected uses by an 80-foot collector street and a 100-foot primary arterial street; therefore, staff found the proposed use can be conducted in a harmonious and compatible manner with the surrounding area and recommended approval subject to conditions. He noted additional letters of support were received since publication.

TRAVIS LU, Rainbow Seafood Group, LLC, said the landlord was agreeable to the application, noting there are other locations within the shopping center that have approved liquor licenses. MR. LU indicated they own restaurants throughout the entire western region of the United States. They will also hire approximately 28 employees for this location, and he did not foresee there being any issues.

NEAL BERKEY shared a report by KTNV-TV 13 News regarding an increase in crashes and fatalities since 2002. Data shows that in 2021, there were 61 crashes compared to 72 in the previous year. There have been 66 DUI (drive under the influence) crashes this year. He asked that the distance separation requirements be upheld since there is an elementary school and a house of worship nearby.

COMMISSIONER TOUSSAINT said she frequents the shopping center all of the time and has seen the restaurant, which she thought looked great. She was supportive of the application because the restaurant is located within a commercial area.

See Item 8 for related discussion.

CHAIR SCHLOTTMAN declared the Public Hearing closed.

Motion made by Sam Cherry to Approve subject to condition(s)

NOTE: Commissioner Rogan said as a Deputy District Attorney, he has dealt with Pier 88 Boiling Seafood and Bar as part of his duties. Based upon that representation, he abstained from voting on this item.

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

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

11. 22-0249-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: BH GROUP CORP - OWNER: HS FAMILY LIMITED PARTNERSHIP - For possible action on a Land Use Entitlement project request FOR A PROPOSED 7,456 SQUARE-FOOT ALCOHOL, ON PREMISE FULL USE at 310 Fremont Street (APN 139-34-510-024), C-2 (General Commercial) Zone, Ward 5 (Crear). Staff recommends APPROVAL.

Minutes:

See Items 6 and 8 for related discussion.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 7a-7b and 10

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

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

12. 22-0266-SUP2 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: TIMELESS CUISINE, LLC - OWNER: WILLIAM JOHNSON AND MARC COMSTOCK - For possible action on a Land Use Entitlement project request FOR A PROPOSED 16,008 SQUARE-FOOT ALCOHOL, ON-PREMISE FULL USE AND ALCOHOL, OFF-PREMISE ANCILLARY USE located at 1131 South Main Street (APN 162-03-110-080), C-M (Commercial/Industrial) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:

See Item 8 for related discussion.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 7a-7b and 10

NOTE: The video does not reflect the vote accurately, in that under Item 8, Chair Schlottman abstained from voting on this item as he is the general contractor for the project. Commissioner Cherry disclosed that he has property within the notification area for this item. This does not affect him any greater or lesser; therefore, he would vote on this item.

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

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

13. 22-0269-VAC1 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: ROMA MIEL HOMES, LLC - For possible action on a Land Use Entitlement project request for a Petition to Vacate a U.S. Government patent easement on 0.93 acres located generally 166 feet east of the intersection of Darling Road and North Tee Pee Lane (APN 125-19-802-009), R-CL (Single Family Compact-Lot) Zone, Ward 4 (Anthony). Staff recommends APPROVAL.

Minutes:

See Item 8 for related discussion.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 7a-7b and 10

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

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

14. 22-0276-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: ROBERT HERNANDEZ - For possible action on a Land Use Entitlement project request TO ALLOW AN EXISTING THREE-FOOT SOLID WALL BASE HEIGHT WHERE TWO FEET IS THE MAXIMUM ALLOWED FOR A FRONT YARD WALL/FENCE at 1916 Cedar Avenue (APN 139-35-610-017), R-1 (Single Family Residential) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:

See Item 8 for related discussion.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 7a-7b and 10

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

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

15. 22-0286 - PUBLIC HEARING - APPLICANT: NACHO DADDY, LLC - OWNER: 117 REAL ESTATE HOLDINGS, LLC - For possible action on the following Land Use Entitlement project requests on 0.16 acres at 121 North 4th Street (APN 139-34-510-029), C-2 (General Commercial) Zone, Ward 5 (Crear). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:

See Item 8 for related discussion and Items 15a and 15b for related backup.

- 15a. 22-0286-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED 7,000 SQUARE-FOOT ALCOHOL, ON-PREMISE FULL USE

Minutes:

See Item 8 for related discussion and Items 15-15b for related backup.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 7a-7b and 10

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

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

- 15b. 22-0286-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 2,865 SQUARE-FOOT ADDITION TO AN EXISTING 4,135 SQUARE-FOOT COMMERCIAL DEVELOPMENT

Minutes:

See Item 8 for related discussion and Items 15-15b for related backup.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 7a-7b and 10

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

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

PUBLIC HEARING ITEMS

16. TABLED - RENOTIFICATION - 21-0765 - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on the following Land Use Entitlement project requests on approximately 131.00 acres generally bounded by Gass Avenue on the north; Las Vegas Boulevard, 4th Street and 3rd Street on the east; Imperial Avenue on the south; and Commerce Street and the Union Pacific Railroad on the west (APNs multiple), Ward 3 (Diaz). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:

See Item 6 for related discussion and Items 16a and 16b for related backup.

- 16a. TABLED - RENOTIFICATION - 21-0765-GPA1 - GENERAL PLAN AMENDMENT - FROM: MXU (MIXED USE), C (COMMERCIAL), LI/R (LIGHT INDUSTRY/RESEARCH) AND PF (PUBLIC FACILITIES) TO: FBC (FORM-BASED CODE)

Minutes:

See Item 6 for related discussion and Items 16-16b for related backup.

Motion made by Jeff Rogan to Hold in Abeyance Items 7a-7b and 21a-21c to 8/9/2022 and Items 29a-29b to 10/11/2022, Table Items 16a-16b, and Withdraw without Prejudice Items 17c and 18a-18d

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

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

- 16b. TABLED - RENOTIFICATION - 21-0765-ZON1 - REZONING - FROM: R-4 (HIGH DENSITY RESIDENTIAL), C-1 (LIMITED COMMERCIAL), C-2 (GENERAL COMMERCIAL), C-M (COMMERCIAL/INDUSTRIAL), C-V (CIVIC) AND M (INDUSTRIAL) TO: T4-MS (T4 MAIN STREET), T4-M (T4 MAKER), T5-MS (T5 MAIN STREET), T5-C (T5 CORRIDOR), T6-UC (T6 URBAN CORE), T6-UG (T6 URBAN GENERAL) AND T6-UG-L (T6 URBAN GENERAL LIMITED)

Minutes:

See Item 6 for related discussion and Items 16-16b for related backup.

Motion made by Jeff Rogan to Hold in Abeyance Items 7a-7b and 21a-21c to 8/9/2022 and Items 29a-29b to 10/11/2022, Table Items 16a-16b, and Withdraw without Prejudice Items 17c and 18a-18d

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

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

17. 22-0086 - PUBLIC HEARING - APPLICANT: OVATION CONTRACTING, INC. - OWNER: CITY OF LAS VEGAS - For possible action on the following Land Use Entitlement project requests on 9.45 acres at the northwest corner of Rome Boulevard and Decatur Boulevard (APN 125-24-701-041), Ward 6 (Fiore). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open for Items 17-17d.

NICOLE EDDOWES, Community Development Coordinator, reported that staff found the proposed General Plan Amendment (GPA) is similar in density to the existing NMX-U (Neighborhood Mixed Use Center Designation) but without a commercial component that is required with the existing NMX-U, and the companion rezoning application to R-4 (High Density Residential) is in alignment with the proposed High Density General Plan Designation to allow the proposed multi-family development without a commercial component. The applicant has redesigned the building elevations to meet the Residential Adjacency Setback Standards. Staff recommended approval of the GPA, Rezoning (ZON), and Site Development Plan Review (SDR). She noted additional letters of protest were received since publication.

ATTORNEY JENNIFER LAZOVICH appeared representing Ovation Contracting, Inc. (Ovation), which was founded by ALAN MOLASKY. Ovation has been developing multi-family projects with some components of affordable housing geared towards seniors and market-rate multi-family apartment projects in Southern Nevada for more than 30 years. She showed the location of the proposed project on a zoning map of the subject site. She explained that the BLM (Bureau of Land Management), through a patent deed, deeded this property to the City of Las Vegas, and required it to be used for affordable housing. This transaction was conducted in the early 2000s. MS. LAZOVICH pointed out how there has been growth since that time, and there is now a tremendous need for affordable housing in Southern Nevada.

In 2021, the City issued an RFP (Request for Proposal) and accepted applications, one of which was submitted by Ovation, and it was chosen. She shared the Site Plan for the project, stating that it will have 238 multi-family apartment units and 38 tiny homes. Being considered are a GPA, ZON, and SDR, which she noted were part of the RFP criteria. The multi-family apartment units will not be deed restricted and are for families. The tiny homes will be 400 square feet and are considered one bedroom. On the zoning map, she pointed out the Costco commercial shopping center to the south of Rome Boulevard and across Decatur Boulevard is in the City of North Las Vegas. Nearby is a Walmart commercial shopping center as well as a multi-family senior

project. To the west of the subject site is a parcel owned by Opportunity Village, which is designated as C-V (Civic), as well as another strip of land designated R-E (Residence Estates), which is the same zoning as the subject site. The GPA was requested in order to increase the intensity of the project because part of NMU-U requires a mixture of two different uses. Finally, she discussed how the developer re-oriented one of the buildings to accommodate the residents' requests. She pointed out on the Site Plan the elevations of the multi-family apartment building, which allowed the withdrawal of the Variance. The proposed entrance and exit come off of Rome Boulevard and align the driveway. The entire project is proposed to be gated, and there is an exit-only gate located on Decatur Boulevard.

MS. LAZOVICH indicated only the half-street improvements along the Costco side of Rome Boulevard have full improvements. The developer will provide improvements up to the Opportunity Village parcel on Rome Boulevard. MS. LAZOVICH noted there was a lot of discussion at the neighborhood meeting about traffic, services, and who can rent from the property. She said per the agreement with the City of Las Vegas, the developer must provide 176 units to families or individuals who are at or below 49 percent of the area median income and 100 units must be at or below 59 percent of the area median income. She reviewed the median income level amounts released by the Nevada Housing Division along with the anticipated rental amounts.

Lastly, MS. LAZOVICH discussed some of the amenities of the property and shared renderings of the elevations. The community will be gated, and there will be a park, pool, clubhouse, and laundry facility for the tiny homes. She mentioned Ovation's new concept of facing doors to the inside so there are no external doors visible to the outside. There will be interior hallways, which will be accessed via a keycard entry, and there will be three elevators. The two buildings located along Rome Boulevard will be walk-up buildings, and those and the tiny homes will not have elevators. She understood the neighbors' concerns and said the developer has done what they can to address those concerns. She believed there was a condition to be read by Public Works regarding no parking signs being posted along Rome Boulevard.

The following individuals spoke in opposition to the proposed project: MITCHELL MENIK, LAUREN CROSSMAN, SUSAN BORING, RAY SPENCER, JESUS AREVALO, CODY OKUDA, SUSAN SOWERS, BENJAMIN CADY, SUZETTE STERNER, JANICE HEINRICH, KYLIE CARPENTER, BEVERLY JUNIOR, MICHAEL VANDEWEGE, MARK CHRISTIANSEN, MICHAEL ADAMS, KEVIN BAILEY, MARK THROWER, JOHN KARIE-FENTON, GREG JUNE, HAROLD HAMMOND, TAMMY HENRIKSEN, ERIC FEHR, SUDA LONG, LISA CHRISTIANSEN, IDA ZEILER, DAVE BROWN, ZACK ATHENS, DEBRA HENDERSON, MICHAEL NITTO, EARL WILLIAMS, KIM LECLAIR, MARJORIE PRESENT, SEAN CRAIG, KEVIN FERRE, and MARLA THORNTON. They cited concerns regarding an increase in traffic congestion and crime, stress on law enforcement and first responders, the project having an impact on the rural nature of the neighborhood, and the need for better communication between the City of Las Vegas and the City of North Las Vegas.

RYANN JUDEN, City Manager of North Las Vegas, acknowledged that affordable housing is a crisis in Southern Nevada. He asserted North Las Vegas works closely with sister jurisdictions on solving this issue, which is why it was troubling that they did not receive any notification about this project. He indicated the proposed project being on a jurisdictional boundary creates a host of issues, as whenever there is a crime or nuisance element, it will shift across boundaries. He understood MS. LAZOVICH'S comments regarding the deed, but he did not believe that the BLM cares if the deed restriction is moved. MR. JUDEN also thought it was pertinent to note that the deed was formed 20 years ago, which did not contemplate how the neighborhood would be presently. He also felt that the residents will be service-reliant and located far from the services they need.

GEORGE GEKAKIS said he has been developing affordable housing in Las Vegas and Clark County for over 30 years. He was proud to know that Ovation has joined the affordable housing market, as everything they build is first class, and their projects have integrity.

MS. LAZOVICH recognized there were concerns about a traffic study, noting one was not completed for the proposed project. She asserted that this project is no different than other land use projects, and a traffic study is a condition of approval. Regarding parking, she clarified that there are no parking deficiencies, and they are over-parked per City code. MS. LAZOVICH noted that the other half of Rome Boulevard will be developed similar to Costco's side. Lastly, she stated that the numbers regarding median income were obtained from the HUD (United States Department of Housing and Urban Development) Nevada website.

COMMISSIONER WALSH wondered if the development would have an HOA (homeowners association). MS. LAZOVICH replied no; however, Ovation was selected as the developer and will also oversee the property management company. COMMISSIONER WALSH wondered if MR. JUDEN opposed the Costco in the area as he heard many of the neighbors complain about the Costco traffic. He expressed frustration regarding MR. JUDEN leaving without the Commissioners being able to ask him any questions. Finally, COMMISSIONER WALSH wondered what the residents thought about the proposed project being for veterans only, with a priority for disabled veterans. He wished he could have been part of the neighborhood meeting but was assured that he would be at the next one.

COMMISSIONER TOUSSAINT appreciated the passion and concerns of the residents. She was unsure if this was the right project for this area but believed affordable housing was still needed there.

COMMISSIONER ROGAN said these are difficult situations and this neighborhood is not the only one dealing with the affordable housing crisis. Projects like this come into every ward, and when they do, neighbors voice their opinions. Those projects are either approved or denied, and the Commissioner does not hear from the neighbors ever again. He was at a loss for words when a project like this cannot come into a neighborhood when there are families in need. The Commissioner hoped that if the project is approved that none of the residents' fears are realized. He was in support of the proposed project.

CHAIR SCHLOTTMAN said he lives on Fremont Street near lower-income properties, veterans, and apartments. He's had people break into his home and felt the residents' concerns were valid. For him, this project was less about affordable housing and more about trying to understand the density and impact on traffic in the neighborhood. He needed more time to make an accurate decision.

COMMISSIONER CHERRY realized this was a difficult project. He verified with MS. LAZOVICH the median income amounts required for the development and pointed out that many of the employees of the surrounding businesses need a place to live. He spoke about residents and the developer working together to identify needs before a project is proposed, but pointed out that Ovation has been in the community for a long time. He had several questions regarding the proposed project before he could make a decision.

COMMISSIONER DE SALVIO thanked everyone for their comments and noted that he attended the neighborhood meeting. He immediately began working with the developer on the residents' concerns after that meeting. The Commissioner read some of the comments that were made at the neighborhood meeting, which were upsetting to him, and added that he also received nasty text messages and voicemails. He stressed that affordable housing is not the same as the housing authority.

COMMISSIONER DE SALVIO stated that he has many questions regarding reciprocity with the City of North Las Vegas and if something can be changed with a 20-year-old deed. He asked City staff if this project has the ability to be dependent upon any type of government aid or if residents must have a job with background information. SETH FLOYD, Director of Community Development, said the applicant submitted a project based upon the scope of the RFP. He could not answer that question specifically but said what was approved in June was the determination of market value and the sale to Ovation, who had to follow the restrictions within the RFP. MS. LAZOVICH believed a voucher is able to be used but that proof would be required that indicates the individual has additional income. KATHI THOMAS, Director of Community Services, said this project was put out through an RFP on behalf of the Office of Community Services. The RFP did not constrain the property management company in its selection process. They let subject matter experts develop a plan to conduct a criminal background check and a credit check. This is not a project for homeless persons, and the RFP did not anticipate that people experiencing homelessness would have the income to qualify for this type of development. This type of housing is considered workforce housing as people who are experiencing homelessness or are on government assistance are at 30 percent or below of area median income. She pointed out that rent escalation has priced a lot of people out of being able to afford rent. MS. THOMAS also had five different studies available that speak to the correlation between affordable housing or workforce housing and an escalation in crime. The studies found no correlation between the two, and she was happy to conduct a community conversation with the neighbors about crime and homelessness. COMMISSIONER DE SALVIO thanked MS. THOMAS for staying and speaking, and pointed out that residents of the development will be like anyone else but may have a median income less than others'.

COMMISSIONER DE SALVIO asked MR. JUDEN about an agreement between the City of Las Vegas and the City of North Las Vegas to assist each other with law enforcement and first responder services. MR. JUDEN confirmed there is a mutual aid agreement with both Cities and Clark County. Those agreements are designed to ensure services are provided to all residents regardless of jurisdiction. He spoke about developing projects on jurisdictional boundaries, which he believed creates tremendous difficulty with law enforcement and service subcontractor. The Commissioner wondered if the same consideration was shown towards the City of Las Vegas when the City of North Las Vegas developed properties along Decatur Boulevard. MR. JUDEN could not speak to that development but asserted that when he became the City Manager for North Las Vegas, he instituted a meeting where all of the City Managers met together. He acknowledged having left the Planning Commission meeting and said he meant no offense.

COMMISSIONER WALSH wondered if there was pushback when Costco and other large stores were developed in the area. MR. JUDEN said if staff approached him today about developing an area based upon a 20-year-old deed, it would not be good enough, as whatever was planned 20 years ago might be different than how things have evolved in the present. He asserted that he was not the City Manager when Costco was built and was not aware of any pushback at that time. MR. JUDEN was concerned that the residents of the proposed project would utilize the services in North Las Vegas. He thought the veteran concept was a good idea but also believed further conversations were needed.

COMMISSIONER CHERRY felt there was a lot of work the City of Las Vegas and the City of North Las Vegas needed to do for this area. MR. JUDEN thought this was a fair statement and reiterated the need for additional conversations about affordable housing.

CHAIR SCHLOTTMAN appreciated MR. JUDEN returning to speak.

COMMISSIONER DE SALVIO stated that the Commissioners are not elected but are appointed and are tasked with making decisions based on land use. The City Council has the final decision to either go with or against the Planning Commission's recommendation. He still had concerns that need to be addressed and questions about the deed restriction. He applauded Ovation for their efforts and reminded the residents that they only applied for the RFP. The Commissioner wished for a 60-day abeyance to vet the concerns brought up during the item. MS. LAZOVICH said they agreed to the 60-day abeyance.

See Item 6 for related discussion and Items 17a-17d for related backup.

CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 17-17d.

- 17a. 22-0086-GPA1 - GENERAL PLAN AMENDMENT - FROM: NMX-U (NEIGHBORHOOD MIXED USE CENTER) TO: H (HIGH DENSITY RESIDENTIAL)

Minutes:

See Item 17 for related discussion and Items 17-17d for related backup.

Motion made by Louis De Salvio to Hold in Abeyance Items 17a, 17b, and 17d to 9/13/2022

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

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

- 17b. 22-0086-ZON1 - REZONING - FROM: R-E (RESIDENCE ESTATES) TO: R-4 (HIGH DENSITY RESIDENTIAL)

Minutes:

See Item 17 for related discussion and Items 17-17d for related backup.

Motion made by Louis De Salvio to Hold in Abeyance Items 17a, 17b, and 17d to 9/13/2022

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

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

- 17c. 22-0086-VAR1 - VARIANCE - TO ALLOW AN 84-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 120 FEET IS REQUIRED FOR THE MAIN STRUCTURE AND 43 FEET WHERE 50 FEET IS REQUIRED FOR A TRASH ENCLOSURE

Minutes:

See Item 6 for related discussion and Items 17-17d for related backup.

Motion made by Jeff Rogan to Hold in Abeyance Items 7a-7b and 21a-21c to 8/9/2022 and Items 29a-29b to 10/11/2022, Table Items 16a-16b, and Withdraw without Prejudice Items 17c and 18a-18d

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

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

- 17d. 22-0086-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 276-UNIT MULTI-FAMILY DEVELOPMENT

Minutes:

See Item 17 for related discussion and Items 17-17d for related backup.

Motion made by Louis De Salvio to Hold in Abeyance Items 17a, 17b, and 17d to 9/13/2022

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

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

18. 22-0165 - PUBLIC HEARING - APPLICANT: DXD CAPITAL - OWNER: PRECEDENT PROPERTIES, LLC - For possible action on the following Land Use Entitlement project requests on 3.18 acres on the northwest corner of Ann Road and Leggett Road (APNs 125-28-801-014, 016 and 018), Ward 4 (Anthony). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:

See Item 6 for related discussion and Items 18a-18d for related backup.

- 18a. 22-0165-GPA1 - GENERAL PLAN AMENDMENT - FROM: O (OFFICE) TO: SC (SERVICE COMMERCIAL)

Minutes:

See Item 6 for related discussion and Items 18-18d for related backup.

Motion made by Jeff Rogan to Hold in Abeyance Items 7a-7b and 21a-21c to 8/9/2022 and Items 29a-29b to 10/11/2022, Table Items 16a-16b, and Withdraw without Prejudice Items 17c and 18a-18d

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

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

- 18b. 22-0165-ZON1 - REZONING - FROM: P-R (PROFESSIONAL OFFICE AND PARKING) TO: C-1 (LIMITED COMMERCIAL)

Minutes:

See Item 6 for related discussion and Items 18-18d for related backup.

Motion made by Jeff Rogan to Hold in Abeyance Items 7a-7b and 21a-21c to 8/9/2022 and Items 29a-29b to 10/11/2022, Table Items 16a-16b, and Withdraw without Prejudice Items 17c and 18a-18d

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

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

18c. 22-0165-SUP1 - SPECIAL USE PERMIT - FOR A MINI-STORAGE FACILITY USE

Minutes:

See Item 6 for related discussion and Items 18-18d for related backup.

Motion made by Jeff Rogan to Hold in Abeyance Items 7a-7b and 21a-21c to 8/9/2022 and Items 29a-29b to 10/11/2022, Table Items 16a-16b, and Withdraw without Prejudice Items 17c and 18a-18d

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

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

18d. 22-0165-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED THREE-STORY, 855-UNIT, 104,879 SQUARE-FOOT MINI-STORAGE DEVELOPMENT WITH FUTURE BUILDING PAD SITE AND A WAIVER OF THE PERIMETER LANDSCAPE BUFFER DEVELOPMENT STANDARDS

Minutes:

See Item 6 for related discussion and Items 18-18d for related backup.

Motion made by Jeff Rogan to Hold in Abeyance Items 7a-7b and 21a-21c to 8/9/2022 and Items 29a-29b to 10/11/2022, Table Items 16a-16b, and Withdraw without Prejudice Items 17c and 18a-18d

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

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

19. 22-0172 - PUBLIC HEARING - APPLICANT/OWNER: INVESTMENTS WEST, LLC - For possible action on the following Land Use Entitlement project requests on 1.80 acres at the northeast corner of Kyle Canyon Road and Shaumber Road (APN 126-01-301-013), Ward 6 (Fiore). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open for Items 19-19e.

NICOLE EDDOWES, Community Development Coordinator, reported that the proposed commercial development and use of the structures are consistent with the Kyle Canyon Area as outlined in the City of Las Vegas 2050 Master Plan and the surrounding area. The proposed project is compatible with the adjacent land uses and meets all minimum requirements of Title 19 and the conditions of approval of the previous site development plan reviews for the commercial development with exception of the distance separation Waiver associated with the Gaming Restricted use, which staff supports; therefore, staff recommended approval of the requested General Plan Amendment, Rezoning, Special Use Permits, and Site Development Plan Review. She noted additional letters of support were received since publication.

ATTORNEY JENNIFER LAZOVICH displayed an aerial view of the general area, pointing out the subject site and nearby developments that have already been approved. She indicated this development will be located on the east side of Shaumber Road, which is also known as Sheep Mountain Parkway, and will be a major thoroughfare through the area. There have been discussions between the City of Las Vegas and the Paiute Tribe about connecting over to that area. She appreciated the recommendation for approval from staff.

CHRIS GIUNCHIGLIANI owns a home on Mount Charleston and opposed this zoning request when former Councilman STEVEN ROSS was in office. At that time, they did not believe the gateway to Mount Charleston should be developed; however, the zoning was approved along with a casino site. She said the interchange

was poorly designed, and she thought the tavern will compound upon a current problem with limited highway patrolmen and the two-lane highway. MS. GIUNCHIGLIANI did not believe the residents have been involved in developments and felt a meeting was needed to discuss future development plans.

MISTY HAJI-SHEIKH said she cannot get home without traveling the highway. Highway 157 directs traffic in the same direction creating a problem. She noted Highways 156, 157, and 158 create an H that is two lanes with no curbs or shoulders, and the tavern will be located near the DUI (driving under the influence) Victim Memorial. She also noted that the intersection of Highway 157 is lower and floods. MS. HAJI-SHEIKH mentioned concerns about fire hydrants and low-flow water. She asked the Commissioners to vote No or to come and talk to the residents.

FRANK VEILLEUX, a Marine Corp veteran, said he purchased five acres for his home and this project opens up the possibility for other five-acre properties to be purchased for commercial use. He wondered how people would come in and out of the neighborhood and spoke about the road being dangerous.

TAMMY BOYER said she and her husband purchased a home in lower Kyle Canyon and were opposed to the project. PAUL BOYER said there are four bars and two taverns on Skye Canyon Park Drive. It is busy on the weekends, and there is a lot of traffic.

MS. LAZOVICH reiterated that what's been approved is already changing the nature of what the road going up to Kyle Canyon is. Eventually, Sheep Mountain Parkway/Shamber Road is planned to be a major thoroughfare, and she believed development east of Shamber Road will be more intense and urban. She asked the Commissioners to follow staff's recommendation for approval.

COMMISSIONER DE SALVIO asked for a timeline of when development will begin. MS. LAZOVICH believed it would happen quicker than 24 months as previously approved developments are under construction.

LUCIEN PAET, Engineering Project Manager, informed the Commissioner that Kyle Canyon is a 200-foot right-of-way, and there is an interim design that is approximately 100 feet, which he believed can accommodate three lanes in each direction. He thought the widened section of Kyle Canyon Road would be in by the end of this year or early next year. Further, when the Planning Commission approved the Kyle Canyon Gateway project, an interim cross-section was approved. The timing comes down to when the developer will widen the north half of the road. In addition, the City has a design project to take Sheep Mountain Parkway in Skye Canyon from Iron Mountain Road to Kyle Canyon Road. The project is at the 90 percent design level and will go out to bid next year. He added that Kyle Canyon Road is an NDOT (Nevada Department of Transportation) road, and they have high input on the design of the road.

MS. LAZOVICH pointed out for COMMISSIONER DE SALVIO where Sheep Mountain Parkway will have lighting and crosswalks.

COMMISSIONER DE SALVIO believed this project was harmonious and compatible with the area and expressed his support.

See Items 19a-19e for related backup.

CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 19-19e.

- 19a. 22-0172-GPA1 - GENERAL PLAN AMENDMENT - FROM: PCD (PLANNED COMMUNITY DEVELOPMENT) TO: SC (SERVICE COMMERCIAL)

Minutes:

See Item 19 for related discussion and Items 19-19e for related backup.

Motion made by Louis De Salvio to Approve Items 19a-19e subject to condition(s)

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

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

- 19b. 22-0172-ZON1 - REZONING - FROM: U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: C-1 (LIMITED COMMERCIAL)

Minutes:

See Item 19 for related discussion and Items 19-19e for related backup.

Motion made by Louis De Salvio to Approve Items 19a-19e subject to condition(s)

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

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

- 19c. 22-0172-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED 3,800 SQUARE-FOOT ALCOHOL, ON-PREMISE FULL USE

Minutes:

See Item 19 for related discussion and Items 19-19e for related backup.

Motion made by Louis De Salvio to Approve Items 19a-19e subject to condition(s)

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

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

- 19d. 22-0172-SUP2 - SPECIAL USE PERMIT - FOR A PROPOSED 3,800 SQUARE-FOOT GAMING ESTABLISHMENT, RESTRICTED (6 TO 15 MACHINES) USE WITH A WAIVER TO ALLOW A 1,195-FOOT DISTANCE SEPARATION FROM A SITE THAT IS DESIGNATED TO BE CITY PARK WHERE 1,500 FEET IS REQUIRED

Minutes:

See Item 19 for related discussion and Items 19-19e for related backup.

Motion made by Louis De Salvio to Approve Items 19a-19e subject to condition(s)

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

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

- 19e. 22-0172-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 6,024 SQUARE-FOOT COMMERCIAL DEVELOPMENT CONSISTING OF TWO BUILDINGS WITH AN 828 SQUARE-FOOT OUTDOOR PATIO AREA

Minutes:

See Item 19 for related discussion and Items 19-19e for related backup.

Motion made by Louis De Salvio to Approve Items 19a-19e subject to condition(s)

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

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

20. 22-0174 - PUBLIC HEARING - APPLICANT/OWNER: PRE RANCHO CRAIG, LLC - For possible action on the following Land Use Entitlement project requests on 20.76 acres on the South Side of Craig Road, approximately

470 feet east of Rancho Drive (APN 138-02-715-008), C-2 (General Commercial) Zone, Ward 5 (Crear). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open for Items 20-20b.

NICOLE EDDOWES, Community Development Coordinator, reported that due to the Residential Adjacency Setback Variance and the Exception requested for fewer landscape materials such as trees, staff is not able to support the requested Variance and Site Development Plan Review as these are self-imposed hardships; therefore, staff recommended denial of both applications. She noted an additional letter of support was received since publication.

RENE ROLIN, Momeni Engineers, said in order to mitigate the portion that is adjacent to the residents, the owner has agreed to plant additional trees instead of the typical setback. She illustrated on the overhead the area that backs up to the residents.

COMMISSIONER CHERRY did not have an issue with the Variance and wondered what was being proposed because he did not believe there were enough trees. MS. EDDOWES stated that if the applicant complies with the code, the Exception can be eliminated and a condition can be added regarding the placement of the trees. The Commissioner wished for the applicant to comply with adding 36-inch box trees rather than add more trees than needed. MS. ROLIN confirmed that would be acceptable.

COMMISSIONER ROGAN agreed with COMMISSIONER CHERRY and was concerned about the urban heat island effect. He was willing to give up parking spaces if more trees are planted. He did not believe the application needed to be held if the applicant can address the trees before the City Council meeting. MS. EDDOWES said the interior lot lines do not require a landscape buffer because the development is a commercial subdivision. A condition could be added, which she read into the record, for 36-inch box shade trees. This would create a landscape buffer along Craig Road and for the residents to the east of the property. Additionally, City code requires one, 24-inch box shade tree for every six uncovered parking spaces. The applicant can add trees to the Site Plan before the City Council meeting to help with the urban heat island effect. COMMISSIONER ROGAN appreciated this. MS. EDDOWES read the added condition into the record for 22-0174-SDR1, and MS. ROLIN confirmed the applicant was in agreement with it.

See Items 20a and 20b for related backup.

CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 20-20b.

- 20a. 22-0174-VAR1 - VARIANCE - TO ALLOW A 95-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 97 FEET IS REQUIRED

Minutes:

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

Motion made by Sam Cherry to Approve Items 20a and 20b subject to condition(s) with amended conditions for Item 20b

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

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

- 20b. 22-0174-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 41,103 SQUARE-FOOT HEALTH CLUB

Minutes:

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

Motion made by Sam Cherry to Approve Items 20a and 20b subject to condition(s) and adding the following condition as read for the record:

A. 36-inch box shade trees shall be planted within the perimeter landscape buffers.

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

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

21. 22-0199 - PUBLIC HEARING - APPLICANT/OWNER: GREEN ENVIRONMENTAL LANDSCAPE, INC. - For possible action on the following Land Use Entitlement project requests on 0.89 acres on the west side of Thom Boulevard, approximately 100 feet north of Donnie Avenue (APN 138-12-810-009), C-2 (General Commercial) Zone, Ward 5 (Crear). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:

See Item 6 for related discussion and Items 21a-21c for related backup.

- 21a. 22-0199-VAR1 - VARIANCE - TO ALLOW A ZERO-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED AND EXISTING SIX-FOOT TALL WALLS ON THE NORTH, SOUTH AND WEST PERIMETER WHERE A MINIMUM OF EIGHT-FOOT TALL SOLID WALLS IS REQUIRED FOR SCREENING OF OUTDOOR STORAGE AREAS

Minutes:

See Item 6 for related discussion and Items 21-21c for related backup.

Motion made by Jeff Rogan to Hold in Abeyance Items 7a-7b and 21a-21c to 8/9/2022 and Items 29a-29b to 10/11/2022, Table Items 16a-16b, and Withdraw without Prejudice Items 17c and 18a-18d

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

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

- 21b. 22-0199-VAR2 - VARIANCE - TO ALLOW NO OFFSITE IMPROVEMENTS WHERE SUCH ARE REQUIRED

Minutes:

See Item 6 for related discussion and Items 21-21c for related backup.

Motion made by Jeff Rogan to Hold in Abeyance Items 7a-7b and 21a-21c to 8/9/2022 and Items 29a-29b to 10/11/2022, Table Items 16a-16b, and Withdraw without Prejudice Items 17c and 18a-18d

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

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

- 21c. 22-0199-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED TWO-STORY, 5,876 SQUARE-FOOT BUILDING MAINTENANCE SERVICE AND SALES DEVELOPMENT WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS

Minutes:

See Item 6 for related discussion and Items 21-21c for related backup.

Motion made by Jeff Rogan to Hold in Abeyance Items 7a-7b and 21a-21c to 8/9/2022 and Items 29a-29b to 10/11/2022, Table Items 16a-16b, and Withdraw without Prejudice Items 17c and 18a-18d

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

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

22. 22-0220-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: DANIEL SANCHEZ - For possible action on a Land Use Entitlement project request TO ALLOW A ZERO-FOOT SIDE YARD SETBACK WHERE THREE FEET IS REQUIRED FOR AN EXISTING ACCESSORY STRUCTURE (CLASS II) [SHED]; TO ALLOW A ZERO-FOOT SIDE YARD SETBACK WHERE FIVE FEET IS REQUIRED FOR AN EXISTING PATIO COVER; AND TO ALLOW THE PATIO COVER TO EXCEED THE 12-FOOT HEIGHT LIMITATION on 0.15 acres at 1909 Poplar Avenue (APN 139-35-610-035), R-1 (Single Family Residential) Zone, Ward 3 (Diaz). Staff recommends DENIAL.

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open.

JONATHAN BOYLES, Senior Planner, reported that the applicant is proposing to allow an existing patio cover and shed that does not meet minimum setback requirements and height developments for the R-1 (Single Family Residential) zoning district. There are no permits on file for the existing structures, and there is an open Code Enforcement case for the subject site, which has cited the un-permitted structures. No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by constructing a patio cover and shed that does not meet side yard setback requirements or maximum height requirements; therefore, staff recommended denial of the requested Variance. He noted additional letters of protest and support were received since publication.

No applicant or representative was present.

CHAIR SCHLOTTMAN said this application was part of the efforts for neighborhood beautification, which was a Code Enforcement cleanup attempt in this particular neighborhood. A lot of residential homes constructed carports and when there is one in the front yard, he considers it to be harmonious with the neighborhood. He was open to approving the application but believed there were challenges with the fire code, so he was willing to give 180 days for the applicant to bring the structure into compliance. NICOLE EDDOWES, Community Development Coordinator, said it is hard to gauge building permit review time. SETH FLOYD, Director of Community Development, said in the past, the direction has been given to the applicant and staff instead of adding a condition. MS. EDDOWES added that a majority of the structures have been brought to Planning staff through Code Enforcement. Once the Variance is approved, Code Enforcement works with the applicant to obtain building permits.

COMMISSIONER CHERRY agreed with the Chair's comments and believed a lot of work would be needed to bring the structure into compliance.

CHAIR SCHLOTTMAN declared the Public Hearing closed.

Motion made by Sam Cherry to Approve subject to conditions with direction to staff for 180 days

NOTE: Subsequent to the meeting, Department of Planning staff clarified that direction was given for the applicant to obtain a building permit within 180 days.

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

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

23. 22-0223 - PUBLIC HEARING - APPLICANT/OWNER: MARCUS ALLEN - For possible action on the following Land Use Entitlement project requests on 0.43 acres at 1200, 1212 and 1224 West Lake Mead Boulevard (APNs 139-21-610-285 through 287), R-2 (Medium-Low Density Residential) and C-1 (Limited Commercial) Zones, Ward 5 (Crear). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open for Items 23-23c.

JONATHAN BOYLES, Senior Planner, reported that the applicant is requesting to convert two existing single-family dwellings at 1212 and 1224 West Lake Mead Boulevard into commercial office buildings and combine

those properties with a third site containing an existing barbershop at 1200 West Lake Mead Boulevard. Due to the size of the site and the configuration of existing buildings and parking, the site cannot meet several commercial development standards, including building setbacks, landscape buffer and parking lot landscaping requirements, parking lot buffering, mechanical screening, and screening standards from adjacent residential properties. Reconfiguration of the site to provide a single, compact commercial building or mixed-use development would allow for conformance to zoning code requirements; therefore, staff recommended denial of the proposed project and all associated applications. He noted additional letters of protest were received since publication.

RICKI BARLOW, LV Access, was present with MARCUS ALLEN, owner and operator of Masterpiece Barber Shop. MR. BARLOW said MR. ALLEN is a native of the community and is a successful business owner. He purchased the home at 1200 West Lake Mead Boulevard in 2003, and it belonged to his grandfather. He converted the home into a barbershop. MR. ALLEN has opened other barbershop locations and has purchased additional properties adjacent to the original barbershop, which he plans to convert into professional offices. He has several potential tenants waiting to move into these properties as he conducts tenant improvements on each property. MR. BARLOW acknowledged staff for working with them on this development and understood the reason for their denial. The proposed Site Plan is the best one that they have been able to develop with the assistance of staff.

MR. ALLEN introduced himself to the Commissioners.

COMMISSIONER CHERRY thought it was nice to hear from someone who wishes to invest in and grow their neighborhood. He asked to increase the Palo Verde tree to 36 gallons, as he believed the neighborhood needed more landscaping. MR. BARLOW and MR. ALLEN agreed to this additional condition, which NICOLE EDDOWES, Community Development Coordinator, read into the record.

See Items 23a-23c for related backup.

CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 23-23c.

- 23a. 22-0223-ZON1 - REZONING - FROM: R-2 (MEDIUM-LOW DENSITY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) ON 0.22 ACRES AT 1212 AND 1224 WEST LAKE MEAD BOULEVARD (APNs 139-21-610-286 AND 287)

Minutes:

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

Motion made by Sam Cherry to Approve Items 23a-23c subject to condition(s) with amended conditions for Item 23c

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

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

- 23b. 22-0223-VAR1 - VARIANCE - TO ALLOW A FIVE-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED FOR AN EXISTING BUILDING

Minutes:

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

Motion made by Sam Cherry to Approve Items 23a-23c subject to condition(s) with amended conditions for Item 23c

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

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

- 23c. 22-0223-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR THE PROPOSED CONVERSION OF TWO EXISTING 1,200 SQUARE-FOOT SINGLE-FAMILY RESIDENTIAL DWELLINGS TO TWO OFFICE BUILDINGS AND OTHER SITE IMPROVEMENTS WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS

Minutes:

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

Motion made by Sam Cherry to Approve Items 23a-23c subject to condition(s) and adding the following condition as read for the record:

A. 36-inch box Palo Verde trees shall be planted.

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

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

24. 22-0225-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: CHRISTINA MENDOZA - For possible action on a Land Use Entitlement project request TO ALLOW A 25-FOOT FRONT YARD SETBACK FOR AN EXISTING ACCESSORY STRUCTURE (CLASS II) [CARPORT 1] AND A 40-FOOT FRONT YARD SETBACK FOR AN EXISTING ACCESSORY STRUCTURE (CLASS II) [CARPORT 2] WHERE 50 FEET IS REQUIRED; A SIX-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED FOR AN EXISTING ACCESSORY STRUCTURE (CLASS II) [CARPORT 1]; A ZERO-FOOT DISTANCE SEPARATION FROM THE PRINCIPAL DWELLING WHERE SIX FEET IS REQUIRED FOR AN EXISTING ACCESSORY STRUCTURE (CLASS II) [PATIO COVER]; THREE ACCESSORY STRUCTURES TO NOT BE AESTHETICALLY COMPATIBLE WITH THE PRINCIPAL DWELLING UNIT WHERE SUCH IS REQUIRED; AND TWO ACCESSORY STRUCTURES (CLASS II) [CARPORT 1 AND CARPORT 2] TO BE LOCATED IN THE FRONT YARD SETBACK AREA WHERE SUCH IS PROHIBITED at 2800 Harris Avenue (APN 139-25-410-018), R-E (Residence Estates) Zone, Ward 3 (Diaz). Staff recommends DENIAL.

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open.

JONATHAN BOYLES, Senior Planner, reported that the applicant is proposing to allow existing patio covers and carports that do not meet minimum setback requirements and aesthetic compatibility developments for the R-E (Residence Estates) zoning district. There are no permits on file for the existing structures, and there is an open Code Enforcement case for the subject site which has cited the un-permitted structures. No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by constructing the patio covers and carports that do not meet building setback or aesthetic compatibility requirements; therefore, staff recommended denial of the requested Variance.

CHRISTINA MENDOZA said she was told they do not need a permit because there is shading, and the structures are used for her vehicles. She originally applied for a Special Use Permit (SUP) for a goat and chickens and was instructed to apply for this permit as well. She displayed on the overhead a hand-drawn rendering of the accessory structures, which was not provided for the record. She wished to keep the structures in place.

CHAIR SCHLOTTMAN said he drove past the property, which has a lot of structures built. He was less concerned about the shrine and carport but thought there were a lot of little sheds and chicken coups. He thought it would be great for her to go to obtain a permit and consolidate the structures. He wished for the sheds on the south side and rear of the property to be removed. MS. MENDOZA agreed to address the rear and south sides of her property and discussed with the Chair the structures he wished to be removed.

NICOLE EDDOWES, Community Development Coordinator, stated that Conditions 1, 3, and 4 can remain, and Conditions 2 and 5 can be amended, which she read for the record. She noted that the Department of Planning does not address issues such as grapevines or trellises, and MS. MENDOZA would have to agree to address those on her own.

CHAIR SCHLOTTMAN offered to meet with MS. MENDOZA, who accepted. It was determined the item would be held in abeyance to allow the two to meet.

CHAIR SCHLOTTMAN declared the Public Hearing closed.

Motion made by Sam Cherry to Hold in Abeyance to 8/9/2022

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

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

25. 22-0229 - PUBLIC HEARING - APPLICANT: IZ DESIGN STUDIO - OWNER: DORIS H. LAUER TRUST - For possible action on the following Land Use Entitlement project requests on 0.46 acres at 1720 South Buffalo Drive (APN 163-03-201-007), Ward 1 (Knudsen). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open for Items 25-25d.

JONATHAN BOYLES, Senior Planner, reported that the subject site is undeveloped and is currently zoned R-E (Residence Estates) with a DR (Desert Rural Density Residential) land use designation. Pursuant to Title 19, the proposed O (Office) is permitted within the proposed P-O (Professional Office) zoning district.

Staff determined that the proposed General Plan Amendment to O and Rezoning to P-O (Professional Office) zoning district is not compatible with the existing development in the surrounding area, which predominantly consists of large detached single-family residential lots. Also, the requested General Plan Amendment and Rezoning would create a spot zoning situation. Title 19 defines Spot Zoning as rezoning of a lot or parcel of land to benefit an owner for a use incompatible with surrounding land uses and that does not further the General Plan. Therefore, staff recommended denial of the proposed General Plan Amendment and Rezoning.

Furthermore, staff noted the proposed site and building design are also not compatible with the existing development in the surrounding area, as evidenced by the associated Variance to address insufficient residential adjacency setbacks and Waivers and Exceptions of required perimeter landscape buffer planting materials. Therefore, staff also recommended denial of the associated Variance and Site Development Plan Review. He noted additional letters of protest were received since publication.

ZACH BROYLES said he lives near the subject site, and the traffic along Buffalo Drive has increased substantially since he moved in in 2004. Nearby there is a park, a paddle club, which falls under the Country Club use, a church, and more commercial development. He read the P-O zoning designation description, noting the property has been vacant and he was unsure if it was developable as a residence. He has spoken to neighbors, and their main concern is the possibility of the property becoming a liquor store or marijuana establishment. MR. BROYLES asserted that neither of those uses is allowed in a P-O zoning district. This project is to relocate their current office.

COMMISSIONER ROGAN said he spoke with the applicant and believed the site corner was unique, but he was less concerned about spot zoning. He thought the modern contemporary architecture fit in with the surrounding area. He asked MR. BROYLES if he spoke to the neighbor to the north. MR. BROYLES confirmed he visited the property four times and left his contact information. COMMISSIONER ROGAN said he has not received any concerns and believed MR. BROYLES did his due diligence with reaching out to the neighborhood. He requested an additional condition to increase the size of the box trees, which NICOLE EDDOWES, Community Development Coordinator, read for the record. MR. BROYLES agreed to this condition.

See Items 25a-25d for related backup.

CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 25-25d.

- 25a. 22-0229-GPA1 - GENERAL PLAN AMENDMENT - FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: O (OFFICE)

Minutes:

See Item 25 for related discussion and Items 25-25d for related backup.

Motion made by Jeff Rogan to Approve Items 25a-25d subject to condition(s) with amended conditions for Item 25d

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

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

- 25b. 22-0229-ZON1 - REZONING - FROM: R-E (RESIDENCE ESTATES) TO: P-O (PROFESSIONAL OFFICE)

Minutes:

See Item 25 for related discussion and Items 25-25d for related backup.

Motion made by Jeff Rogan to Approve Items 25a-25d subject to condition(s) with amended conditions for Item 25d

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

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

- 25c. 22-0229-VAR1 - VARIANCE - TO ALLOW A 48-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 87 FEET IS REQUIRED AND AN EIGHT-FOOT TRASH ENCLOSURE SETBACK FROM A PROTECTED PROPERTY LINE WHERE 50 FEET IS REQUIRED

Minutes:

See Item 25 for related discussion and Items 25-25d for related backup.

Motion made by Jeff Rogan to Approve Items 25a-25d subject to condition(s) with amended conditions for Item 25d

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

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

- 25d. 22-0229-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 6,265 SQUARE-FOOT OFFICE DEVELOPMENT WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS

Minutes:

See Item 25 for related discussion and Items 25-25d for related backup.

Motion made by Jeff Rogan to Approve Items 25a-25d subject to condition(s) and adding the following condition as read for the record:

A. 36-inch box shade trees shall be planted.

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

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

26. 22-0236 - PUBLIC HEARING - APPLICANT: J.A. KENNEDY DEVELOPMENT COMPANY - OWNER: RIO VISTA CAPITAL MANAGEMENT, LLC - For possible action on the following Land Use Entitlement project requests on 1.78 acres at the northeast corner of Ann Road and Rio Vista Street (APN 125-27-802-016), O (Office) Zone, Ward 6 (Fiore). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open for Items 26-26b.

NICOLE EDDOWES, Community Development Coordinator, reported that Title 19 sets limits on the size of restaurants in the O (Office) zoning district to keep the intensity of use low adjacent to low-density residential uses to maintain compatibility. The proposed incremental increase in floor area frustrates the intended purpose of the O (Office) zoning code; therefore, recommended denial of the requested Special Use Permit and related Site Development Plan Review.

ATTORNEY LORA DREJA appeared on behalf of the owner and applicant. This Starbucks drive-through was previously approved by the Planning Commission; however, Starbucks has considered using a newer interior layout, which is 335 feet larger. The Starbucks app has gained increased usage over the last few years, and they expect more use of the app at the proposed location and would like to use the new floor plan from the Starbucks collection. The additional footage will accommodate the internal pickup space as well as an additional barista. They were confident this alternative will reduce the drive-through stacking. Other than an additional one- to two-foot expansion in some areas of the footprint, the layout of the site, in terms of ingress and egress, parking, sidewalk, landscaping, and circulation, will remain the same. In terms of the drive-through stacking and congestion spilling onto Rio Vista Street, they believed this was an operational improvement from the original proposal and hoped for the Commissioners' support.

COMMISSIONER DE SALVIO said he already reviewed this project with MS. DREJA and verified with her that they wished for 334 square feet of indoor seating and a reduction in outdoor seating. They also agreed to the hours of operation being 4:00 a.m. to 8:00 p.m., and he confirmed with MS. DREJA that she was agreeable to all conditions.

See Items 26a and 26b for related backup.

CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 26-26b.

- 26a. 22-0236-SUP1 - SPECIAL USE PERMIT - FOR A MAJOR AMENDMENT OF AN APPROVED SPECIAL USE PERMIT (21-0709-SUP1) FOR A 2,335 SQUARE-FOOT RESTAURANT USE WHERE 2,000 SQUARE FEET IS THE MAXIMUM GROSS FLOOR AREA ALLOWED

Minutes:

See Item 26 for related discussion and Items 26-26b for related backup.

Motion made by Louis De Salvio to Approve Items 26a and 26b subject to condition(s)

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

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

- 26b. 22-0236-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A MAJOR AMENDMENT OF AN APPROVED SITE DEVELOPMENT PLAN REVIEW (21-0709-SDR1) FOR A PROPOSED 335 SQUARE-FOOT ADDITION TO AN APPROVED RESTAURANT AND A 350 SQUARE-FOOT OUTDOOR SEATING AREA WHERE 375 SQUARE FEET WAS APPROVED

Minutes:

See Item 26 for related discussion and Items 26-26b for related backup.

Motion made by Louis De Salvio to Approve Items 26a and 26b subject to condition(s)

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

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

27. 22-0247-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: MICHAEL JASON MECKLER - For possible action on a Land Use Entitlement project request TO ALLOW A ZERO-FOOT SIDE YARD SETBACK WHERE THREE FEET IS REQUIRED FOR AN EXISTING ACCESSORY STRUCTURE (CLASS II) [CARPORT] AND A ZERO-FOOT SEPARATION FROM THE PRIMARY DWELLING WHERE SIX FEET IS REQUIRED on 0.24 acres at 4132 Scotmist Court (APN 138-04-811-015), R-1 (Single Family Residential) Zone, Ward 4 (Anthony). Staff recommends DENIAL.

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open.

NICOLE EDDOWES, Community Development Coordinator, reported that no evidence of unique or extraordinary circumstance related to the physical characteristics of the property was presented to warrant the requested Variance. As such, the hardship is self-imposed, and staff recommended denial of this request. She noted additional letters of support and protest were received since publication.

MICHAEL JASON MECKLER said he purchased the home in 2013 and has made several improvements to it. He felt he was ignorant of the standards for improving the structure. He built a shop in the backyard and had spoken to someone who told him this structure would be an extension of the current garage. MR. MECKLER said he was unaware that a Variance was needed for the offsets and requested the Variance due to the shape of his lot.

COMMISSIONER TOUSSAINT said she drove past the property and understood MR. MECKLER received approval from the HOA (homeowners association) and the Architectural Review Committee. There were also letters of support from the neighbors, and she confirmed the lot was very odd in shape. The Commissioner asked staff about special conditions pertaining to a firewall. MS. EDDOWES said if the Variance is approved, MR. MECKLER must obtain a building permit, and the structure will be required to be fire-rated. MR. MECKLER confirmed he was aware of those conditions and verified with SENIOR DEPUTY FIRE CHIEF AND FIRE MARSHAL ROBERT NOLAN, Las Vegas Fire and Rescue, that a one-hour rated firewall on the property line or a water curtain of fire sprinkler heads would suffice for protection. MR. MECKLER agreed with these conditions.

CHAIR SCHLOTTMAN declared the Public Hearing closed.

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

28. 22-0265 - PUBLIC HEARING - APPLICANT: CALIDA RESIDENTIAL, LLC - OWNER: RANCHO DRIVE, LLC - For possible action on the following Land Use Entitlement project requests on 12.05 acres on the east side of Rainbow Boulevard, approximately 490 feet north of Rancho Drive (APN 125-35-301-021), Ward 6 (Fiore). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open for Items 28-28c.

NICOLE EDDOWES, Community Development Coordinator, reported that the proposed multi-family development meets Residential Adjacency Standards, is located along an established Regional Transportation Commission of Southern Nevada (RTC) bus line, and supports the goals and objectives of the City of Las Vegas 2050 Master Plan; therefore, staff recommended approval of the requested General Plan Amendment, Rezoning, and Site Development Plan Review. She noted additional letters of protest were received since publication.

ATTORNEY BOB GRONAUER appeared representing The Calida Group. Staff recommended approval of all

three applications, which were in conformance with the Rancho Area plan of the 2050 Master Plan. He pointed out on the overhead that the larger part of the property is known as the Siegfried and Roy property and is approximately 58 acres. Last year, the Planning Commission approved a single-family residential development, and subsequently, the City Council approved the same development. That development is a horseshoe-shaped development around the current site and is 46 acres. It was zoned R-CL (Single Family Compact-Lot) with larger lots located on the exterior. The subject site is over 12 acres and is currently master-planned for Service Commercial, and the applicant requested a multi-family residential development in an R-4 (High Density Residential) zoning district. On the 12 acres, the applicant was proposing 334 units to include a building with descending stories. He indicated they exceed the development standards and guidelines and noted that when the application for the surrounding single-family residential development was approved, it was located in COUNCILMAN STAVROS ANTHONY'S ward. At that time, the Councilman had wanted the developer, Richmond American Homes, to include in their disclosures that the subject site would be an intense commercial use or something else. MR. GRONAUER felt this was a perfect location for the project and reiterated staff's recommendation for approval.

TERESA JIDOV said they purchased their home 29 years ago, which backs up to the developed property mentioned by MR. GRONAUER. Within the last year, the whole environment has changed. She did not approve of the high density of the proposed development and was concerned about the elevation of the homes that will be built as well as the number of apartment units. She believed the addition of apartments and homes will increase student capacity, traffic, and noise.

In response to MS. JIDOV'S concerns, MR. GRONAUER said the project only has one driveway coming into and out of the property, and he believed a commercial development would bring in more traffic than a multi-family residential development. They worked very closely with staff from the Department of Public Works to ensure the driveway is aligned with the existing driveways. Secondly, although a traffic study was not conducted, Public Works completed an analysis and reported Rainbow Boulevard is at 22 percent capacity, and Rancho Drive is at 50 percent capacity. With this project, Rainbow Boulevard will increase to 26 percent capacity, and Rancho Drive will increase to 53 percent capacity; therefore, this project falls within the acceptable capacity ranges. MR. GRONAUER indicated that this development will be unique and specified that there will be 236 one-bedroom units and 82 two-bedroom units. Only 16 units will be three-bedroom. Lastly, he mentioned that the multi-family residential development will transition well into and will energize the neighborhood. He appreciated staff's recommendation for approval.

COMMISSIONER DE SALVIO appreciated the design of this development and thought the buffer would be beneficial to the surrounding homes. He has not received any complaints, questions, or concerns from residents. The Commissioner supported the proposed project.

COMMISSIONER ROGAN addressed MS. JIDOV by stating that the three- and four-story buildings will only be 32 and 43 feet tall. This is not a significant height difference from what is allowed for a single-family, two-story building. He did not believe the buildings would be intrusive and supported the project.

COMMISSIONER DE SALVIO reiterated his support for the project and confirmed MR. GRONAUER was in agreement with all conditions.

See Items 28a-28c for related backup.

CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 28-28c.

- 28a. 22-0265-GPA1 - GENERAL PLAN AMENDMENT - FROM: SC (SERVICE COMMERCIAL) TO: H (HIGH DENSITY RESIDENTIAL)

Minutes:

See Item 28 for related discussion and Items 28-28c for related backup.

Motion made by Louis De Salvio to Approve Items 28a-28c subject to condition(s)

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

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

- 28b. 22-0265-ZON1 - REZONING - FROM R-E (RESIDENCE ESTATES) TO: R-4 (HIGH DENSITY RESIDENTIAL)

Minutes:

See Item 28 for related discussion and Items 28-28c for related backup.

Motion made by Louis De Salvio to Approve Items 28a-28c subject to condition(s)

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

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

- 28c. 22-0265-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED FOUR-STORY, 334-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT

Minutes:

See Item 28 for related discussion and Items 28-28c for related backup.

Motion made by Louis De Salvio to Approve Items 28a-28c subject to condition(s)

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

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

29. 22-0267 - PUBLIC HEARING - APPLICANT: LEGGERA DEVELOPMENT, LLC - OWNER: B-NW12, LLC, ET AL - For possible action on the following Land Use Entitlement project requests on 28.27 acres on the north side of Kyle Canyon Road, approximately 336 feet west of Alpine Ridge Way (APNs 126-01-201-011 and 012; 126-01-301-005, 006, 007, 014 and 015), Ward 6 (Fiore). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:

See Item 6 for related discussion and Items 29a and 29b for related backup.

- 29a. 22-0267-GPA1 - GENERAL PLAN AMENDMENT - FROM: PCD (PLANNED COMMUNITY DEVELOPMENT) TO: H (HIGH DENSITY RESIDENTIAL)

Minutes:

See Item 6 for related discussion and Items 29-29b for related backup.

Motion made by Jeff Rogan to Hold in Abeyance Items 7a-7b and 21a-21c to 8/9/2022 and Items 29a-29b to 10/11/2022, Table Items 16a-16b, and Withdraw without Prejudice Items 17c and 18a-18d

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

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

- 29b. 22-0267-ZON1 - REZONING - FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: R-4 (HIGH DENSITY RESIDENTIAL)

Minutes:

See Item 6 for related discussion and Items 29-29b for related backup.

Motion made by Jeff Rogan to Hold in Abeyance Items 7a-7b and 21a-21c to 8/9/2022 and Items 29a-29b to 10/11/2022, Table Items 16a-16b, and Withdraw without Prejudice Items 17c and 18a-18d

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

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

30. 22-0270 - PUBLIC HEARING - APPLICANT: TRI POINTE HOMES NEVADA, INC. - OWNER: VFR SOUTHWEST DESERT EQUITIES II, LLC, ET AL - For possible action on the following Land Use Entitlement project requests on 15.84 acres at the northeast corner of Ruston Road and Alpine Ridge Way (APNs 126-01-601-001 through 003 and 005), U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] and PD (Planned Development) Zones, Ward 6 (Fiore). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open for Items 30-30e.

NICOLE EDDOWES, Community Development Coordinator, reported that the Rezoning and Major Modification of the Kyle Canyon Gateway Master Development Plan are appropriate and compatible with surrounding approved land uses. Low-density residential development is anticipated in this area by the 2050 Las Vegas Master Plan, and the proposed development conforms to the Kyle Canyon Gateway Master Development Plan and Design Guidelines as modified through this request; therefore, staff recommended approval of the requested Major Modification, Rezoning, Petition to Vacate public right-of-way and U.S. Government Patent Easements, the Site Development Plan Review, and Tentative Map requests. She noted an additional letter of support was received since publication.

ATTORNEY JENNIFER LAZOVICH appeared on behalf of Tri Pointe Homes Nevada, Inc. They appreciated staff's recommendation for approval and asked the Commissioners to follow their lead.

COMMISSIONER DE SALVIO said he supported the application and confirmed with MS. LAZOVICH that they accepted all conditions.

See Items 30a-30e for related backup.

CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 30-30e.

- 30a. 22-0270-MOD1 - MAJOR MODIFICATION - TO AMEND THE KYLE CANYON GATEWAY MASTER DEVELOPMENT PLAN TO ADD 9.13 ACRES TO THE PLAN AND DESIGNATE THE LAND USE AS L (RESIDENTIAL LOW) [APNs 126-01-601-001, 003 and 005], TO AMEND VARIOUS DEVELOPMENT STANDARDS WITHIN THE DESIGN GUIDELINES AND TO ADD PROCEDURES TO THE DESIGN GUIDELINES REGARDING DEVIATIONS FROM THE KYLE CANYON GATEWAY RESIDENTIAL DEVELOPMENT STANDARDS

Minutes:

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

Motion made by Louis De Salvio to Approve Items 30a-30e subject to condition(s)

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

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

- 30b. 22-0270-ZON1 - REZONING - FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: PD (PLANNED DEVELOPMENT) [9.13 acres on APNs 126-01-601-001, 003 and 005]

Minutes:

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

Motion made by Louis De Salvio to Approve Items 30a-30e subject to condition(s)

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

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

- 30c. 22-0270-VAC1 - VACATION - PETITION TO VACATE THE EAST 30 FEET OF MICHELLI CREST WAY (PUBLIC RIGHT-OF-WAY) BETWEEN RUSTON ROAD AND ROCKY AVENUE AND U.S. GOVERNMENT PATENT EASEMENTS GENERALLY LOCATED AT THE NORTHEAST CORNER OF RUSTON ROAD AND ALPINE RIDGE WAY

Minutes:

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

Motion made by Louis De Salvio to Approve Items 30a-30e subject to condition(s)

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

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

- 30d. 22-0270-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 54-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT

Minutes:

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

Motion made by Louis De Salvio to Approve Items 30a-30e subject to condition(s)

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

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

- 30e. 22-0270-TMP1 - TENTATIVE MAP - KYLE CANYON GATEWAY UNIT 4 - FOR A 54-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION

Minutes:

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

Motion made by Louis De Salvio to Approve Items 30a-30e subject to condition(s)

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

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

31. 22-0271 - PUBLIC HEARING - APPLICANT: RR COMPANY OF AMERICA - OWNER: VICTOR VALENZUELA - For possible action on the following Land Use Entitlement project requests on 1.41 acres at 1610 Rancho Drive and 3046 Vegas Drive (APNs 139-20-411-004 and 016), C-2 (General Commercial) Zone, Ward 5 (Crear). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open for Items 31-31c.

JONATHAN BOYLES, Senior Planner, reported that the subject site consists of two lots zoned C-2 (General Commercial). Per the submitted justification letter, the applicant proposes to develop the subject site with a 12,000-square-foot Blood Plasma Donor Center facility. There is an existing commercial building on site that would be demolished, and the surrounding area predominantly consists of other commercial uses. The subject site is located within the West Las Vegas Plan Area. A key objective of this plan is to improve the amount and

quality of infill development on vacant and underutilized lands. The proposed Blood Plasma Donor Center development adheres to this objective, as it is a quality-designed development that will provide a needed service to the area. Staff found the proposed development to be in substantial conformance with Title 19. It will be harmonious and compatible with the existing development in the surrounding area; therefore, staff recommended approval of all entitlements associated with the project.

ATTORNEY LORA DREJA appeared on behalf of CSL Plasma, which has six operations in the Valley. None are located in Ward 5. Staff supported the Special Use Permit, which will provide a needed service in the neighborhood. The Site Development Plan Review complies with all code requirements, and the General Plan Amendment (GPA) is a housekeeping item, as one of the two subject parcels was rezoned to NMX-U (Neighborhood Mixed Use Center) by a City-sponsored land use item last year. Both parcels must hold the same NMX-U zoning designation in order to merge. This second GPA allows the applicant to move forward with a required mapping action. They appreciated staff's support and asked for the Commissioners' approval.

COMMISSIONER CHERRY thought staff had this one right and was glad it was not a situation where the property is going from C-1 (Limited Commercial) to C-2 (General Commercial).

See Items 31a-31c for related backup.

CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 31-31c.

- 31a. 22-0271-GPA1 - GENERAL PLAN AMENDMENT - FROM: GC (GENERAL COMMERCIAL) TO: NMX-U (NEIGHBORHOOD MIXED USE CENTER) [APN 139-20-411-016]

Minutes:

See Item 31 for related discussion and Items 31-31c for related backup.

Motion made by Sam Cherry to Approve Items 31a-31c subject to condition(s)

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

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

- 31b. 22-0271-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED BLOOD PLASMA DONOR CENTER USE

Minutes:

See Item 31 for related discussion and Items 31-31c for related backup.

Motion made by Sam Cherry to Approve Items 31a-31c subject to condition(s)

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

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

- 31c. 22-0271-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED BLOOD PLASMA DONOR CENTER DEVELOPMENT WITH WAIVERS OF PERIMETER LANDSCAPE BUFFER REQUIREMENTS

Minutes:

See Item 31 for related discussion and Items 31-31c for related backup.

Motion made by Sam Cherry to Approve Items 31a-31c subject to condition(s)

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

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

32. 22-0272 - PUBLIC HEARING - APPLICANT/OWNER: PHENOMENAL TOWING, LLC - For possible action on the following Land Use Entitlement project requests on 1.12 acres located at the northeast corner of Bonanza Road and Dike Lane (APNs 139-29-704-023, 024, and 025), Ward 5 (Crear). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open for Items 32-32b.

JONATHAN BOYLES, Senior Planner, reported that the subject site consists of three lots zoned C-1 (Limited Commercial). The applicant proposes to rezone the subject sites to C-M (Commercial/Industrial) and develop the site with a Towing & Impound Yard use that will accommodate 24 parking spaces for trucks. The Towing & Impound Yard use is permitted conditionally in the C-M (Commercial/Industrial) zoning district.

While there is a low- to medium-density residential parcel located to the north of the subject site, the characteristics of this area of the city are primarily industrial in nature, as the parcel to the east of the subject site is zoned C-M (Commercial/Industrial). As part of this development, the applicant will construct a decorative screen wall that will run along the property line adjacent to Bonanza Road and along the property line adjacent to Dike Lane. These walls, while providing contrasting material, will also provide adequate screening of the Tow Yard. Staff found the proposed Rezoning and Site Development Plan Review request would allow a land use that is compatible with neighboring land uses; therefore, staff recommended approval of the requested Rezoning and Site Development Plan Review.

GEORGE GARCIA said they agreed with staff's recommendation.

COMMISSIONER CHERRY said he looked through the application and everything looked good.

See Items 32a and 32b for related backup.

CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 32-32b.

- 32a. 22-0272-ZON1 - REZONING - FROM: C-1 (LIMITED COMMERCIAL) TO: C-M (COMMERCIAL/INDUSTRIAL)

Minutes:

See Item 32 for related discussion and Items 32-32b for related backup.

Motion made by Sam Cherry to Approve Items 32a and 32b subject to condition(s)

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

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

- 32b. 22-0272-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 48,787 SQUARE-FOOT TOWING AND IMPOUND YARD WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS

Minutes:

See Item 32 for related discussion and Items 32-32b for related backup.

Motion made by Sam Cherry to Approve Items 32a and 32b subject to condition(s)

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

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

33. 22-0273-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: MATT WELEBIR - For possible action on a Land Use Entitlement project request TO ALLOW A ZERO-FOOT SIDE YARD SETBACK WHERE

FIVE FEET IS REQUIRED AND A ZERO-FOOT SEPARATION TO THE MAIN BUILDING WHERE SIX FEET IS REQUIRED FOR AN EXISTING ACCESSORY STRUCTURE (CLASS II) [SHED] on 0.45 acres at 2508 Driftwood Drive (APN 139-32-512-013), R-PD4 (Residential Planned Development - 4 Units per Acre) Zone, Ward 1 (Knudsen). Staff recommends DENIAL.

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open.

JONATHAN BOYLES, Senior Planner, reported that the applicant is proposing to allow an existing accessory structure that does not meet the minimum building setback requirements for the R-PD4 (Residential Planned Development - 4 Units per Acre) zoning district. There are no permits on file for the existing structures, and there is also an open Code Enforcement case for the subject site, which has cited the un-permitted structures. No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by constructing a shed without required setbacks and distance separation to the main dwelling. Relocating the new shed would allow conformance to Title 19 requirements; therefore, staff recommended denial of the requested Variance. He noted additional letters of protest and support were received since publication.

MATT WELEBIR, the homeowner, said he's gone through a complete renovation of the home, which is over 40 years old. There was a 38-year-old shed that was lag bolted into both sides of the wall with zero relief drainage and was causing structural damage to the east side of his property. He demolished this shed and replaced it with a shed of the same manufacturer.

HELENE WALKER, Chair of the Architectural Committee, said she lives in the same neighborhood as MR. WELEBIR, who has done an incredible job on this project. They have worked with him on the project but the Architectural Committee has not seen anything about the shed. She noted the setbacks in Rancho Bel Air are 10 feet whereas the City's are five feet. They opposed the application as it is not in compliance with the CC&Rs (covenants, conditions, and restrictions). She submitted postcards from other neighbors for the record.

ANGELO STAMOS, a neighbor and board member, said the house looks nice, but they were concerned about the shed not meeting setback requirements.

MR. WELEBIR rebutted that he would have submitted a request to the Architectural Committee for approval but a shed has been in place for many years.

COMMISSIONER ROGAN inquired about the process for the Architectural Committee to approve MR. WELEBIR'S structure. MS. WALKER said the Board has already voted to deny the shed. Regarding MR. WELEBIR'S comments about a previous shed, MS. WALKER did not believe that one was visible from the street. The Commissioner asked MR. WELEBIR if he spoke to his rear neighbor to which MR. WELEBIR replied that she is deceased. He further explained that there were three large trees that came down on the original shed and mentioned that someone from the HOA (homeowners association) also took photos on his property of what they considered an architectural addition. A complaint was filed against him for this addition.

COMMISSIONER ROGAN thought the shed was sufficiently screened but noted that the HOA has final approval. SETH FLOYD, Director of Community Development, reminded the Commissioners that if there are CC&Rs that govern, this matter would be a private dispute.

COMMISSIONER TOUSSAINT commented that HOA rules can be stricter than the Planning Commission, and if someone lives in an HOA, they must sign documents confirming they will abide by those rules. She understood both sides and agreed with COMMISSIONER ROGAN that the shed will have to be removed out of failure to comply.

COMMISSIONER CHERRY said he lives in the adjacent neighborhood, and he has spoken to people in the area who do not have an issue with the shed. It is an older neighborhood, and he thought multiple issues could be found like in other beautification efforts. He did not have a personal issue with the shed.

CHAIR SCHLOTTMAN declared the Public Hearing closed.

Motion made by Jeff Rogan to Approve

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

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

34. 22-0274-SDR1 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: BATIS DEVELOPMENT CO. - OWNER: SMITH'S FOOD & DRUG CENTERS, INC. - For possible action on a Land Use Entitlement project request FOR A PROPOSED 2,363 SQUARE-FOOT RESTAURANT WITH DRIVE THROUGH WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS on 0.86 acres at the north side of Bonanza Road, approximately 522 feet east of Pecos Road (APN 140-30-411-005), C-1 (Limited Commercial) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open.

JONATHAN BOYLES, Senior Planner, reported that the subject site is currently undeveloped and zoned C-1 (Limited Commercial). It is part of a larger commercial subdivision and is surrounded by multi-family apartments to the east, commercial retail and offices to the south, a Smith's Grocery Store to the north, and a service station to the west.

Staff found the proposed Restaurant with Drive Through to be compatible with the existing shopping center, which contains a variety of sales and services, including other drive-through restaurants; therefore, staff recommended approval of the proposed development. He noted additional letters of support were received since publication.

JAMES LOPEZ appeared on behalf of the applicant. They have read staff's conditions, were in agreement with them, and requested approval.

CHAIR SCHLOTTMAN said he does not have a problem with the application and declared the Public Hearing closed.

Motion made by Sam Cherry to Approve

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

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

35. 22-0289-SDR1 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: GEORGE GEKAKIS, INC. - OWNER: EAST SAHARA SENIOR HOUSING LIMITED PARTNERSHIP, ET AL - For possible action on a Land Use Entitlement project request FOR A PROPOSED PARKING LOT ADDITION WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS on 1.32 acres at 978, 1012 and 1014 East Sahara Avenue (APNs 162-03-801-067, 068, 085 and 140), C-1 (Limited Commercial) Zone, Ward 3 (Diaz). Staff recommends DENIAL.

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open.

JONATHAN BOYLES, Senior Planner, reported that the applicant is proposing to remove an existing commercial building at 1012 East Sahara Avenue and develop a surface parking lot on three parcels of land adjacent to the east side of the City Impact Center Senior Apartments development at 978 East Sahara Avenue. The owner of the adjacent senior apartment development has purchased these properties and intends to combine them with the current site. The applicant requested Waivers to allow no perimeter landscaping where eight-foot perimeter landscape buffers are required on the north, south, and east of the site. Also, the applicant requested an Exception to allow zero interior parking lot trees where 11 trees are required within parking lot islands and end caps.

The Las Vegas 2050 Master Plan identifies the urban heat island effect as a major issue within the Las Vegas Valley to be mitigated to meet future sustainability and resilience goals. Urban heat islands are created when multiple areas of land are developed with impervious surfaces that absorb sunlight and store the heat. The simplest way to mitigate this heat gain is to plant and maintain trees, which provide shading and cooling properties in addition to providing a more aesthetic environment. With respect to this project, as no mitigation of the urban heat island effect is proposed, staff cannot support any of the Waivers or Exceptions. Consequently, staff recommended denial of the Site Development Plan Review.

GEORGE GEKAKIS stated that the subject site was developed with help from the City in 2019. It consists of 66 units of affordable housing for seniors and is deed restricted. At the time of development, there was no parking on site and parking was shared through an agreement with Trinity Life Center Church, which is adjacent to the site. He explained that the church's site is landscaped well in the front; however, there is no landscaping in the rear and the senior residents must walk to this site. This request will add 28 additional parking spaces to the current three parking spaces, and he showed a photo of the parcels, two of which are already used as parking lots. The third parcel will serve as a drive-through. Adding trees and landscaping will limit the amount of parking on the parcels; therefore, a Waiver of the landscaping requirements was requested. He requested the Commissioners' approval.

CHAIR SCHLOTTMAN said the site is located north of Sahara Avenue and west of Maryland Parkway and is near a lot of stub streets. He was not a fan of chain-link fences but was not opposed to the proposed project.

COMMISSIONER CHERRY had an issue with landscaping and was disoriented by the layout. He thought shade from trees would be nice for the seniors. MR. GEKAKIS showed two photos of the landscaping of his current property. He pointed out where they have proposed an entryway into the property through a drive aisle, which connects to one of the subject parcels. He showed additional photos of the current interior and front landscaping. MR. GEKAKIS mentioned that when landscaping is put in the rear of a property, it creates problems with homeless persons. COMMISSIONER CHERRY asked where the back of the property lines up. MR. GEKAKIS demonstrated his response on a site plan on the overhead, noting if island trees are planted, it will prohibit the seniors from being able to back up their vehicles. COMMISSIONER CHERRY said he had no problem with the project after seeing the photos and understanding the orientation of the site.

MR. GEKAKIS asked if the updated drainage study requirement could be waived. LUCIEN PAET, Engineering Project Manager, believed there were no Public Works conditions for this project.

CHAIR SCHLOTTMAN declared the Public Hearing closed.

Motion made by Sam Cherry to Approve

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

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

36. 22-0294-GPA1 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on a Land Use Entitlement project request TO AMEND AND UPDATE PORTIONS OF THE CITY OF LAS VEGAS 2050 MASTER PLAN CONSISTENT WITH SECTION 11 OF ORDINANCE 6788, All Wards. Staff recommends APPROVAL.

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open.

NICOLE EDDOWES, Community Development Coordinator, reported that the proposed City of Las Vegas 2050 Master Plan amendments are consistent with Section 11 of ordinance 6788; each amendment addresses the respective requirements of an element within NRS (Nevada Revised Statutes) 278.160. Amendments to other plan components are minor in nature and are generally within the scope of the ordinance and requirements for a General Plan Amendment; any other updates, clerical errors, or minor edits may be corrected.

Through the use of a PowerPoint presentation, a copy of which was submitted for the record, MARCO

VELOTTA, Planning Project Manager, said this item was an amendment to the 2050 Master Plan and will allow staff to officially correct the document through a transparent public process. Beginning in the second chapter, there are several amendments to the historic preservation goal, which provides updates to the map and associated table of officially listed properties. As an example, the Helen Toland Residence was added as a historic property within the last year. Within the land use goal, staff will update the 2050 General Plan and future land use map to reflect all GPAs (General Plan Amendment) that were approved over the past year. The most substantive portion of this includes changes to the compatible zoning table and land use descriptions found in Chapters 2 and 5. The zoning table will make corrections to the FBC (Form-Based Code), LI-R (Light Industrial and Research), and TND (Traditional Neighborhood Development) land uses and amends the density range for the TOD-1 category to cover a wider spectrum of compatible transit-oriented densities.

Most general plan categories will include additional descriptive text to provide a short, concise summary of the uses in the category, including more details that were found in the use tables of the previous 2020 Master Plan. This will provide additional clarification for Planning staff and developers. This item will be a companion to an upcoming Director's Business item, which will have a full report and update on the implementation progress of the 2050 Master Plan as required by ordinance and NRS. A lot has happened, but staff will develop reports to capture updates from the 2020 census as well as future recommendations on implementation activities for the Planning Commission and City Council. They will also have an update on special area plan activities that are currently underway. Finally, there will be other minor amendments and corrections throughout to clear up typographical and grammatical errors.

CHAIR SCHLOTTMAN declared the Public Hearing closed.

Motion made by Jeff Rogan to Approve

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

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

DIRECTOR'S BUSINESS:

37. 22-0353-DIR1 - DIRECTOR'S BUSINESS - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS
- For possible action on a request for the reappointment of Donna Toussaint to the Downtown Design Review Committee. Staff has NO RECOMMENDATION.

Minutes:

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

Motion made by Jeff Rogan to Approve

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

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

38. 22-0354-DIR1 - DIRECTOR'S BUSINESS - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS
- For possible action on a request for the reappointment of Louis De Salvio to the Downtown Design Review Committee. Staff has NO RECOMMENDATION.

Minutes:

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

Motion made by Sam Cherry to Approve

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

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

Citizens Participation:

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

Minutes:
None.

The meeting was recessed from 9:01 p.m. to 9:12 p.m. and was adjourned at 11:20 p.m.

Respectfully submitted:

Ashley Foster, CMC, Deputy City Clerk

Brian Carroll, Deputy City Clerk

THIS MEETING WAS PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS
IN ACCORDANCE WITH THE NOTICING STANDARDS AS OUTLINED IN NRS 241.020:

The City of Las Vegas website – www.lasvegasnevada.gov
The Nevada Public Notice website – notice.nv.gov
City Hall, 495 South Main Street, 1st Floor