

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



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

Planning Commission Minutes

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

August 13, 2019
6:00 PM

BUSINESS ITEMS:

1. Call to Order

Minutes:

CHAIR CHERRY called the meeting to order at 6:03 p.m. and welcomed COMMISSIONER CHATTAH to the Planning Commission.

2. Announcement: Compliance with Open Meeting Law

Minutes:

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

3. Roll Call

Minutes:

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

ALSO PRESENT: PETER LOWENSTEIN, Deputy Planning Director; ERIC McCAMMOND, Sr. Management Analyst; JONATHAN BOYLES, Sr. Planner; LUCIEN PAET, Engineering Project Manager; BRIAN HALVORSON, Assistant Fire Protection Engineer; BRYAN SCOTT, Assistant City Attorney; GABRIELA PORTILLO-BRENNER and ASHLEY FOSTER, Deputy City Clerks

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

Minutes:

This item was heard after Item 6.

See Item 5 for related discussion.

Motion made by Louis De Salvio to Approve

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

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

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

Minutes:

COMMISSIONER ROGAN requested Item 11 be pulled forward, and he wondered if it should be the 7/23/2019 minutes that should be approved instead of for 7/9/2019. ASHLEY FOSTER, Deputy City Clerk, indicated that Planning staff keeps track of the minutes ready to be approved. PETER LOWENSTEIN, Deputy Planning Director, briefly explained the review cycle and said the 7/9/2019 minutes were appropriately scheduled for action.

KEVIN CHRISTENSEN asked to be heard on Item 11, and CHAIR CHERRY indicated it would be heard under the Public Hearing portion of the agenda.

ERIC McCAMMOND, Sr. Management Analyst, listed the items requested for action, noting a third abeyance request for Item 25.

For Item 25, CHAIR CHERRY expressed his awareness of the applicant working with COMMISSIONER WILLIAMS; which he regarded as good cause for a third abeyance request.

Motion made by Louis De Salvio to Hold in Abeyance Items 25 and 32-35 to 9/10/2019 and Withdraw without Prejudice Item 43

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

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

6. 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:

CHAIR CHERRY pulled this item forward to be heard after Item 3 (Roll Call). No one came forward to speak.

CONSENT ITEMS:

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

7. TMP-76874 - TENTATIVE MAP - SAVANNAH - SUMMERLIN VILLAGE 21 PARCELS E & F - APPLICANT: WILLIAM LYON HOMES, INC. - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Tentative Map FOR A 170-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 41.29 acres on the northwest corner of Far Hills Avenue and Desert Foothills Drive (on a portion of APN 137-27-614-001 and 137-27-615-001), P-C (Planned Community) Zone [SF3 (Single Family Detached) Special Land Use Designation], Ward 2 (Seaman) [PRJ-76063]. Staff recommends APPROVAL.

Minutes:

ERIC McCAMMOND, Sr. Management Analyst, recommended approval of the Consent Agenda, with the deletion of Conditions 6 and 10 of Item 8.

Motion made by Louis De Salvio to Approve the Consent Agenda except Item(s) None and deleting Conditions 6 and 10 of Item 8

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

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

8. TMP-76889 - TENTATIVE MAP - CASCADES SUMMERLIN VILLAGE 21 PARCEL L - APPLICANT: WILLIAM LYON HOMES, INC. - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Tentative Map FOR A 54-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 9.28 acres on the southwest corner of Kindle Corner Way and Desert Foothills Drive (on a portion of APN 137-27-510-001), P-C (Planned Community) Zone [SF3 (Single Family Detached) Special Land Use Designation], Ward 2 (Seaman) [PRJ-76813]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion.

Motion made by Louis De Salvio to Approve the Consent Agenda except Item(s) None and deleting Conditions 6 and 10 of Item 8

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

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

9. TMP-76890 - TENTATIVE MAP - COMMERCIAL DEVELOPMENT AT HUALAPAI AND 215 - APPLICANT: ARJUN HUALAPAI WAY, LLC - OWNER: RED RUPEE, LLC - For possible action on a request for a Tentative Map FOR A ONE-LOT COMMERCIAL SUBDIVISION on 2.02 acres at 6840 North Hualapai Way (APN 125-19-401-002), C-1 (Limited Commercial) Zone, Ward 6 (Fiore) [PRJ-76054]. Staff recommends APPROVAL.

Minutes:

See Items 7 and 46 for related discussion.

Motion made by Louis De Salvio to Approve the Consent Agenda except Item(s) None and deleting Conditions 6 and 10 of Item 8

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

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

10. TMP-76900 - TENTATIVE MAP - SKYE CANYON PHASE 4 - APPLICANT: SECTION 12, LLC - OWNER: SECTION 12, LLC - For possible action on a request for a Tentative Map FOR A 14-LOT PARENT MAP on 275.26 acres on the northwest corner of Skye Canyon Park Drive and Skye Village Road (APN 126-12-501-004), T-D (Traditional Development) Zone, Ward 6 (Fiore) [PRJ-76818]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion.

Motion made by Louis De Salvio to Approve the Consent Agenda except Item(s) None and deleting Conditions 6 and 10 of Item 8

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

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

ONE MOTION - ONE VOTE:

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

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

Minutes:

VICE CHAIR DE SALVIO declared the Public Hearing open.

ERIC McCAMMOND, Sr. Management Analyst, reported that the subject site complies with all minimum distance requirements as set forth by Title 19. The use can be conducted in a compatible and harmonious manner with the existing surrounding land uses. Therefore, staff recommended approval.

RYAN ARNOLD, representing the applicant, stated that this matter was held from a previous meeting in order to hold a neighborhood meeting. He went over the requirements for this application, which he noted were all met. He pointed out that one of the reasons for choosing this site is because it is located near a large detention basin to the west, which sits between the site and the nearest residence, and it is on a major thoroughfare. At approximately 1,200 square feet, it is considered small for its business type. The intent is to operate it like a boutique and only offer one brand, unlike at their other facilities.

BRANDON WIEGAND, one of the principals with Nevada Organic Remedies, agreed with MR. ARNOLD on the operation intent. He stated that a neighborhood meeting was held, and he offered to address most of the concerns regarding safety and traffic by holding up his intent to build a small boutique, which will not generate a lot of traffic, and conceding to limited hours of operation, such as the hours for the nearby Lee's Discount Liquor store.

DIANE HARRINGTON, representing Rainbow Family Park Neighborhood Association, which she indicated consists of approximately 700 homes, expressed opposition on behalf of the residents because they do not feel this business fits their family-oriented neighborhood.

ELANA GRAHAM, KEITH THOMAS, GINA MARKU, GRAHAM KODER (spelled phonetically), ROCHELLE CAVARETTA, DREW SHUBECK, KYLE STEPHENS, JULIE and KEVIN CHRISTENSEN and ZAN HYER appeared in opposition to this business due to the saturation of this type of business in Ward 1, particularly because of the nearby schools and safety and traffic concerns, noting that Del Rey Avenue and Oakey Boulevard are used as cut-through streets and the drivers do not respect the speed limits.

MR. THOMAS commented that he worked with former COUNCILWOMAN TARKANIAN to make the neighborhood more cohesive, and he felt this business would have an adverse impact on the neighborhood.

MR. KODER appreciated the Commissioners' honesty, which is what he is trying to teach his children, who were in the audience. He stated that people from all professions who reside in the neighborhood are opposed to this application. He felt staff should have considered the saturation of this type of business.

MR. SHUBECK remarked that there is a jaywalking issue in the neighborhood and a pedestrian was recently hit because drivers are not paying attention while they are looking for certain types of businesses in the area, such as Mr. D's Sports Bar.

MR. CHRISTENSEN said that allowing this business goes against the Unified Development Ordinance requiring that a special use permit for a business be approved if it is determined that it can be conducted harmoniously and compatibly, which he did not believe this to be true in this case, adding that it will compromise the health, safety and welfare of the residents. He emphasized that the approximately 18 people who attended the neighborhood meeting were opposed and submitted letters.

MS. ABNEY urged the Commissioners to protect their neighborhood as well, just like the neighborhoods in Summerlin are protected.

MR. ARNOLD sympathized with the concerns of the neighbors and thanked them for being present. He explained that there are three other dispensaries in the area; Rainbow Boulevard/Sahara Avenue and Buffalo Road/Sahara Avenue, which are in Clark County, and Decatur Boulevard/Charleston Boulevard, which is in the City. He assured the Commissioners that this small boutique dispensary will have on-site security and will be strictly monitored, just like their other locations. He pointed out that there is a bar, a liquor store and an adult store on Rainbow Boulevard. He requested approval.

To VICE CHAIR DE SALVIO, MR. WIEGAND explained that the people in attendance, approximately 24 people, were concerned about traffic, which he tried to assuage by assuring them that this will be a small facility with limited hours of operation, and they have no plans for expansion. There was a lot of debate about whether or not marijuana should be legal; however, he pointed out that it was legalized. All of the meeting attendees were opposed.

COMMISSIONER ROGAN thanked the neighbors for taking time from their families to attend the neighborhood meeting and this meeting. As former president and current vice president of his neighborhood association, he sympathized with the neighbors because he spent a lot of time fighting against short-term rental applicants seeking special use permits in his neighborhood. He also thanked the applicant for hosting the neighborhood

meeting and for their efforts to address some of the concerns.

However, after reviewing the state and local laws, with great difficulty, he concluded that this location fits the ordinances for the requested use. He explained his reasoning: 1) the business meets the distance separation requirements; 2) the use is not too intense for the location; 3) the potential traffic issues could be brought by any new business on the site; 4) the use is consistent with other existing privileged uses in the area, such as Lee's Discount Liquor store and Mr. D's Bar, which are treated similarly to a marijuana dispensary, according to voting results he reviewed.

That said, he stressed that his biggest concern is saturation of this type of use, but that is something the City Council would have to address through policy. And with consistency and fairness being important to him, he emphasized that he could not deny this application when a precedent has been set by approving a larger marijuana dispensary that shares a block wall with a home in his neighborhood; whereas, this location borders a very large flood detention basin.

COMMISSIONER SCHLOTTMAN agreed that traffic is an issue for the area and that any business will bring more traffic to the area; therefore, he encouraged the residents to reach out to their City Council representative to address the traffic issues.

COMMISSIONER DE SALVIO was not in favor of placing any restrictions on the hours of operation because people will get to know the schedule and will know when they can rob the place. He preferred a schedule amenable to having 24/7 security. MR. WIEGAND commented that he intends to have active monitoring even when the store is closed.

COMMISSIONER ROGAN enumerated his added conditions of approval regarding hours of operation, security, potential expansion requirements and a 12-month review at a public hearing of the Planning Commission. Regarding the review, PETER LOWENSTEIN, Deputy Planning Director, explained the differences between an administrative review and a review at a public hearing before the Planning Commission. MR. WIEGAND agreed with the conditions. Lastly, the Commissioner also verified with MR. WIEGAND that he would be in compliance with ADA (Americans with Disabilities Act) regulations.

See Items 5 and 42 for related discussion.

VICE CHAIR DE SALVIO declared the Public Hearing closed.

NOTE: CHAIR CHERRY abstained due to his family's involvement in the cannabis industry. COMMISSIONER SCHLOTTMAN disclosed that although he has worked on and constructed several marijuana facilities, he has not worked with the subject applicant; therefore, he would vote as this will not affect his judgement.

Motion made by Jeff Rogan to Approve subject to condition(s) and the following added conditions:

A. Hours of operations shall be limited to the hours of 9:00 a.m. to 9:00 p.m. Sunday through Thursday and 9:00 a.m. to 11:00 p.m. Friday through Saturday.

B. Prior to issuance of a Business License, a security system will be installed that is active 24 hours per day, 7 days per week

C. Any proposed expansion of the existing use shall be treated as a major amendment and require a public hearing.

D. A required review shall be conducted 12 months from the date of business licensing issuance at a public hearing before the Planning Commission.

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

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

12. MOD-76935 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT/OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Major Modification of the approved Summerlin Master Development Plan TO CHANGE THE SUMMERLIN SFSD (SINGLE FAMILY SPECIAL LOT DEVELOPMENT - 18 UNITS PER ACRE) DEVELOPMENT STANDARDS TO INCLUDE AN ATTACHED PRODUCT TYPE INCLUDING EXHIBITS 2.10 AND 2.11 (APNs Multiple), P-C (Planned Community) Zone, Ward 2 (Seaman) [PRJ-76933]. Staff recommends APPROVAL.

Minutes:

CHAIR CHERRY declared the Public Hearing open for Items 12-24. There being no one present to speak, he declared the Public Hearing closed for Items 12-24.

NOTE: For Items 20, 22 and 23, CHAIR CHERRY disclosed that although he either resides or has projects within the general vicinity of their location, he would not be affected any greater or lesser than anyone else; therefore he would be voting. For Items 20-23, COMMISSIONER SCHLOTTMAN abstained because of his ownership of an urban lounge within the vicinity of their location.

Motion made by Louis De Salvio to Approve the One Motion One Vote subject to condition(s) except Item(s) 11

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

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

13. MOD-76936 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT/OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Major Modification of the approved Summerlin Village 21 Master Development Plan TO CHANGE THE SUMMERLIN LAND USE DESIGNATION ON THREE PARCELS (J,K,M) FROM: SFA (SINGLE FAMILY ATTACHED) AND FIVE PARCELS (N,O,P,Q,R) FROM: [VC (VILLAGE COMMERCIAL) AND SFA (SINGLE FAMILY ATTACHED)] TO: SFSD (SINGLE FAMILY SPECIAL LOT DEVELOPMENT) AND ONE PARCEL (I) FROM: SFA (SINGLE FAMILY ATTACHED) TO: MF1 (LOW DENSITY MULTI-FAMILY) on 328.17 acres at the northwest corner of Far Hills Drive and Clark County 215 (APNs Multiple), P-C (Planned Community) Zone, Ward 2 (Seaman) [PRJ-76933]. Staff recommends APPROVAL.

Minutes:

See Item 12 for related discussion.

Motion made by Louis De Salvio to Approve the One Motion One Vote subject to condition(s) except Item(s) 11

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

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

14. TMP-76950 - TENTATIVE MAP RELATED TO MOD-76935 AND MOD-76936 - SUMMERLIN VILLAGE 21 PARCELS K - APPLICANT: RICHMOND AMERICAN HOMES OF NEVADA, INC. - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Tentative Map FOR A 86-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 8.20 acres on the southeast corner of Kindle Corner Way and Desert Foothills Drive (on a portion of APN 137-26-112-003), P-C (Planned Community) Zone [SFA (Single Family Attached) Special Land Use Designation] [PROPOSED: SFSD (Single Family Special Lot Development - Special Land Use Designation)], Ward 2 (Seaman) [PRJ-76811]. Staff recommends APPROVAL.

Minutes:

See Item 12 for related discussion.

Motion made by Louis De Salvio to Approve the One Motion One Vote subject to condition(s) except Item(s) 11

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

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

15. ZON-76884 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: EL WALKER, LLC - For possible action on a request for a Rezoning FROM: R-4 (HIGH DENSITY RESIDENTIAL) AND R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) on 0.48 acres at the southeast corner of Bonneville Avenue and 8th Street (APNs 139-34-801-014, 139-34-810-049 and 048), Ward 3 (Diaz) [PRJ-76791]. Staff recommends APPROVAL.

Minutes:

See Item 12 for related discussion.

Motion made by Louis De Salvio to Approve the One Motion One Vote subject to condition(s) except Item(s) 11

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

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

16. SUP-76885 - SPECIAL USE PERMIT RELATED TO ZON-76884 - PUBLIC HEARING - APPLICANT/OWNER: EL WALKER, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED MULTI-FAMILY RESIDENTIAL DEVELOPMENT at the southeast corner of Bonneville Avenue and 8th Street (APNs 139-34-801-014, 139-34-810-049 and 048), R-4 (High Density Residential) AND R-1 (Single Family Residential) [PROPOSED: C-1 (Limited Commercial)] Zone, Ward 3 (Diaz) [PRJ-76791]. Staff recommends APPROVAL.

Minutes:

See Item 12 for related discussion.

Motion made by Louis De Salvio to Approve the One Motion One Vote subject to condition(s) except Item(s) 11

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

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

17. SDR-76886- SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-76884 AND SUP-76885 - PUBLIC HEARING - APPLICANT/OWNER: EL WALKER, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED THREE-STORY TALL, 18,600 SQUARE-FOOT MIXED-USE DEVELOPMENT, INCLUDING 2,675 SQUARE FEET OF OFFICE SPACE WITH WAIVERS OF APPENDIX F INTERIM DOWNTOWN LAS VEGAS AREA 2 DEVELOPMENT STANDARDS on 0.48 acres at the southeast corner of Bonneville Avenue and 8th Street (APNs 139-34-801-014, 139-34-810-049 and 048), R-4 (High Density Residential) AND R-1 (Single Family Residential) [PROPOSED: C-1 (Limited Commercial)] Zone, Ward 3 (Diaz) [PRJ-76791]. Staff recommends APPROVAL.

Minutes:

See Item 12 for related discussion.

Motion made by Louis De Salvio to Approve the One Motion One Vote subject to condition(s) except Item(s) 11

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

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

18. VAR-76861 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on a request for a Variance TO ALLOW DEVIATIONS FROM TITLE 19.10.020 C-V (CIVIC) DEVELOPMENT STANDARDS at the southeast corner of Marion Drive and Harris Avenue (APN 140-29-801-001), C-V (Civic) Zone, Ward 3 (Diaz) [PRJ-76850]. Staff recommends APPROVAL.

Minutes:

See Items 12 and 46 for related discussion.

Motion made by Louis De Salvio to Approve the One Motion One Vote subject to condition(s) except Item(s) 11

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

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

19. SDR-76862 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-76861 - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on a request for a Site Development Plan Review FOR A PROPOSED CITY PARK on 3.90 acres at the southeast corner of Marion Drive and Harris Avenue (APN 140-29-801-001), C-V (Civic) Zone, Ward 3 (Diaz) [PRJ-76850]. Staff recommends APPROVAL.

Minutes:

See Items 12 and 46 for related discussion.

Motion made by Louis De Salvio to Approve the One Motion One Vote subject to condition(s) except Item(s) 11

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

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

20. SUP-76868 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: JASON TAYLOR - OWNER: PROVIEW SERIES 32, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 1,203 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT WITH 1,542 SQUARE FEET OF OUTDOOR SEATING AREA at 1327 South Main Street (APN 162-03-105-008), C-M (Commercial/Industrial) Zone, Ward 3 (Diaz) [PRJ-76866]. Staff recommends APPROVAL.

Minutes:

See Item 12 for related discussion.

NOTE: The video does not reflect accurately in that COMMISSIONER SCHLOTTMAN abstained on Items 20-23 because of his ownership of an urban lounge within the vicinity of their location. For Items 20, 22 and 23, CHAIR CHERRY disclosed that although he either resides or has projects within the general vicinity of their location, he would not be affected any greater or lesser than anyone else; therefore he would be voting.

Motion made by Louis De Salvio to Approve the One Motion One Vote subject to condition(s) except Item(s) 11

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

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

21. SUP-76869 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: JASON TAYLOR - OWNER: PROVIEW SERIES 32, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 1,203 SQUARE-FOOT BEER/WINE/COOLER ON- AND OFF-SALE ESTABLISHMENT WITH 1,542 SQUARE FEET OF OUTDOOR SEATING AREA at 1327 South Main Street (APN 162-03-105-008), C-M (Commercial/Industrial) Zone, Ward 3 (Diaz) [PRJ-76866]. Staff recommends APPROVAL.

Minutes:

See Item 12 for related discussion.

NOTE: The video does not reflect accurately in that COMMISSIONER SCHLOTTMAN abstained on Items 20-23 because of his ownership of an urban lounge within the vicinity of their location.

Motion made by Louis De Salvio to Approve the One Motion One Vote subject to condition(s) except Item(s) 11

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

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

22. SUP-76766 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: WILLIAM DOYLE - OWNER: AFRIAT INVESTMENTS INC - For possible action on a request for a Special Use Permit FOR A PROPOSED 4,014 SQUARE-FOOT BEER/WINE/COOLER ON- AND OFF-SALE ESTABLISHMENT USE WITH 222 SQUARE FEET OF OUTDOOR DINING at 914 South Main Street (APN 139-33-811-003), C-M (Commercial/Industrial) Zone, Ward 3 (Diaz) [PRJ-76679]. Staff recommends APPROVAL.

Minutes:

See Item 12 for related discussion.

NOTE: The video does not reflect accurately in that COMMISSIONER SCHLOTTMAN abstained on Items 20-23 because of his ownership of an urban lounge within the vicinity of their location. For Items 20, 22 and 23, CHAIR CHERRY disclosed that although he either resides or has projects within the general vicinity of their location, he would not be affected any greater or lesser than anyone else; therefore he would be voting.

Motion made by Louis De Salvio to Approve the One Motion One Vote subject to condition(s) except Item(s) 11

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

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

23. SUP-76891 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DANIEL SIMMONS - OWNER: B K NEVADA INVESTMENTS, LLC - For possible action on a request for a Special Use Permit FOR A 3,400 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT USE WITH 840 SQUARE FEET OF OUTDOOR SEATING AREA at 1130 South Casino Center Boulevard, Suite #170 (APN 162-03-105-006), C-1 (Limited Commercial) Zone, Ward 3 (Diaz) [PRJ-76831]. Staff recommends APPROVAL.

Minutes:

See Item 12 for related discussion.

NOTE: The video does not reflect accurately in that COMMISSIONER SCHLOTTMAN abstained on Items 20-23 because of his ownership of an urban lounge within the vicinity of their location. For Items 20, 22 and 23, CHAIR CHERRY disclosed that although he either resides or has projects within the general vicinity of their location, he would not be affected any greater or lesser than anyone else; therefore he would be voting.

Motion made by Louis De Salvio to Approve the One Motion One Vote subject to condition(s) except Item(s) 11

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

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

24. SDR-76887 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: GOOD HOOD, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED SIX-STORY PARKING GARAGE WITH 8,403 SQUARE FEET OF GROUND LEVEL RETAIL SPACE AND A ONE-STORY 8,528 SQUARE FOOT ADDITION TO AN EXISTING 35,481 SQUARE-FOOT OFFICE BUILDING WITH WAIVERS OF APPENDIX F INTERIM DOWNTOWN LAS VEGAS AREA 1 DEVELOPMENT STANDARDS on 1.09 acres at 201 South Las Vegas Boulevard (APN 139-34-611-042 and 050), C-2 (General Commercial) Zone, Ward 3 (Diaz) [PRJ-76826]. Staff recommends APPROVAL.

Minutes:

See Item 12 for related discussion.

Motion made by Louis De Salvio to Approve the One Motion One Vote subject to condition(s) except Item(s) 11

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

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

PUBLIC HEARING ITEMS:

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

Minutes:

See Item 5 for related discussion.

Motion made by Louis De Salvio to Hold in Abeyance Items 25 and 32-35 to 9/10/2019 and Withdraw without Prejudice Item 43

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

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

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

Minutes:

CHAIR CHERRY declared the Public Hearing open for Items 26-31.

ERIC McCAMMOND, Sr. Management Analyst, reported that the proposed General Plan designation and zoning district is intended to provide for heavy manufacturing industries in locations where they will be compatible with and not adversely impact adjacent land uses. This district is intended to be located away from all residential development. In addition, the proposed Site Development Plans require variances to comply with Title 19 standards. Because of the adjacent residential uses and the associated variances, staff finds the proposed project to be incompatible with other properties in the area. Staff recommended denial of all applications.

RICKI BARLOW, representing the applicant, explained that these related applications were previously held in abeyance at the request of COMMISSIONER WILLIAMS, who wanted to view the site. MR. BARLOW indicated the properties have been in operation with the same use for more than 15 years, as well as the surrounding properties. The City of Las Vegas requested that the zoning for the properties, which are surrounded by Clark County to the west and the City to the east, be brought into compliance. The applicant will, therefore, be requesting to upgrade the property with appropriate landscape buffers, with possible adjustments in the future to the north and south interior landscaping. However, for these applications, the applicant was requesting to upgrade the property with the appropriate fencing, decorative landscaping and to make curb, gutter and sidewalk improvements.

Moreover, MR. BARLOW explained that one of the owners, TONY LOPEZ, was using the property for vehicle storage. No residential properties abut to the site and the businesses were operating before residential development came in, which is probably why he thought there was no opposition. He requested approval.

COMMISSIONER WILLIAMS commented that he wanted to visit the site to get a thorough understanding of the project. He believes the significant investment in this project will serve as the catalyst for cleaning up the area.

See Items 27-31 for related backup.

CHAIR CHERRY declared the Public Hearing closed for Items 26-31.

NOTE: For Items 26-31, COMMISSIONER WILLIAMS disclosed that he has known RICKI BARLOW for many years and belongs to the same fraternity, but he did not feel this would impact his judgement so he would vote.

Motion made by Anthony Williams to Approve

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

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

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

Minutes:

See Item 26 for related discussion and Items 26-31 for related backup.

NOTE: For Items 26-31, COMMISSIONER WILLIAMS disclosed that he has known RICKI BARLOW for many years and belongs to the same fraternity, but he did not feel this would impact his judgement so he would vote.

Motion made by Anthony Williams to Approve

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

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

28. ABEYANCE - VAR-76575 - VARIANCE RELATED TO GPA-76573 AND ZON-76574 - PUBLIC HEARING - APPLICANT/OWNER: GEORGE TONY LOPEZ - For possible action on a request for a Variance TO ALLOW A 95-FOOT WIDE LOT WIDTH WHERE 100 FEET IS REQUIRED; AND TO ALLOW AN EIGHT-FOOT FRONT YARD WALL WHERE FIVE FEET IS THE MAXIMUM ALLOWED at 1616 Sunset Drive (APN 139-19-812-011),

C-2 (General Commercial) Zone [PROPOSED: M (Industrial)], Ward 5 (Crear) [PRJ-76322]. Staff recommends DENIAL.

Minutes:

See Item 26 for related discussion and Items 26-31 for related backup.

NOTE: For Items 26-31, COMMISSIONER WILLIAMS disclosed that he has known RICKI BARLOW for many years and belongs to the same fraternity, but he did not feel this would impact his judgement so he would vote.

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

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

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

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

Minutes:

See Item 26 for related discussion and Items 26-31 for related backup.

NOTE: For Items 26-31, COMMISSIONER WILLIAMS disclosed that he has known RICKI BARLOW for many years and belongs to the same fraternity, but he did not feel this would impact his judgement so he would vote.

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

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

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

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

Minutes:

See Item 26 for related discussion and Items 26-31 for related backup.

NOTE: For Items 26-31, COMMISSIONER WILLIAMS disclosed that he has known RICKI BARLOW for many years and belongs to the same fraternity, but he did not feel this would impact his judgement so he would vote.

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

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

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

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

Minutes:

See Item 26 for related discussion and Items 26-31 for related backup.

NOTE: For Items 26-31, COMMISSIONER WILLIAMS disclosed that he has known RICKI BARLOW for many years and belongs to the same fraternity, but he did not feel this would impact his judgement so he would vote.

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

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

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

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

Minutes:

See Item 5 for related discussion and Items 31-35 for related backup.

Motion made by Louis De Salvio to Hold in Abeyance Items 25 and 32-35 to 9/10/2019 and Withdraw without Prejudice Item 43

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

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

33. ABEYANCE - VAR-76594 - VARIANCE RELATED TO VAR-76590 - PUBLIC HEARING - APPLICANT/OWNER: RUBIO RAMIREZ, LLC - For possible action on a request for a Variance TO ALLOW A ZERO-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED, A ZERO-FOOT REAR YARD SETBACK WHERE 20 FEET IS REQUIRED, TO ALLOW A ZERO-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 70 FEET IS REQUIRED AND TO ALLOW A SIX-FOOT TALL FRONT YARD WALL/FENCE WHERE A MAXIMUM OF FIVE FEET WITH A TWO-FOOT SOLID BASE IS ALLOWED on 0.78 acres at 1385 and 1395 North Nellis Boulevard (APN 140-29-601-001), C-2 (General Commercial) Zone, Ward 3 (Diaz) [PRJ-76300]. Staff recommends DENIAL.

Minutes:

See Item 5 related discussion and Items 33-35 for related backup.

Motion made by Louis De Salvio to Hold in Abeyance Items 25 and 32-35 to 9/10/2019 and Withdraw without Prejudice Item 43

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

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

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

Minutes:

See Item 5 for related discussion and Items 32-35 for related backup.

Motion made by Louis De Salvio to Hold in Abeyance Items 25 and 32-35 to 9/10/2019 and Withdraw without Prejudice Item 43

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

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

35. ABEYANCE - SDR-76597 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-76590, VAR-76594 AND SUP-76595 - PUBLIC HEARING - APPLICANT/OWNER: RUBIO RAMIREZ, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 8,228 SQUARE-FOOT AUTO REPAIR GARAGE

(MAJOR) FACILITY WITH AN EXISTING 1,308 SQUARE-FOOT MOTOR VEHICLE SALES (USED) DEVELOPMENT AND PARKING LOT RECONFIGURATION WITH WAIVERS TO ALLOW DEVIATIONS TO PERIMETER LANDSCAPE BUFFER DEVELOPMENT STANDARDS, TO ALLOW BUILDING FACADES WITH NO VISUAL INTEREST WHERE SUCH IS REQUIRED AND TO ALLOW A SERVICE BAY DOOR TO FACE THE RIGHT-OF-WAY WHERE SUCH IS NOT ALLOWED on 0.78 acres at 1385 and 1395 North Nellis Boulevard (APN 140-29-601-001), C-2 (General Commercial) Zone, Ward 3 (Diaz) [PRJ-76300]. Staff recommends DENIAL.

Minutes:

See Item 5 for related discussion and Items 32-35 for related backup.

Motion made by Louis De Salvio to Hold in Abeyance Items 25 and 32-35 to 9/10/2019 and Withdraw without Prejudice Item 43

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

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

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

Minutes:

CHAIR CHERRY declared the Public Hearing open.

ERIC McCAMMOND, Sr. Management Analyst, reported there is no evidence of a unique or extraordinary circumstance, in that the applicant has created a self-imposed hardship by constructing a perimeter wall with unapproved building materials that exceeds the maximum height allowed. Additional protest letters were received since publication. Staff recommended denial.

COMMISSIONER ROGAN said did not have a problem with the applicant not being present because she was in attendance at the previous meeting. He observed the substantial grade difference and, therefore, disagreed with staff's indication that the requested fence height is not warranted. With regard to the metal fencing portion, he requested input from the other Commissioners.

COMMISSIONERS SCHLOTTMAN, WILLIAMS and TOUSSAINT did not feel the metal fence fits the area and could not support the application. CHAIR CHERRY had no problem with the height but did not like the materials.

COMMISSIONER SCHLOTTMAN recalled a case where the Commissioners felt sorry for an elderly lady with a similar type of fence and granted approval rather than making her tear it down, which set a precedent for the area, and then they found out that she had eight other properties with the same problem.

COMMISSIONER DE SALVIO wondered what would happen should the wall be approved, and then the wall were found to be unable to sustain the weight after the engineering process. PETER LOWENSTEIN, Deputy Planning Director, replied that if the wall cannot pass the permit process, it would have to be removed. However, application could be made for alternate materials with the approved wall height, which would stand unless the entire wall were to be demolished and took over a year to rebuild it.

Although COMMISSIONER ROGAN really liked the applicants after meeting them, he agreed that the materials are a problem and, therefore, could not support the application.

CHAIR CHERRY declared the Public Hearing closed.

NOTE: The video does not reflect accurately, in that Commissioner Chattah made a verbal request to have her vote reflect affirmatively after she realized she mistakenly voted No.

After Items 37 and 38 were heard, COMMISSIONER ROGAN stated at the request of ASSISTANT CITY ATTORNEY BRYAN SCOTT that he would add to his motion to allow the applicant 60 days to come into compliance.

Motion made by Jeff Rogan to Deny with 60 days to comply

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

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

37. VAR-76816 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: ANTHONY GIROD - For possible action on a request for a Variance TO ALLOW A ZERO-FOOT SIDE YARD SETBACK WHERE FIVE FEET IS REQUIRED FOR AN EXISTING 1,261 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS II) [DETACHED SHADE STRUCTURE] on 0.79 acres at 6880 Unicorn Street (APN 125-24-602-020), R-E (Residence Estates) Zone, Ward 6 (Fiore) [PRJ-76032]. Staff recommends DENIAL.

Minutes:

CHAIR CHERRY declared the Public Hearing open for Items 37 and 38.

JONATHAN BOYLES, Sr. Planner, reported that staff found no evidence of a unique or extraordinary circumstance to warrant approval of the variance. The applicant created a self-imposed hardship by constructing an Accessory Structure (Class II) [Detached Shade Structure] zero feet from the west property line without proper building permits; therefore, staff recommended denial.

However, the proposed Accessory Structure (Class I) [Casita] structure that provides living quarters, including full kitchen facilities, adheres to all Title 19.06 development standards and Title 19.12 minimum special use permit (SUP) requirements and has been deemed suitable for the subject site; therefore, staff recommended approval of the SUP. Additional protest and support letters were received since publication.

LARRY SANCHEZ, engineer representing the applicant, requested approval. He explained that his client purchased the house with the casita structure. He would like the shade structure, which is made of corrugated metal, in order to provide protection for some of the items on the property. The neighbors were contacted and some of them provided support letters, which he submitted for the record.

COMMISSIONER DE SALVIO said he also received support letters; therefore, he supported both applications.

See Item 38 for related backup.

CHAIR CHERRY declared the Public Hearing closed for Items 37 and 38.

Motion made by Louis De Salvio to Approve subject to condition(s)

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

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

38. SUP-76817 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: ANTHONY GIROD - For possible action on a request for a Special Use Permit FOR A PROPOSED 1,480 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS I) [CASITA] USE at 6880 Unicorn Street (APN 125-24-602-020), R-E (Residence Estates) Zone, Ward 6 (Fiore) [PRJ-76032]. Staff recommends APPROVAL.

Minutes:

See Item 37 for related discussion and Items 37 and 38 for related backup.

Motion made by Louis De Salvio to Approve subject to condition(s)

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

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

Sigal Chattah;

39. VAR-76903 - VARIANCE - PUBLIC HEARING - APPLICANT: JOE'S BAR - OWNER: 2851 NORTH RANCHO, LLC - For possible action on a request for a Variance TO ALLOW 35 PARKING SPACES WHERE 146 SPACES ARE REQUIRED on 0.92 acres at 2851 North Rancho Drive (APN 139-18-201-002), C-2 (General Commercial) Zone, Ward 5 (Crear) [PRJ-76618]. Staff recommends DENIAL.

Minutes:

CHAIR CHERRY declared the Public Hearing open for Items 39-41.

JONATHAN BOYLES, Sr. Planner, reported the subject site is zoned C-2 (General Commercial) and subject to Title 19 development standards. It is home to an existing liquor establishment (Tavern) use, approved by the City Council in 1995. Since this initial approval, a church was established within the required 1,500-foot distance separation area. As such, the tavern has been classified as a nonconforming use, which has a maximum expansion size of 50 percent and unable to request any changes that require approval of a variance. The existing use is 3,470 square feet, which would allow a maximum outdoor seating area expansion size of 1,735 square feet.

The applicant now proposes to expand the current tavern use with a 5,025 square-foot outdoor seating area. According to the submitted justification letter, this area would be utilized to host outdoor events such as corn-hole tournaments. In order to expand the outdoor seating area greater than the allowed 1,735 square feet, the applicant requests the approval of a new special use permit (SUP-76904), with a waiver of distance separation from a church. The applicant also requests a variance (VAR-76903) to allow 35 parking spaces where 146 spaces are required. While no new permanent structures are proposed, whenever the operator hosts an outdoor event, parking spaces located in the rear of the site will be blocked off.

Due to the associated requested variance for parking and distance separation waiver, staff recommends denial of all requested entitlements. If approved, the original special use permit (U-0040-95) will be expunged. If denied, U-0040-95 will remain intact with the allowance of a maximum 50 percent expansion. Additional protest and support letters were received since publication. Staff recommended denial of these related applications.

JOE SIGNORE, owner of Joe's Bar, said he would like to expand to better accommodate the 44 people on the corn-hole league who play every Thursday. The expansion will take nine parking spaces, but he has never had an issue with parking. He would like to be able to serve alcohol while they play.

COMMISSIONER WILLIAMS verified with MR. SIGNORE that he would be agreeable with holding this matter in abeyance in order to allow him to visit the site to get a better understanding of this proposal.

ERIC McCAMMOND, Sr. Management Analyst, informed CHAIR CHERRY, who asked about the possibility of obtaining a special events license, that such a license generally allows 24 events per year.

COMMISSIONER SCHLOTTMAN was concerned with the hours, and MR. SIGNORE indicated that they finish by 9:00 p.m. He also indicated to COMMISSIONER ROGAN that they play the majority of the year.

See Items 40 and 41 for related backup.

CHAIR CHERRY declared the Public Hearing closed for Items 39-41.

Motion made by Anthony Williams to Hold in Abeyance Items 39-41 to 9/10/2019

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

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

40. SUP-76904 - SPECIAL USE PERMIT RELATED TO VAR-76903 - PUBLIC HEARING - APPLICANT: JOE'S BAR - OWNER: 2851 NORTH RANCHO, LLC - For possible action on a request for a Special Use Permit FOR A 3,470 SQUARE-FOOT LIQUOR ESTABLISHMENT (TAVERN) AND A 5,025 SQUARE-FOOT OUTDOOR

SEATING AREA WITH A WAIVER TO ALLOW A 638-FOOT DISTANCE SEPARATION FROM A CHURCH WHERE 1,500 FEET IS REQUIRED at 2851 North Rancho Drive (APN 139-18-201-002), C-2 (General Commercial) Zone, Ward 5 (Crear) [PRJ-76618]. Staff recommends DENIAL.

Minutes:

See Item 39 for related discussion and Items 39-41 for related backup.

Motion made by Anthony Williams to Hold in Abeyance Items 39-41 to 9/10/2019

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

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

41. SDR-76905 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-76903 AND SUP-76904 - APPLICANT: JOE'S BAR - OWNER: 2851 NORTH RANCHO, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 5,025 SQUARE-FOOT OUTDOOR SEATING AREA ADDITION TO AN EXISTING 3,470 SQUARE-FOOT COMMERCIAL BUILDING on 0.92 acres at 2851 North Rancho Drive (APN 139-18-201-002), C-2 (General Commercial) Zone, Ward 5 (Crear) [PRJ-76618]. Staff recommends DENIAL.

Minutes:

See Item 39 for related discussion and Items 39-41 for related backup.

Motion made by Anthony Williams to Hold in Abeyance Items 39-41 to 9/10/2019

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

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

42. SUP-76892 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LONE MOUNTAIN PARTNERS, LLC - OWNER: MANAMED, INC. - For possible action on a request for a Special Use Permit FOR A PROPOSED 3,784 SQUARE-FOOT MARIJUANA DISPENSARY USE at 5240 West Charleston Boulevard (APN 138-36-803-005), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen) [PRJ-76824]. Staff recommends APPROVAL.

Minutes:

VICE CHAIR DE SALVIO declared the Public Hearing open.

JONATHAN BOYLES, Sr. Planner, reported the subject site is zoned C-1 (Limited Commercial) and subject to Title 19 development standards. The applicant proposes to operate within an existing 3,784 square-foot commercial building. No new structural development is proposed.

There are no confirmed protected land uses located within the required distance separation area. However, there is an existing martial arts studio, which services adults and children equally, and is located within the required distance separation area. The subject site complies with all minimum distance requirements as set forth by Title 19.12 and, therefore, the use can be conducted in a compatible and harmonious manner with the existing surrounding land uses. Additional support and protest letters were received since publication. Staff recommended approval.

JAY BROWN, representing the applicant, stated that access to the site is via Charleston Boulevard. This matter is in compliance, and he requested approval.

COMMISSIONER ROGAN went over the added conditions he imposed for Item 11 regarding hours of operation, security, potential expansion, and a 12-month review at a public hearing of the Planning Commission and asked MR. BROWN if he would be amenable to the same conditions. MR. BROWN agreed with all. However, he did not think a review at a public hearing would be necessary given that there was no opposition as with Item 11. COMMISSIONER ROGAN pointed out that 18 people submitted protests; MR. BROWN said he was unaware there were protests and agreed with the condition.

Regarding the trash bins, COMMISSIONER ROGAN asked if there would be a problem with trash items that could cause a stench for the residents, and MR. BROWN stated that the residences are located across Alpine Place, so he did not believe there will be such an issue.

Given that Las Vegas is a 24-hour town with various work shifts, COMMISSIONER SCHLOTTMAN did not think the hours of operation should be limited to 9:00 p.m. for this location. COMMISSIONER TOUSSAINT agreed with COMMISSIONER SCHLOTTMAN particularly since this is a high-commercial area. However, they both supported the wishes of COMMISSIONER ROGAN since he is the ward representative. COMMISSIONER ROGAN was open to changing the hours; however, he noted that his main wish was to be consistent for similar uses. ASSISTANT CITY ATTORNEY BRYAN SCOTT interjected that each location has to be taken independently and in consideration of the surrounding development. This is a more industrial area, so a 24-hour operation could be more suitable. Nevertheless, the Commissioner had full discretion to impose the conditions he felt were necessary to mitigate any secondary effects.

COMMISSIONER ROGAN opted for limited hours because he had concerns with the proximity to the residential area on the other side of Alpine Place, and he does not want a second dispensary in the area operating 24/7.

VICE CHAIR DE SALVIO declared the Public Hearing closed.

NOTE: CHAIR CHERRY abstained due to his family's involvement in the cannabis industry. COMMISSIONER SCHLOTTMAN disclosed that although he has worked on and constructed several marijuana facilities, he would vote as this will not affect him.

Motion made by Jeff Rogan to Approve subject to condition(s) and the following added conditions:

A. Hours of operations shall be limited to the hours of 9:00 a.m. to 9:00 p.m. Sunday through Thursday and 9:00 a.m. to 11:00 p.m. Friday through Saturday.

B. Prior to issuance of a Business License, a security system will be installed that is active 24 hours per day, 7 days per week

C. Any proposed expansion of the existing use shall be treated as a major amendment and require a public hearing.

D. A required review shall be conducted 12 months from the date of business licensing issuance at a public hearing before the Planning Commission.

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

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

43. SDR-76877- SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: WADBOD FITNESS, LLC - OWNER: SUNSTONE BONITA, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED COMMERCIAL RECREATION/AMUSEMENT (INDOOR) DEVELOPMENT on 0.56 acres at 4800 Serene Drive (APN 125-35-401-012), C-2 (General Commercial) Zone, Ward 4 (Anthony) [PRJ-76844]. Staff recommends APPROVAL.

Minutes:

CHAIR CHERRY declared the Public Hearing open.

Motion made by Louis De Salvio to Hold in Abeyance Items 25 and 32-35 to 9/10/2019 and Withdraw without Prejudice Item 43

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

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

44. SDR-76888 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: SQUARE TRADES HOLDINGS, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED EIGHT-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH WAIVERS TO THE DOWNTOWN LAS VEGAS APPENDIX F PARKING AND LANDSCAPING REQUIREMENTS on 0.16 acres at 638 North 9th Street (APN 139-26-410-012), R-3 (Medium Density Residential) Zone, Ward 3 (Diaz) [PRJ-76806]. Staff recommends DENIAL.

Minutes:

CHAIR CHERRY declared the Public Hearing open.

JONATHAN BOYLES, Sr. Planner, reported the proposed eight-unit Multi-Family Residential use is a permitted use in the R-3 (Medium Density Residential) zoning district. The subject site is currently an undeveloped parcel located within an existing residential neighborhood. While an apartment building is an appropriate use, the submitted eight-unit apartment building is excessive for the size of the parcel. Waivers have been requested to allow six parking spaces where 12 spaces are required; to allow zero-foot landscape buffer widths along the north and south property lines where six feet is required; to allow zero-foot landscape buffer widths along the east and west property lines where 10 feet is required. Due to the proposed parking and landscape buffer waivers, staff finds that the proposed development is not appropriate for the subject site. Additional protest letters were received since publication. Staff recommended denial.

CHARLIE CONCOBY and an UNIDENTIFIED FEMALE were present. MR. CONCOBY said they are trying to uplift the area and did not feel there would be a parking problem with mass transit being available nearby. He requested approval.

ALBERTO GONZALES, 9th Street resident, opposed this project because he felt it is too large and does not offer enough parking. He did not know which was worse, marijuana dispensaries or apartments. He said he just purchased his home, and he is certain people will park on the street.

MR. CONCOBY said he surveyed the neighborhood and it seemed that no one had any concerns, the neighbors are happy to get the homeless off the vacant property and to have more security in the area.

COMMISSIONER SCHLOTTMAN said he is familiar with the area. He reached out to the applicant and asked if something could be done to make the building more aesthetically pleasing from the street. MR. CONCOBY said he received input from some people the previous week who are not happy about the stone; he offered to add pop-outs or additional architectural features.

COMMISSIONER ROGAN agreed that the original design was very bland, so he would like to see more landscaping in addition to architectural features. MR. CONCOBY showed a site plan with a narrow band of landscaping on both sides of the building.

COMMISSIONER CHERRY verified with MR. CONCOBY that there will be a van accessible parking stall.

COMMISSIONER SCHLOTTMAN motioned for approval subject to the revised elevation plan; however, COMMISSIONER DE SALVIO felt the design is overbuilt without a square inch to spare and lack of landscaping and parking. He asked if the building could be reduced to make the overall site more aesthetically pleasing, because the building depicted in the elevations looks like a shed with windows to him, which does not fit the area. MR. CONCOBY explained that he wanted as much parking as possible on 9th Street for the project, but he could reduce the parking area to add more landscaping, noting that the lot is very narrow. COMMISSIONER DE SALVIO suggested cutting the number of units by half because the proposed building does not fit the neighborhood.

With the agreement of MR. CONCOBY, COMMISSIONER SCHLOTTMAN opted to hold this matter in abeyance for 30 days in order to work with staff, the applicant and the neighbors on providing additional landscaping and massaging a few things to bring back a better project for consideration and provide the neighbors a level of comfort.

CHAIR CHERRY said it is a nice project that could serve to improve the neighborhood; therefore, it is important to look at it as a whole and start in the right direction.

CHAIR CHERRY declared the Public Hearing closed.

Motion made by Trinity Haven Schlottman to Hold in Abeyance to 9/10/2019

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

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

DIRECTOR'S BUSINESS:

45. TXT-76973 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on a request to amend the Development Uses section of the Town Center Development Standards Manual to allow the Auto Sales Showroom and Valet Parking uses, and to provide for other related matters. Staff has NO RECOMMENDATION.

Minutes:

CHAIR CHERRY declared the Public Hearing open.

ERIC McCAMMOND, Sr. Management Analyst, reported that the proposed Text Amendment would add the Auto Sales Showroom and the Valet Parking uses to the Town Center Development Standards Manual. The definitions and requirements for each use would be identical to those as they appear in Las Vegas Municipal Code Title 19. The uses would be allowed in Town Center Special Land Use districts comparable to the zoning districts in Title 19, where the uses are currently allowed. Staff had no recommendation.

CHAIR CHERRY had no issues with this Text Amendment and felt it would provide an opportunity for the hospitals to have a valet area, which COMMISSIONER DE SALVIO said is needed.

Motion made by Louis De Salvio to Approve

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

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

CITIZENS PARTICIPATION:

46. 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:

DEAN SMITH said he was present regarding a variance, for which he showed a notice, and ERIC McCAMMOND, Sr. Management Analyst, indicated it was for Items 18 and 19. CHAIR CHERRY advised MR. SMITH that those items were part of the One Motion One Vote section of the agenda and had been approved, and he could make comments for those items; however, they would be going forward to City Council as well.

MR. SMITH did not understand the requests, so PETER LOWENSTEIN, Deputy Planning Director, explained the applications were for a proposed park consisting of sports fields, tot lot and an equestrian facility for a site zoned for Civic and Public Land uses. The applicant requested waiver for the landscaping buffer and parking lot landscaping requirements, and staff recommended approval of both applications.

MR. SMITH said that the neighbors, most of whom have horses, fought for years to keep the property undeveloped because of the nearby school and severe curve. Several years ago there was another request for a park, and he gathered a petition in opposition. All they want is for the property to be left undeveloped. He alleged that he submitted the petition to former COUNCILMAN COFFIN and it was his understanding that the property would not be developed. He felt it would be a waste of money when the nearby school already offers some of the same amenities. CHAIR CHERRY asked him to reserve any further comments for the City Council meeting on 9/18/2019. MR. SMITH added that no one received notification of this meeting.

JAMES REYNOLDS appeared on behalf of the applicant for Item 9, and CHAIR CHERRY advised him that it was approved.

The meeting was adjourned at 8:08 p.m.

Respectfully submitted:

Gabriela Portillo-Brenner, Deputy City Clerk

Ashley Foster, Deputy City Clerk

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

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