Planning Commission Minutes

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

September 14, 2021
6:00 PM

BUSINESS ITEMS:

1. Call to Order

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

Also Present: SETH FLOYD, Director of Community Development; ERIC McCAMMOND, Senior Management Analyst; ALEX STRAWSER, Planner II; LUCIEN PAET, Engineering Project Manager; GREGORY CRAWFORD, Fire Prevention Inspection Supervisor; REBECCA WOLFSON, Deputy City Attorney; ASHLEY FOSTER, Deputy City Clerk; and CHEYENNE LaRANCE, Deputy City Clerk

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

Minutes:
CHAIR DE SALVIO announced that he would be limiting all public comments throughout the course of the meeting to one minute.

5. For Possible Action to Approve the Final Minutes for the Planning Commission Meeting of August 10, 2021.

Motion made by Trinity Haven Schlottman to Approve

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

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

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:
ERIC McCAMMOND, Senior Management Analyst, announced the applicant for Items 22a-22d requested an abeyance to the November 9, 2021 Planning Commission Meeting. This was the second abeyance request for these items. The applicants for Items 34a and 34b, 35a and 35b, and 39 requested an abeyance to the October 12, 2021 Planning Commission Meeting. This was the first abeyance request for these items.

COMMISSIONER ROGAN requested that Item 17 be pulled from the One Motion One Vote Agenda.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 22a-22d to 11/9/2021 and Items 34a and 34b, 35a and 35b and 39 to 10/12/2021

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

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

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. 21-0411-TMP1 - TENTATIVE MAP - SUMMERLIN VILLAGE 29 - APPLICANT/OWNER: THE HOWARD HUGHES COMPANY, LLC - For possible action on a Land Use Entitlement project request FOR A 22-LOT MASTER PLANNED VILLAGE on 324.39 acres on the west side of Sky Vista Drive, approximately 1,380 feet south of Redpoint Drive (APNs 137-27-101-004, 137-21-801-004 and 137-28-601-001), P-C (Planned Community) Zone, Ward 2 (Seaman). Staff recommends APPROVAL.

Motion made by Trinity Haven Schlottman to Approve the Consent Agenda except Item(s) None

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

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

8. 21-0465-TMP1 - TENTATIVE MAP - SUNSTONE PARCEL G - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: NORTHLAND, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED 132-LOT SINGLE FAMILY, DETACHED RESIDENTIAL SUBDIVISION on 16.97 acres generally located at the southeast corner of Sunstone Parkway and Ohare Road (APN 125-06-710-001), T-D (Traditional Development) Zone [L (Residential Low) Special Land Use Designation], Ward 6 (Fiore). Staff recommends APPROVAL.

Motion made by Trinity Haven Schlottman to Approve the Consent Agenda except Item(s) None

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

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

9. 21-0467- APPLICANT/OWNER: MEADOWS OWNERS, LLC - For possible action on the following Land Use Entitlement project requests on 9.63 acres located approximately 2,121 feet west of Valley View Boulevard on the north side of Meadows Lane (APN 139-31-111-010), R-4 (High Density Residential) Zone, Ward 1 (Knudsen). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:
See Items 9a and 9b for related backup.

9a. 21-0467-EOT1 - EXTENSION OF TIME - VARIANCE - FIRST EXTENSION OF TIME FOR AN APPROVED VARIANCE (VAR-76720) TO ALLOW 544 PARKING SPACES WHERE 597 ARE REQUIRED

Motion made by Trinity Haven Schlottman to Approve the Consent Agenda except Item(s) None

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

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

Minutes:
See Items 9-9b for related backup.

9b. 21-0467-EOT2 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - FIRST EXTENSION OF TIME FOR AN APPROVED MAJOR AMENDMENT (SDR-76721) TO A PREVIOUSLY APPROVED SITE DEVELOPMENT PLAN REVIEW (SDR-74252) FOR A FIVE-STORY, 334 UNIT, MULTI-FAMILY RESIDENTIAL DEVELOPMENT WHERE A SIX-STORY, 280-UNIT DEVELOPMENT

Motion made by Trinity Haven Schlottman to Approve the Consent Agenda except Item(s) None

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

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

Minutes:
See Items 9-9b for related backup.

10. 21-0472-TMP1 - TENTATIVE MAP - SKYE CANYON 2.30 - APPLICANT/OWNER: CENTURY COMMUNITIES OF NEVADA, LLC - For possible action on a Land Use Entitlement project request FOR A 49-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 4.96 acres on the west side of Shaumber Road approximately 556 feet north of Eagle Canyon Avenue (APNs 126-12-315-002 and 126-12-313-028), T-D (Traditional Development) Zone [MLA (Medium Low Attached) Skye Canyon Special Land Use Designation], Ward 6 (Fiore). Staff recommends APPROVAL.

Motion made by Trinity Haven Schlottman to Approve the Consent Agenda except Item(s) None

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

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

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.

11. ABEYANCE - 21-0339 - PUBLIC HEARING - APPLICANT: GREYSTAR DEVELOPMENT WERST, LLC - OWNER: MS NORTHWEST LAND COMPANY, LLC, ET AL - For possible action on the following Land Use Entitlement project requests on 8.13 acres at the northwest corner of Deer Springs Way and Grand Montecito Parkway (APNs 125-20-601-005; and 125-20-602-006 and 011), T-C (Town Center) Zone [MC-TC (Montecito – Town Center) Special Land Use Designation], Ward 6 (Fiore). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:
CHAIR DE SALVIO declared the Public Hearing open for Items 11-21. There being no one present to speak, CHAIR DE SALVIO declared the Public Hearing closed for Items 11-21.

See Items 11a and 11b for related backup.

11a. ABEYANCE - 21-0339-SUP1 - SPECIAL USE PERMIT - FOR A HIGH DENSITY (25+ DU/AC) SINGLE USE WITHIN TOWN CENTER

Minutes:
See Item 11 for related discussion and Items 11-11b for related backup.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item 17

NOTE: The video does not reflect the vote accurately, in that Commissioner Schlottman abstained from voting on Item 19 as he owns an urban lounge within the notification area. Commissioner Cherry disclosed that he owns property within the notification areas of Items 13 and 19 but as this would not affect him any greater or lesser, he would vote on the items.

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

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

11b. ABEYANCE - 21-0339-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED FOUR-STORY, 257-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH WAIVERS OF THE TOWN CENTER DEVELOPMENT STANDARDS

Minutes:
See Item 11 for related discussion and Items 11-11b for related backup.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item 17

NOTE: The video does not reflect the vote accurately, in that Commissioner Schlottman abstained from voting on Item 19 as he owns an urban lounge within the notification area. Commissioner Cherry disclosed that he owns property within the notification areas of Items 13 and 19 but as this would not affect him any greater or lesser, he would vote on the items.

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

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

12. 21-0419-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LEO FLANGAS - OWNER: REBEL LAND & DEVELOPMENT, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED AUTO SMOG CHECK USE at 901 North Buffalo Drive (APN 138-28-620-003), C-1 (Limited Commercial) Zone, Ward 2 (Seaman). Staff recommends APPROVAL.

Minutes:
See Item 11 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item 17

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

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

13. 21-0421-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LAS VEGAS TATTOO COLLECTIVE, LLC - OWNER: K N K PROPERTY MANAGEMENT, LLC - For possible action on a Land Use Entitlement project request FOR A TATTOO PARLOR/BODY PIERCING STUDIO USE at 1506 South Las Vegas Boulevard, Suite #3 (APN 162-03-210-064), C-2 (General Commercial) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:
See Item 11 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item 17

NOTE: Commissioner Cherry disclosed that he owns property within the notification area of Item 13 but as this would not affect him any greater or lesser, he would vote on the item.

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

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

14. 21-0424-VAC1 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: CAT 5 INVESTMENT PARTNERS, LLC - For possible action on a Land Use Entitlement project request for a Petition to Vacate a portion of an existing public sewer easement generally located west of the Tropical Parkway terminus (APN 126-26-610-001), PD (Planned Development) Zone, Ward 6 (Fiore). Staff recommends APPROVAL.

Minutes:
See Item 11 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item 17

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

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

15. 21-0441-MSP1 - MASTER SIGN PLAN - PUBLIC HEARING - APPLICANT/OWNER: JIM MARSH AMERICAN CORPORATION - For possible action on a Land Use Entitlement project request for a Major Amendment to Master Sign Plan (MSP-0004-00) TO ALLOW READERBOARD/ANIMATED SIGNAGE ON EXISTING PYLON SIGNS WITHIN AN AUTO DEALERSHIP DEVELOPMENT on 4.88 acres at the southwest corner of Centennial Parkway and Riley Street (APNs Multiple), T-C (Town Center) Zone [GC-TC (General Commercial - Town Center) Special Land Use Designation], Ward 6 (Fiore). Staff recommends APPROVAL.

Minutes:
See Item 11 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item 17

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

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

16. 21-0449-VAC1 - VACATION - PUBLIC HEARING - APPLICANT: WARMINGTON APARTMENT COMMUNITIES - OWNER: GRAND CANYON VILLAGE, LLC - For possible action on a Land Use Entitlement

project request for a Petition to Vacate 20-foot wide public sewer easements generally located at 8600 Grand Canyon Drive (APN 125-07-601-008), Ward 6 (Fiore). Staff recommends APPROVAL.

Minutes:
See Item 11 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item 17

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

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

17. 21-0452-SDR1- SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: PARTAP INVESTMENTS, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED PUBLIC PARK on 1.39 acres at the northeast corner of Rancho Drive and Oakey Boulevard (APNs Multiple), R-E (Residence Estates) Zone, Ward 1 (Knudsen). Staff recommends APPROVAL.

Minutes:
CHAIR DE SALVIO declared the Public Hearing open.

ERIC McCAMMOND, Senior Management Analyst, explained that with the recent adoption of the 2050 Master Plan, the increase of open space has been prioritized within the City of Las Vegas, and the Charleston Planning Area is currently underserved in terms of park accessibility. The site is an appropriate location for a public park and also furthers the goals of the 2050 Master Plan, and as such, staff recommended approval of the request. He noted that additional support and protest letters were received since publication.

STEVE FORD, City Engineer, reported that this is a proposal for a two parcel, 1.3-acre dog park on the northeast corner of Rancho Drive and Oakey Boulevard. The park will include aluminum fencing, walk paths, gazebos, shade structures and minimal parking. Staff believes this is a great spot for this use because of the nexus with the surrounding trails and the impeding development on Rancho Drive and Oakey Boulevard.

ASTRAIA MATELICH was unaware that a dog park was being proposed. There was also no sign on the property noticing the land use change. She said Oakey Boulevard and Rancho Drive currently have two lanes in each direction, and she understood a bus turnout would be added, but she felt this would further restrict traffic. People would also be stopping traffic when they are turning in to the four parking spots. The neighborhood she lives in does not have easy access and there is no overflow parking. MS. MATELICH pointed out that the stadium lighting will be triggered by motion after park hours, and felt this would attract homeless individuals. She added that law enforcement took three hours to respond to a home invasion in her neighborhood, and questioned their response time for homeless activity in the park.

COCO GOUSTAMOS has lived in the Scotch Eighty neighborhood since May 2005, and her property is located directly in front of these parcels. Vagrants and drug use are prominent in the area, and she believed this will strictly be used by the homeless. She inquired about any landscape buffers that will be put in place, specifically in the area where the parking spaces will be located. MS. GOUSTAMOS also wanted to know how long this project would take and what would be involved, as she had concerns about her pool collecting debris. She submitted a copy of her remarks for the record, a copy of which was attached as backup.

RAMON BLACK said he lives across the street from this property. He spoke of the large homeless population in the area and law enforcement only defends them. Referring to Bob Baskin Park, MR. BLACK said the homeless have also taken over the area and there is a lot of drug use and prostitution taking place. This will be horrific for the community and cause violence.

KELLY CROMPTON said she was excited about the proposed dog park. She drives by the area often, and she sees discarded signs and trash on these lots. She felt more green space is needed and added that dog parks create a better sense of community.

DIANA VASQUEZ was opposed to the proposal and spoke of the homeless population at Bob Baskin Park.

Speaking to the bus turnout, she felt it should be wider because it is a residential area. She said the City needs to address the southwest corner of Charleston Boulevard and Rancho Drive where there is a lot of traffic, and she felt the same thing would happen in this area.

DAN HILL explained that his house was burglarized while he was home, and another burglary took place in the neighborhood recently. He noted that the activities taking place in other areas such as Bob Baskin Park on Rancho Drive is an example of what this dog park will bring.

MR. FORD said these concerns are taken seriously, and he offered his contact information to residents that needed any further explanation. He committed to working with the residents on the design and to find out what they would like to see in order to best serve the community.

COMMISSIONER ROGAN had questions surrounding plans to deter vagrants, the design process, and what a pocket park is. MR. FORD explained the park will be enclosed with fencing and gates that will be locked at night. He said historically, dog parks do not attract the type of behavior that had been voiced by the public, and concerns surrounding parking and lighting can be addressed in the design process. Additionally, he said City Marshals will patrol the area just as they do for other parks. He also confirmed that the residents will be included in the design process. The Councilman will organize the meetings, staff will craft concepts with their suggestions in mind, then a final design will be proposed. MR. FORD explained a pocket park is a smaller park with minimal parking that is intended to be walked to by the residents. COMMISSIONER ROGAN then clarified for the audience that the Commission is only voting on whether or not a park is appropriate for this space, not how it will be used or the amenities that will be included. The Commissioner reiterated that this is intended for residents in the immediate area to walk to and use, and he was not concerned about traffic. He was, however, concerned about homeless invading the area, but he expressed confidence in staff to implement deterrence measures and noted that the park could be shut down if needed.

CHAIR DE SALVIO declared the Public Hearing closed.

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

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

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

18. 21-0455-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MAURICE SMITH - OWNER: CHARLESTON FESTIVAL RETAIL, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED BEER/WINE/COOLER ON-SALE ESTABLISHMENT USE WITHIN AN EXISTING 1,886 SQUARE-FOOT RESTAURANT at 6300 West Charleston Boulevard, Suite #170 (APN 138-35-816-003), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen). Staff recommends APPROVAL.

Minutes:
See Item 11 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item 17

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

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

19. 21-0464-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: BRETT PFISTER - OWNER: ARTS DISTRICT RESIDENCES, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED 1,344 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT USE WITH A 480 SQUARE-FOOT OUTDOOR PATIO at 1415 South Commerce Street, Suite #130 (APN 162-03-210-002), C-M (Commercial/Industrial) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:
See Item 11 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item 17

NOTE: The vote does not reflect the vote accurately, in that Commissioner Schlottman abstained from voting on Item 19 as he owns an urban lounge within the notification area. Commissioner Cherry disclosed that he owns property within the notification area of Item 19 but as this would not affect him any greater or lesser, he would vote on the item.

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

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

20. 21-0476-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MARISCOS 701 - OWNER: SAHARA 3D, LLC - For possible action on the following Land Use Entitlement project request FOR A PROPOSED 4,900 SQUARE-FOOT RESTAURANT WITH ALCOHOL USE WITH A WAIVER TO ALLOW A 150-FOOT DISTANCE SEPARATION FROM A CHURCH/HOUSE OF WORSHIP WHERE 400 FEET IS REQUIRED on 29.37 acres at 4760 West Sahara Avenue (APN 162-06-402-001), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen). Staff recommends APPROVAL.

Minutes:
See Item 11 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item 17

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

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

21. 21-0487-MOD1 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT/OWNER: THE HOWARD HUGHES COMPANY, LLC - For possible action on a Land Use Entitlement project request for a Major Modification of the approved Summerlin Village 22 Development Plan (MDR-73901) TO COMBINE AND AMEND THE SUMMERLIN LAND USE DESIGNATION OF VARIOUS PARCELS WITHIN VILLAGE 22 on 444.45 acres at the southwest corner of Lake Mead Boulevard and Clark County 215 (APNs Multiple), P-C (Planned Community) Zone, Ward 2 (Seaman). Staff recommends APPROVAL.

Minutes:
See Item 11 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item 17

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

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

PUBLIC HEARING ITEMS

22. ABEYANCE - 21-0328 - PUBLIC HEARING - APPLICANT/OWNER: FF SERIES HOLDINGS, LLC - For possible action on the following Land Use Entitlement project requests on 3.20 acres at the northeast and southeast corners of Bilpar Road and Tenaya Way (APNs 125-22-801-011 and 125-22-804-001), Ward 6 (Fiore). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:
See Items 6 and 43 for related discussion and Items 22a-22d for related backup.

22a. ABEYANCE - 21-0328-GPA1 - GENERAL PLAN AMENDMENT - FROM: O (OFFICE) TO: SC (SERVICE COMMERCIAL)

Minutes:
See Items 6 and 43 for related discussion and Items 22-22d for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 22a-22d to 11/9/2021 and Items 34a and 34b, 35a and 35b and 39 to 10/12/2021

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

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

22b. ABEYANCE - 21-0328-ZON1 - REZONING - FROM: O (OFFICE) TO: C-1 (LIMITED COMMERCIAL)

Minutes:
See Items 6 and 43 for related discussion and Items 22-22d for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 22a-22d to 11/9/2021 and Items 34a and 34b, 35a and 35b and 39 to 10/12/2021

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

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

22c. 21-0328-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED MINI-STORAGE FACILITY USE

Minutes:
See Items 6 and 43 for related discussion and Items 22-22d for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 22a-22d to 11/9/2021 and Items 34a and 34b, 35a and 35b and 39 to 10/12/2021

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

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

22d. 21-0328-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 1,005-UNIT MINI-STORAGE FACILITY CONSISTING OF ONE, THREE-STORY 99,900 SQUARE FOOT BUILDING AND A SECOND, THREE-STORY 52,880 SQUARE-FOOT BUILDING WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS AND BUILDING ORIENTATION

Minutes:
See Items 6 and 43 for related discussion and Items 22-22d for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 22a-22d to 11/9/2021 and Items 34a and 34b, 35a and 35b and 39 to 10/12/2021

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

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

23. ABEYANCE - 21-0151-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: PEDRO GONZALEZ - For possible action on a Land Use Entitlement project request TO ALLOW A ZERO-FOOT SIDE YARD SETBACK WHERE THREE FEET IS REQUIRED AND A ZERO-FOOT DISTANCE SEPARATION FROM THE MAIN BUILDING WHERE SIX FEET IS REQUIRED FOR AN EXISTING ACCESSORY STRUCTURE (CLASS II) [CARPORT] on 0.23 acres at 6101 Blossom Knoll Avenue (APN 138-14-511-051), R-1 (Single Family Residential) Zone, Ward 5 (Crear). Staff recommends DENIAL.

Minutes:
This item was heard subsequent to Item 42.

CHAIR DE SALVIO declared the Public Hearing open.

ERIC McCAMMOND, Senior Management Analyst, reported that no evidence of a unique or extraordinary circumstance had been presented, in that the applicant created a self-imposed hardship by building an accessory structure without building permits that does not meet Title 19 development standards. As such, staff recommended denial of the application.

DAVID STILWELL introduced himself as the neighbor and advocate for the applicant PEDRO GONZALEZ, and he presented satellite imagery that proved the carport was there before MR. GONZALEZ purchased the property in 2014. The City sanctioned the sale, which included the carport so, therefore, MR. GONZALEZ is in compliance. He quoted the staff report that referenced complaints regarding a landscaping business and carpooling but noted that the landscape business operations has also been sanctioned by the City. The trucks are well-maintained, licensed and do not cause any problems. He felt MR. GONZALEZ is being targeted, and reiterated that the structure came with the house. MR. GONZALEZ has accrued $3,836 in penalties, but MR. STILWELL quoted Title 19.16.140, which states penalties cannot exceed 10 percent of the structure's value. This implies the penalties should only be around $150. He then spoke of Condition 2 that requires the applicant to obtain building permits within 60 days of final approval, and he said MR. GONZALEZ was the only one to have this condition. In closing, MR. STILWELL said they would like to be granted the Variance, but they will not be obtaining any permits, partaking in inspections or paying any penalties. MR. STILWELL submitted a petition, photos and a USB drive, which were attached as backup.

COMMISSIONER WILLIAMS said the structure seen in the photos is not in compliance with the code. Although he respected their perspective, the structure is not a part of the house, nor is it compatible with the neighborhood; therefore he would support staff's recommendation for denial.

MR. McCAMMOND noted a statement would be added to the denial letter that would require the structure be removed within 90 days.

CHAIR DE SALVIO asked what happens to the accrued penalties and fines if this request is denied, and SETH FLOYD, Director of Community Development, confirmed there is an open Code Enforcement case, and those fines would remain and eventually become liens against the property. MR. FLOYD also clarified for the Chair that the Commission did not have the authority to remove any penalties.

CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Anthony Williams to Deny and the unpermitted structure will be removed within 90 days of Final Action

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

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

24. ABEYANCE - 21-0161 - PUBLIC HEARING - APPLICANT/OWNER: ASD GROUP, LLC - For possible action on the following Land Use Entitlement project requests on 0.71 acres at the southwest corner of Owens Avenue and Henry Drive (APN 140-30-501-001), R-E (Residence Estates), Ward 3 (Diaz). Staff recommends APPROVAL on 21-0161-ZON1. Staff recommends DENIAL on 21-0161-VAR1, 21-0161-VAR2 and 21-0161-SDR1.

Minutes:
CHAIR DE SALVIO declared the Public Hearing open for Items 24-24d.

ERIC McCAMMOND, Senior Management Analyst, reported that staff found the proposed rezoning to be compatible with the surrounding land uses and zoning districts and recommended approval of the request. However, staff found no evidence of unique or extraordinary circumstance to support the Variance requests and recommended denial of both Variance requests and the Site Development Plan Review request.

JAIMEN DE LA VEGA said he provided a new site plan to staff three weeks ago. There will now be 15 units instead of 16, and landscaping will be installed on the back and sides of the property. Additionally, there will be 29 feet in between each of the buildings.

CHAIR DE SALVIO and COMMISSIONER SCHLOTTMAN requested the items be trailed in order to ask staff questions regarding the new site plans.

Subsequent to trailing the item, MR. DE LA VEGA said they are trying to build a beautiful project complete with landscaping and illuminated parking spaces. He said these are two-story townhouses and the project will bring more integrity to the entire neighborhood.

MR. McCAMMOND clarified that staff did review the new site plans, and the staff report and conditions in the backup reflect the new status of the Variances. He confirmed some of the non-conformities were decreased and noted that this project did not have to be re-noticed because the intensity did not increase.

COMMISSIONER SCHLOTTMAN appreciated the revised plans and noted this project will be compatible with other developments in the area.

CHAIR DE SALVIO asked if the conditions needed to be read into the record, and MR. McCAMMOND said the conditions had not changed since the agenda was published. MR. DE LA VEGA confirmed he read and agreed to all conditions.

See Items 24a-24d for related backup.

CHAIR DE SALVIO declared the Public Hearing closed for Items 24-24d.

24a. ABEYANCE - 21-0161-ZON1 - REZONING - FROM: R-E (RESIDENCE ESTATES) TO: R-3 (MEDIUM DENSITY RESIDENTIAL)

Minutes:
See Item 24 for related discussion and Items 24-24d for related backup.

Motion made by Trinity Haven Schlottman to Approve Items 24a-24d subject to condition(s)

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

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

24b. ABEYANCE - 21-0161-VAR1 - VARIANCE - TO ALLOW 23 PARKING SPACES WHERE 31 ARE REQUIRED

Minutes:
See Item 24 for related discussion and Items 24-24d for related backup.

Motion made by Trinity Haven Schlottman to Approve Items 24a-24d subject to condition(s)

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

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

24c. ABEYANCE - 21-0161-VAR2 - VARIANCE - TO ALLOW A SEVEN-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED; A ZERO-FOOT SIDE YARD SETBACK WHERE FIVE FEET IS REQUIRED, A ZERO-FOOT REAR YARD SETBACK WHERE 20 FEET IS REQUIRED; AND SIX FEET IN BETWEEN BUILDINGS WHERE 10 FEET IS REQUIRED

Minutes:
See Item 24 for related discussion and Items 24-24d for related backup.

Motion made by Trinity Haven Schlottman to Approve Items 24a-24d subject to condition(s)

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

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

24d. ABEYANCE - 21-0161-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 16-UNIT, TWO-STORY MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS

Minutes:
See Item 24 for related discussion and Items 24-24d for related backup.

Motion made by Trinity Haven Schlottman to Approve Items 24a-24d subject to condition(s)

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

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

25. ABEYANCE - 21-0262-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: MARIA DE JESUS DIAZ - For possible action on a Land Use Entitlement project request FOR AN EXISTING ANIMAL KEEPING AND HUSBANDRY USE TO ALLOW FIVE HORSES AND FOUR GOATS at 4795 Nettle Avenue (APN 140-29-810-004), R-E (Residence Estates) Zone, Ward 3 (Diaz). Staff recommends DENIAL.

Minutes:
CHAIR DE SALVIO declared the Public Hearing open.

ERIC McCAMMOND, Senior Management Analyst, explained staff could not support the requested Special Use Permit as the request is a 100 percent increase over what is conditionally allowed by Title 19.12 and recommended denial.

GUILLERMO MACIAS explained he was requesting additional horses because he has three daughters and four nephews. He felt there is plenty of space on his property, and he was not sure why staff recommended denial.

COMMISSIONER SCHLOTTMAN said he reviewed this application and advised MR. MACIAS that five horses was the maximum he approved at the last Planning Commission meeting. He asked if anything could be reduced, and MR. MACIAS said he would be willing to have the goats removed and he accepted all conditions.

CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Trinity Haven Schlottman to Approve subject to condition(s) and amending Condition 2 as follows:

2. A Special Use Permit is hereby approved to allow five (5) horses and zero goats where two horses and three goats is the maximum allowed.

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

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

26. ABEYANCE - 21-0318 - PUBLIC HEARING - APPLICANT/OWNER: SUMMERLIN WEST COMMUNITY ASSOCIATION - For possible action on the following Land Use Entitlement project requests on 1.91 acres at 2705 Free Formed Court (APN 137-14-612-025), P-C (Planned Community) Zone [SF3 (Single Family Detached) Summerlin Special Land Use Designation], Ward 4 (Anthony). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:
CHAIR DE SALVIO declared the Public Hearing open for Items 26-26b.

ERIC McCAMMOND, Senior Management Analyst, explained staff could not support the intensification of the Residential Adjacency Setback requirement and recommended denial of both the Major Deviation and the associated Special Use Permit. He noted that additional letters of support and protest were received since publication.

CHRIS WENER appeared representing the application and explained this is a 10-foot extension to an existing 50-foot monopole located in an existing residential development. This was originally approved by the City in 2018 as a 50-foot structure, but there was poor wireless coverage in Reverence. He worked with Summerlin, the Howard Hughes Corporation and Pulte, the developer at the time, to come up with a solution to tie other carriers to the tower. The tower was noticed in all pre-sale and disclosure documents and within the sales office; therefore, everyone knew a cell tower was being built. Verizon installed their antennas, and Dish Network, a new nationwide provider, installed their antennas below Verizon's. T-Mobile also approached them to increase the height of the tower and install their service on top of Verizon's. They have worked extensively with Summerlin, who approved the request. Mr. WENER added that they held a neighborhood meeting where about 25 residents attended, and only three individuals were in opposition.

GEORGE SCHWEBEL asked the Commission to follow staff's recommendation of denial. He said there are reasons why wireless cell towers have distance regulations. He also said MR. WENER was not accurate, in that nobody disclosed that a cell tower was nearby when he purchased his house. There was no outreach conducted by Summerlin either, and he reiterated that a 90-foot setback is required for a reason.

COMMISSIONER TOUSSANT understood the need for this cell tower. She referenced other cell towers that are disguised as palm trees and such, and wondered why the same was not considered for this tower. MR. WENER said they offered to construct disguises such as a water tank and trees when this was originally being built, but Summerlin said they would rather see the utility structure because it would have the least visual impact. He also reiterated that the cell tower was constructed before the surrounding homes were built.

COMMISSIONER TOUSSAINT confirmed that she had spoken to many individuals who acknowledged that they were made aware of the cell tower prior to purchasing their homes.

CHAIR DE SALVIO asked whether this request was to add more providers or to increase the service projections. MR. WENER said this application is on behalf T-Mobile so they can place their service antennas on top of Verizon's antennas. He accepted all conditions.

See Items 26a and 26b for related backup.

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

26a. ABEYANCE - RENOTIFICATION - 21-0318-SCD1 - MAJOR DEVIATION - TO ALLOW A 22-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 90 FEET IS REQUIRED FOR THE PROPOSED ADDITION OF 10 FEET TO AN EXISTING 50-FOOT TALL WIRELESS COMMUNICATION FACILITY USE FOR A TOTAL OF 60 FEET IN HEIGHT

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

Motion made by Donna Toussaint to Approve Items 26a and 26b subject to condition(s)

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

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

26b. ABEYANCE - 21-0318-SUP1 - SPECIAL USE PERMIT - FOR A MAJOR AMENDMENT TO A PREVIOUSLY APPROVED SPECIAL USE PERMIT (SUP-74612) FOR THE PROPOSED ADDITION OF 10 FEET TO AN EXISTING 50-FOOT TALL WIRELESS COMMUNICATION TOWER USE FOR A TOTAL OF 60 FEET IN HEIGHT

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

Motion made by Donna Toussaint to Approve Items 26a and 26b subject to condition(s)

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

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

27. ABEYANCE - 21-0348 - PUBLIC HEARING - APPLICANT: RAM-CORE - OWNER: HOLLY & SIMMONS, LLC - For possible action on the following Land Use Entitlement project requests on 6.58 acres at the southeast corner of Holly Avenue and Simmons Street (APN 139-20-817-001), M (Industrial) Zone, Ward 5 (Crear). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:
CHAIR DE SALVIO declared the Public Hearing open for Items 27-27c.

ERIC McCAMMOND, Senior Management Analyst, explained that staff determined the proposed project is not compatible with the surrounding single family residential development in the area, as evidenced by the requested Variance to allow deviations to required building setbacks, residential adjacency and front yard wall height. Furthermore, staff believed that the requested Waivers to allow a zero-foot perimeter landscape buffer along a portion of the north interior property line and not orient the building to the corner will have a negative impact to the surrounding single-family dwellings; therefore, staff recommended denial of all applications.

MIKE PANCIROV, SPARC Design Group, appeared with property owner RANDALL CURTIS. Speaking to the application, MR. PANCIROV said they are proposing an RV (Recreational Vehicle) storage site. The site is currently undeveloped and filled with debris. Upon development, the site will be fenced in, and lighting and security will be in place. The site is also home to two radio antennas with radiating copper spooling that will not allow for any real development. Neighborhood meetings were held, and there was no opposition to the project. The residents felt that having this lot undeveloped did not provide any economic benefits to the community, and they were happy jobs would be generated from this business. At the advice of COUNCILMAN CREAR, the applicant went door-to-door to 17 nearby homes to gather input. MR. PANCIROV said they met with five residents who were concerned with the debris and crime happening on the site. He presented photos from various angles around the property and reiterated that the residents want to see a development that will make them feel safer in the community. In closing, he said the applicant committed to the neighbors that there would be no light pollution, secure fencing and their project would create value to the neighborhood.

COMMISSIONER WILLIAMS thanked MR. CURTIS and MR. PANCIROV for meeting with the residents, and he understood the challenges with the site. He was still concerned that the site is surrounded by heavy residential, and he wondered why no landscape buffer would be provided. MR. PANCIROV presented landscape plans that showed a buffer would be put in place but noted that they would not be meeting the 60-foot buffer requirement due to the grounding loops.

CHAIR DE SALVIO shared the same concern as COMMISSIONER WILLIAMS and added that he would be amenable to approving the application if 36-inch box trees were installed instead of 24-inch.

MR. PANCIROV confirmed that 36-inch box trees would be installed, and he accepted all other conditions.

See Items 27a-27c for related backup.

CHAIR DE SALVIO declared the Public Hearing closed for Items 27-27c.

27a. ABEYANCE - 21-0348-VAR1 - VARIANCE - TO ALLOW A 12-FOOT FRONT YARD AND 10-FOOT SIDE YARD SETBACK WHERE 50 FEET IS REQUIRED WHEN ADJACENT TO A RESIDENTIAL ZONING DISTRICT; TO ALLOW A 10-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 60 FEET IS REQUIRED AND TO ALLOW A EIGHT-FOOT TALL FRONT YARD WALL AND FENCE WHERE FIVE FEET IS THE MAXIMUM ALLOWED

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

Motion made by Anthony Williams to Approve Items 27a-27c subject to condition(s) with amended conditions for Item 27c

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

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

27b. ABEYANCE - 21-0348-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED RECREATIONAL VEHICLE AND BOAT STORAGE USE WITH A WAIVER TO ALLOW THE STORAGE OF RECREATIONAL VEHICLES AND BOATS WITHIN REQUIRED SETBACKS OR BUFFER AREAS

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

Motion made by Anthony Williams to Approve Items 27a-27c subject to condition(s) with amended conditions for Item 27c

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

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

27c. ABEYANCE - 21-0348-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED RECREATIONAL VEHICLE AND BOAT STORAGE DEVELOPMENT WITH A 1,343 SQUARE-FOOT OFFICE BUILDING WITH A WAIVERS OF PERIMETER LANDSCAPE BUFFER DEVELOPMENT STANDARDS AND TO NOT ORIENT THE BUILDING TO THE CORNER WHERE SUCH IS REQUIRED

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

Motion made by Anthony Williams to Approve subject to condition(s) and adding the following condition as read for the record:

A. All perimeter trees will be 36-inch box in size.

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

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

28. ABEYANCE - 21-0364-MSP1 - MASTER SIGN PLAN - PUBLIC HEARING - APPLICANT/OWNER: SCHOOL BOARD OF TRUSTEES - For possible action on a Land Use

Entitlement project request FOR THE CONVERSION OF A STATIC FREESTANDING SIGN TO AN LED MESSAGE BOARD on 19.65 acres at 3900 West Washington Avenue (APN 139-30-601-001), C-V (Civic) Zone, Ward 5 (Crear). Staff recommends DENIAL.

Minutes:
This item was heard subsequent to Item 24.

CHAIR DE SALVIO declared the Public Hearing open.

ERIC McCAMMOND, Senior Management Analyst, explained that because the proposed sign does not meet residential protection standards, staff was unable to support the Master Sign Plan request and recommended denial.

CHRIS DINGELL appeared representing the Clark County School District and explained this is a reface of the existing freestanding sign at Robert O. Gibson Middle School. The sign will be upgraded to include an LED (light-emitting diode) portion. A neighborhood meeting was held on August 17th, and no concerns were brought forward.

COMMISSIONER WILLIAMS said he was familiar with the sign upgrade and was in support. He did, however, request an additional condition be added to limit the times in which the sign can be illuminated, which was read in to the record by the Commissioner. MR. DINGELL accepted the added condition.

CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Anthony Williams to Approve subject to condition(s) and adding the following condition as read for the record:

A. The illumination of the sign shall be limited to the hours during which school is in session and/or when events are being conducted.

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

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

29. ABEYANCE - 21-0368-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: LOZA FAMILY REVOCABLE LIVING TRUST - For possible action on a Land Use Entitlement project request TO ALLOW NO OFFSITE IMPROVEMENTS ALONG TENAYA WAY FOR A PROPOSED SINGLE-FAMILY DWELLING on 0.63 acres at 7189 West Rome Boulevard (APN 125-22-801-001), R-E (Residence Estates) Zone, Ward 6 (Fiore). Staff recommends DENIAL.

Minutes:
CHAIR DE SALVIO declared the Public Hearing open.

ERIC McCAMMOND, Senior Management Analyst, explained that since offsite improvements are required per Title 19 and such off-site requirements must be constructed with all new development, the Department of Public Works recommended denial of the request for a Variance of offsite improvements. Department of Planning staff concurred with the Department of Public Works and recommended denial of the Variance request.

No applicant or representative was present.

CAROL LEDBETTER expressed that she and her neighbors were present to make comments but did not understand the application. CHAIR DE SALVIO said he met with the applicant, SIMON LOZA, and communicated to him that the offsite improvements must be made to avoid any SID (Special Improvement District) issues in the future. Although MR. LOZA said he would install the infrastructure, it never happened, and the Chair could not support the application.

CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Louis De Salvio to Deny

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

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

30. ABEYANCE - 21-0393-MSP1 - MASTER SIGN PLAN - PUBLIC HEARING - APPLICANT/OWNER: SCHOOL BOARD OF TRUSTEES - For possible action on a Land Use Entitlement project request FOR THE CONVERSION OF A STATIC WALL SIGN TO AN ELECTRONIC LED MESSAGE BOARD on 7.65 acres at 1735 D Street (APN 139-22-302-001), C-V (Civic) Zone, Ward 5 (Crear). Staff recommends DENIAL.

Minutes:
CHAIR DE SALVIO declared the Public Hearing open.

ALEX STRAWSER, Planner II, explained that electronic message units, animated signs, and flashing signs are prohibited within 200 feet of property planned or zoned for residential use unless the design of the sign or its location and orientation ensures that the electronic message unit, animated or flashing portion of the sign, or any other light from the sign will not be visible from the property planned or zoned for residential use. Staff was unable to ensure the proposed animated electronic message board will not be visible from the residences located on the west side of D Street and recommended denial of the proposed Master Sign Plan.

CHRIS DINGELL appeared representing the Clark County School District, and explained this is a request to replace an existing wall sign with an LED (light-emitting diode) sign in order to convey information about the school to the parents and students. A neighborhood meeting was held on August 18th, and no concerns were brought forward.

COMMISSIONER WILLIAMS read an additional condition for the record that would limit the times in which the sign can be illuminated, to which MR. DINGELL accepted along with all other conditions.

CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Anthony Williams to Approve subject condition(s) and adding the following condition as read for the record:

A. The illumination of the sign shall be limited to the hours during which school is in session and/or when events are being conducted.

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

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

31. ABEYANCE - 21-0394-MSP1 - MASTER SIGN PLAN - PUBLIC HEARING - APPLICANT/OWNER: SCHOOL BOARD OF TRUSTEES - For possible action on a Land Use Entitlement project request FOR THE CONVERSION OF A STATIC WALL SIGN TO AN ELECTRONIC LED MESSAGE BOARD on 9.48 acres at 550 North Honolulu Street (APN 140-31-102-003), C-V (Civic) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:
CHAIR DE SALVIO declared the Public Hearing open.

ALEX STRAWSER, Planner II, explained that electronic message units, animated signs, and flashing signs are prohibited within 200 feet of property planned or zoned for residential use unless the design of the sign or its location and orientation ensures that the electronic message unit, animated or flashing portion of the sign, or any other light from the sign will not be visible from the property planned or zoned for residential use. The proposed wall sign is 260 feet from the R-1 (Single Family Residential) zoned homes to the southwest of the subject site; therefore, staff recommended approval of the proposed Master Sign Plan.

CHRIS DINGELL appeared representing the Clark County School District and explained this is a request to replace an existing wall sign with an LED (light-emitting diode) sign. He concurred with staff's recommendation of approval and offered to answer any questions.

At COMMISSIONER SCHLOTTMAN'S request, COMMISSIONER WILLIAMS read an additional condition for the record that would limit the times in which the sign can be illuminated, to which MR. DINGELL accepted along with all other conditions.

CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Trinity Haven Schlottman to Approve subject to condition(s) and adding the following condition as read for the record:

A. The illumination of the sign shall be limited to the hours during which school is in session and/or when events are being conducted.

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

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

32. 21-0392-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT: MOLLY MAID OF CENTRAL LAS VEGAS - OWNER: 536 ST LOUIS, LLC - For possible action on a Land Use Entitlement project request TO ALLOW AN EXISTING SIX-FOOT TALL FENCE IN THE FRONT YARD WHERE FIVE FEET IS THE MAXIMUM ALLOWED on 0.17 acres at 536 East St. Louis Avenue (APN 162-03-415-001), P-R (Professional Office and Parking) Zone, Ward 3 (Diaz). Staff recommends DENIAL.

Minutes:
CHAIR DE SALVIO declared the Public Hearing open.

ALEX STRAWSER, Planner II, explained the existing six-foot-tall front yard fence exceeds the maximum height requirements set forth in Title 19. No evidence of a unique or extraordinary circumstance had been presented to justify the increased wall height. Staff found that the applicant created a self-imposed hardship by installing the fence without obtaining proper building permits and by ignoring the Title 19 standards and recommended denial of the Variance application. He noted additional letters of support and protest had been received since publication, and the Department of Public Works had additional conditions of approval that they would like to read into the record.

Applicant MIA DeMARCO appeared with IVAN BATISTA and explained that when they purchased the property, there was an existing 5-foot setback, and it rendered their business inoperable due to the number of homeless individuals living on the property. She said they are a small business, and they could not get ahold of any contractors during the pandemic. She further stated that neighboring properties have the same type of fencing and they had installed it themselves as well. Since it has been installed, there have not been any incidents, and MS. DeMARCO requested the Commission's approval so they can continue their operations. MR. BATISTA added that he is the only male working at the business, and everyone relies on him to address incidents involving the homeless and vagrants. He has found needles on the floor and homeless individuals have gotten aggressive with the employees, and he wants to keep them safe while operating their business.

COMMISSIONER SCHLOTTMAN confirmed he has seen similar fences in the neighborhood, and he did not have any issues with the request.

COMMISSIONER WILLIAMS agreed and added that the fence was well-constructed.

LUCIEN PAET, Engineering Project Manager, read additional conditions for the record, to which MS. DeMARCO accepted, along with all other conditions.

CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Trinity Haven Schlottman to Approve subject to condition(s) and adding the following conditions as read for the record:

A. The gates shall remain open during normal business hours.

B. Submit a License Agreement for existing landscaping and private improvements (fence, gate and monument sign) in the St. Louis Avenue and Santa Paula Drive public rights-of-way, if any, prior to the issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the License Agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove property within the public right-of-way at the applicant's expense pursuant to the terms of the City's License Agreement. The installation and maintenance of all private improvements in the public right-of-way shall be the responsibility of the applicant and any successors in interest to the property and assigns pursuant to the terms of the License Agreement. Coordinate all requirements for the License Agreement with the Land Development Section of the Department of Building and Safety (702-229-4836).

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

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

33. 21-0422-VAC1 - VACATION - PUBLIC HEARING - APPLICANT: GOLDEN ENTERTAINMENT - OWNER: STRATOSPHERE GAMING, LLC - For possible action on a Land Use Entitlement project request for a Petition to Vacate public right-of-way generally located at the northwest corner of Commerce Street and Philadelphia Avenue, Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:
CHAIR DE SALVIO declared the Public Hearing open.

ALEX STRAWSER, Planner II, explained this Petition to Vacate request did not result in a conflict with any existing City requirements, nor did staff have any objection to the proposed vacated right-of-way. Therefore, staff recommended approval of the Petition to Vacate application, and he added that the Department of Public Works had additional conditions of approval that they would like to read into the record. LUCIEN PAET, Engineering Project Manager, read these additional conditions for the record.

CAMI DEMPSEY appeared representing Golden Entertainment. She concurred with the staff report and agreed to the additional conditions.

COMMISSIONER SCHLOTTMAN said he met with Golden Entertainment and could support the application.

CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Trinity Haven Schlottman to Approve subject to condition(s) and adding the following condition as read for the record:

A. A map to consolidate parcels such that no land locked parcel remains shall record prior to the recordation of the Order of Vacation. Alternatively, private access easement(s) may be granted through the Order of Vacation such that each parcel has legal access to a public right-of-way.

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

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

34. 21-0442 - PUBLIC HEARING - APPLICANT/OWNER: VEGAS HOMES, LLC - For possible action on the following Land Use Entitlement project requests on 4.69 acres at the northwest corner of Hickam Avenue and

Leon Avenue (APN 138-01-301-017), R-E (Residence Estates) Zone, Ward 5 (Crear). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:
See Item 6 for related discussion and Items 34a and 34b for related backup.

34a. 21-0442-VAR1 - VARIANCE - TO ALLOW A 38-FOOT WIDE PRIVATE STREET WHERE 47 FEET IS THE MINIMUM REQUIRED FOR A PRIVATE STREET WITHOUT A GATE AND TO ALLOW NO OFFSITE IMPROVEMENTS ON LEON AVENUE WHERE SUCH ARE REQUIRED

Minutes:
See Item 6 for related discussion and Items 34-34b for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 22a-22d to 11/9/2021 and Items 34a and 34b, 35a and 35b and 39 to 10/12/2021

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

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

34b. 21-0442-TMP1 - TENTATIVE MAP - HICKAM & LEON WEST - FOR A NINE-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION

Minutes:
See Item 6 for related discussion and Items 34-34b for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 22a-22d to 11/9/2021 and Items 34a and 34b, 35a and 35b and 39 to 10/12/2021

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

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

35. 21-0443 - PUBLIC HEARING - APPLICANT/OWNER: VEGAS HOMES, LLC - For possible action on the following Land Use Entitlement project requests on 3.47 acres at the northwest corner of Hickam Avenue and Helen Avenue (APN 138-01-302-002, 003, and 004), R-E (Residence Estates) Zone, Ward 5 (Crear). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:
See Item 6 for related discussion and Items 35a and 35b for related backup.

35a. 21-0443-VAR1 - VARIANCE - TO ALLOW A 38-FOOT WIDE PRIVATE STREET WHERE 47 FEET IS THE MINIMUM REQUIRED FOR A PRIVATE STREET WITHOUT A GATE AND TO ALLOW NO OFFSITE IMPROVEMENTS ON HELEN AVENUE WHERE SUCH ARE REQUIRED

Minutes:
See Item 6 for related discussion and Items 35-35b for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 22a-22d to 11/9/2021 and Items 34a and 34b, 35a and 35b and 39 to 10/12/2021

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

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

35b. 21-0443-TMP1 - TENTATIVE MAP - HICKAM & LEON EAST - FOR A SIX–LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION

Minutes:
See Item 6 for related discussion and Items 35-35b for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 22a-22d to 11/9/2021 and Items 34a and 34b, 35a and 35b and 39 to 10/12/2021

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

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

36. 21-0446-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT: IGNACIO ROBLES - OWNER: CRAIG SEIDEL - For possible action on a Land Use Entitlement project request TO ALLOW AN EIGHT-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED FOR A PROPOSED GARAGE ADDITION on 0.54 acres at 1775 Montessouri Street (APN 163-03-605-009), R-E (Residence Estates) Zone, Ward 1 (Knudsen). Staff recommends DENIAL.

Minutes:
CHAIR DE SALVIO declared the Public Hearing open.

ALEX STRAWSER, Planner II, explained that no evidence of a unique or extraordinary circumstance had been presented to justify the decreased setback for this proposed garage addition. Since this is new construction, the proposed garage addition could be redesigned to comply with the current side yard setback requirement. Staff found that the applicant created a self-imposed hardship and recommended denial of the Variance application. He noted that an updated site plan had been submitted since publication, which could be found in the Commissioners' supplemental information packet

Owner CRAIG SEIDEL said he needed to make these adjustments due to the placement of the electrical box on the side of his home. The two-foot setback variance will allow for better access so he can have the recommended four-foot entry for this electrical panel. He said he had spoken to his neighbors, and they are in support of the project.

COMMISSIONER ROGAN asked if MR. SEIDEL had spoken to the neighbor directly to the west, to which he replied that homeowner runs the property as an AirBnB and is never around. COMMISSIONER ROGAN said this neighborhood has large lots; He felt there was sufficient distance for this request, and it would not monopolize any neighbor's view.

COMMISSIONER WALSH asked if he was referring to the circuit breaker panel, and MR. SEIDEL confirmed. COMMISSIONER WALSH confirmed moving those panels is very expensive.

COMMISSIONER ROGAN read all conditions for the record, and IGNACIO ROBLES, Modern Real Estate and Design, confirmed he accepted all conditions.

CHAIR DE SALVIO declared the Public Hearing closed.

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

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

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

37. 21-0447-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: BATJAT FAMILY TRUST, ET AL - For possible action on a Land Use Entitlement project request TO ALLOW AN 11-FOOT TALL FENCE WITH CHAIN LINK MATERIAL WHERE EIGHT FEET IS THE MAXIMUM HEIGHT ALLOWED AND CHAIN LINK MATERIAL IS PROHIBITED on 0.41 acres at 7223 Buttons Ridge Drive (APN 125-14-810-075), R-PD2 (Residential Planned Development – 2 units Per Acre) Zone, Ward 6 (Fiore). Staff recommends DENIAL.

Minutes:
CHAIR DE SALVIO declared the Public Hearing open.

ALEX STRAWSER, Planner II, explained the existing 11-foot-tall front yard fence exceeds the maximum height requirements set forth in Title 19 and utilizes a prohibited material. No evidence of a unique or extraordinary circumstance had been presented to justify the increased wall height or material. Staff found that the applicant created a self-imposed hardship by installing the fence without obtaining proper building permits and by ignoring the Title 19 standards. Therefore, staff recommended denial of the Variance application, and he noted that additional letters of support and protest had been received after publication.

Applicants BRIAN and AFTON BERRETT explained they had just completed a sports court in the backyard for their four kids. They installed a powder-coated fence with a ball barrier that will not deteriorate over time. MR. BERRETT said he received written authorizations from all of their neighbors, and he noted their design can withstand the wind load of the fence. That plan was approved by the City's Building and Safety Department, and they are waiting on this Variance in order to pull the necessary permits. Additionally, he said MICHAEL GIORDANO, Inspections Supervisor, visited their property and noted that everything looked the way it should.

TOM BOLLING said 70 percent of the fence is along his property line. Upon purchasing this home, he was approached by the BERRETTS to review their proposed plans. He reviewed their plans closely, and he wanted to offer his support. He noted that prior to the fence being installed, balls were constantly going over the wall into his back yard and it became problematic. Since the fence has been installed, there have been no problems and the BERRETTS have been very gracious. Additionally, he pointed out that many other homes in Summerlin have sport courts and tall fencing, and he requested that their Variance be approved.

RAY MITCHELL introduced himself as a Board member for the Canyon Mist Estates Homeowners Association (HOA). He said the BERRETTS' architectural application was denied because they did not provide information on the ball barrier. It was originally intended to be polyester but it had since been changed to a chain link fence, which posed a noise concern for the surrounding neighbors; therefore, he supported staff's recommendation of denial.

MS. BERRETT presented three e-mails from the HOA stating their architectural application was approved. Speaking to why a chain link fence was used, MS. BERRETT said their backyard is in the sun all the time, and a polyester fence would deteriorate quickly. MR. BERRETT added that the fence posts are spaced out every seven feet, and they are securely fastened.

SETH FLOYD, Director of Community Development, said he received an e-mail from the HOA manager, ERIC THEROS, a copy of which was submitted and attached as backup. MR. FLOYD said he had not read the e-mails thoroughly, but acknowledged there seemed to be confusion surrounding the architectural approval from the HOA. MS. BERRETT said they could remedy any issues with the HOA, but reiterated that they needed this Variance approved in order to pull the permits.

CHAIR DE SALVIO said it is always important to him that applicants have support from their neighbors and the HOA. All he saw in the backup material was a conditional approval from the HOA, and there was other documentation that needed to be submitted in order to gain a final approval. MR. BERRETT presented e-mails on the overhead that indicated a final approval was indeed granted. MR. MITCHELL returned to the podium and noted there was miscommunication between the HOA and the BERRETTS; however, the application is still denied because the chain link is not an approved material. MS. BERRETT said MR. THEROS had only reached out to them the day prior to this meeting, and she stressed that they have already paid fees and completed the construction of the sports court. At the Chair's request, MR. BERRETT clarified that July 8th was the date of their final approval letter, and construction was completed in mid-June after receiving their conditional approval letter. MS. BERRETT added that they have notarized signatures from both neighbors that they share the wall with, who are in support of the request. CHAIR DE SALVIO said he would be supporting this application given the amount of supporting documentation and the number of neighbors who were also in support of this. The Chair also felt it was nicely constructed and it was not an eye sore. He did, however, point out that they would need to continue rectifying the issues with the HOA despite the fact that the City would be approving their application.

MR. BERRETT confirmed they accepted all conditions.

CHAIR DE SALVIO declared the Public Hearing closed.

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

38. 21-0458-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: PORCHLIGHT HOSPITALITY, LLC - OWNER: CITY OF LAS VEGAS - For possible action on a Land Use Entitlement project request FOR A PROPOSED 7,068 SQUARE-FOOT LIQUOR ESTABLISHMENT (TAVERN) USE INCLUDING 787 SQUARE FEET OF OUTDOOR DINING AND PATIO SPACE at the northwest corner of Robin Leach Lane and Promenade Place (APN 139-33-610-033), PD (Planned Development) Zone, Ward 5 (Crear). Staff recommends APPROVAL.

Minutes:
CHAIR DE SALVIO declared the Public Hearing open.

ALEX STRAWSER, Planner II, explained the proposed Liquor Establishment (Tavern) use is appropriate for this location within Symphony Park, and staff recommended approval of the Special Use Permit request.

JON JONES, Jones Greenwold Architecture and Design, appeared with the applicant, CHRIS LOWDEN, and said they concurred with the staff report, agreed to all conditions, and requested the Commission's approval.

CHAIR DE SALVIO declared the Public Hearing closed.

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

39. 21-0460-VAC1 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: LAS VEGAS RESCUE MISSION - For possible action on a Land Use Entitlement project request for a Petition to Vacate a portion of public right-of-way generally located adjacent to the northern property line of 480 West Bonanza Road, bounded by D Street to the east and the D Street City Parkway Connector to the west, Ward 5 (Crear). Staff recommends APPROVAL.

Minutes:
See Item 6 for related discussion.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 22a-22d to 11/9/2021 and Items 34a and 34b, 35a and 35b and 39 to 10/12/2021

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

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

40. 21-0466 - PUBLIC HEARING - APPLICANT/OWNER: PINTO TONOPAH, LLC, ET AL - For possible action on the following Land Use Entitlement project requests on 2.24 acres at the northeast and southeast corners of Pinto Lane and Tonopah Drive (APNs 139-33-302-008 through 011, 016, 017, 018 and 024), T5-N (T5 Neighborhood) and T6-UG (T6 Urban General) Zones, Ward 1 (Knudsen). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:
CHAIR DE SALVIO declared the Public Hearing open for Items 40-40b.

ALEX STRAWSER, Planner II, explained the current T6-UG (T6 Urban General) zone, is intended to accommodate a variety of building types supporting a compact, high-intensity walkable urban environment on large lots. Typically, buildings are four to twelve stories with small setbacks along the frontages. T6-UG requires primary buildings to be no less than four stories in height; however, the T6-UG-L (T6 Urban General Limited) sub-zone allows a minimum height of one story for buildings with a similar form. As proposed, rezoning would be necessary to permit a two-story building. The T6-UG-L District would generally remain compatible with the neighboring zoning districts and the desired form of development in the neighborhood; therefore, staff recommended approval of the Rezoning application. The proposed medical office development generally provides the form of development that is sought in the Las Vegas Medical District but at a lower overall height. Approval of the project should not discourage other, more intense projects from being constructed in this area or diminish the existing office and residential development. Staff therefore recommended approval of the Site Development Plan Review application and he noted that additional letters of support were received after publication.

LARRY STAPLES, In2it Architecture, agreed to all conditions but needed clarification on Condition 18, which requires the applicant to work with the Regional Transportation Commission (RTC) on a bus stop on the south side of Pinto Lane. He was hoping to have the option to construct it on the north side of Pinto Lane, which is also owned by the applicant. LUCIEN PAET, Engineering Project Manager, said the condition could be modified, but the RTC would ultimately decide if it could be moved.

The item was trailed and heard subsequent to Citizens Participation.

MR. PAET read amended Condition 18, to which MR. STAPLES agreed along with all other conditions.

GREG CLEMENS said this is a beautiful project and hoped it would be approved.

COMMISSIONER ROGAN opined that this is a beautiful project, and he could wholeheartedly support it.

See Items 40a and 40b for related backup.

CHAIR DE SALVIO declared the Public Hearing closed for Items 40-40b.

40a. 21-0466-ZON1 - REZONING - FROM: T6-UG (T6 URBAN GENERAL) TO: T6-UG-L (T6 URBAN GENERAL LIMITED) on 1.24 acres at the southeast corner of Pinto Lane and Tonopah Drive (APNs 139-33-302-016, 017, 018 and 024)

Minutes:
See Item 40 for related discussion and Items 40-40b for related backup.

Motion made by Jeff Rogan to Approve Items 40a and 40b subject to condition(s) with amended conditions for Item 40b

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

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

40b. 21-0466-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED TWO-STORY, 37,000 SQUARE-FOOT MEDICAL OFFICE AND SURFACE PARKING LOT WITH WAIVERS OF TITLE 19.09 FORM BASED CODE STANDARDS

Minutes:
See Item 40 for related discussion and Items 40-40b for related backup.

Motion made by Jeff Rogan to Approve Items 40a and 40b subject to condition(s) and amending Condition 18 as read for the record:

18. Dedicate a 15-foot radius on the northeast and southeast corners of Pinto Lane and Tonopah

Drive prior to the issuance of any permits. Additionally, grant a Bus Shelter Pad Easement in conformance with Standard Drawing #234.2 for the proposed bus stop on the south side of Pinto Lane adjacent to this site at a location acceptable to the City of Las Vegas and the Regional Transportation Commission (RTC), unless otherwise allowed by the RTC.

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

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

DIRECTOR'S BUSINESS:

41. 21-0463-TXT1 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on a request to amend LVMC Title 19.04 regarding trail design standards, and to provide for other related matters. Staff recommends APPROVAL.

Minutes:
This item was pulled forward and heard subsequent to Item 17.

CHAIR DE SALVIO declared the Public Hearing open.

RYAN McKELL, Planner II, explained the City of Las Vegas Planning Department is initiating a text amendment to add trail standards in to the Las Vegas Municipal Code (LVMC) Title 19. This amendment would put standards into Title 19.04 that are consistent with the "Layered Complete Street Network" described in the City's 2050 Master Plan. As of right now, trail standards are being handled by the Trails Element of the old 2020 Master Plan, and once new standards are adopted, that trail element would be repealed. By adopting trail standards into LVMC, it will allow enforcement of trail standards on new developments along trail corridors.

COMMISSIONER CHERRY said trails are vital to connectivity, especially in the Downtown area. He asked if this amendment will set the City up for future federal and state grants that would allow them to expand the trail systems. MR. McKELL confirmed it would, and added that multi-modal transportation is a priority to the current administration. He knew that they are willing to provide grant funding for activities such as trail development to allow for better active transportation or recreational trail use.

CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Sam Cherry to Approve

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

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

42. 21-0440-DIR2 - DIRECTOR'S BUSINESS - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on a request TO ADOPT THE MARYLAND PARKWAY CORRIDOR TRANSIT-ORIENTED DEVELOPMENT PLAN, Ward 1 (Knudsen) and Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:
CHAIR DE SALVIO declared the Public Hearing open.

Using a PowerPoint presentation, a copy of which was submitted and attached as backup, MARCO VELOTTA, Senior Management Analyst, explained this item adopts the Maryland Corridor Transit-Oriented Development (TOD) Plan. If approved by the City Council and Planning Commission, it would be a sub-plan consistent with the 2050 Master Plan, providing specifics to City staff on developing and implementing transit-oriented development from a physical and regulatory framework. This planning process was a successful collaboration between Southern Nevada local governments and stakeholders funded from the Federal Transit Administration (FTA). The FTA TOD Planning Grant was specifically designed to help local communities prepare for the integration of land use and transit investments. One of which includes the construction of the Regional Transportation Commission of Southern Nevada's (RTC) high-capacity transit lines along the Maryland

Parkway Corridor. This was a joint endeavor, where the RTC served as the grant administrator, and they were able to help provide funding from their Unified Planning and Work Program. They also played an integral part in completing an identical planning effort on their portion of the corridor. Included was support from MIG Consulting, Nelson Nigaard, Purdue Marion and Associations, EPS, Anil Verma Associates, Inc., and Paceline Consulting.

Speaking to the timeline of the plan, MR. VELOTTA said much of the plan's development took place while the COVID-19 pandemic was setting in, which posed the difficulty of conducting effective community outreach. Other planning activities included studies on the existing conditions of the market and housing and stationary plans were able to take place concurrently and wrapped up in the summer. The intent behind this sub-plan is a plan for TOD that complements the future Maryland Parkway Bus Rapid Transit (BRT) corridor. It provides both the City Council and Planning Commission implementable recommendations that are compatible and complimentary to the master planning efforts. MR. VELOTTA then provided some historical context behind TOD, and noted that it is often the direct result of a new transit investment. It features compact, dense, walkable areas, and the environment is human scale. As new metros and subway extensions were built in cities on the east coast, TOD began to emerge in both urban and suburban settings given favorable economics and zoning regulation. More recently, TOD has been seen in other western cities that have built light rail systems. They include basic amenities, residential and commercial development. He said examples of this can be seen in Denver, San Diego, Reno and Salt Lake City. While Las Vegas does not have anything that has been built as the result of a previous transit investment, he said we arguably have good examples of mixed-use developments near transportation that fit the model of TOD, such as Symphony Park. It was also noted that TOD can provide options and choice, reduce household transportation costs, create jobs and facilitate affordable housing. TOD is the basis for the 2050 Master Plan to ensure successful infill, redevelopment, and housing for the projected 2050 population increase of 310,000. The plan also includes TOD placetypes that range in scale and link together by mixed-use corridors at major intersections. As the City developed the 2050 Master Plan, staff deliberately followed RTC's OnBoard Future Mobility Plan, which defines where high-capacity transit corridors should go and where investments should be made. This will also serve as a guide that enables the adoption of new zoning types for TOD land uses. MR. VELOTTA said the Vision 2045 Downtown Las Vegas Master Plan identified 10 hubs along transit corridors and aims to promote compact, mixed-use development through infill and redevelopment on properties around station areas. The plan also specified how to do this, which included adopting Form-Based Code (FBC) and implementing efforts to increase the affordable housing supply, attract new businesses and develop civic and open space.

Shifting back to the Maryland Parkway Corridor TOD Plan, MR. VELOTTA noted that this plan was developed with extensive community input and engagement, and he reiterated the pandemic posed challenges that resulted in input being collected through other methods. Several different types of surveys were conducted, and the aim was to reach a diverse set of stakeholders early and often. Everything was offered in both Spanish and English, and there was a deliberate effort to engage with traditional hard-to-reach community members within the corridor. Staff ultimately reached about 1,400 residents through the surveys. To supplement the community engagement efforts, a Stakeholder Advisory Group was formed to help inform important decisions and provide feedback on the plan. It included members from the Planning Commission, developers, property owners, various chambers of commerce, UNLV (University of Nevada, Las Vegas), Las Vegas Metropolitan Police Department and more. The City, Clark County and RTC also formed the plan with representatives from internal departments, and they provided specific insight on existing conditions and strategies that impact overall plan development. He said the Maryland Parkway TOD Plan's content was drafted through much of 2020-2021, and it consists of several major elements that consist of chapters and standalone reports.

MR. VELOTTA provided a brief overview of some of the major elements within the plan that included an Existing Conditions Analysis, Market Readiness Analysis, Workforce Housing Plan and a Value Capture Toolkit. He said TOD plans have different focus areas, but a few common recommendations included increasing mid-to-high density vertical mixed-use developments using FBC and implementing new TOD zoning. There is mention about developing sensitive connecting nodes between lower density surrounding neighborhoods along the corridor itself, but more work has to go into placemaking and wayfinding. Finding a way to develop and reinvest in parks and open spaces was another common recommendation. He added that this plan has performance measures for staff to track its success, and it has been intentionally aligned with the outcomes of the 2050 Master Plan. These metrics, whether specific to the corridor as a whole or to focus areas, are in place to track the progress on new development, transit ridership, housing supply and diversified uses. In closing, MR. VELOTTA said the plan has been heard by the Clark County Commission and it will be heard by the City

Council and RTC Board upon approval by the Planning Commission. The intent is to make use of this document in concert with the Downtown Master Plan and the 2050 Master Plan. One of the most direct impacts to the Commission will be the regulatory piece, TOD zoning, and staff plans to brief the Commissioners on the newly proposed chapter to Title 19.07. He noted that the compatible land uses will only apply to the 30,000 properties that the Commission amended with the adoption of the 2050 Master Plan and would be applicable to the Maryland Corridor. The proposed features of this new chapter in Title 19 include a performance-based approach that score individual projects based on meeting the minimum mixed-use and design requirements, and the provision of community benefits. Ultimately, these will help create the developments that the plan speaks of. Along with implementing the Downtown Master Plan, this provides recommendations to rezone businesses in various districts under the existing FBC.

MR. VELOTTA pointed to an illustrated map that conceptualized the effects on Downtown. What potentially emerges is a specific land use map that reflects the dense and intense Downtown Las Vegas as a regional center, connecting other transit-oriented developments and other regional centers by these mixed-use, transit-oriented corridors like Maryland Parkway. Adopting this plan gets the City one step closer to TOD in Las Vegas and Southern Nevada, and allows for the rezoning of properties at future meetings. It also provides recommendations for this Commission and City Council to consider, and it supports the development of the Maryland Parkway BRT and other high-capacity transit plans along with the Downtown Master Plan and 2050 Master Plan.

COMMISSIONER CHERRY said he has been heavily involved in this process, and he recalled seeing how much life has been taken away from Maryland Parkway over the years. He felt his vote on this plan would be one of the most important ones, given the huge impact this will have in the years to come. He and CHAIR DE SALVIO applauded MR. VELOTTA for the report.

CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Sam Cherry to Approve

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

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

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

Minutes:
This item was heard subsequent to Item 40.

The following individuals spoke in opposition to Item 22, which was held in abeyance to the November 9, 2021 Planning Commission Meeting: PAT LEDBETTER, LYNN MATE, MAY McINNIS, LINDA BRINKMAN, MARY BURKE, JOSEPH MILLWARD, JULIETTE BERKABILE, ALLISON BONANNO, ROBIN ENGLERT and MILES DAVIS. They expressed concerns regarding traffic, noise and the lack of landscaping in the area. Many residents have farm animals on their properties, and they referred to the nearby apartment complex as an eyesore. Residents have a view of the mountains and horses from their backyard, and this development will obstruct that. This is one of the few rural neighborhoods left, and the residents would like to keep it that way. If the storage unit complex is approved, it would not bring jobs or tax income that would benefit their zip code. A majority of the applicant’s ventures are in California and overseas, and this is not a unique offering. A protest petition with 71 signatures was also submitted and attached as backup.

The meeting was adjourned at 9:09 p.m.

Respectfully submitted:

____
Cheyenne LaRance, Deputy City Clerk

____
Ashley Foster, CMC, 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