

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

September 24, 2019

6:00 PM

BUSINESS ITEMS:

1. Call to Order

Minutes:

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

2. Announcement: Compliance with Open Meeting Law

Minutes:

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

3. Roll Call

Minutes:

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

EXCUSED: COMMISSIONER DE SALVIO

ALSO PRESENT: PETER LOWENSTEIN, Deputy Director of Planning, ERIC McCAMMOND, Sr. Management Analyst; ALEX STRAWSER, Planner I, ROGER BAILEY, Sr. Engineering Associate, ROBERT NOLAN, Deputy Fire Chief; BRYAN SCOTT, Assistant City Attorney; DEBRA A. OUTLAND, Deputy City Clerk; and JACQUIE MILLER, Deputy City Clerk

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

Minutes:

BRINTON MARSDEN appeared regarding Items 14 and 15 and stated that they would like the developer to adhere to the Interlocal Agreement signed on December 21, 2016. CHAIR CHERRY informed MR. MARSDEN that there was a request to withdraw those items without prejudice, and if that request is approved, they will not be heard.

5. For Possible Action to Approve the Final Minutes for the Planning Commission Meeting of August 27, 2019.

Motion made by Trinity Haven Schlottman to Approve

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

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

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, Sr. Management Analyst, read the items recommended for action. He stated that this was the first abeyance request for Items 16-25.

Motion made by Trinity Haven Schlottman to Withdraw without prejudice Items 14 and 15 and Hold in abeyance Items 16-25 to 10/22/2019

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

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

ONE MOTION - ONE VOTE

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

7. EOT-77000 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT: JURY ROOM BAR - OWNER: OAK BROOK REALTY INVESTMENTS II, LLC - For possible action on a request for a first Extension of Time of an approved Special Use Permit (SUP-57034) FOR A PROPOSED 614 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT USE within a portion of 321 South Casino Center Boulevard (APN 139-34-201-020), C-2 (General Commercial) Zone, Ward 3 (Diaz) [PRJ-75682]. Staff recommends APPROVAL.

Minutes:

CHAIR CHERRY declared the Public Hearing open for Items 8-13.

See Item 26 for related discussion regarding Items 8 and 9.

CHAIR CHERRY declared the Public Hearing closed for Items 8-13.

NOTE: The video does not reflect the vote accurately, in that Chair Cherry abstained from voting on Items 10 and 11 as his family is involved in the cannabis industry. Commissioner Schlottman disclosed that he has worked on many cannabis facilities in the past including dispensaries, cultivation, production and testing facilities, but he has not worked on either of the projects for Items 10 and 11, and he does not know the owners. As his independence of judgment would not be affected, he would vote on Items 10- and 11.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote subject to condition(s) except Item(s) None

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

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

8. SCD-77186 - MAJOR DEVIATION - PUBLIC HEARING - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Summerlin Major Deviation TO ALLOW GARAGE DOOR SETBACKS OF GREATER THAN FIVE FEET AND LESS THAN 18 FEET, WHERE THREE FEET TO FIVE FEET OR 18 FEET IS REQUIRED; AND A FRONT YARD SETBACK OF 16 FEET AND A SIDE YARD SETBACK OF 18 FEET WHERE 20 FEET IS REQUIRED FOR A PROPOSED 249-UNIT CONDOMINIUM DEVELOPMENT on 19.23 acres at the northeast corner of Redpoint Drive and Carriage Hill Drive (APN 137-26-112-001), P-C (Planned Community) Zone [MF1 (Low Density Multi-Family) Summerlin Special Land Use Designation], Ward 2 (Seaman) [PRJ-77043]. Staff recommends APPROVAL.

Minutes:

See Items 7 and 26 for related discussion and Item 9 for related backup.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote subject to condition(s) except Item(s) None

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

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

9. TMP-77187 - TENTATIVE MAP RELATED TO SCD-77186 - HIGHLINE VILLAGE 21 - PARCEL I - PUBLIC HEARING - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Tentative Map FOR A 249-UNIT RESIDENTIAL CONDOMINIUM SUBDIVISION on 19.23 acres at the northeast corner of Redpoint Drive and Carriage Hill Drive (APN 137-26-112-001), P-C (Planned Community) Zone [MF1 (Low Density Multi-Family) Summerlin Special Land Use Designation], Ward 2 (Seaman) [PRJ-77043]. Staff recommends APPROVAL.

Minutes:

See Items 7 and 26 for related discussion and Item 8 for related backup.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote subject to condition(s) except Item(s) None

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

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

10. SUP-77174 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: HELPING HANDS WELLNESS CENTER - OWNER: WAPP, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 2,800 SQUARE-FOOT MARIJUANA DISPENSARY USE at 1860 Western Avenue (APN 162-04-302-008), M (Industrial) Zone, Ward 3 (Diaz) [PRJ-77120]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion.

NOTE: The video does not reflect the vote accurately, in that Chair Cherry abstained from voting as his family is involved in the cannabis industry. Commissioner Schlottman disclosed that he has worked on many cannabis facilities in the past including dispensaries, cultivation, production and testing facilities, but he has not worked on the subject project, and he does not know the owners. As his independence of judgment would not be affected, he would vote on this item.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote subject to condition(s) except Item(s) None

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

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

11. SUP-77198 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: NEVCANN - OWNER: 1000 AND 1018 COMMERCE, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 21,307 SQUARE-FOOT MARIJUANA CULTIVATION FACILITY USE at 1018 South Commerce Street (APN 139-33-801-006), M (Industrial) Zone, Ward 3 (Diaz) [PRJ-77163]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion.

NOTE: The video does not reflect the vote accurately, in that Chair Cherry abstained from voting as his family is involved in the cannabis industry. Commissioner Schlottman disclosed that he has worked on many cannabis facilities in the past including dispensaries, cultivation, production and testing facilities, but he has not worked on the subject project, and he does not know the owners. As his independence of judgment would not be affected, he would vote on this item.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote subject to condition(s) except Item(s) None

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

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

12. SDR-77184 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: UNION LOCAL 525 TRAINING TR NV - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 15,000 SQUARE-FOOT TRADE SCHOOL WITH A 3,000 SQUARE-FOOT MEZZANINE, A 2,000 SQUARE-FOOT ATTACHED SHADE CANOPY AND WAIVERS OF THE PERIMETER LANDSCAPE BUFFER STANDARDS on 4.41 acres at 750 Leigon Way (APN 140-30-803-013), C-1 (Limited Commercial) Zone, Ward 3 (Diaz) [PRJ-77152]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote subject to condition(s) except Item(s) None

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

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

13. VAC-77145 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: ORLEANS SQUARE HOA - For possible action on a request for a Petition to Vacate a 20-foot wide public alley located north of Bonneville Avenue, between Maryland Parkway and 13th Street, Ward 3 (Diaz) [PRJ-77072]. Staff recommends APPROVAL.

Minutes:

See Item 7 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote subject to condition(s) except Item(s) None

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

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

PUBLIC HEARING ITEMS

14. ABEYANCE - GPA-76723 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: LONE MOUNTAIN ESTATES, LLC - For possible action on a request for a General Plan Amendment FROM: RNP (RURAL NEIGHBORHOOD PRESERVATION) AND DR (DESERT RURAL DENSITY RESIDENTIAL) TO: R (RURAL DENSITY RESIDENTIAL) on 22.46 acres generally located on the south side of Helena Avenue, approximately 620 feet east of Jensen Street (APNs 138-06-801-010 and a portion of 138-06-301-013), Ward 4 (Anthony) [PRJ-76649]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Item 15 for related backup.

Motion made by Trinity Haven Schlottman to Withdraw without prejudice Items 14 and 15 and Hold in abeyance Items 16-25 to 10/22/2019

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

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

15. ABEYANCE - ZON-76724 - REZONING RELATED TO GPA-76723 - PUBLIC HEARING - APPLICANT/OWNER: LONE MOUNTAIN ESTATES, LLC - For possible action on a request for a Rezoning FROM: R-E (RESIDENCE ESTATES) AND U (UNDEVELOPED) [DR (DESERT RURAL DENSITY RESIDENTIAL)] GENERAL PLAN DESIGNATION TO: R-D (SINGLE FAMILY RESIDENTIAL-RESTRICTED) on 22.46 acres generally located on the south side of Helena Avenue, approximately 620 feet east of Jensen Street (APNs 138-06-801-010 and a portion of 138-06-301-013), Ward 4 (Anthony) [PRJ-76649]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Item 14 for related backup.

Motion made by Trinity Haven Schlottman to Withdraw without prejudice Items 14 and 15 and Hold in abeyance Items 16-25 to 10/22/2019

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

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

16. VAR-77252 - VARIANCE - PUBLIC HEARING - APPLICANT: GREAT AMERICAN CAPITAL - OWNER: JAZZ TRUST - For possible action on a request for a Variance TO ALLOW 11 PERCENT OPEN SPACE WHERE 20 PERCENT IS REQUIRED on 5.86 acres on the north side of Centennial Center Boulevard, approximately 1,710 feet west of Azure Drive (APN 125-28-510-001), T-C (Town Center) Zone, Ward 6 (Fiore) [PRJ-77038]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 17-25 for related backup.

Motion made by Trinity Haven Schlottman to Withdraw without prejudice Items 14 and 15 and Hold in abeyance Items 16-25 to 10/22/2019

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

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

17. SUP-77188 - SPECIAL USE PERMIT RELATED TO VAR-77252 - PUBLIC HEARING - APPLICANT: GREAT AMERICAN CAPITAL - OWNER: JAZZ TRUST - For possible action on a request for a Special Use Permit FOR A PROPOSED 3,009 SQUARE-FOOT BEER/WINE/COOLER OFF-SALE ESTABLISHMENT USE on the north side of Centennial Center Boulevard, approximately 1,710 feet west of Azure Drive (APN 125-28-510-001), T-C (Town Center) Zone, Ward 6 (Fiore) [PRJ-77038]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 16-25 for related backup.

Motion made by Trinity Haven Schlottman to Withdraw without prejudice Items 14 and 15 and Hold in abeyance Items 16-25 to 10/22/2019

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

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

18. SUP-77189 - SPECIAL USE PERMIT RELATED TO VAR-77252 AND SUP-77188 - PUBLIC HEARING - APPLICANT: GREAT AMERICAN CAPITAL - OWNER: JAZZ TRUST - For possible action on a request for a Special Use Permit FOR A PROPOSED 3,009 SQUARE-FOOT CONVENIENCE STORE (WITH FUEL PUMPS) USE on the north side of Centennial Center Boulevard, approximately 1,710 feet west of Azure Drive (APN 125-28-510-001), T-C (Town Center) Zone, Ward 6 (Fiore) [PRJ-77038]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 16-25 for related backup.

Motion made by Trinity Haven Schlottman to Withdraw without prejudice Items 14 and 15 and Hold in abeyance Items 16-25 to 10/22/2019

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

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

19. SUP-77190 - SPECIAL USE PERMIT RELATED TO VAR-77252, SUP-77188 AND SUP-77189 - PUBLIC HEARING - APPLICANT: GREAT AMERICAN CAPITAL - OWNER: JAZZ TRUST - For possible action on a request for a Special Use Permit FOR A PROPOSED MINI-STORAGE FACILITY USE on the north side of Centennial Center Boulevard, approximately 1,710 feet west of Azure Drive (APN 125-28-510-001), T-C (Town Center) Zone, Ward 6 (Fiore) [PRJ-77038]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 16-25 for related backup.

Motion made by Trinity Haven Schlottman to Withdraw without prejudice Items 14 and 15 and Hold in abeyance Items 16-25 to 10/22/2019

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

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

20. SUP-77193 - SPECIAL USE PERMIT RELATED TO VAR-77252, SUP-77188, SUP-77189 AND SUP-77190 - PUBLIC HEARING - APPLICANT: GREAT AMERICAN CAPITAL - OWNER: JAZZ TRUST - For possible action on a request for a Special Use Permit FOR A PROPOSED 5,000 SQUARE-FOOT LIQUOR ESTABLISHMENT (TAVERN) USE on the north side of Centennial Center Boulevard, approximately 1,710 feet west of Azure Drive (APN 125-28-510-001), T-C (Town Center) Zone, Ward 6 (Fiore) [PRJ-77038]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 16-25 for related backup.

Motion made by Trinity Haven Schlottman to Withdraw without prejudice Items 14 and 15 and Hold in abeyance Items 16-25 to 10/22/2019

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

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

21. SUP-77315 - SPECIAL USE PERMIT RELATED TO VAR-77252, SUP-77188, SUP-77189, SUP-77190 AND SUP-77193 - PUBLIC HEARING - APPLICANT: GREAT AMERICAN CAPITAL - OWNER: JAZZ TRUST - For possible action on a request for a Special Use Permit FOR A PROPOSED 5,000 SQUARE-FOOT GAMING ESTABLISHMENT, RESTRICTED LICENSE USE on the north side of Centennial Center Boulevard, approximately 1,710 feet west of Azure Drive (APN 125-28-510-001), T-C (Town Center) Zone, Ward 6 (Fiore) [PRJ-77038]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 16-25 for related backup.

Motion made by Trinity Haven Schlottman to Withdraw without prejudice Items 14 and 15 and Hold in abeyance Items 16-25 to 10/22/2019

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

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

22. SUP-77194 - SPECIAL USE PERMIT RELATED TO VAR-77252, SUP-77188, SUP-77189, SUP-77190, SUP-77193 AND SUP-77315 - PUBLIC HEARING - APPLICANT: GREAT AMERICAN CAPITAL - OWNER: JAZZ TRUST - For possible action on a request for a Special Use Permit FOR A PROPOSED 5,010 SQUARE-FOOT LIQUOR ESTABLISHMENT (TAVERN) USE on the north side of Centennial Center Boulevard, approximately 1,710 feet west of Azure Drive (APN 125-28-510-001), T-C (Town Center) Zone, Ward 6 (Fiore) [PRJ-77038]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 16-25 for related backup.

Motion made by Trinity Haven Schlottman to Withdraw without prejudice Items 14 and 15 and Hold in abeyance Items 16-25 to 10/22/2019

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

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

23. SUP-77314 - SPECIAL USE PERMIT RELATED TO VAR-77252, SUP-77188, SUP-77189, SUP-77190, SUP-77193, SUP-77315 AND SUP-77194 - PUBLIC HEARING - APPLICANT: GREAT AMERICAN CAPITAL - OWNER: JAZZ TRUST - For possible action on a request for a Special Use Permit FOR A PROPOSED 5,010 SQUARE-FOOT GAMING ESTABLISHMENT, RESTRICTED LICENSE USE on the north side of Centennial

Center Boulevard, approximately 1,710 feet west of Azure Drive (APN 125-28-510-001), T-C (Town Center) Zone, Ward 6 (Fiore) [PRJ-77038]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 16-25 for related backup.

Motion made by Trinity Haven Schlottman to Withdraw without prejudice Items 14 and 15 and Hold in abeyance Items 16-25 to 10/22/2019

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

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

24. SDR-77191 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-77252, SUP-77188, SUP-77189, SUP-77190, SUP-77193, SUP-77315, SUP-77194 AND SUP-77314 - PUBLIC HEARING - APPLICANT: GREAT AMERICAN CAPITAL - OWNER: JAZZ TRUST - For possible action on a request for a Site Development Plan Review FOR PROPOSED 33,470 SQUARE-FOOT SHOPPING CENTER WITH A 1,200 SQUARE-FOOT OUTDOOR SEATING AREA AND A 445-UNIT, 69,000 SQUARE-FOOT MINI-STORAGE FACILITY WITH WAIVERS OF THE TOWN CENTER DEVELOPMENT STANDARDS MANUAL on 5.86 acres on the north side of Centennial Center Boulevard, approximately 1,710 feet west of Azure Drive (APN 125-28-510-001), T-C (Town Center) Zone, Ward 6 (Fiore) [PRJ-77038]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 16-25 for related backup.

Motion made by Trinity Haven Schlottman to Withdraw without prejudice Items 14 and 15 and Hold in abeyance Items 16-25 to 10/22/2019

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

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

25. TMP-77192 - TENTATIVE MAP RELATED TO VAR-77252, SUP-77188, SUP-77189, SUP-77190, SUP-77193, SUP-77315, SUP-77194, SUP-77314 AND SDR-77191 - CENTENNIAL 215 PLAZA - APPLICANT: GREAT AMERICAN CAPITAL - PUBLIC HEARING - OWNER: JAZZ TRUST - For possible action on a request for a Tentative Map FOR A ONE-LOT COMMERCIAL SUBDIVISION on 5.86 acres on the north side of Centennial Center Boulevard, approximately 1,710 feet west of Azure Drive (APN 125-28-510-001), T-C (Town Center) Zone, Ward 6 (Fiore) [PRJ-77038]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 16-25 for related backup.

Motion made by Trinity Haven Schlottman to Withdraw without prejudice Items 14 and 15 and Hold in abeyance Items 16-25 to 10/22/2019

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

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

26. VAR-76967 - VARIANCE - PUBLIC HEARING - APPLICANT: BRIAN P. EAGAN - OWNER: B P 2 LIVING TRUST, ET AL - For possible action on a request for a Variance TO ALLOW AN 11-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED AND A PROPOSED ACCESSORY STRUCTURE (CLASS II) [GARAGE] TO BE LOCATED IN FRONT OF THE PRINCIPAL DWELLING UNIT WHERE SUCH IS NOT ALLOWED on 0.26 acres at 2816 Mason Avenue (APN 162-05-514-006), R-1 (Single Family Residential) Zone, Ward 1 (Knudsen) [PRJ-75810]. Staff recommends DENIAL.

Minutes:

CHAIR CHERRY declared the Public Hearing open.

ERIC McCAMMOND, Sr. Management Analyst, reported that no evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing the placement of an accessory structure, which does not comply with Title 19 development standards; therefore, staff recommended denial of the application. Additional support letters were received after publication.

CRAIG PALACIOS and CHRIS CORTNEY, Bunnyfish Studio, appeared on behalf of the applicant, and MR. CORTNEY explained they are requesting approval for an accessory structure to be placed in front of the primary structure. Due to this request, there would be an eight-foot setback to the property line and 21 feet to the street. In addition to the notifications the City provided, the applicant created a social media page explaining the project, and he reviewed some of the comments they received that were in support of this project.

CHAIR CHERRY stated that variances are very sensitive and the support from the neighborhood was tremendous. He thought this was a nice-looking project and was in support of this application.

CHAIR CHERRY declared the Public Hearing closed.

Subsequent to the vote, PETER LOWENSTEIN, Deputy Director of Planning, clarified that Item 8 would be final action if not appealed to the City Clerk's Office within 10 days, and Item 9 would be final action if not appealed to the City Clerk's Office within seven days.

NOTE: COMMISSIONER ROGAN abstained from voting as he has known the applicant and his husband for many years, and his husband appointed the Commissioner to this Commission. COMMISSIONER SCHLOTTMAN stated that Bunnyfish Studio recently submitted some drawings to his office, so out of an abundance of caution, he abstained from voting.

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

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

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

27. VAR-77179 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: BONANZA SPRINGS, LLC - For possible action on a request for a Variance TO ALLOW PROHOBITED MATERIALS [CHAIN LINK, BARBED AND CONCERTINA WIRE] FOR AN EXISTING 12-FOOT TALL PERIMETER WALL WHERE EIGHT FEET IS THE MAXIMUM HEIGHT ALLOWED on 7.27 acres at 4901 East Bonanza Road (APN 140-32-502-002), R-3 (Medium Density Residential) Zone, Ward 3 (Diaz) [PRJ-77007]. Staff recommends DENIAL.

Minutes:

CHAIR CHERRY declared the Public Hearing open.

ERIC McCAMMOND, Sr. Management Analyst, reported that no evidence of a unique or extraordinary circumstance has been presented, and the applicant has created a self-imposed hardship by installing prohibited materials upon an existing wall also causing the maximum height to be exceeded; therefore, staff recommended denial of the application. Additional protest letters were received after publication.

MERLIN HARDY stated that he is a developer, and he designed a property he owns with the concept of housing parents where one of their children or siblings could live with them as their caretaker. He showed a photo of a wall that his property shares with Kmart shopping center noting that side of the wall is only four or five feet high. He was having issues with people using the dumpster to climb over the wall, homeless people living there and people jumping the wall and breaking into cars. He took measures such as installing cameras to try to create a safe haven, but he did not feel the residents were protected so he built fencing on the four corners of the property and built up the wall with fencing in such a way that the Oleander trees covered it. However, about one year after doing this, the trees were trimmed and he was notified that this was not acceptable. MR. HARDY showed photos of what others in the area had done, and stated that he followed suit and is trying to protect his retirement community. MR. HARDY showed recent pictures taken in the area from Charleston Boulevard to Fremont Street looking only at the west side of the road and pointed to other properties that have serpentine and barbed wire fences that are nearly identical to his.

COMMISSIONER SCHLOTTMAN stated that he lives, invested in and built projects on the east side, and people jump their fences and walk through their community. He understood the dilemma, but he did not want to consider other projects that are not following the rules to justify allowing the subject fencing.

MR. HARDY asked about an alternative, and CHAIR CHERRY stated that it was up to MR. HARDY to determine an alternative and mentioned options such as security patrolling the area, monitored cameras or different lighting.

COMMISSIONER SCHLOTTMAN did not think the cure to this issue was to put five-foot walls on top of eight-foot block walls. He could not recall ever approving a fence with serpentine, razor or barbed wire or anything over eight feet tall while serving on this Planning Commission because he does not think that promotes security or is the solution.

COMMISSIONER CHATTAH was concerned that the fencing looked like a super-max prison and that MR. HARDY was subjecting himself to serious liability if someone tried to jump the fence and was injured.

MR. HARDY stated that he could remove the serpentine and barbed wire, but he needed to keep the height of the fence because the side where people are jumping it is only four or five feet high. He also pointed out that the trees nearly cover the fencing and it would be fully covered in the next few months.

COMMISSIONER CHATTAH did not think that trees covering the fence solved the liability issue, and he needed to consider alternatives. MR. HARDY reiterated that he would remove the barbed wire but wished to leave the chain link in place as the wall could not be raised because the structure was not built to handle that load.

COMMISSIONER SCHLOTTMAN pointed out that granting a Variance is permanent, and there is no guarantee the trees will be there forever. If the Concertina wire was removed and MR. HARDY was willing to build wrought iron on top to the eight-foot height, the wall would meet code and a Variance would be unnecessary. MR. HARDY indicated that his fence was approximately 12 feet high, so he would still need the Variance. COMMISSIONER SCHLOTTMAN referred to one of MR. HARDY's photo, which showed a block wall with a wrought iron fence on top, and said that, up to eight feet in height, would meet City code and be acceptable. MR. HARDY inquired about which side of the wall would be measured, and PETER LOWENSTEIN, Deputy Director of Planning, explained that it would be measured from the greatest vertical exposure, so it would be shorter on the uphill side. MR. HARDY said that would be four feet high, and people would jump over it.

COMMISSIONER ROGAN asked if the significant slope of the land between the two properties would be sufficient to grant the Variance for the height. MR. LOWENSTEIN replied that under the purview of the NRS (Nevada Revised Statutes) provisions and the Title 19 requirements, topography or the unique nature of the lot can be considered. However, this is self-imposed as far as placing the prohibited materials on the wall; granting a Variance for the wall height is at the discretion of this Commission.

COMMISSIONER ROGAN thought the consensus was that the Commission was opposed to the materials being used and if MR. HARDY were to come back with a Variance request for the wall height using different materials, it might be something he could consider. He did not feel he had enough information regarding the difference between the two parcels to make that judgment at this meeting.

COMMISSIONER SCHLOTTMAN suggested holding this item in abeyance so he could look at this project. MR. HARDY was in agreement.

CHAIR CHERRY declared the Public Hearing closed.

Motion made by Trinity Haven Schlottman to Hold in Abeyance to 10/22/2019

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

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

28. SUP-77159 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: FRANKLIN GREPO FONTILLAS AND RHODORA TERMULO FONTILLAS - For possible action on a request for a Special Use Permit FOR A COMMUNITY RESIDENCE USE WITH A WAIVER TO ALLOW A 190-FOOT DISTANCE SEPARATION FROM A SIMILAR USE WHERE 660 FEET IS REQUIRED at 3524 Saint Aiden Street (APN 138-07-713-009), R-1 (Single Family Residential) Zone, Ward 4 (Anthony) [PRJ-77132]. Staff recommends DENIAL.

Minutes:

CHAIR CHERRY declared the Public Hearing open.

ALEX STRAWSER, Planner I, reported that the applicant proposed using an existing four-bedroom, three-bath, single-story, detached residential home as a Community Residence. The proposed use is approximately 190 feet away from an existing Community Residence where 660 feet is required. Because of the decreased distance

separation, staff found the proposed use incompatible with neighboring development; therefore, staff recommended denial of the application. Additional protest and support letters were received after publication.

FRANKLIN FONTILLAS, applicant, made a correction to the Staff Report, which indicated that in August 2018 they received a correction notice regarding not having a Conditional Use permit and having to scale down to an Individual Care - Family Home use. However, MR. FONTILLAS stated this was inaccurate as they were approved as an Individual Care - Family Home, and they were not operating as a Community Residence. He also noted that the Community Residence property that is 190 feet away was listed for sale as a residential property, and the Community Residence will likely close once the property is sold.

MR. FONTILLAS shared that because of personal experience caring for their parents who had Alzheimer's, they have passion, love and dedication for serving the elderly. The request for the Special Use Permit (SUP) is so they can accommodate and care for more than six patients.

ERIC AGUILUZ, Serenity Hospice Care, appeared and stated that Serenity Hospice Care has been taking care of a resident at the subject site for the past 10 months, and they have noticed the home is consistently clean, the patient care is very heartfelt and the group home owners take pride in what they do. He expressed support on behalf of Serenity Hospice Care and hoped this home could expand and take care of some of the most vulnerable population in this city.

GAYLE THOMPSON lives in the neighborhood and stated that she was opposed as this allows for a broad scope of care that can be provided and raises the number of residents being cared for in the home from five to 10. She felt that having two in the neighborhood would give the area an institutional atmosphere. She also mentioned that she has not seen a for sale sign at the other house MR. FONTILLAS spoke of, but the zoning stays with the property not the owner.

TONY WYNN was also opposed because once this is turned into community housing it will be that forever, and it does not do anything to improve the neighborhood. He said there are rules and regulations, and there is already a community residence within 200 yards. He requested denial.

ALFONSO ALBARRAN stated that he has worked hard to keep a nice home, and this is a residential community. He submitted protest postcards as backup.

LISA GRIMES stated that the side of her house is across the street from the subject property, and she felt that increasing the number of people being cared for would increase the traffic. She asked for clarification regarding the (SUP) as it addresses the distance separation but not the increase in residents. CHAIR CHERRY explained that the Community Residence portion of the request is for additional residents, and PETER LOWENSTEIN, Deputy Director of Planning, added that there are different categories of Individual Care facilities. He explained the following types: Family Home, which is for one to five individuals and is a permitted use within zoning districts; and Group Home, which is for six to 10 individuals and requires an SUP and has to meet distance separation requirements. MS. GRIMES asked why there is a 660-foot requirement if it is not enforced, and CHAIR CHERRY replied that this is a request for a waiver of that. MS. GRIMES thought the neighbors should have more say in this issue, and she did not want additional people allowed in the home.

MARILYN GRIMES stated she accepted that these homes will be in the area, but was concerned that if the distance separation is not enforced there will be many of them, and she requested that the Commissioners uphold the 660-foot separation requirement. MS. GRIMES submitted a protest postcard as backup.

MR. FONTILLAS stated that he requested approval so they could serve more people.

CHAIR CHERRY said that distance separation is a requirement for a reason, and this item reminded him of the short-term rental process.

COMMISSIONER TOUSSAINT agreed there is a 660-foot rule for a reason, and any time she votes for projects she considers whether it is something she would be comfortable with in her own neighborhood. She thought this was the wrong location and would impact the neighborhood in a negative way, and she could not support this request.

CHAIR CHERRY declared the Public Hearing closed.

Motion made by Donna Toussaint to Deny

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

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

29. SDR-76901 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: REBAR - OWNER: MARTHA REBECCA LOPEZ - For possible action on a request for a Site Development Plan Review FOR A PROPOSED TEMPORARY PARKING LOT WITH WAIVERS TO ALLOW A NON-STANDARD PARKING LOT DESIGN on 0.31 acres at 1216 South Casino Center Boulevard (APN 162-03-110-065), C-1 (Limited Commercial) Zone, Ward 3 (Diaz) [PRJ-76623]. Staff recommends DENIAL.

Minutes:

CHAIR CHERRY declared the Public Hearing open.

ERIC McCAMMOND, Sr. Management Analyst, reported that while staff believes that a parking lot is much needed in the area, the proposed development fails to meet several parking design standards resulting in a lot and drive aisles that are too small in which to reasonably maneuver cars and trucks; therefore, staff recommended denial of the application.

DEREK STONEBARGER, business owner and operator of Davy's and ReBar and the current leaseholder of the subject property, mentioned that he is also the Arts District President, and many businesses are opening in that area. He stated that many areas downtown do not have parking restrictions, which helped new businesses, and he read a list of businesses within a two-block radius of this parking lot. He acknowledged this is a tight fit but pointed out that there are parking lots in the area that fit this exact parameter, and the parking garage they parked in to attend this meeting has 10-foot rows.

ATTORNEY CHARLES VLASIC stated that he is an attorney, MR. STONEBARGER'S business partner and part owner of Davy's, ReBar and a law firm, all of which are located within a one block area of the subject site. The City has been granting parking variances to new businesses in the area to allow them to open with little or no onsite parking. The parking variances helped with revitalization, but created a parking shortage in the area and is causing people to park illegally. MR. VLASIC requested approval of the variance.

ROB GURDISON discussed the issues of the drive aisle width, the length of parking spaces and the amount of compact parking and stated that they could delete one of the compact parking spaces. He said their request is to have 17-foot six inch stall depths and 14-foot drive aisles. He showed other similar parking sites in the area and made comparisons between those and the subject project. He thought that utilizing the smaller 50-foot sites could bring a lot of parking to the downtown area.

BRANDY STANLEY, Parking Services Manager, appeared and PETER LOWENSTEIN, Deputy Director of Planning, asked for clarification as to whether she was representing the project or would be providing her professional opinion from a City staff perspective. CITY ATTORNEY BRYAN SCOTT requested to speak with MS. STANLEY, and subsequently MR. SCOTT advised that MS. STANLEY was available to answer general questions regarding the need for parking in the downtown area.

MR. VLASIC clarified the location of the dirt lot they wish to pave and develop, and CHAIR CHERRY replied that it was clear in the backup. CHAIR CHERRY noted that the photo section in the backup points out a different parking lot, but the supporting documentation has the proper location with the site plan attached to it.

COMMISSIONER SCHLOTTMAN thought City staff was brilliant and appreciated their work on this, but he was willing to take a chance on this in the Arts District as parking is becoming difficult with the tremendous number of businesses opening. The parking lot adjacent to his bar is a disaster and is not striped, but people figure out how to park there.

CHAIR CHERRY stated that this neighborhood is very busy and is getting busier. This request is for a temporary parking lot with a three-year extension that could be added to the application. He referred to one of the drawings showing a large vehicle backing out of a parking spot that looked like it would go across the property line. He wondered if that space could be made compact, and MR. GURDISON replied that the curb cuts could be modified to make that work.

CHAIR CHERRY thought it sounded like there would be additional proposed temporary parking lots in the area to help alleviate the shortage. He shared that there is a similar situation directly across the street from the Soho Lofts, which was a temporary request, and it has worked out very well for the neighborhood. He reiterated that he would like to see the parking space he previously spoke about turned into a compact space, and MR. GURDISON replied that they could do that.

COMMISSIONER SCHLOTTMAN commented that he knew of a couple of permanent parking lots downtown that are a complete disaster, but he still parks in them because it is convenient. CHAIR CHERRY added that many people who come downtown do not understand that you cannot park in a dirt lot and thought that getting pavement and striping in the area would help.

COMMISSIONER SCHLOTTMAN inquired about a condition for the northeast parking stall, and MR. LOWENSTEIN read the condition for the record. MR. GURDISON stated that they agreed to that condition.

NOTE: CHAIR CHERRY disclosed that his company is working on a project within the notification area and he lives fairly close to the project; however, this would not affect him any lesser or greater, and he would vote on this item. COMMISSIONER SCHLOTTMAN disclosed that he owns a bar in the area, but this would not affect him one way or another, and he would vote on this item.

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

A. The northeastern most parking space shall be revised to a compact space.

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

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

Citizens Participation:

30. 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:

The meeting was adjourned at 7:12 p.m.

Respectfully submitted:

Jacquie Miller, Deputy City Clerk

Debra A. Outland, 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