

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



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

Planning Commission Minutes

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

October 11, 2022
6:00 PM

BUSINESS ITEMS:

1. Call to Order

Minutes:

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

2. Announcement: Compliance with Open Meeting Law

Minutes:

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

3. Roll Call

Minutes:

PRESENT: CHAIR SCHLOTTMAN and COMMISSIONERS ROGAN, CHERRY (excused at 11:05 p.m.), TOUSSAINT, DE SALVIO, WILLIAMS and WALSH

ALSO PRESENT: SETH FLOYD, Community Development Director; PETER LOWENSTEIN, Deputy Planning Director; NICOLE EDDOWES, Community Development Coordinator; JONATHAN BOYLES, Sr. Planner; BRENDA PEREZ, Planner I; VICTOR BOLANOS, Sr. Engineering Associate; STEVEN TAULBEE, Assistant Fire Protection Engineer; JAMES B. LEWIS, Deputy City Attorney IV; GABRIELA PORTILLO-BRENNER, Deputy City Clerk; and CHEYENNE LaRANCE, Acting Senior 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:

With respect to Item 33, MARIE NEISESS, President of the Clark County Education Association (CCEA), said that in her position, she visits all schools and hears the frustrations educators have with respect to underfunding and their inability to own a home. The proposed development for Item 33 could be a game changer in recruiting and retaining educators in the Clark County School District. She said the CCEA supports this proposal and appreciates the leadership who thought of it. CHAIR SCHLOTTMAN advised that the project would be heard during the course of the meeting, but MS. NEISESS said she could not stay and opted to make her comments under this item.

MATTHEW BERHOLD requested that Item 11 be pulled for discussion from the One Motion – One Vote Agenda.

Regarding Item 33, JESSICA JONES, asked if she could comment on the item, and CHAIR SCHLOTTMAN said she could make her comments unless she could wait until the project is heard. MS. JONES continued and said that as a native Las Vegas, teacher and member of the CCEA, she has dreamed of home ownership since she became an adult. She had saved for six years until the pandemic hit and escalating home prices hindered her dream. Despite efforts, the reality is that housing is no longer affordable for many people who reside in Las Vegas, but a program such as the one proposed under Item 33, would give educators a chance at homeownership and allow teachers to live in the community they teach.

For Items 35 and 42, SUAUNE MYERS said she decided to voice her opposition at the meeting, alleging that she looked at the packets and found that the opposition was not reflected.

At the request of CHAIR SCHLOTTMAN, NICOLE EDDOWES, Community Development Coordinator, introduced AUSTIN CHEN, Planner II, and JOSHUA NOLAN, Planner I, who recently joined the case planning team.

5. For Possible Action to Approve the Final Minutes for the Planning Commission Meeting of September 13, 2022.

Motion made by Jeff Rogan to Approve

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

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

NICOLE EDDOWES, Community Development Coordinator, said the respective applicants requested the following: abeyance of Items 15a and 15b, 39, 40a-40e, 42a-42d and 44 to 11/15/2022, abeyance of Items 21a and 21b to 12/13/2022 and withdrawal without prejudice of Items 26a-26d, 28a, 31a and 31b and 37a-37c. Additionally, she mentioned the applicant for Item 20a (22-0453-ZON1) was asking to amend their Rezoning request from R-4 (High Density Residential) to O (Office).

Motion made by Jeff Rogan to Hold in Abeyance Items 15a and 15b, 39, 40a-40e, 42a-42d and 44 to 11/15/2022, Items 21a and 21b to 12/13/2022 and Withdraw without prejudice Items 26a-26d, 28a, 31a and 31b and 37a-37c

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

For-Louis De Salvio, Anthony Williams, Sam Cherry, Trinity Haven Schlottman, Jeff Rogan, 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. 22-0424-EOT1 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT/OWNER: ELKHORN HUALAPAI, LLC - For possible action on a Land Use Entitlement project request for the second Extension of Time of an approved Special Use Permit (SUP-76152) FOR A PROPOSED 2,085 SQUARE-FOOT LIQUOR SALES [FOR OFF-PREMISE CONSUMPTION] USE at 7161 North Hualapai Way (APN 126-24-517-004), PD (Planned Development) Zone [VC (Village Commercial) Cliff's Edge Special Land Use Designation], Ward 4 (Anthony). Staff recommends APPROVAL.

Motion made by Jeff Rogan to Approve the Consent Agenda except Item(s) None

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

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

8. 22-0425-TMP1 - TENTATIVE MAP - AREA 15 DISTRICT 2 SUBDIVISION - APPLICANT: FISHER BROTHERS LAS VEGAS, LLC - OWNER: FISHER BROTHERS LAS VEGAS, LLC, ET AL - For possible action on a Land Use Entitlement project request FOR A PROPOSED TWO-LOT COMMERCIAL SUBDIVISION on 16.83 acres at the northwest and southwest corner of Meade Avenue and Rancho Drive (APNs Multiple), M (Industrial) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:

See Item 12 for related discussion.

Motion made by Jeff Rogan to Approve the Consent Agenda except Item(s) None

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

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

9. 22-0438-EOT1 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT/OWNER: 214 SOUTH 11TH STREET, LLC - For possible action on a Land Use Entitlement project request for the first Extension of Time of a previously approved Site Development Plan Review (20-0181-SDR1) FOR A PROPOSED 18-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH WAIVERS OF APPENDIX F INTERIM DOWNTOWN LAS VEGAS DEVELOPMENT STANDARDS on 0.17 acres at 214 South 11th Street (APN 139-34-712-086), R-4 (High Density Residential) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

Motion made by Jeff Rogan to Approve the Consent Agenda except Item(s) None

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

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

10. 22-0347 - PUBLIC HEARING - APPLICANT: MIDJIT MARKET, INC. DBA GREEN VALLEY GROCERY - OWNER: SILVER MEADOW PROPERTIES, LLC - For possible action on the following Land Use Entitlement project requests on 2.50 acres at the southwest corner of Grand Teton Drive and Hualapai Way (APN 126-13-501-021), Ward 6 (Fiore). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open for Items 10-10d, which were pulled for discussion and heard subsequent to the One Motion - One Vote Agenda, for which discussion is reflected under Item 12.

NICOLE EDDOWES, Community Development Coordinator, reported that the subject site is located within the La Madre Foothills area, as outlined in the City of Las Vegas 2050 Master Plan, which currently lacks commercial activity and job centers. Residents rely on businesses located in Centennial Hills Town Center. The proposed Village Commercial designation is intended for the periphery of residential neighborhoods and should be confined to the intersections of major arterials such as Grand Teton Drive and Hualapai Way as defined by the Cliff's Edge Providence Master Plan. In addition to the approval letter from the Master Developer dated August 4, 2022, staff finds the proposed project is compatible with the adjacent land uses and meets all the minimum requirements of the Cliff's Edge Master Plan and Title 19. Therefore, staff recommended approval of the Major Modification, both Special Use Permits and the Site Development Plan Review. Additional letters of protest were received since publication.

ATTORNEY STEPHANIE ALLEN, 1980 Festival Plaza Drive, appearing on behalf of Green Valley Grocery, read a list of conditions, a copy of which was not submitted, that resulted from the concerns expressed at the neighborhood meeting. She asked for time after the residents to address their concerns.

NATHAN TAYLOR commented that he was representing some of the area residents, has represented the Sinclair gasoline station in the Providence community for approximately three years and worked for Green Valley Grocery in 2012 doing neighborhood outreach, but they ultimately did not build the gasoline station. Given the number of people in opposition, MR. TAYLOR asked the Commission to have consideration and hold this matter in abeyance, as he received notification five days prior to this meeting, which made it very difficult for him to prepare. He countered that MS. ALLEN read conditions the residents did not agree to and insisted that this is not the forum to negotiate conditions and come up with a new site plan. He emphasized that the area does not need more gasoline stations and noted there are already several of them within a 1.5-mile radius, crime is rising in the area and a park was designated for this site, which abuts BLM (Bureau of Land Management) property. He added that although he and many of the neighbors are in opposition, he would be willing to try to compromise.

LINDA BURKS, BRENDA TUTTLE, ANDREA LEAL, BARRY PERLIN, STEVE ACCIARITO, MICHELE McGEE, THOMAS KUTZNER, HOLLY KELSVEN, CHARLES WHEELER, JOSH DEMPSEY, BRIGITTE SOLVIE, MATTHEW PASSALACQUA, SAM PETERSON, RAJNEESH SHARMA, SUSAN HRAJNOHA, MARK NICHOLS and EDWARD STERGAR expressed their opposition to the proposed project. They feel the fumes from a gasoline station so close to residential homes will be detrimental to their health and their children, and they already have gasoline stations, convenience stores and car washes within 1.5 to 2 miles of their homes. Some of them complained that they did not receive timely notification of this meeting or none at all, so they agreed to the project being held in abeyance. They did not believe this project to be harmonious with the surrounding community, especially since the site is zoned for a public facility. They were expecting to get a park, and the project will reduce the value of their property investments.

MS. TUTTLE added that she is opposed to having a chain gasoline station near her home that will be open 24/7 and located in front of a direct bus stop where vagrants will be dropped off. The existing area is already experiencing an uptick in crime, and the grocery store and Sinclair gasoline station have been robbed several times. She felt that a store with slot machines belongs closer to the highway and not near a residential neighborhood. She countered MS. ALLEN'S claims that this is a convenient grocery store and will employ people by saying that most people keep certain items at home and there is no employment shortage. She supported holding this matter in abeyance but was adamantly opposed to this type of development.

MS. KELSVEN referenced study findings indicating that youth who are exposed to the higher density of alcohol outlets are at risk for immediate and lifetime use of alcohol, noting that the store will also sell liquor, which will directly impact the life of her daughter. She urged denial and installation of a recreation center instead.

MR. WHEELER said he has waited 12 years for the promise of a park being built to come true, but he will never see it given his diagnosis of stage four cancer. He asked for the Commission's denial and consideration of a park instead for the children to enjoy.

MS. SOLVIE thought it was perplexing for Providence developers to flip from a public facility to such an intense use because they were meticulous in their master planning in the early 2000s. She urged the Commissioners to use their better judgment and deny this project.

MR. PASSALACQUA commented that any leak would hinder the chances for future development of public use on the surrounding BLM land.

MR. PETERSON and MS. HRAJNOHA said the project would create traffic issues. As a former developer, MR. NICHOLS added that the proposed use is not the best and highest use for the area, and it will only create noise, garbage and traffic in an area where there was supposed to be a public facility.

MR. STERGAR said he was a member of a planning commission in Indiana, so he understood the hard decisions the Commissioners have to make, but he felt a gasoline station would hinder the opportunity for an adjacent park.

MS. ALLEN thanked the residents for being present and was amenable to holding a meeting in the interim of consideration at the City Council meeting to discuss additional conditions. Regarding the comment that this project is not zoned appropriately, she said staff is very good at examining applications and determining what projects are and are not appropriate according to the Master Plan, which also lays out what is appropriate for the area. This instance is unique because the corner lot was sold to a private party in 2006 for the construction of a park and a fire station, which did not transpire because the station was relocated to the Skye Canyon development. Consequently, the applicant had to contemplate the best use to serve as a buffer to the residential neighborhood. The options were few, however, and it is rare for a private owner to use a parcel for a public facility, and has the right to develop the property. From a zoning perspective, staff and the Commission have to consider what is appropriate.

MS. ALLEN said the parcel is zoned Planned Development (PD), and she showed a land use map for Providence reflecting the parcel in the corner, which is on a major intersection, making it appropriate for commercial zoning. She went through several development plans to demonstrate that most communities have significant residential with commercial sites on major intersections or abutting the freeways.

She explained that when she spoke with MR. TAYLOR, he informed her that the residents were expecting a park on the site, so her group contacted staff to find out how they could make create an appropriate buffer. Therefore, they worked with the City and the Providence Design Review Committee to make sure their project would be compatible with the community with respect to landscape requirements and the lodge-like architectural design and provide all the amenities and foods that convenience stores offer. She assured the Commissioners that Green Valley Grocery is appropriate for the area, as they are a good community partner, and she was proud to represent them.

COMMISSIONER DE SALVIO appreciated all those who contacted him and their concerns, noting that a lot of work went into this project to make it as harmonious and compatible as possible with the area. During the neighborhood meeting, the concerns raised were addressed in the list of conditions MS. ALLEN read. Regarding the concern with water and the car wash, he explained that the car wash is designed to capture the majority of the water and recycle it. The site will have EV (electric vehicles) charging stations, which are lacking in the area, and he pointed out that traffic and drainage studies will be completed. The intersection is beyond 100 feet wide, and the Commissioner stressed that the owner has the right to develop his property, especially with approval from the Providence Design Committee. The applicant even agreed to the hours of operation, so it is evident they have tried to accommodate the residents' concerns and build a project that is harmonious and compatible.

MS. ALLEN noted that Green Valley Grocery explored the possibility of building a community center on the BLM portion, but the lease prohibits it; however, her client offered to make a contribution for the development of some type of civic use and would be happy to enter into an agreement. In answer to COMMISSIONER CHERRY'S query about the park, SETH FLOYD, Community Development Department Director, said the City has a recreation and public purpose lease with BLM for the property, and there is a park planned for it. However, there is no timeline yet. The Commissioner added that the building is aesthetically pleasing.

COMMISSIONER WILLIAMS said that the design elements are compatible with the Master Plan, and he appreciated MS. ALLEN sharing examples of the other plans further south.

COMMISSIONER TOUSSAINT sympathized with the homeowners as she lives near three gas stations; however, she stressed that there has never been a problem with any of them. She feels the proposed project is compatible with the area and the applicant has tried very hard to accommodate the residents. She appreciated MS. ALLEN'S willingness to hold another neighborhood meeting.

CHAIR SCHLOTTMAN understood both sides, adding that there is a gasoline station near his home, in addition to many other uses in his neighborhood. However, he would like the applicant to hold another neighborhood meeting to discuss the proposed conditions, and MS. ALLEN was amenable to that.

COMMISSIONER DE SALVIO had MS. EDDOWES read the proposed additional conditions for Items 10b (22-0347-SUP1) and 10d (22-0347-SDR1), and MS. ALLEN concurred.

See Item 12 for related discussion and Items 10a-10d for related backup.

CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 10-10d.

10a. 22-0347-MOD1 - MAJOR MODIFICATION - FROM: PF (PUBLIC FACILITY) TO: VC (VILLAGE COMMERCIAL) CLIFFS EDGE SPECIAL LAND USE DESIGNATION

Minutes:

See Items 10 and 12 for related discussion and Items 10-10d for related backup.

Motion made by Louis De Salvio to Approve Items 10a-10d subject to condition(s) with amended conditions for Items 10b and 10d

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

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

10b. 22-0347-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED 5,900 SQUARE-FOOT LIQUOR SALES (FOR ON OR OFF PREMISE CONSUMPTION) [BEER/WINE/COOLER OFF-SALES] USE

Minutes:

See Items 10 and 12 for related discussion and Items 10-10d for related backup.

Motion made by Louis De Salvio to Approve Items 10a-10d subject to condition(s) and adding the following condition as read for the record:

A. The use shall be limited to the sale of beer, wine and coolers for off-premise consumption only and shall be in compliance with Title 6.50.

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

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

10c. 22-0347-SUP2 - SPECIAL USE PERMIT - FOR A PROPOSED GAMING (INCIDENTAL GAMING MACHINES ONLY) USE

Minutes:

See Items 10 and 12 for related discussion and Items 10-10d for related backup.

Motion made by Louis De Salvio to Approve Items 10a-10d subject to condition(s) with amended conditions for Items 10b and 10d

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

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

10d. 22-0347-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 5,900 SQUARE-FOOT CONVENIENCE STORE, 3,967 SQUARE-FOOT CAR WASH AND 5,000 SQUARE-FOOT FUEL CANOPY DEVELOPMENT WITH WAIVERS OF PERIMETER LANDSCAPE BUFFER REQUIREMENTS

Minutes:

See Items 10 and 12 for related discussion and Items 10-10d for related backup.

Motion made by Louis De Salvio to Approve subject to condition(s) and adding the following conditions as read for the record:

A. The site shall be limited to a maximum of six fuel dispensing pumps. A revised site plan shall be submitted to the Department of Community Development depicting a maximum of six fuel dispensing pumps prior to or at the same time application is made for a building permit.

B. Exterior lighting shall be in conformance with Title 19.08 to mitigate light pollution.

C. A combination of decorative solid block wall and slotted fencing and/or wrought iron shall be used along the western and southern property lines to allow for visibility into the adjacent site. The applicant shall submit to the Department of Community Development perimeter wall cross sections and architectural elevations for review and approval prior to or at the same time application is made for a building permit.

D. The developer shall enter into a maintenance agreement with the City of Las Vegas for the regular removal of trash and litter from the adjacent site (APN: 126-13-501-020) until such time as the site is no longer undeveloped. The developer shall enter into a maintenance agreement with the City of Las Vegas within six months of final approval.

E. The automated car wash hours of operation shall be limited to 7:00 a.m. to 9:00 p.m. daily.

F. Provide noise attenuation measures in relation to the carwash.

G. A Master Sign Plan shall be required for the subject site.

H. Pedestrian access to the adjacent site shall be maintained.

I. The developer agrees to donate a dollar amount to be determined at the City Council, for the design and construction of a future City Park located immediately adjacent to the subject site (APN: 126-13-501-020). The developer shall enter into a donation agreement with the City of Las Vegas within six months of final approval.

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

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

11. 22-0363 - PUBLIC HEARING - APPLICANT: WILLIAM LYON HOMES INC. - OWNER: THE FOREST HILL FAMILY TRUST - For possible action on the following Land Use Entitlement project requests on 5.00 acres at the northeast corner of Regena Avenue and Kevin Way (APN 125-29-103-001), Ward 4 (Anthony). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open for Items 11-11d, which were pulled for discussion from the One Motion - One Vote Agenda, for which discussion is reflected under Item 12, and heard after Items 10-10d.

NICOLE EDDOWES, Community Development Coordinator, said staff finds the General Plan Amendment request to be in alignment with the future vision of the Centennial Hills area, which is to maintain its mix of traditional and suburban single-family development, combined with large-lot residential estates. Therefore, staff recommended approval of the General Plan Amendment and associated Rezoning. In addition, a Variance was requested to allow a deferral fee based on rural standards where urban standards are required. Staff recommended approval of this Variance request and associated Tentative Map as the proposed offsite improvements will match the existing development in the surrounding area. An additional letter of protest was received since publication.

ATTORNEY LEXA GREEN, 1980 Festival Plaza Drive, appearing on behalf of the applicant, said they held a neighborhood meeting on September 28, 2022. She said she would speak after the residents.

ED BELANGER, MATTHEW BERHOLD, JAKE DADON, DEMETRI KALFAS-GORDON, AUDREY PALEY, BRIAN CHAMBERLAIN, KENNETH HOLLIFIELD, MARIA ELLIOT, STEPHEN DUNCAN, NANCY HARTLEY,

CORINNE GORDON, STEVE SIDHU, SKYE MARSH, BRIGITTE SOLVIE, TROY BAKEWELL, RONALD DRAKE, PAUL PAOLI and PETER LIM appeared in opposition to this project. They believe it is too intense for the area, will generate traffic, will negatively impact their property values, will take away from their rural lifestyle, which they bought into, and will take away their water supply as homes in the area are on wells and have septic tanks. They believe larger homes would pencil out and still generate enough revenue for the applicant. Some of them complained about not receiving a postcard and felt the neighborhood meeting was held only because it was mandated, as their concerns were not addressed. They were concerned about egress from and ingress into their neighborhood, especially near the culs-de-sac from where people walk their dogs. They want to protect their investment. They do not want people in the two-story homes looking into their homes.

MS. KALFAS-GORDON submitted protest e-mails for the record.

As a representative of the Northwest Rural Preservation Association, MS. SOLVIE added that this was a unique property because it was annexed into the City of Las Vegas years ago. The property has City zoning of R-D (Single Family Residential-Restricted). Therefore, single-story homes on half-acre lots would be ideal, but the applicant has not offered to massage the proposal.

MR. LIM commented there was a murder at the storage units across the street from their neighborhood, and he is worried about an increase in crime.

MS. GREEN thanked the residents for taking the time to attend the meeting. She reviewed the existing surrounding densities. To the north, is a mini-storage facility zoned commercial. To the east, west and south, there is existing R-E (Residence Estates) zoning with half-acre lots. To the northwest, there is existing R-2 (Medium-Low Density Residential) zoning with single-family homes allowing up to eight dwelling units per acre. She noted their project proposes 3.6 dwelling units per acre where up to 2.5 units per acre are allowed. MS. GREEN regarded this as a slight increase that will serve as a nice buffer between the higher intense and commercial uses in the surrounding area. With respect to the concerns about the project having two-story homes, she pointed out that developments to the east and southwest (Silent Brook neighborhood) have two-story homes. Given the materials and sizes of the proposed homes, she felt the project is compatible with the area. She added that the developer intends to retain rural standards along Regena Avenue by means of the waiver, and would be amenable to the same for Kevin Way.

COMMISSIONER TOUSSAINT confirmed with MS. GREEN that the homes will have sprinklers and asked if the density could be reduced, given that it seemed to be the primary concern of the neighbors. MS. GREEN replied that she could not make a decision on that but offered to confer with her client. The Commissioner suggested a 30-day abeyance for MS. GREEN to meet with the applicant, and MS. GREEN agreed.

See Items 4 and 12 for related discussion and Items 11a-11d for related backup.

CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 11-11d.

- 11a. 22-0363-GPA1 - GENERAL PLAN AMENDMENT - FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: L (LOW DENSITY RESIDENTIAL)

Minutes:

See Items 4, 11 and 12 for related discussion and Items 11-11d for related backup.

Motion made by Donna Toussaint to Hold in Abeyance Items 11a-11d to 11/15/2022

NOTE: The video does not reflect accurately, in that Commissioner Walsh requested under Item 29 that his vote be reflected in the affirmative.

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

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

- 11b. 22-0363-ZON1 - REZONING - FROM: R-E (RESIDENCE ESTATES) TO: R-1 (SINGLE FAMILY RESIDENTIAL)

Minutes:

See Items 4, 11 and 12 or related discussion and Items 11-11d for related backup.

Motion made by Donna Toussaint to Hold in Abeyance Items 11a-11d to 11/15/2022

NOTE: The video does not reflect accurately, in that Commissioner Walsh requested under Item 29 that his vote be reflected in the affirmative.

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

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

- 11c. 22-0363-VAR1 - VARIANCE - TO ALLOW A DEFERRAL FEE BASED ON RURAL STANDARDS WHERE URBAN STANDARDS ARE REQUIRED

Minutes:

See Items 4, 11 and 12 for related discussion and Items 11-11d for related backup.

Motion made by Donna Toussaint to Hold in Abeyance Items 11a-11d to 11/15/2022

NOTE: The video does not reflect accurately, in that Commissioner Walsh requested under Item 29 that his vote be reflected in the affirmative.

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

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

- 11d. 22-0363-TMP1 - TENTATIVE MAP - CENTENNIAL AND DURANGO 5 - FOR A PROPOSED 18-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION

Minutes:

See Items 4, 11 and 12 for related discussion and Items 11-11d for related backup.

Motion made by Donna Toussaint to Hold in Abeyance Items 11a-11d to 11/15/2022

NOTE: The video does not reflect accurately, in that Commissioner Walsh requested under Item 29 that his vote be reflected in the affirmative.

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

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

12. 22-0418 - PUBLIC HEARING - APPLICANT/OWNER: GOOD HOOD, LLC - For possible action on the following Land Use Entitlement project requests on 1.16 acres at 201 South Las Vegas Boulevard (APN 139-34-601-018), C-2 (General Commercial) Zone, Ward 3 (Diaz). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open for Items 12-14, 16-20b and 22-25.

NATHAN TAYLOR and BARRY PERLIN requested Item 10 (22-0347) be pulled for discussion and BRIGITTE SOLVIE, ED BALLINGER and TROY BAKEWELL requested Item 11 (22-0363) be pulled as well. CHAIR SCHLOTTMAN advised that those items were being pulled for discussion.

NICOLE EDDOWES, Community Development Coordinator, read an added condition of approval for Item 14 (22-0421-SUP1) and reiterated that the applicant amended the zoning request for Item 20a (22-0453-ZON1)

from R-4 (High Density Residential) to O (Office). CHAIR SCHLOTTMAN asked the applicant for Item 14 to accept the condition, but no one came forward.

See Items 12a-12d for related backup.

Subsequent to the vote, SETH FLOYD, Community Development Department Director, clarified for Item 8 (22-0425-TMP1) that it is final action unless appealed within seven days instead of ten.

CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 12-14, 16-20b and 22-25.

- 12a. 22-0418-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED 9,146 SQUARE-FOOT ALCOHOL, ON-PREMISE FULL USE WITHIN SUITE #400

Minutes:

See Item 12 for related discussion and Items 12-12d for related backup.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 10a-10d, 11a-11d, 15a and 15b and 21a and 21b with an amended request for Item 20a and amended conditions for Item 14

NOTE: The video does not reflect the vote accurately, in that Commissioner Cherry abstained from voting on Item 17 due to his family's interest in the cannabis industry and on Item 22 due to his interest in a company that has an ongoing dispute with the applicant. Additionally, Chair Schlottman abstained from voting on Item 22 as he submitted a bid on the project and will likely be the general contractor.

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

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

- 12b. 22-0418-SUP2 - SPECIAL USE PERMIT - FOR A PROPOSED 1,777 SQUARE-FOOT ALCOHOL, ON-PREMISE FULL USE WITH A 65 SQUARE-FOOT OUTDOOR PATIO AREA WITHIN SUITE #120

Minutes:

See Item 12 for related discussion and Items 12-12d for related backup.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 10a-10d, 11a-11d, 15a and 15b and 21a and 21b

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

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

- 12c. 22-0418-SUP3 - SPECIAL USE PERMIT - FOR A PROPOSED 2,396 SQUARE-FOOT ALCOHOL, ON-PREMISE FULL USE WITH A 231 SQUARE-FOOT OUTDOOR PATIO AREA WITHIN SUITE #100

Minutes:

See Item 12 for related discussion and Items 12-12d for related backup.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 10a-10d, 11a-11d, 15a and 15b and 21a and 21b

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

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

12d. 22-0418-TMP1 - TENTATIVE MAP - GOOD HOOD - FOR A ONE-LOT COMMERCIAL SUBDIVISION

Minutes:

See Item 12 for related discussion and Items 12-12d for related backup.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 10a-10d, 11a-11d, 15a and 15b and 21a and 21b

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

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

13. 22-0419-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LIMITLESS MOTORING, LLC - OWNER: JS MCA EQUUS II, LLC AND JS MCA SUNSET II, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED AUTOMOBILE RENTAL USE at 3230 Polaris Avenue, Suite #13 (APN 162-08-416-004), M (Industrial) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:

See Item 12 for related discussion.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 10a-10d, 11a-11d, 15a and 15b and 21a and 21b

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

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

14. 22-0421-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: OLGA CORZA - OWNER: ZELZAH SHRINE TEMPLE, INC. - For possible action on a Land Use Entitlement project request FOR A PROPOSED 2,891 SQUARE-FOOT ALCOHOL, ON-PREMISE FULL USE WITH A WAIVER TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A CITY PARK WHERE 400 FEET IS REQUIRED at 2319 South Eastern Avenue (APN 162-01-401-003), C-1 (Limited Commercial) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:

See Item 12 for related discussion.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 10a-10d, 11a-11d, 15a and 15b and 21a and 21b and adding the following condition as read for the record:

A. An administrative review shall be performed one year from the date of issuance of a business license for the alcohol use.

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

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

15. 22-0422 - PUBLIC HEARING - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: UNITED STATES OF AMERICA - For possible action on the following Land Use Entitlement project requests on 10.00 acres at the northeast corner of Washburn Road and Alpine Ridge Way (APN 126-36-601-005), Ward 6 (Fiore). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:

See Item 6 for related discussion and Items 15a and 15b for related backup.

- 15a. 22-0422-GPA1 - GENERAL PLAN AMENDMENT - FROM: PF (PUBLIC FACILITIES) TO: MLA (MEDIUM LOW ATTACHED DENSITY RESIDENTIAL)

Minutes:

See Item 6 for related discussion and Items 15-15b for related backup.

Motion made by Jeff Rogan to Hold in Abeyance Items 15a and 15b, 39, 40a-40e, 42a-42d and 44 to 11/15/2022, Items 21a and 21b to 12/13/2022 and Withdraw without prejudice Items 26a-26d, 28a, 31a and 31b and 37a-37c

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

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

15b. 22-0422-ZON1 - REZONING - FROM: C-V (CIVIC) TO: R-2 (MEDIUM-LOW DENSITY RESIDENTIAL)

Minutes:

See Item 6 for related discussion and Items 15-15b for related backup.

Motion made by Jeff Rogan to Hold in Abeyance Items 15a and 15b, 39, 40a-40e, 42a-42d and 44 to 11/15/2022, Items 21a and 21b to 12/13/2022 and Withdraw without prejudice Items 26a-26d, 28a, 31a and 31b and 37a-37c

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

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

16. 22-0423 - PUBLIC HEARING - APPLICANT/OWNER: NB CUBED, LLC - For possible action on the following Land Use Entitlement requests on 3.5 acres at 3441 West Sahara Avenue (APN 162-08-110-001), C-1 (Limited Commercial) Zone, Ward 3 (Diaz). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:

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

16a. 22-0423-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED DRIVE THROUGH USE

Minutes:

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

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 10a-10d, 11a-11d, 15a and 15b and 21a and 21b

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

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

16b. 22-0423-SUP2 - SPECIAL USE PERMIT - FOR A PROPOSED AUTO SMOG CHECK USE

Minutes:

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

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 10a-10d, 11a-11d, 15a and 15b and 21a and 21b

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

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

16c. 22-0423-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED ADDITION OF FIVE STRUCTURES TOTALING 3,672 SQUARE FEET TO AN EXISTING COMMERCIAL DEVELOPMENT

Minutes:

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

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 10a-10d, 11a-11d, 15a and 15b and 21a and 21b

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

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

17. 22-0431-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ESSENCE TROPICANA, LLC - OWNER: FRIENDLY BEAR PLAZA, LLC - For possible action on a Land Use Entitlement project request for a Major Amendment of an approved Special Use Permit (20-0029-SUP1) FOR A PROPOSED 2,400 SQUARE-FOOT EXPANSION OF AN APPROVED 1,200 SQUARE-FOOT MARIJUANA DISPENSARY USE at 871 North Nellis Boulevard, Suite #9 (APN 140-29-716-003), C-1 (Limited Commercial) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:

See Item 12 for related discussion.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 10a-10d, 11a-11d, 15a and 15b and 21a and 21b

NOTE: The video does not reflect the vote accurately, in that Commissioner Cherry abstained from voting on Item 17 due to his family's interest in the cannabis industry.

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

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

18. 22-0432-SUP1 - SPECIAL USE PERMIT - APPLICANT: CALABASH AFRICAN KITCHEN - OWNER: Y & SH, INC - For possible action on a Land Use Entitlement project request FOR A PROPOSED 3,439 SQUARE-FOOT ALCOHOL, ON-PREMISE FULL USE at 1750 South Rainbow Boulevard, Suites #6-8 (APN 163-02-212-001), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen). Staff recommends APPROVAL.

Minutes:

See Item 12 for related discussion.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 10a-10d, 11a-11d, 15a and 15b and 21a and 21b

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

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

19. 22-0433-SUP1 - SPECIAL USE PERMIT - APPLICANT: BRYAN SEVERANCE - OWNER: SAHARA ZLAY, LLC - For possible action on a Land Use Entitlement project request FOR A 42,630 SQUARE FOOT ALCOHOL, ON-PREMISE FULL USE at 7980 West Sahara Drive (APN 163-04-805-008), C-1 (Limited Commercial) Zone, Ward 2 (Seaman). Staff recommends APPROVAL.

Minutes:

See Item 12 for related discussion.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 10a-10d, 11a-11d, 15a and 15b and 21a and 21b

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

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

20. 22-0453 - PUBLIC HEARING - APPLICANT: DR. JULIE ANN YLARDE - OWNER: WOOLDRIDGE LAW, LTD.
- For possible action on the following Land Use Entitlement project requests on 0.16 acres at 629 and 701 South 6th Street (APN 139-34-410-217), Ward 3 (Diaz). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:

See Item 12 for related discussion and Items 20a and 20b for related backup.

- 20a. 22-0453-ZON1 - REZONING - FROM: R-4 (HIGH DENSITY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) [NOTE: The request was amended from R-4 (High Density Residential) to O (Office).]

Minutes:

See Items 6 and 12 for related discussion and Items 20-20b for related backup.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 10a-10d, 11a-11d, 15a and 15b and 21a and 21b and amending the request from R-4 (High Density Residential) to O (Office)

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

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

- 20b. 22-0453-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR THE PROPOSED CONVERSION OF AN EXISTING 2,234 SQUARE-FOOT OFFICE INTO AN ANIMAL HOSPITAL (WITH NO OUTDOOR PENS) WITH WAIVERS OF APPENDIX F INTERIM DOWNTOWN LAS VEGAS AREA 2 DEVELOPMENT STANDARDS

Minutes:

See Item 12 for related discussion and Items 20-20b for related backup.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 10a-10d, 11a-11d, 15a and 15b and 21a and 21b

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

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

21. 22-0454 - PUBLIC HEARING - APPLICANT: PANTHER ACQUISITIONS, LLC - OWNER: CITY OF LAS VEGAS - For possible action on the following Land Use Entitlement project requests on 12.23 acres on the north side of Alta Drive, approximately 2,115 feet east of Hualapai Way (APN 138-31-101-004), Ward 2 (Seaman). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:

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

- 21a. 22-0454-GPA1 - GENERAL PLAN AMENDMENT - FROM: PR-OS (PARKS, RECREATION AND OPEN SPACE) TO: SC (SERVICE COMMERCIAL)

Minutes:

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

Motion made by Jeff Rogan to Hold in Abeyance Items 15a and 15b, 39, 40a-40e, 42a-42d and 44 to 11/15/2022, Items 21a and 21b to 12/13/2022 and Withdraw without prejudice Items 26a-26d, 28a, 31a and 31b and 37a-37c

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

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

21b. 22-0454-ZON1 - REZONING - FROM: C-V (CIVIC) TO: C-1 (LIMITED COMMERCIAL)

Minutes:

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

Motion made by Jeff Rogan to Hold in Abeyance Items 15a and 15b, 39, 40a-40e, 42a-42d and 44 to 11/15/2022, Items 21a and 21b to 12/13/2022 and Withdraw without prejudice Items 26a-26d, 28a, 31a and 31b and 37a-37c

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

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

22. 22-0465-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: BREWHOUSE, LLC - OWNER: STICKY 2, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED 3,328 SQUARE-FOOT ALCOHOL, ON-PREMISE FULL USE WITH 198 SQUARE FEET OF OUTDOOR SEATING at 1301 South Main Street (APN 162-03-101-002), C-M (Commercial/Industrial) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:

See Item 12 for related discussion.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 10a-10d, 11a-11d, 15a and 15b and 21a and 21b

NOTE: The video does not reflect the vote accurately, in that Commissioner Cherry abstained from voting on Item 22 due to his interest in a company that has an ongoing dispute with the applicant. Additionally, Chair Schlottman abstained from voting on Item 22 as he submitted a bid on the project and will likely be the general contractor.

Passed For: 5; Against: 0; Abstain: 2; Did Not Vote: 0; Excused: 0

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

23. 22-0473-SDR1 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: SETO II APARTMENTS, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED TWO-STORY, 12-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH WAIVERS OF APPENDIX F INTERIM DOWNTOWN LAS VEGAS AREA 2 DEVELOPMENT STANDARDS on 0.16 acres at 304 South Maryland Parkway (APN 139-34-712-133), R-4 (High Density Residential) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:

See Item 12 for related discussion.

Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 10a-10d, 11a-11d, 15a and 15b and 21a and 21b

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

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

24. 22-0481-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SHORT LINE GAMING, LLC - OWNER: 300 DECATUR, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED GAMING ESTABLISHMENT, RESTRICTED USE (1 TO 5 MACHINES) at 300 South Decatur Boulevard (APN 138-36-601-004), C-2 (General Commercial) Zone, Ward 1 (Knudsen). Staff recommends APPROVAL.
- Minutes:
See Item 12 for related discussion.
- Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 10a-10d, 11a-11d, 15a and 15b and 21a and 21b
- Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
- For-Louis De Salvio, Anthony Williams, Sam Cherry, Trinity Haven Schlottman, Jeff Rogan, Donna Toussaint, Donald Walsh;
25. 22-0492-MOD1 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT: REALTY HOLDINGS, LTD - OWNER: IHC HEALTH SERVICES, INC. - For possible action on a Land Use Entitlement project request FOR A MAJOR MODIFICATION OF THE LAS VEGAS RENAISSANCE MASTER DEVELOPMENT PLAN AND DEVELOPMENT STANDARDS FOR SPECIAL EVENTS on 23.40 acres located at the southeast corner of Alta Drive and Rampart Boulevard (APNs Multiple), Ward 2 (Seaman). Staff recommends APPROVAL.
- Minutes:
See Item 12 for related discussion.
- Motion made by Jeff Rogan to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 10a-10d, 11a-11d, 15a and 15b and 21a and 21b
- Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
- For-Louis De Salvio, Anthony Williams, Sam Cherry, Trinity Haven Schlottman, Jeff Rogan, Donna Toussaint, Donald Walsh;

PUBLIC HEARING ITEMS

26. ABEYANCE - RENOTIFICATION - 22-0267 - PUBLIC HEARING - APPLICANT: LEGGERA DEVELOPMENT, LLC - OWNER: B-NW12, LLC, ET AL - For possible action on the following Land Use Entitlement project requests on 28.27 acres on the north side of Kyle Canyon Road, approximately 336 feet west of Alpine Ridge Way (APNs 126-01-201-011 and 012; 126-01-301-005, 006, 007, 014 and 015), Ward 6 (Fiore). Staff recommends DENIAL on the Land Use Entitlement project.
- Minutes:
See Item 6 for related discussion and Items 26a-26d for related backup.
- 26a. ABEYANCE - RENOTIFICATION - 22-0267-GPA1 - GENERAL PLAN AMENDMENT - FROM: PCD (PLANNED COMMUNITY DEVELOPMENT) TO: M (MEDIUM DENSITY RESIDENTIAL) [APNs: 126-01-201-011 and 012] AND FROM PCD (PLANNED COMMUNITY DEVELOPMENT) TO: H (HIGH DENSITY RESIDENTIAL) [APNs: 126-01-301-005 through 007 and 126-01-301-014 through 015]
- Minutes:
See Item 6 for related discussion and Items 26-26d for related backup.
- Motion made by Jeff Rogan to Hold in Abeyance Items 15a and 15b, 39, 40a-40e, 42a-42d and 44 to 11/15/2022, Items 21a and 21b to 12/13/2022 and Withdraw without prejudice Items 26a-26d, 28a, 31a and 31b and 37a-37c
- Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

- 26b. ABEYANCE - RENOTIFICATION - 22-0267-ZON1 - REZONING - FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: R-TH (SINGLE FAMILY ATTACHED) [APNs: 126-01-201-011 and 012] AND FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: R-4 (HIGH DENSITY RESIDENTIAL) [APNs: 126-01-301-005 through 007 and 126-01-301-014 through 015]

Minutes:

See Item 6 for related discussion and Items 26-26d for related backup.

Motion made by Jeff Rogan to Hold in Abeyance Items 15a and 15b, 39, 40a-40e, 42a-42d and 44 to 11/15/2022, Items 21a and 21b to 12/13/2022 and Withdraw without prejudice Items 26a-26d, 28a, 31a and 31b and 37a-37c

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

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

- 26c. 22-0267-VAR1 - VARIANCE - TO ALLOW A CONNECTIVITY RATIO OF 1.25 WHERE 1.30 IS REQUIRED AND TO ALLOW STUB STREET TERMINI WHERE A CUL-DE-SAC OR HAMMERHEAD IS REQUIRED

Minutes:

See Item 6 for related discussion and Items 26-26d for related backup.

Motion made by Jeff Rogan to Hold in Abeyance Items 15a and 15b, 39, 40a-40e, 42a-42d and 44 to 11/15/2022, Items 21a and 21b to 12/13/2022 and Withdraw without prejudice Items 26a-26d, 28a, 31a and 31b and 37a-37c

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

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

- 26d. 22-0267-TMP1 - TENTATIVE MAP - KYLE CANYON TOWNHOMES - FOR A PROPOSED 112-LOT SINGLE FAMILY ATTACHED RESIDENTIAL SUBDIVISION [APNs: 126-01-201-011 and 012]

Minutes:

See Item 6 for related discussion and Items 26-26d for related backup.

Motion made by Jeff Rogan to Hold in Abeyance Items 15a and 15b, 39, 40a-40e, 42a-42d and 44 to 11/15/2022, Items 21a and 21b to 12/13/2022 and Withdraw without prejudice Items 26a-26d, 28a, 31a and 31b and 37a-37c

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

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

27. ABEYANCE - 22-0319-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT: SWEET WORLD, LLC - OWNER: VISIBLE NOISE, LLC - For possible action on a Land Use Entitlement project request TO ALLOW 18 PARKING SPACES WHERE 190 SPACES ARE REQUIRED FOR A PROPOSED COMMERCIAL RECREATION/AMUSEMENT (INDOOR) DEVELOPMENT on 0.46 acres at 1881 South Rainbow Boulevard (APN 163-03-703-003), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen). Staff recommends DENIAL.

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open.

BRENDA PEREZ, Planner I, said staff found the proposed Variance to be a self-imposed hardship as the applicant chose a site that does not meet the minimum Title 19 parking standards for their intended use. Therefore, staff recommended denial of the request.

ATTORNEY ROBERT GRONAUER, 1980 Festival Plaza Drive, appeared representing the applicant, BRANDON CHEZ, who was also present. MR. GRONAUER explained that the subject property has an existing building that previously housed a piano business and MR. CHEZ would like to open a unique arcade. MR. CHEZ said he would like to make available his collection of rhythm game machines in an amusement arcade. Many of the machines are rare and imported from Japan, and they are three times the size of a pinball machine. The location would be perfect to accommodate approximately 25 machines.

MR. GRONAUER thanked COMMISSIONER ROGAN for working with them on holding this matter two times to work with adjacent property owners to secure additional parking spaces. They have had discussions with the property owner to the north regarding some parking spaces; however, there has been a delay in getting a final count due to new tenants also needing parking. Consequently, they decided to narrow down the requested use and worked with staff on some additional conditions, which were submitted to staff. The conditions include requiring a one-year administrative review, limiting the use to the first floor, thereby reducing the parking count to 106, and limiting the number of machines to 25.

COMMISSIONER ROGAN said he met with the applicant and MR. GRONAUER and saw how large the machines are, and he thinks the arcade parking standards are for the types of arcades built in the 1980s. He believes if businesses think they can survive with the available parking, then they should be given the opportunity to succeed or fail. His main concern with impaired parking is traffic ingress into and egress from the parking lot. He expressed his support, despite the project's severely impaired parking under the code.

CHAIR SCHLOTTMAN agreed that this is different from a traditional arcade and supported a one-year administrative review in case there are issues with parking. He wished the applicant luck. JAMES LEWIS, Deputy City Attorney IV, clarified that a one-year review on a variance does not have authority. Should it be found in a year parking is insufficient, the license could not be revoked, so he does not want the Commissioners to think much could be done at that time. COMMISSIONER DE SALVIO asked if it would fall upon Code Enforcement, and MR. LEWIS advised that it would not become a Code Enforcement issue, as the parking variance would have been approved. The Commissioner asked if a condition could be imposed to book appointments during the hours of operation of the arcade. MR. GRONAUER said the hours are from 12:00 p.m. to 8:00 p.m. Monday through Thursday and 12:00 p.m. to 9:00 p.m. Friday and Saturday. He confirmed for the Chair that alcohol would not be sold.

After review of Title 19.16.140, MR. LEWIS said there is a revocation procedure; therefore, the variance could be revoked at the time of review, but then a decision would have to be made regarding the licensed business.

COMMISSIONER ROGAN suggested trailing this matter for a sidebar to discuss adding a condition of approval to subject the business to revocation if the parking impairment causes problems for traffic on the roadway or neighboring properties.

After trailing the item and working with MR. LEWIS, MR. GRONAUER agreed to a condition indicating the developer cannot impact or impede parking in traffic circulation on adjacent properties or Rainbow Boulevard. COMMISSIONER ROGAN felt comfortable with that.

CHAIR SCHLOTTMAN declared the Public Hearing closed.

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

A. Developer/operator shall not impact or impede parking or traffic circulation on adjacent properties or Rainbow Boulevard.

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

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

28. ABEYANCE - 22-0386 - PUBLIC HEARING - APPLICANT/OWNER: ECW 1, LLC - For possible action on the following Land Use Entitlement project requests on 1.73 acres at the northwest corner of Sahara Avenue and Red Rock Street (APN 163-01-401-008), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open for Items 28, 28b and 28c, which were heard after Items 29-29d.

BRENDA PEREZ, Planner I, reported that the 2050 Las Vegas Master Plan for the Charleston area encourages Mixed Use development, an increase of green spaces, and transit oriented development. The use and development as proposed do not meet the goals of the Las Vegas 2050 Master Plan and are not harmonious or compatible with the existing development in the surrounding area, as there is no mixed use component, is completely auto-oriented and has insufficient proposed landscaping that does not support the City's goal to reduce the urban heat island effect. Therefore, staff recommended denial of the Special Use Permit (22-0386-SUP1) and the Site Development Plan Review (22-0386-SDR1). She noted that revised plans and a revised staff report were submitted after publication in which the site was revised to meet the side yard setback requirement. The applicant requested withdrawal without prejudice of the Variance (22-0386-VAR1).

SHELDON COLEN, representing the applicant, said his client purchased an abandoned building and proposes to improve the area with the development of a 4,600-square-foot car wash. His client took to heart the concerns shared by COMMISSIONER ROGAN at their meeting. Consequently, the plan was redesigned to accommodate more landscaping on the west, at Sahara Avenue and Red Rock Street and in the rear. They met with the landowner to the west regarding his concern about blocking the existing signage; however, MR. COLEN said the landowner should be more concerned with all the signage as he was not sure how much was done through the permitting process.

COMMISSIONER ROGAN thought the neighbor to the west would be present to address any concerns. He mentioned the property on Sahara Avenue has an electrical easement that prevents the standard landscaping requirements so the requested changes are appropriate.

COMMISSIONER DE SALVIO questioned the hours of operation and the type of business intended for the pad on the corner. MR. COLEN said he would have to confer with his client about the business hours, and he did not know the plan for the corner but it could possibly be for a retail business or a QSR (quick-service restaurant). The Commissioner asked about the solution for the property owner to the west and if the issue is an elevation difference. MR. COLEN said the elevation is the same, but the required landscaping will block the signage. COMMISSIONER ROGAN noted that he learned of the issue that day and that it did not go well at the meeting with the owner. Therefore, the Commissioner asked for a meeting with MR. COLEN and his client to discuss that issue in the interim of the Council meeting, with the understanding that any possible changes might have to come back to the Planning Commission for consideration. MR. COLEN agreed to that.

See Item 6 for related discussion and Items 28b and 28c for related backup.

CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 28, 28b and 28c.

- 28a. ABEYANCE - 22-0386-VAR1 - VARIANCE - TO ALLOW A FOUR-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED

Minutes:

See Item 6 for related discussion and Items 28-28c for related backup.

Motion made by Jeff Rogan to Hold in Abeyance Items 15a and 15b, 39, 40a-40e, 42a-42d and 44 to 11/15/2022, Items 21a and 21b to 12/13/2022 and Withdraw without prejudice Items 26a-26d, 28a, 31a and 31b and 37a-37c

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

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

28b. ABEYANCE - 22-0386-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED CAR WASH, FULL SERVICE OR AUTO DETAILING USE

Minutes:

See Item 28 for related discussion and Items 28, 28b and 28c for related backup.

Motion made by Jeff Rogan to Approve Items 28b and 28c subject to condition(s)

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

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

28c. ABEYANCE - 22-0386-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 4,638 SQUARE-FOOT CAR WASH DEVELOPMENT AND A FUTURE BUILDING PAD SITE WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS

Minutes:

See Item 28 for related discussion and Items 28, 28b and 28c for related backup.

Motion made by Jeff Rogan to Approve Items 28b and 28c subject to condition(s)

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

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

29. ABEYANCE - RENOTIFICATION - 22-0391 - PUBLIC HEARING - APPLICANT/OWNER: AMBLESIDE PROPERTIES, LLLP - For possible action on the following Land Use Entitlement project requests on 13.87 acres located on the north side of Alpine Place approximately 250 feet west of Decatur Boulevard (APN 138-36-811-000), Ward 1 (Knudsen). Staff recommends APPROVAL on 22-0391-ZON1. Staff recommends DENIAL on 22-0391-VAR1, 22-0391-VAC1 and 22-0391-TMP1.

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open for Items 29-29d, which were heard after trailed Item 27.

BRENDA PEREZ, Planner I, said staff determined that the proposed R-TH (Single Family Attached) Rezoning is consistent with the existing TOD-1 (Transit Oriented Development- Low) General Plan land use designation and surrounding area and staff recommended approval of the proposed Rezoning. There are no unique features of the subject site that would create a hardship; therefore, staff found the Variance request to be preferential in nature and recommends denial. Due to the requested Variance associated with the map, staff recommended denial of the requested Tentative Map. The applicant has not obtained written consent from all parties that would be affected; therefore, staff could not support the requested Vacation. Additional letters of protest were received since publication.

JEREMIAH JOHNSON, Taney Engineering, represented the applicant and explained that the 13.87-acre parcel was home to a condominium complex that was demolished. The requested Rezoning would accommodate a proposed single-family residential subdivision with 31 lots ranging in size from 1,654 square feet to 3,607 square feet, including an additional 7,654 square feet dedicated along the northern perimeter for open space. The development includes six guest parking spaces and one accessible space, as required by code. The applicant requests to vacate Appian Way as it is not needed for the road connectivity network. They have been unsuccessful in their attempts to reach the property owners for about eight months, including with the assistance of COUNCILMAN KNUDSEN'S office. Given that the roadway is a dedicated 30-foot section and the

other 30 feet of space was dedicated to parking for a building that has been demolished, they feel the vacation is appropriate and will not burden the adjacent property owners who utilize the road. They worked with Las Vegas Fire and Rescue and Public Works Departments to include a 30-inch modified rolled curb on the 48-foot-wide private streets.

The architectural and elevation plans depict 4-, 7- and 8-plex configurations with the units having three bedrooms and 2.5 bathrooms and properties with two-car garages and 18-foot long driveways. There will be adequate parking for each unit, and the style is Spanish Mediterranean modern, similar to what exists in the area. The Tentative Map includes pedestrian access easements as access is primarily through the rear of the property. He concurred with all conditions, including an additional condition for 22-0391-VAR1 should 22-0391-VAC1 not be approved.

At the request of JAMES LEWIS, Deputy City Attorney IV, VICTOR BOLANOS, Sr. Engineering Associate, explained the added condition, which NICOLE EDDOWES, Community Development Coordinator, subsequently read for Item 29d (22-0391-TMP1), and MR. JOHNSON agreed. MR. LEWIS clarified that approval of 22-0391-VAC1 will not necessitate the additional condition.

COMMISSIONER ROGAN supported 22-0391-ZON1 and 22-0391-VAR1 as he did not feel the gates are needed for a project with such density. He applauded the applicant for reaching out to the property owners regarding 22-0391-VAC1, and he was not concerned because the adjacent property owners will have other access points. MR. LEWIS said the adjacent properties have main access from Decatur Boulevard, so there is no type of material harm.

See Items 29a-29d for related backup.

CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 29-29d.

- 29a. ABEYANCE - 22-0391-ZON1 - REZONING - FROM: C-1 (LIMITED COMMERCIAL) TO R-TH (SINGLE-FAMILY ATTACHED)

Minutes:

See Item 29 for related discussion and Items 29-29d for related backup.

Motion made by Jeff Rogan to Approve Items 29a-29d subject to condition(s) with amended conditions for Item 29d

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

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

- 29b. 22-0391-VAR1 - VARIANCE - TO ALLOW A PRIVATE STREET WITHOUT A GATE THAT DOES NOT MEET COMPLETE STREET STANDARDS

Minutes:

See Item 29 for related discussion and Items 29-29d for related backup.

Motion made by Jeff Rogan to Approve Items 29a-29d subject to condition(s) with amended conditions for Item 29d

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

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

- 29c. ABEYANCE - 22-0391-VAC1 - VACATION - PETITION TO VACATE 30 FEET OF PUBLIC RIGHT-OF-WAY KNOWN AS APPIAN WAY

Minutes:

See Item 29 for related discussion and Items 29-29d for related backup.

Motion made by Jeff Rogan to Approve Items 29a-29d subject to condition(s) with amended conditions for Item 29d

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

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

- 29d. ABEYANCE - 22-0391-TMP1 - TENTATIVE MAP - ALPINE & APPIAN SINGLE-FAMILY RESIDENTIAL - FOR A 32 LOT SINGLE-FAMILY ATTACHED RESIDENTIAL SUBDIVISION

Minutes:

See Item 29 for related discussion and Items 29-29d for related backup.

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

A. Prior to the submittal of a Final Map for this site, the applicant shall either record an Order of Vacation, such as 22-0391-VAC1, or receive approval of Variance of Title 19.04.110 to allow the development to occur without dedicating the west half of Appian Way.

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

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

30. ABEYANCE - RENOTIFICATION - 22-0392 - PUBLIC HEARING - APPLICANT/OWNER: DURANGO M B PARTNERS, LLC - For possible action on the following Land Use Entitlement project requests on 10.38 acres at the northwest corner of Durango Drive and El Capitan Way (APN 125-17-601-019), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Fiore). Staff recommends APPROVAL on 22-0392-MOD1. Staff recommends DENIAL on 22-0392-VAR1, 22-0392-SUP1, 22-0392-SDR1, and 22-0392-TMP1.

Minutes:

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

BRENDA PEREZ, Planner I, reported that the applicant requested a Major Modification of the Town Center Development Standards from SC-TC (Service Commercial - Town Center) to M-TC (Medium Density - Town Center) for a proposed 37-unit attached townhome development north of Durango Drive and immediately east of US-95. Staff supports the requested Major Modification. In conjunction with the request for a Major Modification, the applicant requested a Variance that is the result of 16 units designed with single-car garages with no leftover space for an additional vehicle to be parked on those lots. In addition, the site cannot accommodate a second active entry, requiring a waiver. As these hardships are design-related, the hardship is self-imposed. Therefore, staff recommended denial of the Variance (22-0392-VAR1), Special Use Permit (22-0392-SUP1), Site Development Plan Review (22-0392-SDR1) and Tentative Map (22-0392-TMP1).

ATTORNEYS LEXA GREEN and ROBERT GRONAUER, 1980 Festival Plaza Drive, appeared on behalf of the applicant/owner, who proposes a single-family development consisting of townhomes. MS. GREEN reviewed the applications. The property is under the Town Center Master Plan and they propose to develop 2.8 acres of the 10.38-acre site with a density of 12.8 dwelling units per acre. The gated community will have a single egress and ingress point, will include 12-25 units per acre, as permitted by the requested zoning designation of M (Medium Density - Town Center), and will help provide needed affordable housing for the working class. Regarding 22-0392-VAR1, MS. GREEN explained they are providing 56 spaces and 25 on-site guest parking spaces where seven are required, bringing the total to 81 spaces, noting that 18 of the units will have single-car

garages. The two-floor plan models will range from 1,725 square feet to 1,958 square feet. She pointed out that their similar project consisting of townhomes was approved in June 2022 just south of Durango Drive with the same requests.

As a matter of background, MR. GRONAUER explained that approximately two months ago, Jiffy Lube's application was considered and approved by the Planning Commission; however, that decision was appealed to the City Council. He has been working with the majority property owner of the commercial shopping center, which is represented by ATTORNEY JAY BROWN, on a solution to address some of the concerns of the owner and the residents with respect to Jiffy Lube. He assured that they have worked in good faith with MR. BROWN, and sent additional conditions of approval to staff, whom he thanked for their efforts, for review and recordation, and he read those for Item 30d (22-0392-SDR1).

LORA DREJA, with the office of MR. BROWN, was present representing Durango Auto Care LLC, the applicant for the Jiffy Lube, and Durango I-95 LLC, the co-administrator of the commercial property. She explained that they have been working with MR. GRONAUER to find a way for the proposed residential project, which has access via an easement in the shopping center, to be developed. Although discussions have been productive, she believes further discussion is necessary, as they have not been able to obtain an agreement from the commercial center property owners regarding the construction easement, posting of parking signs, formalization of additional parking layout by staff and design of a walkway and an easement grant for the pedestrian gate. She said they would continue to work with the applicant's representatives in hopes of reaching a resolution prior to the City Council meeting in November.

ATTORNEY MATT MORRIS, Holland & Hart, appeared representing Lowe's at Centennial Hills, which is one of the anchor tenants in the commercial shopping center adjacent to the proposed residential development. He claimed that although they have tried, they have not been involved in the discussions referenced, and he agreed with the concerns raised in the staff report and with the conditions. He expressed concern with parking, traffic management, public safety, access to the parcel and project incompatibility with surrounding uses. Given that his client is a consenting owner, he asked that they be included in discussions.

MR. GRONAUER said they were informed that Lowe's representatives were informed of all meetings, but he offered to reach out to MR. MORRIS personally in the interim of the City Council meeting.

COMMISSIONER DE SALVIO said this project is a mirror image of a recent project approved nearby, and he felt confident the applicant would work out the issues by the time the City Council considers it. He feels that this project is a perfect fit for the area and will help address the housing shortage.

See Items 30a-30e for related backup.

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

- 30a. ABEYANCE - 22-0392-MOD1 - MAJOR MODIFICATION - FROM: SC-TC (SERVICE COMMERCIAL - TOWN CENTER) TO: M (MEDIUM DENSITY - TOWN CENTER)

Minutes:

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

Motion made by Louis De Salvio to Approve Items 30a-30e subject to condition(s) with amended conditions for Item 30d

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

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

- 30b. ABEYANCE - 22-0392-VAR1 - VARIANCE - TO ALLOW 70 ONSITE PARKING SPACES WHERE 78 ARE REQUIRED

Minutes:

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

Motion made by Louis De Salvio to Approve Items 30a-30e subject to condition(s) with amended conditions for Item 30d

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

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

30c. ABEYANCE - 22-0392-SUP1 - SPECIAL USE PERMIT - FOR PRIVATE STREETS BEHIND A GATE

Minutes:

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

Motion made by Louis De Salvio to Approve Items 30a-30e subject to condition(s) with amended conditions for Item 30d

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

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

30d. ABEYANCE - RENOTIFICATION - 22-0392-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 37-UNIT TOWNHOME DEVELOPMENT

Minutes:

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

Motion made by Louis De Salvio to Approve subject to condition(s) and adding the following conditions as read for the record:

A. A pedestrian access gate shall be installed at the main entrance to the subdivision.

B. The entity leasing or selling the single-family residences shall provide a disclosure of the existence of private access easement and private parking agreements to any prospective lease or purchaser of a home on the subject site.

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

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

30e. ABEYANCE - RENOTIFICATION - 22-0392-TMP1 - TENTATIVE MAP - DURANGO AND 95 - PARCEL 2 - FOR A 37-LOT SINGLE-FAMILY ATTACHED RESIDENTIAL SUBDIVISION

Minutes:

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

Motion made by Louis De Salvio to Approve Items 30a-30e subject to condition(s) with amended conditions for Item 30d

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

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

31. ABEYANCE - 22-0415 - PUBLIC HEARING - APPLICANT: JEFFERY RUBIN - OWNER: LAS HACIENDAS APTS, LLC - For possible action on the following Land Use Entitlement project requests on 0.66 acres at 2000

South Eastern Avenue (APN 162-02-801-004), Ward 3 (Diaz). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:

See Item 6 for related discussion and Items 31a and 31b for related backup.

- 31a. ABEYANCE - 22-0415-ZON1 - REZONING - FROM: P-R (PROFESSIONAL OFFICE AND PARKING) TO: C-1 (LIMITED COMMERCIAL)

Minutes:

See Item 6 for related discussion and Items 31-31b for related backup.

Motion made by Jeff Rogan to Hold in Abeyance Items 15a and 15b, 39, 40a-40e, 42a-42d and 44 to 11/15/2022, Items 21a and 21b to 12/13/2022 and Withdraw without prejudice Items 26a-26d, 28a, 31a and 31b and 37a-37c

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

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

- 31b. ABEYANCE - 22-0415-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED FACILITY TO PROVIDE TESTING, TREATMENT, OR COUNSELING FOR DRUG OR ALCOHOL ABUSE

Minutes:

See Item 6 for related discussion and Items 31-31b for related backup.

Motion made by Jeff Rogan to Hold in Abeyance Items 15a and 15b, 39, 40a-40e, 42a-42d and 44 to 11/15/2022, Items 21a and 21b to 12/13/2022 and Withdraw without prejudice Items 26a-26d, 28a, 31a and 31b and 37a-37c

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

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

32. 22-0296 - PUBLIC HEARING - APPLICANT/OWNER: J G SAHARA, LLC - For possible action on the following Land Use Entitlement project requests on 0.80 acres at 1000 East Sahara Avenue (APN 162-03-801-116), C-1 (Limited Commercial) Zone, Ward 3 (Diaz). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:

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

JONATHAN BOYLES, Sr. Planner, reported that the applicant proposes to remove an existing landscape buffer and add a 546-square-foot outdoor seating area on the south façade of the building adjacent to Sahara Avenue for an existing nightclub. The fencing will consist of wrought iron with a gate. The existing onsite parking lot is parking impaired and has insufficient space to accommodate the additional 11 parking spaces that will be required once the outdoor patio is added to the site, which staff has deemed as a self-imposed hardship. In addition, staff does not support the removal of the existing portion of the landscape buffer adjacent to Sahara Avenue, which will negatively impact the aesthetics of the subject site. Therefore, staff finds the proposed use cannot be conducted in a harmonious and compatible manner with the surrounding area and recommended denial. He noted that additional letters of protest were received since publication.

SANDRO MARIC, the applicant, explained that he purchased the business during the COVID-19 pandemic shutdown to fulfill his dream of owning a nightclub. After a significant investment, he decided to make improvements and provide outdoor seating to provide a better experience for his patrons. The patio seating will not encroach onto the sidewalk. The proprietor supports his project and believes it will improve the area.

CHAIR SCHLOTTMAN did not believe this would adversely impact the area, and he concurred with MR. MARIC that he agreed with the conditions.

See Items 32a and 32b for related backup.

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

32a. 22-0296-VAR1 - VARIANCE - TO ALLOW ZERO ADDITIONAL PARKING SPACES WHERE 11 ARE REQUIRED FOR AN EXISTING PARKING IMPAIRED DEVELOPMENT

Minutes:

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

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

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

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

32b. 22-0296-SDR1 - SITE DEVELOPMENT REVIEW - FOR A PROPOSED 546 SQUARE-FOOT OUTDOOR PATIO ASSOCIATED WITH NIGHTCLUB AND TAVERN USES WITH A WAIVER OF PERIMETER LANDSCAPE STANDARDS

Minutes:

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

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

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

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

33. 22-0410 - PUBLIC HEARING - APPLICANT/OWNER: COUNTY OF CLARK - For possible action on the following Land Use Entitlement project requests on 7.72 acres on the northeast corner of Tropical Parkway and Rebecca Road (APN 125-26-204-003), Ward 6 (Fiore). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open for Items 33-33d.

JONATHAN BOYLES, Sr. Planner, said the applicant is proposing a 36-lot, single-family, detached residential subdivision on approximately 7.72 acres on the subject site, with a proposed density of 4.66 dwellings per acre. Staff finds the density and intensity of the proposed Low-Density Residential General Plan designation are not compatible with the surrounding large-lot residential area, which predominantly has a land use designation of Desert Rural Density Residential and allows up to a maximum of 2.50 dwelling units per acre. In addition, staff does not support the requested Rezoning (22-0410-ZON1) to Single Family Residential, which will allow a minimum lot size of 6,500 square feet that is also not compatible with the surrounding R-E (Residence Estates) zoned lots, requiring a minimum lot size of 18,000 square feet.

With regard to 22-0410-VAR1, staff determined that no unique or extraordinary circumstance was presented to support the request. Staff notes that using an alternative design would allow conformance to the Title 19 requirements. Therefore, staff recommended the denial of all associated applications due to the associated Variance request and incompatibility of the proposed lot sizes with the existing surrounding area. He noted that additional letters of protest and support were received since publication.

ATTORNEY JENNIFER LAZOVICH, 1980 Festival Plaza Drive, appearing on behalf of the applicant, briefly described the site and the application and related components. The map shows an access point off Tropical

Parkway with inside public streets for this non-gated community, as well as perimeter landscaping along Tropical Parkway. The code does not require perimeter landscaping along Rebecca Road or Bullring Lane, which are 60-foot streets.

Clark County purchased the property from a private owner to build a park, but the City of Las Vegas built a park first across the street from the subject site. Therefore, the County decided not to build another park because it would only contribute to traffic congestion. Given the need for affordable housing, as stated under Item 4 (Public Comment), the County proposes to retain ownership of the property and seek a developer through the RFP (Request for Proposals) process to build homes that will be sold to qualifying first-time, low-income homebuyers using an AMI (Average Median Income) affordability program to get a mortgage. The person would own the home and the County would lease the land as a way to try to control the cost. She explained how the formula would work with 80 percent AMI. The homes will have a deed restriction requiring owner occupancy and will include the re-sell formula for clarity and transparency. To the common question of how this would affect surrounding property values, she explained there are no appraisal comparables (comps) that can be used for the homes within this development to outside homes or vice versa. The expectation is that home values will increase, but at a rate concurrent with AMI according to the cost of living; however, the County will still impose a cap to ensure continued affordability. She emphasized that the goal is to provide homeownership opportunities for people in certain professions in the community, such as teachers, police officers, firefighters and individuals in residency programs. Although this unique program exists in other cities, it will be the first of its kind in Southern Nevada.

MS. LAZOVICH said that concerns were raised at the neighborhood meeting in September 2022 regarding density, driveway location on Tropical Way and the lack of landscaping along Rebecca Road and Bullring Lane. In an effort to address some of the concerns, they are willing to reduce the density to a maximum of 3.89 units per acre or a maximum of 30 lots, which is comparable to densities in the area. Additionally, they are willing to install six feet of perimeter landscaping along Rebecca Road and Bullring Lane, although it is not required per code.

VALERIE and DOUG EVANS, CRAIG ELLINS, JUDY STUEWE, BOBBY and MAYRA MAYES, TARA CARRELL, SUSAN GARRETT, SANDRA PILOTTE, YOLANDA VILLEGAS, ERNIE OHLIN and PETER MAZZEO appeared in opposition to this project, which they feel is not compatible with their rural lot homes given the density. They agreed affordable housing is necessary, but it is not appropriate for this area. They are concerned about the traffic the development will generate in the area, where they have a problem with drivers doing donuts in the early hours. They are concerned about the impact on their property investment. They would prefer a park on the site. MESSRS. ELLINS, MAYES and EVANS believe the concept is flawed.

MS. EVANS said she spoke with Clark County COMMISSIONER MARILYN KIRKPATRICK, who indicated that the development would be 28 units to the acre. She supported staff's denial recommendation.

MS. MAYES submitted a protest petition for the record.

MS. LAZOVICH commented that at the neighborhood meeting, she clearly heard the concerns about density and other exterior elements. With regard to traffic, she insisted that it is minimal for a 30-lot housing development and that a park would generate more traffic. With respect to the program, she assured the Commissioners that the County would stay involved and that the program has proven to work across the country. Although everyone agrees that affordable housing is necessary, if she asked, everyone would say this is a nice project but not appropriate for their neighborhood. Nevertheless, from a land-use perspective, the density is appropriate and the addition of landscaping is consistent for the area.

COMMISSIONER DE SALVIO said he, like the residents at the neighborhood meeting, was concerned about density and landscaping; however, those concerns were addressed. Moreover, he was still concerned about whether applicants will have to qualify as if they were buying a typical home and show proof of income, bank statements and tax returns, to which MS. LAZOVICH responded in the affirmative. He mentioned that he looked online and was surprised that local beginning police officers, firefighters, teachers and trades apprentices make the types of salaries that would price them out of traditional housing, and he understood why they would need help to qualify for a starter home. He supported the project, especially with the lower density and because he

regards this as a hand-up to people who are entering great careers. He applauded County COMMISSIONER KIRKPATRICK for coming up with the idea. MS. LAZOVICH further explained the cap concept in the program, noting that none of the buyers will be kicked out of their homes. She agreed with the conditions.

COMMISSIONER TOUSSAINT was very excited about this greatly needed project. She said she has relatives who need a hand-up like this.

See Item 4 for related discussion and Items 33a-33d for related backup.

CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 33-33d.

33a. 22-0410-GPA1 - GENERAL PLAN AMENDMENT - FROM: PR-OS (PARKS/RECREATION/OPEN SPACE) TO: L (LOW DENSITY RESIDENTIAL)

Minutes:

See Items 4 and 33 for related discussion and Items 33-33d for related backup.

Motion made by Louis De Salvio to Approve Items 33a-33d subject to condition(s) with amended conditions for Item 33d

NOTE: Commissioner Rogan abstained from voting given his duty of loyalty as Deputy District Attorney to his employer and the applicant Clark County.

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

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

33b. 22-0410-ZON1 - REZONING - FROM: R-E (RESIDENCE ESTATES) TO: R-1 (SINGLE FAMILY RESIDENTIAL)

Minutes:

See Items 4 and 33 for related discussion and Items 33-33d for related backup.

Motion made by Louis De Salvio to Approve Items 33a-33d subject to condition(s) with amended conditions for Item 33d

NOTE: Commissioner Rogan abstained from voting given his duty of loyalty as Deputy District Attorney to his employer and the applicant Clark County.

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

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

33c. 22-0410-VAR1 - VARIANCE - TO ALLOW A 1.00 CONNECTIVITY RATIO WHERE 1.30 IS THE MINIMUM REQUIRED

Minutes:

See Items 4 and 33 for related discussion and Items 33-33d for related backup.

Motion made by Louis De Salvio to Approve Items 33a-33d subject to condition(s) with amended conditions for Item 33d

NOTE: Commissioner Rogan abstained from voting given his duty of loyalty as Deputy District Attorney to his employer and the applicant Clark County.

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

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

33d. 22-0410-TMP1 - TENTATIVE MAP - TROPICAL & REBECCA - FOR A PROPOSED 36-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION

Minutes:

See Items 4 and 33 for related discussion and Items 33-33d for related backup.

Motion made by Louis De Salvio to Approve subject to condition(s) deleting Condition 7, amending Condition 8 and adding the following conditions as read for the record:

NOTE: Commissioner Rogan abstained from voting given his duty of loyalty as Deputy District Attorney to his employer and the applicant Clark County.

8. Construct a pedestrian access in Common Element "C" and grant a Public Pedestrian Access Easement over Common Element "C". Alternatively, prior to the submittal of construction drawings for this site, submit a pedestrian circulation plan to identify nearby pedestrian attractors and recommend measures to accommodate pedestrians, such as but not limited to pedestrian access, crosswalk, pedestrian-activated flashers and temporary sidewalks. Comply with the recommendation of the approved pedestrian circulation plan.

A. The residential subdivision shall be limited to a maximum of 30 lots.

B. A six-foot landscape buffer shall be provided adjacent to Rebecca Road and Bullring Lane.

C. Detail C and all the "private" call outs in the layout of Sheet 2 shall be updated to replace "private" with "public."

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

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

34. 22-0416-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: NEVILLE C. EMERTON AND JULIA E. MOORE - For possible action on a Land Use Entitlement project request TO ALLOW A TWO-FOOT SIDE YARD SETBACK WHERE FIVE FEET IS REQUIRED FOR AN EXISTING ACCESSORY STRUCTURE (CLASS II) [SHED 1]; TO ALLOW A THREE-FOOT SEPARATION FROM THE PRIMARY DWELLING WHERE SIX FEET IS REQUIRED FOR AN EXISTING ACCESSORY STRUCTURE (CLASS II) [SHED 1]; AND TO ALLOW AN EXISTING ACCESSORY STRUCTURE (CLASS II) [SHED 2] TO NOT BE AESTHETICALLY COMPATIBLE WITH THE PRIMARY DWELLING WHERE SUCH IS REQUIRED ON 0.47 acres at 7521 Cedargulf Avenue (APN 125-15-412-025), R-E (Residence Estates) Zone, Ward 6 (Fiore). Staff recommends DENIAL.

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open.

JONATHAN BOYLES, Sr. Planner, reported that the applicant proposes to allow two existing accessory structures that do not meet Title 19 development standards that were installed without obtaining building permits to remain on the subject site. This application is the result of a Code Enforcement violation (CE21-01000) on the property that remains open, pending approval or denial of the Variance (22-0416-VAR1) application.

The submitted justification letter states that the applicant had received approval from their homeowners association (HOA), but was unaware of the requirements set forth by the City of Las Vegas to obtain a variance. No evidence of unique or extraordinary circumstances related to the physical characteristics of the site was presented to warrant the request. As such, the hardship was self-imposed and preferential in nature.

Therefore, staff recommended denial of 22-0416-VAR1. He noted additional letters of protest were received since publication.

ATTORNEYS LEXA GREEN and STEPHANIE ALLEN, 1980 Festival Plaza Drive, were present representing the applicant/owner, who is requesting a variance for two sheds on property in a gated community with an HOA. MS. GREEN explained that although the applicant is not compliant with development standards, he did obtain approval from the association. She had three letters of support, which she submitted for the record. She acknowledged there was a protest submitted, but that property owner resides 42 homes away from the subject site. She referred to the photos of the sheds, which she regarded as well-maintained, good matches with the home's materials and barely visible from the street.

FARROW SMITH was opposed because he feels the accessory structure is not compatible with the primary dwelling. He noted that approval would set an undesirable precedent for the neighborhood, given that other homes in the area have accessory structures that match their homes. He acknowledged that the applicant received the HOA's approval, but he pointed out that the applicant is a member of the architectural board.

PETER MAZZEO claimed he did not receive a notice of the meeting. He said the applicant was the president of the board at the time that the application was submitted for the shed and if he voted, that would be a conflict of interest. He countered that the shed is visible from the street because he sees it every day when he runs in the neighborhood. He agreed with staff's denial recommendation.

JAMES LEWIS, Deputy City Attorney IV, said the unfortunate allegations are between the homeowners and the HOA.

MS. GREEN insisted that she had letters of support from residents to the east, west and across the street. She asserted the shed is buffered by landscaping.

COMMISSIONER DE SALVIO said that if the resident across the street does not have a problem and the HOA approved it, he could not oppose it.

CHAIR SCHLOTTMAN declared the Public Hearing closed.

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

NOTE: The video does not reflect the vote accurately, in that Chair Schlottman's vote was not captured due to technical difficulties, and he verbally requested that his vote be reflected as negative.

Passed For: 5; Against: 2; Abstain: 0; Did Not Vote: 0; Excused: 0

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

35. 22-0417 - PUBLIC HEARING - APPLICANT: UMER MALIK - OWNER: UNITED STATES OF AMERICA - For possible action on the following Land Use Entitlement project requests on a portion of 28.43 acres at the southeast corner of Centennial Parkway and Shaumber Road (APN 126-25-201-013), Ward 4 (Anthony). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open for Items 35-35f.

JONATHAN BOYLES, Sr. Planner, said the subject site is located on the southeast corner of Centennial Parkway and Shaumber Road and is currently bordered by undeveloped parcels to the west and south. The east perimeter of the site is bordered by the Clark County 215 Freeway, and existing single-family detached dwellings are located north of the subject site across the Centennial Parkway right-of-way. Additionally, the subject site is located within the La Madre Foothills area as outlined in the City of Las Vegas 2050 Master Plan. The plan indicates that the La Madre Foothills area currently lacks commercial activity and job centers, with residents relying on businesses located in Centennial Hills Town Center. In the future for areas west of the

beltway, new subdivisions can be developed, but there are few major neighborhood centers and an overall lack of commercial areas.

Staff determined that this proposed commercial development meets the goals outlined in the La Madre Foothills area plan by providing commercial development at a major intersection located west of the 215 Beltway. In addition, the applicant will also have to construct half-street improvements on Shaumber Road, which will support pedestrian and vehicular circulation in the surrounding area. Therefore, staff recommended approval of the requested General Plan Amendment (22-0417-GPA1), Rezoning (22-0417-ZON1), three Special Use Permits (22-0417-SUP1, -SUP2 and -SUP3) and the Site Development Plan Review (22-0417-SDR1). He noted that additional letters of protest and support were received since publication.

JEREMIAH JOHNSON, Taney Engineering, representing the applicant, said he would like to speak after the residents, noting that Item 42 (22-0483), which involves a similarly named project across the beltway, was held in abeyance.

KEVIN and JANA BUCKLEY, CARL and SUAUNE MYERS, CLYDE and MELANIE DE MAIE CASE and VIRGINIA GRAY opposed this project and said they would prefer to meet with the applicant to discuss a project they could support in their neighborhood. They do not like that this project has gaming and a car wash, and will generate more traffic, trash and lights. They are not opposed to commercial uses, but they would like a business with limited hours of operation so that the lights do not illuminate their neighborhood. They are also concerned about a fast-food establishment with two drive-thru speakers operating into the late hours. MR. BUCKLEY said he was also representing some neighbors in opposition for the same reasons above who had to leave the meeting.

MR. JOHNSON reviewed the site components and the application details for this convenience store with a car wash and office/retail building, noting that following the neighborhood meeting on September 14, 2022, they amended 22-0417-ZON1 to C-1 (Limited Commercial) to limit the uses of the property. He said that although they sent a proper notice of the meeting and addressed the concerns, he would be amenable to holding another meeting in the interim of the City Council meeting. The site will be graded accordingly and the lights will meet Title 19 approved downlighting standards. He pointed out that even if it were not a 24-hour facility, lighting would be required in the parking lot for safety reasons, and added that they are looking to bring in a business such as Dunkin Donuts or a Starbucks on the ground level. With respect to nearby gas stations, he said they are approximately 1.5 and 1.75 miles away. The project will include modern, attractive structures with a compatible color scheme for the area. He agreed with the recommendations of staff and the conditions.

COMMISSIONER TOUSSAINT confirmed that they would include 36-inch box trees instead of 24-inch box trees to provide shielding and shade early on. The Commissioner emphasized that the residents are adamantly opposed to the car wash and gasoline station, so she asked if those could be replaced with other types of businesses. MR. JOHNSON said the applicant would prefer to proceed with the proposed uses. The Commissioner asked if he would be willing to hold another neighborhood meeting in the interim of the City Council meeting, and MR. JOHNSON said he would have to confer with the developer about the hours of operation and a good date for a meeting. CHAIR SCHLOTTMAN said that maybe a compromise could be reached at the neighborhood meeting before the City Council considers the application, and the director could take suggestions to the Council about preferred uses. NICOLE EDDOWES, Community Development Coordinator, said significant use changes would require revised site plans, so she suggested abeyance of 30 days, and the Commissioner and MR. JOHNSON agreed.

See Items 35a-35f for related backup.

CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 35-35f.

- 35a. 22-0417-GPA1 - GENERAL PLAN AMENDMENT - FROM: PCD (PLANNED COMMUNITY DEVELOPMENT) TO: SC (SERVICE COMMERCIAL)

Minutes:

See Item 35 for related discussion and Items 35-35f for related backup.

Motion made by Donna Toussaint to Hold in Abeyance Items 35a-35f to 11/15/2022

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

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

- 35b. 22-0417-ZON1 - REZONING - FROM: U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: C-1 (LIMITED COMMERCIAL)

Minutes:

See Item 35 for related discussion and Items 35-35f for related backup.

Motion made by Donna Toussaint to Hold in Abeyance Items 35a-35f to 11/15/2022

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

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

- 35c. 22-0417-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED 4,000 SQUARE-FOOT ALCOHOL, OFF-PREMISE BEER AND WINE USE

Minutes:

See Item 35 for related discussion and Items 35-35f for related backup.

Motion made by Donna Toussaint to Hold in Abeyance Items 35a-35f to 11/15/2022

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

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

- 35d. 22-0417-SUP2 - SPECIAL USE PERMIT - FOR A PROPOSED 4,000 SQUARE-FOOT GAMING ESTABLISHMENT, RESTRICTED (1 TO 5 MACHINES) USE

Minutes:

See Item 35 for related discussion and Items 35-35f for related backup.

Motion made by Donna Toussaint to Hold in Abeyance Items 35a-35f to 11/15/2022

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

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

- 35e. 22-0417-SUP3 - SPECIAL USE PERMIT - FOR A PROPOSED CAR WASH, FULL SERVICE OR AUTO DETAILING USE

Minutes:

See Item 35 for related discussion and Items 35-35f for related backup.

Motion made by Donna Toussaint to Hold in Abeyance Items 35a-35f to 11/15/2022

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

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

- 35f. 22-0417-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED COMMERCIAL DEVELOPMENT CONSISTING OF A 4,000 SQUARE-FOOT CONVENIENCE STORE WITH 1,400 SQUARE-FOOT FULL SERVICE CAR WASH AND 10,000 SQUARE-FOOT OFFICE/RETAIL SHELL

BUILDING WITH WAIVERS OF PERIMETER LANDSCAPE BUFFER REQUIREMENTS AND TO NOT ORIENT THE BUILDINGS TO THE CORNER WHERE SUCH IS REQUIRED

Minutes:

See Item 35 for related discussion and Items 35-35f for related backup.

Motion made by Donna Toussaint to Hold in Abeyance Items 35a-35f to 11/15/2022

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

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

36. 22-0429 - PUBLIC HEARING - APPLICANT: NEIL CAPIN - OWNER: SAHARA WEST EXECUTIVE PARK, LLC - For possible action on the following Land Use Entitlement project requests on 1.73 acres at the northeast corner of Sahara Avenue and Spanish Oaks Drive (APN 162-05-403-001), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open for Items 36-36b.

JONATHAN BOYLES, Sr. Planner, indicated that this project is located on the northeast corner of Sahara Avenue and Spanish Oaks Drive in the Master Plan 2050 Charleston area. The applicant has proposed to demolish the existing structure and re-develop the subject site with a car wash and full service development. The Charleston area has specific goals that include land use and development implementation strategies. These land use and development goals include transit-oriented development among major transit corridors, an increase of civic and green spaces, diverse housing options, mixed-use, placemaking through art and adaptive reuse. Staff finds the proposed car wash development is not adaptive reuse of the existing structure and not compatible with the existing surrounding land uses, which include single-family residences. Therefore, staff recommended denial of the requested Special Use Permit (22-0429-SUP1) and Site Development Plan Review (22-0429-SDR1). He noted that additional letters of protest and support were received since publication.

ATTORNEY DAVID BROWN, 520 South 4th Street, explained that the subject property has been vacant for over 15 years, and they have not been able to attract a restaurant. The car wash will be situated as close as possible to Sahara Avenue to keep the noise from the residents. A neighborhood meeting was scheduled, but no residents attended.

ADRIANE DEOLIVEIRA said she was not opposed, but she never received any notice of any meeting and she would like to understand the project.

MR. BROWN did not understand why MS. DEOLIVEIRA did not receive notice of the meeting and added that the property owner to the east is in favor because the vacant property is an eyesore. CHAIR SCHLOTTMAN asked MR. BROWN to obtain the contact information for MS. DEOLIVEIRA and meet with her.

COMMISSIONER ROGAN said only he and COUNCILMAN KNUDSEN attended the neighborhood meeting. He felt that without new zoning that comports with the Master Plan for the area, he had to support the car wash, which is permitted under current zoning. After verifying that the intended hours of operation are from 7:00 a.m. to 8:00 p.m., the Commissioner asked MR. BROWN to consider modifying the hours of operation if there are any concerns from the residents regarding noise. MR. BROWN was amenable to that request and agreed with the conditions.

See Items 36a and 36b for related backup.

CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 36-36b.

- 36a. 22-0429-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED CAR WASH, FULL SERVICE OR AUTO DETAILING USE

Minutes:

See Item 36 for related discussion and Items 36-36b for related backup.

Motion made by Jeff Rogan to Approve Items 36a and 36b subject to condition(s)

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

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

- 36b. 22-0429-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 3,936 SQUARE-FOOT CAR WASH DEVELOPMENT

Minutes:

See Item 36 for related discussion and Items 36-36b for related backup.

Motion made by Jeff Rogan to Approve Items 36a and 36b subject to condition(s)

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

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

37. 22-0434 - PUBLIC HEARING - APPLICANT: STRONGBOX DEVELOPMENT COMPANY - OWNER: KYLE NORTH HOLDINGS, LLC, ET AL - For possible action on the following Land Use Entitlement project requests on 18.60 acres at the northeast corner of Ruston Road and Shaumber Road (APNs 126-01-201-001 through 002 and 126-01-101-011 through 012), Ward 6 (Fiore). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:

See Item 6 for related discussion and Items 37a-37c for related backup.

- 37a. 22-0434-GPA1 - GENERAL PLAN AMENDMENT - FROM: PCD (PLANNED COMMUNITY DEVELOPMENT) TO: LI/R (LIGHT INDUSTRIAL AND RESEARCH)

Minutes:

See Item 6 for related discussion and Items 37-37c for related backup.

Motion made by Jeff Rogan to Hold in Abeyance Items 15a and 15b, 39, 40a-40e, 42a-42d and 44 to 11/15/2022, Items 21a and 21b to 12/13/2022 and Withdraw without prejudice Items 26a-26d, 28a, 31a and 31b and 37a-37c

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

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

- 37b. 22-0434-ZON1 - REZONING - FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: C-M (COMMERCIAL/INDUSTRIAL)

Minutes:

See Item 6 for related discussion and Items 37-37c for related backup.

Motion made by Jeff Rogan to Hold in Abeyance Items 15a and 15b, 39, 40a-40e, 42a-42d and 44 to 11/15/2022, Items 21a and 21b to 12/13/2022 and Withdraw without prejudice Items 26a-26d, 28a, 31a and 31b and 37a-37c

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

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

- 37c. 22-0434-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR TWO PROPOSED 154,210 SQUARE-FOOT WAREHOUSE BUILDINGS WITH WAIVERS OF TITLE 19 DEVELOPMENT STANDARDS

Minutes:

See Item 6 for related discussion and Items 37-37c for related backup.

Motion made by Jeff Rogan to Hold in Abeyance Items 15a and 15b, 39, 40a-40e, 42a-42d and 44 to 11/15/2022, Items 21a and 21b to 12/13/2022 and Withdraw without prejudice Items 26a-26d, 28a, 31a and 31b and 37a-37c

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

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

38. 22-0439 - PUBLIC HEARING - APPLICANT/OWNER: LEE CHING HUANG - For possible action on the following Land Use Entitlement project requests on 0.21 acres at 4363 Mountain View Boulevard (APN 162-06-610-044), R-E (Residence Estates) Zone, Ward 1 (Knudsen). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open for Items 38-38b.

NICOLE EDDOWES, Community Development Coordinator, indicated that the subject site is not suitable for the land use proposed as evidenced by the need for a variance and waiver. Additionally, no evidence of a unique or extraordinary circumstance related to the physical characteristics of the property has been presented to warrant a variance. As such, the hardship is self-imposed and, therefore, staff recommended denial of the Special Use Permit (22-0439-SUP1) and associated Variance (22-0439-VAR1).

MARIO ANGUIANO was present with the applicant LEE CHING HUANG. MR. ANGUIANO explained that the casita was on the property when his client bought the house in 2014, and she made some changes to the fencing and attached the casita to the main structure. He requested approval.

COMMISSIONER ROGAN asked MS. HUANG if she hired a contractor, and she replied that she bought the home for retirement, and she was unaware she needed a contractor. She connected the properties to add a bathroom in the middle for convenience to the seniors she was renting to. Someone in the neighborhood must have complained, and then she asked MR. ANGUIANO, who is a contractor living in the neighborhood, to assist her. Her intention was to beautify the home because it was in very bad condition when she bought it, and she invested a great deal in improvements.

COMMISSIONER ROGAN advised MS. HUANG that she created a duplex where such use is not allowed; therefore, he could not support the request. MS. HUANG asked if she could keep the existing casita, and the Commissioner replied that she could keep the property as it was as long as it complies with the code.

See Items 38a and 38b for related backup.

CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 38-38b.

- 38a. 22-0439-VAR1 - VARIANCE - TO ALLOW A PROPOSED ACCESSORY STRUCTURE (CLASS I) [CASITA] TO HAVE A ZERO-FOOT SEPARATION FROM THE PRIMARY DWELLING WHERE SIX FEET IS THE MINIMUM REQUIRED AND TO ALLOW A PROPOSED ACCESSORY STRUCTURE (CLASS I) [CASITA] TO NOT BE AESTHETICALLY COMPATIBLE WITH THE PRIMARY DWELLING WHERE SUCH IS REQUIRED

Minutes:

See Item 38 for related discussion and Items 38-38b for related backup.

Motion made by Jeff Rogan to Deny Items 38a and 38b

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

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

- 38b. 22-0439-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED ACCESSORY STRUCTURE (CLASS I) [CASITA] WITH A WAIVER TO ALLOW AN ACCESSORY STRUCTURE (CLASS I) [CASITA] TO BE OFFERED OR OCCUPIED AS A RENTAL UNIT WHEN THE PRINCIPAL DWELLING IS NOT OWNER-OCCUPIED

Minutes:

See Item 38 for related discussion and Items 38-38b for related backup.

Motion made by Jeff Rogan to Deny Items 38a and 38b

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

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

39. 22-0441-GPA1 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: SOUTHERN NV RENTAL HOLDINGS, LLC - For possible action on a Land Use Entitlement project request FROM: TOD-2 (TRANSIT ORIENTED DEVELOPMENT - LOW) TO: GC (GENERAL COMMERCIAL) on 18.67 acres at the southeast corner of Richfield Boulevard and Wilmington Way (APNs Multiple), Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:

See Item 6 for related discussion.

Motion made by Jeff Rogan to Hold in Abeyance Items 15a and 15b, 39, 40a-40e, 42a-42d and 44 to 11/15/2022, Items 21a and 21b to 12/13/2022 and Withdraw without prejudice Items 26a-26d, 28a, 31a and 31b and 37a-37c

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

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

40. 22-0442 - PUBLIC HEARING - APPLICANT/OWNER: SOUTHERN NV RENTAL HOLDINGS, LLC - For possible action on the following Land Use Entitlement project requests on 18.67 acres at the southeast corner of Richfield Boulevard and Wilmington Way (APNs Multiple), Ward 3 (Diaz). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:

See Item 6 for related discussion and Items 40a-40e for related backup.

- 40a. 21-0442-ZON1 - REZONING - FROM: R-1 (SINGLE-FAMILY RESIDENTIAL) TO: C-2 (GENERAL COMMERCIAL)

Minutes:

See Item 6 for related discussion and Items 40-40e for related backup.

Motion made by Jeff Rogan to Hold in Abeyance Items 15a and 15b, 39, 40a-40e, 42a-42d and 44 to 11/15/2022, Items 21a and 21b to 12/13/2022 and Withdraw without prejudice Items 26a-26d, 28a, 31a and 31b and 37a-37c

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

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

40b. 22-0442-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED 200-FOOT TALL BUILDING WITHIN THE 175-FOOT AIRPORT OVERLAY DISTRICT

Minutes:

See Item 6 for related discussion and Items 40-40e for related backup.

Motion made by Jeff Rogan to Hold in Abeyance Items 15a and 15b, 39, 40a-40e, 42a-42d and 44 to 11/15/2022, Items 21a and 21b to 12/13/2022 and Withdraw without prejudice Items 26a-26d, 28a, 31a and 31b and 37a-37c

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

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

40c. 22-0442-SUP2 - SPECIAL USE PERMIT - FOR A PROPOSED MIXED-USE DEVELOPMENT

Minutes:

See Item 6 for related discussion and Items 40-40e for related backup.

Motion made by Jeff Rogan to Hold in Abeyance Items 15a and 15b, 39, 40a-40e, 42a-42d and 44 to 11/15/2022, Items 21a and 21b to 12/13/2022 and Withdraw without prejudice Items 26a-26d, 28a, 31a and 31b and 37a-37c

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

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

40d. 22-0442-VAC1 - VACATION - PETITION TO VACATE PUBLIC RIGHT-OF-WAY

Minutes:

See Item 6 for related discussion and Items 40-40e for related backup.

Motion made by Jeff Rogan to Hold in Abeyance Items 15a and 15b, 39, 40a-40e, 42a-42d and 44 to 11/15/2022, Items 21a and 21b to 12/13/2022 and Withdraw without prejudice Items 26a-26d, 28a, 31a and 31b and 37a-37c

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

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

40e. 22-0442-TMP1 - TENTATIVE MAP - VEGAS RISING - FOR A PROPOSED FOUR-LOT COMMERCIAL SUBDIVISION

Minutes:

See Item 6 for related discussion and Items 40-40e for related backup.

Motion made by Jeff Rogan to Hold in Abeyance Items 15a and 15b, 39, 40a-40e, 42a-42d and 44 to 11/15/2022, Items 21a and 21b to 12/13/2022 and Withdraw without prejudice Items 26a-26d, 28a, 31a and 31b and 37a-37c

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

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

41. 22-0458-MOD1 - MAJOR MODIFICATION - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: NORTHLAND, LLC, ET AL - For possible action on a Land Use Entitlement project request for a Major Modification of the Sunstone Design Guidelines TO AMEND PARKING REQUIREMENTS FOR RESIDENTIAL DISTRICTS AND AMEND ARCHITECTURAL DESIGN CRITERIA on 629.89 acres generally located at the southwest corner of Moccasin Road and N Skye Canyon Park Dr (APNs Multiple), T-D (Traditional Development) Zone, Ward 6 (Fiore). Staff recommends APPROVAL.

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open.

NICOLE EDDOWES, Community Development Coordinator, reported that staff recognizes that Sunstone is a private, master-planned community with a goal of encouraging creativity and innovation in the design of the development. Staff finds the proposed parking to be consistent with Title 19 requirements for single-family residential districts. The requirement for a garage is an aesthetic and practical decision and the proposed modification would eliminate the need for waivers if a developer chose not to provide at least two garage spaces. In addition, Sunstone provides housing for multiple income levels and family types, which includes attached or detached casitas. The proposed modification to the Sunstone Design Guidelines will provide consistency in standards across all of the single-family residential sub-districts. Therefore, staff recommended approval of the proposed Major Modification (22-0458-MOD1).

ATTORNEYS MISHA RAY and STEPHANIE ALLEN, 1980 Festival Plaza Drive, appeared on behalf of the master developer. MS. RAY thanked the Commissioners for their time and staff for their recommendation of approval. She agreed with all conditions.

See Item 43 for related discussion.

CHAIR SCHLOTTMAN declared the Public Hearing closed.

Motion made by Louis De Salvio to Approve

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

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

42. 22-0483 - PUBLIC HEARING - APPLICANT: UMER MALIK - OWNER: UNITED STATES OF AMERICA - For possible action on the following Land Use Entitlement project requests on a 5.83 acre portion of 16.89 acres on the south side of Centennial Parkway, approximately 675 feet west of Alpine Ridge Way (APN 126-25-101-010), Ward 4 (Anthony). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:

See Items 4 and 6 for related discussion and Items 42a-42d for related backup.

- 42a. 22-0483-GPA1 - GENERAL PLAN AMENDMENT - FROM: L (LOW DENSITY RESIDENTIAL) TO: ML (MEDIUM LOW DENSITY RESIDENTIAL)

Minutes:

See Items 4 and 6 for related discussion and Items 42-42d for related backup.

Motion made by Jeff Rogan to Hold in Abeyance Items 15a and 15b, 39, 40a-40e, 42a-42d and 44 to 11/15/2022, Items 21a and 21b to 12/13/2022 and Withdraw without prejudice Items 26a-26d, 28a, 31a and 31b and 37a-37c

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

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

- 42b. 22-0483-ZON1 - REZONING - FROM: U (UNDEVELOPED) [L (LOW DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO: R-CL (SINGLE FAMILY COMPACT-LOT)

Minutes:

See Items 4 and 6 for related discussion and Items 42-42d for related backup.

Motion made by Jeff Rogan to Hold in Abeyance Items 15a and 15b, 39, 40a-40e, 42a-42d and 44 to 11/15/2022, Items 21a and 21b to 12/13/2022 and Withdraw without prejudice Items 26a-26d, 28a, 31a and 31b and 37a-37c

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

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

- 42c. 22-0483-VAR1 - VARIANCE - TO ALLOW A CONNECTIVITY RATIO OF 1.00 WHERE 1.30 IS REQUIRED AND NONSTANDARD CUL-DE-SACS WHERE A STANDARD CUL-DE-SAC OR HAMMERHEAD TERMINUS IS REQUIRED

Minutes:

See Items 4 and 6 for related discussion and Items 42-42d for related backup.

Motion made by Jeff Rogan to Hold in Abeyance Items 15a and 15b, 39, 40a-40e, 42a-42d and 44 to 11/15/2022, Items 21a and 21b to 12/13/2022 and Withdraw without prejudice Items 26a-26d, 28a, 31a and 31b and 37a-37c

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

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

- 42d. 22-0483-TMP1 - TENTATIVE MAP - CENTENNIAL & SHAUMBER SINGLE-FAMILY RESIDENTIAL - FOR A 40-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION

Minutes:

See Items 4 and 6 for related discussion and Items 42-42d for related backup.

Motion made by Jeff Rogan to Hold in Abeyance Items 15a and 15b, 39, 40a-40e, 42a-42d and 44 to 11/15/2022, Items 21a and 21b to 12/13/2022 and Withdraw without prejudice Items 26a-26d, 28a, 31a and 31b and 37a-37c

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

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

43. 22-0485 - PUBLIC HEARING - APPLICANT/OWNER: SKY HI, LLC - For possible action on the following Land Use Entitlement project requests on 0.79 acres at 6050 Sky Pointe Drive (APN 125-27-223-002), C-1 (Limited Commercial) Zone, Ward 6 (Fiore). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open for Items 43-43b.

NICOLE EDDOWES, Community Development Coordinator, stated no evidence of a unique or extraordinary circumstance was presented, in that the applicant created a self-imposed hardship by proposing a larger combined sign area for the Sky Pointe Drive frontage than is permitted by Title 19. Staff found the proposed signage to be excessive and intrusive to the neighboring residential properties and recommended denial of both applications. Additional letters of protest were received since publication.

ATTORNEY ROBERT GRONAUER, 1980 Festival Plaza Drive, and MARK WHITEHOUSE, sign consultant, were present representing the application. Using the aerial map, MR. GRONAUER described the site and some of the surrounding uses and streets. They are re-purposing the shopping center with the dispensary, and they are no longer seeking a variance for the leaf wall sign on the building, which would eliminate Condition 2 of 22-0485-VAR1. The other variance is for the two signs on either side of the building. The proposal is to combine the two signs into one larger sign and install it at a height of 69 feet where a maximum height of 80 feet is allowed. The sign area will be 722 square feet instead of the permitted 600 square feet given the combination of the two signs. He requested approval.

COMMISSIONER DE SALVIO could not support the application, especially since they denied the exact request for a property to the east of the subject site. He believes the expanded sign area is not necessary because the current sign is completely visible. He felt it is too intrusive.

CHAIR SCHLOTTMAN confirmed the removal of the leaf from the wall sign with MR. GRONAUER, and said he could support the application.

SETH FLOYD, Community Development Department Director, corrected that Item 41 was final action unless appealed in 10 days, in accordance with the Sunstone Agreement.

See Items 43a and 43b for related backup.

CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 43-43b.

- 43a. 22-0485-VAR1 - VARIANCE - TO ALLOW A TOTAL OF 745 SQUARE FEET OF PROPOSED AND EXISTING FREESTANDING SIGN AREA ALONG SKY POINTE DRIVE WHERE 600 SQUARE FEET IS ALLOWED

Minutes:

See Item 43 for related discussion and Items 43-43b for related backup.

Motion made by Louis De Salvio to Deny Items 43a and 43b

NOTE: Commissioner Cherry abstained from voting in an abundance of caution due to his financial interest in the cannabis industry.

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

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

- 43b. 22-0485-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 69-FOOT TALL ILLUMINATED, FREESTANDING, ON-PREMISE SIGN AND THE ADDITION OF A PROPOSED 10-FOOT TALL LED ILLUMINATED STRUCTURE TO AN APPROVED 42-FOOT TALL BUILDING STRUCTURE

Minutes:

See Item 43 for related discussion and Items 43-43b for related backup.

Motion made by Louis De Salvio to Deny Items 43a and 43b

NOTE: Commissioner Cherry abstained from voting in an abundance of caution due to his financial interest in the cannabis industry.

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

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

DIRECTOR'S BUSINESS:

44. 22-0450-DIR1 - DIRECTOR'S BUSINESS - PUBLIC HEARING - APPLICANT/OWNER: SOUTHERN NV RENTAL HOLDINGS, LLC - For possible action on a request regarding the adoption of the Vegas Rising Development Agreement on approximately 18.67 acres at the southeast corner of Richfield Boulevard and Wilmington Way (APNs Multiple), Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:

See Item 6 for related discussion.

Motion made by Jeff Rogan to Hold in Abeyance Items 15a and 15b, 39, 40a-40e, 42a-42d and 44 to 11/15/2022, Items 21a and 21b to 12/13/2022 and Withdraw without prejudice Items 26a-26d, 28a, 31a and 31b and 37a-37c

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

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

Citizens Participation:

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

Minutes:

None.

The meeting was recessed from 8:51 p.m. to 9:01 p.m. and was adjourned at 11:13 p.m.

Respectfully submitted:

Gabriela Portillo-Brenner, Deputy City Clerk

Cheyenne LaRance, Acting Senior 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