

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 Louis De Salvio, Chair
Commissioner Trinity Haven Schlottman, Vice Chair
Commissioner Sam Cherry
Commissioner Donna Toussaint
Commissioner Anthony Williams
Commissioner Jeff Rogan
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 12, 2021
6:00 PM

BUSINESS ITEMS:

1. Call to Order

Minutes:

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

2. Announcement: Compliance with Open Meeting Law

Minutes:

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

3. Roll Call

Minutes:

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

EXCUSED: COMMISSIONER TOUSSAINT

Also Present: SETH FLOYD, Director of Community Development; ERIC McCAMMOND, Senior Management Analyst; ALEX STRAWSER, Planner II; VICTOR BOLANOS, Senior Engineering Associate; SHERRI SHOUP, Fire Prevention Inspection Supervisor; JAMES LEWIS, Deputy City Attorney; DEBRA A. OUTLAND, Deputy City Clerk; and CHEYENNE LaRANCE, Deputy City Clerk

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

Minutes:

None.

5. For Possible Action to Approve the Final Minutes for the Planning Commission Meeting of September 14, 2021.

Motion made by Trinity Haven Schlottman to Approve

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

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

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

Minutes:

ERIC McCAMMOND, Senior Management Analyst, announced the applicants for Items 32, 38a-d, 42 and 44a-d requested these items be held to the November 9, 2021, Planning Commission meeting. He noted this was the first abeyance request for these items.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 32, 38a-38d, 42 and 44a-44d to 11/9/2021

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

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

CONSENT ITEMS:

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

7. 21-0415-EOT1 - EXTENSION OF TIME - APPLICANT/OWNER: ACRE-AZ, LLC - For possible action on a Land Use Entitlement project request for the first Extension of Time of a previously approved Special Use Permit (SUP-73563) FOR AN AUTO REPAIR GARAGE, MINOR USE at 9855 West Deer Springs Way (APN 125-19-314-005), C-1 (Limited Commercial) Zone, Ward 6 (Fiore). Staff recommends APPROVAL.

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

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

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

8. 21-0453-TMP1 - TENTATIVE MAP - ESTRELLA AT SUNSTONE - APPLICANT: WOODSIDE HOMES OF NEVADA, LLC - OWNER: NORTHLAND, LLC - For possible action on a Land Use Entitlement project request FOR A 106-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 21.40 acres at the northwest corner of Sunstone Parkway and Sun Park Drive (APN 125-06-610-001), T-D (Traditional Development) Zone [L (Residential Low) Sunstone Special Land Use Designation], Ward 6 (Fiore). Staff recommends APPROVAL.

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

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

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

9. 21-0454-TMP1 - TENTATIVE MAP - SKYE CANYON 2.12 - APPLICANT/OWNER: CENTURY COMMUNITIES OF NEVADA, LLC - For possible action on a Land Use Entitlement project request FOR A 25-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 7.56 acres at the southeast of the corner of Egan Crest Drive and Skye Canyon Park Drive (APN 126-12-716-002 and a portion of 126-12-712-051), T-D (Traditional Development) Zone [ML (Medium Low) Skye Canyon Special Land Use Designation], Ward 6 (Fiore). Staff recommends APPROVAL.

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

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

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

10. 21-0473-TMP1 - TENTATIVE MAP - SKYE CANYON 2.11 - APPLICANT/OWNER: CENTURY COMMUNITIES OF NEVADA, LLC - For possible action on a Land Use Entitlement project request FOR A 68-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 14.92 acres on the south side of W Skye Canyon Park Dr between Egan Crest Drive and Shaumber Road (APNs 126-12-716-001, 126-12-314-082, and 126-12-713-010), T-D (Traditional Development) Zone [ML (Medium Low) Skye Canyon Special Land Use Designation], Ward 6 (Fiore). Staff recommends APPROVAL.

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

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

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

11. 21-0524-TMP1 - TENTATIVE MAP - PARCEL 3 AT SUNSTONE PHASE 3 - APPLICANT: SHEA HOMES LIMITED PARTNERSHIP - OWNER: NORTHLAND, LLC - For possible action on a Land Use Entitlement project request FOR A 134-LOT SINGLE-FAMILY DETACHED AND SIX-LOT SINGLE-FAMILY ATTACHED RESIDENTIAL SUBDIVISION on a portion of 35.66 acres located on the south side of Moccasin Road between Sun Village Park Drive and Sun Park Drive (APN 125-06-211-016), T-D (Traditional Development) Zone [AQ (Age Qualified) Sunstone Special Land Use Designation], Ward 6 (Fiore). Staff recommends APPROVAL.

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

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

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

12. 21-0538 - APPLICANT/OWNER: SUMMERLIN PARKWAY STORAGE, LLC - For possible action on the following Land Use Entitlement project requests on 2.50 acres approximately 563 feet west of Rainbow Boulevard, and 610 feet north of Westcliff Drive (APN 138-27-802-001), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:

See Items 12a and 12b for related backup.

- 12a. 21-0538-EOT1 - EXTENSION OF TIME - VARIANCE - FIRST EXTENSION OF TIME FOR AN APPROVED SPECIAL USE PERMIT (SUP-76707) FOR A PROPOSED MINI-STORAGE FACILITY USE

Minutes:

See Items 12-12b for related backup.

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

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

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

- 12b. 21-0538-EOT2 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - FIRST EXTENSION OF TIME FOR AN APPROVED SITE DEVELOPMENT PLAN REVIEW (SDR-76708) FOR A PROPOSED THREE-STORY, 750-UNIT MINI-STORAGE FACILITY CONSISTING OF TWO BUILDINGS FOR A TOTAL OF 123,672 SQUARE FEET

Minutes:

See Items 12-12b for related backup.

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

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

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

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.

13. 21-0169 - PUBLIC HEARING - APPLICANT: WELLTOWER OM GROUP, LLC - OWNER: HCN ACCESS LAS VEGAS I, LLC - For possible action on the following Land Use Entitlement project requests on 3.27 acres at the southwest corner of Deer Springs Way and Riley Street (APN 125-20-710-006), T-C (Town Center) Zone [MC-TC (Montecito Town Center) Special Land Use Designation], Ward 6 (Fiore). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open for Items 13-22.

ANTOINETTE JONES spoke in opposition to Item 15. She mentioned several things that have been built since they moved to this area 40 years ago that are not compatible with their rural lifestyle and believes this proposal will change that lifestyle even more so. She also voiced concerns with added noise and light pollution. CHAIR DE SALVIO advised MS. JONES he would pull Item 15 from the One Motion One Vote Agenda to be heard separately.

See Items 13a-13d for related backup.

CHAIR DE SALVIO declared the Public Hearing closed for Items 13-22.

- 13a. 21-0169-SUP1 - SPECIAL USE PERMIT - FOR PROPOSED ASSISTED LIVING APARTMENTS USE

Minutes:

See Item 13 for related discussion and Items 13a-13d for related backup.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item 15

NOTE: Commissioner Cherry disclosed he owns property within the notification area of Items 14, 17 and 18, but would be voting on those items as this does not affect him any greater or lesser. The Commissioner abstained from voting on Items 16a and 16b as his company counsel advised him to do so because of a dispute that could lead to litigation. Commissioner Schlottman abstained from voting on Items 14, 16a, 16b and 17 out of an abundance of caution, as these items relate to Tavern-Limited establishments within the Arts District, and he operates an Urban Lounge within the Arts District.

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

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

13b. 21-0169-SUP2 - SPECIAL USE PERMIT - FOR PROPOSED SENIOR CITIZEN APARTMENTS (SINGLE USE)

Minutes:

See Item 13 for related discussion and Items 13a-13d for related backup.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item 15

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

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

13c. 21-0169-SUP3 - SPECIAL USE PERMIT - FOR PROPOSED CONVALESCENT CARE FACILITY/NURSING HOME USE

Minutes:

See Item 13 for related discussion and Items 13a-13d for related backup.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item 15

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

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

13d. 21-0169-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 150,000 SQUARE-FOOT, FOUR-STORY, 167 UNIT INDEPENDENT LIVING, ASSISTED LIVING AND MEMORY SUPPORT CARE FACILITY WITH WAIVERS OF THE TOWN CENTER DEVELOPMENT STANDARDS MANUAL

Minutes:

See Item 13 for related discussion and Items 13a-13d for related backup.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item 15

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

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

14. 21-0450-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: HOUSTON'S HOT CHICKEN - OWNER: MAIN STREET INVESTMENTS II, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED 2,464 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT USE at 1201 South Main Street (APN 162-03-105-011), C-M (Commercial/Industrial) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:

See Item 13 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item 15

NOTE: Commissioner Cherry disclosed he owns property within the notification area of Items 14, 17 and 18, but would be voting on those items as this does not affect him any greater or lesser. Commissioner Schlottman abstained from voting on Items 14, 16a, 16b and 17 out of an abundance of caution, as these items relate to Tavern-Limited establishments within the Arts District, and he operates an Urban Lounge within the Arts District.

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

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

15. 21-0497 - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on a Land Use Entitlement project requests on 2.50 acres (APNs 138-10-101-006 and 138-10-196-002) at 7418 Constantinople Avenue, Ward 4 (Anthony). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:

This item was pulled from the One Motion One Vote portion of the agenda.

CHAIR DE SALVIO declared the Public Hearing open for Items 15-15b.

STEVEN FORD, City Engineer/Acting Parks and Recreation Director, stated staff has been working closely with the City Council offices, and a neighborhood meeting will be scheduled to discuss the project. He acknowledged a concept plan that includes pickleball courts, but the intent at this point is to move forward with the neighborhood meeting to work with the residents and mitigate their concerns. He thought it important to note that Round 18 of the Southern Nevada Public Land Management Act (SNPLA) funding was announced, and this particular project received a substantial amount of funding, which will help with the process.

ERIC McCAMMOND, Senior Management Analyst, reported the proposed land use actions would allow for the eventual expansion of the existing Wayne Bunker Park, which would increase the amount of park space in this area of the city and further the park space goals stated in the 2050 Master Plan. As such, staff recommended approval. MR. McCAMMOND noted additional letters of protest were received since publication.

MARIA GARA and STEVE PRIEDEL spoke in opposition, expressing concerns regarding the lighting and noise related to pickleball. MS. GARA stated she reviewed the noise ordinance and does not understand how this request is allowable under that code. She also asked the Commission to research the noise complaints associated with pickleball. She suggested involving an acoustical noise consultant and acoustical engineer due to the close proximity of the community to the pickleball courts.

COMMISSIONER WALSH asked staff if a sound test was completed. MR. FORD stated it was not, as this project is in the initial concept phase. The Commissioner asked if staff would agree to a 30-day abeyance to allow time to work with the community. MR. FORD agreed to such.

SETH FLOYD, Director of Community Development, announced as of the previous week, MR. FORD is the City's new Acting Parks and Recreation Director. This is his first time appearing before the Commission in this capacity, they appreciate him taking on this new role and look forward to working with him.

See Item 13 for related discussion and Items 15a and 15b for related backup.

CHAIR DE SALVIO declared the Public Hearing closed for Items 15-15b.

- 15a. 21-0497-GPA1 - GENERAL PLAN AMENDMENT - FROM: R (RURAL) TO: PF (PUBLIC FACILITIES)

Minutes:

See Items 13 and 15 for related discussion and Items 15-15b for related backup.

Motion made by Donald Walsh to Hold in Abeyance to 11/9/2021

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

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

- 15b. 21-0497-ZON1 - REZONING - FROM: R-E (RESIDENCE ESTATES) TO: C-V (CIVIC)

Minutes:

See Items 13 and 15 for related discussion and Items 15-15b for related backup.

Motion made by Donald Walsh to Hold in Abeyance to 11/9/2021

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

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

16. 21-0503 - PUBLIC HEARING - APPLICANT: SWAN DIVE - OWNER: STICKY 2, LLC - For possible action on the following Land Use Entitlement project requests on 0.32 acres at 1301 South Main Street (APN 162-03-101-002), C-M (Commercial/Industrial) Zone, Ward 3 (Diaz). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:

See Item 13 for related discussion and Items 16a and 16b for related backup.

- 16a. 21-0503-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED 6,735 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT WITH A 3,952 SQUARE-FOOT OUTDOOR PATIO SPACE

Minutes:

See Item 13 for related discussion and Items 16-16b for related backup.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item 15

NOTE: Commissioner Cherry abstained from voting on Items 16a and 16b as his company counsel advised him to do so because of a dispute that could lead to litigation. Commissioner Schlottman abstained from voting on Items 14, 16a, 16b and 17 out of an abundance of caution, as these items relate to Tavern-Limited establishments within the Arts District, and he operates an Urban Lounge within the Arts District.

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

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

- 16b. 21-0503-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 3,952 SQUARE-FOOT OUTDOOR NIGHTCLUB AREA

Minutes:

See Item 13 for related discussion and Items 16-16b for related backup.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item 15

NOTE: Commissioner Cherry abstained from voting on Items 16a and 16b as his company counsel advised him to do so because of a dispute that could lead to litigation. Commissioner Schlottman abstained from voting on Items 14, 16a, 16b and 17 out of an abundance of caution, as these items relate to Tavern-Limited establishments within the Arts District, and he operates an Urban Lounge within the Arts District.

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

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

17. 21-0504-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: FRYDAY'Z FISH & WINGS - OWNER: S H R A INVESTMENT, LLC - For possible action on a Land Use Entitlement project request FOR A

PROPOSED 2,216 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT USE INCLUDING 1,022 SQUARE FEET OF OUTDOOR PATIO AREA at 1229 South Casino Center Boulevard (APN 162-03-110-051), C-1 (Limited Commercial) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:

See Item 13 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item 15

NOTE: Commissioner Cherry disclosed he owns property within the notification area of Items 14, 17 and 18, but would be voting on those items as this does not affect him any greater or lesser. Commissioner Schlottman abstained from voting on Items 14, 16a, 16b and 17 out of an abundance of caution, as these items relate to Tavern-Limited establishments within the Arts District, and he operates an Urban Lounge within the Arts District.

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

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

18. 21-0505-SDR1 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: H+C DISTILLERY - OWNER: NEVADA DISTILLING COMPANY, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED 11,615 SQUARE-FOOT HEAVY MANUFACTURING FACILITY WITH WAIVERS OF THE APPENDIX F INTERIM DOWNTOWN LAS VEGAS DEVELOPMENT STANDARDS on 2.69 acres at the northwest corner of Wyoming Avenue and Industrial Road (APNs 162-04-606-003, 004 and 005), M (Industrial) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:

See Item 13 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item 15

NOTE: Commissioner Cherry disclosed he owns property within the notification area of Items 14, 17 and 18, but would be voting on those items as this does not affect him any greater or lesser.

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

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

19. 21-0511 - PUBLIC HEARING - APPLICANT: CONFLUENT DEVELOPMENT, LLC - OWNER: PANTHER ALTA CORNER, LLC, ET AL - For possible action on the following Land Use Entitlement project requests on 3.67 acres on the east side of Hualapai Way, approximately 320 feet north of Alta Drive (APN 138-31-210-008), R-3 (Medium Density Residential) Zone, Ward 2 (Seaman). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:

See Item 13 for related discussion and Items 19a and 19b for related backup.

- 19a. 21-0511-GPA1 - GENERAL PLAN AMENDMENT - FROM: M (MEDIUM DENSITY RESIDENTIAL) TO: H (HIGH DENSITY RESIDENTIAL)

Minutes:

See Item 13 for related discussion and Items 19-19b for related backup.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item 15

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

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

- 19b. 21-0511-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 30-BED CONVALESCENT CARE FACILITY/NURSING HOME, 49-UNIT ASSISTED LIVING APARTMENTS AND 95-UNIT SENIOR CITIZEN APARTMENT DEVELOPMENT

Minutes:

See Item 13 for related discussion and Items 19-19b for related backup.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item 15

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

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

20. 21-0513-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT: MICHAEL J. MECKLER - OWNER: MICHAEL AND ROCHELLE RAE MECKLER - For possible action on a Land Use Entitlement project request TO ALLOW A PROPOSED EIGHT-FOOT TALL WALL AND FENCE WHERE FIVE FEET IS THE MAXIMUM ALLOWED IN THE FRONT YARD SETBACK AREA on 0.28 acres at 4880 Maiden Court (APN 125-25-714-074), R-1 (Single Family Residential) Zone, Ward 6 (Fiore). Staff recommends APPROVAL.

Minutes:

See Item 13 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item 15

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

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

21. 21-0533 - PUBLIC HEARING - APPLICANT/OWNER: BENCHMARK 13TH ST INVESTMENT, LLC - For possible action on the following Land Use Entitlement project requests on 0.29 acres on the west side of 13th Street, approximately 160 feet south of Bonanza Road (APN 139-35-111-003), R-3 (Medium Density Residential) Zone, Ward 3 (Diaz). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:

See Item 13 for related discussion and Items 21a and 21b for related backup.

- 21a. 21-0533-VAR1 - VARIANCE - TO ALLOW 12-FOOT TALL RETAINING WALLS WHERE SIX FEET IS ALLOWED AND AN OVERALL PERIMETER WALL/FENCE HEIGHT OF 16 FEET WHERE 12 FEET IS THE MAXIMUM ALLOWED

Minutes:

See Item 13 for related discussion and Items 21-21b for related backup.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item 15

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

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

- 21b. 21-0533-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED TWO AND THREE-STORY, EIGHT-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH WAIVERS OF PERIMETER LANDSCAPE BUFFER STANDARDS

Minutes:

See Item 13 for related discussion and Items 21-21b for related backup.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item 15

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

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

22. 21-0544-VAC1 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: RICHMOND AMERICAN HOMES NEVADA, INC - For possible action on a Land Use Entitlement project request to vacate an existing public sewer easement generally located at the southwest corner of Jones Boulevard and Brent Lane (APN 125-11-604-005), Ward 6 (Fiore). Staff recommends APPROVAL.

Minutes:

See Item 13 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item 15

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

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

PUBLIC HEARING ITEMS

23. ABEYANCE - 21-0442 - PUBLIC HEARING - APPLICANT/OWNER: VEGAS HOMES, LLC - For possible action on the following Land Use Entitlement project requests on 4.69 acres at the northwest corner of Hickam Avenue and Leon Avenue (APN 138-01-301-017), R-E (Residence Estates) Zone, Ward 5 (Cear). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:

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

ERIC McCAMMOND, Senior Management Analyst, reported since public notification, the applicant met administrative requirements for deferral of offsite improvements. As such, the portion of 21-0442-VAR1 regarding offsite improvements was no longer needed, and Condition 2 of 21-0442-VAR1 may be deleted.

He further stated the applicant is requesting a Tentative Map that fails to meet minimum requirements for a private street without a gate, along with a Variance that would allow Leon Avenue to be blocked at the midsection without the construction of cul-de-sacs on the northbound or southbound segments. As no evidence of a unique or extraordinary circumstance was provided to support the requested Variances, staff recommended denial of all applications. He noted an additional letter of protest was received since publication.

ATTORNEY STEPHANIE ALLEN appeared on behalf of the applicant, stating her exhibits relate to this item as well as Items 24-24b. She described the location and zoning for Item 23, noting the neighbors in this area are very active, with approximately 40 attending the neighborhood meeting. MS. ALLEN said she has also been working with NARA (Northwest Area Residents Association) and will continue to work with them between now and the City Council meeting. What is being proposed is a Tentative Map for an R-E (Residence Estates) development with nine half-acre lot homes. Some of the Variances are specific to keeping the area rural, which is very important to the residents in this area. These involve rural offsites, private internal streets and closing off Leon Avenue to include a gate. MS. ALLEN pointed out an area where a cul-de-sac would normally be required, but per her conversation with the Fire Department, a three-point turn is still possible so a Variance is being

requested for that as well. She wished to put on the record the small portion of Leon Avenue that has not yet been dedicated will be dedicated as part of the full 60-foot street.

Because what is before the Commission is the Tentative Map, no elevations were submitted, but MS. ALLEN stated the applicant planned to build and would agree to a condition committing to one-story homes, with the caveat of including RV garages, which is a nice amenity in a rural area.

NARA had concerns with sewer and drainage, but MS. ALLEN reiterated they would continue to work with them between now and City Council. Sewer is over capacity on Hickam Avenue, so this development will take its sewer from Craig Road. She noted the neighbors also requested a horse trail on Hickam and Helen Avenues, and they will continue to work with them on that.

LEX ANDERSON, NARA Historian, spoke of a similar project in 2015 that was never developed, but expressed his support for the proposed housing project. NARA was agreeable to the standard box metal fence, a neighborhood pedestrian combination lock to keep vagrants out and the taller garages. He said the Leon Avenue east sidewalk with a curb needs to be continued to Hickam Avenue to help mitigate the concentrated storm flow out of the development onto the block wall at Hickam Avenue so it does not deteriorate. He also mentioned a condition was needed to replace a nonfunctional Hickam Avenue asphalt path, which was mentioned by MS. ALLEN. He acknowledged the two Public Works items that needed to be addressed related to storm runoff and sewer. He closed by stating they have been waiting for a development to go into this area for a long time, and he thanked MS. ALLEN.

JEFF PORTNEY commented investors drive the economy, but investment is synonymous with risk. He supported the project, but expressed concern with the narrowness of the street and increased traffic and safety because drivers already use this area as a cut-through. He understands the financial benefit to the applicant, but wondered how the neighborhood would benefit from this project.

MS. ALLEN understood the issues with transient and cut-through traffic in this neighborhood and explained they have been working with Public Works on a wrought-iron gate on Leon Avenue with pedestrian access that can be locked but also used for emergency vehicles if necessary. As far as improvements to the area, the project should help with drainage, and development typically helps with property values. She thanked MR. ANDERSON, NARA and the neighbors who have worked with her, and she reiterated they would continue to work with them between now and City Council.

COMMISSIONER WILLIAMS thanked MS. ALLEN for the work she has done with the neighbors on this project. He wished to add a condition related to single-story homes and asked if conditions were needed for the two issues related to Public Works. VICTOR BOLANOS, Senior Engineering Associate, explained Condition 13 on the Tentative Map addresses the sewer and Condition 14 addresses the drainage plan, so they are already included in the conditions of approval. PETER LOWENSTEIN, Deputy Planning Director, read the condition of approval into the record related to the single story homes.

MS. ALLEN accepted all conditions and clarified the RV (recreational vehicle) garages being requested are slightly higher than those with a typical one-story, but they will be attached to the home. DEPUTY CITY ATTORNEY JIM LEWIS stated RV garages are higher at the peak, and asked for confirmation they are still within the allowable height for a one-story home. MS. ALLEN stated her understanding is the allowable height is 35 feet, and what is being proposed is under that.

See Item 25 for related discussion and Items 23a-23c for related backup.

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

- 23a. ABEYANCE - 21-0442-VAR1 - VARIANCE - TO ALLOW A 38-FOOT WIDE PRIVATE STREET WHERE 47 FEET IS THE MINIMUM REQUIRED FOR A PRIVATE STREET WITHOUT A GATE AND TO ALLOW NO OFFSITE IMPROVEMENTS ON LEON AVENUE WHERE SUCH ARE REQUIRED

Minutes:

See Items 23 and 25 for related discussion and Items 23-23c for related backup.

Motion made by Anthony Williams to Approve Items 23a-23c subject to condition(s), deleting Condition 2 on Item 23a and with amended conditions on Item 23c

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

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

- 23b. 21-0442-VAR2 - VARIANCE - TO ALLOW A PROPOSED STUB STREET TERMINATION WHERE A CUL-DE-SAC IS REQUIRED

Minutes:

See Items 23 and 25 for related discussion and Items 23-23c for related backup.

Motion made by Anthony Williams to Approve Items 23a-23c subject to condition(s), deleting Condition 2 on Item 23a and with amended conditions on Item 23c

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

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

- 23c. ABEYANCE - 21-0442-TMP1 - TENTATIVE MAP - HICKAM & LEON WEST - FOR A NINE-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION

Minutes:

See Items 23 and 25 for related discussion and Items 23-23c for related backup.

Motion made by Anthony Williams to Approve Items 23a-23c subject to condition(s), deleting Condition 2 on Item 23a and adding the following condition on Item 23c as read for the record:

A. All lots within the subdivision will be limited to single-story in height. This condition shall be recorded against the respective properties, by way of recoding a Notice of Condition Affecting Property against each of the parcels specifically burdened by such condition(s) prior to the application for building permits to include the conditions affecting the parcel. Furthermore, the entity making application for a building permit on a parcel specifically burdened by the above condition(s) shall attach the Tentative Map conditions of approval to such building permit application, as well as the entity selling the single-family residence on the parcel that is burdened by the above condition(s) shall provide a disclosure of the above condition(s) to any prospective purchaser of a home on such parcel.

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

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

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

Minutes:

CHAIR DE SALVIO declared the Public Hearing open for Items 24-24b.

ERIC McCAMMOND, Senior Management Analyst, reported since public notification, the applicant met administrative requirements for deferral of offsite improvements. As such, the portion of 21-0443-VAR1 regarding offsite improvements was no longer needed, and Condition 2 of 21-0443-VAR1 may be deleted.

He stated the applicant is requesting a Tentative Map that fails to meet minimum requirements for a private street without a gate. As no evidence of a unique or extraordinary circumstance was provided to support the requested Variance, staff recommended denial of both applications.

ATTORNEY STEPHANIE ALLEN appeared on behalf of the applicant. She stated this property is just to the east of the site discussed under Item 24, and she wished to incorporate her presentation under that item. This is a similar Tentative Map with only six homes and a Variance request to keep the rural offsites. She noted some flooding on a lot across Helen Avenue, and said they will continue to help work on the drainage situation. She offered the same condition read by MR. LOWENSTEIN under the previous item with respect to single-story homes. MR. McCAMMOND read this condition into the record at the request of COMMISSIONER WILLIAMS, to which MS. ALLEN agreed.

See Items 23 and 25 for related discussion and Items 24a and 24b for related backup.

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

- 24a. ABEYANCE - 21-0443-VAR1 - VARIANCE - TO ALLOW A 38-FOOT WIDE PRIVATE STREET WHERE 47 FEET IS THE MINIMUM REQUIRED FOR A PRIVATE STREET WITHOUT A GATE AND TO ALLOW NO OFFSITE IMPROVEMENTS ON HELEN AVENUE WHERE SUCH ARE REQUIRED

Minutes:

See Items 23-25 for related discussion and Items 24-24b for related backup.

Motion made by Anthony Williams to Approve Items 24a and 24b subject to condition(s), deleting Condition 2 on Item 24a and with amended conditions on Item 24b

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

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

- 24b. ABEYANCE - 21-0443-TMP1 - TENTATIVE MAP - HICKAM & LEON EAST - FOR A SIX-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION

Minutes:

See Items 23-25 for related discussion and Items 24-24b for related backup.

Motion made by Anthony Williams to Approve Items 24a and 24b subject to condition(s), deleting Condition 2 on Item 24a and adding the following condition on Item 24b as read for the record:

A. All lots within the subdivision will be limited to single-story in height. This condition shall be recorded against the respective properties, by way of recoding a Notice of Condition Affecting Property against each of the parcels specifically burdened by such condition(s) prior to the application for building permits to include the conditions affecting the parcel. Furthermore, the entity making application for a building permit on a parcel specifically burdened by the above condition(s) shall attach the Tentative Map conditions of approval to such building permit application, as well as the entity selling the single-family residence on the parcel that is burdened by the above condition(s) shall provide a disclosure of the above condition(s) to any prospective purchaser of a home on such parcel.

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

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

25. ABEYANCE - 21-0460-VAC1 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: LAS VEGAS RESCUE MISSION - For possible action on a Land Use Entitlement project request for a Petition to Vacate a portion of public right-of-way generally located adjacent to the northern property line of 480 West Bonanza Road,

bounded by D Street to the east and the D Street City Parkway Connector to the west, Ward 5 (Crear). Staff recommends APPROVAL.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open.

ERIC McCAMMOND, Senior Management Analyst, reported this Vacation request does not result in a conflict with any existing City requirements, nor does staff have any objection to the proposed vacated right-of-way. Therefore, staff recommended approval.

JEREMIAH JOHNSON, Taney Engineering, appeared on behalf of the applicant, Las Vegas Rescue Mission. He stated they do not feel the Vacation would negatively impact the surrounding neighborhood and are unaware of any opposition. They agreed to all staff's conditions of approval and asked Public Works if the City would be willing to remove a street light that falls within the vacated portion of the right-of-way.

VICTOR BOLANOS, Senior Engineering Associate, confirmed any infrastructure within the vacated area will be removed.

CHAIR DE SALVIO declared the Public Hearing closed.

Subsequent to the vote on this item, SETH FLOYD, Director of Community Development, clarified the record by stating the deleted conditions for Items 23 and 24 were for Items 23a and 24a.

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

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

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

26. 21-0224 - PUBLIC HEARING - APPLICANT: PETER OZIGNU - OWNER: THE KENECHI TRUST - For possible action on the following Land Use Entitlement project requests on 0.40 acres at 3702 Vegas Drive (APN 139-19-812-007), Ward 5 (Crear). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:

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

ERIC McCAMMOND, Senior Management Analyst, stated the proposed Rezoning to Industrial on the subject site is not consistent with the intent of the existing Neighborhood Mixed Use Center General Plan designation. The intent of this designation is to provide a walkable neighborhood with diverse housing options and a mixture of adaptive land uses. The proposed Contractor's Plant, Shop & Storage Yard use is not compatible with adjacent development, particularly with the residential dwelling to the north of the subject site and commercial land uses to the west, south and east. As such, staff recommended denial of both applications. MR. McCAMMOND noted an additional letter of protest was received since publication.

WINSTON HENDERSON, Architect, appeared on behalf of the applicant. He stated this is a small business that has been in existence at this location for 20 to 25 years. The applicant has reached out and worked with COUNCILMAN CREAR and staff to try to bring this business into compliance, which requires a rezoning to keep the equipment storage yard. With these discussions, it was determined to propose tall wall enclosures and an enhanced wrought-iron fence. A layout was prepared that would preserve some of the older trees and created a paved drive area, with the goal of preserving this business at its existing location. He also commented this is consistent with what has happened at similar properties in this area and requested the Commission's approval.

LEX ANDERSON, NARA (Northwest Area Residents Association) Historian, began to speak, but then realized this was not the correct item he wished to address.

COMMISSIONER WILLIAMS agreed this matches the theme that is occurring in the area, but stated he would

like an opportunity to walk the project and asked MR. HENDERSON if the applicant was amenable to a 30-day abeyance. MR. HENDERSON agreed.

See Items 26a and 26b for related backup.

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

26a. 21-0224-ZON1 - REZONING - FROM: C-2 (GENERAL COMMERCIAL) TO: M (INDUSTRIAL)

Minutes:

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

Motion made by Anthony Williams to Hold in Abeyance Items 26a and 26b to 11/9/2021

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

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

26b. 21-0224-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED CONTRACTOR'S PLANT, SHOP & STORAGE YARD DEVELOPMENT

Minutes:

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

Motion made by Anthony Williams to Hold in Abeyance Items 26a and 26b to 11/9/2021

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

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

27. 21-0229 - PUBLIC HEARING - APPLICANT: MARIA GALVEZ - OWNER: LESBRAN GROUP, LLC - For possible action on the following Land Use Entitlement project requests on 0.29 acres at 621 North Eastern Avenue (APN 139-26-811-192), C-1 (Limited Commercial) Zone, Ward 3 (Diaz). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open for Items 27-27b.

ERIC McCAMMOND, Senior Management Analyst, reported a Variance was approved in 2005 to allow 15 parking spaces where 34 are required. The applicant is proposing to use two of the 15 parking spaces for an outdoor grill area resulting in a new parking Variance to allow 13 parking spaces. No evidence of a unique or extraordinary circumstance was presented to support the intensification of the existing parking deficiency, and staff recommended denial of both applications.

VICTOR JIMENEZ appeared representing the applicant and stated the reduced number of parking spaces being requested is for cooking outside. He referred to a picture of the canopy and explained a tall wall divides them from Walgreens, and behind the restaurant is the property owner's house. MR. JIMENEZ agreed to all conditions and requested the Commission's approval.

COMMISSIONER SCHLOTTMAN stated he reviewed this item and typically does not support parking variances; however, the two parking spaces affected require having to back out onto Eastern Avenue. Because this creates an unsafe condition, he stated he did not have an issue with this request.

See Items 27a and 27b for related backup.

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

27a. 21-0229-VAR1 - VARIANCE - TO ALLOW 13 PARKING SPACES WHERE 15 ARE REQUIRED

Minutes:

See Item 27 for related discussion and Items 27-27b for related backup.

Motion made by Trinity Haven Schlottman to Approve Items 27a and 27b subject to condition(s)

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

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

27b. 21-0229-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED OUTDOOR GRILL AREA ADDITION TO AN EXISTING RESTAURANT

Minutes:

See Item 27 for related discussion and Items 27-27b for related backup.

Motion made by Trinity Haven Schlottman to Approve Items 27a and 27b subject to condition(s)

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

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

28. 21-0280-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: THE HOME DEPOT - OWNER: QLV-HDR, LLC - For possible action on a Land Use Entitlement project request FOR AN AUTOMOBILE RENTAL USE at 861 South Rainbow Boulevard (APN 138-34-717-015), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen). Staff recommends APPROVAL.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open.

ERIC McCAMMOND, Senior Management Analyst, reported the proposed Automobile Rental use is appropriate for this location and will have minimal impact on this site and the surrounding development. The rental spaces are in a suitable and practical location and will not reduce the number of parking spaces below the amount required for the overall shopping center. Staff therefore, recommended approval. He noted additional letters of protest were received since publication.

COMMISSIONER ROGAN stated he reviewed the material for this item, staff supports it, and despite the applicant's absence, he could also support it.

CHAIR DE SALVIO declared the Public Hearing closed.

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

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

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

29. 21-0376 - PUBLIC HEARING - APPLICANT/OWNER: NIBS, LLC - For possible action on the following Land Use Entitlement project requests on 2.72 acres at 3700 North Decatur Boulevard (APN 138-12-601-005), Ward 5 (Crear). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open for Items 29-29d.

ERIC McCAMMOND, Senior Management Analyst, noted the Commission's supplemental information packet included an updated Tentative Map file, but there are no associated condition changes. He went on to report

the subject site is within the confinements of the Rural Preservation Overlay District and has been deemed consistent with the definition and intent of a rural preservation neighborhood. He stated no substantial reason was given to warrant the increase in density, and staff recommended denial of the General Plan Amendment and all related applications. MR. McCAMMOND noted additional letters of protest were received since publication.

LANDON CHRISTOPHERSON and WINSTON HENDERSON, Henderson Architects, appeared representing the application. MR. CHRISTOPHERSON stated 10 lots were originally proposed with the R-1 (Single Family Residential) zoning, but R-1 zoning under the new code requires a change in the land use. Since the neighborhood meeting, they reduced the number of lots to eight 10,000 square feet or above, which matches the project to the north. He said they met with the neighborhood and addressed their concerns regarding lot sizes and density and are proposing one-story homes. The street is a cul-de-sac so allows for no increased connectivity ratio. The on-site streets meet public safety requirements, and they are installing sidewalks for pedestrian access. MR. CHRISTOPHERSON stated they agreed to all staff's conditions.

LEX ANDERSON, NARA (Northwest Area Residents Association) Historian, spoke in support of this project, stating they have been waiting two decades for development of this piece of property.

GREG JOHNSON spoke of a submittal in 2000, described a previous survey, and expressed concern about the location of the property line and his water meter.

MR. HENDERSON stated he spoke with MR. JOHNSON and agreed to re-survey that particular property line to ensure it is where it legally should be. He met with MR. ANDERSON and the community and as promised, changes were made to the project based on their concerns, and they look forward to being good neighbors.

COMMISSIONER SCHLOTTMAN asked what would happen if the water line was found to be located on the wrong property. MR. CHRISTOPHERSON explained they would have to work with the homeowner and the Las Vegas Valley Water District, but the meter itself is on the right-of-way. CHAIR DE SALVIO stated this item will be moving forward to City Council and asked if these questions and concerns would be addressed prior to then. MR. CHRISTOPHERSON confirmed.

MR. McCAMMOND read an added condition into the record at the request of COMMISSIONER WILLIAMS. MR. CHRISTOPHERSON and MR. WINSTON both agreed to such.

See Items 29a-29d for related backup.

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

- 29a. 21-0376-GPA1 - GENERAL PLAN AMENDMENT - FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: R (RURAL DENSITY RESIDENTIAL)

Minutes:

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

Motion made by Anthony Williams to Approve Items 29a-29d subject to condition(s) with amended conditions on Item 29d

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

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

- 29b. 21-0376-ZON1 - REZONING - FROM: R-E (RESIDENCE ESTATES) TO: R-1 (SINGLE FAMILY RESIDENTIAL)

Minutes:

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

Motion made by Anthony Williams to Approve Items 29a-29d subject to condition(s) with amended conditions on Item 29d

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

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

- 29c. 21-0376-VAR1 - VARIANCE - TO ALLOW NONSTANDARD PRIVATE STREETS WITHOUT A GATE AND A CONNECTIVITY RATIO OF 1.00 WHERE 1.30 IS REQUIRED

Minutes:

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

Motion made by Anthony Williams to Approve Items 29a-29d subject to conditions with amended conditions on Item 29d

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

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

- 29d. 21-0376-TMP1 - TENTATIVE MAP - DECATUR MANOR - FOR A PROPOSED EIGHT-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION

Minutes:

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

Motion made by Anthony Williams to Approve Items 29a-29d subject to conditions and adding the following condition on Item 29d as read for the record:

A. All lots within the subdivision will be limited to single-story in height. This condition shall be recorded against the respective properties, by way of recoding a Notice of Condition Affecting Property against each of the parcels specifically burdened by such condition(s) prior to the application for building permits to include the conditions affecting the parcel. Furthermore, the entity making application for a building permit on a parcel specifically burdened by the above condition(s) shall attach the Tentative Map conditions of approval to such building permit application, as well as the entity selling the single-family residence on the parcel that is burdened by the above condition(s) shall provide a disclosure of the above condition(s) to any prospective purchaser of a home on such parcel.

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

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

30. 21-0396-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: WILLIAM C. & PHYLLIS WITTER - For possible action on a Land Use Entitlement project request TO ALLOW AN EXISTING SIX-FOOT TALL SOLID SCREEN FENCE WHERE FIVE FEET IS THE MAXIMUM HEIGHT ALLOWED WITHIN THE FRONT YARD SETBACK AREA on 0.38 acres at 1553 Arville Street (APN 162-06-610-031), R-E (Residence Estates) Zone, Ward 1 (Knudsen). Staff recommends DENIAL.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open.

ERIC McCAMMOND, Senior Management Analyst, reported no evidence of a unique or extraordinary circumstance was presented to support the request and staff therefore, recommended denial.

WILLIAM and PHYLLIS WITTER, Applicants, appeared. MR. WITTER displayed before and after photos of the property, stating they have owned this rental property since late 2005. They have done their best to maintain

and secure the property, but explained the renters living in the two rental homes have had items stolen. He said one of the renters offered to have someone he knew add to the top of the existing fence to provide additional security. The community expressed their support of the fence to the WITTERs, and told them it made the property look nicer, and nothing has been stolen from the property since then. MR. WITTER said they hope to be able to keep the fence because of the security it affords their renters.

MS. WITTER stated she walked the neighborhood and read a statement into the record, submitting 21 signatures of support, which are included in the backup. She said she did not understand some portions of the staff report related to it being a self-imposed hardship. MR. McCAMMOND explained Nevada Revised Statutes defines when Variances are allowed, such as in the instance of an irregularly-shaped lot, and there was nothing unusual about the shape or slope of their lot to justify a fence that is higher than what is allowed. Other references MS. WITTER made to the staff report were also covered by MR. McCAMMOND'S explanation. SETH FLOYD, Director of Community Development, added the denial is simply staff's recommendation, and the final recommendation is up to the Commission. MS. WITTER stated they are willing to obtain a permit to ensure it is up to code, but hope to be able to keep the solid fence and height of the fence.

COMMISSIONER ROGAN said he spoke with the WITTERs and also visited the location to view the fence. He said the Commission routinely sees requests for Variances that relate to the height of a fence, but rarely those requesting a Variance for a solid wall. He understood their concerns regarding security and did not have an issue with the height, but rather with the lack of openness in the top two-thirds. Because it is not located in the front yard, he thought there was a way to comply with the requirements by building a taller perimeter wall around the casita to provide security. The front yard, however, cannot have a solid block wall, and the Commissioner suggested building a fence to code and having oleanders block the sight line so people cannot see onto the property. He also noted the sight line on the corner of Del Monte Avenue and Arville Street being a problem and having to work with Public Works to fix it. He felt there were too many problems with the fence, but offered to speak with the applicants on how to move forward if the Variance was denied.

COMMISSIONER SCHLOTTMAN understood the privacy factor, but spoke of not having any landscaping or setback, and it not being something the Commission wanted to see in these neighborhoods. COMMISSIONER WILLIAMS agreed the fence was not harmonious and compatible due to its solid nature. COMMISSIONER CHERRY appreciated the applicant working with Code Enforcement on the other issues. He echoed the concerns of the other Commissioners, noting this neighborhood has changed significantly in the last 10 years. He questioned the sustainability of the wood fence with the Las Vegas sun and it being up against the public right-of-way. If denied, he would like the applicants to be given a longer lead time to rectify the situation, and he believed the applicant would be happier with the decision five years from now.

MS. WITTER stated there has been a wooden fence on the north side of the property for 15 years, which they have maintained and still looks brand new. She also mentioned there is a six-foot solid block wall immediately across the street. She acknowledged that is a side property, and wondered if their fence could be allowed since it is pre-existing, but stated they were willing to move the corner back as required by the City engineer. MR. WITTER reiterated he brought before and after photos and submitted those for the record. He spoke of the large portion they would have to remove if instructed to comply and how that would look. COMMISSIONER ROGAN stated the Commission is very respectful of people's property rights, but in this case, he could not support their request. He reiterated he was happy to speak with the applicants after the vote.

CHAIR DE SALVIO declared the Public Hearing closed.

Subsequent to the vote, the Commissioner directed the applicants to remove the fence within 90 days and asked the applicants to contact him.

Motion made by Jeff Rogan to Deny with direction to remove the fence within 90 days

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

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

31. 21-0397 - PUBLIC HEARING - APPLICANT: TACOS EL CABRON - OWNER: DECATUR MEADOWS SHOPPING CENTER, LLC - For possible action on the following Land Use Entitlement project requests on 9.32 acres at 326 South Decatur Boulevard (APN 138-36-601-003), C-2 (General Commercial) Zone, Ward 1 (Knudsen). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open for Items 31-31b.

ERIC McCAMMOND, Senior Management Analyst, reported staff found the proposed development met all minimum Title 19 and previously approved entitlements and therefore, recommended approval of both applications. He noted additional letters of support and protest were received since publication.

GEMIE KNISELY, GK3 Architecture, appeared representing the applicant. She explained the scope of work for the project entails remodeling an existing single-story building in a large shopping plaza, to include reducing the square footage to allow for a 4,200 square-foot restaurant with outdoor seating. The building was previously a bank, so they intend to improve the stacking and traffic flow of the drive-through and remodel the dilapidated exterior. MS. KNISELY stated Tacos El Cabron is a business from San Diego, but they have several locations, including one on Maryland Parkway.

She said they appreciate staff's recommendation of approval, but asked for the discussion and possible removal of Condition 8 regarding accessibility along the entrances. This is an existing shopping center with parking, driveways, streets and sidewalks already in place. With regard to internal accessibility, when Dutch Bros. Coffee was built to the north, part of the accessibility to this site was removed, and they hope to get that back. MS. KNISELY explained making an accessible route such as Public Works is requesting is quite difficult with the existing infrastructure related to the monument sign and streetlight. As such, she did not know if it was feasible to bring the driveway entrances up to date.

She also asked Condition 12 be removed related to a traffic impact analysis. MS. KNISELY explained their building is simply four percent of the plaza, and not all traffic is generated by their business. She described the project as a tenant improvement to improve the structure. Her civil engineer advised the bank would generate more counts than a fast food restaurant, and therefore, did not feel a traffic impact analysis was warranted. She said they are improving the drive-through and the parking, and reiterated their request for removal of Conditions 8 and 12.

COMMISSIONER ROGAN noted staff's recommendation of approval and looking at the photographs of the graffiti and plywood boarded up windows, he liked seeing a project turning an existing building that has fallen into disrepair into something people can use. With regard to the applicant's request, the Commissioner stated it is difficult to address removal of conditions at the dais, but noted if the item is approved it will be moving forward to City Council, which will allow time for the applicant to work on those conditions.

VICTOR BOLANOS, Senior Engineering Associate, stated there have been discussions with the applicant's engineer, and the calculations for trip generations were based on casual dining and not a drive-through. The bank actually has a lower trip generation than a fast food establishment with a drive-through. While staff wishes the project to be successful, if the Special Use Permit (SUP) is approved and they were to move out of the location, the SUP remains with the property, and the next business to move in may generate higher numbers. With regards to accessibility, he could not speak specifically to Dutch Bros. Coffee, but noted staff reviews all ADA (Americans With Disabilities Act) requirements and anything that needs to be brought up to those standards. Staff recognizes some of the issues stated by the applicant and offered some quick fixes, which would involve going around the driveway because the slope is too great for wheelchair accessibility. This would require changes to the driveway and possibly going around the streetlight adjacent to them. He stated Public Works would like the conditions of approval to remain to further improve the area in front of the restaurant to meet the Federal guidelines for ADA. COMMISSIONER ROGAN reiterated the applicant had time to work with Public Works prior to the Council meeting and asked the applicant to reach out to the Councilman's office if there are any issues.

CHAIR DE SALVIO asked why the applicant is required to make the requested changes to the entrance since they are only modifying the footprint to the building. MR. BOLANOS explained the applicant is responsible to bring anything adjacent to the property that is substandard up to code, which includes public improvements, and

in this case, the public sidewalk does not meet accessibility guidelines. The Chair questioned if this fell under the applicant's responsibility or the property owners, since they are basically doing tenant improvements. MR. BOLANOS explained typically they consider a tenant improvement as something related to the façade, etc., and in this case, in order for the drive-through to operate, most of the traffic will enter via this entrance.

MR. BOLANOS confirmed for COMMISSIONER SCHLOTTMAN that typically these conditions are associated with a Site Development Plan Review and not a tenant improvement with an SUP.

See Items 31a and 31b for related backup.

CHAIR DE SALVIO declared the Public Hearing closed for Items 31-31b.

- 31a. 21-0397-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED 4,292 SQUARE-FOOT RESTAURANT WITH ALCOHOL USE WITH AN 856 SQUARE-FOOT OUTDOOR SEATING AREA

Minutes:

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

Motion made by Jeff Rogan to Approve Items 31a and 31b subject to condition(s)

NOTE: Commissioner Cherry abstained from voting on Items 31a and 31b, as he has open contracts with GK3 Architecture. Chair De Salvio disclosed he knows GK3 Architecture from a training center they built many years ago, but that will not affect his vote in any way.

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

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

- 31b. 21-0397-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED CONVERSION OF AN EXISTING COMMERCIAL BUILDING INTO A RESTAURANT WITH DRIVE THROUGH WITH AN 856 SQUARE-FOOT OUTDOOR PATIO AREA

Minutes:

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

Motion made by Jeff Rogan to Approve Items 31a and 31b subject to condition(s)

NOTE: Commissioner Cherry abstained from voting on Items 31a and 31b, as he has open contracts with GK3 Architecture. Chair De Salvio disclosed he knows GK3 Architecture from a training center they built many years ago, but that will not affect his vote in any way.

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

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

32. 21-0416-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: L&S GROUP, LLC - OWNER: PARADISE PLAZA, LLC - For possible action on a Land Use Entitlement project request for a Major Amendment of an approved Special Use Permit (SUP-72575) FOR A MASSAGE ESTABLISHMENT USE TO CHANGE HOURS OF OPERATION FROM: 6:00 A.M. TO 10:00 P.M. TO: 9:00 A.M. TO 2:00 A.M. DAILY at 2221 Paradise Road (APN 162-03-413-021), C-1 (Limited Commercial) Zone, Ward 3 (Diaz). Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 32, 38a-38d, 42 and 44a-44d to 11/9/2021

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

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

33. 21-0438-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: RYAN FRECHETTE - OWNER: STEPHEN SINGLETARY - For possible action on a Land Use Entitlement project request FOR A PROPOSED COMMUNITY RESIDENCE (INCLUDING FAMILY COMMUNITY RESIDENCE AND TRANSITIONAL COMMUNITY RESIDENCE) USE at 6825 Elm Creek Drive (APN 138-10-714-010), R-1 (Single Family Residential) Zone, Ward 4 (Anthony). Staff recommends DENIAL.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open.

ERIC McCAMMOND, Senior Management Analyst, reported a Community Residence use is currently operating on the property adjacent to the west. Staff did not support the Special Use Permit (SUP) request as the intent of Title 19 is to protect neighborhoods from becoming over saturated with Community Residence uses. Therefore, staff recommended denial. MR. McCAMMOND noted additional letters of protest were received since publication.

RYAN FRECHETTE, owner of Freedom Home, LLC, stated he lives at the subject property, and is contracted through the State of Nevada Southern Nevada Mental Health Services. If granted the SUP, living at the home will help in overseeing what is occurring at the property. He has more than seven years' experience helping people with mental health issues and has made this his life's work. He said he was unaware of the 660-foot distance separation requirement prior to purchasing the property and obtaining all the required licenses. The continuity of having a second home next to a current home is important for the clients and staff that attends to them. They have operated in the neighborhood for more than a year, and he is unaware of any complaints. He noted their clients do not have driver's licenses or cars so there is no traffic or parking impact, and he informed the Commission of the long wait list for beds, which tends to back up hospitals, jails, etc. The clients that come to the home are stable and have a lot of community support. They go to group meetings and are expected to be very productive. While researching previous Planning Commission meetings, he noticed the number of people that complain about the homeless population and the issues this causes around the neighborhoods. MR. FRECHETTE believes what he is proposing is a part of the solution and said he would appreciate approval, following all staff's recommendations.

DR. JESSICA ARABSKI, psychiatrist, spoke in support. She said she has been working with this business over the last year and has many patients that live at the residence. She expressed she has been consistently impressed with the quality of services delivered and believes it to not be intrusive or disruptive to the community. DR. ARABSKI said the house has made a tremendous change in the lives of her patients, which offers a second chance and a safe, stable and supportive environment. Having an adjacent house will only provide an even greater benefit to the community by helping individuals achieve their potential.

COMMISSIONER WALSH asked if this was a CBLA (Community-Based Living Arrangements) residence, to which MR. FRECHETTE confirmed. The Commissioner asked about community support, and MR. FRECHETTE stated he has not gone out into the community to inquire. The applicant also confirmed he is licensed with the State Health Department. COMMISSIONER WALSH shared he was a former inspector with the Department of Health and wrote the inspection protocol for the CBLA Program. Further discussion took place, and MR. FRECHETTE confirmed the program allows for a maximum of six residents, but this house will be licensed for only two male residents, which licensure he has already obtained through the Bureau of Health Care Quality and Compliance (HCQC). The Commissioner asked if the neighbors were made aware of this request. MR. FRECHETTE stated there is signage on the property, and postcards were sent out to all residents within 1,000 feet of the home. The Commissioner stated there are 10 residences opposing the project, and as such, asked for a 30-day abeyance in order for the applicant to reach out to COUNCILMAN ANTHONY to discuss the matter further. MR. FRECHETTE was amenable to the abeyance.

CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Donald Walsh to Hold in Abeyance to 11/9/2021

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

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

34. 21-0445-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: BEAR LAKE SERIES, LLC - For possible action on a Land Use Entitlement project request TO ALLOW A SEVEN-FOOT TALL FRONT YARD FENCE WHERE FIVE FEET IS THE MAXIMUM HEIGHT ALLOWED WITHIN THE FRONT YARD SETBACK AREA on 1.03 acres at 2608 Pinto Lane (APN 139-32-701-008), R-A (Ranch Acres) Zone, Ward 1 (Knudsen). Staff recommends DENIAL.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open.

ALEX STRAWSER, Planner II, reported the existing seven-foot-tall front yard fence exceeds the maximum height requirements set forth by the R-A (Ranch Acres) zoning district, and no evidence of a unique or extraordinary circumstance was presented to justify the increased wall height. Staff found the applicant created a self-imposed hardship by installing the fence without obtaining proper building permits and by ignoring the R-A development standards and, therefore, recommended denial. MR. STRAWSER noted additional letters of support and protest were received after publication.

SCOTT PURCELL stated he and his wife have lived at this location for almost 12 years. He said their property is located on a wonderful street near downtown and oftentimes over the years, they wondered whether they should build a fence like many of their neighbors, which he described as ranging from five to eight feet. He shared their experience with several attempted home invasions and theft of items from their front yard, so last year with everything shutting down and the civil unrest, they decided to build a six-foot fence like their next door neighbor. The fence is seven-feet tall only at the arch on the fence at their driveway. MR. PURCELL displayed several photos of his neighbors' fences and walls with various heights, which he felt were compatible with the one they built. He said the neighbors have expressed positive feedback, and he respectfully requested the Commission's approval.

COMMISSIONER ROGAN stated he is generally supportive of wall height variances, and the Commission has routinely granted them in this area. When they are solid walls is where the issue arises. Although the subject fence is noncompliant in that it is six feet instead of five feet, it is compliant in that it has a two-foot base, plus the four-foot open space. As such, he stated he could support the request. MR. PURCELL agreed to all conditions of approval.

CHAIR DE SALVIO declared the Public Hearing closed.

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

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

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

35. 21-0500-MSP1 - MASTER SIGN PLAN - PUBLIC HEARING - APPLICANT/OWNER: SCHOOL BOARD OF TRUSTEES - For possible action on a Land Use Entitlement project request FOR A PROPOSED 33 SQUARE-FOOT ANIMATED LED WALL SIGN on 6.16 acres at 1300 Pauline Way (APNs 162-02-501-003 and 162-02-601-002), C-V (Civic) Zone, Ward 3 (Diaz). Staff recommends DENIAL.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open.

ALEX STRAWSER, Planner II, reported electronic message units, animated signs and flashing signs are prohibited within 200 feet of property planned or zoned for residential use unless the design of the sign or its location and orientation ensures that the electronic message unit, animated or flashing portion of the sign, or any other light from the sign will not be visible from the property planned or zoned for residential use. Staff is unable to ensure the proposed animated electronic message board will not be visible from the residences located on the east side of Pauline Way and therefore, recommended denial of the proposed Master Sign Plan. He noted an additional letter of protest was received after publication.

LUCY GONZALES, Clark County School District Real Property Management, appeared stating they are requesting approval of a Master Sign Plan for a sign they are replacing at one of their schools.

COMMISSIONER SCHLOTTMAN stated typically there is a condition placed on these signs, and he asked staff to read such into the record. ERIC McCAMMOND read an added condition of approval into the record. MS. GONZALES accepted all conditions.

CHAIR DE SALVIO declared the Public Hearing closed.

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

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

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

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

36. 21-0506-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: GREYSTONE NEVADA, LLC - For possible action on a Land Use Entitlement project request TO ALLOW A 20-FOOT FRONT YARD SETBACK WHERE 25 FEET IS REQUIRED AND A 24-FOOT REAR YARD SETBACK WHERE 30 FEET IS REQUIRED FOR A PROPOSED SINGLE-FAMILY DWELLING at 5321 Brevin Court (APN 125-24-711-007), R-D (Single Family Residential-Restricted) Zone, Ward 6 (Fiore). Staff recommends DENIAL.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open.

ALEX STRAWSER, Planner II, reported no evidence of a unique or extraordinary circumstance was presented to justify the decreased front or rear yard setbacks. Staff found the applicant created a self-imposed hardship by proposing to construct a home that is too big for the subject site and therefore, recommended denial.

JEREMIAH JOHNSON, Taney Engineering, appeared on behalf of Lennar Homes. He requested approval of a 20-foot front yard setback for 5321 Brevin Court where 25 feet is required, and a rear yard setback of 24 feet, where 30 is required. The request represents a 20 percent deviation to the front and rear setbacks. The proposed side yard on the east side of the home is in excess of 20 feet, where five feet is required, providing additional yard area as compensation for the reduced rear area. The requested front setback is similar to the reduced front setback of 20 feet allowed on cul-de-sacs in the R-E (Residential Estates) zoned area. MR. JOHNSON noted reduced front yard setbacks have been approved on adjacent lots abutting the cul-de-sac in this development.

This lot has a 10-foot long drainage easement located in a common element on the east side of the parcel, which at the time of the Tentative Map approval, was located as an easement on homesite seven; however, during the final mapping process, the City of Las Vegas requested the easement be dedicated to a separate common lot; thus reducing the homesite by 10 feet in width, and impacting the setbacks. Based on these factors, they believe the requests to be minor in nature and will not negatively impact the adjacent residential properties. MR. JOHNSON stated they also spoke with CHAIR DE SALVIO and COUNCILWOMAN FIORE'S office, and both indicated their support of this project. He agreed to all conditions.

CHAIR DE SALVIO confirmed he had worked with the applicant, and the drainage issue is what triggered the Variance. This is an already approved project, and he did not have any issues with it.

CHAIR DE SALVIO declared the Public Hearing closed.

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

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

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

37. 21-0512 - PUBLIC HEARING - APPLICANT: KINGDOM HOME, LLC - OWNER: A.S.S. 1, LLC - For possible action on the following Land Use Entitlement project requests on 1.04 acres at 6885 West Red Coach Avenue (APN 138-03-602-018), Ward 4 (Anthony). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open for Items 37-37c.

ALEX STRAWSER, Planner II, reported staff found the proposed GC (General Commercial) designation and C-2 (General Commercial) zoning district would allow more intense commercial uses that are not compatible with the existing residential uses in the surrounding area, and therefore, recommended denial. MR. STRAWSER noted additional letters of support and protest were received after publication.

ATTORNEY BOB GRONAUER appeared representing the applicant. He explained the subject site is approximately a one-acre piece of property previously zoned for C-1 (Limited Commercial) for a mini-storage facility. Their client is in the interior remodeling business, and is proposing to use the location as a showroom, which requires a General Plan Amendment, along with the zoning change. He noted the various zoning and uses in the surrounding area. Although requesting a zoning change to C-2, MR. GRONAUER did not believe anything such as a convenience store or fast food establishment would come into this area because of the location, which is tucked behind a charter school. This will be a destination place, where customers will only come to the facility to see the showroom. He pointed out the location of the building on the site plan, noting it is not at the corner, but rather set away from the street. He also displayed the proposed landscaping and design of the building.

Subsequent to COMMISSIONER CHERRY'S statement regarding his abstention, DEPUTY CITY ATTORNEY JIM LEWIS advised five votes were needed for the General Plan Amendment to pass.

COMMISSIONER WALSH asked if any neighborhood meetings were held. MR. GRONAUER stated one meeting was held, at which the neighbors expressed concern with street improvements to the north which fall in the County's jurisdiction. Other discussions about the building and the use itself also took place, but generally speaking, he believes the neighbors supported the project. MR. GRONAUER confirmed for the Commissioner none of the subject property was actually on County property, and pointed out the areas on the map that were. He also pointed out the charter school and a church in relation to the subject site. Lastly, he agreed to all conditions.

See Items 37a-37c for related backup.

CHAIR DE SALVIO declared the Public Hearing closed for Items 37-37c.

- 37a. 21-0512-GPA1 - GENERAL PLAN AMENDMENT - FROM: SC (SERVICE COMMERCIAL) TO: GC (GENERAL COMMERCIAL)

Minutes:

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

Motion made by Donald Walsh to Approve Items 37a-37c subject to condition(s)

NOTE: Commissioner Cherry abstained from voting on Items 37a-37c, as he has open contracts with GK3 Architecture.

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

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

- 37b. 21-0512-ZON1 - REZONING - FROM: C-1 (LIMITED COMMERCIAL) TO: C-2 (GENERAL COMMERCIAL)

Minutes:

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

Motion made by Donald Walsh to Approve Items 37a-37c subject to condition(s)

NOTE: Commissioner Cherry abstained from voting on Items 37a-37c, as he has open contracts with GK3 Architecture.

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

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

- 37c. 21-0512-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED WHOLESALE SHOWROOM FACILITY WITH WAIVERS OF TITLE 19 BUILDING DESIGN, BUILDING ORIENTATION AND PERIMETER LANDSCAPE BUFFER REQUIREMENTS

Minutes:

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

Motion made by Donald Walsh to Approve Items 37a-37c subject to condition(s)

NOTE: Commissioner Cherry abstained from voting on Items 37a-37c, as he has open contracts with GK3 Architecture.

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

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

38. 21-0516 - PUBLIC HEARING - APPLICANT: BLUE MARBLE DEVELOPMENT, LLC - OWNER: SHIRON DEVELOPMENT, LLC - For possible action on the following Land Use Entitlement project requests on 16.41 acres at the northeast corner of Centennial Parkway and John Herbert Boulevard (APNs 125-22-401-009 and 016), U (Undeveloped) and T-C (Town Center) [SX-TC (Suburban Mixed-Use - Town Center)] Zones, Ward 6 (Fiore). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:

See Item 6 for related discussion and Items 38a-38d for related backup.

- 38a. 21-0516-GPA1 - GENERAL PLAN AMENDMENT - FROM: R (RURAL DENSITY RESIDENTIAL) TO: TC (TOWN CENTER) ON 1.95 ACRES [APN 125-22-401-009]

Minutes:

See Item 6 for related discussion and Items 38-38d for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 32, 38a-38d, 42 and 44a-44d to 11/9/2021

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

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

- 38b. 21-0516-ZON1 - REZONING - FROM: U (UNDEVELOPED) [R (RURAL DENSITY RESIDENTIAL) LAND USE DESIGNATION] TO: T-C (TOWN CENTER) ON 1.95 ACRES [APN 125-22-401-009]

Minutes:

See Item 6 for related discussion and Items 38-38d for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 32, 38a-38d, 42 and 44a-44d to 11/9/2021

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

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

- 38c. 21-0516-MOD1 - MAJOR MODIFICATION - TO AMEND THE CENTENNIAL HILLS TOWN CENTER LAND USE MAP TO ADD 1.95 ACRES [APN 125-22-401-009] AND DESIGNATE THE LAND SX-TC (SUBURBAN MIXED-USE- TOWN CENTER)

Minutes:

See Item 6 for related discussion and Items 38-38d for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 32, 38a-38d, 42 and 44a-44d to 11/9/2021

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

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

- 38d. 21-0516-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 498,343 SQUARE-FOOT DEVELOPMENT CONSISTING OF TWO AND FOUR-STORY MULTI-FAMILY AND SINGLE-STORY RETAIL BUILDINGS WITH WAIVERS OF THE TOWN CENTER DEVELOPMENT STANDARDS MANUAL

Minutes:

See Item 6 for related discussion and Items 38-38d for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 32, 38a-38d, 42 and 44a-44d to 11/9/2021

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

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

39. 21-0518 - PUBLIC HEARING - APPLICANT: GREYSTONE NEVADA - OWNER: HIRKALA ALMA T 1999 REVOCABLE TRUST, ET AL - For possible action on the following Land Use Entitlement project requests on 4.21 acres at the southwest corner of Whispering Sands Drive and Jones Boulevard (APN 125-14-604-001), R-E (Residence Estates) Zone, Ward 6 (Fiore). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open for Items 39-39g.

ALEX STRAWSER, Planner II, reported the proposed eight-lot residential subdivision requires Variances allowing deviations from the private street standards, a reduction to the rear yard setbacks on four of the lots, and a deferral of the rural off-site improvements. Staff found all requested Variances to be self-imposed

hardships and thereby, recommended denial of all applications. He noted an additional letter of protest was received after publication.

ATTORNEY BOB GRONAUER appeared representing Lennar Homes. Using an aerial map, he described the location of the almost five-acre property. He explained these will be single-story homes, with four-car garages and an RV (recreational vehicle) garage. He displayed photos of the various homes, noting they will be quite large, costing more than \$1 million. He explained the applicant is not requesting a zone change, but rather four Variances due to the unique circumstance related to the layout of the eight lots in relation to the cul-de-sacs, and the fact that the backyards are on the side of the homes. There is also a Variance to maintain the streets to rural standards on Whispering Sands Drive in keeping with the rural nature of the area. They believe what Lennar Homes is proposing is harmonious and compatible with the area, and keeps the rural nature of the area intact.

BILL BURGOS thought it was more of a hardship to have this many houses on a busy, rural road. He suggested it would be better for the community if the developer moved the development to Jones Boulevard with a single entrance so lights would not shine into the neighbors' homes and prevent increased traffic on Whispering Sands Drive and Lutts Street. He thought the developer could re-design the project such that there was a lesser impact on the existing neighborhood.

DON TRIMMER vehemently opposed the project, commenting on the density and that it was not compatible with the surrounding area.

MARIA LIVINGSTON opposed building a subdivision in a rural neighborhood and mentioned having to see car lights as drivers exited the development..

SANDY PENNING spoke of the increased traffic this would create on Whispering Sands Drive, along with the continual change and growth in the area, and she would like to maintain the rural area.

NANCY WILLIAMS agreed with the prior comments and emphasized the need to maintain this as a rural area.

MR. GRONAUER acknowledged the neighbors' concerns, but noted what was being proposed was a rural-type development and is allowed under the zoning code. He pointed out other four-lot cul-de-sacs in the area mixed throughout the larger lots and reiterated the developer is allowed to build eight homes and that is what is being proposed. As mentioned by one of the speakers, he agreed this area is changing and becoming more intense with higher densities. They are in compliance with the zoning code as it applies to development of R-E (Residence Estates) homes, and allowing Lennar Homes to build at this location would help protect the rural neighborhood preservation area. Additionally, traffic counts do not show a negative impact to the area.

CHAIR DE SALVIO stated he has been working with the applicant and reiterated what the applicant is proposing is allowable and does not require a zone change. As such, the developer is within his right to do what is being requested. As far as the egress, he said there is no way to exit onto Jones Boulevard, and having it located on the corner is not affecting the neighborhood as was suggested. He disagreed with the argument related to cut-through traffic. With the square-footage of the lots and homes, he believed the development was compatible with the neighborhood.

MR. GRONAUER confirmed for the Chair the smallest lot is greater than 18,000 square feet. CHAIR DE SALVIO stated the position of the homes to provide backyards and the pop-outs due to the garages require the Variance. The Chair spoke of the difficulty of infill properties where the adjacent neighbors never want anything built next to them. He expressed these will be million dollar homes and not something such as a commercial development as was placed on the corner of Jones Boulevard and Elkhorn Road. He believes the applicant did what they could to make the project less intrusive and harmonious and compatible, and the same standard was applied to this property as was done at a property 500 feet down the street. He said he would rather see a residential project than something that does not fit the neighborhood, and expressed his support of the project. MR. GRONAUER agreed to all conditions.

See Items 39a-39g for related backup.

CHAIR DE SALVIO declared the Public Hearing closed for Items 39-39g.

- 39a. 21-0518-VAR1 - VARIANCE - TO ALLOW A PRIVATE STREET TO NOT MEET PUBLIC STREET STANDARDS WHERE SUCH IS REQUIRED AND TO ALLOW RURAL STREET STANDARDS WHERE TITLE 19 STANDARDS ARE REQUIRED

Minutes:

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

Motion made by Louis De Salvio to Approve Items 39a-39g subject to condition(s)

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

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

- 39b. 21-0518-VAR2 - VARIANCE - TO ALLOW A 30-FOOT REAR YARD SETBACK WHERE 35 FEET IS REQUIRED FOR LOT 1

Minutes:

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

Motion made by Louis De Salvio to Approve Items 39a-39g subject to condition(s)

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

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

- 39c. 21-0518-VAR3 - VARIANCE - TO ALLOW A 30-FOOT REAR YARD SETBACK WHERE 35 FEET IS REQUIRED FOR LOT 6

Minutes:

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

Motion made by Louis De Salvio to Approve Items 39a-39g subject to condition(s)

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

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

- 39d. 21-0518-VAR4 - VARIANCE - TO ALLOW A 30-FOOT REAR YARD SETBACK WHERE 35 FEET IS REQUIRED FOR LOT 7

Minutes:

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

Motion made by Louis De Salvio to Approve Items 39a-39g subject to condition(s)

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

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

- 39e. 21-0518-VAR5 - VARIANCE - TO ALLOW A 30-FOOT REAR YARD SETBACK WHERE 35 FEET IS REQUIRED FOR LOT 8

Minutes:

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

Motion made by Louis De Salvio to Approve Items 39a-39g subject to condition(s)

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

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

- 39f. 21-0518-VAR6 - VARIANCE - TO ALLOW EXTERNAL RURAL STREET STANDARDS WHERE TITLE 19 STANDARDS ARE REQUIRED

Minutes:

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

Motion made by Louis De Salvio to Approve Items 39a-39g subject to condition(s)

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

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

- 39g. 21-0518-TMP1 - TENTATIVE MAP - JONES & WHISPERING SANDS - FOR A PROPOSED EIGHT-LOT SINGLE-FAMILY, DETACHED RESIDENTIAL SUBDIVISION

Minutes:

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

Motion made by Louis De Salvio to Approve Items 39a-39g subject to condition(s)

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

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

40. 21-0519 - PUBLIC HEARING - APPLICANT: TRI POINTE HOMES - OWNER: GIRARD-NEVADA, LLC - For possible action on the following Land Use Entitlement project requests on 5.00 acres adjacent to the west side of the Alpine Ridge Way alignment, approximately 310 feet south of Kyle Canyon Road (APN 126-01-401-006), Ward 6 (Fiore). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:

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

ALEX STRAWSER, Planner II, reported the recently adopted City of Las Vegas 2050 Master Plan notes the City's housing predominantly consists of low-density, single-family residential. This has caused the City to lack diversity in a variety of housing types. Amending the subject site's land use designation to MLA (Medium Low Attached Density Residential) will allow a more diverse-type housing product at a higher density than the current PCD (Planned Community Development) Land Use Designation. The proposed Rezoning is in alignment with the proposed MLA General Plan Amendment (GPA) request and also supports the City's goal of providing a diverse and resource efficient housing stock. Staff therefore, recommended approval of both applications. MR. STRAWSER noted additional letters of support were received since publication.

ATTORNEY BOB GRONAUER appeared representing Tri Pointe Homes. He displayed the aerial map and referenced working on the Canyon Gateway Project, a large master planned community off the Kyle Canyon interchange in this area. He noted the subject property is approximately five acres, and they are requesting a GPA from PCD to MLA and a Zoning change from U (Undeveloped) to R-TH (Single Family Attached), and staff recommended approval.

MISTY HAJI-SHEIKH expressed concerns related to Items 40 and 41. She spoke to the unique nature of Kyle Canyon, with the mountain being 300,000 acres, with only a handful of first responders, fire fighters and Las Vegas Metropolitan Police Department officers. More development at the bottom of Kyle Canyon makes it more difficult to access in case of emergency. She noted water is also limited and expressed concerns with traffic, fire, electricity and loss of power when there are high winds. MS. HAJI-SHEIKH submitted material for the

record, which is included in the backup.

CYNTHIA WILSON stated she became aware of this project because of the notification sign on the road. She asked that the applicant speak with the residents on Kyle Canyon Road. She also spoke to the lack of fire and police support. She expressed this is a very rural community, and they were told three and one-half years ago when they moved to this area that all the homes had to be on two and one-half acre lots. They live on four acres, so their closest neighbor is about one-half mile from them. There are no sidewalks and the road would need to be widened, but at the same time, she believed the road could not handle any more traffic. MS. WILSON also noted there have been several accidents in front of their property and expressed concern exiting their driveway. She stated her comments related to Item 41 as well.

MR. GRONAUER referenced the map, pointing out Iron Mountain Road, U.S. Highway 95, the Skye Canyon Master Planned Community and the Sunstone Master Planned Community, as well as private properties in the area that allow for PCD, up to eight dwelling units per acre. He said Tri Pointe Homes and KB Homes are working with the City of Las Vegas on widening the Kyle Canyon Road in this area and that development will help bring the improved infrastructure needed to the area. A Regional Impact Report addressing the location of such services was already provided by the applicant. He stated services are addressed within the Skye Canyon and Sunstone Development agreements as well. He added a lot of development will be occurring in this area over the next several years, and they have been working with the Councilwoman's office on ensuring smart, responsible growth from a residential standpoint. He believes this project is responsible growth and is in coordination with the City departments and other agencies. MR. GRONAUER noted a neighborhood meeting was held and one individual showed up. He offered to take the name and number of those that spoke who live outside the notification area to have further discussions.

MR. GRONAUER confirmed for CHAIR DE SALVIO the homes are required to have sprinklers per code. The Chair said MR. GRONAUER addressed all of the concerns that were raised and pointed out the interchange was created for growth, and COUNCILWOMAN FIORE wanted to make sure it was diverse, not all industrial and as harmonious as possible. He pointed out if approved, these items would be moving forward to City Council and explained U (Undeveloped) is simply a placeholder that was done many years ago because it was unknown what Las Vegas would look like. Growth and change will continue to happen, but the Commission will try to do everything possible to keep it as rural as possible. MR. GRONAUER agreed to all conditions.

See Items 40a and 40b for related backup.

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

- 40a. 21-0519-GPA1 - GENERAL PLAN AMENDMENT - FROM: PCD (PLANNED COMMUNITY DEVELOPMENT) TO: MLA (MEDIUM LOW ATTACHED DENSITY RESIDENTIAL)

Minutes:

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

Motion made by Louis De Salvio to Approve Items 40a and 40b

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

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

- 40b. 21-0519-ZON1 - REZONING - FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) LAND USE DESIGNATION] TO: R-TH (SINGLE FAMILY ATTACHED)

Minutes:

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

Motion made by Louis De Salvio to Approve Items 40a and 40b

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

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

41. 21-0526 - PUBLIC HEARING - APPLICANT: TRI POINTE HOMES - OWNER: ALPINE RIDGE 10, LLC, ET AL - For possible action on the following Land Use Entitlement project requests on 29.46 acres at the northeast corner of Kyle Canyon Road and Alpine Ridge Way (APNs 126-01-601-008 through 011; and 126-01-701, 002, 003 and 009), PD (Planned Development) Zone [L (Residential Low) Kyle Canyon Gateway Special Land Use Designation] and U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation], Ward 6 (Fiore). Staff recommends APPROVAL on 21-0526-ZON1, 21-0526-MOD1 and 21-0526-VAC1. Staff recommends DENIAL on 21-0526-VAR2, 21-0526-SDR1 and 21-0526-TMP1.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open for Items 41-41f.

ALEX STRAWSER, Planner II, reported the Rezoning and Major Modification of the Kyle Canyon Gateway Master Development Plan are appropriate and compatible with surrounding approved land uses, and staff recommended approval of those requests; however, the design of the proposed 157-lot single family residential development does not conform with Title 19 or with the Kyle Canyon Gateway Design Guidelines; therefore, staff recommended denial of the associated Variance, Site Development Plan Review (SDR) and Tentative Map requests. The Petition to Vacate is independent of the subdivision design and staff had no objection to that request.

Upon further review, staff found that the applicant proposed the appropriate number of trees within the perimeter landscape buffer required. Therefore, Condition 5 of 21-0526-SDR1 is no longer required and will be deleted if approved. MR. STRAWSER noted additional letters of support were received after publication.

ATTORNEY BOB GRONAUER appeared on behalf of Tri Pointe Homes. He pointed out the five acres of property being added into the Kyle Canyon Gateway Master Planned community, which is part of the larger 157-home development. The subject development will have access off of Alpine Ridge Way and a substantial amount of open and park space. He pointed out the Design Guidelines that were adopted in the Kyle Canyon Gateway document, noting these will be single-family, detached homes with a modern design. There are also themed walls and coordinated landscaping throughout the project. He said this is the last step prior to pulling building permits and that he wished to incorporate his comments regarding services and infrastructure made under Item 40.

MISTY HAJI-SHEIKH asked that all developers be required to follow the Adaptive Management Plan, and spoke of burros, desert tortoises, Joshua trees and endangered species, etc., and that any development will eventually affect this. She wants everything possible done to protect the wildlife. She referenced the increased traffic during the pandemic because everyone wanted to go up the mountain. She also asked that dark skies be protected so when people go up the mountain, they can see the stars at night. MS. HAJI-SHEIKH thanked the Chair for a well-run meeting. COMMISSIONER CHERRY thanked MS. HAJI-SHEIKH for the comments she submitted under Item 40 that also relate to this item.

MICHAEL HAJI-SHEIKH mentioned past fires in Las Vegas and Reno and stressed how much more dangerous they are than what is being stated. Saying there are services is very different than taking into account climate change issues, the flammability of grass and the fact there is now grass in places where there used to be spaces in the desert where grass didn't grow.

JAMES WILSON thought the biggest take away was the lack of communication, and they would appreciate more, as he has questions with regard to traffic, emergency services, flooding and protections that will be built into this community. Kyle Canyon is a unique community where homes are spread apart unlike other areas of Las Vegas.

MR. GRONAUER agreed to all conditions and stated he would get the names and numbers of those that spoke and work with ATTORNEY JENNIFER LAZOVICH to address the concerns that were expressed.

See Item 40 for related discussion and Items 40 and 41a-41f for related backup.

CHAIR DE SALVIO declared the Public Hearing closed for Items 41-41f.

- 41a. 21-0526-ZON1 - REZONING - FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: PD (PLANNED DEVELOPMENT) [APN 126-01-701-003]

Minutes:

See Items 40 and 41 for related discussion and Items 40 and 41-41f for related backup.

Motion made by Louis De Salvio to Approve Items 41a-41f subject to condition(s) and deleting Condition 5 on Item 41f

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

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

- 41b. 21-0526-MOD1 - MAJOR MODIFICATION - TO AMEND THE KYLE CANYON GATEWAY MASTER DEVELOPMENT PLAN TO ADD 5.00 ACRES TO THE PLAN AND DESIGNATE THE LAND USE AS L (RESIDENTIAL LOW) [APN 126-01-701-003]

Minutes:

See Items 40 and 41 for related discussion and Items 40 and 41-41f for related backup.

Motion made by Louis De Salvio to Approve Items 41a-41f subject to condition(s) and deleting Condition 5 on Item 41f

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

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

- 41c. 21-0526-VAR2 - VARIANCE - TO ALLOW STUB STREET TERMINATIONS ON PRIVATE STREETS WHERE CULS-DE-SAC OR HAMMERHEADS ARE REQUIRED

Minutes:

See Items 40 and 41 for related discussion and Items 40 and 41-41f for related backup.

Motion made by Louis De Salvio to Approve Items 41a-41f subject to condition(s) and deleting Condition 5 on Item 41f

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

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

- 41d. 21-0526-VAC1 - VACATION - PETITION TO VACATE U.S. GOVERNMENT PATENT EASEMENTS GENERALLY LOCATED AT THE NORTHEAST CORNER OF KYLE CANYON ROAD AND ALPINE RIDGE WAY; AND PORTIONS OF PUBLIC RIGHT-OF-WAY BETWEEN ALPINE RIDGE WAY AND MICHELLI CREST WAY

Minutes:

See Items 40 and 41 for related discussion and Items 40 and 41-41f for related backup.

Motion made by Louis De Salvio to Approve Items 41a-41f subject to condition(s) and deleting Condition 5 on Item 41f

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

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

- 41e. 21-0526-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A 157-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT

Minutes:

See Items 40 and 41 for related discussion and Items 40 and 41-41f for related backup.

Motion made by Louis De Salvio to Approve Items 41a-41f subject to condition(s) and deleting Condition 5 on Item 41f

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

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

- 41f. 21-0526-TMP1 - TENTATIVE MAP - KYLE CANYON GATEWAY UNIT 3 - FOR A 157-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION WITH A WAIVER OF KYLE CANYON GATEWAY PERIMETER LANDSCAPE STANDARDS

Minutes:

See Items 40 and 41 for related discussion and Items 40 and 41-41f for related backup.

Motion made by Louis De Salvio to Approve Items 41a-41f subject to condition(s) and deleting Condition 5 on Item 41f

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

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

42. 21-0527-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: L'CHAIM 24 FREMONT PROPERTY, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED 810 SQUARE-FOOT LIQUOR ESTABLISHMENT (TAVERN) USE WITH A WAIVER TO ALLOW A 370-FOOT DISTANCE SEPARATION FROM A SIMILAR USE WHERE 1,500 FEET IS REQUIRED at 2400 South Las Vegas Boulevard (APNs 162-04-812-002 and 003), C-2 (General Commercial) Zone, Ward 3 (Diaz). Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 32, 38a-38d, 42 and 44a-44d to 11/9/2021

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

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

43. 21-0528 - PUBLIC HEARING - APPLICANT: CENTURY COMMUNITIES - OWNER: VERLAINE, LLC - For possible action on the following Land Use Entitlement project requests on 5.31 acres at the southwest corner of Moccasin Road and Homestead Avenue (APN 125-05-502-014), R-E (Residence Estates) Zone, Ward 6 (Fiore). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open for Items 43-43i.

ALEX STRAWSER, Planner II, reported the applicant is proposing to overdevelop a site that is zoned R-E (Residence Estates). The proposed Variances to reduce front and rear yard setbacks are not compatible with the current zoning designation. No evidence of a unique or extraordinary circumstance was provided to warrant the requested Variances. As such, staff recommended denial of all requests. He noted an additional letter of support and protest was received after publication.

ATTORNEY BOB GRONAUER appeared on behalf of Century Communities. He pointed out streets to the east and north, noting a couple of months ago, he appeared before the Commission with a similar proposal. He also pointed out the various zoning and County properties in the general vicinity. The subject property is unique because of the NV Energy power lines and other facilities in this area, where nothing is allowed except landscaping. The ingress/egress will be onto Moccasin Road, and they are proposing to keep the area rural, which is compatible with the area.

With regard to the Variances related to the front and rear yards, MR. GRONAUER explained these are needed in the event all homebuyers decide to select the largest model, even though there are four other models. He displayed a photograph of this elevation and described the various setbacks and requirements related to this home, noting the other floor plans would not require a Variance. This is simply proposing a larger footprint for single-story homes; there will be no two-story homes. Zoning is allowed for half-acre lots, and the homes will be in excess of \$1 million.

MR. GRONAUER confirmed the square footage and size of the lots for CHAIR DE SALVIO. He also clarified which lots the Variance would pertain to if the largest model was selected. The Chair appreciated the rural component and the fact that these were one-story homes. MR. GRONAUER agreed to all conditions.

See Items 43a-43i for related backup.

CHAIR DE SALVIO declared the Public Hearing closed for Items 43-43i.

- 43a. 21-0528-VAR1 - VARIANCE - TO ALLOW A 20-FOOT FRONT YARD SETBACK WHERE 30 FEET IS REQUIRED ON LOT 1

Minutes:

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

NOTE: Commissioner Rogan disclosed this project falls into the interlocal agreement within Planning Area A, but the application is not a request that implicates that agreement. The application also maintains densities required by that agreement, as well as the minimum building lot areas of 18,000 square feet. Based upon staff's report, Mr. Gronauer's representations and a telephone conversation involving the minimum requirements of the interlocal agreement, he stated he would be voting on these items.

Motion made by Louis De Salvio to Approve Items 43a-43i subject to condition(s)

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

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

- 43b. 21-0528-VAR2 - VARIANCE - TO ALLOW A 20-FOOT FRONT YARD SETBACK WHERE 30 FEET IS REQUIRED ON LOT 2

Minutes:

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

NOTE: Commissioner Rogan disclosed this project falls into the interlocal agreement within

Planning Area A, but the application is not a request that implicates that agreement. The application also maintains densities required by that agreement, as well as the minimum building lot areas of 18,000 square feet. Based upon staff's report, Mr. Gronauer's representations and a telephone conversation involving the minimum requirements of the interlocal agreement, he stated he would be voting on these items.

Motion made by Louis De Salvio to Approve Items 43a-43i subject to condition(s)

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

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

- 43c. 21-0528-VAR3 - VARIANCE - TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED AND A 25-FOOT REAR YARD SETBACK WHERE 35 FEET IS REQUIRED ON LOT 3

Minutes:

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

NOTE: Commissioner Rogan disclosed this project falls into the interlocal agreement within Planning Area A, but the application is not a request that implicates that agreement. The application also maintains densities required by that agreement, as well as the minimum building lot areas of 18,000 square feet. Based upon staff's report, Mr. Gronauer's representations and a telephone conversation involving the minimum requirements of the interlocal agreement, he stated he would be voting on these items.

Motion made by Louis De Salvio to Approve Items 43a-43i subject to condition(s)

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

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

- 43d. 21-0528-VAR4 - VARIANCE - TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED AND A 25-FOOT REAR YARD SETBACK WHERE 35 FEET IS REQUIRED ON LOT 5

Minutes:

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

NOTE: Commissioner Rogan disclosed this project falls into the interlocal agreement within Planning Area A, but the application is not a request that implicates that agreement. The application also maintains densities required by that agreement, as well as the minimum building lot areas of 18,000 square feet. Based upon staff's report, Mr. Gronauer's representations and a telephone conversation involving the minimum requirements of the interlocal agreement, he stated he would be voting on these items.

Motion made by Louis De Salvio to Approve Items 43a-43i subject to condition(s)

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

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

- 43e. 21-0528-VAR5 - VARIANCE - TO ALLOW A 25-FOOT FRONT YARD SETBACK WHERE 30 FEET IS REQUIRED ON LOT 6

Minutes:

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

NOTE: Commissioner Rogan disclosed this project falls into the interlocal agreement within Planning Area A, but the application is not a request that implicates that agreement. The application also maintains densities required by that agreement, as well as the minimum building lot areas of 18,000 square feet. Based upon staff's report, Mr. Gronauer's representations and a telephone conversation involving the minimum requirements of the interlocal agreement, he stated he would be voting on these items.

Motion made by Louis De Salvio to Approve Items 43a-43i subject to condition(s)

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

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

- 43f. 21-0528-VAR6 - VARIANCE - TO ALLOW A 25-FOOT FRONT YARD SETBACK WHERE 30 FEET IS REQUIRED ON LOT 7

Minutes:

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

NOTE: Commissioner Rogan disclosed this project falls into the interlocal agreement within Planning Area A, but the application is not a request that implicates that agreement. The application also maintains densities required by that agreement, as well as the minimum building lot areas of 18,000 square feet. Based upon staff's report, Mr. Gronauer's representations and a telephone conversation involving the minimum requirements of the interlocal agreement, he stated he would be voting on these items.

Motion made by Louis De Salvio to Approve Items 43a-43i subject to condition(s)

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

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

- 43g. 21-0528-VAR7 - VARIANCE - TO ALLOW RURAL STREET STANDARDS ALONG TRAILS END AVENUE AND HOMESTEAD ROAD WHERE SUCH IS NOT ALLOWED

Minutes:

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

NOTE: Commissioner Rogan disclosed this project falls into the interlocal agreement within Planning Area A, but the application is not a request that implicates that agreement. The application also maintains densities required by that agreement, as well as the minimum building lot areas of 18,000 square feet. Based upon staff's report, Mr. Gronauer's representations and a telephone conversation involving the minimum requirements of the interlocal agreement, he stated he would be voting on these items.

Motion made by Louis De Salvio to Approve Items 43a-43i subject to condition(s)

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

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

- 43h. 21-0528-VAR8 - VARIANCE - TO ALLOW NO EXTERNAL STREETLIGHTS WHERE SUCH ARE REQUIRED

Minutes:

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

NOTE: Commissioner Rogan disclosed this project falls into the interlocal agreement within Planning Area A, but the application is not a request that implicates that agreement. The application also maintains densities required by that agreement, as well as the minimum building lot areas of 18,000 square feet. Based upon staff's report, Mr. Gronauer's representations and a telephone conversation involving the minimum requirements of the interlocal agreement, he stated he would be voting on these items.

Motion made by Louis De Salvio to Approve Items 43a-43i subject to condition(s)

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

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

- 43i. 21-0528-TMP1 - TENTATIVE MAP - MOCCASIN HOMESTEAD WEST - FOR A SEVEN-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION

Minutes:

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

NOTE: Commissioner Rogan disclosed this project falls into the interlocal agreement within Planning Area A, but the application is not a request that implicates that agreement. The application also maintains densities required by that agreement, as well as the minimum building lot areas of 18,000 square feet. Based upon staff's report, Mr. Gronauer's representations and a telephone conversation involving the minimum requirements of the interlocal agreement, he stated he would be voting on these items.

Motion made by Louis De Salvio to Approve Items 43a-43i subject to condition(s)

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

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

44. 21-0530 - PUBLIC HEARING - APPLICANT/OWNER: 95 STORAGE, LLC - For possible action on the following Land Use Entitlement project requests on 3.88 acres at the northwest corner of Sky Pointe Drive and Fort Apache Road (APN 125-07-710-001), C-1 (Limited Commercial) Zone, Ward 6 (Fiore). Staff recommends DENIAL on 21-0530-VAR1, 21-0530-SUP1 and 21-0530-SDR1. Staff recommends APPROVAL on 21-0530-TMP1.

Minutes:

See Item 6 for related discussion and Items 44a-44d for related backup.

- 44a. 21-0530-VAR1 - VARIANCE - TO ALLOW A ZERO-FOOT SIDE YARD SETBACK FOR A PROPOSED DETACHED SHADE STRUCTURE WHERE EIGHT FEET IS REQUIRED, A SEVEN-FOOT RETAINING WALL WHERE SIX FEET IS ALLOWED AND AN OVERALL PERIMETER WALL HEIGHT OF 15 FEET WHERE 12 FEET IS ALLOWED

Minutes:

See Item 6 for related discussion and Items 44-44d for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 32, 38a-38d, 42 and 44a-44d to 11/9/2021

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

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

44b. 21-0530-SUP1 - SPECIAL USE PERMIT - FOR A MINI-STORAGE FACILITY USE

Minutes:

See Item 6 for related discussion and Items 44-44d for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 32, 38a-38d, 42 and 44a-44d to 11/9/2021

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

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

44c. 21-0530-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED THREE-STORY, 110,550 SQUARE-FOOT MINI-STORAGE FACILITY WITH WAIVERS OF BUILDING ORIENTATION AND PERIMETER LANDSCAPE BUFFER STANDARDS

Minutes:

See Item 6 for related discussion and Items 44-44d for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 32, 38a-38d, 42 and 44a-44d to 11/9/2021

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

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

44d. 21-0530-TMP1 - TENTATIVE MAP - SKY POINTE AND FORT APACHE - FOR A ONE-LOT COMMERCIAL SUBDIVISION

Minutes:

See Item 6 for related discussion and Items 44-44d for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 32, 38a-38d, 42 and 44a-44d to 11/9/2021

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

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

45. 21-0532 - PUBLIC HEARING - APPLICANT/OWNER: MAHANA ASSET MANAGEMENT GROUP, LLC - For possible action on the following Land Use Entitlement project requests on 0.50 acres at 1300 C Street (APN 139-27-111-066), T3-N (T3 Neighborhood) Zone, Ward 5 (Crear). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open for Items 45-45c.

ALEX STRAWSER, Planner II, reported the applicant is requesting a Variance and Waiver in order to create a development that is compatible with the majority of Title 19.09's Form-Based Code development standards. The proposed Community Garden development helps further several goals, objectives, and guiding principles identified in The HUNDRED Plan and West Las Vegas Plan. Therefore, staff recommended approval of all applications.

DONITA OLSON appeared representing KME Architects. She explained the project consists of approximately a one-half acre community garden and a 615 square-foot one-story existing accessory building. Improvements will be made to the existing building that includes updating the layout of the interior floor plan and providing ADA (Americans With Disabilities Act) access. MS. OLSON described the landscape Variance, the Special Use

Permit (SUP) related to the hours of operation and Waiver regarding the height of the fence being requested.

CHEYENNE KYLE, Food Programs Coordinator for Obodo Collective, the non-profit leasing the subject property, stated the project falls in line with a lot of the ideas and goals of the HUNDRED Plan with the intention of revitalizing the Historic Westside. Currently, there is no fresh food grocer within the Historic Westside, and this project would focus on food equity, food access and environmental justice with the lack of green spaces. She displayed a conceptual design, noting there will be raised garden beds and places for families to learn about food and gardening via educational food demos. She added there will also be an event space for local entrepreneurs to host pop-ups.

COMMISSIONER WILLIAMS asked if a neighborhood meeting was held to inform the residents of the project. MS. KYLE confirmed, stating the overall sentiments were focused on making sure whatever was placed at the location was there to stay. There were a lot of concerns of wanting to do good things on the Westside, but then the City would take it. Other sentiments focused on how they planned to engage with the community. She said she is not new to this type of work. She has a background in culinary arts, formerly worked at Vegas Roots Community Garden, and has strategic plans on how to engage with the community to change the mindset as far as healthy eating.

COMMISSIONER WILLIAMS stated the proposal is in support of the HUNDRED Plan and revitalization of the Historic Westside. CHAIR DE SALVIO thought this was fabulous and was 100 percent in support.

See Items 45a-45c for related backup.

CHAIR DE SALVIO declared the Public Hearing closed for Items 45-45c.

45a. 21-0532-VAR1 - VARIANCE - TO ALLOW DEVIATIONS FROM TITLE 19.09.100.E LANDSCAPE STANDARDS

Minutes:

See Item 45 for related discussion and Items 45-45c for related backup.

Motion made by Anthony Williams to Approve Items 45a-45c subject to condition(s)

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

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

45b. 21-0532-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED COMMUNITY GARDEN USE

Minutes:

See Item 45 for related discussion and Items 45-45c for related backup.

Motion made by Anthony Williams to Approve Items 45a-45c subject to condition(s)

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

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

45c. 21-0532-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED COMMUNITY GARDEN DEVELOPMENT WITH A WAIVER TO ALLOW AN EIGHT-FOOT FRONT YARD FENCE WHERE FIVE FEET IS THE MAXIMUM HEIGHT ALLOWED

Minutes:

See Item 45 for related discussion and Items 45-45c for related backup.

Motion made by Anthony Williams to Approve Items 45a-45c subject to condition(s)

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

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

Citizens Participation:

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

Minutes:

CHAIR CHERRY acknowledged COMMISSIONER SCHLOTTMAN'S family in the audience and welcomed DEPUTY CITY ATTORNEY JIM LEWIS back. COMMISSIONER SCHLOTTMAN mentioned some activities his family is looking forward to while in the area.

CHAIR DE SALVIO wished COMMISSIONER TOUSSAINT the best and hoped to see her at the next Planning Commission meeting.

The meeting was adjourned at 9:14 p.m.

Respectfully submitted:

Debra A. Outland, Deputy City Clerk

Cheyenne LaRance, 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