

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 Sigal Chattah

Planning Commission Minutes

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

October 13, 2020

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 State of Nevada Executive Department Declaration of Emergency Directive 006: The City of Las Vegas website – www.lasvegasnevada.gov and The Nevada Public Notice Website – notice.nv.gov.

3. Roll Call

Minutes:

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

Also Present: ROBERT SUMMERFIELD, Planning Director; PETER LOWENSTEIN, Deputy Planning Director; ERIC McCAMMOND, Senior Management Analyst; ALEX STRAWSER, Senior Planner; LUCIEN PAET, Engineering Project Manager; ROBERT NOLAN, Deputy Fire Chief; SETH FLOYD, Deputy City Attorney; CHEYENNE LARANCE, Deputy City Clerk; and GABRIELA PORTILLO-BRENNER, 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:

After EDWARD COTTON stated he would like to speak in opposition to Item 12, CHAIR DE SALVIO indicated that item was going to be pulled forward for discussion, and he asked MR. COTTON to make his comments at that time.

ADAM SHEPHERD stated he and other members of the community were present to speak in opposition to Item 9 and asked for that item to be pulled for discussion along with Item 21. CHAIR DE SALVIO informed MR. SHEPHERD Item 9 was going to be pulled forward for discussion, and Item 21 would be heard under the Public Hearing items.

TASHIKA LAWSON stated she and others were present to speak in opposition to Item 25; CHAIR DE SALVIO informed her that item was going to be held in abeyance and said she could proceed to make her comments on the record. MS. LAWSON stated their community had many questions regarding the form-based code and asked about the number of jurisdictions that have adopted it throughout Clark County and the state. Since the Historic Westside is adjacent to North Las Vegas, she wondered if the form-based code would transition into North Las

Vegas. She spoke of excluding the T-5 and T-6 zones for several years and then revisiting them to see how it would work with the 2045 Plan. She also requested that the City not invoke eminent domain to expand or change existing neighborhood roads, sidewalks, easements, parks or public access without at least a 70 percent community approval rating because that is something that is currently happening. She also asked, if adopted, what the City's plans were with regard to the stakeholders and spoke of protecting the harmony of the Historic Westside with regard to investors being allowed to construct multi-story buildings next to single-story buildings that have existed for decades. Additionally, she wished to prohibit the development of a Total Wines and More type business next to a traditional multi-family building. She indicated there are problems they foresee that have not been addressed at the community meetings and thought they may not be receiving the necessary notifications of such that would allow them to ask these questions. CHAIR DE SALVIO asked MS. LAWSON to provide her contact information to staff, which would be passed along to COMMISSIONER WILLIAMS and COUNCILMAN CREAR.

Speaking to Item 25, BRYAN (inaudible) stated he is a native to Las Vegas and the Westside and wished more investors would build in the area instead of tearing down buildings.

RON KLINE also spoke on Item 25 and stressed the need for more information if the form-based code moved forward related to grants being available for the current land owners to upgrade their land and what land would be taken via eminent domain, etc.

ROBERT SUMMERFIELD, Planning Director, stated Item 25 was being abeyed to the November meeting in order for the zoning request to be heard at the same time as the General Plan Amendment. Although community meetings have been held over the past two years, he asked anyone present with specific questions to provide their contact information to staff so that those questions could be addressed in advance of that meeting.

5. For Possible Action to Approve the Final Minutes for the Planning Commission Meeting of September 8, 2020.

Motion made by Trinity Haven Schlottman to Approve

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

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

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 22a-22e and 25a requested an abeyance to the November 10, 2020 Planning Commission meeting, staff requested Item 25 be abeyed to that same meeting, and the applicant for Items 24a-24e requested an abeyance to the December 8, 2020 meeting; all of which he noted are first abeyance requests.

Additionally, MR. McCAMMOND stated the applicants for Items 9 and 14 did not sign and return the forms agreeing to the One Motion One Vote conditions of approval, so those items would have to be heard as part of the regular agenda. CHAIR DE SALVIO asked the representatives present for Item 14 to come forward and state on the record whether or not they agree to the conditions of approval; RENE HUMPHREY and MICHELLE KLINE verbally agreed to such.

With regard to Item 21, PAUL MURAD, requested an abeyance until November 10, 2020 on behalf of Main Street Investments II to provide additional time to work with staff and come up with a resolution to realize the project.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 21a, 21b, 22a-22e, 25a and 35 to 11/10/2020 and Items 24a-24e to 12/8/2020

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

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

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. 20-0110-TMP1 - TENTATIVE MAP - FALCON CREST SUMMERLIN V22 PARCELS C AND D - PUBLIC HEARING - APPLICANT: WOODSIDE HOMES OF NEVADA, LLC - OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a Land Use Entitlement project request for a Tentative Map FOR A 110-LOT

SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 23.89 acres at the northwest corner of Kestrel Creek Avenue and Desert Foothills Drive (APNs 137-14-410-011 and 012), P-C (Planned Community) Zone [SF3 (Single Family Detached) Summerlin Special Land Use Designation], Ward 2 (Seaman). Staff recommends APPROVAL.

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

NOTE: Due to technical difficulties, the video did not capture the vote.

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

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

8. 20-0131-TMP1 - TENTATIVE MAP - BLM 270 PARCEL C-2 & C-3 - APPLICANT/OWNER: 190 OCTANE FT PARTNERS, LLC - For possible action on a Land Use Entitlement project request for a Tentative Map FOR A 250-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 38.61 acres on the west side of the Puli Trail alignment, approximately 610 feet south of Dorrell Lane (APNs 126-23-610-002 and 126-23-710-001), PD (Planned Development) Zone [ML (Residential Medium Low) Special Land Use Designation], Ward 6 (Fiore). Staff recommends APPROVAL.

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

NOTE: Due to technical difficulties, the video did not capture the vote.

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

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

ONE MOTION - ONE VOTE

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

9. 20-0102 - PUBLIC HEARING - APPLICANT: BRITTANY MEGRATH - OWNER: PHILIP DAVIS - For possible action on the following Land Use Entitlement project requests on a portion of 5.00 acres located on the south side of Inyo Avenue, approximately 90 feet west of Bristle Falls Street (APN 125-19-301-012), Ward 6 (Fiore). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open for Items 9-9b after pulling these items forward for discussion from the One Motion One Vote agenda.

ERIC McCAMMOND, Senior Management Analyst, reported staff determined the proposed Medium Density Residential General Plan designation and Medium Density Residential zoning district are compatible and harmonious with the existing Limited Commercial and Single Family Compact-Lot developments in the area, and therefore, recommended approval of these applications. He noted additional letters of protest were received since publication.

TODD MEGRATH, PHIL DAVIS, and BRITTANY MEGRATH were present. MR. MEGRATH stated they were proposing a multi-story residential housing community, but were intentionally holding off on design review to secure the appropriate zoning.

TOM PURSEL, ADAM SHEPHERD, SHAUNA O'BRIEN, ALVIN JACKSON and NATALIE CONOVER all spoke in opposition, expressing concerns with the proposed density, increased traffic, parking, trash, noise, the one-way ingress, the height of the multi-family building along with the thin, match-stick homes being proposed, the detriment to the harmony of the community, the impact on property values, increased crime, policing and insurance costs, the transient population, a decrease in the neighborhood aesthetics, matching the existing neighborhood as far as home size and acreage, the impact on their privacy, and noted that the plans had changed.

MR. SHEPHERD quoted a study conducted in 2004 related to housing prices in close proximity to multi-family residential units. He also referenced a lawsuit from 1926 related to the constitutionality of zoning. MS. CONOVER displayed photographs of the narrow streets in the development.

BARA YOZA also spoke in opposition, but asked if special parking permits or stickers could be obtained for the residents that live on Bristle Falls Street to avoid parking problems if this was approved.

DEPUTY CITY ATTORNEY SETH FLOYD read online e-comments received other than those from MS. O'BRIEN and MR. JACKSON, who had just spoken and already put their comments on the record. These comments were submitted for record and are included in the backup.

MR. MEGRATH stated their goal is to be good neighbors and help create community, pointing out that developing the property would actually alleviate some of the concerns that were mentioned. MS. MEGRATH stated they were originally approached to do a commercial use, but decided on this proposal because they believe it to be a more harmonious fit that will bring about less traffic than a commercial development.

CHAIR DE SALVIO stated he received many calls in opposition, and could not support the project because it is too intense for the area. He could, however, support single-family detached homes, which the property is zoned for. He also found the streets to be too narrow for what is being proposed and the traffic flow too intense.

COMMISSIONER CHERRY agreed, adding that there is no clarity as to what could be built on the property. He suggested additional meetings with the neighbors, who seemed open to some type of development. COMMISSIONER SCHLOTTMAN added having a good, solid plan that the Commission could consider prior to approving something in this neighborhood would be beneficial.

See Items 9a and 9b for related backup.

CHAIR DE SALVIO declared the Public Hearing closed for Items 9-9b.

- 9a. 20-0102-GPA1 - FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: M (MEDIUM DENSITY RESIDENTIAL). Staff recommends APPROVAL.

Minutes:

See Item 9 for related discussion and Items 9-9b for related backup.

Motion made by Louis De Salvio to Deny Items 9a and 9b

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

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

- 9b. 20-0102-ZON1 - FROM: R-E (RESIDENCE ESTATES) TO: R-3 (MEDIUM DENSITY RESIDENTIAL). Staff recommends APPROVAL.

Minutes:

See Item 9 for related discussion and Items 9-9b for related backup.

Motion made by Louis De Salvio to Deny Items 9a and 9b

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

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

10. 20-0137 - PUBLIC HEARING - APPLICANT: LEXUS OF LAS VEGAS - OWNER: OM REAL ESTATE/LAS VEGAS, LLC - For possible action on the following Land Use Entitlement project requests on 5.49 acres located on the north side of Centennial Center Boulevard, approximately 1,680 feet west of Azure Drive (APN 125-28-510-004), T-C (Town Center) Zone, Ward 6 (Fiore). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open for Items 10-10b, 11 and 13-19.

DEPUTY CITY ATTORNEY SETH FLOYD read an online comment of support related to Item 14 and an online comment in opposition related to Item 16.

FRANCISCO TINOCO, applicant for Item 16, noted the complaint read regarding the loud music was related to their grand opening, but they have not had any amplified music since. CLINT BROWN appeared representing the property owner for Item 16. He stated he also operates on that property and confirmed the only time he has heard excessive noise was the night of the grand opening.

See Items 10a and 10b for related backup.

CHAIR DE SALVIO declared the Public Hearing closed for Items 10-10b, 11 and 13-19.

- 10a. 20-0137-GPA1 - TO REMOVE A PORTION OF THE TOWN CENTER MULTI-USE TRAIL ALIGNMENT. Staff recommends APPROVAL.

Minutes:

See Item 10 for related discussion and Items 10-10b for related backup.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 9a, 9b and 12a-12d

NOTE: Commissioner Toussaint disclosed that she would be voting on Item 17 because although she resides within the notification area, she would not be affected.

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

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

- 10b. 20-0137-SDR1 - FOR A PROPOSED 63,930 SQUARE-FOOT MOTOR VEHICLE SALES (NEW) DEVELOPMENT WITH WAIVERS OF TOWN CENTER DESIGN STANDARDS. Staff recommends APPROVAL.

Minutes:

See Item 10 for related discussion and Items 10-10b for related backup.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 9a, 9b and 12a-12d

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

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

11. 20-0116-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: OSCAR E. ROMANO - For possible action on a Land Use Entitlement project request for a Variance TO ALLOW A 10-FOOT REAR YARD SETBACK WHERE 35 FEET IS REQUIRED on 0.29 acres at 6280 Queen Irene Court (APN 125-29-503-002), R-E (Residence Estates) Zone, Ward 6 (Fiore). Staff recommends APPROVAL.

Minutes:

See Item 10 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 9a, 9b and 12a-12d

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

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

12. 20-0139 - PUBLIC HEARING - APPLICANT/OWNER: RF 21,5 LLC - For possible action on the following Land Use Entitlement project requests on 1.12 acres on the east side of Kevin Way approximately 550 feet north of Centennial Parkway (APN 125-20-402-015), T-C (Town Center) Zone [SC-TC (Service Commercial - 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 12-12d after pulling them from the One Motion One Vote agenda for discussion.

ALEX STRAWSER, Senior Planner, reported that the subject site is an irregularly-shaped lot uniquely located off an existing cul-de-sac and adjacent to the Clark County 215 Beltway off-ramp, and is the only accessible property on Kevin Way after the intersection at Rudia Creek Avenue. Staff supported the requested Waivers and Exceptions due to the unique shape and location of the subject site, as the applicant is able to allow accessibility with the neighboring commercial property to the east. Additionally, staff found that the associated Special Use Permits will further contribute and support the existing commercial shopping center. As such, staff recommended approval of all associated applications and waiver requests. MR. STRAWSER noted that additional letters of support and protest were received after publication.

JOHN CURRAN appeared on behalf of the applicant. He explained what was being proposed is an expansion to an existing shopping center, to include a restaurant with alcohol and a tavern. It is an irregularly-shaped parcel, requiring the subject waivers and which are supported by staff. He noted they met with the neighbors and tried to design the parcel while taking their concerns related to noise and parking into consideration. He described the distance separation from the nearest residence to the tavern, stating the applicant committed to bolstering the landscaping to 36-inch box trees, and that there will be a surplus of 44 parking spaces once combined with the parking on the adjacent site. Additionally, he pointed out the nearby center consists of mainly daytime uses, including a donut shop, dry cleaners, insurance and a day spa, which will provide adequate parking in the event of a surge. MR. CURRAN asked the Commission to follow staff's recommendation of approval.

EDWARD COTTON spoke in opposition. He stated their subdivision has no park or playground; therefore, children play on Kevin Way and residents walk their dogs nearby. This is a dead-end street, and if this is approved, he thought the City would be creating a dangerous situation with people now driving recklessly after leaving a tavern. He also expressed his concern with noise and the fact this is a narrow street with no sidewalks.

DEPUTY CITY ATTORNEY SETH FLOYD read one online e-comment, which was submitted for the record and is included in the backup.

To address comments made by MR. COTTON, MR. CURRAN pointed out that one of the conditions of approval required the construction of a sidewalk on Kevin Way and reiterated the landscaping would be increased to minimize noise.

CHAIR DE SALVIO indicated he spoke with MR. CURRAN and confirmed that 36-inch box trees will be installed along Kevin Way. He expressed safety concerns with those individuals leaving the tavern not being able to see the children if there are cars parked along Kevin Way, and asked if the applicant was willing to agree to no parking along Kevin Way, noting that the opposite side fell under Clark County's jurisdiction. MR. CURRAN responded they are bringing two proven operators to the area, and they want to be good neighbors; however, prohibiting parking might create additional problems and push the parking into the neighborhood and that they believe there is sufficient parking onsite. CHAIR DE SALVIO emphasized the issue was not about parking, but rather a safety concern with people leaving the tavern after drinking and children darting out on the street. MR. CURRAN stated that they want to be welcomed by the neighbors and agreed to the no parking request.

See Items 12a-12d for related backup.

CHAIR DE SALVIO declared the Public Hearing closed for Items 12-12d.

- 12a. 20-0139-SUP1 - FOR A PROPOSED 4,880 SQUARE-FOOT LIQUOR ESTABLISHMENT (TAVERN) USE WITH 1,700 SQUARE FEET OF OUTDOOR SEATING AREA WITH A WAIVER TO ALLOW SAID USE WITHIN THE SERVICE COMMERCIAL DISTRICT ON 1.12 ACRES WHERE A MINIMUM OF 50 ACRES IS REQUIRED. Staff recommends APPROVAL.

Minutes:

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

Motion made by Louis De Salvio to Approve Items 12a-12d subject to condition(s) with amended condition(s) for Item 12d

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

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

- 12b. 20-0139-SUP2 - FOR A PROPOSED 3,625 SQUARE-FOOT RESTAURANT WITH ALCOHOL USE WITH 1,690 SQUARE FEET OF OUTDOOR SEATING AREA. Staff recommends APPROVAL.

Minutes:

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

Motion made by Louis De Salvio to Approve Items 12a-12d subject to condition(s) with amended condition(s) for Item 12d

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

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

- 12c. 20-0139-SUP3 - FOR A PROPOSED 4,880 SQUARE-FOOT GAMING ESTABLISHMENT, RESTRICTED LICENSE USE WITH A WAIVER TO ALLOW A 31-FOOT DISTANCE SEPARATION FROM A SINGLE-FAMILY DETACHED DWELLING WHERE 330 FEET IS REQUIRED. Staff recommends APPROVAL.

Minutes:

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

Motion made by Louis De Salvio to Approve Items 12a-12d subject to condition(s) with amended condition(s) for Item 12d

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

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

- 12d. 20-0139-SDR1 - FOR A PROPOSED 11,945 SQUARE-FOOT COMMERCIAL DEVELOPMENT WITH WAIVERS TO ALLOW A TEN-FOOT FRONT YARD SETBACK WHERE 15 FEET IS REQUIRED, A SIX-FOOT SIDE YARD SETBACK WHERE 15 FEET IS REQUIRED AND A WAIVER OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS. Staff recommends APPROVAL.

Minutes:

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

Motion made by Louis De Salvio to Approve Items 12a-12d subject to condition(s) amending Condition 12 and added condition for Item 12d as read for the record:

12. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer, or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, which shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.

Installed landscaping shall not impede the visibility of any traffic control device. The technical landscape plan shall include the following changes from the conceptual landscape plan:

- All Modesto Ash trees located within perimeter landscape buffers shall be replaced by one of the following: Washingtonia Robusta Hybrid (Mexican Fan Palm), Fraxinus Velutina Rio Grande (Rio Grande Ash), Chitalpa Tashkentensis (Chitalpa), or Robinia Ambigua "Purple Robe" (Purple Robe Locust). Provide trees, 36" box in size, adjacent to Kevin Way.

A. Concurrent with on-site development, the applicant shall post no parking signs on Kevin Way as approved by the City Traffic Engineer.

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

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

13. 20-0063-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LA PALOMA FUNERAL SERVICES - OWNER: BJK ENTERPRISES, INC - For possible action on a Land Use Entitlement project request for a Special Use Permit FOR A MORTUARY OR FUNERAL CHAPEL USE at 2551 South Fort Apache Road (APN 163-07-501-013), C-1 (Limited Commercial) Zone, Ward 2 (Seaman). Staff recommends APPROVAL.

Minutes:

See Item 10 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 9a, 9b and 12a-12d

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

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

14. 20-0106-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: RENEE HUMPHREY AND ROSS GATZMER - For possible action on a Land Use Entitlement project request for a Special Use Permit FOR A PROPOSED ACCESSORY STRUCTURE (CLASS I) [CASITA] USE at 5124 Royer Ranch Road (APN 125-33-302-004), R-E (Residence Estates) Zone, Ward 4 (Anthony). Staff recommends APPROVAL.

Minutes:

See Item 10 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 9a, 9b and 12a-12d

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

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

15. 20-0112-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CLAY ARTS VEGAS, LLC - OWNER: S & D GRAHAM PROPERTIES, LLC - For possible action on a Land Use Entitlement project request for a Special Use Permit FOR A CUSTOM & CRAFT WORK USE WITH A WAIVER TO ALLOW OUTDOOR USE WHERE REQUIRED TO BE WITHIN AN ENCLOSED BUILDING at 1353 Arville Street (APN 162-06-510-015), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen). Staff recommends APPROVAL.

Minutes:

See Item 10 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 9a, 9b and 12a-12d

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

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

16. 20-0124-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: FRANCISCO TINOCO - OWNER: DATEN, INC - For possible action on a Land Use Entitlement project request for a Special Use Permit FOR AN OPEN AIR VENDING/TRANSIENT SALES USE (MOBILE FOOD VENDOR) USE at 5068 East Washington Avenue (APN 140-29-602-005), M (Industrial) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:

See Item 10 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 9a, 9b and 12a-12d

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

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

17. 20-0129-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: NITTAYA PARAWONG - OWNER: ELBERT L. ADAMS CHARITABLE REMAINDER ANNUITY TRUST - For possible action on a Land Use Entitlement project request for a Major Amendment to a previously approved Special Use Permit (SUP-63316) TO RELOCATE AN EXISTING BEER/WINE/COOLER ON-SALE LOCATION FROM 2110 NORTH RAMPART BOULEVARD, SUITE #110 TO 8427 WEST LAKE MEAD BOULEVARD AND A 54% INCREASE IN SQUARE-FOOTAGE at 8427 West Lake Mead Boulevard (APN 138-20-614-004), P-C (Planned Community) Zone, Ward 2 (Seaman). Staff recommends APPROVAL.

Minutes:

See Item 10 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 9a, 9b and 12a-12d

NOTE: Commissioner Toussaint disclosed that she would be voting on Item 17 because although she resides within the notification area, she would not be affected.

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

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

18. 20-0143-SNC1 - STREET NAME CHANGE - PUBLIC HEARING - APPLICANT/OWNER: 190 OCTANE FT PARTNERS, LLC - For possible action on a Land Use Entitlement project request for a Street Name Change FROM: PULI ROAD TO: SKYE HILLS STREET on the Puli Road alignment between Grand Teton Drive and Tropical Parkway, Ward 6 (Fiore). Staff recommends APPROVAL.

Minutes:

See Item 10 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 9a, 9b and 12a-12d

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

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

19. 20-0135-VAC1 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: MF LAND, LLC - For possible action on a Land Use Entitlement project request for a Petition to Vacate public drainage easement on 1.70 acres located on the north corner of Skye Park Drive and Parkland Skye Circle (APN 125-07-211-001), T-D (Traditional Development) Ward 6 (Fiore). Staff recommends APPROVAL.

Minutes:

See Item 10 for related discussion.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 9a, 9b and 12a-12d

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

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

PUBLIC HEARING ITEMS

20. ABEYANCE - RENOTIFICATION - 20-0004 - PUBLIC HEARING - APPLICANT: LENNAR HOMES - OWNER: NORTHLAND, LLC - For possible action on the following Land Use Entitlement project requests generally located at the southwest corner of the Moccasin Road alignment and N Skye Canyon Park Dr (APNs Multiple), Ward 6 (Fiore). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open for Items 20-20b.

ERIC McCAMMOND, Senior Management Analyst, reported no evidence of a unique or extraordinary circumstance was presented to support street name changes that fail to meet the City's minimum Naming and Addressing Assignment Regulations. As such, staff concluded the applicant's hardship is preferential in nature, and thereby outside the realm of Nevada Revised Statute Chapter 278 for granting of Variances. Staff recommended denial of both applications. MR. McCAMMOND noted additional letters of support and protest were received since publication.

ATTORNEY JENNIFER LAZOVICH appeared representing the applicants. She pointed out the land use designations, categories for the master planned community and the proposed street name changes on the aerial map and site plan. She noted the importance of branding a master planned community, and that the street

names were specifically chosen to do just that. In the past month, they worked very closely with DEPUTY FIRE CHIEF ROBERT NOLAN, and they have correspondence from him recommending and supporting the proposed name changes. She asked the Commission for their approval.

CHAIR DE SALVIO stated his biggest concern was that this had the support of Fire and Rescue, which they have.

See Items 20a and 20b for related backup.

CHAIR DE SALVIO declared the Public Hearing closed for Items 20-20b.

- 20a. ABEYANCE - RENOTIFICATION - 20-0004-VAR1 - TO ALLOW TRAIL AS A SUFFIX WHERE SUCH IS NOT ALLOWED AND TO ALLOW A STREET NAME CHANGE TO SUNSTONE PARKWAY WHERE SUNSTONE STREET ALREADY EXISTS. Staff recommends DENIAL.

Minutes:

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

Motion made by Louis De Salvio to Approve Items 20a and 20b subject to conditions

NOTE: Due to technical difficulties, the video did not capture the vote.

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

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

- 20b. ABEYANCE - RENOTIFICATION - 20-0004-SNC1 - TO ALLOW MULTIPLE STREET NAME CHANGES FROM: SUNBRIDGE POINTE WAY TO: SUN PARK DRIVE; FROM: SKYE VILLAGE ROAD TO: BRIGHTSTONE TRAIL; FROM: SKYE POINTE DRIVE TO: SUN VILLAGE PARK DRIVE AND FROM: LOG CABIN WAY TO: SUNSTONE PARKWAY. Staff recommends DENIAL.

Minutes:

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

Motion made by Louis De Salvio to Approve Items 20a and 20b subject to conditions

NOTE: Due to technical difficulties, the video did not capture the vote.

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

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

21. ABEYANCE - 20-0092 - PUBLIC HEARING - APPLICANT/OWNER: MAIN STREET INVESTMENTS II, LLC - For possible action on the following Land Use Entitlement project requests on 0.48 acres at 1205 South Main Street and 1208 South Casino Center Boulevard (APNs 162-03-105-011 and 162-03-110-067), C-M (Commercial-Industrial) and C-1 (Limited Commercial) Zones, Ward 3 (Diaz). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:

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

- 21a. ABEYANCE - 20-0092-SUP1 - FOR AN OPEN AIR VENDING USE. Staff recommends DENIAL.

Minutes:

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

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 21a, 21b, 22a-22e, 25a and 35 to 11/10/2020 and Items 24a-24e to 12/8/2020

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

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

- 21b. ABEYANCE - 20-0092-SDR1 - FOR A PROPOSED OUTDOOR FOOD COURT AND DINING AREA. Staff recommends DENIAL.

Minutes:

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

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 21a, 21b, 22a-22e, 25a and 35 to 11/10/2020 and Items 24a-24e to 12/8/2020

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

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

22. 20-0026 - PUBLIC HEARING - APPLICANT/OWNER: SURETE SIETE, LLC - For possible action on the following Land Use Entitlement project requests on 1.43 acres on the west side of Jones Boulevard, approximately 360 feet north of Smoke Ranch Road (APN 138-14-802-007), C-1 (Limited Commercial) Zone, Ward 5 (Crear). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:

See Item 6 for related discussion and Items 22a-22e for related backup.

- 22a. 20-0026-GPA1 - FROM: SC (SERVICE COMMERCIAL) TO: GC (GENERAL COMMERCIAL). Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 22-22e for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 21a, 21b, 22a-22e, 25a and 35 to 11/10/2020 and Items 24a-24e to 12/8/2020

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

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

- 22b. 20-0026-ZON1 - FROM: C-1 (LIMITED COMMERCIAL) TO: C-2 (GENERAL COMMERCIAL). Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 22-22e for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 21a, 21b, 22a-22e, 25a and 35 to 11/10/2020 and Items 24a-24e to 12/8/2020

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

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

- 22c. 20-0026-VAR1 - TO ALLOW A PROPOSED UNPAVED SURFACE PARKING LOT WHERE SUCH IS SUCH IS NOT ALLOWED; A SOLID SCREEN WALL IN THE FRONT YARD OF A COMMERCIAL PROPERTY WHERE SUCH IS PROHIBITED; A NINE-FOOT TALL PERIMETER METAL FENCE WHERE EIGHT FEET IS ALLOWED; AND NON-DECORATIVE, NON-CONTRASTING MATERIALS WHERE SUCH IS NOT ALLOWED. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 22-22e for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 21a, 21b, 22a-22e, 25a and 35 to 11/10/2020 and Items 24a-24e to 12/8/2020

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

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

- 22d. 20-0026-SUP1 - FOR A PROPOSED TRUCKING COMPANY USE WITH WAIVERS TO ALLOW MORE THAN 5 TRUCKS OR TRAILERS, AND TO ALLOW THE USE TO BE VISIBLE FROM ADJOINING STREETS. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 22-22e for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 21a, 21b, 22a-22e, 25a and 35 to 11/10/2020 and Items 24a-24e to 12/8/2020

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

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

- 22e. 20-0026-SDR1 - FOR A PROPOSED PARKING FACILITY WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS AND TO ALLOW AN EXISTING CHAIN LINK FENCE ADJACENT TO THE WEST PROPERTY LINE TO REMAIN, WHERE SUCH MATERIAL IS PROHIBITED. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 22-22e for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 21a, 21b, 22a-22e, 25a and 35 to 11/10/2020 and Items 24a-24e to 12/8/2020

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

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

23. 20-0132 - PUBLIC HEARING - APPLICANT/OWNER: JUAN'S, LLC - For possible action on the following Land Use Entitlement project requests on 0.56 acres at 3800 Leon Avenue (APN 138-12-110-051), Ward 5 (Crear). Staff recommends APPROVAL on the Land Use Entitlement project.

Minutes:

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

ERIC McCAMMOND, Senior Management Analyst, reported the proposed General Plan Amendment will align the current zoning designation with the appropriate General Plan Designation. Staff found the proposed development compatible with both the existing commercial land uses to the west, and the residential land uses to east. As such, staff recommended approval of both applications. He noted additional letters of support and protest were received since publication.

BRETT UTTER stated he owns a landscape company and is proposing to build a 1,000 square-foot office and a 1,000 square-foot storage facility to store their trucks on the property, which will have one egress/ingress.

LEX ANDERSON, historian for NARA (Northwest Area Residents Association), stated they met with MR. UTTER and Planning staff, and pointed out what was being proposed was a low-profile project with a reasonable buffer for zoning and noted MR. UTTER would be attending an upcoming NARA meeting.

COMMISSIONER WILLIAMS thought the project was compatible.

See Items 23a and 23b for related backup.

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

- 23a. 20-0132-GPA1 - FROM: SC (SERVICE COMMERCIAL) TO: GC (GENERAL COMMERCIAL). Staff recommends APPROVAL.

Minutes:

See Item 23 for related discussion and Items 23-23b for related backup.

Motion made by Anthony Williams to Approve Items 23a and 23b subject to conditions

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

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

- 23b. 20-0132-SDR1 - FOR A PROPOSED 2,030 SQUARE-FOOT BUILDING MAINTENANCE SERVICE AND SALES DEVELOPMENT WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS, TO NOT TREAT ALL SIDES OF THE BUILDING COHERENTLY AND NOT ORIENT THE BUILDING TO THE CORNER WHERE SUCH IS REQUIRED. Staff recommends APPROVAL.

Minutes:

See Item 23 for related discussion and Items 23-23b for related backup.

Motion made by Anthony Williams to Approve Items 23a and 23b subject to conditions

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

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

24. 20-0142 - PUBLIC HEARING - APPLICANT/OWNER: MARLON L JOHNSON - For the possible action on the following Land Use Entitlement project requests on 0.92 acres at southwest corner of Mountain Trail and Sunset Drive (APNs 139-19-812-038 and 039), Ward 5 (Crear). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:

See Item 6 for related discussion and Items 24a-24e for related backup.

- 24a. 20-0142-GPA1 - FROM: R (RURAL DENSITY RESIDENTIAL) TO: LI/R (LIGHT INDUSTRY/RESEARCH). Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 24-24e for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 21a, 21b, 22a-22e, 25a and 35 to 11/10/2020 and Items 24a-24e to 12/8/2020

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

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

- 24b. 20-0142-ZON1 - FROM: R-E (RESIDENCE ESTATES) AND U (UNDEVELOPED) [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO: M (INDUSTRIAL). Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 24-24e for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 21a, 21b, 22a-22e, 25a and 35 to 11/10/2020 and Items 24a-24e to 12/8/2020

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

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

- 24c. 20-0142-VAR1 - TO ALLOW AN EIGHT-FOOT FRONT YARD WALL WHERE FIVE FEET IS THE MAXIMUM ALLOWED. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 24-24e for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 21a, 21b, 22a-22e, 25a and 35 to 11/10/2020 and Items 24a-24e to 12/8/2020

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

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

- 24d. 20-0142-VAR2 - TO ALLOW NO OFFSITE IMPROVEMENTS (CURB, SIDEWALKS, GUTTERS) WHERE SUCH ARE REQUIRED. Staff recommends DENIAL.
- Minutes:
See Item 6 for related discussion and Items 24-24e for related backup.
- Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 21a, 21b, 22a-22e, 25a and 35 to 11/10/2020 and Items 24a-24e to 12/8/2020
- Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
- For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;
- 24e. 20-0142-SDR1 - FOR A PROPOSED HEAVY MACHINERY AND EQUIPMENT STORAGE DEVELOPMENT WITH WAIVERS OF PERIMETER LANDSCAPING DEVELOPMENT STANDARDS. Staff recommends DENIAL.
- Minutes:
See Item 6 for related discussion and Items 24-24e for related backup.
- Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 21a, 21b, 22a-22e, 25a and 35 to 11/10/2020 and Items 24a-24e to 12/8/2020
- Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
- For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;
25. 20-0166 - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on the following Land Use Entitlement project requests on approximately 603.00 acres bounded by Owens Avenue on the north, Interstate 15 and Main Street on the east, U.S. 95 on the south and Martin L. King Boulevard on the west (APNs multiple), Ward 5 (Crear). Staff recommends APPROVAL on the Land Use Entitlement project.
- Minutes:
See Item 6 for related discussion and Item 25a for related backup.
- 25a. 20-0166-GPA1 - To amend a portion of the Southeast Sector Land Use Map of the General Plan FROM: L (LOW DENSITY RESIDENTIAL), ML (MEDIUM LOW DENSITY RESIDENTIAL, M (MEDIUM DENSITY RESIDENTIAL), H (HIGH DENSITY RESIDENTIAL), MXU (MIXED USE), C (COMMERCIAL), LI/R (LIGHT INDUSTRY/RESEARCH) AND PF (PUBLIC FACILITIES) TO: FBC (FORM-BASED CODE). Staff recommends APPROVAL.
- Minutes:
See Item 6 for related discussion and Items 25 and 25a for related backup.
- Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 21a, 21b, 22a-22e, 25a and 35 to 11/10/2020 and Items 24a-24e to 12/8/2020
- Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
- For-Sigal Chattah, Anthony Williams, Sam Cherry, Louis De Salvio, Trinity Haven Schlottman, Donna Toussaint, Jeff Rogan;
26. 20-0136 - PUBLIC HEARING - APPLICANT: ANTHONY GONZALEZ - OWNER: SMOKE RANCH ENTERPRISES, INC - For possible action on the following Land Use Entitlement project requests on 1.00 acre at 6890 North Hualapai Way (APN 125-19-213-005), C-1 (Limited Commercial) Zone, Ward 6 (Fiore). 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, reported the applicant presented no evidence of a unique or extraordinary circumstance to support the parking Variance request, and failure to meet minimum Title 19 requirements will result in a use incompatible with surrounding development. Therefore, staff recommended denial of both applications.

ANTHONY GONZALEZ, owner, and KENYA GONZALEZ, representative, were present. MS. GONZALEZ displayed photographs of the parking lot of the gas station where they would like to place a dessert trailer, which she noted would be out of the way of traffic. They understand that the parking Variance is a concern, and she showed photographs of the ample availability of parking during the week and on the weekend. She stated their customers will not take up parking spaces because they expect most of their business to consist of pedestrians due to the nearby bus stop, high school and apartment complex. They believe the surrounding neighborhoods will enjoy their desserts, and they will do everything possible to make it a success and good fit for the neighborhood. MR. GONZALEZ added they plan to comply with all COVID-19 guidelines, stating they are a grab-and-go operation to avoid large groups of people.

GEORGE SALINAS said that as a manager for a landscaping company that has worked all over the valley, he thought this to be an ideal location. As a newly-developed neighborhood, he thought this might help bring business to the other existing businesses.

CHAIR DE SALVIO indicated he did not have any concerns with the subject application and stated there was not anything like this in Ward 6 and expressed his support. He asked staff if the Special Use Permit (SUP) would remain with the location where they intend to set up or if it would be eliminated if they decided to leave that particular location. ROBERT SUMMERFIELD, Planning Director, explained the SUP is tied to the land. If these owners cease operation on the two identified spaces, the owner of the property would retain the entitlement, and a new operator could re-establish the open-air vending use up to one year. He noted, however, that an operator could not operate anywhere else on the property without additional consideration. He also confirmed for the Chair that if an operator wished to operate a different use, such as a smog station, that, too, would have to come before the Commission for consideration.

COMMISSIONER CHERRY commented he could support this application, but if it were a different makeup, such as single family homes across the street versus the apartment complex, it may be more difficult for him to support it so he would consider each on a case-by-case basis. CHAIR DE SALVIO concurred.

See Items 26a and 26b for related backup.

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

- 26a. 20-0136-VAR1 - TO ALLOW 106 PARKING SPACES WHERE 108 ARE REQUIRED. Staff recommends DENIAL.

Minutes:

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

Motion made by Louis De Salvio to Approve Items 26a and 26b subject to conditions

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

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

- 26b. 20-0136-SUP1 - TO ALLOW AN OPEN AIR VENDING/TRANSIENT SALES LOT USE. Staff recommends DENIAL.

Minutes:

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

Motion made by Louis De Salvio to Approve Items 26a and 26b subject to conditions

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

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

27. 20-0152 - PUBLIC HEARING - APPLICANT/OWNER: HARMONY HOMES NEVADA, LLC - For possible action on the following Land Use Entitlement project requests on 17.05 acres on the east side of Rancho Drive, 265 feet north of Vegas Drive (APN 139-20-411-015), R-TH (Single Family Attached) Zone, Ward 5 (Crear). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:

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

ALEX STRAWSER, Senior Planner, reported in 2018, the City Council approved land use entitlements pertaining to a 250-lot Single Family Attached residential subdivision. Following the approval of these entitlements, drainage analyses were reviewed and approved by the City of Las Vegas, Clark County, and the Nevada Department of Transportation (NDOT). As a result of these drainage analyses, the street layouts, widths, and the lot configuration were modified from the original approved Tentative Map. In order to accommodate the design of this revised Tentative Map, the applicant is requesting four Variances for a residential subdivision. Staff recommended denial of all associated applications. MR. STRAWSER noted that an additional letter of support and protest were received after publication.

ATTORNEY JENNIFER LAZOVICH appeared representing the applicant. She displayed the Tentative Map that was approved in 2018 which consisted of 250 lots and a couple of open-space areas. She stated the developer was excited about building that project; however, it has taken two years to get a drainage study approved, which required working with the City of Las Vegas, Clark County and NDOT. Once approved, a handful of changes to the plan were required, while still trying to keep the integrity of what they wanted to build. As a result of the drainage study, 235 lots are being proposed versus the original 250 lots, so a Variance is no longer required for that aspect. MS. LAZOVICH displayed a colored exhibit, pointing out the amount of open space being provided has quadrupled, which she described. She also pointed out that every Variance being requested is a direct result of the drainage study and the way they had to convey the flows through the site. As an example, with regard to the alternate street widths for the private streets, there are standard private streets that are narrower than what they proposing. While there is no sidewalk adjacent to the asphalt of the streets, their sidewalks in the townhome product are designed to face in to each other. On street sides, there will be garages, but the front of the homes face each other. She pointed out the connectivity points on the plan, noting they did their best to provide connectivity throughout the community.

MS. LAZOVICH also noted that during the two years it took to get the drainage study approved, the City's code changed which now requires the Variance related to their lots measured to the center line of their streets, which is what was shown on the application that was originally approved.

MS. LAZOVICH stated eight-foot walls were important to the couple of neighbors who were involved in the process two years ago, which is included as a condition on the Tentative Map. Additionally, the applicant included requested amenities, such as it being a gated community. She noted they worked with Public Works and there are some revised conditions that need to be read into the record and to which the applicant agrees.

TASHIKA LAWSON stated she has been driving by this empty lot for the past two years and wondered why more roof tops could not be added in this area. Although she did not come specifically to speak on this item, after looking at the plan, she asked the Commission to address the lack of guest parking.

ALICIA BROYER stated she has lived in this neighborhood her entire life. While originally opposed to this project, she understands it is moving forward. She agreed there was a lack of guest parking and wished to confirm it will be a gated community. Pointing out the gate to the north end of the property, she wanted to ensure that was not an entrance, as the streets on that end are very narrow and they would like to keep traffic to a minimum.

MICHAEL RAMIREZ stated he spoke with MS. LAZOVICH at the town hall two years ago and that the applicant kept their stipulations as far as the eight-foot wall and the open spaces for kids to play. He had concerns about the ingress/egress off of Holly Avenue, but since MS. LAZOVICH had stated the gate was an exit only, he was in support of the item.

CHAIR DE SALVIO and MS. LAZOVICH confirmed there were at least 40 guest parking spaces disbursed throughout the site, which MS. LAZOVICH pointed out on the plan. She also reiterated it would be a gated community, and that the gate on Holly Avenue is an exit only, and she was amenable to that being addressed through an added condition. LUCIEN PAET, Engineering Project Manager, verified Condition 13 could be amended to address this. He also read amended language for Condition 12 along with an added condition into the record. MS. LAZOVICH concurred with all conditions as read.

COMMISSIONER WILLIAMS commented this project has been a long time coming and thanked MS. LAZOVICH for making sure the residents' concerns were addressed.

COMMISSIONER SCHLOTTMAN asked staff to continue to study and brief the Commission regarding how measurements are done with regard to private streets and lot lines and the reasoning behind that change. MR. PAET indicated he would research this.

See Items 27a and 27b for related backup.

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

- 27a. 20-0152-VAR1 - TO ALLOW PRIVATE STREETS ON PRIVATE LOTS WHERE COMMON LOTS MAINTAINED BY A PRIVATE MAINTENANCE ORGANIZATION IS REQUIRED, A CONNECTIVITY RATIO OF 1.27 WHERE 1.30 IS REQUIRED, NONSTANDARD PRIVATE STREETS BEHIND A GATE AND DEAD-END STREET TERMINATIONS WHERE CULS-DE-SAC OR HAMMERHEADS ARE REQUIRED. Staff recommends DENIAL.

Minutes:

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

Motion made by Anthony Williams to Approve Items 27a and 27b subject to condition(s) with amended condition(s) for Item 27b

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

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

- 27b. 20-0152-TMP1 - RANCHO & VEGAS - FOR A 235-LOT SINGLE FAMILY ATTACHED RESIDENTIAL SUBDIVISION. Staff recommends DENIAL.

Minutes:

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

Motion made by Anthony Williams to Approve Items 27a and 27b subject to condition(s) amending Condition 12 and added condition for Item 27b as read for the record:

12. Construct half-street improvements on Rancho Drive and Holly Avenue and all incomplete half street improvements on Rancho Drive meeting current City Standards adjacent to this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Any transition or modification of standard improvements along Holly Avenue must be approved by the City Engineer prior to the issuance of permits. Sidewalk constructed on Rancho Drive shall meet the standards provided in the Master Trails Element.

A. Grant pedestrian access easements for all public sidewalks, if any, located outside the public right-of-way.

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

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

28. 20-0154 - PUBLIC HEARING - APPLICANT/OWNER: CARPI ENTERPRISES, LLC - For possible action on the following Land Use Entitlement project requests on 2.69 acres at the southeast corner of Charleston Boulevard and Arville Street (APNs 162-06-510-001 and 002), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open for Items 28-28b.

ALEX STRAWSER, Senior Planner, reported while the proposed redevelopment of the existing shopping center supports several of the goals set forth by the Redevelopment Area plan and provides a development utilizing sustainable practices and measures, staff found the requested Variance, Waivers, and Exception to be self-imposed hardships. Additionally, while the existing shopping center uses the same rear yard setback as the proposed development, any new construction must meet the current development standards at the time of

submittal. Therefore, staff recommended denial of all associated requests. MR. STRAWSER noted that additional letters of protest were received after publication.

TODD VEDELAGO, Vedelago Petsch Architects, appeared on behalf of the applicant. He stated they met with staff regarding this project and are aware that the current code requires a 20-foot setback on the east property line. Although they performed numerous site plan studies, given all of the constraints they have to comply with on a tight site related to access and maneuverability with drive aisles and parking, the request for a zero-foot setback is required to get the other components of the property to work. He noted they met with the adjacent property owner to the east, and after reviewing the plan, took no exception to the zero lot line. With respect to the landscaping requirement on the east side, there is some on the northeast corner, but because of the layout being so tight, the building was pushed back to the lot line. The site will be 17 percent landscaped, which they think is an aesthetic improvement to the property.

COMMISSIONER ROGAN stated he met with MR. VEDELAGO the week prior, who also sent him other information related to the flow problem related to parking and the required driveways. He expressed he is benevolent about this because the existing setback creates a difficult situation and lends to trash accumulation and wants that to be avoided if approved. Otherwise, he supported the proposal because this is an area that very much needs development, and while the property owners are maintaining the building the best they can, it is an old property which would be built to standards not typically seen on this part of Charleston Boulevard. He requested input from the other Commissioners.

COMMISSIONER SCHLOTTMAN liked the building design, and thought it would help with this part of the Charleston Boulevard corridor. Noting his experience as a developer in Dallas, Atlanta and Las Vegas, he has seen this property line situation, and did not have a problem with it, and thought leaving a gap may potentially be more of a problem. He wondered if a condition could be added to address trash in between the buildings.

ROBERT SUMMERFIELD, Planning Director, indicated a condition could be added that the applicant would have to cap the gap or maintain a three-foot maintenance corridor. MR. VEDELAGO stated they have a solution for filling the air gap between the two block walls and spoke of a potential product that could be used.

COMMISSIONER CHERRY added that both sides have zero lot lines and have been that way for some time. He thought this to be a big improvement for the neighborhood and expressed his support.

COMMISSIONER ROGAN stated he valued the input from the other Commissioners, and after taking their comments into consideration, he could support these applications.

See Items 28a and 28b for related backup.

CHAIR DE SALVIO declared the Public Hearing closed for Items 28-28b.

- 28a. 20-0154-VAR1 - TO ALLOW A ZERO-FOOT REAR YARD SETBACK WHERE 20 FEET IS REQUIRED. Staff recommends DENIAL.

Minutes:

See Item 28 for related discussion and Items 28-28b for related backup.

Motion made by Jeff Rogan to Approve Items 28a and 28b subject to conditions

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

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

- 28b. 20-0154-SDR1 - FOR A PROPOSED 31,250 SQUARE-FOOT SHOPPING CENTER WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS. Staff recommends DENIAL.

Minutes:

See Item 28 for related discussion and Items 28-28b for related backup.

Motion made by Jeff Rogan to Approve Items 28a and 28b subject to conditions

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

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

29. 20-0023-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: LDR PARTNERS - For possible action on a Land Use Entitlement project request for a Variance TO ALLOW AN EXISTING 10-FOOT TALL PERIMETER WALL WHERE EIGHT FEET IS THE MAXIMUM ALLOWED on 2.06 acres at the southeast corner of Charleston Boulevard and Westwind Road (APN 163-01-103-004), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen). Staff recommends DENIAL.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open.

ALEX STRAWSER, Senior Planner, reported the proposed 10-foot tall yard wall exceeds the maximum height requirements allowed in the C-1 (Limited Commercial) zone. Staff found the applicant created a self-imposed hardship, and therefore recommended denial. He noted additional letters of protest were received since publication.

JOHN CURRAN appeared on behalf of the applicant. He stated he appeared before the Commission in April for the entitlements to redevelop this site, and during that process, staff found a nonconforming wall to the south side of the site and requested the applicant to tear it down. However, because the adjacent neighbor to the south has a garage built directly up to the wall, they did not wish to comply with that request. He showed aerial footage dating back to 1998 showing the garage has existed since that time, and tearing down the wall would negatively impact that neighbor. The applicant had a structural engineer evaluate the wall who determined if 24-inch pilasters were added every 10 feet, he could sign off on the structural integrity. MR. CURRAN reiterated this request was to clean up a previously-approved entitlement and to keep the nonconforming wall.

COMMISSIONER ROGAN was pleased the applicant was able to work with the existing wall. He recalled this project had some residential adjacency issues, but that neighbor supported the project even though being directly affected. He also noted many resident property owners along Charleston Boulevard have been asking why there are only eight-foot height requirements for properties that abut commercial properties; they thought taller walls should be required to keep out vagrants and to mitigate noise. He supported this Variance specifically because of the needs of the neighbor that lives adjacent to this property.

CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Jeff Rogan to Approve subject to conditions

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

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

30. 20-0115-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: MARIA E. CAMACHO - For possible action on a Land Use Entitlement project request for a Variance TO ALLOW A ONE-FOOT DISTANCE SEPARATION BETWEEN THE PRINCIPAL DWELLING UNIT AND AN EXISTING ACCESSORY STRUCTURE (CLASS II) [CASITA] WHERE SIX FEET IS REQUIRED on 0.14 acres at 2401 East McWilliams Avenue (APN 139-26-811-031), R-1 (Single Family Residential) Zone, Ward 3 (Diaz). 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, in that the applicant created a self-imposed hardship by constructing a structure without a building permit that fails to meet Title 19 setback requirements. Staff, therefore, recommended denial. He noted additional letters of support and protest were received since publication.

ALFONSO CAMACHO appeared representing his mother, the property owner. He referred to what was already on file, submitted additional letters of support for the record, and offered to answer any questions from the Commission.

COMMISSIONER SCHLOTTMAN indicated he did not have any issue with this application. No protests were previously filed, although now there are both protests and support, and asked if any of the other Commissioners had an issue before moving forward with his recommendation.

CHAIR DE SALVIO asked staff if there was a way to tell how long the structure has been in place. ROBERT SUMMERFIELD, Planning Director, stated since the structure was built without a permit, there was no history immediately available. MR. CAMACHO indicated the casita has been on the property longer than ten years.

COMMISSIONER ROGAN pointed out the eaves are creating the problem regarding meeting the distance separation and that the actual separation is five feet. He asked staff what the normal distance separation was, and MR. SUMMERFIELD responded the required distance separation from a principal dwelling is six feet. COMMISSIONER ROGAN stated he could support this request as the applicant remedied the other Code Enforcement actions on the property fairly quickly. He thought, however, that there was an issue with the building permit since the structure was not built on a foundation, and he deferred to COMMISSIONER SCHLOTTMAN.

COMMISSIONER SCHLOTTMAN believed the structure that was not built on a foundation had been torn down. MR. SUMMERFIELD added that if the item is approved, the applicant would still have to obtain a building permit, which may require some renovations due to its proximity to the principal structure and which may trigger fire-rating issues, etc., but that the applicant would need this Variance in order to move forward with that process.

COMMISSIONERS ROGAN and CHERRY indicated they could support the request.

COMMISSIONER SCHLOTTMAN confirmed with MR. CAMACHO that he was aware of the additional steps that may be required as part of the approval process and the time involved. He asked that the applicant be given 180 days to get the plans drawn, submitted to the City, and a building permit pulled. MR. SUMMERFIELD stated that due to COVID-19, it has been difficult for some individuals to meet that timeline and suggested altering the approval from two years to one year may be more appropriate, but that was at the Commission's discretion. He noted people have had problems getting supplies, such as aluminum, and not knowing what materials may be needed for this particular project, he thought 180 days may be too short of a time.

COMMISSIONER SCHLOTTMAN was amenable to one year, but would require the applicant to get started on his plans immediately. MR. CAMACHO agreed to the one-year timeline. MR. SUMMERFIELD read an amended Condition 2 into the record to address this.

CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Trinity Haven Schlottman to Approve subject to condition(s) amending Condition 2 as read for the record:

2. This approval shall be void one year from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

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

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

31. 20-0141-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: MCKEE DEVELOPMENT, LLC, ET AL - For possible action on a Land Use Entitlement project request for a Variance TO ALLOW A SIX-FOOT TALL SOLID SCREEN WALL WITHIN THE FRONT YARD SETBACK AREA WHERE FIVE FEET WITH TWO FEET SOLID IS THE MAXIMUM ALLOWED on 0.89 acres on the west side of Thom Boulevard, approximately 100 feet north of Donnie Avenue (APN 138-12-810-009), C-2 (General Commercial) Zone, Ward 5 (Crear). 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, in that the applicant created a self-imposed hardship by proposing to construct a front yard screen wall that fails to meet minimum Title 19 development standard requirements. In view of the absence of any hardships imposed by the site's physical characteristics, staff concluded the applicant's hardship is preferential in nature, and is thereby outside the realm of Nevada Revised Statute Chapter 278 for granting of Variances. As such, staff recommended denial. He noted additional letters of support were received since publication.

JIMMI McKEE, property owner, submitted additional support postcards and letters from adjacent property owners who would be directly impacted. These were submitted for the record and are included in the backup. She explained they have been working diligently to remove the trash, graffiti and homeless on the lot and wish to construct a six-foot block wall with a screened, solid black rolling gate. The back wall has already been completed up to the 50-foot setback with permits, and they would like to complete the front wall. She commented everyone in the neighborhood has been nice and helpful and are in support.

COMMISSIONER WILLIAMS stated in looking at the project, specifically the gate and screening to be installed, he could support the request, as he liked the look, and it will help clean up the area.

CHAIR DE SALVIO declared the Public Hearing closed.

Subsequent to the vote, MR. SUMMERFIELD clarified for MS. McKEE that the approval was a recommendation by the Planning Commission, but that the applicant could not move forward with constructing the wall at this point because the item would be moving forward to City Council for their review on November 18, 2020.

Motion made by Anthony Williams to Approve subject to conditions

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

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

32. 20-0153-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT: INTEGRAL PARTNERS PARK PLACE CENTRE-LAS VEGAS, LLC - OWNER: INTEGRAL PARTNERS PARK PLACE CENTRE-LAS VEGAS, LLC ET AL - For possible action on a Land Use Entitlement project request for a Variance TO ALLOW 1,027 PARKING SPACES WHERE 3,719 PARKING SPACES ARE REQUIRED on 21.03 acres at the southwest corner of Sirius Avenue and Rancho Drive (APNs 162-08-418-002 and 003), C-2 (General Commercial) and M (Industrial) Zones, 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 in that the applicant created a self-imposed hardship by proposing to not build the overflow parking lot that was previously approved for the subject site. In view of the absence of any hardships imposed by the site's physical characteristics, staff concluded that the applicant's hardship is preferential in nature and is thereby outside the realm of Nevada Revised Statute Chapter 278 for granting of Variances and recommended denial. He noted an additional letter of support was received since publication.

ATTORNEY JENNIFER LAZOVICH stated when she was before the Commission in June representing the Scandia lot to be paved, it was in conjunction with two other uses, Lost Spirits and the Illuminarium, that were approved closer to Area 15 proper, of which she described. Additionally, she pointed out more intense uses were consistently requested, not because there will be a nightclub or tavern in all of the square footage of the buildings, but rather due to the City's definitions. A night club allows them to have live music without being in violation of the code definition of live music, etc., and because of that, it appears more parking is needed than necessary.

MS. LAZOVICH pointed out Area 15 on an aerial map and stated the applicant believes the number of parking spaces on site will be sufficient for all of the uses for Area 15, including the two other uses previously mentioned. They had hoped by this point to be able to come forward with a Special Use Permit for an alternative parking study that would have combined all of the tenants operating with no COVID-19 related restrictions and prove there is more than enough parking; however, COVID-19 has delayed everything. She noted, however, it is still their plan to do so. To provide some level of comfort, she noted the owners and developers of Area 15 own 80 acres in the area, which she pointed out on the aerial, so additional parking is available if it becomes necessary in the future.

COMMISSIONER ROGAN believes there is plenty of parking for the intended use and appreciated the applicant committing to moving forward with the alternate parking study. He asked when the study is done that no Variances be taken into consideration and that it be based solely upon the existing parking. He deferred to ROBERT SUMMERFIELD, Planning Director, to explain further.

MR. SUMMERFIELD stated that once a Variance is approved, it sets a new standard, and they have seen parking studies use previously-approved Variances as part of their rationale. So he asked that any previously-approved Variances not be factored into such analysis as a reset as to the standard or the basis for the number of parking spaces required. MS. LAZOVICH confirmed the study would be done based upon what is actually occurring.

COMMISSIONER ROGAN asked if the Variance before them would expunge the parking Variance previously granted. MR. SUMMERFIELD stated there is no condition that calls out the expungement of the previous Variance (VAR-78704). Because the entitlements are entangled, he believed the Variance would still be in play, except as amended by this approval. MS. LAZOVICH wanted to ensure that if what is being proposed at this meeting would mean they do not have to build the Scandia site. MR. SUMMERFIELD stated he did not find in staff's analysis what would happen with the previously-approved Variance, but typically, this is a new entitlement, which would supersede the previous entitlement unless acknowledged elsewhere. With that, action on this Variance should overwrite the previous approval, which would create a new site plan showing where parking is required, not including the Scandia site and addresses all of the uses previously part of the former Variance. He summarized that they could assume the old Variance is dead.

MS. LAZOVICH explained the importance of the parking Variance before the Commission has to do with combining the approval of Lost Spirits and the Illuminarium with the paving of Scandia and it getting caught up in the Building Department, so they are trying to separate the paving of Scandia from the entitlement for Lost Spirits because they are eager to open and this will allow them to move forward with the Building Department process.

CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Jeff Rogan to Approve subject to conditions

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

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

33. 20-0134-WVR1 - WAIVER - PUBLIC HEARING - APPLICANT/OWNER: CENTURY COMMUNITIES OF NEVADA - For possible action on a Land Use Entitlement project request for a Waiver TO ALLOW A 12-FOOT TALL RETAINING WALL WHERE SIX FEET IS THE MAXIMUM HEIGHT ALLOWED on 30.04 acres at the northwest corner of W Skye Canyon Park Drive and Skye Village Road (APN 126-12-610-004), T-D (Traditional Development) Zone [ML (Medium Low) Skye Canyon Special Land Use Designation], Ward 6 (Fiore). Staff recommends DENIAL.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open.

ALEX STRAWSER, Senior Planner, reported the proposed Waiver to allow a 12-foot tall retaining wall is not in conformance with the approved Skye Canyon Development Agreement nor the approved Kyle Canyon Development Standards and Architectural Guidelines. As such, staff recommended denial of the Waiver request.

ATTORNEY JENNIFER LAZOVICH appeared representing the applicant. She displayed the site plan and explained that due to the topography increase going west, they wish to install a taller wall. Instead of a plain CME (concrete masonry unit) wall, they want to install an attractive, 12-foot rockery wall with a meandering sidewalk and landscaping adjacent to the right-of-way, and a view fence in the backyard of the homes that sit up a little higher.

CHAIR DE SALVIO stated after visiting the site and speaking with MS. LAZOVICH, he could support this request.

CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Louis De Salvio to Approve subject to conditions

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

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

34. 20-0145 - WAIVER - PUBLIC HEARING - APPLICANT/OWNER: MAIN STREET INVESTMENTS II, LLC - For possible action on a Land Use Entitlement project request for a Waiver OF APPENDIX F INTERIM DOWNTOWN LAS VEGAS DEVELOPMENT STANDARDS TO ALLOW MECHANICAL EQUIPMENT WITHIN THE RIGHT-OF-WAY WHERE SUCH IS PROHIBITED on the south side of California Street between Main Street and Casino Center Boulevard (APN 162-03-105-011), Ward 3 (Diaz). Staff recommends DENIAL.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open.

ALEX STRAWSER, Senior Planner, reported staff did not support the requested Waiver application as it does not meet Appendix F of the Interim Downtown Las Vegas Architectural development standards, requiring all mechanical equipment be screened from street level and surrounding building views. Additionally, Appendix F of the Interim Downtown Las Vegas utilities development standards states, "Utility vaults shall be located underground for all new developments. Ideally, these will be incorporated within the building footprint. In no case shall they be located along the street frontage of the project." As such, staff recommended denial of the Waiver request. MR. STRAWSER noted additional letters of support were received after publication.

PAUL MURAD appeared on behalf of Main Street Investments II, LLC. Using a PowerPoint presentation on his laptop, he explained they were requesting a Waiver to install RPPAs (Reduced Pressure Principal Assembly) and RPDAs (Reduced Pressure Detector Assembly) in the public right-of-way (i.e., sidewalks and alley). The placement would be consistent with other ones in downtown and in this area. He stated there is no space to place them on private property, as they are preserving a landmark historical building that was built in 1945. He displayed photographs of examples of RPDAs in the immediate area on Imperial Avenue. He also showed examples in other cities of the boxes painted with murals to beautify them. He referenced a three-page handout and stated they are asking to place the RPPAs on California Street on both sides of the alley and the RPDAs in the alley to try to hide them and so as not to block the businesses in the building. He requested staff, the Las Vegas Valley Water District (LVVWD) and this body work together to come up with a comprehensive solution to this via a Text Amendment to shorten the approval timeline and so that staff does not have to recommend denial.

MR. MURAD expressed the need for them to receive approval at this meeting due to the fact that the first tenant of the building already has a temporary Certificate of Occupancy, and is ready to open once this Waiver request is approved and they receive their building permits. He noted a substantial investment has been made in Ward 3 and the Arts District, but no income can be generated until they receive their Certificate of Occupancy, which requires the RPPAs. He requested the Commission's approval, and commended staff on keeping conditions to a minimum. If approved, he asked staff to help this to be an expeditious process.

COMMISSIONER SCHLOTTMAN pointed out the photograph the representative showed was a project he had worked on, and he made several comments regarding the problems related to the placement of the RPDA for that project. He stated he spoke with MR. MURAD about placing the RPDA in the alley if at all possible when it came to that point. He also spoke of having a meeting in the future with Public Works, Planning staff, and DEPUTY FIRE CHIEF ROBERT NOLAN to discuss this topic further. DEPUTY FIRE CHIEF NOLAN indicated Fire and Rescue would be happy to participate in such a meeting; however, pointed out that former FIRE CHIEF DAVID KLEIN was the expert in this matter. COMMISSIONER SCHLOTTMAN said he could support this project, but asked staff to coordinate such a meeting.

ROBERT SUMMERFIELD, Planning Director, stated staff continues to work with the LVVWD on this matter. These are not going away so they have to find a solution where the LVVWD is agreeable, but stated the units have to be camouflaged because a significant investment has been made in the public right-of-way to attract pedestrians and new investments, and these units can be a serious impediment to that. He assured COMMISSIONER SCHLOTTMAN that he would be included in the process as someone who is familiar with the process, as well as an interested party on the Planning Commission. Due to the upcoming holiday season, he did not know whether that meeting could take place prior to the end of the year, but it is still something staff is working on. They are also looking at how they can be camouflaged in the event the units cannot be moved into the building or somewhere not on the street.

LUCIEN PAET, Engineering Project Manager, indicated there were similar projects under consideration about a year ago that allowed the RPDA in the alley, and he read the associated condition from that approval that might also work for this project.

COMMISSIONER CHERRY said that in looking at the plan, he thought it may get too tight with the proposed RPDA on both the west and east sides of the alley, but it sounded as if the distance requirement was covered via the condition read by MR. PAET. He also mentioned a building in the area where they were able to put a gate in front of the RPDA and the RPPA within the LVVWD easement, noting that the LVVWD was amenable to other setups. He stated 15 years ago, one of his projects was the first to place the units within a building, and the developers since turned that into storage units, loading it with junk and thus, creating a hazard.

With regard to the existing location of the RPPAs, COMMISSIONER CHERRY asked about the grade difference. COMMISSIONER SCHLOTTMAN confirmed there is a grade difference, but thought the applicant could get by with the RPPAs, but would have a very difficult time with the RPDAs because of the size of the box, which would take up the majority of the sidewalk. He thought the condition read by MR. PAET may alleviate that problem.

COMMISSIONER CHERRY asked staff if there were plans to clean up California Avenue and Colorado Avenue to improve the area. MR. SUMMERFIELD deferred to Public Works. MR. PAET explained there is a Public Works project where the sidewalk on the south side of California Avenue is going to be widened. He spoke of an elevated sidewalk being private property and a vacated portion of California. He noted the right-of-way will be increased and was told there are many meters that will need to be created as RPPAs, as in this case, which will be addressed as part of the widening of the sidewalk. He did not have the exact schedule but believed this was to be done sometime next year.

COMMISSIONER CHERRY indicated his support of the application.

Further discussion took place between COMMISSIONER SCHLOTTMAN and MR. PAET regarding the extension of the sidewalk and the placement of the meters. COMMISSIONER SCHLOTTMAN asked the applicant if he was amenable to the condition that would allow the placement of the RPDA in the alley, if required in the future for the fire suppression system. MR. MURAD confirmed, stating that was their preference so that it was out of the right-of-way. With regard to the sidewalk expansion, he expressed his desire to be included in the conversation regarding the plan and design because it will affect the current tenants in the building. He also offered to be a participant in finding a comprehensive solution and sharing their experience with others. He asked about obtaining an at-risk permit, but COMMISSIONER SCHLOTTMAN stated that was not something the Planning Commission could address but could be discussed with staff.

CHAIR DE SALVIO declared the Public Hearing closed.

Subsequent to the vote, MR. SUMMERFIELD clarified no permit could be issued by the Planning Department prior to the 10-day appeal period.

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

A. Unless otherwise allowed by the Department of Public Works, install the Reduced Pressure Detector Assemblies (RPDAs) with three bollards just inside the alley. The applicant shall install the slim design of the RPDAs and maintain a minimum of 14-feet of clearance.

NOTE: Commissioner Cherry disclosed that he finished a project within the notification area that would not affect him any greater or lesser; therefore, he would be voting.

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

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

35. 20-0091-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: MICHAEL MUELLER - For possible action on a Land Use Entitlement project request for a Special Use Permit FOR A PROPOSED MOUNTED ANTENNA OVER 15 FEET (ULTIMATE HEIGHT) USE at 1016 Carmel Shores Drive (APN 138-28-214-056), R-CL (Single Family Compact-Lot) Zone, Ward 2 (Seaman). Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 21a, 21b, 22a-22e, 25a and 35 to 11/10/2020 and Items 24a-24e to 12/8/2020

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

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

36. 20-0113-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: EL YAQUI MEXICAN FOOD & DESSERTS, LP - OWNER: MY CHARLESTON PLAZA, LLC - For possible action on a Land Use Entitlement project request for a Special Use Permit FOR AN ALTERNATIVE PARKING STANDARD TO ALLOW 56 PARKING SPACES WHERE 59 ARE REQUIRED FOR A PARKING IMPAIRED COMMERCIAL DEVELOPMENT on 0.66 acres at 5100 through 5140 West Charleston Boulevard (APN 138-36-803-008), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen). Staff recommends APPROVAL.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open.

ALEX STRAWSER, Senior Planner, reported the applicant validated this alternative parking request through a parking study performed by a Nevada licensed professional engineer, which has demonstrated that the existing available parking spaces are sufficient for the addition of a mobile food vendor to the existing land uses. As such, staff recommended approval.

JAIME CENTENO explained they would like to park a food trailer for open air vending in front of their commercial janitorial business, and that Planning staff had recommended a parking study be performed. The parking analysis showed parking was sufficient, at which time they were advised by Planning that they could entertain a Special Use Permit for their hours of operation from 7:00 p.m. to 1:00 a.m. He agreed to all conditions and requested approval from the Commission. The other gentleman present (name inaudible) stated they would follow all CDC (Centers for Disease Control and Prevention) guidelines with regard to COVID-19.

CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Jeff Rogan to Approve subject to conditions

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

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

37. 78578 - PUBLIC HEARING - APPLICANT/OWNER: GEORGE TONY LOPEZ, ET AL - For possible action on the following Land Use Entitlement project requests on 1.28 acres at 1616 Sunset Drive (APN 139-19-812-011), M (Industrial) Zone, Ward 5 (Crear). Staff recommends DENIAL on the Land Use Entitlement project.

Minutes:

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

ALEX STRAWSER, Senior Planner, reported Title 19 requires that outdoor storage areas be screened from public view from all rights-of-way, pedestrian areas, and parking lots. Screening includes, without limitation, solid walls and landscaping of a density sufficient to screen the use. Staff did not find the requested chain link fencing material to be an adequate mechanism for screening the outdoor storage of heavy machinery, and therefore recommended denial of both entitlement requests. He noted additional letters of protest were received after publication.

RICKI BARLOW appeared representing the applicant, stating working closely with Ward 5 staff and COMMISSIONER WILLIAMS, this item was before the Planning Commission last year. He noted they ran into several issues as they moved forward into the construction phase, specifically with regard to ingress/egress. COVID-19 caused some issues related to construction dollars, so they are before the Commission now to make some minor adjustments. While the applicant is prepared to install sidewalks to connect the south and north sidewalks that are currently disconnected, they are requesting a reduction of the interior landscaping because of the type of use and the heavy equipment being brought in to increase the width of the driveway. Additionally, the cost of the decorative block wall is cost prohibitive for this small business operator. Working with Planning staff and Ward 5 staff, they decided to come back with a fence that would provide screening of the chain link fence on the interior and the perimeter of the site. Other than that, they are ready to move forward with the project.

In response to the question by COMMISSIONER WILLIAMS regarding the material to be used to screen the chain link fence, MR. BARLOW stated they would use whichever material was most preferable by Planning staff. ERIC McCAMMOND, Senior Management Analyst, indicated staff was not aware of any screening materials that were discussed. MR. BARLOW stated they spoke with Planning staff about slats, and he confirmed for COMMISSIONER WILLIAMS the fence would be screened. The Commissioner remembered the applicant had agreed to install sidewalks, gutters and to finish the project. MR. BARLOW confirmed, stating if approved at this meeting, they would move forward after the 10-day appeal process. ROBERT SUMMERFIELD, Planning Director, interjected to clarify that if this request was approved, the item would be moving forward to City Council so the applicant could not start such until the eleventh day. He also stated if the Commissioner would like to include an amended condition regarding the screening material, it would be placed on the Site Development Review. COMMISSIONER WILLIAMS indicated he would like that condition added.

After looking at the photographs included in the backup for this item, COMMISSIONER ROGAN stated he was still confused about the screening material for the chain link fence. MR. BARLOW explained the fence in the picture will be removed and a new fence installed with whatever screening material staff recommends. The Commissioner asked if the fence would be the same height and look, but with slats or mesh netting, and MR. BARLOW confirmed.

MR. SUMMERFIELD stated part of the amendment to the Site Development Review would include to approve no landscaping along the perimeter.

COMMISSIONER ROGAN stated he could not support the request and believed the applicant had until next year to comply with all of the conditions approved last year, which he thought provided enough time to come up with the necessary funds. He thought it was premature to permanently remove those requirements due to the current pandemic, which he hoped was temporary. Looking at the current absence of landscaping and chain link fence with slats, he thought this was an eyesore to the residential neighbors driving down this road.

MR. BARLOW appreciated the Commissioner's comments and shared the small operator was not able to secure a loan to complete the entire project required by the City Council. His intent was not to blame COVID-19, but noted it slowed down the process in getting the job done. The operator has enough money to move forward with what is being proposed at this meeting. COMMISSIONER ROGAN reiterated that he thought there was still enough time, and if this were denied, the applicant could come back and request an Extension of Time. MR. BARLOW stated a denial would create a greater hardship for the owner because of the money already invested.

COMMISSIONER CHERRY asked for clarification as to whether the front landscaping was also going away or just the interior; MR. BARLOW confirmed just the interior landscaping and pointed out the parcel is very narrow. COMMISSIONER CHERRY wondered if landscaping could be included along Sunset Drive, so those driving by could see something on the frontage. MR. BARLOW was amenable to potted plants or something of that nature. Pointing out there are industrial uses on both sides of the street, he stated the applicant is trying to do the best he can with the limited amount of money available.

MR. BARLOW confirmed for COMMISSIONER SCHLOTTMAN that the screened fence would be at the property line with landscaping behind it. MR. SUMMERFIELD interjected, stating staff included the older version of the plan in the backup and wanted to make sure the Commissioners were referring to the one consistent with the current application. He asked the Commissioners to refer to Page 4 in the supporting documents available to view on their monitors.

COMMISSIONER SCHLOTTMAN stated after looking at the correct plan, he noted no landscaping would be placed along the front, to which MR. BARLOW confirmed. The Commissioner asked if the screened material could be placed around the landscaping. MR. BARLOW responded that if the fence would go around the landscaping that would provide a decorative frontage look, but reiterated their biggest challenge is the ability for fire trucks to maneuver on the site and offered to create a moon-shaped fence line, with landscaping to the frontage. DEPUTY FIRE CHIEF ROBERT NOLAN advised with the small size of the site, any fire trucks would remain on the street. COMMISSIONER SCHLOTTMAN hoped the landscaping shown on the original plan would remain. MR. BARLOW asked about placing a five-foot landscape buffer with the fence behind.

COMMISSIONERS SCHLOTTMAN, ROGAN and WILLIAMS thought this was a good solution in trying to make the frontage more attractive and stated they could support the request at this point.

MR. SUMMERFIELD clarified the Waiver request would be to landscape five feet instead of 15 feet for the frontage. This application will be on the November 18, 2020 City Council agenda, and he asked MR. BARLOW

to work with his Planner to provide updated drawings so those revised drawings could be included in the backup at the City Council meeting, along with an amended staff report to address the landscape buffer and screening material for the chain link fence.

CHAIR DE SALVIO confirmed with COMMISSIONER WILLIAMS that he was amenable to a new fence with either mesh or slat screening.

See Items 37a and 37b for related backup.

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

- 37a. 78578-VAR1 - TO ALLOW CHAIN LINK FENCING AS SCREENING FOR OUTDOOR STORAGE WHERE A SOLID SCREEN WALL IS REQUIRED. Staff recommends DENIAL.

Minutes:

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

Motion made by Anthony Williams to Approve Items 37a and 37b subject to condition(s) with amended condition(s) for Item 37b

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

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

- 37b. 78578-SDR1 - For a Major Amendment to a previously approved Site Development Plan Review (SDR-76576) TO ALLOW MODIFICATIONS FOR A HEAVY MACHINERY AND EQUIPMENT STORAGE DEVELOPMENT WITH WAIVERS TO ALLOW NO PERIMETER/INTERIOR LANDSCAPING AND TO ALLOW CHAIN-LINK FENCING WHERE SUCH IS PROHIBITED. Staff recommends DENIAL.

Minutes:

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

Motion made by Anthony Williams to Approve Items 37a and 37b subject to condition(s) and adding the following condition for Item 37b:

A. Prior to issuance of building permits, applicant will provide updated screening materials in conjunction with chain link fence to be approved by Planning Department.

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

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

38. 20-0118-SDR1 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: GOOD CLUCK WEST, LLC - OWNER: MLK CAREY, LLC - For possible action on a Land Use Entitlement project request for a Site Development Plan Review FOR A 2,380 SQUARE-FOOT RESTAURANT WITH DRIVE THROUGH AND A 3,000 SQUARE-FOOT OFFICE BUILDING DEVELOPMENT on 1.53 acres at 2360 North Martin L King Boulevard (APN 139-21-510-001 through 004), C-1 (Limited Commercial) Zone, Ward 5 (Crear). Staff recommends APPROVAL.

Minutes:

CHAIR DE SALVIO declared the Public Hearing open.

ALEX STRAWSER, Senior Planner, reported staff found the proposed development as designed to be compatible and harmonious with the surrounding and future land development in the area adhering to the minimum Title 19 development standard requirements. As such, staff recommended approval. He noted additional letters of protest were received after publication.

DARRYLL BRANDWINE, FORZA Design Group, appeared representing the applicant. He explained Golden Chick has plans to open 20 locations, and chose Las Vegas for their inaugural quick-serve store. He noted they met all of the conditions of the Site Development Standards, except for one Waiver on the south property line.

ROYAL BYRON III stated he owns the adjacent property along with three properties on Miller Avenue and plans to build a mixed-used development for the neighborhood, which was delayed due to COVID-19, and expressed

concerns with this developer putting up large walls that would thwart his efforts. He noted he had to pay an additional \$2,000 because of the zoning of the property, and he did not want a large developer blocking his view with walls and fences.

TASHIKA LAWSON asked how many jobs this would create and what community outreach had been done by this company because of the history in the area of not reaching out to the residents to see if what is being proposed is needed.

ANDRE BATISTE, North Las Vegas resident, stated his property is across the street from the subject site. He appreciated the land being developed, but expressed concern with the possibility of gaming and/or alcohol being allowed in the future.

MR. BRANDWINE indicated he was unaware of any community outreach being done and confirmed there were no plans to serve alcohol at the establishment.

COMMISSIONER WILLIAMS asked if the item could be held in abeyance due to the fact that no community outreach was done, and this is a significant piece of property on the Historic Westside. He thought it would be beneficial to meet with the residents to address their questions. MR. BRANDWINE was amenable to holding the item in abeyance.

Although ROBERT SUMMERFIELD, Planning Director, pointed out the item would be moving forward to City Council, which would allow time for a neighborhood meeting to be held, COMMISSIONER WILLIAMS opted to hold the item in abeyance for 30 days. MR. SUMMERFIELD advised MR. BRANDWINE to work with his Planner to help set up the neighborhood meeting.

CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Anthony Williams to Hold in Abeyance to 11/10/2020

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

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

Citizens Participation:

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

Minutes:

The meeting was adjourned at 8:59 p.m.

Respectfully submitted:

Gabriela Portillo-Brenner, Deputy City Clerk

Cheyenne LaRance, Deputy City Clerk

Minutes Prepared by:

Debra A. Outland, Deputy City Clerk

THIS MEETING WAS PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS
IN ACCORDANCE WITH THE STATE OF NEVADA EXECUTIVE DEPARTMENT

DECLARATION OF EMERGENCY DIRECTIVE 006
The City of Las Vegas website - www.lasvegasnevada.gov
and

The Nevada Public Notice Website - notice.nv.gov