



Recommending Committee Minutes

1. Call to Order

Minutes:

COUNCILMAN ANTHONY called the meeting to order at 10:02 a.m.

PRESENT: COUNCILMEMBERS ANTHONY, FIORE and KNUDSEN

ALSO PRESENT: EXECUTIVE DIRECTOR OF COMMUNITY DEVELOPMENT TOM PERRIGO, ROBERT SUMMERFIELD, PLANNING DIRECTOR, MARY McELHONE, DEPUTY PLANNING DIRECTOR, DEPUTY CITY ATTORNEY JEFF DOROCK, CITY CLERK LUANN D. HOLMES and DEPUTY CITY CLERK DEBRA A. OUTLAND

2. Announcement Regarding: Compliance with Open Meeting Law

Minutes:

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

3. Bill No. 2019-50 - For possible action - Amends LVMC Chapter 6.60 to update the process and standards for making available additional pawnbroker licenses based on population increase, including the authorization to conduct auctions related to the availability of new licenses. Proposed by: Scott D. Adams, City Manager

Minutes:

COUNCILMAN ANTHONY declared the Public Hearing open.

MARY McELHONE, Deputy Planning Director, stated this bill would amend the process for obtaining a pawnbroker license. Individuals currently obtain such through a lottery and this would replace that with an auction. Additionally, the passage of this ordinance would allow for one new pawnbroker license, which would raise the total number to 25.

COUNCILMAN ANTHONY asked if an auction would be held immediately and the 25th license awarded if this amendment passed, to which MS. McELHONE confirmed. She explained currently, the code reads that with an increase of 50,000 residents in the city of Las Vegas a new pawnbroker license would become available. With the passage of this ordinance, an additional pawnbroker license would be allowed, but instead of using the lottery system, a live auction would be held with sealed bids, and the opening bid would be set at \$60,000. She noted full payment would be required from the individual who won the bid within 72 hours of the auction, and if that individual failed to pay, the second highest bidder would then be able to apply for the pawnbroker license. If that also fell through, the auction would be terminated and another auction would have to be held. She further explained because this is considered a privilege license, the auction winner must apply for a business license and complete a favorable suitability investigation within one year. Additionally, all necessary land use approvals and final licensing approval must be obtained from the City Council. MS. McELHONE did note, however, that the Council had the option of extending the one-year period. The winning bid would function as the origination fee, and if the business license was denied or not completed, the deposit would be returned to the auction winner.

MS. McELHONE stated a business impact solicitation had already been completed so if this passed, staff would move forward with the auction process. COUNCILMAN ANTHONY asked if there were any comments received during the Business Impact Statement process. DEPUTY CITY ATTORNEY JEFF DOROCÁK stated staff received written feedback from two larger pawnbrokers opposing the auction process, but this was expected because an auction would ultimately lead to a higher origination fee because of the open market auction versus a set flat fee of a smaller amount.

COUNCILMAN KNUDSEN asked how this process related to other jurisdictions in the valley. MS. McELHONE stated she was not familiar with the other jurisdictions' process, but that moving from a lottery to an auction is not a new idea and is a concept that a lot of jurisdictions across the United States utilize in connection with their liquor licenses. EXECUTIVE DIRECTOR OF COMMUNITY DEVELOPMENT TOM PERRIGO added that the other jurisdictions do not utilize an auction, but staff did not have information regarding their precise procedure.

COUNCILMAN ANTHONY declared the Public Hearing closed.

Subsequent to the vote, COUNCILMAN ANTHONY announced this bill would be heard at the February 5, 2020, City Council meeting.

Motion made by Michele Fiore to Approve as Do Pass

Passed For: 3; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Michele Fiore, Stavros Anthony, Brian Knudsen;

4. Bill No. 2019-51 - For possible action - Amends the Unified Development Code, specifically, LVMC 19.16.010, to add provisions regarding neighborhood meetings, including mandatory meetings for certain types of applications, such as general plan amendments regarding land use, and applications to repurpose certain golf courses and open spaces. Sponsored by: Councilwoman Victoria Seaman

Minutes:

COUNCILMAN ANTHONY declared the Public Hearing open.

ROBERT SUMMERFIELD, Planning Director, explained this amendment is meant to be a companion item to the bill regarding repealing the open space and golf course repurposing scheduled to be heard before the City Council on Wednesday, January 15, 2020. One element of that ordinance was the requirement for a neighborhood meeting; however, after hearing from constituents and members of the City Council, COUNCILWOMAN SEAMAN asked staff how a neighborhood meeting requirement could be included if the repeal was to go forward. The bill before this Committee creates such a place for that neighborhood meeting requirement.

While the current code contains some neighborhood meeting requirements, MR. SUMMERFIELD stated they are scattered in various places. As such, this amendment would organize the neighborhood meeting provisions and add to those existing provisions that should an open space or golf course repurposing be proposed in the future, the applicant would be required to hold a neighborhood meeting as part of the application process, just like as is true for a General Plan Amendment.

If the repeal failed at the January 15, 2020, City Council meeting, COUNCILMAN ANTHONY commented then this ordinance would be moot. MR. SUMMERFIELD stated there were some non-substantive cosmetic structural elements that were moved to accommodate this ordinance, but if the repeal failed, the proposed ordinance before the Committee would be somewhat redundant as there is already a neighborhood meeting requirement in the existing ordinance regarding repurposing, and staff's recommendation would be to strike this item as it would create some inconsistencies at that point and should not move forward.

MR. SUMMERFIELD confirmed for COUNCILMAN ANTHONY that if the repeal were to pass, the proposed ordinance puts the neighborhood meeting section of the repeal back into the ordinance. He added it would maintain the requirement of a neighborhood meeting as a part of any project that would come forward and request a repurposing of an open space or golf course that meets the criteria. The Councilman asked what would be repealed with regard to open spaces and golf courses if the ordinance was repealed. MR. SUMMERFIELD clarified that the repeal would remove the additional development standard requirements that exist for an open space repurposing. As part of the public engagement program, in addition to the neighborhood meeting, there are other options outlined (i.e., a design workshop). With regard to the mandatory

requirements, there would no longer be a requirement for the alternatives statement, which outlines what the applicant would have done if they were not doing the project that was being proposed. Additionally, the environmental worksheet and the maintenance closure plan would not be required, conceptual studies would be done prior to permitting instead of at time of application and the development agreement required if repurposing a certain size would go away; however, it would remain an option. The development agreement is essentially a contract between the City and the developer that establishes what the development requirements and parameters would be, similar to Skye Canyon, Providence and Summerlin. The difference between the requirement that is put in under this ordinance and the current ordinance is that the neighborhood meeting is to be held prior to submittal of the application under the current ordinance, and under the proposed ordinance, the meeting must be held between the time the application is submitted and the public hearing before the Planning Commission to allow for the community to find out about the project prior to the public hearing.

MR. SUMMERFIELD confirmed for DEPUTY CITY ATTORNEY JEFF DOROCAK that there was a Proposed First Amendment and explained there was a slight change to the language for clarification purposes, but it was not substantive. MR. DOROCAK stated the Proposed First Amendment made clear that the neighborhood meetings would apply to any General Plan Amendment and was included in the backup.

ANN SMITH, Queensridge resident, stated she has been listening to what is being proposed and the requirement for only one neighborhood meeting, and she was not clear if the mandatory meeting applied to Badlands and Queensridge. She thought everything the Queensridge residents have experienced over the past four to five years was under the old code which requires no closure plan or securing of the property. She described the current condition of the golf course as she sees it and activity that she believed was deliberate, resulting in crime, people wandering around and cars racing around the golf course. She reiterated that the old code does not provide for any protection of that area and that the open space ordinance had not been given a chance to work as no other development had come in since it was put in place. The only difference is the one mandatory meeting, and she analogized their experience in 2016 to a dog and pony show. She indicated at the neighborhood meeting, the residents were simply told what was going to happen and no one from the development team noted any input that was given. If required after submittal of the application as opposed to before, it would present as a done deal and a green light to all developers in the city. She mentioned the town hall that was held in Ward 2 regarding the ordinance being proposed and the repeal, but because the ordinance applies to the entire City, she thought the residents in the other Wards should be made aware as well. This provides the developer with the opportunity to maximize their profits at the expense of the surrounding neighborhoods. MS. SMITH referenced the public hearings held in the spring and summer of 2019 and thought the number one priority of the City, open space, protection and enhancement, should be taken into consideration. COUNCILWOMAN FIORE asked that the speaker focus on the item on the agenda. COUNCILMAN ANTHONY indicated to MS. SMITH that the Committee heard what she was saying and thanked her for her comments.

ELAINE WENGER-ROESENER, Queensridge resident, echoed MS. SMITH'S comments and indicated she was going to read an email from a friend of hers. COUNCILWOMAN FIORE interjected asking that the points MS. WENGER-ROESENER wished to make relate to the proposed ordinance and not the repeal. MS. WENGER-ROESENER indicated her comments were related to the item before the Committee and went on to state that she thought the timing was an issue and what was being proposed went hand in hand with repealing the open space ordinance. She asked the Committee to reconsider how and why the open space ordinance would get done. Additionally, she asked if the City elected officials were pulling the strings or one developer.

COUNCILMAN ANTHONY stated he was not ready to recommend this bill to the City Council at this time because of meetings he had scheduled later in the day and the following day regarding this item and the repeal. As such, he would wait to vote on both of the ordinances at the upcoming City Council meeting.

COUNCILMAN ANTHONY declared the Public Hearing closed.

Motion made by Michele Fiore to Forward to the 1/15/2020 City Council Meeting for consideration as a Proposed First Amendment, with no recommendation, pursuant to the 1/13/2020 Recommending Committee Meeting

Passed For: 3; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Michele Fiore, Stavros Anthony, Brian Knudsen;

5. Citizens Participation: Public comment during this portion of the agenda must be limited to matters within the jurisdiction of the Committee. No subject may be acted upon by the Committee 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 and correct

spelling for the record. The amount of discussion on any single subject, as well as the amount of time any single speaker is allowed, may be limited.

Minutes:

None.

6. Adjournment

Minutes:

The meeting was adjourned at 10:23 a.m.

Respectfully submitted:

Debra A. Outland, Deputy City Clerk

THIS MEETING WAS PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS:

City Hall, 495 South Main Street, 1st Floor
Clark County Government Center, 500 South Grand Central Parkway
Grant Sawyer Building, 555 East Washington Avenue
City of Las Vegas Development Services Center, 333 North Rancho Drive