



## Recommending Committee Minutes

1. Call to Order

Minutes:

COUNCILMAN ANTHONY called the meeting to order at 10:00 a.m.

PRESENT: COUNCILMEMBERS ANTHONY, FIORE, and KNUDSEN

ALSO PRESENT: CHIEF OPERATIONS AND DEVELOPMENT OFFICER TOM PERRIGO, ASSISTANT CITY ATTORNEY JEFF DOROCÁK, CHIEF DEPUTY CITY CLERK STACEY CAMPBELL, and DEPUTY CITY CLERK ASHLEY FOSTER

2. Announcement Regarding: 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](http://www.lasvegasnevada.gov) and The Nevada Public Notice Website – [notice.nv.gov](http://notice.nv.gov).

3. Bill No. 2021-15 - For possible action - Amends LVMC 19.16.010 to add a new subsection to provide authority and standards for granting voluntary expungements of land use approvals. Proposed by: Tom Perrigo, Chief Operations and Development Officer

Motion made by Brian Knudsen 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;

Minutes:

COUNCILMAN ANTHONY declared the Public Hearing open.

PETER LOWENSTEIN, Deputy Planning Director, stated that there is no current formal process for voluntary expungement of land use entitlements and this bill would formalize that process and codify it into Title 19. For example, if there is a land use application such as a Special Use Permit for a particular use and the landowner no longer wishes to pursue that particular use, the landowner can voluntarily expunge the entitlement that runs with the property; therefore, eliminating that land use. In the future, should the landowner wish to reapply for that entitlement, they could.

COUNCILMAN ANTHONY declared the Public Hearing closed and announced after the vote that this bill is recommended for approval at the City Council Meeting of May 5, 2021.

4. Bill No. 2021-16 - For possible action - Amends LVMC 19.12.070 regarding the location of taverns to allow a waiver from the normal distance separation requirements for proposed tavern locations that are within certain distances from the US 95 Freeway and another major thoroughfare of a specified width and character. Sponsored by: Councilwoman Michele Fiore

Motion made by Michele Fiore to Approve as Do Pass

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

For-Michele Fiore, Stavros Anthony; Against-Brian Knudsen;

Minutes:

COUNCILMAN ANTHONY declared the Public Hearing open.

PETER LOWENSTEIN, Deputy Planning Director, stated that this bill adds an additional situation that will qualify for a waiver of the distance separation requirement for Liquor Establishment (Tavern) Use.

RYAN ARNOLD appeared representing Station Casinos and wondered if there was an appetite to hold the item in abeyance. COUNCILWOMAN FIORE did not wish for an abeyance as she, CHIEF OPERATIONS AND DEVELOPMENT OFFICER TOM PERRIGO, and ROBERT SUMMERFIELD, former Planning Director, worked on this bill for over two years. It is not specific and is as general as it could be without affecting the casino industry. The Councilwoman understood MR. ARNOLD'S concerns; however, she asserted that she does not like it when bigger businesses oppose and suppress smaller businesses.

MR. ARNOLD alleged that he tried to contact the Councilwoman numerous times noting neither he nor Station Casinos wished to be in this position; however, anytime the code is changed with regards to liquor in a way that gives another exemption or ability to waive a condition that is relied upon, it creates some concern. His client owns an entitled resort property in Skye Canyon that was purchased for \$36 million, and at some point, it will be a \$300 to \$500 million project. Currently, there are two taverns near the property, and he believed this bill could open the door for another number of taverns in that area. Additionally, his client owns the Santa Fe Station on Rancho Road, which he believed also qualifies under this language. COUNCILWOMAN FIORE understood the large investment of \$36 million but opined that voting board members of any local, state or federal entity are in the business of ensuring everyone gets a fair chance.

At the request of COUNCILMAN ANTHONY, MR. LOWENSTEIN explained this bill would add an additional situation where a waiver could be requested as part of the Special Use Permit process for the request for land use entitlement of a Liquor Establishment (Tavern). It must be located on a parcel that is adjacent to a right-of-way of 200 feet in width, which is not a freeway or an expressway, and must also be located within 1,500 feet of the US 95 Freeway right-of-way boundary. If that criterion is met, an application for a Special Use Permit may be made which will then go to the Planning Commission and City Council for their decision. Currently, there are distance separation requirements that if not met, the application cannot be submitted. He confirmed for the Councilman that the Bill still requires the discretionary review of the Planning Commission and City Council. He confirmed staff had no recommendation; however, COUNCILWOMAN FIORE upheld that staff drafted the language of the Bill. CHIEF OPERATIONS AND DEVELOPMENT OFFICER TOM PERRIGO confirmed that staff supports the language as meeting the intent of the Sponsor in terms of policy direction.

COUNCILMAN KNUDSEN wondered how many parcels or businesses within the city this bill would affect. MR. LOWENSTEIN replied that approximately 10 parcels along Kyle Canyon Road west of the US 95 Freeway intersection, and two parcels 1,500 feet from the street centerline of Rancho Road would be affected. The Councilman asked legal counsel to inform him of any legal implications regarding distance separation rules and regulations of the City of Las Vegas as he believed distance separation of marijuana, liquor, and adult entertainment establishments to be the most controversial issue that he has had to deal with in Ward 1. ASSISTANT CITY ATTORNEY JEFF DOROCAM said there are various distance separation rules in Title 19 and the Las Vegas Municipal Code. He felt MR. LOWENSTEIN provided a good summation of what the Bill contains and stated that the current Special Use Permit requirement does not allow for a tavern within 1,500 feet of another tavern. There is also a distance separation requirement of 1,500 feet for church/house of worship, school, and individual care center uses. This bill will create a waiver exception to be decided upon by the Planning Commission and ultimately the City Council. MR. DOROCAM informed the Councilman that there can always be legal implications, but he did not see anything within the language he believed to be a challenge, and as mentioned by MR. PERRIGO, staff worked on the Bill and was comfortable with it.

COUNCILMAN KNUDSEN did not have any strong feelings regarding Kyle Canyon; however, he struggled with

distance separation as there are neighborhoods that are concerned about distance separation for applications that come into Ward 1. The Councilman was not comfortable with the Bill at the moment but would be comfortable with a staff review of the City's distance separation rules and regulations to establish some consistency. COUNCILWOMAN FIORE understood and respected the Councilman's concerns; however, she has worked for three years to establish consistency, and it has not worked. She noted it is at his discretion to approve or deny a waiver within Ward 1.

COUNCILMAN KNUDSEN appreciated the Councilwoman's comments but wished to see what distance separation requirements look like for the city so that he is better educated about it. He clarified his request for MR. PERRIGO.

COUNCILMAN ANTHONY declared the Public Hearing closed and announced after the vote that this bill is recommended for approval at the City Council Meeting of May 5, 2021.

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 10:20 a.m.

Respectfully submitted:

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Ashley Foster, 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](http://www.lasvegasnevada.gov)  
and  
The Nevada Public Notice Website – [notice.nv.gov](http://notice.nv.gov)