

Mayor Carolyn G. Goodman (At-Large)
Mayor Pro Tem Brian Knudsen (Ward 1)
Councilwoman Victoria Seaman (Ward 2)
Councilwoman Olivia Diaz (Ward 3)
Councilwoman Francis Allen-Palenske (Ward 4)
Councilman Cedric Crear (Ward 5)
Councilwoman Nancy E. Brune (Ward 6)



Commissioner Jeff Rogan, Chair
Commissioner Sam Cherry, Vice Chair
Commissioner Trinity Haven Schlottman
Commissioner Anthony Williams
Commissioner Donald Walsh
Commissioner Serena Kasama
Commissioner Jennifer Taylor

Planning Commission Minutes

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

August 8, 2023
6:00 PM

BUSINESS ITEMS:

1. Call to Order

Minutes:

ACTING CHAIR SCHLOTTMAN called the meeting to order at 6:01 p.m.

2. Announcement: Compliance with Open Meeting Law

Minutes:

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

3. Roll Call

Minutes:

PRESENT: ACTING CHAIR SCHLOTTMAN and COMMISSIONERS CHERRY, WILLIAMS, ROGAN (via teleconference), WALSH, KASAMA, and TAYLOR

ALSO PRESENT: SETH FLOYD, Director of Community Development; PETER LOWENSTEIN, Deputy Planning Director; NICOLE EDDOWES, Community Development Coordinator; COUREY STEWART, Senior Planner; LUCIEN PAET, Engineering Project Manager; DAVID CROSS, Assistant Fire Protection Engineer; SHERRI SHOUP, Fire Marshal; JIM LEWIS, Deputy City Attorney IV; CHEYENNE LARANCE, Senior 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:

JOHN ABEL introduced himself as the Director of Government Affairs for the Las Vegas Police Protective Association. He said they are in support of Item 11, as the business owners have been great neighbors and their venue is welcome in their community.

ELEANOR SNYDER said she was present with several neighbors who are opposed to Items 18-18c due to safety concerns and requested the items be pulled for discussion. ACTING CHAIR SCHLOTTMAN said he would consider the request.

5. For Possible Action to Approve the Final Minutes for the Special Planning Commission Meeting of July 25, 2023.
- Motion made by Sam Cherry to Approve
- NOTE: Commissioner Rogan abstained from voting because he was not present at the July 25, 2023 meeting.
- Passed For: 6; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 0
- For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Sam Cherry, Donald Walsh, Jennifer Taylor; Abstain-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:
NICOLE EDDOWES, Community Development Coordinator, announced requests by the applicants to table Items 21a-21c and 21e-21h, abey Item 30 to October 10, 2023, and Item 35 to September 12, 2023. Staff requested to strike Item 21d, as revised plans eliminated the need for the Variance application.
- TASHIKA LAWSON wished to speak on Items 21a-21h, but ACTING CHAIR SCHLOTTMAN informed her the discussion must be limited to whether or not the Commission should table the items.
- Motion made by Sam Cherry to Table Items 21a-21c and 21e-21h, Strike Item 21d and Hold in Abeyance Item 30 to 10/10/2023 and Item 35 to 9/12/2023
- Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
- For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Sam Cherry, Donald Walsh, Jennifer Taylor, 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. 23-0274-TMP1 - TENTATIVE MAP - SUMMERLIN VILLAGE 22 PARCEL F - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: THE HOWARD HUGHES COMPANY, LLC - For possible action on a Land Use Entitlement project request FOR A 79-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 14.00 acres generally located at the northwest corner of Kettle Ridge Drive and Fleet Wing Avenue (APN 137-22-511-002), P-C (Planned Community) Zone [SF3 (Single Family Detached) Summerlin Special Land Use Designation], Ward 2 (Seaman). Staff recommends APPROVAL.
- Motion made by Sam Cherry to Approve the Consent Agenda except Item(s) None
- Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
- For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;
8. 23-0280-EOT1 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT/OWNER: OAKBROOK REALTY INVESTMENTS II, LLC - For possible action on a Land Use Entitlement project request for a first Extension of Time of an approved Special Use Permit (21-0217-SUP1) FOR A PROPOSED 3,186 SQUARE-FOOT ALCOHOL, ON-PREMISE FULL [TAVERN LIMITED] USE at 321 South Casino Center Boulevard, Suites #130, #140 and #150 (APN 139-34-201-020), C-2 (General Commercial) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.
- Motion made by Sam Cherry to Approve the Consent Agenda except Item(s) None
- Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

9. 23-0282 - APPLICANT: PROJECT MANAGEMENT ADVISORS, INC. - OWNER: 923 PROPERTIES, LLC - For possible action on the following Land Use Entitlement project requests on 1.91 acres generally located at the southwest corner of Garces Avenue and 10th Street (APNs 139-34-810-074, 075, 101 through 105, and 139-34-812-003), C-1 (Limited Commercial) Zone, Ward 3 (Diaz). Staff recommends APPROVAL on the entire Land Use Entitlement project.

Minutes:

See Items 9a and 9b for related backup.

- 9a. 23-0282-EOT1 - EXTENSION OF TIME - SPECIAL USE PERMIT - FOR A SECOND EXTENSION OF TIME OF A PREVIOUSLY APPROVED SPECIAL USE PERMIT(SUP-76446) FOR A PROPOSED MIXED-USE DEVELOPMENT

Motion made by Sam Cherry to Approve the Consent Agenda except Item(s) None

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

Minutes:

See Items 9-9b for related backup.

- 9b. 23-0282-EOT2 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - FOR A SECOND EXTENSION OF TIME OF A PREVIOUSLY APPROVED SITE DEVELOPMENT PLAN REVIEW (SDR-76448) FOR A PROPOSED EIGHT-STORY MIXED-USE DEVELOPMENT CONSISTING OF 343 RESIDENTIAL UNITS AND 8,000 SQUARE FEET OF COMMERCIAL SPACE WITH WAIVERS TO ALLOW 331 PARKING SPACES WHERE 522 ARE REQUIRED; A 40-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 282 FEET IS REQUIRED; A ZERO-FOOT LANDSCAPE BUFFER ALONG PORTIONS OF THE NORTH PROPERTY LINE WHERE EIGHT FEET IS REQUIRED; AND A ZERO-FOOT LANDSCAPE BUFFER ON THE EAST, SOUTH, AND WEST PROPERTY LINES WHERE 15 FEET IS REQUIRED

Motion made by Sam Cherry to Approve the Consent Agenda except Item(s) None

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

Minutes:

See Items 9-9b for related backup.

ONE MOTION - ONE VOTE

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

10. ABEYANCE - 23-0213 - PUBLIC HEARING - APPLICANT: MARISSA PRETKUS - OWNER: STICKY VI, LLC - For possible action on the following Land Use Entitlement project requests on 0.35 acres at 1508 South Main Street (APN 162-03-210-015), C-2 (General Commercial) Zone, Ward 3 (Diaz). Staff recommends APPROVAL on the entire Land Use Entitlement project.

Minutes:

ACTING CHAIR SCHLOTTMAN declared the Public Hearing open for Items 10-20.

ELEANOR SNYDER reiterated her request for Items 18-18c to be pulled from the One Motion One Vote agenda.

See Items 10a and 10b for related backup.

ACTING CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 10-20.

- 10a. ABEYANCE - 23-0213-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED 2,032 SQUARE-FOOT ALCOHOL, ON-PREMISE FULL USE

Minutes:

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

Motion made by Sam Cherry to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 18a-18c

NOTE: The video does not reflect the vote accurately, in that Commissioner Cherry abstained from voting on Items 10a and 10b because he is involved with a company that has an ongoing dispute. Acting Chair Schlottman abstained from voting on Items 10a and 10b because he has a business relationship with that individual on a different property. He also abstained from voting on Item 12 because Mission Springs Properties, LLC is his office's landlord.

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

For-Serena Kasama, Anthony Williams, Jeff Rogan, Donald Walsh, Jennifer Taylor; Abstain-Trinity Haven Schlottman, Sam Cherry;

- 10b. ABEYANCE - 23-0213-SUP2 - SPECIAL USE PERMIT - FOR A PROPOSED GAMING ESTABLISHMENT, RESTRICTED USE (1 TO 5 MACHINES)

Minutes:

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

Motion made by Sam Cherry to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 18a-18c

NOTE: The video does not reflect the vote accurately, in that Commissioner Cherry abstained from voting on Items 10a and 10b because he is involved with a company that has an ongoing dispute. Acting Chair Schlottman abstained from voting on Items 10a and 10b because he has a business relationship with that individual on a different property.

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

For-Serena Kasama, Anthony Williams, Jeff Rogan, Donald Walsh, Jennifer Taylor; Abstain-Trinity Haven Schlottman, Sam Cherry;

11. 23-0258-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ADORN EVENTS, LLC - OWNER: SANARP TRUST - For possible action on a Land Use Entitlement project request FOR A PROPOSED 8,745 SQUARE-FOOT PUBS, BARS AND LOUNGES (ALCOHOL, ON-PREMISE FULL) [BANQUET FACILITY] USE at 9555 Del Webb Boulevard (APN 138-18-812-003), P-C (Planned Community) Zone [Commercial Sun City Summerlin Special Land Use Designation], Ward 4 (Allen-Palenske). Staff recommends APPROVAL.

Minutes:

See Items 4 and 10 for related discussion.

Motion made by Sam Cherry to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 18a-18c

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

12. 23-0271-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SURE THING, LLC - OWNER: MISSION SPRINGS PROPERTIES, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED 1,180 SQUARE-FOOT ALCOHOL, OFF-PREMISE BEER/WINE USE at 1110 Fremont Street (APN 139-35-317-001), T5-MS (T5 Main Street) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:

See Item 10 for related discussion.

Motion made by Sam Cherry to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 18a-18c

NOTE: The video does not reflect the vote accurately, in that Acting Chair Schlottman abstained from voting on this item because Mission Springs Properties, LLC is his office's landlord.

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

For-Serena Kasama, Anthony Williams, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor; Abstain- Trinity Haven Schlottman;

13. 23-0277-VAC1 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: GSN DURANGO, LP - For possible action on a Land Use Entitlement project request for a Petition to Vacate a portion of a public drainage easement and U.S. Government Patent Easements generally located at the northeast corner of Durango Drive and Juliano Road (APNs 125-29-502-020, 025 and 032), Ward 4 (Allen-Palenske). Staff recommends APPROVAL.

Minutes:

See Item 10 for related discussion.

Motion made by Sam Cherry to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 18a-18c

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

14. 23-0285-VAC1 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: NORTHLAND NV, LLC - For possible action on a Land Use Entitlement project request for a Petition to Vacate a portion of a public drainage easement at 8881 N Skye Canyon Park Dr (APNs 125-07-610-001 and 125-07-510-001), Ward 6 (Brune). Staff recommends APPROVAL.

Minutes:

See Item 10 for related discussion.

Motion made by Sam Cherry to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 18a-18c

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

15. 23-0287-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SANDRA ALCARAZ AND IVAN LEMUS - OWNER: DAVID LEE PHILLIPS - For possible action on a Land Use Entitlement project request FOR A PROPOSED BAILBOND SERVICE USE at 317 Garces Avenue, Suite A (APN 139-34-310-052), C-2 (General Commercial) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:

See Item 10 for related discussion.

Motion made by Sam Cherry to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 18a-18c

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

16. 23-0289 - PUBLIC HEARING - APPLICANT/OWNER: THE HOWARD HUGHES COMPANY, LLC - For possible action on the following Land Use Entitlement project requests at the northwest corner of Far Hills Drive and Clark County 215 (APNs Multiple), P-C (Planned Community) Zone, Ward 2 (Seaman). Staff recommends APPROVAL on the entire Land Use Entitlement project.

Minutes:

See Item 10 for related discussion and Items 16a and 16b for related backup.

- 16a. 23-0289-MOD1 - MAJOR MODIFICATION - FOR PROPOSED MODIFICATIONS TO THE SUMMERLIN WEST VILLAGE 21 DEVELOPMENT PLAN [319.75 ACRES]

Minutes:

See Item 10 for related discussion and Items 16-16b for related backup.

Motion made by Sam Cherry to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 18a-18c

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

- 16b. 23-0289-TMP1 - TENTATIVE MAP - SUMMERLIN VILLAGE 21 UNIT 5 - FOR A 15-LOT PARENT TENTATIVE MAP FOR SUMMERLIN WEST VILLAGE 21 [91.07 ACRES]

Minutes:

See Item 10 for related discussion and Items 16-16b for related backup.

Motion made by Sam Cherry to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 18a-18c

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

17. 23-0292-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CHARLES TRUJILLO - OWNER: NB CUBED, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED TATTOO PARLOR/BODY PIERCING STUDIO USE at 3441 West Sahara Avenue, Suite B-1 (APN 162-08-110-001), C-1 (Limited Commercial) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:

See Item 10 for related discussion.

Motion made by Sam Cherry to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 18a-18c

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

18. 23-0301- PUBLIC HEARING - APPLICANT: CLARK COUNTY SCHOOL DISTRICT FACILITIES SERVICES - OWNER: SCHOOL BOARD OF TRUSTEES - For possible action on the following Land Use Entitlement project requests on 16.32 acres at 300 South Torrey Pines Drive (APN 138-35-101-002), C-V (Civic) Zone, Ward 1 (Knudsen). Staff recommends APPROVAL on the entire Land Use Entitlement project.

Minutes:

These items were heard subsequent to Item 31.

ACTING CHAIR SCHLOTTMAN declared the Public Hearing open for Items 18-18c.

NICOLE EDDOWES, Community Development Coordinator, reported that the proposed primary school replacement will adequately accommodate the current and projected student populations in this area and provide upgraded facilities for its students. The design attempts to meet C-V (Civic) zoning district requirements where possible, and deviation from several of these standards has been requested and is supported by staff. These deviations will have minimal, if any, negative effect on the adjacent residential development. Staff recommended approval of the requested Variances and Site Development Plan Review, and she noted additional letters of support and protest were received since publication.

CHRIS DINGELL, Clark County School District (CCSD), said this item pertains to the replacement of Garside Junior High School, which was originally built in 1963 and has passed its useful economic life. Staff recommended approval and he agreed to all conditions.

ROY BURSON introduced himself as the architect for the project. He explained that one of the biggest constraints is keeping the school open while constructing the new building. He displayed the site plan, noting that phase one would keep the existing school and parking on the south side during construction. Once the new building is ready to be occupied, the existing school would be demolished and replaced with fields.

ELEANOR SNYDER said she resides across the street from the site, and all of the neighbors share concerns regarding safety. First, the applicant wishes to move the bus loading zone to the front of the school, but there is only one exit onto Torrey Pines Drive. They are requesting a driveway variance from 25 feet to 18 feet and 13 feet, which is hardly enough space for cars and large buses to get through safely. Although the site plans show foliage, the applicant requested a zero-amenity zone which means that she and her neighbors will be looking at 292 feet of blacktop in front of their homes. She requested that the bus loading zone be located in the back of the school where a fire zone route is currently planned. MS. SNYDER added that she was told there will not be 360-degree access for fire engines; therefore, the proposed fire zone may not be up to code. Lastly, she noted that the sports fields overlap each other which does not allow for coinciding use, and those participating in field events will likely park in the residential cul-de-sacs.

MIRIAM EAN supported the comments made by MS. SNYDER, and added that the neighbors were not brought in during the early stages of planning. She recalled that no parking accommodations were made for the current sports field, and she has seen kids darting behind parked cars. The neighbors were told that the blacktop area is required to match every other CCSD school, but she proposed that fair is not always exactly the same. MS. EAN felt the applicant needed to take another look at the property and create a better solution for the students and the neighborhood.

MR. DINGELL said a neighborhood meeting was held on August 1, 2023, and the suggestion of turning the playground area into more parking would not work because buses come in before school gets out and children will be actively using the area. He also pointed out that the blue area on the site map is a City-owned pool with a parking lot. Permits have been pulled from the State Fire Marshal and he guaranteed that the project meets all fire codes. Speaking to the amenity zone, he clarified the perimeter will have trees but there will be none

specifically in the parking lot for security reasons. It was also noted that the City's Parks and Recreation Division asked the applicant to move the courts on the other side of the property as reflected on the site map. Lastly, MR. DINGELL explained that CCSD has a policy that all schools have the same amenities and they do not deviate from that.

COMMISSIONER ROGAN said it sounded like CCSD listened to the neighbors, but they are not able to accommodate their requests due to the site's constraints. He did not feel holding the item in abeyance would result in any changes and this was the best plan for the particular site.

COMMISSIONER TAYLOR asked if all CCSD schools have summer break, to which MR. DINGELL confirmed. The Commissioner was curious to know what CCSD is doing to mitigate the urban heat island effect, and MR. DINGELL said there will be trees throughout the courtyard area, which is where the kids will mostly be circulating.

For COMMISSIONER KASAMA, MR. BURSON said new landscaping, including 24-inch box trees, will be installed along the exterior of the site on Torrey Pines.

COMMISSIONER WALSH asked if traffic studies were available to depict the current operations versus the impacts after the renovations are complete. LUCIEN PAET, Engineering Project Manager, said the approved study is based on what is projected instead of past circulation. Requirements included closing the driveway on Hyde Avenue during pick-up and drop-off hours and complying with the City's coordination efforts as safety improvements are made along Hyde Avenue.

At the request of COMMISSIONER CHERRY, MR. DINGELL agreed to install 36-inch box trees along Torrey Pines Drive.

See Items 4 and 10 for related discussion and Items 18a-18c for related backup.

ACTING CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 18-18c.

18a. 23-0301-VAR1 - VARIANCE - TO ALLOW DEVIATIONS FROM TITLE 19.10 C-V (CIVIC) DEVELOPMENT STANDARDS

Minutes:

See Items 4 and 10 for related discussion and Items 18-18c for related backup.

Motion made by Jeff Rogan to Approve Items 18a-18c subject to condition(s) with amended conditions for Item 18c

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

18b. 23-0301-VAR2 - VARIANCE - TO ALLOW A MODIFIED SHARED USE TRAIL DESIGN ALONG TORREY PINES DRIVE BETWEEN CELESTE AVENUE AND HYDE AVENUE

Minutes:

See Items 4 and 10 for related discussion and Items 18-18c for related backup.

Motion made by Jeff Rogan to Approve Items 18a-18c subject to condition(s) with amended conditions for Item 18c

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

- 18c. 23-0301-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED TWO-STORY, 148,380 SQUARE-FOOT PRIMARY PUBLIC SCHOOL

Minutes:

See Items 4 and 10 for related discussion and Items 18-18c for related backup.

Motion made by Jeff Rogan to Approve Items 18a-18c subject to condition(s) and adding the following condition as read for the record:

A. Thirty-six-inch box shade trees shall be planted within the landscape buffer adjacent to Torrey Pines Drive.

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

19. 23-0302-SDR1 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on a Land Use Entitlement project request FOR A MAJOR AMENDMENT TO A PREVIOUSLY APPROVED SITE DEVELOPMENT PLAN REVIEW [Z-0033-97(16)] TO ALLOW IMPROVEMENTS TO AN EXISTING PARK on 29.47 acres at 3250 Metro Academy Way (APNs 138-07-301-005 and 138-07-401-017), PD (Planned Development) [OS-R (Open Space and Recreation) Lone Mountain Special Land Use Designation] Zone, Ward 4 (Allen-Palenske). Staff recommends APPROVAL.

Minutes:

See Item 10 for related discussion.

Motion made by Sam Cherry to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 18a-18c

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

20. 23-0315-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: FABIOLA CAVAZOS - OWNER: KEVIN LLOYD P. DYTOC, ET AL - For possible action on a Land Use Entitlement project request FOR A PROPOSED TATTOO PARLOR/BODY PIERCING STUDIO USE at 4704 West Charleston Boulevard (APN 139-31-410-127), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen). Staff recommends APPROVAL.

Minutes:

See Item 10 for related discussion.

Motion made by Sam Cherry to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 18a-18c

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

PUBLIC HEARING ITEMS

21. ABEYANCE - 23-0052 - PUBLIC HEARING - APPLICANT/OWNER: HARLEM NIGHTS, LLC - For possible action on the following Land Use Entitlement project requests on 1.95 acres at the northwest corner of Jackson Avenue and F Street (APNs 139-27-110-059 through 061 and 072 through 076), Ward 5 (Crear). Staff recommends DENIAL on 23-0052 [ZON1, VAR1, VAR2, SUP1, SUP2, SDR1, and MSP1]. Staff recommends APPROVAL on 23-0052-VAC1.

Minutes:

See Items 6 and 37 for related discussion and Items 21a-21h for related backup.

- 21a. ABEYANCE - 23-0052-ZON1 - REZONING - FROM: T4-MS (T4 MAIN STREET) AND T4-N (T4 NEIGHBORHOOD) TO T5-MS (T5 MAIN STREET)
- Minutes:
See Items 6 and 37 for related discussion and Items 21-21h for related backup.
- Motion made by Sam Cherry to Table Items 21a-21c and 21e-21h, Strike Item 21d and Hold in Abeyance Item 30 to 10/10/2023 and Item 35 to 9/12/2023
- Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
- For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;
- 21b. ABEYANCE - 23-0052-VAC1 - VACATION - PETITION TO VACATE A PUBLIC ALLEYWAY BETWEEN VAN BUREN AVENUE AND JACKSON AVENUE FROM G STREET TO F STREET
- Minutes:
See Items 6 and 37 for related discussion and Items 21-21h for related backup.
- Motion made by Sam Cherry to Table Items 21a-21c and 21e-21h, Strike Item 21d and Hold in Abeyance Item 30 to 10/10/2023 and Item 35 to 9/12/2023
- Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
- For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;
- 21c. ABEYANCE - 23-0052-VAR1 - VARIANCE - TO ALLOW 60 STORIES WHERE SEVEN STORIES IS THE MAXIMUM ALLOWED
- Minutes:
See Items 6 and 37 for related discussion and Items 21-21h for related backup.
- Motion made by Sam Cherry to Table Items 21a-21c and 21e-21h, Strike Item 21d and Hold in Abeyance Item 30 to 10/10/2023 and Item 35 to 9/12/2023
- Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
- For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;
- 21d. ABEYANCE - 23-0052-VAR2 - VARIANCE - TO ALLOW THE BACKING OF MOTOR VEHICLES ONTO A PUBLIC STREET FROM A PARKING AREA [LOADING ZONE] WHERE SUCH IS PROHIBITED
- Minutes:
See Items 6 and 37 for related discussion and Items 21-21h for related backup.
- Motion made by Sam Cherry to Table Items 21a-21c and 21e-21h, Strike Item 21d and Hold in Abeyance Item 30 to 10/10/2023 and Item 35 to 9/12/2023
- Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
- For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;
- 21e. ABEYANCE - 23-0052-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED 687-FOOT TALL BUILDING WITHIN THE 140-FOOT AIRPORT OVERLAY DISTRICT

Minutes:

See Item 6 and 37 for related discussion and Items 21-21h for related backup.

Motion made by Sam Cherry to Table Items 21a-21c and 21e-21h, Strike Item 21d and Hold in Abeyance Item 30 to 10/10/2023 and Item 35 to 9/12/2023

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

- 21f. ABEYANCE - 23-0052-SUP2 - SPECIAL USE PERMIT - FOR A PROPOSED MASSAGE ESTABLISHMENT USE WITH WAIVERS TO ALLOW A 104-FOOT DISTANCE SEPARATION FROM A CHURCH/HOUSE OF WORSHIP AND A 192-FOOT DISTANCE SEPARATION FROM A CITY PARK, AND A 244-FOOT DISTANCE SEPARATION FROM A PARCEL ZONED FOR RESIDENTIAL USE WHERE 400 FEET IS REQUIRED AND TO ALLOW THE HOURS OF OPERATION TO BE 24 HOURS A DAY WHERE OTHERWISE LIMITED TO 6:00 AM TO 10:00 PM

Minutes:

See Items 6 and 37 for related discussion and Items 21-21h for related backup.

Motion made by Sam Cherry to Table Items 21a-21c and 21e-21h, Strike Item 21d and Hold in Abeyance Item 30 to 10/10/2023 and Item 35 to 9/12/2023

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

- 21g. ABEYANCE - 23-0052-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 60-STORY, 764-UNIT HOTEL AND CASINO DEVELOPMENT WITH 458 MULTI-FAMILY RESIDENTIAL UNITS WITH WAIVERS OF THE TITLE 19.09 FORM BASED CODE DEVELOPMENT STANDARDS

Minutes:

See Items 6 and 37 for related discussion and Items 21-21h for related backup.

Motion made by Sam Cherry to Table Items 21a-21c and 21e-21h, Strike Item 21d and Hold in Abeyance Item 30 to 10/10/2023 and Item 35 to 9/12/2023

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

- 21h. ABEYANCE - 23-0052-MSP1 - MASTER SIGN PLAN - FOR A PROPOSED NON-RESTRICTED GAMING ESTABLISHMENT [HOTEL AND CASINO]

Minutes:

See Items 6 and 37 for related discussion and Items 21-21h for related backup.

Motion made by Sam Cherry to Table Items 21a-21c and 21e-21h, Strike Item 21d and Hold in Abeyance Item 30 to 10/10/2023 and Item 35 to 9/12/2023

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

22. ABEYANCE - 23-0178 - PUBLIC HEARING - APPLICANT/OWNER: BRODIE LESOURD - For possible action on the following Land Use Entitlement project requests on 0.22 acres at 1001 East Bonanza Road (APN 139-

26-411-001), Ward 5 (Crear). Staff recommends APPROVAL on 23-0178-GPA1 and 23-0178-ZON1. Staff recommends DENIAL on 23-0178-SDR1.

Minutes:

ACTING CHAIR SCHLOTTMAN declared the Public Hearing open for Items 22-22c.

NICOLE EDDOWES, Community Development Coordinator, reported that the Vision 2045 Downtown Las Vegas Master Plan has identified a need for additional and varied housing stock in the Cashman District to increase density in this area, including multi-family units. As this area already consists of single and multi-family residential uses, the applicant's requests for General Plan Amendment and Rezoning are appropriate and staff recommended approval of both. Multiple waivers of development standards have been requested to support the proposed site design. The lack of onsite parking may contribute to an increase of on-street parking adjacent to other properties, and the reduction in perimeter landscaping is a self-imposed hardship. The site design is not compatible with the surrounding development and staff recommended denial of the Site Development Plan Review. Lastly, this request is the result of Code Enforcement action regarding the existing block walls on the north, east and south perimeter, the existing detached garage and the room addition that have been constructed without permits. If approved, the existing wall and gate within the 10th Street public right-of-way will be required to be relocated outside of the right-of-way as a condition of approval.

The applicant was not present.

COMMISSIONER WILLIAMS said this is the second time the applicant has not been present and he was ready to make a motion.

See Items 22a-22c for related backup.

ACTING CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 22-22c.

- 22a. ABEYANCE - 23-0178-GPA1 - GENERAL PLAN AMENDMENT - FROM: PF (PUBLIC FACILITY) TO: MXU (MIXED USE)

Minutes:

See Item 22 for related discussion and Items 22-22c for related backup.

Motion made by Anthony Williams to Approve Items 22a and 22b

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Sam Cherry, Donald Walsh, Jennifer Taylor; Against-Jeff Rogan;

- 22b. ABEYANCE - 23-0178-ZON1 - REZONING - FROM: P-R (PROFESSIONAL OFFICE AND PARKING) TO: R-3 (MEDIUM DENSITY RESIDENTIAL)

Minutes:

See Item 22 for related discussion and Items 22-22c for related backup.

Motion made by Anthony Williams to Approve Items 22a and 22b

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Sam Cherry, Donald Walsh, Jennifer Taylor; Against-Jeff Rogan;

- 22c. ABEYANCE - 23-0178-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED CONVERSION OF AN EXISTING ONE-STORY SINGLE-FAMILY DWELLING TO A TWO-STORY, FOUR-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH WAIVERS OF APPENDIX F DOWNTOWN LAS VEGAS INTERIM DEVELOPMENT STANDARDS

Minutes:

See Item 22 for related discussion and Items 22-22c for related backup.

Motion made by Anthony Williams to Deny

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

23. ABEYANCE - 23-0216-SDR1 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: DIAMOND ZING, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED ADDITION OF FOUR UNITS TO AN EXISTING ONE-STORY, THREE-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH WAIVERS OF APPENDIX F INTERIM DOWNTOWN LAS VEGAS DEVELOPMENT STANDARDS on 0.22 acres at 401 South 11th Street (APN 139-34-811-028), R-4 (High Density Residential) Zone, Ward 3 (Diaz). Staff recommends DENIAL.

Minutes:

ACTING CHAIR SCHLOTTMAN declared the Public Hearing open.

COUREY STEWART, Senior Planner, said while more multi-family housing is desired within the Downtown Master Plan area, the development as proposed is overbuilt. This is evident by the requested Waivers regarding setbacks, parking, landscaping, and mechanical equipment screening. Staff recommended denial.

ATTORNEY JENNIFER LAZOVICH displayed an aerial view of the site, which is located at Lewis Avenue and 11th Street, and she pointed out the surrounding sites that have been renovated or are in the process of renovation. She then displayed photos of the various sites, noting the similarities between the multi-family dwellings. The request is to add four additional units to the property, and she provided background on the four requested waivers. The first is for an RPDA (reduced pressure detector assembly) mechanical area that they are unable to screen for access purposes. The second waiver is to remove fencing on the east side for onsite parking, and the third is for a zero-foot setback on the southeast side of the property for their trash enclosure. The final waiver is to allow 4'x12' containers where 5'x18' are required. MS. LAZOVICH advised they were happy to take staff's recommendation of planting a different type of tree in the containers, and she added that additional trees are now reflected in the plans. If the Commission is inclined to support the revised application, Condition 20 would need to be amended so the applicant could enter into a licensing agreement with the City. In closing, she presented a letter of support from KLA Capital, which owns a majority of the properties in the surrounding area.

ACTING CHAIR SCHLOTTMAN confirmed through NICOLE EDDOWES, Community Development Coordinator, that the revised landscape plan could be made part of the record before it goes to City Council. The Acting Chair concurred with the requested waivers and felt the project would encourage more development.

COMMISSIONER WILLIAMS said he is familiar with the area and felt the project would be compatible with the surrounding development.

COMMISSIONER TAYLOR thanked MS. LAZOVICH for adding the additional trees and hoped the area would become more walkable.

LUCIENT PAET, Engineering Project Manager, read the amendment for Condition 20, MS. LAZOVICH agreed to all conditions.

ACTING CHAIR SCHLOTTMAN declared the Public Hearing closed.

Motion made by Sam Cherry to Approve subject to condition(s) and amending Condition 20 as read for the record:

20. Submit a License Agreement for landscaping and private improvements (private patios and fencing) in the 11th Street and Lewis Avenue public rights-of-way, if any, prior to the issuance of permits for these

improvements. If requested by the City, the applicant shall remove property within the public right-of-way at the applicant's expense pursuant to the terms of the City's License Agreement. The installation and maintenance of all private improvements in the public right-of-way shall be the responsibility of the applicant and any successors in interest to the property and assigns pursuant to the terms of the License Agreement. Coordinate all requirements for the License Agreement with the Land Development Section of the Division of Building and Safety (229-4836).

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

24. ABEYANCE - 23-0237 - PUBLIC HEARING - APPLICANT: THE MOJAVE GROUP - OWNER: ISO DEVELOPMENT PARTNERS 2, LLC - For possible action on the following Land Use Entitlement project requests on 1.78 acres at 331 West Utah Avenue (APNs 162-04-608-002 and 007), Ward 3 (Diaz). Staff recommends DENIAL on the entire Land Use Entitlement project.

Minutes:

ACTING CHAIR SCHLOTTMAN declared the Public Hearing open for Items 24-24c.

NICOLE EDDOWES, Community Development Coordinator, reported that the applicant is proposing a residential and hotel development in the midst of industrial land uses that does not support the City's Master Plan goal for environmental justice by developing housing in the midst of industrial uses that may or may not pollute the immediate environment and place future tenants in a potentially hazardous environment. In addition, the subject site is located within the Design District of the 2045 Downtown Las Vegas Master Plan area which is not planned for residential housing or tourist accommodations, but instead such industries as film, fashion, virtual gaming, green tech and other creative-related industrial industries. Staff does not support the request for a Rezoning as it would create a spot zoning situation in the midst of industrial that only benefits the property owner. In addition, the area is not walkable and not conducive for a residential mixed-use development and staff recommended denial of the Special Use Permit and Site development Plan Review.

ATTORNEY JENNIFER LAZOVICH displayed the Downtown Las Vegas Master Plan zoning district map and pointed out that the subject site is on the edge of two districts. The area is in transition, and she pointed to multi-family, retail, gas station, car wash and brewery developments in the surrounding area. The proposed project consists of multi-family, for-rent apartments and hotel use complete with a ground-level restaurant or retail space with outdoor seating. Tenants and hotel guests would also have access to a fitness area and concierge services. The elevations depict a brown wrought iron and glass frontage to mask the feel of a ground-level garage, and different paint colors are being used on the exterior to be less monotone. MS. LAZOVICH provided background on the waiver requests, which included a loading dock within the garage and a plaza area with an art installation. A six-foot decorative block wall consisting of 20 percent contrasting materials will be constructed along the southern property line for a pet relief area, and the applicant will install a minimum of 2,000 square feet of shaded area by the pool on the third floor. Lastly, a revised landscape plan will be submitted to reflect three additional 36-inch box trees within the western perimeter landscape area.

ACTING CHAIR SCHLOTTMAN confirmed through MS. LAZOVICH that there will be three, 36-inch box trees installed along on the western perimeter line, and the pet relief area will have artificial turf only. She also clarified that the decorative wall will be six feet high.

At the request of COMMISSIONER CHERRY, MS. LAZOVICH read an additional condition for the art installation.

ACTING CHAIR SCHLOTTMAN liked the design of the project, noting more housing is needed downtown. He encouraged more projects like this and offered his full support.

MS. LAZOVICH confirmed for COMMISSIONER WALSH that the parking garage will be tall enough to allow delivery trucks to come in.

COMMISSIONER TAYLOR questioned what private art means, to which MS. LAZOVICH replied it would be maintained by the owner. The Commissioner said it would be great to see local artists compete for this space, noting that the City has a great public art program. MS. LAZOVICH said the developer has not decided if it will be a mural or a sculpture, but he was in the audience and heard her suggestion. Lastly, the Commissioner gave thanks to the developer for adding additional trees and expressed the importance of walkability.

MS. EDDOWES read the amended conditions for 23-0237-SDR1, and MS. LAZOVICH agreed to all conditions.

See Item 37 for related discussion and Items 24a-24c for related backup.

ACTING CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 24-24c.

24a. ABEYANCE - 23-0237-ZON1 - REZONING - FROM: M (INDUSTRIAL) TO: C-2 (GENERAL COMMERCIAL)

Minutes:

See Items 24 and 37 for related discussion and Items 24-24c for related backup.

Motion made by Sam Cherry to Approve Items 24a-24c subject to condition(s) with amended conditions for Item 24c

NOTE: Commissioner Cherry disclosed that he has a minority financial interest in a property within the notification area, but as this does not affect him any greater or lesser, he would be voting on the items.

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

24b. ABEYANCE - 23-0237-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED MIXED-USE DEVELOPMENT

Minutes:

See Items 24 and 37 for related discussion and Items 24-24c for related backup.

Motion made by Sam Cherry to Approve Items 24a-24c subject to condition(s) with amended conditions for Item 24c

NOTE: Commissioner Cherry disclosed that he has a minority financial interest in a property within the notification area, but as this does not affect him any greater or lesser, he would be voting on the items.

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

24c. ABEYANCE - 23-0237-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED SEVEN-STORY MIXED-USE DEVELOPMENT CONSISTING OF 279 MULTI-FAMILY RESIDENTIAL UNITS; 97 HOTEL SUITE UNITS; 2,800 SQUARE FEET OF INTERIOR COMMERCIAL SPACE AND A 1,000 SQUARE-FOOT OUTDOOR PLAZA WITH WAIVERS OF APPENDIX F INTERIM DOWNTOWN LAS VEGAS DEVELOPMENT STANDARDS

Minutes:

See Items 24 and 37 for related discussion and Items 24-24c for related backup.

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

A. A private art installation shall be installed outside of the public right-of-way at the corner of Utah

Avenue and Fairfield Avenue. The proposed private art installation shall be reviewed and approved by the Planning Division of the Department of Community Development prior to or at the same time as application for a building permit is made.

B. A six (6) foot decorative block wall composed of 20 percent contrasting material shall be constructed along the southern property line of the subject site.

C. A minimum of 2,000 square feet of shaded area shall be provided within the pool deck area located on the 3rd Floor.

D. A revised landscape plan shall be submitted to the Department of Community Development prior to or at the same time as application is made for a building permit depicting the installation of three (3) 36-inch box Southern Live Oak trees within the western perimeter landscape buffer.

NOTE: Commissioner Cherry disclosed that he has a minority financial interest in a property within the notification area, but as this does not affect him any greater or lesser, he would be voting on the items.

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

25. ABEYANCE - RENOTIFICATION - 23-0240-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SERENITY WELLNESS CENTER, LLC - OWNER: 1800 INDUSTRIAL, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED 3,700 SQUARE-FOOT CANNABIS CONSUMPTION LOUNGE USE IN CONJUNCTION WITH AN EXISTING CANNABIS DISPENSARY USE WITH A WAIVER TO ALLOW OUTDOOR CONSUMPTION WITHIN AN EXISTING 300 SQUARE-FOOT OUTDOOR PATIO AREA at 1800 Industrial Road, Suites #100 and #102 (APN 162-04-704-003), M (Industrial) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

Minutes:

ACTING CHAIR WILLIAMS declared the Public Hearing open.

COUREY STEWART, Senior Planner, reported that the proposed consumption lounge adheres to all minimum Title 19 Special Use Permit requirements. Staff found that the use can operate in a harmonious and compatible manner with the existing commercial development in the surrounding area and recommended approval.

CASEY MILLER said their proposal is for a cannabis consumption lounge that will be attached to the existing Oasis Cannabis Dispensary, which has been operating since 2015. It is centrally located between the Arts District and the Las Vegas Strip, and they feel the space will attract both residents and tourists. The lounge will be available to rent for private events in addition to hosting their own events. Speaking to the waiver for outdoor consumption, MR. MILLER said the patio will be tucked in the rear of the building and sits between the dispensary entrance and the proposed lounge entrance.

COMMISSIONER WALSH inquired about the surrounding businesses, and MR. MILLER said the lounge will be built into an existing mixed-use center, which includes a variety of tenants such as a tattoo parlor and a hair salon.

COMMISSIONER TAYLOR expressed concern about the consumption lounge operating around the other tenants. She also pointed out that there are three protest letters, and she wondered if the applicant knew who those came from and what efforts have been made to alleviate concerns. MR. MILLER said he did not know specifically who is opposed, noting that not much outreach has been done, but they are sensitive to their needs and wish to be courteous neighbors. He added that there are very stringent ventilation requirements to mitigate any odor, and there is a non-smoking portion of the lounge to serve as a buffer to the other tenants. The Commissioner reiterated her concerns about the lack of outreach, and she was not confident in the ventilation system given the age of the building.

DOMINICK MONACO, Chief Science Officer, said the two adjacent properties to the patio are also owned by them. There will be no consumption taking place towards the front. Further, the CCB (Cannabis Compliance Board) requires minimum air exchanges per hour as well as carbon scrubbing to remove the odor during indoor consumption.

COMMISSIONER WILLIAMS requested more clarification on the outdoor consumption component. MR. MILLER said the area currently covers two parking spaces and they would like to convert it to a 300-square-foot outdoor consumption space. They have not nailed down the specifics on its design, but there will be some sort of barrier to prevent cannabis being passed outside the area or have any consumption be visible from any public space. The space would also include a funnel to direct the odor upward.

COMMISSIONER WALSH said this is the first application for indoor consumption, and he shared the same concerns as COMMISSIONER TAYLOR regarding odor mitigation. He felt there was more homework to be done, adding that the applicant not knowing who was opposed within their own complex was a big issue.

MR. MILLER was amenable to holding the matter in abeyance.

ACTING CHAIR WILLIAMS declared the Public Hearing closed.

Motion made by Anthony Williams to Hold in Abeyance to 9/12/2023

NOTE: Commissioner Cherry abstained from voting because his family is in the cannabis industry and they sell throughout the state. Acting Chair Schlottman abstained from voting because his company performed pre-construction work for Serenity Wellness Center and there is an outstanding bill that has not been paid.

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

For-Serena Kasama, Anthony Williams, Jeff Rogan, Donald Walsh, Jennifer Taylor; Abstain-Trinity Haven Schlottman, Sam Cherry;

26. 23-0206-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: TGP ST LOUIS ASSOCIATES, LP - For possible action on a Land Use Entitlement project request TO ALLOW A PROPOSED 256 SQUARE-FOOT WALL SIGN WHERE 50 SQUARE FEET IS THE MAXIMUM ALLOWED on 1.90 acres at 525 East St Louis Avenue (APN 162-03-312-016), R-5 (Apartment) Zone, Ward 3 (Diaz). Staff recommends DENIAL.

Minutes:

ACTING CHAIR SCHLOTTMAN declared the Public Hearing open.

COUREY STEWART, Senior Planner, reported that the proposed wall sign exceeds the maximum size allowed per Title 19.14 requirements. Staff found the Variance request to be a self-imposed hardship and recommended denial.

SCOTT McINTOSH, Hartlauer Signs, displayed a rendering of the proposal and said the applicant is revitalizing the building. The prior sign was the same size.

ACTING CHAIR SCHLOTTMAN felt the sign adds to the building and had no issue with the request.

ACTING CHAIR SCHLOTTMAN declared the Public Hearing closed.

Motion made by Sam Cherry to Approve subject to condition(s)

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Jennifer Taylor; Did Not Vote-Donald Walsh;

27. 23-0223 - PUBLIC HEARING - APPLICANT: NORA ARMENIAN - OWNER: STEWART SQUARE, LLC - For possible action on the following Land Use Entitlement project requests on 0.36 acres located at 4401 Stewart

Avenue (APN 140-32-201-002), C-1 (Limited Commercial) Zone, Ward 3 (Diaz). Staff recommends DENIAL on the entire Land Use Entitlement project.

Minutes:

ACTING CHAIR SCHLOTTMAN declared the Public Hearing open for Items 27-27c.

NICOLE EDDOWES, Community Development Coordinator, reported that the subject commercial building is a legal, non-conforming structure as it was constructed prior to current development standards. As such, demolishing a portion of the building and adding square-footage requires current Title 19 standards to be adhered to. The applicant is proposing building additions that do not meet current Title 19 requirements for setbacks and staff could not support the requested Variance, Special Use Permit, and Site Development Plan Review and recommended denial.

NORA ARMENIAN provided background on the property, which was originally constructed in 1980 for an animal hospital, but has been operating as a tire shop since 2003. To comply with City requirements, they added a sand-oil interceptor and a fire wall to divide the building. Their objective is to demolish the 1,218-square-foot A-frame and replace it with a 1,633-square-foot rectangular building that is more functional. The additional 415 square feet will allow them to accommodate a customer waiting area, restroom and a small office. She clarified that they are not changing any setbacks nor are they increasing the building's footprint. Lastly, MS. ARMENIAN said she met with staff twice and believed all concerns had been addressed.

ACTING CHAIR SCHLOTTMAN thanked MS. ARMENIAN for speaking with him over the phone. He confirmed the block wall would be installed near the entrance and the zero-foot setback would not encroach on any other structure. He did not have any concerns with the request. MS. ARMENIAN added that they will be removing the ramp out front, which provides more of a setback from the street.

MS. EDDOWES said staff did not have the elevations that were being displayed and requested that MS. ARMENIAN submit her copy to the Clerk.

COMMISSIONER WALSH confirmed through MS. ARMENIAN that the entire building would be ground level; therefore, no ADA (Americans with Disabilities Act) accommodations were necessary. She estimated that the renovations would be completed within a few months after the permits are pulled.

COMMISSIONER CHERRY asked if the façade of the second building would be altered to match the addition, and MS. ARMENIAN replied in the affirmative.

MS. ARMENIAN agreed to all conditions.

See Items 27a-27c for related backup.

ACTING CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 27-27c.

- 27a. 23-0223-VAR1 - VARIANCE - TO ALLOW AN EIGHT-FOOT SIDE SETBACK WHERE 10 FEET IS REQUIRED, AN EIGHT-FOOT FRONT SETBACK WHERE 10 FEET IS REQUIRED, AND A ONE-FOOT REAR SETBACK WHERE 20 FEET IS REQUIRED

Minutes:

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

Motion made by Sam Cherry to Approve Items 27a-27c subject to condition(s)

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

- 27b. 23-0223-SUP1 - SPECIAL USE PERMIT - FOR A MAJOR AMENDMENT OF AN APPROVED SPECIAL USE PERMIT (SUP-3128) FOR A PROPOSED 1,633 SQUARE-FOOT EXPANSION TO AN EXISTING

2,600 SQUARE-FOOT AUTO PARTS (NEW AND REBUILT) (ACCESSORY SALES AND SERVICES) AND AUTO REPAIR GARAGE, MINOR USE

Minutes:

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

Motion made by Sam Cherry to Approve Items 27a-27c subject to condition(s)

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

- 27c. 23-0223-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 1,633 SQUARE-FOOT ADDITION TO AN EXISTING 2,600 SQUARE-FOOT COMMERCIAL DEVELOPMENT AND RECONFIGURATION OF PARKING

Minutes:

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

Motion made by Sam Cherry to Approve Items 27a-27c subject to condition(s)

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

28. 23-0229-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: GOOD HOOD, LLC - For possible action on a Land Use Entitlement project request TO ALLOW AN 88 SQUARE-FOOT SIGN AREA WHERE 75 SQUARE FEET IS THE MAXIMUM ALLOWED FOR TWO PROPOSED MONUMENT SIGNS on 1.16 acres at 201 South Las Vegas Boulevard (APN 139-34-601-018), C-2 (General Commercial) Zone, Ward 3 (Diaz). Staff recommends DENIAL.

Minutes:

ACTING CHAIR SCHLOTTMAN declared the Public Hearing open.

COUREY STEWART, Senior Planner, reported that the two proposed monument signs exceed the maximum size allowed per Title 19 requirements. Staff found the Variance request to be a self-imposed hardship and recommended denial. He noted an additional letter of support was received since publication.

SCOTT McINTOSH, Hartlauer Signs, acknowledged that they are exceeding the overall area; however, the layout of this sign is more linear than a monument sign.

ACTING CHAIR SCHLOTTMAN felt the sign fits with the building and the surrounding area. He asked where the sign will go, to which MR. McINTOSH said it will be within a landscape buffer against a retaining wall. The Commissioner wondered how a ground-level sign would hold up in the area, and MR. McINTOSH advised that the sign is internally lit and will be made with welded aluminum.

ACTING CHAIR SCHLOTTMAN declared the Public Hearing closed.

Motion made by Sam Cherry to Approve subject to condition(s)

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

29. 23-0239 - PUBLIC HEARING - APPLICANT: KB HOME - OWNER: 999 INVESTMENTS, LLC, ET AL - For possible action on the following Land Use Entitlement project requests on 18.26 acres at the southeast corner of Rocky Avenue and Alpine Ridge Way (APNs 126-01-601-001 through 006), U (Undeveloped) [PCD (Planned

Community Development) General Plan Designation] and PD (Planned Development) Zones, Ward 6 (Brune). Staff recommends APPROVAL on the entire Land Use Entitlement project.

Minutes:

ACTING CHAIR SCHLOTTMAN declared the Public Hearing open for Items 29-29e.

NICOLE EDDOWES, Community Development Coordinator, reported that the applicant is proposing to add acreage to the Kyle Canyon Gateway Master Plan in order to develop a 162-lot single-family residential subdivision with an overall density of 6.75 dwelling units per acre. The proposed Modification and Rezoning will allow for continuity and predictability of development in this area and staff recommended approval of the Major Modification and Rezoning. Staff had no objection to the vacation of public right-of-way and public drainage easements as it will support the proposed development and allow for additional open space. The proposed Site Development Plan Review and Tentative Map conforms to the Kyle Canyon Gateway Master Development Plan and Design Guidelines as modified through this request and staff recommended approval of both. She noted additional letters of support were received since publication.

ATTORNEY TONY CELESTE said this 20-acre site is located near U.S. Highway 95 and Kyle Canyon Road. He displayed a site map, noting that the pink area is the Kyle Canyon Gateway Master Plan, and explained the request to add five acres to the plan. Plans for a 179-lot subdivision were unveiled at a neighborhood meeting in June, but neighbors commented on the lack of amenities and density. The plan now reflects 162 units and the eastern property line has been reprogrammed for drainage. Main access will be off of Rocky Avenue, and the entrance area will include programmable, open space with a shade structure and a meandering walkway that will connect with a smaller area with interactive games. The drainage area will include a 40'x75' dog park with a 10'x16' shade structure, and MR. CELESTE advised that the revised plans will be submitted before the City Council meeting. All homes will have the option to have EV (electric vehicle) charging stations, and the price is expected to be between \$391,000 and \$441,000 with an additional 15 percent for add ons and lot premiums. In closing, he expressed his appreciation for the time COMMISSIONER TAYLOR and Ward 6 staff have put into this project and agreed to all conditions.

COMMISSIONER TAYLOR commended the effort of MR. CELESTE'S client, and she appreciated that the project included amenities and a cohesive design. She confirmed through MR. CELESTE that the open space along the eastern boundary will include two shade structures. At the Commissioner's request, MR. CELESTE advised that he has been proactively working with NV Energy to ensure that every home has the ability to house the infrastructure for an EV. He added that this includes Level 2 charging and no panel upgrades will be necessary.

MS. EDDOWES requested a copy of the landscape plan shown on the display, to which MR. CELESTE submitted and noted that another revised plan would be forthcoming to reflect the larger shade structures.

See Items 29a-29e for related backup.

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

- 29a. 23-0239-MOD1 - MAJOR MODIFICATION - TO AMEND THE KYLE CANYON GATEWAY MASTER DEVELOPMENT PLAN TO ADD 4.13 ACRES TO THE PLAN, DESIGNATE THE LAND USE AS ML (RESIDENTIAL MEDIUM LOW) ON 18.26 ACRES [APNs 126-01-601-001 THROUGH 006] AND AMEND THE DESIGN GUIDELINES

Minutes:

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

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

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

- 29b. 23-0239-ZON1 - REZONING - FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: PD (PLANNED DEVELOPMENT) [4.13 acres on APNs 126-01-601-004 and 006]
- Minutes:
See Item 29 for related discussion and Items 29-29e for related backup.
- Motion made by Jennifer Taylor to Approve Items 29a-29e subject to condition(s) with amended conditions for Item 29d
- Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
- For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;
- 29c. 23-0239-VAC1 - VACATION - PETITION TO VACATE PORTIONS OF RUSTON ROAD, MICHELLI CREST WAY AND MCKINSTER ROAD (PUBLIC RIGHT-OF-WAY) AND U.S. GOVERNMENT PATENT EASEMENTS GENERALLY LOCATED AT THE SOUTHEAST CORNER OF ROCKY AVENUE AND ALPINE RIDGE WAY
- Minutes:
See Item 29 for related discussion and Items 29-29e for related backup.
- Motion made by Jennifer Taylor to Approve Items 29a-29e subject to condition(s) with amended conditions for Item 29d
- Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
- For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;
- 29d. 23-0239-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 162-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT
- Minutes:
See Item 29 for related discussion and Items 29-29e for related backup.
- Motion made by Jennifer Taylor to Approve Items 29a-29e subject to condition(s) and adding the following condition as read for the record:
- A. The proposed subdivision shall be designed with an energy capacity to allow for EV charging within each of the home sites.
- Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
- For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;
- 29e. 23-0239-TMP1 - TENTATIVE MAP - KYLE CANYON GATEWAY WEST - FOR A 162-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION
- Minutes:
See Item 29 for related discussion and Items 29-29e for related backup.
- Motion made by Jennifer Taylor to Approve Items 29a-29e subject to condition(s) with amended conditions for Item 29d
- Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

30. 23-0265-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CARIDAD, INC. - OWNER: YSBM INVESTMENT, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED RESCUE MISSION OR SHELTER FOR THE HOMELESS USE on 1.40 acres at 1150 South Las Vegas Boulevard (APNs 162-03-112-003 and 004), C-2 (General Commercial) Zone, Ward 3 (Diaz). Staff recommends DENIAL.

Minutes:

See Items 6 and 36 for related discussion.

Motion made by Sam Cherry to Table Items 21a-21c and 21e-21h, Strike Item 21d and Hold in Abeyance Item 30 to 10/10/2023 and Item 35 to 9/12/2023

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

31. 23-0290-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: FELICIANO VIRREY - For possible action on a Land Use Entitlement project request TO ALLOW AN EXISTING SIX-FOOT TALL FRONT YARD WALL WITH A THREE-FOOT SOLID WALL BASE HEIGHT WHERE A FIVE-FOOT FRONT YARD WALL WITH A TWO-FOOT SOLID WALL BASE IS THE MAXIMUM HEIGHT ALLOWED on 0.13 acres at 62 North Sacramento Drive (APN 140-31-810-027), R-1 (Single Family Residential) Zone, Ward 3 (Diaz). Staff recommends DENIAL.

Minutes:

This item was heard subsequent to Item 36.

ACTING CHAIR SCHLOTTMAN declared the Public Hearing open.

COUREY STEWART, Senior Planner, reported that this request is the result of an open Code Enforcement case for a wall that was built without permits. The wall fails to comply with Title 19 maximum height standards for a front yard wall. Staff found the Variance request to be a self-imposed hardship and recommended denial. He noted additional letters of support and protest were received since publication.

FELICIANO VIRREY said a drunk driver crashed into his fence about four years ago. He has small dogs and did not want them going through the brick portion, which is why the design is different from the original, and he was not aware of the permitting process.

ACTING CHAIR SCHLOTTMAN felt MR. VIRREY did a good job on the fence and he was glad the front yard was still visible. MR. VIRREY added that he made sure the new fence was cemented properly with rebar.

ACTING CHAIR SCHLOTTMAN declared the Public Hearing closed.

Motion made by Sam Cherry to Approve subject to condition(s)

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

32. 23-0299-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT: ELIZABETH FRETWELL - OWNER: FRETWELL ROBINSON TRUST - For possible action on a Land Use Entitlement Project request TO ALLOW A THREE-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED FOR A PROPOSED PATIO COVER [CARPORT] on 0.71 acres at 7960 West Rosada Way (APN 125-33-701-012), R-E (Residence Estates) Zone, Ward 4 (Allen-Palenske). Staff recommends DENIAL.

Minutes:

ACTING CHAIR SCHLOTTMAN declared the Public Hearing open.

COUREY STEWART, Senior Planner, reported that the proposed carport fails to comply with Title 19 side yard setback requirements. Staff found the Variance request to be a self-imposed hardship and recommended denial. He noted additional letters of support were received since publication.

ALEXANDER MIRELES said the applicant is requesting a Variance to construct an Alumawood patio cover behind their existing gate to shade their RV (recreational vehicle). The addition would still leave roughly 28 feet between the structure and their neighbor's property, and he confirmed the entire area would be paved.

COMMISSIONER KASAMA said the RV is already there and noted supporting correspondence from the neighbor. She supported the request.

MR. MIRELES agreed to all conditions.

ACTING CHAIR SCHLOTTMAN declared the Public Hearing closed.

Motion made by Serena Kasama to Approve subject to condition(s)

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

33. 23-0308-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: ABID GHUMAN - For possible action on a Land Use Entitlement project request TO ALLOW A PROPOSED SOLID EIGHT-FOOT TALL FRONT YARD WALL WHERE A FIVE-FOOT TALL FRONT YARD WALL WITH A TWO-FOOT SOLID WALL BASE IS THE MAXIMUM ALLOWED on 0.13 acres at 4796 North Cimmaron Road (APN 138-04-511-011), R-E (Residence Estates) Zone, Ward 4 (Allen-Palenske). Staff recommends DENIAL.

Minutes:

ACTING CHAIR SCHLOTTMAN declared the Public Hearing open.

COUREY STEWART, Senior Planner, reported that the proposed front yard wall exceeds Title 19 maximum height requirements. Staff found the Variance request to be a self-imposed hardship and recommended denial. He noted an additional letter of protest was received since publication.

TIM MORENO said his clients, who are in their 80s, are building their home on this property and they are requesting a higher front wall for extra security. He clarified that only the pillars and vehicle gate are eight feet tall, whereas the wrought iron is six feet.

COMMISSIONER KASAMA understood the safety concerns, but she believed eight feet was excessive. MR. MORENO reiterated that only the pillars and vehicle gate is eight feet tall and the fencing is six feet tall. The Commissioner was open to approving a six-foot variance, and MR. MORENO said he would need time to talk to his clients.

ACTING CHAIR SCHLOTTMAN declared the Public Hearing closed.

Motion made by Serena Kasama to Hold in Abeyance to 9/12/2023

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

34. 23-0340-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT: OREC LV GP, LLC - OWNER: UNITED STATES OF AMERICA - For possible action on a Land Use Entitlement project request TO ALLOW 14-FOOT TALL RETAINING WALL HEIGHTS WHERE SIX FEET MAXIMUM ALLOWED, AND AN OVERALL WALL

HEIGHT OF 18 FEET WHERE 12 FEET IS THE MAXIMUM ALLOWED on a 1.52-acre portion of 19.97 acres on the east side of Cliff Shadows Parkway, approximately 190 feet north of Novat Street (APN 137-12-401-001), PD (Planned Development) Zone [VC (Village Commercial) Lone Mountain West Special Land Use Designation], Ward 4 (Allen-Palenske). Staff recommends APPROVAL.

Minutes:

ACTING CHAIR SCHLOTTMAN declared the Public Hearing open.

NICOLE EDDOWES, Community Development Coordinator, reported that the subject site is an irregular shape and contains extreme topography issues that make development difficult. Due to these issues, staff was able to support the requested Variance and recommended approval. She noted additional letters of protest were received since publication.

ATTORNEY TONY CELESTE said this 1.5-acre site is located on the west side of the 215 Beltway along Cheyenne Avenue. This is the third time the site is before the Commission, noting it was recently approved for a mini-storage facility. The initial approval included a 25-foot retaining wall, but it was not the most efficient use for the area. They have since pushed the building back to the east so it could also serve as the retaining wall. Additional retaining walls are also necessary to bring up the driveway to grade level and hold up the parking lot area, but those changes were not reflected in their original land use application. He appreciated staff's recommendation of approval and accepted all conditions.

COMMISSIONER KASAMA said this is a technical adjustment to something that has already been approved.

ACTING CHAIR SCHLOTTMAN declared the Public Hearing closed.

Motion made by Serena Kasama to Approve subject to condition(s)

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

35. 23-0344-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: DAVID E. & DEBORAH A. FRANCIS - For possible action on a Land Use Entitlement project request TO ALLOW A ONE-FOOT SIDE YARD SETBACK FOR AN EXISTING RESIDENTIAL ACCESSORY STRUCTURE [DETACHED PATIO COVER] WHERE THREE FEET IS REQUIRED on 0.18 acre at 8921 Dio Guardi Drive (APN 163-05-214-006), R-PD8 (Residential Planned Development - 8 Units Per Acre) Zone, Ward 2 (Seaman). Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion.

Motion made by Sam Cherry to Table Items 21a-21c and 21e-21h, Strike Item 21d and Hold in Abeyance Item 30 to 10/10/2023 and Item 35 to 9/12/2023

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

DIRECTOR'S BUSINESS:

36. 23-0090-TXT1 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on a request to amend LVMC 19 regarding commercial and industrial uses and development standards, and to provide for other related matters. Staff recommends APPROVAL.

Minutes:

This item was pulled forward and heard subsequent to the One Motion One Vote agenda.

ACTING CHAIR SCHLOTTMAN declared the Public Hearing open.

MICHAEL HOWE, Planning Project Manager, said there has been no update to the Unified Development Code as it relates to industrial uses in over 12 years. As such, there have been a lot of emerging trends regarding distribution centers, and as production gets smaller, staff would like to broaden the uses in a way that allows for more flexibility while providing a more consolidated approach to the uses for less confusion. He advised that subsequent to the presentation, he would be requesting to abey the item because they are still consolidating uses.

Using a PowerPoint presentation, a copy of which was submitted and attached as backup, DON ELLIOTT, Senior Consultant, Clarion Associates, said his firm writes development codes for cities all over the country which gives them a good perspective on mixed-use trends. They were tasked with identifying comparison communities, consolidating and updating use definitions, updating use and development standards for specific uses, and consolidating those recommendations. In looking at the activities that commonly take place in industrial uses, the following five categories were the focus of this study: commercial-industrial services, manufacturing-production, vehicles-equipment, warehousing-wholesaling-storage, and waste-salvage.

Clarion Associates began by comparing Las Vegas with other cities in the west that were potential competitors with a recently updated code, and those cities were: Albuquerque, Fresno, Oklahoma City, Phoenix, Reno, and Clark County. Overall, MR. ELLIOTT found there was a desire to not be more restrictive unless there was a good reason for it. In conclusion, they recommended a significant consolidation of individual listed uses into fewer, more broadly defined uses to allow market flexibility; tailoring uses to focus on those that are most consistent with Las Vegas' supply of small-to-medium-sized properties; allowing little-to-no impact uses in more zoning districts; revising key development standards to apply to all or almost all industrial uses; and updating additional development standards for specific newly-defined used with unique impacts to minimize impacts on neighbors (i.e. day labor, artisanal manufacturing, outdoor vehicle staging/dispatch).

TASHIKA LAWSON felt it would be important for the public to review the proposed consolidations, and she pointed out that Albuquerque is not a high-tourist city. She also wondered if this will work for the amount of diversity in the city, noting that much of the industrial land is within the Historic Westside.

MIKE GANSON referenced Item 30 and said he would like to see the City work on moving homeless shelters and food distribution centers away from residential areas and into the industrial areas instead. ACTING CHAIR SCHLOTTMAN informed him that Item 30 was held in abeyance to the October 10, 2023 Planning Commission meeting.

SETH FLOYD, Director of Community Development, explained the Planning Commission would be making a recommendation to send this to the City Council in ordinance form, and that the public hearing will include a more in-depth explanation if it is recommended for approval. PETER LOWENSTEIN, Deputy Planning Director, added that the public can review the proposed changes in the backup materials before it is heard at the October 10, 2023 Planning Commission meeting.

COMMISSIONER WALSH inquired about how OSHA (Occupational Safety and Health Administration) standards and CFR (Code of Federal Regulations) 1910 fit into this plan. MR. ELLIOTT said OSHA compliance was not part of their scope of work; however, he said most communities make compliance a general standard for the entire code.

For COMMISSIONER CHERRY, MR. ELLIOTT clarified that little-to-no impact uses could include research facilities that are creating prototypes that they want to manufacture or artisan facilities that are manufacturing things such as candles or clothing. Under the current definition, these would be considered industrial uses although they appear as an office building because there are no large trucks, overnight operations, etc.

ACTING CHAIR SCHLOTTMAN declared the Public Hearing closed.

Motion made by Sam Cherry to Hold in Abeyance to 10/10/2023

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

For-Serena Kasama, Anthony Williams, Trinity Haven Schlottman, Jeff Rogan, Sam Cherry, Donald Walsh, Jennifer Taylor;

Citizens Participation:

37. 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:

Speaking to Items 21-21h, TASHIKA LAWSON said the project is not harmonious or compatible with the current or future plans for development based on Form-Based Code guidelines or the community's interpretation of the HUNDRED (Historic Urban Neighborhood Design Redevelopment) Plan. Speaking to Item 21a, she said there is no transect zone that will support the density that is suggested on this site. She did not have any problems with 21b, and she acknowledged that the variance for a 60-story building (Item 21c) was reduced to 41 but it is still excessive. For Item 21d, she wondered where additional trucks would be queuing, and she opined that the request for the 24-hour massage establishment (Item 21f) was too close to residential and church establishments and would bring unwanted activity into the community. Regarding Item 21g, MS. LAWSON wondered why this request would be considered because it simply disregards Form-Based Code. Lastly, she noted that this is the 11th application for the gaming license (Item 21h). This is a catalytic property that can bring new jobs and development into the community, and if this is approved, there should be a requirement for construction to begin within a year.

COMMISSIONER CHERRY referenced the staff report for Item 24, which mentions a district that is supposed to be promoting film, fashion, and virtual gaming. It was adopted in 2016 or 2017, and he has not seen any development relating to those uses. The Commissioner felt it was unfair that staff must recommend denial on applications that are not related to these uses, yet the City has not pushed to get those things in that area. He hoped the City would put more effort into propping up these districts to make them better.

ACTING CHAIR SCHLOTTMAN congratulated SHERRI SHOUP on her promotion to Fire Marshal.

The meeting was adjourned at 8:37 p.m.

Respectfully submitted:



Gabriela Portillo-Brenner, Deputy City Clerk



Cheyenne LaRance, Senior Deputy City Clerk

THIS MEETING WAS PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS
IN ACCORDANCE WITH THE NOTICING STANDARDS AS OUTLINED IN NRS 241.020:

The City of Las Vegas website – www.lasvegasnevada.gov

The Nevada Public Notice website – notice.nv.gov

City Hall, 495 South Main Street, 1st Floor