

**ACTION REPORT
CITY OF NORTH LAS VEGAS
PLANNING COMMISSION**

August 12, 2009

BRIEFING

5:30 P.M., Conference Room, North Las Vegas City Hall, 2200 Civic Center Drive

CALL TO ORDER

6:04 P.M., Council Chambers, North Las Vegas City Hall, 2200 Civic Center Drive

WELCOME

Chairman Dean Leavitt

VERIFICATION

Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE

Chairman Dean Leavitt

PUBLIC FORUM

There was no public participation.

MINUTES

- Approval of the minutes for the Planning Commission meeting of July 8, 2009.

ACTION: APPROVED

MOTION: Commissioner Aston

SECOND: Commissioner Cato

AYES: Chairman Leavitt, Vice-Chairman Brown, Commissioners Aston, Cato and Trivedi

NAYS: None

ABSTAIN: Vice-Chairman Brown, Commissioners Perkins and DePhillips

NEW BUSINESS

1. **VN-10-09 (39289) LA MADRE/LAWRENCE** (Public Hearing). An application submitted by Richmond American Homes Nevada, Inc., property owner, for a variance in an R-1, Single-Family Residential District to allow a five (5) foot corner side yard setback where a ten (10) foot corner side yard setback is the minimum required. The property is located at 4916 Sevier Desert Street. The Assessor's Parcel Number is 124-35-812-080.

ACTION: CONTINUED TO AUGUST 26, 2009

MOTION: Commissioner Trivedi

SECOND: Vice-Chairman Brown

AYES: Chairman Leavitt, Vice-Chairman Brown, Commissioners Aston, Cato, Trivedi, Perkins, and DePhillips

NAYS: None

ABSTAIN: None

2. **VN-11-09 (39291) LA MADRE/LAWRENCE** (Public Hearing). An application submitted by Richmond American Homes Nevada, Inc., property owner, for a variance in an R-1, Single-Family Residential District to allow a five (5) foot corner side yard setback where a ten (10) foot corner side yard setback is the minimum required. The property is located at 4932 Sevier Desert Street. The Assessor's Parcel Number is 124-35-812-076.

ACTION: CONTINUED TO AUGUST 26, 2009

MOTION: Commissioner Trivedi

SECOND: Vice-Chairman Brown

AYES: Chairman Leavitt, Vice-Chairman Brown, Commissioners Aston, Cato, Trivedi, Perkins, and DePhillips

NAYS: None

ABSTAIN: None

3. **VN-12-09 (39293) LA MADRE/LAWRENCE** (Public Hearing). An application submitted by Richmond American Homes Nevada, Inc., property owner, for a variance in an R-1, Single-Family Residential District to allow an eight (8) foot corner side yard setback where a ten (10) foot corner side yard setback is the minimum required. The property is located at 1804 Magdalena Ridge Avenue. The Assessor's Parcel Number is 124-35-812-046.

ACTION: CONTINUED TO AUGUST 26, 2009

MOTION: Commissioner Trivedi
SECOND: Vice-Chairman Brown
AYES: Chairman Leavitt, Vice-Chairman Brown, Commissioners Aston, Cato, Trivedi, Perkins, and DePhillips
NAYS: None
ABSTAIN: None

4. **VN-13-09 (39292) LA MADRE/LAWRENCE** (Public Hearing). An application submitted by Richmond American Homes Nevada, Inc., property owner, for a variance in an R-1, Single-Family Residential District to allow a six (6) foot corner side yard setback where a ten (10) foot corner side yard setback is the minimum required. The property is located at 4828 Sevier Desert Street. The Assessor's Parcel Number is 124-35-812-056.

ACTION: CONTINUED TO AUGUST 26, 2009

MOTION: Commissioner Trivedi
SECOND: Vice-Chairman Brown
AYES: Chairman Leavitt, Vice-Chairman Brown, Commissioners Aston, Cato, Trivedi, Perkins, and DePhillips
NAYS: None
ABSTAIN: None

5. **VN-14-09 (39294) LA MADRE/LAWRENCE** (Public Hearing). An application submitted by Richmond American Homes Nevada, Inc., property owner, for a variance in an R-1, Single-Family Residential District to allow an eight (8) foot corner side yard setback where a ten (10) foot corner side yard setback is the minimum required. The property is located at 4940 Sevier Desert Street. The Assessor's Parcel Number is 124-35-812-075.

ACTION: CONTINUED TO AUGUST 26, 2009

MOTION: Commissioner Trivedi
SECOND: Vice-Chairman Brown
AYES: Chairman Leavitt, Vice-Chairman Brown, Commissioners Aston, Cato, Trivedi, Perkins, and DePhillips
NAYS: None
ABSTAIN: None

6. **UN-71-08 (39369) SCOPE PLAZA** (Public Hearing). An application submitted by Scope Camino Al Norte LLC, property owner, for an amendment to a previously approved special use permit in a C-1, Neighborhood Commercial District to allow a convenience food restaurant. The property is located at the northwest corner of Camino Al Norte and Washburn Road. The Assessor's Parcel Number is 124-33-614-001.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NO. 5 ADDED TO READ:

5. ABOVE GROUND PLANTERS SHALL BE PROVIDED WITHIN THE PEDESTRIAN AREA, SUBJECT TO STAFF REVIEW AND APPROVAL.

THE ORIGINAL CONDITION NUMBERS 5, 6 AND 7 WERE RENUMBERED.

MOTION: Commissioner Aston
SECOND: Commissioner Trivedi
AYES: Chairman Leavitt, Vice-Chairman Brown, Commissioners Aston, Cato, Trivedi, Perkins, and DePhillips
NAYS: None
ABSTAIN: None

7. **SPR-24-08 (39370) SCOPE PLAZA.** An application submitted by Scope Camino Al Norte LLC, property owner, for an amendment to a previously approved site plan review in a C-1, Neighborhood Commercial District to amend condition of approval requiring foundation landscaping. The property is located at the northwest corner of Camino Al Norte and Washburn Road. The Assessor's Parcel Number is 124-33-614-001.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITIONS NO. 2.E AMENDED TO READ:

- 2.E. PROVIDE FOUNDATION LANDSCAPING, OR A SUITABLE ALTERNATIVE, ALONG EACH FACADE FEATURING A PUBLIC ENTRANCE THAT ABUTS A DRIVE AISLE OR PARKING STALL(S) FOR ALL BUILDINGS EXCEPT ABOVE GROUND PLANTERS WITHIN THE PEDESTRIAN AREA SHALL BE PROVIDED FOR THE CONVENIENCE FOOD RESTAURANT.

MOTION: Commissioner Aston
SECOND: Vice-Chairman Brown

AYES: Chairman Leavitt, Vice-Chairman Brown, Commissioners Aston, Cato, Trivedi, Perkins, and DePhillips
NAYS: None
ABSTAIN: None

8. **UN-42-09 (39345) JACK IN THE BOX RESTAURANT** (Public Hearing). An application submitted by Jack in the Box on behalf of Cohen Philip Joseph Trust, property owner, for a special use permit in an M-2, General Industrial District to allow a freestanding sign that is 80 feet in height with 225 square feet of signage. The property is located at 3821 East Craig Road. The Assessor's Parcel Number is 140-06-210-036.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NO. 3 AMENDED TO READ:

3. THE SIGN SHALL NOT EXCEED 60 FEET IN HEIGHT AND SHALL NOT EXCEED 225 SQUARE FEET IN AREA.

MOTION: Commissioner Aston
SECOND: Commissioner Cato
AYES: Commissioners Aston, Cato, Trivedi, and DePhillips
NAYS: Chairman Leavitt, Vice-Chairman Brown, and Commissioner Perkins
ABSTAIN: None

9. **UN-45-09 (39367) KNOCKOUT AUTO SALES** (Public Hearing). An application submitted by Knockout Auto Sales on behalf of South Tech Brooks 2750K, LLC, property owner, for a special use permit in an M-2, General Industrial District to allow an automobile repair facility. The property is located at 2750 West Brooks Avenue, Suite 108. The Assessor's Parcel Number is 139-17-510-011.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Cato
SECOND: Vice-Chairman Brown
AYES: Chairman Leavitt, Vice-Chairman Brown, Commissioners Aston, Cato, Trivedi, Perkins, and DePhillips
NAYS: None
ABSTAIN: None

10. **UN-44-09 (39359) CHECKERS** (Public Hearing). An application submitted by Food in the Fast Lane LLC, on behalf of Maligaya Asian Center, LLC, property owner, for a special use permit in a C-1, Neighborhood Commercial District to allow a convenience food restaurant. The property is located north of Craig Road and approximately 500 feet east of Decatur Boulevard. The Assessor's Parcel Number is 139-06-215-024.

ACTION: CONTINUED TO SEPTEMBER 9, 2009

MOTION: Vice-Chairman Brown

SECOND: Commissioner Cato

AYES: Chairman Leavitt, Vice-Chairman Brown, Commissioners Aston, Cato, Trivedi, Perkins, and DePhillips

NAYS: None

ABSTAIN: None

11. **UN-43-09 (39352) FAMILY SMOG** (Public Hearing). An application submitted by Mohammad M. Waked on behalf of Mercado Del Pueblo LLC, property owner, for a special use permit in a C-2, General Commercial District to allow an automobile service facility (smog station). The property is located at 2987 North Las Vegas Boulevard. The Assessor's Parcel Number is 139-13-506-005.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NO. 3 AMENDED TO READ:

3. THAT AT A MINIMUM, A TOTAL OF 152 PARKING SPACES SHALL BE ALLOCATED FOR PATRON PARKING ON THE SITE AND NONE OF THE 152 PARKING SPACES MAY BE PLACED IN AN AREA WHICH IS ENCLOSED OR GATED OFF FROM THE PUBLIC DURING BUSINESS HOURS.

FORWARDED TO THE REDEVELOPMENT AGENCY FOR FINAL CONSIDERATION.

MOTION: Commissioner Trivedi

SECOND: Vice-Chairman Brown

AYES: Chairman Leavitt, Vice-Chairman Brown, Commissioners Aston, Cato, Trivedi, Perkins, and DePhillips

NAYS: None

ABSTAIN: None

12. **VN-15-09 (39355) JOHNSTON COVER** (Public Hearing). An application submitted by Polar Shades on behalf of George Dwayne Johnston, property owner, for a variance in an R-1, Single-Family Residential District to allow a two (2) foot side yard setback where a five (5) foot side yard setback is the minimum required. The property is located at 725 Picasso Picture Court. The Assessor's Parcel Number is 124-35-314-017.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
CONDITION NO. 3 AMENDED TO READ:

3. THAT A THREE (3) FOOT BUILDING SETBACK ALONG THE SUBJECT PROPERTY'S EASTERN PROPERTY LINE SHALL BE ALLOWED AS MEASURED FROM THE STRUCTURE'S OVERHANG OF ITS EAVES AND BE CONSTRUCTED OF FIRE RATED MATERIAL.

MOTION: Commissioner Aston
SECOND: Commissioner Cato
AYES: Chairman Leavitt, Commissioners Aston, Cato, Perkins, and DePhillips
NAYS: Vice-Chairman Brown and Commissioner Trivedi
ABSTAIN: None

13. **T-1335 (39314) DECATUR DESERT PLAZA.** An application submitted by Decatur Desert Plaza, LLC, property owner, for approval of a tentative map in a C-1, Neighborhood Commercial District to allow a one (1) lot commercial subdivision. The property is located at the northeast corner of Lone Mountain Road and Decatur Boulevard. The Assessor's Parcel Number is 124-31-401-003.

ACTION: CONTINUED TO SEPTEMBER 9, 2009

MOTION: Vice-Chairman Brown
SECOND: Commissioner Cato
AYES: Chairman Leavitt, Vice-Chairman Brown, Commissioners Aston, Cato, Trivedi, Perkins, and DePhillips
NAYS: None
ABSTAIN: None

14. **WAV-05-09 (39354) ALCO LANDSCAPE FACILITY EXPANSION.** An application submitted by Fernando Arriaga, property owner, for a waiver in an M-2, General Industrial District to waive the curb, gutter, and sidewalk improvements as required by Title 16. The property is located at 119 Water Avenue. The Assessor's Parcel Number is 139-22-811-005.

ACTION: DENIED, FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Cato
SECOND: Commissioner Trivedi
AYES: Chairman Leavitt, Vice-Chairman Brown, Commissioners Aston, Cato, Trivedi, Perkins, and DePhillips
NAYS: None
ABSTAIN: None

OLD BUSINESS

15. **UN-35-09 (39049) ST. CHARLES TOWER-KELFAD** (Public Hearing). An application submitted by St. Charles Tower, Inc. on behalf of Park Central Plaza 32, LLC, property owner, for a special use permit in a C-1, Neighborhood Commercial District to allow a 100-foot telecommunication tower. The property is located north of Ann Road approximately 730 feet east of Losee Road. The Assessor's Parcel Number is 124-25-312-003. **(Continued July 8, 2009)**

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Perkins
SECOND: Vice-Chairman Brown
AYES: Chairman Leavitt, Vice-Chairman Brown, Commissioners Aston, Cato, Trivedi, Perkins, and DePhillips
NAYS: None
ABSTAIN: None

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

Planning and Zoning Director Frank Fiori, asked the Commission if they would be agreeable to holding a joint meeting with the Parks and Recreation Advisory Board on November 10, 2009 to discuss and make a recommendation on the Bikes and Trails Master Plan, which was unanimously agreed upon by the Commission.

CHAIRMAN'S BUSINESS

There was no report given.

ADJOURNMENT

The meeting adjourned at 7:35 p.m.