

# MINUTES CITY OF NORTH LAS VEGAS PLANNING COMMISSION

Nelson Stone, Chairman  
Marilyn Kirkpatrick  
Dean Leavitt  
Laura E. Perkins

2200 Civic Center Drive  
North Las Vegas, NV 89030  
(702) 633-1516  
(702) 649-6091

Tom Langford, Vice Chairman  
Anita Wood  
Harry Shull

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**August 23, 2000**

**CALL TO ORDER:**

Council Chambers, North Las Vegas City Hall  
2200 Civic Center Drive, at 7:00 p.m.

**ROLL CALL:**

Dean Leavitt - Present  
Harry Shull - Present  
Marilyn Kirkpatrick - Present  
Laura Perkins - Present  
Tom Langford - Present  
Nelson Stone - Present  
Anita Wood - Present

**STAFF PRESENT:**

Tom Bell, Development Services Director  
Steve Baxter, Planning Manager  
Marc Jordan, Senior Planner  
Mary Aldava, Associate Planner  
Lenny Badger, Public Works  
Charity Fechter, Transportation Services  
Jim Stubler, Fire Department  
Jim Lewis, Deputy City Attorney  
Vicki Adams, Recording Secretary

**PLEDGE OF ALLEGIANCE:**

Commissioner Nelson Stone

**ANNOUNCEMENTS:**

Verification of compliance with NRS 241, Open Meeting Law.

Recording Secretary Adams verified that the Open Meeting Law requirements (NRS 241) had been met.

The North Las Vegas Conference Room and Council Chambers are accessible to handicapped persons. A certified sign language interpreter is available upon advance request.

## **MINUTES**

Approval of the MINUTES for the Planning Commission meeting of August 9, 2000.

Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to APPROVE the minutes of the August 9, 2000 Planning Commission Meeting.

The motion carried by UNANIMOUS vote.

## **CONSENT AGENDA**

### **1) PW-102-00 (2316) DOVE CANYON, UNIT 2**

Approval of the final map and the Subdivision Off-site Improvements Agreement by Developers of Nevada, LLC and acceptance of the performance bond in the amount of \$175,024.00

### **2) PW-103-00 (2317) LAS PALMERAS 4**

Acceptance of the off-site improvements for maintenance and release of the subdivision bond in the amount of \$296,135.57.

### **3) PW-104-00 (2318) ELDORADO CLAYTON CHANNEL, PHASE 2**

Acceptance of the off-site improvements for maintenance and release of the subdivision bond in the amount of \$831,162.75.

### **4) PW-105-00 (2320) ELDORADO CLAYTON CHANNEL, PHASE 3**

Acceptance of the off-site improvements for maintenance and release of the subdivision bond in the amount of \$288,413.40.

### **5) PW-106-00 (2321) TEMPO, UNIT 4**

Approval of the final map and the Subdivision Off-site Improvements Agreement by Stanpark Construction Company and acceptance of the performance bond in the amount of \$318,191.01.

### **6) PW-107-00 (2324) COBBLESTONE RIDGE NORTH 80, UNIT 1**

Approval of the final map and the Subdivision Off-site Improvements Agreement by Bruce Land Partners, LTD and acceptance of the performance bond in the amount of \$906,444.17.

### **7) PW-108-00 (2327) BERG STREET**

Acceptance of the off-site improvements for maintenance and release of the off-site improvement bond in the amount of \$360,260.00.

**8) RN-53-00 THROUGH RN-70-00 CITY OF NORTH LAS VEGAS - DEEDS OF DEDICATION AND EASEMENTS**

An application submitted by the City of North Las Vegas on behalf of various property owners for a deeds of dedication and easements.

Commissioner Tom Langford MOVED and Commissioner Laura Perkins SECONDED to APPROVE Consent Agenda Items #1 through #8.

The motion carried by UNANIMOUS vote.

## NEW BUSINESS

### **9) UN-13-93 (1638) K. RICHARD JAMESON (Public Hearing)**

An application submitted by K. Richard Jameson, property owner, for an extension of time for a use permit in an R-A/FA Redevelopment Area/Focus Area Subdistrict to allow an auto repair facility. The property is located at 1601 N. Main Street. The Assessor's Parcel Number is 139-22-811-019.

Condition nine (9) of the original conditions states:

That the interim use may be renewed upon review of the conformance with conditions of approval and adequate ongoing maintenance of the site, including landscaping. Renewal of the interim use will also be subject to the condition that no permitted use for the commercial-retail subdistrict is planned for the property at the time renewal is sought, and the zoning would still allow use of the property for auto services uses, either interim or otherwise.

The subject site has since been rezoned to the Redevelopment Area/Focus Area Subdistrict which would allow existing interim use permits.

Condition six (6) required that all weeds to be removed from the property and the property to be maintained weed free. Condition 10 required that no abandoned or inoperable vehicles be stored on site unless they belong to a customer, and the tenant possesses a work order to repair such vehicles.

The applicant is required to continually comply with the conditions of approval and perform the adequate maintenance as necessary. At the last request for an extension of time, it was noted that the applicant had not complied with the conditions of approval for screening and removing inoperable or abandoned vehicles. However, prior to approval for a one year extension of time, the applicant had complied with those requirements. Upon a recent site inspection by both Economic Development and Planning staff it was noted that maintenance was required within the landscaped areas. Portions of the planter areas had weeds growing and a few of the plants looked dead or stressed. In addition, several vehicles stored on site had no license plates and appeared to be abandoned. It also appeared that the applicant was selling used vehicles from the site which is not a permitted use.

If the applicant desires to sell automobiles and store inoperable vehicles on site, it is suggested that the applicant look for a different site that is zoned properly for those types of uses. Otherwise, the applicant should perform the required maintenance, particularly within the landscaped areas, remove all inoperable or abandoned vehicles and if vehicles are being sold from the premises, discontinue this use immediately.

The Economic Development staff has contacted the applicant concerning these issues, and the applicant has assured staff that these concerns would be addressed immediately.

The Development Services Department recommends a one year extension of time provided the applicant is in compliance with the conditions of approval. Otherwise, staff recommends denial and the interim use permit revoked if the conditions of approval have not been met by the date of the meeting.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who stated that this is for an interim use permit. Staff did go out and look at this site. The landscaping was a mess and it appeared that there were autos were for sale at the site which is not allowed.

Richard Jameson, 3287 North Las Vegas Blvd., N. Las Vegas, appeared on his own behalf and indicated that he would comply with all the conditions of approval.

Commissioner Tom Langford stated that he saw RV's at the site and asked the applicant if anyone was living in the RV's to which Mr. Jameson stated that no one was living in the RV's.

Commissioner Wood asked the applicant if he was familiar with the conditions of approval to which the applicant stated that he was. Commissioner Wood then asked if he would have problems complying with those conditions to which the applicant stated that he would not.

Mr. Jameson stated that he is the property owner and he leases out this property. He will now take responsibility for maintaining the planters. He asked the Commission if, as he has a tenant at this location, they expected him to go out to the site and make sure his tenant wasn't placing autos for sale at this location to which Commissioner Wood replied that it would help if he checked on his tenant.

Chairman Nelson Stone opened the Public Hearing. No participants came forward. The Public Hearing was closed.

Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to APPROVE UN-13-93 per staff recommendations.

The motion carried by UNANIMOUS vote.

**10) ZN-19-00 (2134) CITY OF NORTH LAS VEGAS (Public Hearing)**

An application submitted by The City of North Las Vegas for reclassification of property from an M-2 General Industrial District to an R-1 Single-Family Residential District. The property is generally located at the southwest corner of Alexander Road and Revere Street. The Assessor's Parcel Number is 139-09-501-005.

The Comprehensive Plan shows the subject site as Low Density Residential which allows 2 - 4.5 dwelling units per acre. The surrounding area is currently developed or being developed as single family residential. The proposed request would rezone the subject site to not only be in compliance with the Comprehensive Plan, but also to be compatible with the surrounding land use of single family residential development and adhere to the City's goal of planned and quality growth.

The Development Services Department recommends that ZN-19-00 be approved for permanent "hard zoning" to the R-1 Single Family Residential District by ordinance.

Prior to the Planning Commission Meeting of August 23, 2000, staff recommended that the application by CONTINUED indefinitely.

Commissioner Tom Langford MOVED and Commissioner Anita Wood SECONDED to CONTINUE ZN-19-00 indefinitely per staff recommendation.

The motion was APPROVED by UNANIMOUS vote.

**The item is CONTINUED indefinitely.**

**11) AMP-13-00 (2155) CRAIG RANCH DEVELOPMENT (Public Hearing)**

An application submitted by Stimson Enterprises, Inc., property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of Open Space to Regional Commercial. The property is generally located at the northwest corner of Craig Road and Commerce Street. The Assessor's Parcel Numbers are 139-03-602-002, 139-03-201-002 and 139-03-201-001.

Regional commercial areas are meant to provide commercial services to the City and surrounding area. The market area for Regional commercial areas is generally a minimum of a three-mile radius from the commercial location and can extend to a much greater radius. Regional Commercial areas vary widely in use and intensity, and often include many community commercial uses. Regional commercial areas commonly contain large shopping centers, "power" centers, vehicles sales, commercial recreational facilities (including smaller casinos), medical facilities and offices, high-rise professional office complexes, and similar higher intensity commercial uses which may attract customers from far outside the City.

The Comprehensive Plan guidelines for Regional Commercial state:

Regional Commercial areas should only occur at the intersection of two 100-foot rights-of-way or greater with convenient access to either Interstate 15 or the future beltway.

Craig Road is proposed as a 120-foot right-of-way and Commerce Street is proposed as an 80-foot right-of-way. Both Craig Road and Commerce Street would have access to either Interstate 15 or the future beltway, respectively.

Regional commercial areas should be no smaller than 20 acres.

The applicant is proposing a total of 40 acres of commercial development for a casino.

Regional commercial areas should not be placed adjacent to existing or planned single-family residential uses, unless provided with appropriate buffers.

The proposed commercial would be located north of Craig Road in which there are no existing residential uses or proposed residential development. The nearest residential development would be Fairway Villas, which would be buffered by the existing golf course.

Commercial uses which have the potential to generate intrusive levels of noise, light, odor, or other nuisances should be avoided adjacent to residential areas.

As previously mentioned, there are no existing or planned residential uses north of Craig Road with the exception of Fairway Villas that would be buffered by the existing golf course. The only other existing residential developments are south of Craig Road (Gold Crest II and Village at Craig Ranch). Likewise, a portion of the subject site has a zoning of C-3 General Service Commercial. The uses that would be allowed as a matter of right in a C-3 district would be more intense than those uses allowed in a C-2 General Commercial District.

The remaining guidelines address architectural design, and public areas.

These criteria would be met with the submittal of the site plan.

The majority of the subject site under consideration is proposed to be developed with a casino and hotel.

Regional commercial land use designations are meant to contain large commercial centers which may include smaller casinos. The applicant is proposing to submit a petition for a gaming enterprise district to

be heard in conjunction with a use permit for a casino at a future meeting. The proposed amendment to the Comprehensive Plan and rezoning request, if approved would render the portion of the golf course within the proposed commercial area as a legal non-conforming use, as golf courses are not permitted in a C-2 General Commercial zone. However, according to the letter of intent, the golf course would be redesigned to still accommodate 18-holes when the casino is proposed for construction.

The Development Services Department recommends that AMP-13-00 be approved amending the Comprehensive Plan land use designation for the subject site to Regional Commercial.

The Development Services Department recommends that ZN-20-00 be approved for permanent "hard zoning" to the C-2 General Commercial District by ordinance.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated that Item #11, AMP-13-00, and Item #12, ZN-20-00, would be presented together. This site, which is located at Craig Road and Commerce Street, does comply with the guidelines. Most of the site is undeveloped at this time, however, commercial development is planned there in the future.

Mr. Jordan further stated that the discussion would be limited to the amendment to the Comprehensive Plan and the re-zoning issue.

Commissioner Harry Shull asked if the C-3 is planned for the corner of Craig and Commerce to which Mr. Jordan stated that it is.

Bill Curran, 601 S. Rancho Dr., Las Vegas, NV, appeared on behalf of the applicant and stated that as the Commission had been well briefed and well advised, absent any questions, he concurred with staff's recommendations.

Chairman Nelson Stone opened the Public Hearing. The following participants came forward:

- ▶ Robert & Amy May, 4905 Rancho Verde Ct., N. Las Vegas, NV

Mr. May stated that they lived in the subdivision right behind where this commercial development is planned. He is scared for the kids in the area as there is an elementary school right by this. This change will bring in more traffic and a different element of people. This will also lower the property value of his home having it so close to this. His main goal is to protect his children. When something like this is close to children, as can be seen from the Stroemeyer case, what can happen. He suggested moving this to the other side of Craig or to Cheyenne where there is nothing.

Mrs. May stated that there are a lot of kids in the neighborhood who can't ride buses so they will be walking to school. There is not a lot of supervision. Also, this is not a good influence on the children; it might be sending a message to them that's it's okay to frequent places like this. She had no idea something like this would come about in this area.

Steve Baxter, Planning Manager, stated that the casino was not under consideration. If a casino is eventually planned, everyone living within 2,500 feet will be notified.

- ▶ Dawn Mann-Reading, 4901 Rancho Verde Ct., N. Las Vegas, NV

Ms. Mann-Reading stated that the flyer they got indicated that the meeting was about a casino being built on Commerce and Craig. This is not the place for this. There is a high school not a mile away as well as the elementary school. Lone Mountain is a two-lane road. The change of the zoning and the Comprehensive Plan is to allow a casino. She asked what the designation "C-2" meant.

Mr. Jordan answered that C-2 comprises uses similar to those in North Mesa Plaza and the Home Depot. The applicant would need to apply for a special use permit for this.

Mr. Reading came forward and stated that there is a place for everything and a casino at this location is not good.

- ▶ William Peruti, 4812 Rancho Linda Ct., N. Las Vegas, NV

Mr. Peruti stated that he lives in the same neighborhood and he received a flier in the mail which talked about a casino. He showed it on the overhead.

Mr. Jordan stated that it was mailed out in error.

Tom Bell, Development Services Director, stated that it was withdrawn. When it appears on the Agenda again, everyone living within 2,500 feet will be notified. Since most of Craig Road is a commercial corridor, staff is recommending approval.

Mr. Peruti stated that he still doesn't want to see this.

- ▶ Mike Winne, 3005 Emmons, N. Las Vegas, NV

Mr. Winne stated that he has been a resident of North Las Vegas for many years. He approves of this and thinks the City needs this, a nice casino resort. He believes it would help the image of the City. It is a commercial corridor anyway, why not make it all commercial? This shouldn't be moved to Cheyenne; this is the perfect place for it.

Mr. Bell stated that, according to Marc Jordan, Senior Planner, the use permit application was continued, not withdrawn.

- ▶ Joel Diamond, 4860 Laredo Linda Ct., N. Las Vegas, NV

Mr. Diamond stated that he lives directly behind the 15 hole golf course. The purpose of this re-zoning is to try and push the casino through later. He will take credit for the flyer that went out in the neighborhood. Commerce is not a street built for traffic. There is Mojave High School and the elementary school. Home Depot at it's location is great; it doesn't impact the residential areas. The condo's that were built do add a lot of traffic. Lone Mountain Road has never been re-done and it is not fit for all the elementary school buses that come down there. A casino will also illuminate the neighborhood and there will be many problems that come with this. There are multiple things they are trying to push through with this zoning. There are many other areas, close to the I-15, the beltway, where this can be built and the City can prosper. He is totally against this at this location.

Mr. Bell stated that, just to clarify, Commerce is not a residential street, it will be an 80-foot street that will tie into the beltway.

- ▶ Janet Webb, 5309 Daywood Street, N. Las Vegas, NV

Ms. Webb stated that she thinks they all know that this is just to get a foot in the door to build the casino.

Commerce is a small road. It already has a lot of traffic. That seems to be enough traffic. With a major hotel, casino, there will be more traffic and it will promote underage gambling. She doesn't think it's a good idea. The Station Casinos have a lot of money, they can build somewhere else. None of the members of the Commission would want this by their home either. This should be in an industrial area. She asked the Commission to please reconsider when this comes down the pipe because it is coming.

- ▶ Marlene Michaels, 10605 Olivebranch, Las Vegas, NV 89114

Ms. Michaels stated that she has no connection with this property but she is in favor of it. She can't think of a better location. There will be a golf course behind it separating the casino from the residences. She doesn't believe Commerce comes off of the beltway. There will be an entrance on N. 5<sup>th</sup> Street and Revere but not on Commerce. The property taxes have been skyrocketing like crazy in North Las Vegas and she can't imagine a better means of reducing property taxes than encouraging building.

- ▶ Ryan Eldridge, 4829 Rancho Linda, N. Las Vegas, NV

Mr. Eldridge indicated that he moved to N. Las Vegas four years ago and he has been saving for four years to get out of N. Las Vegas. He can't depend on what the City does. The apartments right on the corners were supposed to be condos. People don't want casinos next to residences. If the residents have to wait for a casino to straighten out a bad road, Craig Road, then shame on the City. He is at the mercy of the Planning Commission and, so far, North Las Vegas has let him down. He doesn't know where to go as he put all his money into his house and now he is trapped and can't move out.

- ▶ Adria Coggan, 4813 Rancho Linda Ct., N. Las Vegas, NV

Ms. Coggan stated that they have a 368 apartment complex next to them and a few years after that went in, another apartment building on the other side. They have noise problems and more traffic through the neighborhood. A casino in her neighborhood is so much worse than that. The noise, the lights, the traffic. She doesn't care how much Craig Road is widened. There are two elementary schools in the area with 2,000 children combined that go to those schools. People go to a casino and have a good time, DUI's. She doesn't think it is worth our children to make a buck. She looked this up in the NRS book and a casino must be 1,500 from a school property line. She drove it and it barely exceeds the 1,500 feet limit.

Chairman Nelson Stone stated that this would be better heard at the meeting on the use permit.

Ms. Coggan stated that she understood what the Chairman was saying but it doesn't change anything. This is a big deal. The neighborhood cannot sustain another blow. One may praise the new North Las Vegas but the City doesn't care what the citizens say, it cares more about big business and the casinos.

- ▶ Glen Leonhardt, 4768 Wild Draw Drive, N. Las Vegas, NV

Mr. Leonhardt stated that he is opposed to any zone change. When he bought at this location, it never included any kind of commercial development. There is plenty of commercial development there and more is not needed. He thinks residential zoning is fine. The potential casino concerns him and he believes it could be a potential black eye to the community.

- ▶ Celia M. Ranson (no address given on blue card)

Ms. Ranson stated that she owns a five acre parcel near this and she sympathizes with the parents. She also questions a corporation spending millions on property that hasn't even been rezoned yet.

Chairman Stone closed the Public Hearing.

Commissioner Marilyn Kirkpatrick asked staff what the residents are looking at having in their back yards with C-3 zoning.

Commissioner Tom Langford stated that there is a casino that is proposed at Commerce and Craig. There is a casino that has already been approved at Bruce and Craig. He doesn't know if anyone has thought about this but all of these things should be taken into consideration. This has a lot to do with traffic.

Mr. Jordan responded that C-3 uses allowed would include animal hospitals, appliance sales, services, repairs. Department stores, frozen food lockers, greenhouses, a lot of the same uses that are allowed in a C-2 district but some uses are more intense than would be allowed in a C-2.

Commissioner Nelson Stone stated that C-3 then gets closer to M-1 to which Mr. Jordan replied that special uses would include auto service facilities, auto washing, mortuaries, RV parks, cemeteries.

Bill Curran came forward and stated that he really didn't have anything else to add. Most of the comments from the citizens would be more appropriately addressed at the hearing for that.

Commissioner Harry Shull MOVED and Commissioner Laura Perkins SECONDED to APPROVE AMP-13-00 per staff recommendations.

The motion was by UNANIMOUS vote.

**12) ZN-20-00 (2156) CRAIG RANCH DEVELOPMENT (Public Hearing)**

An application submitted by Stimson Enterprises, Inc., property owner, for reclassification of property from

an R-1 Single-Family Residential District and a C-3 General Service Commercial District to a C-2 General Commercial District. The property is generally located at the northwest corner of Craig Road and Commerce Street. The Assessor's Parcel Numbers are 139-03-602-002, 139-03-201-002 and 139-03-201-001.

Regional commercial areas are meant to provide commercial services to the City and surrounding area. The market area for Regional commercial areas is generally a minimum of a three-mile radius from the commercial location and can extend to a much greater radius. Regional Commercial areas vary widely in use and intensity, and often include many community commercial uses. Regional commercial areas commonly contain large shopping centers, "power" centers, vehicles sales, commercial recreational facilities (including smaller casinos), medical facilities and offices, high-rise professional office complexes, and similar higher intensity commercial uses which may attract customers from far outside the City.

The Comprehensive Plan guidelines for Regional Commercial state:

Regional Commercial areas should only occur at the intersection of two 100-foot rights-of-way or greater with convenient access to either Interstate 15 or the future beltway.

Craig Road is proposed as a 120-foot right-of-way and Commerce Street is proposed as an 80-foot right-of-way. Both Craig Road and Commerce Street would have access to either Interstate 15 or the future beltway, respectively.

Regional commercial areas should be no smaller than 20 acres.

The applicant is proposing a total of 40 acres of commercial development for a casino.

Regional commercial areas should not be placed adjacent to existing or planned single-family residential uses, unless provided with appropriate buffers.

The proposed commercial would be located north of Craig Road in which there are no existing residential uses or proposed residential development. The nearest residential development would be Fairway Villas, which would be buffered by the existing golf course.

Commercial uses which have the potential to generate intrusive levels of noise, light, odor, or other nuisances should be avoided adjacent to residential areas.

As previously mentioned, there are no existing or planned residential uses north of Craig Road with the exception of Fairway Villas that would be buffered by the existing golf course. The only other existing residential developments are south of Craig Road (Gold Crest II and Village at Craig Ranch). Likewise, a portion of the subject site has a zoning of C-3 General Service Commercial. The uses that would be allowed as a matter of right in a C-3 district would be more intense than those uses allowed in a C-2 General Commercial District.

The remaining guidelines address architectural design, and public areas.

These criteria would be met with the submittal of the site plan.

The majority of the subject site under consideration is proposed to be developed with a casino and hotel. Regional commercial land use designations are meant to contain large commercial centers which may

include smaller casinos. The applicant is proposing to submit a petition for a gaming enterprise district to be heard in conjunction with a use permit for a casino at a future meeting. The proposed amendment to

the Comprehensive Plan and rezoning request, if approved would render the portion of the golf course within the proposed commercial area as a legal non-conforming use, as golf courses are not permitted in a C-2 General Commercial zone. However, according to the letter of intent, the golf course would be redesigned to still accommodate 18-holes when the casino is proposed for construction.

The Development Services Department recommends that AMP-13-00 be approved amending the Comprehensive Plan land use designation for the subject site to Regional Commercial.

The Development Services Department recommends that ZN-20-00 be approved for permanent "hard zoning" to the C-2 General Commercial District by ordinance.

**(The item was heard in conjunction with item #11, AMP-13-00. See discussion under AMP-13-00.)**

Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to APPROVE ZN-20-00 per staff recommendations.

The motion was APPROVED by UNANIMOUS vote.

There was a break in the proceedings at 7:50 p.m.

The meeting reconvened at 8:00 p.m.

**13) VAC-13-00 (2163) ECOLOGY AUTO WRECKING (Public Hearing)**

An application submitted by Ecology Auto Wrecking, Inc. on behalf of D.V.R. Development, Inc., property owner, for a vacation of the northerly 20 feet of Lone Mountain Road commencing at Lamb Boulevard and extending east approximately 1,276 feet. The property is generally located at the northeast corner of Lone Mountain Road and Lamb Blvd. The Assessor's Parcel Number is 123-32-401-005.

According to Clark County, the portion of Lone Mountain Road east of Lamb Boulevard is designated as a 60-foot right-of-way. However, the portion of Lone Mountain Road west of Lamb Boulevard is an 80-foot wide right-of-way. A transition, from the proposed 60-foot right-of-way to an 80-foot right-of-way for the intersection of Lone Mountain Road east of Lamb Boulevard would be required. Staff has no objections to the proposed vacation.

The Development Services Department recommends that VAC-13-00 be approved and forwarded to City Council for final consideration subject to the following conditions:

1. A 300 foot long transition of Lone Mountain Road from 60 foot wide to 80 foot wide must be constructed at the intersection of Lamb Boulevard and Lone Mountain Road to match Lone Mountain Road west of Lamb Boulevard.
2. The portion of the right-of-way needed for the transition shall be excluded from the area to be vacated.

The item was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated that the application is to vacate the north 20 feet of Lone Mountain Road. The south half of Lone Mountain Road is in Clark County.

Harold Foster, 3230 Polaris, Las Vegas, NV, appeared on behalf of the applicant and agreed with staff's recommendations and conditions.

Chairman Nelson Stone opened the Public Hearing. No participants came forward. The Public Hearing was closed.

Commissioner Tom Langford MOVED and Commissioner Dean Leavitt SECONDED to APPROVE VAC-13-00 per staff recommendations.

The motion was APPROVED by UNANIMOUS vote.

#### **14) AMP-16-00 (2161) DEER SPRINGS / N. 5<sup>TH</sup> APARTMENTS (Public Hearing)**

An application submitted by Unlimited Holdings on behalf of Jerome Snyder, et. al., property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of Medium Density Residential to Medium - High Density Residential. The property is generally located at the northwest corner of N. 5<sup>th</sup> Street and Deer Springs Way. The Assessor's Parcel Numbers are 124-22-601-004 and 124-22-601-005.

The City of North Las Vegas Comprehensive Plan currently identifies this area to be developed with a density of 4.5 - 10 dwelling units per acre. The reason for the medium density classification is because of the lack of infrastructure and services in these areas at this time. The Comprehensive Plan land use designation for this parcel is MDR, Medium Density Residential. The proposed development would increase the overall density of this site by at least eight (8) dwelling units per acre.

Nevada Revised Statute 278.250(2) reads, "The zoning regulations must be adopted in accordance with the master plan for land use..." In this case, the applicant is proposing to change the "master plan" so it could accommodate the zone change request.

The Comprehensive Plan is very specific in outlining criteria that must be considered prior to a change of the adopted plan. The following excerpts from the North Las Vegas Comprehensive Plan are relevant to these proposals:

**4.1.5(a) Land Use Principles**

- (1) Promote a diversity of residential types, sizes and densities throughout the City. Additionally, special efforts should be made to attract custom-type, higher end housing to the community. The newly developing residential areas in North Las Vegas should not become the repository of small lot, single-family development.

*This proposal identifies multi-family apartment housing. North Las Vegas currently provides approximately 75% of the Valley's affordable housing, which can typically be found within apartment complexes. This development does not identify any custom-type, higher end housing options and, therefore, does not meet this standard.*

2. While committed to the principle of affordable housing, the City of North Las Vegas should not continue to provide a disproportionate share of the Las Vegas Metropolitan Area's affordable housing stock.

*As mentioned above, this proposal does not identify any housing options which support this standard.*

3. Develop a Land Use Plan that continues to promote economic development of North Las Vegas and maximizes the City's growth potential.

*The existing land use designation takes into consideration higher density residential developments and to deviate from that plan at this time could jeopardize this standard.*

- h. Locate multi-family residential land uses in areas with sufficient arterial street access, existing infrastructure, and as compatible uses and transitions between lower density residential and commercial uses.

*The area immediately south of this site is designated as Medium High Density Residential. This site is designated as Medium Density Residential because of the planned progression of more intensive land uses and because of the projected housing needs in North Las Vegas - as determined by the Comprehensive Plan.*

- n. Coordinate future land development with public utility placement, road capacity, adjacent land use and community priorities as established in the North Las Vegas Comprehensive Plan.

*In order for this proposal to be coordinated with public utility placement, road capacity and community priorities, it would need to be considered after the beltway is constructed or after contiguous development abuts this site. Until such time, it would not meet the City of North Las Vegas' goals and top priorities of "Planned and Quality Growth" and "Financially Sound City Government Providing High Quality, Responsive Services."*

#### **4.1.6 Land Use Implementation Guidelines**

##### **A. Residential Land Use Guidelines**

##### **6. Medium High Density Residential (8 - 13 dwelling units per acre)**

###### *Purpose*

The medium high density residential designation is for the purpose of providing lower density multiple family development. The density and scale of development should be compatible with adjacent and nearby residential uses.

*The proposed project would provide for a density of 18.05± dwelling units per acre on a parcel approximately 19.5 acres in size. The proposed density would even exceed the maximum allowable density for the High Density Residential classification. Adjacent to the south, the Comprehensive Plan identifies approximately 20 acres of Medium High Density Residential. Adjacent to the north, east and west is Medium Density Residential. Although the requested Medium High Density Residential is compatible with the adjacent uses, it would increase the allocated area for Medium High Density Residential. Perhaps more importantly, it would decrease the allocated area for future Medium Density Residential development. Therefore, the proposed increase in density and scale of development does not satisfy the purpose of this standard.*

###### *Guidelines*

New medium high density residential should only be considered where City services can be provided without adverse impacts on other already developed areas. Availability of public services and facilities should be taken into account before allowing development.

*At this time, this proposal could not be developed without creating an adverse impact on existing City services. The location is the primary prohibitive factor. There will be a day when the City of North Las Vegas can provide utility and emergency services for the proposed increase in density in this area, but not at this time. Therefore, the proposed development does not meet this standard.*

Medium high density residential should be located near the intersection of two 100 foot wide or larger streets, with access to transit services and nearby neighborhood shopping facilities.

*Using the two largest intersecting streets which abut this proposal, North 5<sup>th</sup> Street is a 100-foot right-of-way and Deer Springs Way is an 80-foot right-of-way. Therefore, this standard has not been satisfied.*

Medium high density residential should not be permitted where it will be bordered on more than two sides by existing or planned lower density single family residential developments.

*This site is bordered on three sides by Medium Density Residential. Therefore, this proposal does not satisfy this standard.*

No parcel under eight acres should be considered for development as medium high density residential.

*This site is comprised of two parcels which total approximately 19.5 acres.*

Buildings over two stories high should not be permitted. Buildings higher than one story should not be permitted within 100 feet of areas developed or planned for lower density residential developments.

*The applicant states in the letter of intent that no buildings would be higher than two stories, but it is not clear whether or not the 100-foot separation requirement would be satisfied.*

No single family development should be permitted in the areas designated for medium high density residential.

*The applicant is proposing a multi-family apartment complex.*

Development at densities over the mid-point of the range should only be allowed if the developer has demonstrated an extraordinary level of on-site amenities. All developments must provide an adequate amount of on-site amenities to serve the population of the development.

*As described in the letter of intent and with the proposed density, this standard would not be satisfied.*

A density bonus of 25% may be granted for housing which is reserved for senior citizen and/or assisted living. To qualify for the density bonus, the entire development must be reserved for senior and/or assisted living dwellings through restrictive covenants for a period of at least 25 years.

*The applicant has not indicated that this complex would be for senior and/or assisted living dwellings.*

\*\*\*This concludes the Comprehensive Plan guideline analysis for the proposed development.\*\*\*

The Fire Department recommends that these items be denied. Section 16.04.090 of the Subdivision Ordinance states, "the Planning Commission does not have the authority to make decisions contrary to generally known engineering practices and life-safety standards, or in conflict with adopted ordinances." One of the primary concerns of the Fire Department is the public's safety and level of available services. Please refer to the attached memorandum from the Fire Department dated July 26, 2000, for more information.

Because the applicant has not demonstrated any justifiable reasons to increase the density limitations and zoning for this site, and based on the Planning Commission's and City Council's denial of a similar application within 660+ feet of this site, the Development Services Department recommends that both of these applications be denied.

Based on concerns of the Planning Division and the Fire Department, and the applicant's inability to provide any compelling reasons to increase the allowable density for this site, and because the lack of emergency services in this area at this time could jeopardize its residents' general health, safety and

welfare, the Development Services Department recommends that these applications be denied. Furthermore, the applications, as proposed, do not meet the criteria outlined in the North Las Vegas Municipal Code nor in the Comprehensive Plan.

Therefore, the Development Services Department recommends that AMP-16-00 and ZN-21-00 be denied.

Prior to the Planning Commission Meeting of August 23, 2000, the applicant requested that the application be CONTINUED to the Planning Commission Meeting of September 27, 2000

Commissioner Harry Shull MOVED and Commissioner Anita Wood SECONDED to CONTINUE AMP-16-00 to the September 27, 2000 Planning Commission meeting per the applicant's request.

The motion was APPROVED by UNANIMOUS vote.

**The item is CONTINUED to 9/27/00.**

**15) ZN-21-00 (2162) DEER SPRINGS / N. 5<sup>TH</sup> APARTMENTS (Public Hearing)**

An application submitted by Unlimited Holdings on behalf of Jerome Snyder, et. al., property owner, for reclassification of property from an R-E Ranch Estates District to an R-3 Multi-Family Residential District. The property is generally located at the northwest corner of N. 5th Street and Deer Springs Way. The Assessor's Parcel Numbers are 124-22-601-004 and 124-22-601-005.

The City of North Las Vegas Comprehensive Plan currently identifies this area to be developed with a density of 4.5 - 10 dwelling units per acre. The reason for the medium density classification is because of the lack of infrastructure and services in these areas at this time. The Comprehensive Plan land use

designation for this parcel is MDR, Medium Density Residential. The proposed development would increase the overall density of this site by at least eight (8) dwelling units per acre.

Nevada Revised Statute 278.250(2) reads, "The zoning regulations must be adopted in accordance with the master plan for land use..." In this case, the applicant is proposing to change the "master plan" so it could accommodate the zone change request.

The Comprehensive Plan is very specific in outlining criteria that must be considered prior to a change of the adopted plan. The following excerpts from the North Las Vegas Comprehensive Plan are relevant to these proposals:

**4.1.5(a) Land Use Principles**

- (1) Promote a diversity of residential types, sizes and densities throughout the City. Additionally, special efforts should be made to attract custom-type, higher end housing to the community. The newly developing residential areas in North Las Vegas should not become the repository of small lot, single-family development.

*This proposal identifies multi-family apartment housing. North Las Vegas currently provides approximately 75% of the Valley's affordable housing, which can typically be found within apartment complexes. This development does not identify any custom-type, higher end housing options and, therefore, does not meet this standard.*

7. While committed to the principle of affordable housing, the City of North Las Vegas should not continue to provide a disproportionate share of the Las Vegas Metropolitan Area's affordable housing stock.

*As mentioned above, this proposal does not identify any housing options which support this standard.*

8. Develop a Land Use Plan that continues to promote economic development of North Las Vegas and maximizes the City's growth potential.

*The existing land use designation takes into consideration higher density residential developments and to deviate from that plan at this time could jeopardize this standard.*

- h. Locate multi-family residential land uses in areas with sufficient arterial street access, existing infrastructure, and as compatible uses and transitions between lower density residential and commercial uses.

*The area immediately south of this site is designated as Medium High Density Residential. This site is designated as Medium Density Residential because of the planned progression of more intensive land uses and because of the projected housing needs in North Las Vegas - as determined by the Comprehensive Plan.*

- n. Coordinate future land development with public utility placement, road capacity, adjacent land use and community priorities as established in the North Las Vegas Comprehensive Plan.

*In order for this proposal to be coordinated with public utility placement, road capacity and community priorities, it would need to be considered after the beltway is constructed or after contiguous development abuts this site. Until such time, it would not meet the City of North Las*

#### **4.1.6 Land Use Implementation Guidelines**

##### **A. Residential Land Use Guidelines**

##### **6. Medium High Density Residential (8 - 13 dwelling units per acre)**

###### *Purpose*

The medium high density residential designation is for the purpose of providing lower density multiple family development. The density and scale of development should be compatible with adjacent and nearby residential uses.

*The proposed project would provide for a density of 18.05± dwelling units per acre on a parcel approximately 19.5 acres in size. The proposed density would even exceed the maximum allowable density for the High Density Residential classification. Adjacent to the south, the Comprehensive Plan identifies approximately 20 acres of Medium High Density Residential. Adjacent to the north, east and west is Medium Density Residential. Although the requested Medium High Density Residential is compatible with the adjacent uses, it would increase the allocated area for Medium High Density Residential. Perhaps more importantly, it would decrease the allocated area for future Medium Density Residential development. Therefore, the proposed increase in density and scale of development does not satisfy the purpose of this standard.*

###### *Guidelines*

New medium high density residential should only be considered where City services can be provided without adverse impacts on other already developed areas. Availability of public services and facilities should be taken into account before allowing development.

*At this time, this proposal could not be developed without creating an adverse impact on existing City services. The location is the primary prohibitive factor. There will be a day when the City of North Las Vegas can provide utility and emergency services for the proposed increase in density in this area, but not at this time. Therefore, the proposed development does not meet this standard.*

Medium high density residential should be located near the intersection of two 100 foot wide or larger streets, with access to transit services and nearby neighborhood shopping facilities.

*Using the two largest intersecting streets which abut this proposal, North 5<sup>th</sup> Street is a 100-foot right-of-way and Deer Springs Way is an 80-foot right-of-way. Therefore, this standard has not been satisfied.*

Medium high density residential should not be permitted where it will be bordered on more than two sides by existing or planned lower density single family residential developments.

*This site is bordered on three sides by Medium Density Residential. Therefore, this proposal does not satisfy this standard.*

No parcel under eight acres should be considered for development as medium high density residential.

*This site is comprised of two parcels which total approximately 19.5 acres.*

Buildings over two stories high should not be permitted. Buildings higher than one story should not be permitted within 100 feet of areas developed or planned for lower density residential developments.

*The applicant states in the letter of intent that no buildings would be higher than two stories, but it is not clear whether or not the 100-foot separation requirement would be satisfied.*

No single family development should be permitted in the areas designated for medium high density residential.

*The applicant is proposing a multi-family apartment complex.*

Development at densities over the mid-point of the range should only be allowed if the developer has demonstrated an extraordinary level of on-site amenities. All developments must provide an adequate amount of on-site amenities to serve the population of the development.

*As described in the letter of intent and with the proposed density, this standard would not be satisfied.*

A density bonus of 25% may be granted for housing which is reserved for senior citizen and/or assisted living. To qualify for the density bonus, the entire development must be reserved for senior and/or assisted living dwellings through restrictive covenants for a period of at least 25 years.

*The applicant has not indicated that this complex would be for senior and/or assisted living dwellings.*

\*\*\*This concludes the Comprehensive Plan guideline analysis for the proposed development.\*\*\*

The Fire Department recommends that these items be denied. Section 16.04.090 of the Subdivision Ordinance states, "the Planning Commission does not have the authority to make decisions contrary to generally known engineering practices and life-safety standards, or in conflict with adopted ordinances." One of the primary concerns of the Fire Department is the public's safety and level of available services. Please refer to the attached memorandum from the Fire Department dated July 26, 2000, for more information.

Because the applicant has not demonstrated any justifiable reasons to increase the density limitations and zoning for this site, and based on the Planning Commission's and City Council's denial of a similar

application within 660± feet of this site, the Development Services Department recommends that both of these applications be denied.

Based on concerns of the Planning Division and the Fire Department, and the applicant's inability to provide any compelling reasons to increase the allowable density for this site, and because the lack of emergency services in this area at this time could jeopardize its residents' general health, safety and welfare, the Development Services Department recommends that these applications be denied.

Furthermore, the applications, as proposed, do not meet the criteria outlined in the North Las Vegas Municipal Code nor in the Comprehensive Plan.

Therefore, the Development Services Department recommends that AMP-16-00 and ZN-21-00 be denied.

Prior to the Planning Commission Meeting of August 23, 2000 the applicant requested that the item be CONTINUED to the September 27, 2000 Planning Commission Meeting.

Commissioner Harry Shull MOVED and Commissioner Anita Wood SECONDED to CONTINUE ZN-16-00 to the September 27, 2000 Planning Commission meeting per the applicant's request.

The motion was APPROVED by UNANIMOUS vote.

**The item is CONTINUED to 9/27/00.**

**16) AMP-12-00 (2138) BELMONT INDUSTRIAL DEVELOPMENT (Public Hearing)**

An application submitted by Kevin Boyd, property owner, for an Amendment to the Master Plan of Streets & Highways to remove a portion of an unnamed street commencing approximately 620 feet south of Alexander Road and extending west from Belmont Street approximately 335 feet. The Assessor's Parcel Number is 139-12-103-005.

The unnamed street as projected on the Master Plan of Streets and Highways has a 60-foot right-of-way width and extends approximately 1,000 feet west of Belmont Street. The site plan as submitted proposes the removal of 30 feet of right-of-way extending 330 feet west of Belmont Street. Staff recommends that the applicant revise the site plan submitted to include the entire width and length of the unnamed street.

The Department of Public Works has indicated that a traffic study supporting the removal of this street would need to be submitted.

The Development Services Department recommends that AMP-12-00 be continued indefinitely to allow the applicant sufficient time to submit a revised site plan that includes the entire street and a traffic study supporting the proposed request.

Prior to the Planning Commission Meeting of August 23, 2000, the applicant requested that the application be CONTINUED indefinitely.

Commissioner Harry Shull MOVED and Commissioner Anita Wood SECONDED to CONTINUE AMP-12-00 indefinitely per the applicant's request.

The motion was APPROVED by UNANIMOUS vote.

**The item is CONTINUED INDEFINITELY.**

**17) VN-12-00 (2154) WALGREENS PHARMACY (Public Hearing)**

An application submitted by Fluoresco Sign on behalf of Village Builders 98, L.P., property owner, for a variance in a C-3 Regional Commercial District to allow freestanding signs equaling approximately 890 square feet where 754.5 is the maximum square footage allowed. The property is located at 3030 North Las Vegas Blvd. The Assessor's Parcel Number is 139-13-605-019.

The site is allowed approximately 755 square feet of signage. The McDonald's currently has 618 square feet of signage, which leaves the Walgreens with 137 square feet of allowable signage. The applicant is requesting a total of 364 feet of signage.

Walgreens and McDonald's are located on separate parcels but are considered as one parcel under Title 17. The North Las Vegas Municipal Code Section 17.24.110.C.4 states,

“When an abutting group of parcels of land is developed for uses which share common facilities, such as, without limitation, off-street parking or driveways, the group of parcels

may be considered as a single parcel in applying the sign regulations. Advertising for uses, services or activities may be jointly combined in one or more signs not located on the parcel of the use providing the service or activity being advertised. The square footage of the sign area permitted for each use, service or activity and all other sign regulations shall be met as if the group of parcels were established as one parcel”.

This is a situation that falls upon Walgreens and McDonald’s. Walgreens and McDonald’s will need to come to an agreement regarding the amount of signage each one needs at this location without exceeding the signage allowed by ordinance.

The requested variance is “self-inflicted”, and accordingly, the property must be developed in compliance with the Zoning Ordinance. Approval of a variance requires that the Planning Commission make the following findings:

1. There are exceptional and extraordinary circumstances and conditions applicable to the property involved and such circumstances and conditions do not generally apply to other properties in the same vicinity and zoning district; and
2. Such variance is necessary for the preservation and enjoyment of a substantial property right which is possessed by property in the same vicinity and zoning district and denied to the property in question; and
3. The granting of such variance will not be materially detrimental to the public safety and welfare or injurious to other property or improvement in the same vicinity and zoning district; and
4. The granting of such a variance will not adversely affect the Master Plan of the City.

State Law, under NRS 278.300 (1)(c), sets forth the requirements which must be met before a planning commission is empowered to grant a variance:

“Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any regulation enacted under NRS 278.010 to

278.630, inclusive, would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of property, to authorize a variance from that strict application so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.”

The Development Services Department recommends that VN-12-00 be denied.

The application was presented by Mary Aldava, Associate Planner, on behalf of staff who indicated that Walgreen’s proposes to erect two freestanding signs. McDonald’s already has 3 signs. It is recommended that McDonald’s and Walgreen’s come to a mutual agreement as to signage as this situation is self-inflicted.

Bob Groneaur, 3800 Howard Hughes Parkway, Las Vegas, NV appeared on behalf of the applicant and stated that this location is at two major arterial streets and tens of thousands of cars pass by this location every day. The applicant is proposing two pylon signs, one oriented towards North Las Vegas Blvd. and the other towards Pecos Road. Because there are two separate parcels but they share a common driveway, they are only allowed 755 square feet of signage. Taking into consideration the signs that are already there, that leaves Walgreen's with 130 square feet of signage. He believes, however, that the property meets the criteria for legal hardship as it is odd shape. It also fronts on two major arterial streets. Traditionally, as can be seen at the Rite-Aid across the street, properties have two signs.

Commissioner Anita Wood stated that she believes this is a difficult situation. She sees the Walgreen's and the parking lot on the site plan. She asked whether or not signage was coordinated between the two companies when all the building and rebuilding was taking place.

Mr. Groneaur stated that he can't explain what happened originally.

Commissioner Wood asked if the applicant could share a sign with McDonald's to which Mr. Groneaur responded that he wasn't able to answer that question.

Commissioner Tom Langford stated that his recommendation is that the two facilities piggyback the signs.

Mr. Groneaur replied that he has only been involved with the signage for the Walgreen's. It might have been an oversight on Walgreen's part but he doesn't know. The applicant just wants orientation on both streets.

Commissioner Langford stated that rather than vote for denial, he would like to continue the application to find out from the applicant if any conversations were held with McDonald's concerning this issue.

Commissioner Harry Shull asked if this is within the purview of the Planning Commission to approve this variance or must the four criteria be proved for an approval.

Steve Baxter, Planning Manager, stated that this is self-inflicted so staff doesn't see the hardship.

Marc Jordan, Senior Planner, stated that where this is located, the applicant has the additional advantage as they have 1.5. They can also have signage on the building.

Commissioner Shull stated that he would be encouraged to go along with the recommendation of Commissioner Tom Langford and see a continuance rather than a denial to see if this can be worked out.

Mr. Groneaur stated that the applicant would be willing to do that.

Commissioner Tom Langford MOVED and Commissioner Anita Wood SECONDED to CONTINUE VN-12-00 to the September 13, 2000 Planning Commission Meeting.

The motion was APPROVED by UNANIMOUS vote.

**The item is CONTINUED to 9/13/00.**

**18) UN-64-00 (2165) VILLAGE SHOP (Public Hearing)**

An application submitted by Slots Unlimited, Inc. on behalf of CHMR Enterprises, L.L.C., property owner, for a use permit in an M-2 General Industrial District to allow a propane tank at an existing convenience store. The property is located at 3815 E. Craig Road. The Assessor's Parcel Number is 140-06-210-035.

The elevations indicate the propane tank would be placed in a vertical position. The proposed propane tank would be 3' in diameter and 11'-6" in height. Staff recommends that the proposed propane tank be placed in a horizontal position in order to minimize visibility from public streets. The landscaped area to the west of the proposed propane tank would serve as screening from Pecos Road.

The subject site and the surrounding areas are zoned M-2 General Industrial.

The Development Services Department recommends that UN-64-00 be approved subject to the following conditions.

1. Standard conditions number 4, 8, 10, 11 and 12.
2. That the propane tank be placed in a horizontal position in order to minimize visibility from public streets.

The application was presented by Mary Aldava, Associate Planner, on behalf of staff who indicated staff is recommending this tank be placed in a horizontal position to minimize visibility from the streets.

Commissioner Nelson Stone asked if the Fire Department was okay with this application to which Deputy Chief Jim Stubler replied that the location meets the uniform fire code.

Commissioner Tom Langford stated that it sits to the rear of the property but looks like it is going to be set right next to the stanchion for the sign.

Tony Berlino, On Time Construction, 7832 Blue Eagle Way, stated that he is the contractor who will be completing the project. They are applying for a 455 gallon tank as opposed to a 250 gallon horizontal tank so they will have a greater supply on the premises.

Commissioner Anita Wood asked how many gallons the tank would hold if it were vertical to which the applicant responded 455.

Commissioner Anita Wood stated that all the backup information indicates a 288 gallon tank to which the applicant responded that they moved the tank back so they could have a vertical tank. They are hoping a vertical tank would be approved since they moved it off the road.

Commissioner Harry Shull asked the applicant if he were requesting a 455 gallon vertical tank.

Deputy Chief Stubler indicated that it meets fire code and he prefers it at this location rather than at the corner where traffic could take it out.

Commissioner Shull stated that staff is recommending approval but with a smaller tank and asked the applicant if he could live with that to which the applicant responded that he could.

Commissioner Anita Wood MOVED and Commissioner Dean Leavitt SECONDED to APPROVE UN-64-00 per staff recommendations, affirming Condition #2.

The motion was APPROVED by UNANIMOUS vote.

**19) AMP-14-00 (2153) CITY OF NORTH LAS VEGAS (Public Hearing)**

An application submitted by The City of North Las Vegas for an Amendment to the Comprehensive Plan, land use element, to change the current designation of Light Industrial to Office. The property is generally located at the southeast corner of Allen Lane and Lake Mead Boulevard. The Assessor's Parcel Numbers are 139-20-202-001 through 139-20-202-011 and 139-20-202-013.

**Office:**

The office designation is meant to provide an area where low-rise office development can occur. A limited amount of supporting commercial uses may also be included in the office development, such as: copying services, mailing services, restaurants without drive through's small stationary stores, gift shops, and pharmacies (with medical office complexes). The supporting commercial uses may be constructed as pad development adjacent to streets.

The Comprehensive Plan guidelines for Office state:

Office development should occur adjacent to 100 foot rights-of-way or greater.

*The area proposed as office is located along Lake Mead Boulevard a 100 foot right- of- way, Allen Lane and Coran Lane are 60 foot right- of- ways.*

Office areas should be no smaller than two and one-half acres.

*The majority of individual parcels are greater than two acres.*

No office building greater than one-story in height should be permitted within 100 feet of existing or planned single-family residential areas. Building over two stories should not be permitted.

*This criteria would be met with the submittal and approval of the building elevations with the building permit.*

The remaining guidelines address 24 hour or late night uses, bars and taverns, shared architectural themes, and development prior to substantial construction of the main building.

*These criteria would be met with the submittal of the building permit or if the building is greater than 3,000 square feet with approval of a special use permit.*

Light industrial development should be located only in areas where they will not have a significant impact on the environment or create nuisances to nearby properties. This area does not meet this criteria given the proximity of the existing residential neighborhoods and individual homes at this location. For this area the recommendation is for office uses.

The Development Services Department recommends approval of AMP-14-00 changing the Comprehensive Plan from Light Industrial to Office for the properties shown on the location and zoning map.

The Development Services Department recommends approval of ZN-22-00 on the subject property from

R-E Ranch Estates to C-P Professional Office for the properties shown on the location and zoning map.

Prior to the Planning Commission Meeting of August 23, 2000, staff requested that this application be CONTINUED indefinitely

Commissioner Tom Langford MOVED and Commissioner Anita Wood SECONDED to CONTINUE AMP-14-00 indefinitely per staff recommendation.

The motion was APPROVED by UNANIMOUS vote.

**The item is CONTINUED INDEFINITELY.**

**20) ZN-22-00 (2243) CITY OF NORTH LAS VEGAS (Public Hearing)**

An application submitted by The City of North Las Vegas, for reclassification of property from an R-E Ranch Estates District to a Professional Office Commercial District. The property is generally located at the southeast corner of Allen Lane and Lake Mead Boulevard. The Assessor's Parcel Numbers are 139-20-202-001 through 139-20-202-011 and 139-20-202-013.

**Office:**

The office designation is meant to provide an area where low-rise office development can occur. A limited amount of supporting commercial uses may also be included in the office development, such as: copying services, mailing services, restaurants without drive through's small stationary stores, gift shops, and pharmacies (with medical office complexes). The supporting commercial uses may be constructed as pad development adjacent to streets.

The Comprehensive Plan guidelines for Office state:

Office development should occur adjacent to 100 foot rights-of-way or greater.

*The area proposed as office is located along Lake Mead Boulevard a 100 foot right- of- way, Allen Lane and Coran Lane are 60 foot right- of- ways.*

Office areas should be no smaller than two and one-half acres.

*The majority of individual parcels are greater than two acres.*

No office building greater than one-story in height should be permitted within 100 feet of existing or planned single-family residential areas. Building over two stories should not be permitted.

*This criteria would be met with the submittal and approval of the building elevations with the building permit.*

The remaining guidelines address 24 hour or late night uses, bars and taverns, shared architectural themes, and development prior to substantial construction of the main building.

*These criteria would be met with the submittal of the building permit or if the building is greater than 3,000 square feet with approval of a special use permit.*

Light industrial development should be located only in areas where they will not have a significant impact on the environment or create nuisances to nearby properties. This area does not meet this criteria given the proximity of the existing residential neighborhoods and individual homes at this location. For this area the recommendation is for office uses.

The Development Services Department recommends approval of AMP-14-00 changing the Comprehensive Plan from Light Industrial to Office for the properties shown on the location and zoning map.

The Development Services Department recommends approval of ZN-22-00 on the subject property from

R-E Ranch Estates to C-P Professional Office for the properties shown on the location and zoning map.

Prior to the Planning Commission Meeting of August 23, 2000, staff requested that the application be CONTINUED indefinitely.

Commissioner Tom Langford MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE ZN-22-00 indefinitely per staff recommendations.

The motion was APPROVED by UNANIMOUS vote.

**The item is CONTINUED INDEFINITELY.**

## **21) SPR-26-00 (2139) LAS VEGAS CO-GENERATION FACILITY**

An application submitted by Las Vegas Cogeneration, L.P., on behalf of RTP Environmental Associates, Inc., property owner, for a site plan review in an M-2 General Industrial District to allow an expansion of the Las Vegas Cogeneration Facility. The property is located at 1701 E. Alexander Road. The Assessor's Parcel Number is 139-11-501-001.

According to the industrial design standards, areas at least 20 feet in width from back of curb to perimeter walls (which may include sidewalks) shall be maintained adjacent to all streets. According to the site plan, perimeter landscaping next to Alexander Road and Bruce Street would not meet this requirement, however, the applicant has indicated in a separate letter that they would comply with the landscaping requirements next to Bruce Street. However, the applicant, in a phone conversation indicated that it would be difficult to provide 20 feet of landscaping between the proposed wall and the existing drainage channel for the expansion area next to Alexander Road. A proposed landscaping scheme was presented to staff which shows five (5) feet of landscaping between the proposed wall and the existing drainage channel with three (3) foot diameter planter areas incorporated into the channel. The Public Works Department has indicated that these planter areas would not be allowed in the channel as they could disrupt water flows. Because the drainage channel is unique to the subject site, staff would not object to waiving the industrial design standards to allow five (5) feet of landscaping between the proposed block wall and the drainage channel.

The Zoning Ordinance does not allow the emission of noise to exceed 65 db measured at the property line. The applicant has indicated that this requirement would be met.

The Zoning Ordinance allows towers where the manufacturing process requires a greater height to be exempt from the building height requirement provided such towers are at least 25 feet from all lot lines and

shall not occupy more than 25 percent of the lot area. The 100-foot high stacks would be located approximately 60 feet and 70 feet from Bruce Street and Alexander Road, respectively.

The Development Services Department recommends SPR-26-00 be approved subject to the following conditions:

1. Standard conditions number: 4, 6, 7, 8, 10, 11, 27 and 29.
2. A minimum 20 feet of landscaping shall be provided next to Bruce Street.
3. A minimum 5 feet of landscaping shall be provided between the proposed block wall and the drainage channel for the expansion area only.
4. The 14-foot high block wall shall match the existing block wall in materials and color.
5. The 100-foot high stacks shall be painted to match the existing stack and equipment.
6. Easements for commercial driveways and Reduced Pressure Principal Assembly (RPPA) valves is required prior to issuance of a building permit.
7. There is an existing flood channel on the site. The right-of-way for the channel must be dedicated prior to issuance of building permits.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated the applicant is proposing a wall around this facility and requesting a waiver of the landscaping requirements. The applicant will put in the 20 feet of landscaping next to Bruce but wants to put in five (5) feet of landscaping next to the drainage channel on Alexander.

Ed Clark, 1701 E. Alexander Rd., North Las Vegas, NV, appeared on behalf of the applicant and agreed with staff's recommendations indicating that the applicant will comply with the recommendations. The applicant indicated that this project is significantly different than those located out at Apex. He explained that cogeneration is a meeting of heat and energy. They capture waste heat and use it to maintain temperatures in a greenhouse. Years ago the government passed legislation to help the effort for effective energy use.

Commissioner Anita Wood asked whether or not, with the expansion and with a significant upgrade, they are looking at reducing pollutants that go into the atmosphere.

Mr. Clark stated that they would like to generate more electricity for sale but would also like more economy of sale. As far as pollutants go, the Clark County Health District is very rigorous.

Commissioner Wood asked if there are tomatoes in the greenhouse to which Mr. Clark responded that they are wholesaled out.

Commissioner Tom Langford asked if it were possible, once this is completed, to take a walk through the plant to which Mr. Clark responded that the greenhouse operation is as interesting as the plant.

Chairman Nelson Stone stated that even though this is not a Public Hearing item, he would allow Joe Hart to speak:

- ▶ Joseph Hart, AICP, Nellis AFB, NV

Mr. Hart stated that if there is a smoke stack and it exceeds 100 feet in height, they would request lighting. He also asked what heat would be emanated from the stack.

Steve Baxter, Planning Manager, stated that the height of the chimney is exempt from the requirements.

Mr. Jordan stated that there is already a 100-foot chimney there.

Mr. Hart asked if there was obstruction lighting in place already to which the applicant responded that they are concerned also, but have filed a notification with the FAA and they have responded to that. The applicant is not in any of their clear zones. There will be a total of five (5) stacks at 1000 feet. The heat as it leaves will be around 300 degrees Fahrenheit.

Commissioner Tom Langford MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE SPR-26-00 per staff recommendations.

The motion was APPROVED by UNANIMOUS vote.

## **22) SPR-27-00 (2166) GOLDEN TRIANGLE BUSINESS PARK**

An application submitted by Operating Engineers, Inc. for a site plan review in an M-2 General Industrial District for Building L in the Golden Triangle Industrial Park. The property is generally located at the southeast corner of Lone Mountain Road and Statz Avenue. The Assessor's Parcel Number is 139-01-511-002.

The submitted elevation drawings identify concrete tilt-up panels for most of the building. The concrete tilt-up panels identify seams, reveals and other architectural embellishments. The office, or main entrance, areas would have glass storefront systems with roof line delineations. The proposed color scheme would further accent the structural features. Due to the nature of the proposed building, roll-up doors are proposed on all four sides of the building. The east-facing roll-up doors would allow for direct loading and unloading onto trains.

Although not included with this report, elevation drawings were provided for a screen wall, presumably to be located such that it would screen the view of the loading bays which would otherwise be visible from public rights-of-way. (A condition is listed which would allow the specific location to be reviewed and approved by staff during the building permit application process.) The elevation drawings identify a concrete tilt-up wall with reveals and mullions painted to match the building. The applicant is proposing chain-link fence sections interspersed between the tilt-up panels (similar to the design of the parcel to the north.) This type of screening material is not permitted under the Industrial Design Guidelines; therefore, it is recommended that all of the proposed chain-link sections be replaced with wrought iron or concrete tilt-up panels. The applicant has verbally agreed to this change.

There are 181 parking spaces identified on this site plan. The office areas require a total of 30 parking spaces and the warehouse area requires 244 parking spaces, for a total of 274. Although the proposed development lacks 93 parking spaces, the applicant has agreed to provide a reciprocal parking agreement

with the proposal to the south (SPR-28-00), which has 80 more parking spaces than are required for that building. That agreement is required to be reviewed and approved by the Property Management Division and the Traffic Division. Although the outcome of that review will be presented to the Planning Commission during the briefing, the concern has been addressed with a condition, as listed below.

The Development Services Department recommends approval of SPR-27-00 subject to the following conditions:

1. That Standard Conditions 2, 4, 6, 8, 11, 15, 22, 27 and 29 apply; and
2. That a traffic study update be required; and
3. That the developer abide by all the conditions of the previously approved traffic study for the Golden Triangle Industrial Park; and
4. That the driveway number and location be subject to review and approval by the CNLV Traffic Engineer; and
5. That easements be required for commercial driveways; and
6. That no parking, backing or maneuvering be permitted on public streets; and
  
7. That additional off-street parking stalls be provided (through site plan revision, reciprocal parking agreement, or other means acceptable to the City) prior to building permit application. This proposal must be in conformance with Section 17.24.140 of the Zoning Ordinance. Any changes to the site plan shall be reviewed and approved by the Planning Division and Traffic Division prior to building permit application; and
8. That no storage of transport containers be permitted on site without further consideration by the Planning Commission; and
9. That concrete tilt-up wall sections be provided to screen all loading bays from public rights-of-way. The tilt-up sections shall be designed to match the building in colors, materials and design, subject to review and approval by the Planning Division during the building permit application process; and
10. That the landscape and irrigation plan be reviewed and approved by the Department of Parks & Recreation prior to the issuance of a certificate of occupancy; and
11. That the development of this site be in conformance with all Codes and Ordinances in effect at the time that building plans are submitted. Where there is a conflict with the conditions stated herein, the more restrictive shall apply.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated the applicant has submitted a revised plan showing the required parking.

Jim Basham, 4200 Latham Street #300, Riverside, CA, appeared on behalf of the applicant and concurred

with staff's conditions.

Commissioner Laura Perkins MOVED and Commissioner Dean Leavitt SECONDED to APPROVE SPR-27-00 per staff recommendations.

The motion was APPROVED by UNANIMOUS vote.

### **23) SPR-28-00 (2167) GOLDEN TRIANGLE INDUSTRIAL PARK**

An application submitted by Operating Engineers, Inc. for a site plan review in an M-2 General Industrial District for Building M in the Golden Triangle Industrial Park. The property is generally located at the southeast corner of Lone Mountain Road and Statz Avenue. The Assessor's Parcel Number is 139-01-511-002.

The submitted elevation drawings identify concrete tilt-up panels for most of the building. The concrete tilt-up panels identify seams, reveals and other architectural embellishments. The office, or main entrance, areas would have glass storefront systems with roof line delineations. The proposed color scheme would further accent the structural features. Due to the nature of the proposed building, roll-up doors are proposed on all four sides of the building. The east-facing roll-up doors would allow for direct loading and unloading onto trains.

Although not included with this report, elevation drawings were provided for a screen wall, presumably to be located such that it would screen the view of the loading bays which would otherwise be visible from public rights-of-way. (A condition is listed which would allow the specific location to be reviewed and approved by staff during the building permit application process.) The elevation drawings identify a concrete tilt-up wall with reveals and mullions painted to match the building. The applicant is proposing chain-link fence sections interspersed between the tilt-up panels (similar to the design of the parcel to the north.) This type of screening material is not permitted under the Industrial Design Guidelines; therefore, it is recommended that all of the proposed chain-link sections be replaced with wrought iron or concrete tilt-up panels. The applicant has verbally agreed to eliminate the chain-link sections.

There are 327 parking spaces identified on this site plan. The office areas require a total of 57 parking spaces and the warehouse area requires 190 parking spaces, for a total of 247. The proposed development provides 80 more parking spaces than are required by Ordinance. However, because the adjacent site to the northeast (SPR-27-00) is short of their required parking spaces, this proposal may

designate its excess for that site via a reciprocal parking agreement. The terms of that agreement will be subject to review and approval by all applicable City departments prior to grading plan approval. Some minor revisions will be necessary to provide required landscape islands within the parking areas, but this concern will be enforced during the building permit application process.

The Development Services Department recommends approval of SPR-28-00 subject to the following conditions:

3. That Standard Conditions 2, 4, 6, 8, 11, 15, 22, 27 and 29 apply; and
4. That a traffic study update be required; and
5. That the developer abide by all the conditions of the previously approved traffic study for the Golden Triangle Industrial Park; and
6. That the driveway number and location be subject to review and approval by the CNLV Traffic Engineer; and
7. That easements be required for commercial driveways; and
8. That no parking, backing or maneuvering be permitted on public streets; and
  
9. That no storage of transport containers be permitted on site without further consideration by the Planning Commission; and
10. That concrete tilt-up wall sections be provided to screen all loading bays from public rights-of-way. The tilt-up sections shall be designed to match the building in colors, materials and design, subject to review and approval by the Planning Division during the building permit application process; and
11. That the landscape and irrigation plan be reviewed and approved by the Department of Parks & Recreation prior to the issuance of a certificate of occupancy; and
12. That the development of this site be in conformance with all Codes and Ordinances in effect at the time that building plans are submitted. Where there is a conflict with the conditions stated herein, the more restrictive shall apply.

The application was presented on behalf of staff by Marc Jordan, Senior Planner, who indicated that this will be constructed of concrete tilt-up.

Jim Basham, 4200 Latham #300, Riverside, CA, appeared on behalf of the applicant and concurred with staff's recommendations.

Commissioner Tom Langford MOVED and Commissioner Anita Wood SECONDED to APPROVE SPR-28-00 per staff recommendations.

The motion was APPROVED by UNANIMOUS vote.

#### **24) SPR-29-00 (2169) GOLDEN TRIANGLE INDUSTRIAL PARK**

An application submitted by Operating Engineers, Inc. for a site plan review in an M-2 General Industrial District for a Petsmart in the Golden Triangle Industrial Park. The property is generally located at the southeast corner of Lone Mountain Road and Statz Avenue. The Assessor's Parcel Number is 139-01-511-001.

The submitted elevation drawings identify concrete tilt-up panels for most of the building. The concrete tilt-up panels identify seams, reveals and other architectural embellishments. The office, or main entrance, areas would have glass storefront systems with roof line delineations. The proposed color scheme would further accent the structural features. Due to the nature of the proposed building, roll-up doors are proposed on two sides of the building (north and south.)

Although not included with this report, elevation drawings were provided for a screen wall, presumably to be located such that it would screen the view of the loading bays which would otherwise be visible from public rights-of-way. (A condition is listed which would allow the specific location to be reviewed and approved by staff during the building permit application process.) The elevation drawings identify a concrete tilt-up wall with reveals and mullions painted to match the building. The applicant is proposing chain-link fence sections interspersed between the tilt-up panels (similar to the design of the parcel to the north.) This type of screening material is not permitted under the Industrial Design Guidelines; therefore, it is recommended that all of the proposed chain-link sections be replaced with wrought iron or concrete tilt-up panels. The applicant has verbally agreed to eliminate the chain-link sections.

The office areas require a total of 12 parking spaces and the warehouse area requires 294 parking spaces, for a total of 306. The proposed development provides a total of 344 parking spaces.

The Development Services Department recommends that SPR-29-00 be approved and subject to the following conditions:

1. That Standard Conditions 2, 4, 6, 8, 11, 15, 22, 27 and 29 apply; and
  2. That a traffic study update be required; and
  3. That the developer abide by all the conditions of the previously approved traffic study for the Golden Triangle Industrial Park; and
  4. That the driveway number and location be subject to review and approval by the CNLV Traffic Engineer; and
  5. That easements be required for commercial driveways; and
  6. That no parking, backing or maneuvering be permitted on public streets; and
  7. That concrete tilt-up wall sections be provided to screen all loading bays from public rights-of-way. The tilt-up sections shall be designed to match the building in colors, materials and design, subject to review and approval by the Planning Division during the building permit application process; and
  8. That the landscape and irrigation plan be reviewed and approved by the Department of Parks & Recreation prior to the issuance of a certificate of occupancy; and
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9. That the development of this site be in conformance with all Codes and Ordinances in effect at the time that building plans are submitted. Where there is a conflict with the conditions stated herein, the more restrictive shall apply.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated that this design would be similar to the one in the previous application.

Jim Basham, 4200 Latham, #300, Riverside, CA, appeared on behalf of the applicant and concurred with staff's recommendations.

Commissioner Anita Wood asked what they are looking at as far as time for construction goes to which the applicant responded immediately.

Commissioner Nelson Stone stated that the site plan designates this as a Petsmart to which the applicant responded that this is a warehouse for them, a distribution center.

Commissioner Anita Wood MOVED and Commissioner Dean Leavitt SECONDED to APPROVE SPR-29-00 per staff recommendations.

The motion was APPROVED by UNANIMOUS vote.

## **OLD BUSINESS**

### **25) SPR-23-00 (2095) POWERMAX**

An application submitted by The Facility Group on behalf of E.A. Collins Development Corporation, et. al., property owner, for a site plan review in an M-2 General Industrial District to allow a 658,000 square foot distribution warehouse. The property is generally located at the southwest corner of Alexander Road and Bay Lake Trail. The Assessor's Parcel Numbers are 139-12-511-001 through 139-12-511-058, 139-12-601-002 and 139-12-501-006.

In addition to the site plan review, the applicant is also requesting Planning Commission approval to waive the following design requirements:

3. Section D7.a requires plain concrete drainage channels which do not incorporate bicycle and pedestrian paths or maintenance roads must be buffered by a minimum 15 foot landscaped area on each side of the channel.

Bicycle and pedestrian paths or maintenance roads are not proposed for the drainage channel. The majority of the drainage channel is located east of property that is currently zoned as R-3 Multi Family Residential, but has a land use designation of Industrial on the Comprehensive Plan. A portion of the drainage channel is east of some existing single family residences which front Belmont Street. As stated, the landscaping is intended to serve as a buffer. Should this requirement be waived, the residences fronting Belmont Street would have no buffering except a concrete drainage channel and a block wall from the industrial development. In addition, the property south of the subject site and east of Belmont Street is currently zoned as M-2 General Industrial. If landscaping were waived for this development, a precedent waiving landscaping could be set for the future industrial development. Plans for the drainage channel have already been drawn. The plans call for a rectangular shaped, concrete lined channel next to the right-of-way. The design guidelines call for landscaping on both sides of the channel. Since landscaping

may not be possible between the right-of-way and the channel, there is nothing that would prevent landscaping from being provided on the east side of the drainage channel. Therefore, staff recommends that 15 feet of landscaping be provided between the drainage channel and the block wall on the east side of the drainage channel.

4. Section E2 requires a 3.5 foot high berm or decorative wall to screen parking lots which abut a public street.

The applicant is proposing 20 feet of landscaping next to Alexander Road and approximately 85 feet of landscaping for the portion of the parking lot next to Belmont Street. The 3.5 foot high berm or decorative wall would serve to help screen the parking lot from view and to screen the headlights of automobiles onto rights-of-way. According to the applicant, when constructed, the parking lot would be approximately five feet lower than the sidewalk. If a berm or wall were required, its intended purpose to screen parking lots and headlights would not be provided. Therefore, staff would not object to waiving this requirement.

5. Section E4 requires a six foot wide landscaped island for every 15 parking spaces contained in a row. This waiver request is only for the truck parking areas.

The proposed truck loading and parking area would either be screened by a block wall or additional landscaping next to Bay Lake Trail. Therefore, staff would not object to waiving this requirement for only the truck parking areas.

In accordance with the Zoning Ordinance, a waiver of a requirement of the Industrial Development Design Standards may be granted by the Planning Commission upon written request of the applicant, provided that the Commission finds the following:

1. That upon granting of the waiver as requested, the proposed project will substantially meet the intent of these guidelines.
2. That the granting of such request will not detrimentally affect the public health, safety or general welfare.
3. That there are special circumstances or conditions applicable to the property referred to in the application which do not prevail on other property within the area.
4. That the granting of such application will not detrimentally affect the health or safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements of the neighborhood.

When reviewing an application for a waiver, the following evidence or criteria may not be considered by the Planning Commission when establishing the merits of a waiver request.

1. The financial situation of the applicant or costs of land, infrastructure, site or building improvements, or general development.
2. Any circumstances created knowingly or unknowingly by the current or previous owner(s) of the property.

The building elevations that have been submitted indicate a box-like building, approximately 38 feet in height with a sloped roof. The proposed building would also be constructed using textured insulated metal

panels that give a stucco appearance. With the exception of the office portion of the building which faces Alexander Road, the remaining elevations of the building do not appear to provide any type of relief, such as reveals, pilasters, pop outs, changes in colors, etc. as required by the industrial design guidelines. The applicant would be required to comply with these standards when building permits are sought.

The Development Services Department recommends SPR-23-00 be approved subject to the following conditions:

1. Standard conditions number: 2, 3, 4, 5, 6, 8, 10, 11, 15, 26, 27, 29 and 31.
2. A minimum 15 feet of landscaping shall be provided on the east side of the drainage channel between the drainage channel and the block wall.
3. The applicant shall comply with the industrial design standards, with the exception that a 3.5 berm or wall to screen parking lots from rights-of-way and landscaped islands within the truck parking areas are not required.
4. The channel improvements and all adjacent streets for the entire site must be constructed with this phase of development. This includes all required half street improvements for Belmont Street from Alexander Road to Gowan Road, Alexander Road from Belmont Street to Bay Lake Drive, and Gowan Road from Belmont Street to Bay Lake Trail. The channel improvements must be constructed from the point where the channel enters the project along Belmont Street to East Gowan Road on the south.
5. The site is adjacent to a Clark County Regional Flood Control District Master Plan Facility and requires CCRFCD concurrence with the technical drainage study.
6. A letter of Map Revision must be applied for through the Federal Emergency Management Agency prior to the issuance of certificates of occupancy.
7. The offset on the southern driveway on Bay Lake Trail must be eliminated. It must line up with Kier Street east of the site.
8. The Belmont Street driveway will not be allowed.
9. A second access to Alexander Road is required.
10. The developer must abide by the conditions of the approved traffic study.
11. The owner must file a merger and resubdivision map combining all the impacted parcels into either one or two parcels.
12. All existing water and sewer lines must be abandoned in accordance with the requirements of the City Maintenance Operations Division.
13. Landscape, public utility and blanket easements must be vacated as recorded in document number PB 84-39.

14. Right-of-way for Belmont Street (30 feet) must be dedicated.
15. Easements for commercial driveways and RPPA's are required.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated that this application is for a 658,000 square foot distribution warehouse. This property was given permanent zoning not to long ago.

The applicant is asking for three (3) waivers. Staff is supporting the waiver for the berm as this liste is lower than the elevation. Staff is also supporting eliminating the landscape islands in the parking lot by truck parking area. However, staff is asking that the applicant provide the landscaping by the drainage channel.

Kristy Swallow, P.E., Poggemeyer Design Group, 2601 N. Tenaya, Las Vegas, NV appeared on behalf of the applicant.

Commissioner Nelson Stone asked how Public Works felt about the landscaping. He asked if it was on top, wouldn't it have erosion potential?

Lenny Badger, Public Works, responded that he has seen no designs. There are other examples of channels that have landscaping just to the south of this, the cogeneration plant, and he has no problems with it.

Mr. Jordan stated that the site plan with the staff report is different than the revised ones they now have. Staff is agreeable to the new site plan.

Commissioner Anita Wood asked if Belmont is intended to go through to which Charity Fechter, Transportation Services, responded that it is.

Commissioner Harry Shull asked if, in reference to the berm, staff is recommending elimination of the berm. He asked if the applicant would be amenable to putting in trees. A 24-inch box tree on center for screening purposes.

Steve Baxter, Planning Manager, stated that he thought that was a good idea.

Ms. Swallow stated that she had a few points of clarification. They have worked this out with staff and staff agreed to delete Condition #4 and Condition #8.

Commissioner Anita Wood asked if the applicant was amenable to Condition #2 to which the applicant responded that she was.

Commissioner Laura Perkins asked if the applicant were agreeable to the additional landscaping to which she responded that she was.

Commissioner Harry Shull MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE SPR-23-00 per staff's recommendations and the following changes:

**Condition # 3 Changed to Read: " The applicant shall comply with the industrial design standards, with the exception that in place of the berm, the applicant is required to provide**

**15-gallon trees between the required 24" box trees next to Alexander Road."**

**Condition #4: Deleted**

**Condition #8: Deleted**

**Condition #11 Changed to Read: "The owner must file a reversionary map combining all the impacted parcels into either one or two parcels."**

The motion carried by UNANIMOUS vote.

#### **PUBLIC FORUM**

This is the portion of the meeting devoted to the public. After completing and submitting a blue card, the public is invited to come forward upon recognition by the Chairman and speak upon any topic. Usually items received under this heading are referred to the appropriate City staff for action at a later date.

**No members of the public came forward.**

**DIRECTOR'S BUSINESS:**

Steve Baxter, Planning Manager, reminded the Commissioners of the Workshop to be held Wednesday, August 30, 2000 at 5:30 p.m.

**CHAIRMAN BUSINESS:**

Commissioner Marilyn Kirkpatrick stated that she spoke with Dusty Dickens from the School District and he is planning on coming to the Workshop because North Las Vegas wants to work with them.

**ADJOURNMENT:**

9:00 p.m.

A motion to ADJOURN the August 9, 2000 meeting of the Planning Commission of the City of North Las Vegas was made by Commissioner Nelson Stone. Commissioner Anita Wood SECONDED the motion.

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Nelson Stone, Chairman

**ATTEST:**

