

# 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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**October 25, 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:**

Steve Baxter, Planning Manager  
Marc Jordan, Senior Planner  
Bob Hoyes, Associate Planner  
Lenny Badger, Public Works  
Charity Fechter, Transportation Services  
Jim Stubler, Fire Department  
Jim Lewis, Deputy City Attorney  
Ted Karant, Recording Secretary

**PLEDGE OF ALLEGIANCE:**

Commissioner Tom Langford

**ANNOUNCEMENTS:**

Verification of compliance with NRS 241, Open Meeting Law.

Recording Secretary Karant 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 October 11, 2000.

Commissioner Anita Wood MOVED and Commissioner Dean Leavitt SECONDED to APPROVE the minutes of the October 11, 2000 Planning Commission Meeting.

The motion carried by UNANIMOUS vote.

## **CONSENT AGENDA**

### **1) PW-128-00 (3099) CRAIG LAMB INDUSTRIAL PARK #2**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify The Insko Dico Group to release the Subdivision Bond in the amount of \$60,462.71.

### **2) PW-129-00 (3100) CRAIG LAMB INDUSTRIAL PARK #1**

Accept the of-site improvements for maintenance and advise the Director of Public Works to notify The Insko Dico Group to release the Subdivision Bond in the amount of \$19,450.20.

### **3) PW-130-00 (3101) RITE AID-LAKE MEAD & LAS VEGAS BLVD**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify the Fidelity and Deposit Company of Maryland to release the Off-Site Improvements Bond in the amount of \$38,988.29.

### **4) PW-131-00 (3102) PIPER'S GLEN UNIT 2, PHASE 3**

Accept the of-site improvements for5 maintenance and advise the Director of Public Works to notify Contractors Bonding and Insurance Company to release the Off-Site Improvements Bond in the amount of \$58,694.30.

### **5) PW-132-00 (3103) RANCHO DEL NORTE VILLAS LOT 3**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Insurance Company of the West to release the Off-Site Improvements Bond in the amount of \$61,867.36.

### **6) PW-133-00 (3104) SILVERWOOD RANCH 3**

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Celebrate Homes VII, LLC and accept the Subdivision Bond in the amount of \$328,541.02.

**7) PW-134-00 (3105) LAS PALMERA VI**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Safeco Insurance Company of America to release the Subdivision Bond in the amount of \$258,648.17.

**8) PW-135-00 (3106) CRAIG ROAD STREET IMPROVEMENTS**

Accept the Commercial Developments Off-Site Improvements Agreement by Graves Family Trust, Marr Family Trust, Timothy R. & Sherry Morse, and William R. Morse and accept the First Deed of Trust in the amount or \$17,823.14

Commissioner Tom Langford MOVED and Commissioner Dean Leavitt SECONDED to APPROVE Consent Agenda Items #1 through #5, and #7 & #8.

The motion carried by UNANIMOUS vote.

Commissioner Laura Perkins MOVED and Commissioner Anita Wood SECONDED to APPROVE Consent Agenda Item #6, with Commissioner Harry Shull ABSTAINING.

Motion carried by MAJORITY vote.

**Commissioner Harry Shull ABSTAINED.**

## **NEW BUSINESS**

### **9) AMP-22-00 (2511) CITY OF NORTH LAS VEGAS (Public Hearing)**

An application submitted by the City of North Las Vegas for an Amendment to the Master Plan of Streets & Highways to add Fuselier Drive from Craig Road north approximately 1,234 feet to the Gowan Channel as a sixty (60) foot right-of-way and add Amanda Avenue from Fuselier Drive east approximately 636 feet to Whitney Peak Way as a fifty-one (51) foot right-of-way. The Assessor's Parcel Numbers are 139-05-610-003, 139-05-610-004, 139-05-610-007 and 139-05-610-009.

#### **ANALYSIS:**

Three lots were created by a Parcel Map in 1978 north of Craig Road between Coleman Street and Simmons Street. The lots included right-of-way dedications of 30 feet on the north (Red Coach Avenue), west (Fuselier Drive) and south (Amanda Avenue). In the early 1990's, the Red Coach alignment was used for the Gowan Outfall Channel, effectively eliminating dedicated access to the street system for these three lots. To avoid loss of access, an amendment to the Master Plan of Streets and Highways is necessary. Please refer to the letter of intent submitted by the Public Works Department for a complete explanation and analysis of the proposed street amendments.

#### **RECOMMENDATION:**

The Development Services Department recommends that AMP-22-00 receive a favorable recommendation and forwarded to the City Council for final consideration.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff, who stated that staff is recommending approval of this item.

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

- Jim Orndoff, 2320 Paseo Del Prado #201-A, Las Vegas, Nevada 89102

Mr. Orndoff stated that the parcel numbers on the notice are incorrect. He further stated that he opposes this item.

Commissioner Anita Wood MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE INDEFINITELY AMP-22-00.

**The item is CONTINUED INDEFINITELY.**

The motion carried by UNANIMOUS vote.

**10) UN-81-00 (2549) GREAT BASIN TRUCKS OF NEVADA (Public Hearing)**

An application submitted by Great Basin Trucks of Nevada, Inc. on behalf of Ivan Cannon, property owner, for a use permit in an M-2 General Industrial District to allow a truck repair facility. The property is located at 3038 Losee Road. The Assessor's Parcel Number is 139-14-102-005.

**ANALYSIS:**

No expansions to the facility are proposed. Vehicle repairs would be conducted from 7:00 a.m. to 12:00 a.m. Monday through Friday and 7:00 a.m. to 5:00 p.m. on Saturday. All service bays are located to the rear of the property. It appears that all vehicles awaiting repair will be screened from view.

The proposed use, closely related to an "automobile repair facility" in the Zoning Ordinance, is permitted as a special use in M-2 zoning districts. The subject site and the surrounding areas are zoned M-2 General Industrial. The proposed use does not appear to present any conflicts with adjacent uses.

In accordance with the Zoning Ordinance, the Planning Commission may, by motion, grant a special use permit if the Planning Commission finds, from the evidence presented, that all of the following facts exist:

1. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or the community; and
2. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity; and
3. That the proposed use will comply with the regulations and conditions specified in this code for such use; and
4. That the granting of this special use permit will not adversely affect the master plan of the City.

**RECOMMENDATION:**

The Development Services Department recommends that UN-81-00 be approved subject to the following conditions.

1. Standard conditions number 4, 10, 11 and 12.
2. A traffic study by a Nevada registered engineer is required.
3. Subject to review for compliance with the 1997 UFC on detailed civil plans.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff, who indicated staff is recommending approval of this item subject to three conditions.

Pat Green, 3038 Losee Road, North Las Vegas, Nevada, appeared on behalf of applicant who stated she concurs with staff's recommendations.

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

Commissioner Harry Shull MOVED and Commissioner Laura Perkins SECONDED to APPROVE UN-81-00 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**11) UN-82-00 (2555) APCO EQUIPMENT (Public Hearing)**

An application submitted by Asphalt Products Corporation dba Apco Equipment on behalf of Las Vegas Paving Corporation, property owner, for a use permit in an M-2 General Industrial District to allow an automobile service facility (construction equipment). The property is generally located at the northeast corner of North 5<sup>th</sup> Street and Colton Avenue. The Assessor's Parcel Number is 139-11-301-002.

**ANALYSIS:**

According to Title 17, outdoor vehicular display, which can include heavy equipment is not allowed to exceed 40 percent of the total lot area and that storage yards must be screened with a minimum eight foot high opaque wall. The site plan shows that a combination block wall and wrought iron fence, approximately six feet in height is proposed to face North 5<sup>th</sup> Street and Colton Avenue. The area behind this fence is proposed as a large equipment storage area. In addition, the interior property lines show that a six-foot high CMU wall is proposed as screening from the adjacent properties. Staff recommends that a minimum eight foot high solid wall be required around all areas proposed as storage and that no more than 40 percent of the total lot area be used as display.

Primarily the building elevations submitted appear to comply with the industrial design guidelines. However, the rear portion of the building where repair bays are proposed, only include architectural features around the bay doors on the west elevation. Staff recommends, that reveals similar to those used around the front of the building be incorporated into the rear portion of the building and that the repair bays on the north and east elevations include architectural features similar to those used for the repair bays on the west elevation. This would bring the building into compliance with the industrial design guidelines which require the same level of detail to be provided on all sides of the building.

**RECOMMENDATION:**

The Development Services Department recommends UN-82-00 be approved subject to the following conditions:

1. Standard conditions number: 2, 3, 4, 6, 7, 8, 10, 11, 12, 15, 26, 27 and 29.
2. The applicant shall comply with the industrial design standards including but not limited to the following:
  - a. Reveals similar to those used around the front of the building shall be incorporated into the rear portion of the building and that the repair bays on the north and east elevations shall include architectural features similar to those used for the repair bays on the west elevation.
  - b. Perimeter walls and fences shall be constructed using the acceptable wall materials which can include, but are not limited to, stone, decorative block, slump stone, exposed aggregate or textured finish concrete, smooth finish concrete and wrought iron.
3. No more than 40 percent of the total lot area shall be used for display of equipment or merchandise.
4. A minimum eight foot high solid masonry wall shall be required to screen all areas intended as storage.

5. A traffic study by a Nevada registered engineer is required.
6. The Master Plan of Streets and Highways shows North 5<sup>th</sup> Street as a 100-foot right-of-way street.
7. The developer will be required to provide fiber optic conduit on North 5<sup>th</sup> Street.
8. The eastern driveway on North 5<sup>th</sup> Street must be at least 200 feet from the intersection and be a minimum of 32 feet wide.
9. The southern driveway on Colton Avenue must be at least 150 feet from the intersection and have a minimum width of 32 feet and meet Uniform Standard Drawing number 222A.
10. Easements are required for driveways and backflow preventers.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff, who stated that staff is recommending approval subject to conditions, with two changes to the conditions.

Golden Welch, of Las Vegas Paving, 4420 S. Decatur Boulevard, Las Vegas, Nevada 89103 appeared on behalf of applicant. Mr. Welch stated that when the plan for this project was initially submitted, it was showing the majority of the yard as storage area and staff recommended that the storage area be screened with eight (8) foot high block fences, when the area is not going to be storage area, but display area for sales and leasing of equipment and repairs. He requests that they be allowed to build a wrought iron fence instead. He further stated that he requests, in condition # 4, that they be allowed a six (6) foot wall instead of eight (8) feet as is currently stated in condition #4.

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

Commissioner Anita Wood asked the applicant if the display the applicant referred to will be a nice display rather than used equipment that is dirty and not pleasant to the sight.

The applicant stated that the display will be nice and clean as the display area will be for sales and leasing.

Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to APPROVE UN-82-00 with the following changes:

**Condition #3: Deleted**

**Condition #4 Changed to Read: "A minimum six (6) foot high solid masonry wall shall be required to screen all areas intended as storage, except on the north side where a wrought iron fence will be permitted."**

**Condition #8 Changed to Read: "the southern driveway on North 5<sup>th</sup> Street must be at least 200 feet from the intersection and be a minimum of 32 feet wide."**

**Condition #9 Changed to Read: "the northern driveway on Colton Avenue must be at least 150 feet from the intersection and have a minimum width of 32 feet and meet Uniform Standard Drawing number 222A."**

The motion carried by UNANIMOUS vote.

**12) UN-83-00 (2550) PENNZOIL CAR WASH (Public Hearing)**

An application submitted by Jung Won, property owner, for a use permit in an M-2 General Industrial District to allow an automobile washing establishment (drive-through) The property is located at 2308 E. Craig Road. The Assessor's Parcel Number is 139-02-613-023.

**ANALYSIS:**

The site plan submitted indicates five (5) feet of landscaping would be provided along the east and north property lines. Only certain parking islands are shown to be landscaped, however, the Commercial Development Design Standards require a six (6) foot wide landscaped island at the end of each parking row. Fifteen (15) feet of landscaping along Craig Road was installed at the time the oil and lube center was constructed. A refuse collection area is proposed to the rear of the property.

The elevations show the building would consist of concrete masonry units with a scored split face block for accents and a copper color metal roof. Shades of tan are proposed for the building colors. The Commercial Development Design Standards state "standard concrete masonry units should not be used except as accents if deemed appropriate." Elevations for the canopies were not submitted, however, the canopies would be required to be finished in the same manner as the main structure.

Although the site in question is zoned M-2 General Industrial, the applicant is proposing a commercial use; therefore, the development would be required to comply with the Commercial Development Design Standards.

If the Planning Commission approves the special use for the development in question, there will be two approved use permits for two different car wash facilities. The site would have the potential to be developed with two car wash facilities. Therefore, staff recommends that if the car wash approved by UN-53-99 is constructed or is in the process of being constructed prior to this development, UN-83-00 will be considered null and void.

In accordance with the Zoning Ordinance, the Planning Commission may, by motion, grant a special use permit if the Planning Commission finds, from the evidence presented, that all of the following facts exist:

1. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or the community; and
2. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity; and
3. That the proposed use will comply with the regulations and conditions specified in this code for such use; and
4. That the granting of this special use permit will not adversely affect the master plan of the City.

**RECOMMENDATION:**

The Development Services Department recommends that UN-83-00 be approved subject to the following conditions.

1. Standard conditions number 4, 10, 11 and 12.
2. That if the car wash approved by UN-53-99 is constructed or is in the process of being constructed prior to this development, UN-83-00 will be considered null and void.
3. A traffic study update is required.
4. The applicant shall comply with the Commercial Development Design Standards including but not limited to the following:
  - a. That six (6) foot wide landscaped islands shall be installed at the ends of every parking row.
  - b. Stone, stucco, colored or exposed aggregate or textured finish concrete, decorative block and brick are the preferred materials for building exteriors. Unplastered exposed standard concrete and standard concrete masonry units should not be used except as accents if deemed appropriate.
  - c. The canopies shall take on the character of the main building, using the same colors, materials and style.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff, who stated staff is recommending approval subject to conditions. He stated that there is already a use permit approved for this site for a drive-through car wash only. This current application is for a full service car wash with multiple uses. Regarding Condition #2, since there is another use permit approved for this, if the other car wash is built according to that use permit, then this use permit would be considered null and void.

Barry Greene, 5777 Claire O'lane, Las Vegas, Nevada 89120 appeared on behalf of applicant and stated that he concurs with staff's recommendations.

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

Commissioner Anita Wood asked the applicant if he is aware of the status of the other use permit.

The applicant responded that the contract has been canceled and will not be built.

Commissioner Tom Langford MOVED and Commissioner Anita Wood SECONDED to APPROVE UN-83-00 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**13) ZN-16-98 (1727) (Revised) SPEEDWAY TRUCK STOP & CASINO (Public Hearing)**

An application submitted by Bob Failing on behalf of Rudy Clark, property owner, for an amendment to the Resolution of Intent (#2035) in a PUD Planned Unit Development District to allow increased signage. The property is located at 6595 N. Hollywood. The Assessor's Parcel Number is 123-22-701-008.

Chairman Nelson Stone abstained from this item.

Vice-Chairman Tom Langford stated that Item #13 has been CONTINUED INDEFINITELY.

Commissioner Anita Wood MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE ZN-16-98 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED INDEFINITELY.**

**14) AMP-23-00 (2554) CRAIG 20 (Public Hearing)**

An application submitted by the Auerbach Loving Trust, et. al., property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of VLDR Very Low Density Residential to Office. The property is generally located west of Coleman Street approximately 300 feet south of Craig Road. The Assessor's Parcel Numbers are 139-05-702-004 and 139-05-702-005.

**ANALYSIS:**

**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 developments should occur adjacent to 100-foot rights-of-way or greater.

The subject site is adjacent to two rights-of-way. Coleman Street is proposed as a 60-foot right-of-way on the Master Plan of Streets and Highways, and Fuselier Drive is proposed as a 60-foot right-of-way.

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

The subject site is approximately 7.5 acres in size.

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

The property to the south is presently zoned R-E Ranch Estates and is also shown as Very Low Density Residential on the Comprehensive Plan. According to the proposed site plan submitted with the site plan review (SPR-38-00) application, all of the buildings are proposed as single story with the exception that a two-story office building is proposed within 100 feet of the south property line.

24-hour or late night uses should not be permitted.

At this time, uses are not considered. However, if approved, any use proposed within the office complex would be subject to the Comprehensive Plan and those uses allowed within the specific zoning district approved for this site.

Bars and taverns should not be permitted within an office development.

In conjunction with the proposed Comprehensive Plan amendment, the applicant is requesting that the subject site be rezoned to the C-P Professional Office Commercial District. Bars and taverns are not listed as either principally permitted or as a special use in the C-P Professional Office Commercial District.

Office complexes should have shared architectural themes and color schemes.

According to the site plan review application, the applicant has submitted elevations which show shared architectural themes for each building.

The development of street side building pads should generally not occur prior to substantial construction of the main office buildings.

The proposed site plan shows seven office buildings, one retail building and one future pad development. A main building does not appear to be proposed nor was any type of phasing indicated.

The area under consideration for an amendment to the Comprehensive Plan land use element does not comply with all of the guidelines. In addition, the area under consideration is within the area designated as the R-E Ranch Estates Preservation Area.

Nevada Revised Statutes (NRS 278.261) requires the City Council to take actions as necessary and appropriate to ensure the rural character of each rural preservation neighborhood is preserved. On May 20, 1998, the City Council approved a resolution (#2016) which declared the intent to maintain the Ranch Estates Preservation Area in its existing state. The subject site under consideration for an amendment to the Comprehensive Plan is within the R-E Ranch Estates Preservation Area.

The applicant has also filed a request (ZN-33-00) to rezone the subject site located at the southwest corner of Craig Road and Coleman Street to the C-1 Neighborhood Commercial District. According to the applicant's letter of intent, the proposed requests (AMP-23-00 and ZN-32-00) are to provide a transitional congruency between the proposed C-1 Neighborhood Commercial and the existing R-E Ranch Estates to the south. However, it is possible that the applicant could develop the subject site next to Craig Road with commercial uses and still buffer the existing R-E Ranch Estates District from those uses and not require the amendment to the Comprehensive Plan or rezoning of the subject site to serve as a buffer from the proposed C-1 Neighborhood Commercial District.

Therefore, staff's recommendation for the amendment to the Comprehensive Plan land use element and rezoning for the subject site that is located within the R-E Ranch Estates Preservation Area, is for denial.

**RECOMMENDATION:**

The Development Services Department recommends that AMP-23-00 be denied as the subject site does not comply with the guidelines established in the Comprehensive Plan and the area is within the R-E Ranch Estates Preservation Area.

The Development Services Department recommends that ZN-32-00 be denied as the rezoning is not justified by a changed or changing condition since the adoption of the Comprehensive Plan in June of 1999.

Commissioner Tom Langford MOVED and Commissioner Anita Wood SECONDED to WITHDRAW AMP-23-00 per the applicant's request.

**The application is WITHDRAWN.**

The motion carried by UNANIMOUS vote.

**15) ZN-32-00 (2551) CRAIG 20 Public Hearing)**

An application submitted by Auerbach Loving Trust, et. al., property owner, for reclassification of property from an R-E Ranch Estates District to a C-P Professional Office Commercial District. The property is generally located west of Coleman Street approximately 300 feet south of Craig Road. The Assessor's Parcel Numbers are 139-05-702-004 and 139-05-702-005.

**ANALYSIS:**

**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 developments should occur adjacent to 100-foot rights-of-way or greater.

The subject site is adjacent to two rights-of-way. Coleman Street is proposed as a 60-foot right-of-way on the Master Plan of Streets and Highways, and Fuselier Drive is proposed as a 60-foot right-of-way.

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

The subject site is approximately 7.5 acres in size.

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

The property to the south is presently zoned R-E Ranch Estates and is also shown as Very Low Density Residential on the Comprehensive Plan. According to the proposed site plan submitted with the site plan review (SPR-38-00) application, all of the buildings are proposed as single story with the exception that a two-story office building is proposed within 100 feet of the south property line.

24-hour or late night uses should not be permitted.

At this time, uses are not considered. However, if approved, any use proposed within the office complex would be subject to the Comprehensive Plan and those uses allowed within the specific zoning district approved for this site.

Bars and taverns should not be permitted within an office development.

In conjunction with the proposed Comprehensive Plan amendment, the applicant is requesting that the subject site be rezoned to the C-P Professional Office Commercial District. Bars and taverns are not listed as either principally permitted or as a special use in the C-P Professional Office Commercial District.

Office complexes should have shared architectural themes and color schemes.

According to the site plan review application, the applicant has submitted elevations which show shared architectural themes for each building.

The development of street side building pads should generally not occur prior to substantial construction of the main office buildings.

The proposed site plan shows seven office buildings, one retail building and one future pad development. A main building does not appear to be proposed nor was any type of phasing indicated.

The area under consideration for an amendment to the Comprehensive Plan land use element does not comply with all of the guidelines. In addition, the area under consideration is within the area designated as the R-E Ranch Estates Preservation Area.

Nevada Revised Statutes (NRS 278.261) requires the City Council to take actions as necessary and appropriate to ensure the rural character of each rural preservation neighborhood is preserved. On May 20, 1998, the City Council approved a resolution (#2016) which declared the intent to maintain the Ranch Estates Preservation Area in its existing state. The subject site under consideration for an amendment to the Comprehensive Plan is within the R-E Ranch Estates Preservation Area.

The applicant has also filed a request (ZN-33-00) to rezone the subject site located at the southwest corner of Craig Road and Coleman Street to the C-1 Neighborhood Commercial District. According to the applicant's letter of intent, the proposed requests (AMP-23-00 and ZN-32-00) are to provide a transitional congruency between the proposed C-1 Neighborhood Commercial and the existing R-E Ranch Estates to the south. However, it is possible that the applicant could develop the subject site next to Craig Road with commercial uses and still buffer the existing R-E Ranch Estates District from those uses and not require the amendment to the Comprehensive Plan or rezoning of the subject site to serve as a buffer from the proposed C-1 Neighborhood Commercial District.

Therefore, staff's recommendation for the amendment to the Comprehensive Plan land use element and rezoning for the subject site that is located within the R-E Ranch Estates Preservation Area, is for denial.

**RECOMMENDATION:**

The Development Services Department recommends that AMP-23-00 be denied as the subject site does not comply with the guidelines established in the Comprehensive Plan and the area is within the R-E Ranch Estates Preservation Area.

The Development Services Department recommends that ZN-32-00 be denied as the rezoning is not justified by a changed or changing condition since the adoption of the Comprehensive Plan in June of 1999.

Commissioner Tom Langford MOVED and Commissioner Anita Wood SECONDED to WITHDRAW ZN-32-00 per the applicant's request.

**The application is WITHDRAWN.**

The motion carried by UNANIMOUS vote.

**16) ZN-33-00 (2566) CRAIG 20 (Public Hearing)**

An application submitted by Auerbach Loving Trust, et. al., property owner, for reclassification of property from an R-E Ranch Estates District to a C-1 Neighborhood Commercial District. The property is generally located at the southwest corner of Coleman Street and Craig Road. The Assessor's Parcel Number is 139-05-702-004.

**ANALYSIS:**

The property to the west is presently zoned as R-E Ranch Estates. There are two applications (AMP-20-00 and ZN-28-00) on file to change the land use designation to Community Commercial and the zoning classification to C-2 General Commercial. Staff recommended that instead of C-2 General Commercial, that C-1 Neighborhood Commercial should be approved for the two parcels next to Craig Road only. Staff however, did not support the amendments to the Comprehensive Plan and zoning map for the parcel south of the two parcels next to Craig Road.

In conjunction with this application, a separate request for a site plan review (SPR-38-00) is also on this agenda. The site plan review is for the subject site and the property to the south. However, staff has recommended denial of the site plan review as it encompasses the property to the south in which staff also has recommended denial for the two applications discussed above (AMP-23-00 and ZN-32-00).

However, the proposed rezoning request being considered at this time does not have to be tied to a site plan review. Therefore, when development of the site is proposed, it would be subject to the Commercial Design Standards.

The subject site is not located within the R-E Ranch Estates Preservation Area and is supported for commercial development according to the Comprehensive Plan.

**RECOMMENDATION:**

The Development Services Department recommends that ZN-33-00 be approved for permanent zoning to the C-1 Neighborhood Commercial District and be forwarded to City Council for final consideration.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who stated that staff is recommending approval of this item.

James Veltman, of Veltman Planning and Design Group, 7250 Peak Drive, Suite 110, Las Vegas, Nevada 89128, appeared on behalf of applicant.

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

Commissioner Anita Wood asked the applicant of his intended plans.

The applicant indicated that he was considering a bank building on the corner. There were differences of opinion on the other areas, which is why the other applications were withdrawn.

Commissioner Harry Shull MOVED and Commissioner Tom Langford SECONDED to APPROVE ZN-33-00 per staff's recommendations.

**(Items #14 AMP-23-00, #15 ZN-32-00, #17 SPR-38-00, and #28 ZN-28-00 were discussed together)**

The motion carried by UNANIMOUS vote.

**17) SPR-38-00 (2552) CRAIG 20**

An application submitted by Auerbach Loving Trust, et. al., property owner for a site plan review in an R-E Ranch Estates District (pending zone change to C-1 Neighborhood Commercial and C-P Professional Office Commercial) to allow a retail complex and office buildings. The property is generally located at the southwest corner of Coleman Street and Craig Road. The Assessor's Parcel Number is 139-05-702-004.

**ANALYSIS:**

The commercial design guidelines require buildings within commercial areas to be oriented toward the street corner and street fronts. The proposed site plan shows instead that drive aisles and parking would be located behind the landscaped area adjacent to all streets.

In addition, building placement on sites must include interconnected walkways between buildings and those of the adjacent development to provide for the safe and efficient movement of pedestrians. The site plan shows that shared access for drive aisles on the subject site as well as for the site to the west would be provided. However, with the exception of the six single story office buildings, the site plan does not show interconnected walkways to the proposed two story office building, the retail building or the proposed commercial development to the west. (It should be noted that staff has recommended denial of the Comprehensive Plan amendment [AMP-20-00] and the rezoning [ZN-28-00] requests for the parcel to the west.)

The proposed site plan also shows that approximately 15 feet of landscaping would be provided for a portion of the subject site next to Craig Road and that approximately 10 feet of landscaping would be provided next to Fuselier Drive and the southern property line. The commercial design guidelines require a minimum 20 feet of landscaping for any area of a parking lot which abuts a public street and a minimum 20-foot landscaped buffer between the proposed commercial and residential property.

Likewise, the site plan does not indicate if landscaping is proposed next to the two story office building or the retail building. The commercial design guidelines require that a minimum six feet of landscaping be provided next to the buildings.

According to the site plan and building elevations, a two-story building, approximately 36 feet and eight inches in height is proposed within 100 feet of the southern property line. The commercial design guidelines require some type of mitigation to occur to help minimize the potential adverse impacts when commercial buildings are proposed next to a residential district, which may include reducing the building's height. In addition, the Comprehensive Plan, land use designation of "Office" recommends that no building within 100 feet of residential areas exceed one story in height.

Three separate applications have been submitted to change the zoning (ZN-33-00) for the parcel at the southwest corner of Craig Road and Coleman Street to the C-1 Neighborhood Commercial District, to amend the Comprehensive Plan from Very Low Density Residential to Office (AMP-23-00) and to rezone the remaining portion of the subject site to the C-P Professional Office Commercial District (ZN-32-00).

Staff is supporting the application (ZN-33-00) to rezone the portion of the subject site located adjacent to Craig Road, as the Comprehensive Plan supports commercial development in this area. However, because the remaining portion of the subject site is located within the R-E Ranch Estates Preservation Area and there is no compelling reason to amend the Comprehensive Plan to the Office designation, staff is not supporting applications AMP-23-00 and ZN-32-00 for the remaining portion of the subject site.

Therefore, staff's recommendation for the site plan review is denial. If however, the Planning Commission finds that approval of the amendment to the Comprehensive Plan (AMP-23-00) and approval of the rezoning (ZN-32-00) requests are warranted, then staff would recommend an indefinite continuance to allow the applicant time to submit a revised site plan that complies with the commercial design guidelines and the items addressed in the analysis section.

In addition, the Public Works Department has submitted a memorandum requesting that this item be continued to allow the applicant time to submit a complete application. Please refer to the Public Works memorandum for more information.

Likewise, the Fire Department has also submitted a memorandum indicating that sufficient detail has not been submitted for a proper review.

**RECOMMENDATION:**

The Development Services Department recommends that SPR-38-00 be denied as staff is not supporting the amendment to the Comprehensive Plan (AMP-23-00) or the rezoning (ZN-32-00) requests for the subject site and therefore, commercial development would not be allowed for approximately 7.5 acres of the subject site and the northerly 2.5 acres would then require redesigning.

If however, the Planning Commission did determine that approval of the amendment to the Comprehensive Plan (AMP-23-00) and the rezoning (ZN-32-00) requests were warranted, then staff recommends that SPR-38-00 be continued indefinitely to allow the applicant time to submit a completed, revised site plan that complies with the commercial design guidelines and the items addressed in the analysis section of this report

Commissioner Tom Langford MOVED and Commissioner Anita Wood SECONDED to WITHDRAW SPR-38-00 per the applicant's request.

**The application is WITHDRAWN.**

The motion carried by UNANIMOUS vote.

**18) ZN-13-98 (1856) GLENEAGLES (Public Hearing)**

An application submitted by Wexford Homes, property owner, for a review of a revised site plan in a PUD Planned Unit Development District to exclude the channel area as open space and eliminate two lots (ROI #2029). The property is generally located at the southwest corner of Alexander Road and Commerce Street. The Assessor's Parcel Numbers are 139-10-101-014 through 139-10-101-016, 139-10-113-001 through 139-10-113-006, 139-10-113-009 through 139-10-113-001, 139-10-114-001, 139-10-114-002, 139-10-115-001 through 139-10-115-056, 139-10-213-001 through 139-10-213-008, 139-10-212-001 through 139-10-212-072 and 139-10-212-081 through 139-10-212-100.

**ANALYSIS:**

Since this site is zoned PUD, the conditions of approval are contained in the attached Resolution of Intent #2029. Any deviations from the approved preliminary development plan (ie. site plan) or the conditions in the ROI require Planning Commission and City Council review and approval.

Based on the previously approved standard for open space (7% of the southern 39.75 acres), a minimum of 2.78 acres are required. The amended preliminary development plan identifies 2.89 total acres for open space.

This report will focus on the amendment to the PUD and the other items on this agenda (T-855 and FDP-10-00) will specifically address other relevant issues. Based on the information presented by the applicant, the Development Services Department does not object to the proposed amendment.

**RECOMMENDATION:**

The Development Services Department recommends that the Planning Commission provide a favorable recommendation to the City Council for the amended preliminary development plan for ZN-13-98.

The application was presented by Bob Hoyes, Associate Planner, on behalf of staff.

Ron Jackson, Southwest Engineering, 3610 S. Rancho Drive, Las Vegas, Nevada, 89107, appeared on behalf of applicant, who stated he concurs with staff's recommendations.

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

Commissioner Dean Leavitt MOVED and Commissioner Harry Shull SECONDED to APPROVE ZN-13-98 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**19) T-855 (2547) GLENEAGLES (REVISED T-777)**

An application submitted by Wexford Homes, property owner, for a tentative map review in a PUD Planned Unit Development District. The property is generally located at the southwest corner of Alexander Road and Commerce Street. The Assessor's Parcel Numbers are 139-10-101-014 through 139-10-101-016, 139-10-113-001 through 139-10-113-006, 139-10-113-009 through 139-10-113-001, 139-10-114-001, 139-10-114-002, 139-10-115-001 through 139-10-115-056, 139-10-213-001 through 139-10-213-008, 139-10-212-001 through 139-10-212-072 and 139-10-212-081 through 139-10-212-100.

**ANALYSIS:**

The proposed tentative map is consistent with the existing (and proposed) zoning for this site. Due to engineering constraints of incorporating the drainage channel as usable open space, the tentative map has been revised. With this application, the applicant is proposing a total of 2.89 total acres for open space, where a minimum 2.78 acres are required.

All of the lots within the northern section would still have minimum lot sizes of 6,000 square feet. With the exception of the eight lots approved to be less than 4,500 square feet, all of the single-family lots within the southern section will be developed in accordance with the R-CL development standards. These facts will remain effective with the proposed new tentative map.

Instead of the previously approved 126 single-family lots (6,000-square-foot minimum lot size) for the northern section, this map proposes 124. The drainage channel had contained approximately 1.75 acres of open space. By eliminating that area and adding the two lots, the subdivision now identifies 2.89 acres of open space. The design specifics pertaining to the open space are addressed in the Staff Report for FDP-10-00, which is on this Planning Commission agenda.

The significant issues for the Planning Commission to consider with this application:

- d. Whether or not the proposed acreage is in compliance with the zoning requirements for this development; and
- b. Whether or not the proposed locations of the open space are appropriate.

**RECOMMENDATION:**

The Development Services Department recommends approval of T-855 subject to the following conditions:

1. That this approval be subject to all applicable conditions of T-777 and Resolution of Intent #2029 (ZN-13-98); and
2. That the developer continue the bicycle route on Alexander Road, instead of providing a bicycle path through the Gleneagles subdivision; and
3. That the six-foot perimeter landscaping areas adjacent to Commerce Street and Alexander Road be identified as "Common Lots", not easements.

The application was presented by Bob Hoyes, Associate Planner, on behalf of staff.

Ron Jackson, Southwest Engineering, 3610 S. Rancho Drive, Las Vegas, Nevada, 89107, appeared on behalf of applicant, who stated he concurs with staff's recommendations.

Commissioner Anita Wood indicated concern regarding adequate open space evenly distributed. She indicated that she would like to see more open space south of the channel.

Commissioner Laura Perkins stated that she agrees with Commissioner Wood.

Commissioner Tom Langford asked the applicant if he would like some extra time for further consideration.

The applicant agreed that a two week continuance would be best.

Commissioner Tom Langford MOVED and Commissioner Anita Wood SECONDED to CONTINUE T-855 for two weeks per staff's recommendations.

**The item was CONTINUED TO 11/08/00**

The motion carried by UNANIMOUS vote.

**20) FDP-10-00 (2291) GLENEAGLES**

An application submitted by Wexford Homes, property owner, for a Final Development Plan for a park in a PUD Planned Unit Development District. The property is generally located at the southwest corner of Alexander Road and Commerce Street. The Assessor's Parcel Numbers are 139-10-101-014, 139-10-101-015, 139-10-201-009, 139-10-201-010.

**This item was discussed with #19, T-855.**

Chairman Nelson Stone indicated that this item should be continued since it is related to item #19, T-855.

Commissioner Anita Wood MOVED and Commissioner Tom Langford SECONDED to CONTINUE FDP-10-00 to 11/08/00 per staff's recommendations.

**The item was CONTINUED TO 11/08/00**

The motion carried by UNANIMOUS vote.

**21) T-854 (2497) GOWAN/REVERE LLC INDUSTRIAL PARK**

An application submitted by Alpha Engineering on behalf of Gowan/Revere, LLC, property owner, for a tentative map review in an M-2 General Industrial District. The property is generally located at the southeast corner of Gowan Road and Revere Street. The Assessor's parcel number is 139-10-302-002.

**ANALYSIS:**

The applicant is complying with the requirements for a commercial subdivision in the State of Nevada. The development is required to comply with all codes and ordinances in effect at the time development plans are submitted.

**RECOMMENDATION:**

The Development Services Department recommends approval of T-851 with the following conditions:

1. Standard conditions 1, 2, 3, 7, 11, 15, 26, 27, and 29 must be met.
2. This site is impacted by a Special Flood Hazard Area (SFHA) Zone "A". For those structures within the SFHA, building permits will not be issued prior to receipt of a Conditional Letter of Map Revision from the Federal Emergency Management Agency (FEMA). Certificates of Occupancy will not be issued prior to submittal of a request for a Letter of Map Revision from FEMA.
3. The storm sewer system at the Gowan Road / Revere Street intersection must be extended through the property's Gowan Road frontage.
4. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required.
5. A bike route must be provided on Revere Street.
6. Right-of-way for a bus turn out must be provided on Gowan Road east of Revere Street.
7. A parcel or reversionary map combining the parcels 139-10-302-001 and 139-10-302-004 is required.
8. That the applicant comply with all applicable provisions of the North Las Vegas Fire Code as adopted by the City of North Las Vegas. Acceptance of the tentative map that is contrary to ordinance requirements is not implied.

Chairman Nelson Stone indicated that the applicant was not present.

Commissioner Tom Langford MOVED to have this item continued.

Marc Jordan, Senior Planner, on behalf of staff, indicated that if the applicant is not in agreement to a continuance, the tentative map is automatically deemed approved. He further stated that he recommends approval since staff's recommendation is for approval and there is nothing significant to warrant a continuance.

Commissioner Harry Shull MOVED and Commissioner Tom Langford SECONDED to APPROVE T-854 with the following changes:

**Condition #7 Changed to Read: "A merger and resubdivision map combining the parcels 139-10-302-001 and 139-10-302-004 is required."**

The motion carried by UNANIMOUS vote.

**22) VAC-17-00 (2556) GOWAN/REVERE INDUSTRIAL PARK (Public Hearing)**

An application submitted by Alpha Engineering on behalf of Gowan/Revere, L.L.C., property owner, for a vacation of the easterly 10 feet o the Revere Street right-of-way between Gowan Road and Colton Avenue. The Assessor's Parcel Numbers are 139-10-302-004 and 139-10-302-001.

**ANALYSIS:**

According to the Master Plan of Streets and Highways, Revere Street is shown as an 80-foot right-of-way. Currently, the half street portion of Revere Street between Gowan Road and Colton Street, abutting the applicant's property is 50 feet in width. This portion of Revere Street was dedicated in 1995 which included the extra 10 feet of right-of-way. The area proposed to be vacated is no longer needed. Therefore, staff has no objection to the proposed request.

**RECOMMENDATION:**

The Development Services Department recommends that VAC-17-00 be approved and that this item be forwarded to City Council for final consideration.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff, who indicated staff is recommending approval of this item.

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

Chairman Stone indicated that the applicant was not present.

Commissioner Laura Perkins MOVED and Commissioner Dean Leavitt SECONDED to APPROVE VAC-17-00 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**23) FWD-11-00 (2527) IMAGINATION NORTH**

An application submitted by American Communities, property owner, for fence wall deviations in an R-1 Single-Family Residential District to allow multiple perimeter wall heights where 8 feet is the maximum height allowed. The property is generally located at the southwest corner of Ranch House Road and Simmons Street. The Assessor's Parcel Numbers are 124-29-210-001, 124-29-210-040, 124-29-210-068, 124-29-210-069, 124-29-210-070, 124-29-210-071 and 124-290-210-072.

**ANALYSIS:**

The site plan identifies several lots within this subdivision which would have wall heights exceeding eight (8) feet. The proposed total wall heights would range from 8 feet to 11 feet.

The portions subject to Planning Commission consideration are as follows:

- between Ranch House Road and Lots 40 and 68
- between Simmons Street and Lots 1 and 68 through 72
- between Extravagant Avenue and Lot 72

There is approximately a two-foot grade difference in elevation on the specific lots identified on the site plan, therefore, staff recommends that the screen wall not exceed a nominal 6 feet in height from the finished grade of the property enclosed by the wall.

The applicant has submitted a written letter stating that he owns all of the other impacted lots where height deviations are requested for proposed wall heights that would range from 8 feet to 14 feet. This is a standard procedure required to be satisfied prior to the issuance of the necessary building permit(s).

A perimeter wall design has been submitted, however, perimeter wall designs are not reviewed by the Planning Commission at this time. The applicant would be required to comply with the tentative map conditions of approval for the perimeter wall design.

According to the Zoning Ordinance, the Planning Commission must find that the wall height deviation is necessary to protect, buffer, or improve the property for which the wall is intended and will not detrimentally affect adjacent properties.

**RECOMMENDATION:**

The Development Services Department recommends that FWD-11-00 be approved subject to the following conditions.

1. Standard conditions number 4 and 11.
2. That this approval be only for the lots specified below and that the screen wall shall not exceed a nominal 6 feet in height from the finished grade of the property enclosed by the wall.
3. That this approval be for the following wall sections only:
  - between Ranch House Road and Lots 40 and 68
  - between Simmons Street and Lots 1 and 68 through 72
  - between Extravagant Avenue and Lot 72

4. That the walls be sealed by an approved method to prevent the leaching or transmission of sulfates or calcium deposits through the walls, as approved by the Building Department.
5. That sight distance visibility zones be maintained.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff, who stated staff is recommending approval of this item subject to conditions listed.

Stu Hitchen, 2260 Corporate Circle, Henderson, Nevada, appeared on behalf of applicant, who stated he concurs with all of staff's recommendations.

Commissioner Harry Shull MOVED and Commissioner Tom Langford SECONDED to APPROVE FWD-11-00 per staff's recommendations.

The motion carried by UNANIMOUS vote.

#### **24) FDP-12-00 (2532) BIGELOW AEROSPACE CAMPUS**

An application submitted by Bigelow Development Aerospace Division, LLC on behalf of US Mortgage Corporation, property owner, for a Final Development Plan review in an R-1 Single-Family Residential District (pending PUD Planned Unit Development District). The property is generally located at the southeast corner of Brooks Avenue and Clayton Street. The Assessor's Parcel Number is 139-16-201-001.

#### **ANALYSIS:**

In the letter of intent, the applicant explains, "It is our intent at Bigelow Aerospace to develop over time a campus type development . . . (and that) this location will be the hub of our aerospace operations." The subject site has two Comprehensive Plan land use designations. This was done intentionally because of the natural break in terrain. There is an escarpment running through this site, which basically bisects the parcel into a northern half and a southern half. The elevation difference between the northwest corner and the southeast corner of the parcel is approximately 55 feet, with the latter being the lower elevation.

This site is bordered on the south side by the Cibola Park subdivision and on the other three sides by public streets (west: Clayton Street; north: Brooks Avenue; east: Vista Street.) Although the Cibola Park subdivision map has been recorded, the subdivision has not been developed and the site is currently vacant. With the exception of the north half of Brooks Street, none of the other adjacent rights-of-way have improvements. This developer would be required to provide half-street improvements to all three abutting rights-of-way.

The proposed site plan identifies one driveway accessing onto Clayton Street, two driveways accessing onto Brooks Avenue, and one driveway accessing onto Vista Street. All driveway dimensions and locations will be subject to review and approval by the City's Traffic Engineer. Dedication and half-street improvements must be provided for the entire lengths of Clayton Street, Brooks Avenue and Vista Street. A temporary cul-de-sac must be provided at the southern end of Vista Street and shall be entirely on-site, unless the adjoining property owner(s) signs an agreement to have part of it on their property(s).

Twenty-five (25) feet of perimeter landscaping, including a 5-foot meandering sidewalk, is proposed adjacent to the Clayton Street right-of-way and twenty (20) feet, including the 5-foot meandering sidewalk, is proposed adjacent to the Brooks Avenue and Vista Street rights-of-way.

According to the letter of intent, the applicant is asking "permission to erect an 8-foot high chain link fence with barbed wire (at the top) around the full perimeter of the property." The intent is to provide security for the development and to prevent "illegal dumping" of garbage on the site. The applicant intends to "upgrade" the fence at a later time. However, because the future is uncertain and future expansions may never occur, the Development Services Department recommends that, if a perimeter security fence is desired, wrought-iron be utilized instead of chain-link.

The applicant has agreed to provide an 8-foot block wall along the southern boundary of this site. (The applicant is proposing to locate the perimeter security fence approximately ten [10] feet inside the wall with low-growth landscaping between the two and 24-inch box trees inside the security fence.) The Development Services Department recommends that, since the adjacent subdivision is not yet constructed, decorative blocks be incorporated into the design of the wall. The design of the wall would be subject to review and approval by the Planning Division at the time of building permit application.

The proposed site plan identifies a total of eight buildings - four within the northern half and four within the southern half of the site. The site's main office and visitors' center will be located within the northwest corner of the site. A paved access road is proposed to provide vehicular access to the southern (lower) half of the site, where the primary research and development (warehouse) building is proposed.

The proposed final development plan is for the first phase of this site's overall development. There are two buildings proposed with the initial phase of development.

The proposed 40,000-square-foot building would be constructed to an initial height of 50 feet, but is intended to be raised to 80 feet in the future. Since the location of the proposed building is within the lower (elevation) half of the site, the Development Services Department would not object to a maximum height of 80 feet - but only for that structure. It has been pointed out that the proposed warehouse should not be closer than 75 feet to the southern and eastern property lines and should not exceed 28 feet in height within 100 feet of the residentially-zoned boundaries. These are requirements outlined in the Zoning Ordinance (including the Industrial Design Guidelines) and the Comprehensive Plan, and it was recommended that these items not be compromised with the zone change request.

The exact number of required parking spaces is virtually impossible to determine without floor plans which indicate the square footage allotted for office and warehousing or manufacturing. Therefore, an estimate has been determined that not less than 407 parking spaces shall be provided - 40 for the warehousing building (1 per 1,000 square feet) plus 367 (1 per 300 square feet) for the office building (ie. visitors' center.) The applicant may want to consider parking spaces for busses when drafting the construction plans. Specific numbers shall be determined when the construction plans are submitted for each proposed building. Each phase of this development would be required to meet the minimum standards for numbers, dimensions, landscaping and locations, and as mentioned above, many of those issues would be addressed during the construction plans review process.

The Development Services Department has previously recommended, with the zone change request, that all of the proposed buildings be designed in accordance with the Industrial Design Guidelines, including but not limited to, concrete tilt-up, decorative block, roof line delineations, pop-outs, painting patterns and enhanced public entry ways. However, the 50-foot-high 40,000-square-foot warehouse building is proposed to be constructed with metal panels, buttresses, a molding element and Palo-Verde stone at each corner. One 40-foot-high by 60-foot-wide bi-fold door is proposed at each end (east and west) of the building. The concern of the Development Services Department is that this building is proposed (eventually) to be 80 feet in height and, if approved with metal panels, would be visually obtrusive from much of the surrounding area. The Development Services Department has recommended that metal buildings not be permitted within this PUD and that this building, as well as future buildings for this site, be constructed with concrete tilt-up panels, decorative CMU blocks, frame & stucco or other preferred materials, as outlined in the Industrial Design Guidelines.

The applicant has indicated that the building should be metal because it better enables them to expand at a later time. Concrete tilt-up panels can be pre-formed and the building can be engineered in such a way to enable future expansions, as well. Therefore, the Development Services Department has previously recommended and recommends, with this application, that the buildings be constructed using the preferred materials listed in the Industrial Design Guidelines.

The elevations submitted for the office building (visitors' center) do not indicate what the proposed materials would be where glass is not identified. Due to the nature of the proposed development, the Development Services Department has no objections to the extensive use of glass for the visitors' center, but does not support any materials other than those identified in the Industrial Design Guidelines for the remainder of the building.

Although not specifically identified on the site plan, some landscaping would be required adjacent to the buildings. Landscaping is required to be provided in accordance with all applicable sections of the Municipal Code.

**RECOMMENDATION:**

The Development Services Department recommends approval of FDP-12-00 subject to the following conditions:

1. That Standard Conditions 3, 6, 11, 15, 26, 27, 29 and 31 apply; and
2. That the City Council approve ZN-30-00. If ZN-30-00 is denied by the City Council, this request shall be considered null and void; and
3. That FDP-12-00 include only "Phase 1" of the Bigelow Aerospace Campus, which includes all required off-site improvements; all perimeter landscaping and irrigation systems; the visitors' center and main warehousing/manufacturing building; landscaping and irrigation systems within the parking lots serving and adjacent to the visitors' center and main warehousing/manufacturing building; applicable vehicular and pedestrian access ways; all applicable lighting; and other improvements, as required by the Department of Public Works; and
4. That all applicable conditions of ZN-30-00 apply to this phase of development; and
5. That the applicant obtain FAA Form 7460-1 (2-99) from the Planning Division office prior to application for building permits; and
6. That landscaping be provided in accordance with ordinance requirements, including adjacent to the buildings and within the parking lot areas; and
7. That a minimum 407 parking spaces be provided for this phase of development. A minimum 367 shall be provided for the office/visitors' center and a minimum 40 shall be provided for the warehousing/manufacturing building, unless otherwise deemed appropriate by the City's Traffic Engineer. Bus parking, loading and unloading areas should be provided in the immediate vicinity of the office / visitors' center; and
8. That the maximum allowable height of the main warehouse building, located within the southern portion of the property, be eighty (80) feet from finished grade; and
9. That the maximum allowable height of the main office / visitors' center, located within the northwest corner of the property, be fifty (50) feet from finished grade. Glass may be used as the primary fascia material, as identified in the submitted elevation drawings. All non-glass surfaces shall be designed in accordance with the Industrial Design Guidelines; and
10. That a CMU block wall be constructed along the southern property line. The wall shall be eight feet in height, measured from the outside finished grade, and shall incorporate decorative blocks. Gray smooth-face blocks shall not be permitted. The wall shall be constructed in conjunction with the first phase of development and shall receive a final inspection prior to the issuance of a certificate of occupancy. The design of the wall shall be subject to review and approval of the Planning Division; and

11. That the security perimeter fence along the southern property line be set back from the perimeter wall by a minimum ten (10) feet. The ten-foot area shall be planted with low-growing shrubs. In addition, a minimum ten (10) feet of landscaping shall be provided on the inside of the security fence. This area shall include 24-inch box trees (1-1/2" caliper measured 4'-0" above the top of the root ball) planted twenty (20) feet on-center; and
12. That a photometric lighting plan be submitted in conjunction with each building permit application, unless an overall lighting plan is approved with the first application. The photometric plan shall be in accordance with the Industrial Design Guidelines, including but not limited to, lighting standards not exceeding 20 feet in height; and
13. That no building be constructed closer than 75 feet from a residential zone boundary; and
14. That any building, or portion thereof, within 100 feet of a residential zone boundary not exceed 28 feet in height; and
15. That all perimeter landscaping be provided with the first phase of development; and
16. That temporary curbing, or other approved method, be provided throughout this site to prohibit vehicular traffic from driving and parking on unpaved surfaces; and
17. That because Vista Street is on the City of North Las Vegas Master Plan of Streets and Highways, half street improvements shall be designed and constructed from Brooks Street to Evans Avenue. Thirty feet of right-of-way must be dedicated for Vista Street from Brooks Avenue to Evans Avenue; and
18. That a temporary cul-de-sac be constructed at the south end of Vista Street where it intersects with the Evans Avenue alignment. The complete cul-de-sac shall be constructed entirely on-site, unless otherwise approved by the Department of Public Works; and
19. That because the North Las Vegas Master Plan shows a bike route on Clayton Street, street construction shall be completed accordingly; and
20. That the driveway number and location be subject to review and approval by the City Traffic Engineer; and
21. That fiber optic conduit be provided on the Clayton Street frontage; and
22. That a traffic study for the entire site by a Nevada registered engineer be provided; and
23. That because the Master Plan of Streets and Highways shows Brooks Street and Vista Street as 60-foot rights-of-way and Clayton Street as an 80-foot right-of-way, dedications shall be provided accordingly; and
24. That, unless otherwise approved by the Director of Public Works, all off-site improvements shall be provided with the first phase of development; and
25. That the submitted site plan and elevations be approved in concept only, whereby minor changes should be expected with the construction plans.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff, who indicated staff is recommending approval with conditions #13 through #24 be deleted, and condition #9 be amended.

Robert Bigelow, President of Bigelow Aerospace, 4640 S. Eastern Avenue, Las Vegas, Nevada, appeared on behalf of the applicant, and concurs with staff's recommendations.

Commissioner Laura Perkins MOVED and Commissioner Harry Shull SECONDED to APPROVE FDP-12-00 with the following change:

**Condition #9 Changed to Read: "That the maximum allowable height of the main office / visitors' center, located within the northwest corner of the property, be fifty-five (55) feet from finished grade. Glass may be used as the primary fascia material, as identified in the submitted elevation drawings. All non-glass surfaces shall be designed in accordance with the Industrial Design Guidelines; and**

The motion carried by UNANIMOUS vote.

**OLD BUSINESS**

**25) ZOA-13-00 (1952) CITY OF NORTH LAS VEGAS (Public Hearing)**

An ordinance amendment initiated by the City of North Las Vegas to Section 16.08.85 of Title 16 of the North Las Vegas Municipal Code by adding the definition of curvilinear streets and clarifying the language in Section 16.20.050 of Title 16 of the North Las Vegas Municipal Code relative to street curvature.

Steve Baxter, Planning Manager, stated that staff is requesting this item be continued into November, 2000 in order to receive additional information from the Department of Public Works before proceeding.

Chairman Nelson Stone opened the Public Hearing. No participants came forward. Chairman Stone stated that since this item will be continued, the Public Hearing shall remain open.

Commissioner Harry Shull MOVED and Commissioner Marilyn Kirkpatrick SECONDED to CONTINUE ZOA-13-00 per staff's recommendations.

**The item was CONTINUED INDEFINITELY.**

The motion carried by UNANIMOUS vote.

**26) UN-71-00 (2391) ELK'S LODGE (B.P.O.E. NO. 2353) (Public Hearing)**

An application submitted by the Benevolent Protective Order of Elk's, Lodge #2353, property owner, for a use permit in a C-2 General Commercial District to allow a recreational vehicle park. The property is located at 2939 Van Der Meer Street. The Assessor's Parcel Number is 139-13-601-001.

**ANALYSIS:**

The minimum size and development standards for the proposed recreational vehicle park are subject to Planning Commission review and approval.

The commercial design guidelines require a minimum 15 feet of landscaping adjacent to Van Der Meer Street, whereas Title 15 requires a minimum ten feet of landscaping adjacent to Van Der Meer Street. The applicant is proposing landscaping within the interior of the recreational vehicle park next to the block wall that would range from approximately 5 feet for the portion of the wall next to Van Der Meer Street to 10 or 15 feet for the areas of the wall adjacent to the residential or drainage channel, respectively. In an effort to develop a high quality, aesthetically pleasing recreational vehicle park from the inside as well as the outside, staff recommends that the existing slump stone block wall adjacent to Van Der Meer Street be removed and rebuilt to provide 10 feet of landscaping between the block wall and the right-of-way, and that a minimum five feet of landscaping be provided on the inside of the wall parallel to Van Der Meer Street and the portion of the wall that is between the proposed recreational vehicle park and the existing Elk's Lodge. The remaining areas next to block walls as shown on the site plan are sufficient.

The Public Works Department in the attached memorandum has indicated a concern with the existing driveway next to the existing block wall. Presently there is a sight visibility and safety concern at this location. Should the block wall be removed and ten feet of landscaping be provided, visibility at this area would improve. However, the permanent driveway locations would be subject to review and approval by the Traffic Engineer.

The Fire Department has indicated that the site plan, as presented does not comply with the 1997 Uniform Fire Code with amendments as adopted by Ordinance 1283. The applicant would need to redesign the subject site to comply with all Fire Department codes and ordinances.

The site plan shows that each recreation vehicle pad would be set back four feet from the lot line of each recreational vehicle space. Title 15 requires a minimum five-foot separation from the recreational vehicle pad and the lot line of the recreational vehicle space. This requirement would then be consistent with another Title 15 requirement which requires a minimum 10-foot separation between recreational vehicles. The primary intent of these requirements is safety. Therefore, staff recommends that each recreational vehicle pad be set back a minimum of five feet from the lot line of the recreational vehicle space.

The subject site is void of any landscaping next to Van Der Meer Street. In addition to the 10 feet of landscaping staff is recommending in front of the proposed recreational vehicle park, staff also recommends that a minimum 10 feet of landscaping be provided in front of the Elk's Lodge next to Van Der Meer Street.

The applicant is proposing to construct and laundry and restroom addition to the main Elk's Lodge. The area in which the addition would be built consists of a metal storage container. It should be noted that any addition to the building would be required to comply with the commercial design standards.

## RECOMMENDATION:

The Development Services Department recommends that UN-71-00 be continued to allow the applicant time to submit a revised site plan addressing the items in the analysis section.

If however, the Planning Commission were to determine that approval is warranted at this time, then staff recommends the following as conditions of approval and that this item be forwarded to the Redevelopment Agency for final consideration.

1. Standard conditions 1, 2, 7, 8, 10, 11, 12, 15, 27 and 29.
2. The site plan as submitted shall be revised and if needed, the number of recreational vehicle spaces reduced to provide for the following:
  - a. Ten feet of perimeter landscaping between the block wall and sidewalk adjacent to Van Der Meer Street.
  - b. Five feet of landscaping next to and on the interior of the block wall parallel to Van Der Meer Street and the portion of the wall between the recreational vehicle park and the Elk's Lodge.
  - c. Each recreational vehicle pad must maintain a five-foot setback from the lot line of each recreational vehicle space, so as to maintain a ten-foot separation for each recreational vehicle.
3. Landscaping for the recreational vehicle park shall consist of the following:
  - a. Evergreen or semi-deciduous trees, planted 25 feet on center shall be provided within the 10-foot landscaping area between the block wall and the right-of-way. The required trees shall be 24 inch box (1 ½ inch caliber measured at 4 ½ feet above the root ball).
  - b. Evergreen or semi-deciduous trees, planted 20 feet on center shall be provided adjacent to the north and west property lines. The required trees shall be 24 inch box (1 ½ inch caliber measured at 4 ½ feet above the root ball).
  - c. Each recreational vehicle space shall contain one evergreen or semi-deciduous tree. The required trees shall be 24 inch box (1 ½ inch caliber measured at 4 ½ feet above the root ball).
  - d. Each recreational vehicle space shall be landscaped with plant materials to provide a minimum ground coverage of 60% at maturity (not including trees).
  - e. All other areas not devoted for driveways or recreational vehicle pads shall be landscaped with plant materials to provide a minimum ground coverage of 60% at maturity (not including trees).
4. A six foot high decorative wall consisting of split face, fluted or slump stone block is required between the right-of-way and between the recreational vehicle park and the Elk's Lodge.
5. The applicant shall provide 10 feet of landscaping next to Van Der Meer Street in front of the Elk's Lodge. Evergreen or semi-deciduous trees, planted 25 feet on center shall be provided within the 10-foot landscaping area. The required trees shall be 24 inch box (1 ½ inch caliber measured at 4 ½ feet above the root ball). In addition to the trees, a minimum ground coverage of 60% at maturity (not including trees) shall be provided within the 10-foot landscaping area.

6. The laundry and restrooms facilities shall comply with the commercial design guidelines.
7. The site is adjacent to a Clark County Regional Flood Control Facility. The Drainage Study must be approved by the Clark County Regional Flood Control District and the City of North Las Vegas.
8. Relocate the westernmost driveway away from the wall to eliminate a blind corner.
9. The applicant shall comply with all Fire Department codes and ordinances.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff, who stated that staff is recommending this item be continued.

Kyle Kacy, 4613 Gonzalez Drive, Las Vegas, Nevada, appeared on behalf of applicant.

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

Commissioner Anita Wood asked staff if this use permit was for commercial use.

Marc Jordan stated that the property is zoned C-2, General Commercial.

Commissioner Wood asked Mr. Jordan how much landscaping is generally required next to a street such as Van Der Meer.

Marc Jordan replied that 20 feet is required.

Commissioner Wood then asked Marc Jordan to confirm this item is being considered for 10 feet.

Marc Jordan confirmed that this item is being considered at 10 feet, instead of 20.

Commissioner Harry Shull MOVED and Commissioner Laura Perkins SECONDED to APPROVE UN-71-00 per staff's recommendations.

**The motion to APPROVE failed.**

Chairman Nelson Stone called for another motion.

Commissioner Anita Wood MOVED and Commissioner Tom Langford SECONDED to CONTINUE UN-71-00.

Marc Jordan stated that the applicant must agree to a continuance as there is a State Statute which has a sixty-five (65) day time limit in which use permits need to be heard.

The applicant stated that if the Commission was going to condition him with the 10 foot landscaping, he would rather have it voted on at this time.

Commissioner Kirkpatrick asked Chairman Stone to confirm that the applicant is willing to meet all conditions set forth by staff.

The applicant replied that is correct.

Commissioner Anita Wood MOVED and Commissioner Tom Langford SECONDED to APPROVE UN-71-00 with the following changes:

**Condition #8 Changed to Read: “Relocate the westernmost driveway away from the wall to eliminate a blind corner, or as approved by the City of North Las Vegas Traffic Engineer.”**

The motion carried by UNANIMOUS vote.

**27) AMP-20-00 (2407) OUTBACK STEAKHOUSE, INC. (Public Hearing)**

An application submitted by Outback Steakhouse, Inc. on behalf of the Donald G. Stewart 2000 Living Trust, property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of Very Low Density Residential to Community Commercial. The property is located east of Fuselier Drive, approximately 300 feet south of Craig Road. The Assessor's Parcel Number is 139-05-702-003.

**ANALYSIS:**

**Regional Commercial:**

Community Commercial areas are meant to provide commercial services used by a large portion of the population of the City and may include Neighborhood Commercial uses. The market for Community Commercial areas is generally between two and seven miles. Community Commercial areas vary widely in use and intensity. Community Commercial areas may contain: clothing sales, appliance sales, furniture sales, automobile tire and/or service, small medical facilities and offices, two to four story professional office complexes, higher intensity commercial uses. Uses that would not generally be acceptable in community commercial areas are: vehicle sales, kennels, automobile engine and body repair, and casinos.

The Comprehensive Plan guidelines for Community Commercial state:

Community Commercial areas should only occur at the intersection of two 100-foot rights-of-way or greater, except for the Las Vegas Boulevard North corridor and Lake Mead Boulevard east of Interstate 15.

Craig Road is proposed as a 120-foot right-of-way and Fuselier Drive is proposed as a 60-foot right-of-way.

Community commercial centers may be appropriate at the intersection of two 100-foot arterial streets if a completed market analysis which takes into consideration existing and/or previously approved pending commercial projects within the vicinity of the proposed project shows that the market will support the requested use, as well as any existing and/or previously approved pending projects.

The subject site under consideration is not located at the intersection of two 100-foot arterial streets. Likewise, a market analysis has not been submitted.

Community commercial areas should be no smaller than 12 acres and no larger than 30 acres per street corner.

The area under consideration is approximately 2.3 acres in size.

Community commercial areas should not exceed more than 80 acres at any intersection.

Existing commercial and possible future commercial at the intersection of Craig Road and Fuselier Drive would not exceed 80 acres.

Community commercial areas adjacent to existing or planned residential uses should be carefully regulated to prevent intrusion into the residential neighborhood by noise, traffic, light, odor and other nuisances.

The 2.3 acres under consideration abut undeveloped land to the east and south and west of Fuselier

Drive that is currently zoned as R-E Ranch Estates and has a land use designation of Very Low Density Residential on the Comprehensive Plan. Fuselier Drive is proposed as a 60-foot wide right-of-way that would provide access to future residential development within the area. The proposed amendment to the Comprehensive Plan would open Fuselier Drive up to commercial traffic.

The remaining guidelines address bars and taverns, shared architectural themes, and public areas.

These criteria would be required at the time site plan approval is sought.

The area under consideration for an amendment to the Comprehensive Plan land use element does not comply with the guidelines. In addition, the area under consideration is within the area designated as the R-E Ranch Estates Preservation Area.

Nevada Revised Statutes (NRS 278.261) requires the City Council to take actions as necessary and appropriate to ensure the rural character of each rural preservation neighborhood is preserved. On May 20, 1998, the City Council approved a resolution (#2016) which declared the intent to maintain the Ranch Estates Preservation Area in its existing state. The subject site under consideration for an amendment to the Comprehensive Plan (parcel number 139-05-702-003) is within the R-E Ranch Estates Preservation Area.

According to the site plan, the major anchor for the entire site under consideration for rezoning appears to be the Outback Steakhouse which is located on the two parcels next to Craig Road. The two parcels next to Craig Road are not within the R-E Ranch Estates Preservation Area and are supported for commercial development on the Comprehensive Plan. It is possible the applicant could proceed with commercial development on the two parcels next to Craig Road which would include the Outback Steakhouse. Therefore, it appears there is no compelling reason to amend the Comprehensive Plan to allow approximately 2.3 acres of additional commercial within the area designated as the R-E Ranch Estates Preservation Area.

Therefore, staff's recommendation for the amendment to the Comprehensive Plan land use element for the subject site (parcel number 139-05-702-003) that is located within the R-E Ranch Estates Preservation Area, is for denial.

The two parcels (parcel numbers 139-05-702-001 and 139-05-702-002) adjacent to Craig Road are supported for commercial development and would allow the applicant to proceed forward with what appears as the major anchor (Outback Steakhouse). However, because the subject site would be adjacent to future residential development and because the parcel to the west of Fuselier Drive is pending permanent zoning to the C-1 Neighborhood Commercial District, staff recommends that the request for rezoning be amended to the C-1 Neighborhood Commercial District. The C-1 Neighborhood Commercial District would still allow the applicant the ability to proceed forward with the Outback Steakhouse restaurant and be more compatible with the surrounding neighborhood.

#### **RECOMMENDATION:**

The Development Services Department recommends that AMP-20-00 be denied as the subject site does not comply with the guidelines established in the Comprehensive Plan and the area is within the R-E Ranch Estates Preservation Area.

Commissioner Tom Langford MOVED and Commissioner Anita Wood SECONDED to WITHDRAW AMP-20-00 per the applicant's request.

**The application is WITHDRAWN.**

The motion carried by UNANIMOUS vote.

#### **28) ZN-28-00 (2408) OUTBACK STEAKHOUSE (Public Hearing)**

An application submitted by Outback Steakhouse, Inc. on behalf of the Donald G. Stewart 2000 Living Trust, property owner, for reclassification of property from and R-E Ranch Estates District to a C-2 General Commercial District. The property is generally located at the southeast corner of Craig Road and Fuselier Drive. The Assessor's Parcel Numbers are 139-05-702-001, 139-05-702-002 and 139-05-702-003.

## **ANALYSIS:**

### **Regional Commercial:**

Community Commercial areas are meant to provide commercial services used by a large portion of the population of the City and may include Neighborhood Commercial uses. The market for Community Commercial areas is generally between two and seven miles. Community Commercial areas vary widely in use and intensity. Community Commercial areas may contain: clothing sales, appliance sales, furniture sales, automobile tire and/or service, small medical facilities and offices, two to four story professional office complexes, higher intensity commercial uses. Uses that would not generally be acceptable in community commercial areas are: vehicle sales, kennels, automobile engine and body repair, and casinos.

The Comprehensive Plan guidelines for Community Commercial state:

Community Commercial areas should only occur at the intersection of two 100-foot rights-of-way or greater, except for the Las Vegas Boulevard North corridor and Lake Mead Boulevard east of Interstate 15.

Craig Road is proposed as a 120-foot right-of-way and Fuselier Drive is proposed as a 60-foot right-of-way.

Community commercial centers may be appropriate at the intersection of two 100-foot arterial streets if a completed market analysis which takes into consideration existing and/or previously approved pending commercial projects within the vicinity of the proposed project shows that the market will support the requested use, as well as any existing and/or previously approved pending projects.

The subject site under consideration is not located at the intersection of two 100-foot arterial streets. Likewise, a market analysis has not been submitted.

Community commercial areas should be no smaller than 12 acres and no larger than 30 acres per street corner.

The area under consideration is approximately 2.3 acres in size.

Community commercial areas should not exceed more than 80 acres at any intersection.

Existing commercial and possible future commercial at the intersection of Craig Road and Fuselier Drive would not exceed 80 acres.

Community commercial areas adjacent to existing or planned residential uses should be carefully regulated to prevent intrusion into the residential neighborhood by noise, traffic, light, odor and other nuisances.

The 2.3 acres under consideration abut undeveloped land to the east and south and west of Fuselier Drive that is currently zoned as R-E Ranch Estates and has a land use designation of Very Low Density Residential on the Comprehensive Plan. Fuselier Drive is proposed as a 60-foot wide right-of-way that would provide access to future residential development within the area. The proposed amendment to the Comprehensive Plan would open Fuselier Drive up to commercial traffic.

The remaining guidelines address bars and taverns, shared architectural themes, and public areas.

These criteria would be required at the time site plan approval is sought.

The area under consideration for an amendment to the Comprehensive Plan land use element does not comply with the guidelines. In addition, the area under consideration is within the area designated as the R-E Ranch Estates Preservation Area.

Nevada Revised Statutes (NRS 278.261) requires the City Council to take actions as necessary and appropriate to ensure the rural character of each rural preservation neighborhood is preserved. On May 20, 1998, the City Council approved a resolution (#2016) which declared the intent to maintain the Ranch Estates Preservation Area in its existing state. The subject site under consideration for an amendment to the Comprehensive Plan (parcel number 139-05-702-003) is within the R-E Ranch Estates Preservation Area.

According to the site plan, the major anchor for the entire site under consideration for rezoning appears to be the Outback Steakhouse which is located on the two parcels next to Craig Road. The two parcels next to Craig Road are not within the R-E Ranch Estates Preservation Area and are supported for commercial development on the Comprehensive Plan. It is possible the applicant could proceed with commercial development on the two parcels next to Craig Road which would include the Outback Steakhouse. Therefore, it appears there is no compelling reason to amend the Comprehensive Plan to allow approximately 2.3 acres of additional commercial within the area designated as the R-E Ranch Estates Preservation Area.

Therefore, staff's recommendation for the amendment to the Comprehensive Plan land use element for the subject site (parcel number 139-05-702-003) that is located within the R-E Ranch Estates Preservation Area, is for denial.

The two parcels (parcel numbers 139-05-702-001 and 139-05-702-002) adjacent to Craig Road are supported for commercial development and would allow the applicant to proceed forward with what appears as the major anchor (Outback Steakhouse). However, because the subject site would be adjacent to future residential development and because the parcel to the west of Fuselier Drive is pending permanent zoning to the C-1 Neighborhood Commercial District, staff recommends that the request for rezoning be amended to the C-1 Neighborhood Commercial District. The C-1 Neighborhood Commercial District would still allow the applicant the ability to proceed forward with the Outback Steakhouse restaurant and be more compatible with the surrounding neighborhood.

**RECOMMENDATION:**

The Development Services Department recommends that ZN-28-00 be amended to permanently "hard zone" the two parcels (parcel numbers 130-05-702-001 and 139-05-702-002) adjacent to Craig Road to the C-1 Neighborhood Commercial District.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff.

Jaime Butler, Outback Steakhouse, 2202 N. Westshore Boulevard, 5<sup>th</sup> floor, Tampa, Florida, 33607, appeared on behalf of applicant, who concurred with staff's recommendations.

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

Commissioner Tom Langford asked the applicant how long he estimates the project will take.

The applicant stated that the project will be completed in approximately twelve (12) weeks after they receive their permit.

Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to APPROVE ZN-28-00 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**29) UN-67-00 (2282) TURTLE STOP (HIDDEN CANYON) (Public Hearing)**

An application submitted by Hot Shots Neighborhood Lounge, Inc. on behalf of Richard Zachau, property owner, for a use permit in an M-2 General Industrial District to allow the addition of gas pumps and an expansion to an existing convenience food store. The property is located at 2343 W. Gowan Road. The

Assessor's Parcel Number is 139-08-701-001.

**ANALYSIS:**

Although the existing 3,343-square-foot tavern is not the subject of either of these applications, the proposed floor plan identifies a 3,228-square-foot tavern. Since the proposed floor plan reduces the square footage of the tavern, it would retain its legally non-conforming status.

In addition to the tavern, the proposed floor plan consists of a 3,516-square-foot convenience store. The total square footage of the existing building is 5,884 (2,541 square feet for the convenience store and 3,343 square feet for the tavern.) The proposed building would be 6,740 square feet.

Also identified on the site plan are fuel islands and a 900-square-foot drive-thru car wash, which would be detached from the convenience store/tavern building and located adjacent to the southern property line.

The elevation drawings indicate that stucco finish and clay tiles will be provided on the remodeled building. The drawings indicate a mix of 3-coat and 2-coat stucco finishes and a cornice around the sides and back of the main building. The car wash and gas canopy are required to match the main building in design, colors and materials. As proposed, the car wash would satisfy this requirement. Although similar, the gas canopy would also require stucco columns and stucco finish around the top portions.

Based on the parking requirement of one space per 200 square feet of floor area, the proposed convenience store requires a minimum of 18 parking spaces. The existing tavern would only be required to provide what is currently on-site, which is not more than 16. Therefore, the proposed uses satisfy the parking requirements by providing a total of 34 on-site parking spaces.

The site plan identifies 20 feet of perimeter landscaping adjacent to Gowan Road and Coleman Street. The minimum requirement is 20 feet, so this requirement is satisfied.

There are 11 mature trees on this site. The trees appear to be Mondel Pines. These trees should be preserved and incorporated into the site's overall landscaping plan. The applicant has verbally indicated that only a few of the trees could be saved because the tap roots are too long to excavate, and if the tap roots are cut, the trees would not survive relocation.

Since the project is adjacent to residential uses (to the north and west), a condition will be provided to ensure compatibility of adjacent uses (ie. the Commercial Design Standards.) Street frontage signs are required to be monument-type and should match the buildings in design and materials. All proposed signs should be identified on the building plans.

The proposed uses have been determined in similar cases to be compatible with residential and industrial land uses. The proposed site plan, elevations and floor plan meet the minimum standards established in the Zoning Ordinance and the Commercial Design Standards.

In accordance with the Zoning Ordinance, the Planning Commission may, by motion, grant a special use permit if the Planning Commission finds, from the evidence presented, that all of the following facts exist:

1. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or the community; and
2. That such use will not, under the circumstances of the particular case, be detrimental to the health,

safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity; and

3. That the proposed use will comply with the regulations and conditions specified in this code for such use; and
4. That the granting of this special use permit will not adversely affect the master plan of the City.

**RECOMMENDATION:**

The Development Services Department recommends approval of **UN-67-00** and **UN-68-00** subject to the following conditions:

1. That Standard Conditions 1, 2, 4, 6, 7, 8, 10, 11, 12, 14, 15, 22, 27 and 29 apply; and
2. That the development of this site be in compliance with the Commercial Design Standards, including but not limited to:
  - a. That a photometric lighting plan be provided in conjunction with the building plans. The photometric lighting plan shall be prepared by an electrical engineer registered in Nevada and shall be in compliance with the standards outlined in the Commercial Design Standards; and
  - b. That all proposed signage be identified on the building plans. The sign shall be a monument sign and shall match the main building in design, color and materials; and
  - c. That the gas canopy be designed using the same materials and colors as the main building, including the clay tiles, stucco columns and associated pop-outs; and
  - d. That the perimeter landscaping incorporate a berm and/or wall not to exceed three feet in height to prevent headlights from glaring onto public streets; and
  - e. That every measure possible be taken to preserve the existing mature Mondel Pines on this site. If possible, the trees should be incorporated into the site's overall landscaping plan; and
3. That any and all noise and/or music generated from the site be contained within the property boundaries; and
4. That all commercial driveways be a minimum of 32 feet in width; and
5. That all off-site street improvements be constructed prior to the issuance of a certificate of occupancy; and
6. That all structures be in compliance with the 1997 Uniform Fire Code with amendments as adopted by Ordinance 1283; and
7. That any violation of the conditions mentioned herein shall warrant a review of all the uses by the Planning Commission at a public hearing. The Planning Commission may consider revocation of one or both of the special use permits.

The application was presented by Bob Hoyes, Associate Planner, on behalf of staff, who indicated staff is recommending approval subject to conditions.

Robert Webb, 4572 W. Hacienda Avenue, Las Vegas, Nevada 89118, appeared on behalf of applicant and concurred with staff's recommendations.

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

- Paul Dunn, 3610 Coleman Street, North Las Vegas, Nevada 89032

Mr. Dunn stated that he lives across the street from the area. He stated that he has a son on a life support system who needs a ventilator to breath. Mr. Dunn states that fumes from the gas station or the car wash would threaten his son's life, therefore he opposes this project.

Chairman Stone closed the Public Hearing.

Commissioner Tom Langford asked if the store on Gowan was still open.

The applicant stated that the store on Gowan is currently closed.

Commissioner Anita Wood asked if conflict exists because the Comprehensive Plan for this area is Business Research or Development Park and these uses are Commercial.

Bob Hoyes stated replied that no conflict exists.

Commissioner Tom Langford stated that he believes this is a bad location for this project and that it will result in traffic jams.

Commissioner Harry Shull asked the applicant if gas stations emit hazardous fumes to nearby residents.

The applicant stated that all gas stations are required by law to have vapor recovery systems on each pump.

Commissioner Dean Leavitt stated that he agrees with Commissioner Langford and will not be supporting this item.

Chairman Nelson Stone stated that he would prefer a gas station at this location instead of a bar. He asked the applicant if the project would be financially feasible without the gas pumps.

The applicant stated that he is trying to get the best use of the entire property rather than let it sit vacant. He stated that he intends to put in a two (2) pump station, and not a six (6) pump station as in many other stations.

Commissioner Shull asked the applicant if he was going to tear down and rebuild, or just remodel.

The applicant stated that he was going to tear down and rebuild in accordance with staff's recommendation.

Commissioner Harry Shull MOVED and Commissioner Laura Perkins SECONDED to APPROVE UN-67-00 subject to the following condition:

**Add Condition #8: "Gas pumps be limited to two (2)"**

**Add Condition #9: "Hours of operation for the car wash shall be limited to 6:00am through 10:00pm."**

The motion carried by MAJORITY vote. Commissioners Tom Langford and Dean Leavitt voted against the motion.

**This item was discussed together with #30, UN-68-00.**

**30) UN-68-00 (2283) TURTLE STOP (HIDDEN CANYON) (Public Hearing)**

An application submitted by Hot Shots Neighborhood Lounge, Inc. on behalf of Richard Zachau, property owner, for a use permit in an M-2 General Industrial District to allow the addition of an automobile washing

establishment to an existing convenience food store. The property is located at 2343 W. Gowan Road. The Assessor's Parcel Number is 139-08-701-001.

### **ANALYSIS:**

Although the existing 3,343-square-foot tavern is not the subject of either of these applications, the proposed floor plan identifies a 3,228-square-foot tavern. Since the proposed floor plan reduces the square footage of the tavern, it would retain its legally non-conforming status.

In addition to the tavern, the proposed floor plan consists of a 3,516-square-foot convenience store. The total square footage of the existing building is 5,884 (2,541 square feet for the convenience store and 3,343 square feet for the tavern.) The proposed building would be 6,740 square feet.

Also identified on the site plan are fuel islands and a 900-square-foot drive-thru car wash, which would be detached from the convenience store/tavern building and located adjacent to the southern property line.

The elevation drawings indicate that stucco finish and clay tiles will be provided on the remodeled building. The drawings indicate a mix of 3-coat and 2-coat stucco finishes and a cornice around the sides and back of the main building. The car wash and gas canopy are required to match the main building in design, colors and materials. As proposed, the car wash would satisfy this requirement. Although similar, the gas canopy would also require stucco columns and stucco finish around the top portions.

Based on the parking requirement of one space per 200 square feet of floor area, the proposed convenience store requires a minimum of 18 parking spaces. The existing tavern would only be required to provide what is currently on-site, which is not more than 16. Therefore, the proposed uses satisfy the parking requirements by providing a total of 34 on-site parking spaces.

The site plan identifies 20 feet of perimeter landscaping adjacent to Gowan Road and Coleman Street. The minimum requirement is 20 feet, so this requirement is satisfied.

There are 11 mature trees on this site. The trees appear to be Mondel Pines. These trees should be preserved and incorporated into the site's overall landscaping plan. The applicant has verbally indicated that only a few of the trees could be saved because the tap roots are too long to excavate, and if the tap roots are cut, the trees would not survive relocation.

Since the project is adjacent to residential uses (to the north and west), a condition will be provided to ensure compatibility of adjacent uses (ie. the Commercial Design Standards.) Street frontage signs are required to be monument-type and should match the buildings in design and materials. All proposed signs should be identified on the building plans.

The proposed uses have been determined in similar cases to be compatible with residential and industrial land uses. The proposed site plan, elevations and floor plan meet the minimum standards established in the Zoning Ordinance and the Commercial Design Standards.

In accordance with the Zoning Ordinance, the Planning Commission may, by motion, grant a special use permit if the Planning Commission finds, from the evidence presented, that all of the following facts exist:

1. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or the community; and
2. That such use will not, under the circumstances of the particular case, be detrimental to the health,

safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity; and

3. That the proposed use will comply with the regulations and conditions specified in this code for such use; and
4. That the granting of this special use permit will not adversely affect the master plan of the City.

**RECOMMENDATION:**

The Development Services Department recommends approval of **UN-67-00** and **UN-68-00** subject to the following conditions:

1. That Standard Conditions 1, 2, 4, 6, 7, 8, 10, 11, 12, 14, 15, 22, 27 and 29 apply; and
2. That the development of this site be in compliance with the Commercial Design Standards, including but not limited to:
  - a. That a photometric lighting plan be provided in conjunction with the building plans. The photometric lighting plan shall be prepared by an electrical engineer registered in Nevada and shall be in compliance with the standards outlined in the Commercial Design Standards; and
  - b. That all proposed signage be identified on the building plans. The sign shall be a monument sign and shall match the main building in design, color and materials; and
  - c. That the gas canopy be designed using the same materials and colors as the main building, including the clay tiles, stucco columns and associated pop-outs; and
  - d. That the perimeter landscaping incorporate a berm and/or wall not to exceed three feet in height to prevent headlights from glaring onto public streets; and
  - e. That every measure possible be taken to preserve the existing mature Mondel Pines on this site. If possible, the trees should be incorporated into the site's overall landscaping plan; and
3. That any and all noise and/or music generated from the site be contained within the property boundaries; and
4. That all commercial driveways be a minimum of 32 feet in width; and
5. That all off-site street improvements be constructed prior to the issuance of a certificate of occupancy; and
6. That all structures be in compliance with the 1997 Uniform Fire Code with amendments as adopted by Ordinance 1283; and
  
7. That any violation of the conditions mentioned herein shall warrant a review of all the uses by the Planning Commission at a public hearing. The Planning Commission may consider revocation of one or both of the special use permits.

Robert Webb, 4572 W. Hacienda Avenue, Las Vegas, Nevada 89118, appeared on behalf of applicant and

concurred with staff's recommendations.

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

Commissioner Harry Shull MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE UN-68-00 subject to the following condition:

**Add Condition #8: "Gas pumps be limited to two (2)"**

**Add Condition #9: "Hours of operation for the car wash shall be limited to 6:00am through 10:00pm."**

The motion carried by MAJORITY vote. Commissioner Tom Langford voted against the motion.

**This item was discussed with #29, UN-67-00**

**31) SPR-35-00 (2404) NORTHERN VISTAS**

An application submitted by Acclaim Engineering Group Inc. on behalf of Northern Vistas LLC, property owner for a site plan review in a C-1 Neighborhood Commercial District. The Assessor's Parcel Number is 139-05-301-004.

## **ANALYSIS:**

Section 17.24.200.E(2) of the Municipal Code reads, "...Any area of a parking lot which abuts a public street shall be setback from the property line a minimum of 20 feet."

According to Section 17.24.200.J(1) of the Municipal Code, "Perimeter landscaping shall be provided ... Areas at least 20 feet in width from back of curb to perimeter walls or buildings (which may include sidewalks and portions of right-of-way) shall be maintained..."

The applicant is requesting to reduce the landscaping width adjacent to the Ferrell Street right-of-way from 20 feet to 10 feet.

The applicant states in the letter of intent, "the reduced landscape buffer along Ferrell will be consistent with the existing landscape areas along the residential areas to the south of this project." The differences being that the residential communities to the south were established prior to the adopted standards and that this project is commercial. It should be the responsibility of this developer to properly buffer the proposed commercial uses from the existing and proposed residential neighborhoods. This site is across the streets from two residential districts and abuts one to the south.

According to Section 17.24.200.J(7) of the Municipal Code, "... a landscape buffer area with a minimum width of 20 feet shall be planted and maintained ... adjacent to any abutting residential property ..." The southern property line of this site abuts eight (8) single family residential parcels.

The applicant indicates in the letter of intent that the "project is proposing to construct other amenities to offset the reduced landscape width such as lush landscaping, enhanced pedestrian amenities, and nice courtyard areas." However, the Commercial Design Standards outline these types of "amenities" as standards for all commercial developments, and not in-lieu of otherwise required design features. A preliminary landscape plan was not submitted with this application, and without specific landscaping details, the "lush landscaping" could not be enforced.

The intent of the landscaping requirements is to provide for better streetscapes and to provide sufficient buffering between commercial and residential uses. Since the site is currently vacant and there have not been any reasons presented which would limit the applicant's ability to develop this site in complete compliance with the design standards, the waiver requests should be denied.

The submitted site plan does not meet the Commercial Design Standards with respect to building placement and orientation. The buildings are required to be oriented toward the front setbacks with the parking areas located behind the buildings. The site plan identifies two 12,000-square-foot buildings near Craig Road with some parking areas between the buildings and Craig Road. The site plan indicates that parking spaces would be on top of a drainage structure, owned by the City of North Las Vegas. The drainage structure is within a 30-foot right-of-way, bringing the total right-of-way adjacent to the north side of this site to 150 feet. As has been done in similar cases, the applicant has been required to provide 20 feet of landscaping from the property line. Since the buildings are required to be setback a minimum of 20 feet, this area should be landscaped and maintained by the property owner, or business association. At the time of building plan submittal, these site design issues will be enforced.

Another reason to have the required front setbacks from the property line is because in the event the City needed to excavate the drainage culvert, the development could still meet the setback and landscaping requirements. If the City were to modify the drainage system to create an open channel, then this site (as proposed) would not only lose required parking, but it would eliminate all of their landscaping adjacent to the City's primary commercial corridor, Craig Road.

The minimum setback for a parking lot in a C-1 zoning district is 10 feet from the property line or right-of-way (Section 17.20.100.F[1] of the Zoning Ordinance.) As shown on the site plan, this requirement is not satisfied and can not be "waived" with this application.

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

- h. That upon granting of the waiver as requested, the proposed project will substantially meet the intent of these guidelines; and
- i. That the granting of such request will not detrimentally affect the public health, safety or general welfare; and
- j. That there are special circumstances or conditions applicable to the property referred to in the application which do not prevail on other properties within the area; and
- k. 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.

Furthermore, 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; and
- 2. Any circumstances created knowingly or unknowingly by the current or previous owner(s) of the property.

**RECOMMENDATION:**

The Development Services Department recommends that SPR-35-00 be denied because the submitted site plan does not meet the minimum standards adopted by the City for the proposed use and because of the reasons listed above. There have not been any compelling reasons presented by the applicant which demonstrate the need or hardship to warrant any waivers from the adopted design standards. The site is currently undeveloped and should be developed in accordance with all applicable City standards.

Commissioner Tom Langford MOVED and Commissioner Anita Wood SECONDED to CONTINUE SPR-35-00 per the applicant's request.

The motion carried by UNANIMOUS vote.

**The item is CONTINUED to 11/08/00.**

**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:**

None

**CHAIRMAN'S BUSINESS:**

Discussion regarding Speaking Time Limits. Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to APPROVE the Speaking Time Limits.

Chairman Nelson Stone discussed the issue of applicants who do not appear on their items and whether or not the Planning Commission is obligated to act on an item when the applicant is not present.

**ADJOURNMENT:**

9:00pm.

A motion to ADJOURN the October 25, 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:**

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Ted Karant, Recording Secretary