

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

March 28, 2001

CALL TO ORDER:

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

ROLL CALL:

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

STAFF PRESENT:

Steve Baxter, Planning Manager
Marc Jordan, Senior Planner
Chris Melendrez, Associate Planner
Steve Casmus, Public Works
Charity Fechter, Transportation Services
Steven DiGiovanni, Fire Department
Jim Lewis, Deputy City Attorney
Ted Karant, Recording Secretary

PLEDGE OF ALLEGIANCE:

Chairman Nelson Stone

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 March 14, 2001.

Vice-Chairman Tom Langford MOVED and Commissioner Laura Perkins SECONDED to APPROVE the minutes of the March 14, 2001 Planning Commission Meeting.

The motion carried by UNANIMOUS vote.

CONSENT AGENDA

A) PW-24-01 (3982) LAKE MEAD AIRPORT BUSINESS PARK

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Fidelity and Deposit Company of Maryland to release the Performance Bond in the amount of \$60,145.76.

B) PW-25-01 (3983) AZURE ESTATES UNIT 1

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 \$706,582.30.

C) PW-26-01 (3984) AZURE ESTATES UNIT 2

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 \$705,853.00.

D) PW-27-01 (3986) AZURE ESTATES UNIT 3

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Insurance of the West to release the Subdivision Bond in the amount of \$335,610.00.

E) PW-28-01 (3987) CINNAMON RIDGE #2

Accept the off-site improvements for 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 \$342,450.00.

F) PW-29-01 (3988) LOSEE ROAD HALF STREET IMPROVEMENTS

Accept the Commercial Developments Off-Site Improvements Agreement by Thompson Industrial Center, LLC and accept the Off-Site Improvement Bond in the amount of \$72,962.00.

G) PW-30-01 (3989) GLIDING EAGLE/GENTLE BROOK

Accept the Commercial Developments Off-Site Improvements Agreement by Pardee Construction Company and accept the Subdivision Bond in the amount of \$282,348.99.

H) PW-31-01 (3990) SENECA FALLS UNIT 3

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Heller Development Company and accept the Subdivision Bond in the amount of \$474,638.29.

I) PW-32-01 (3991) LEVEL 3 STORM DRAIN

Accept the Commercial Developments Off-Site Improvements Agreement by Level 3 Communications and accept the Permit Bond in th amount of \$189,788.50.

J) RN/50-72-01 (3928) DEEDS OF DEDICATION

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

K) PW-33-01 (4017) LONE MOUNTAIN/SIMMONS COMMERCIAL CENTER

Accept the Subdivision Off-Site Improvements Agreement by Lone Mountain/Simmons, LLC and accept the Performance Bond in the amount of \$268,212.56.

Vice-Chairman Tom Langford MOVED and Commissioner Dean Leavitt SECONDED to APPROVE Consent Agenda Items A through K.

The motion carried by UNANIMOUS vote.

NEW BUSINESS

Items #1 and #2 are related and therefore being presented and heard together.

1) AMP-10-01 (3801) ANN & ALLEN PROMENADE (Public Hearing)

An application was submitted by Special Holdings, Inc., property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of LDR Low Density Residential to Neighborhood Commercial. The property is generally located at the southeast corner of Ann Road and Allen Lane. The Assessor's Parcel Numbers are 124-32-101-002 through 124-32-101-006.

RECOMMENDATION:

The Development Services Department recommends that AMP-10-01 be denied as the subject site does not comply with the guidelines established in the Comprehensive Plan and there is no compelling reason to amend the Comprehensive Plan.

The Development Services Department recommends that ZN-10-01 be denied as the rezoning is not justified by changed or changing conditions since the adoption of the Comprehensive Plan in June of 1999.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated this application is being presented along with Item #2 on this Agenda (ZN-10-01). Mr. Jordan stated that according to the guidelines contained in the Comprehensive Plan for amendment of the Comprehensive Plan the applicant is required to submit a market analysis on the property which would support, which the applicant did, however the market analysis seemed to take in the Valley, as a whole, but did not specifically address this site nor did it specifically go out a two (2) to three (3) mile radius which is required for a market analysis when considering amending the Comprehensive Plan. He stated that as a result along Ann Road there are approximately 149 acres that are already zoned for commercial, which equates to approximately 1,000,390 square feet of commercial space. Likewise, he stated, that along Criag Road and Centennial Parkway within a two (2) mile radius there are approximately 359 acres that can be developed as commercial, and in addition according to the Comprehensive Plan there are another 236 acres of space within the two (2) mile radius that can be zoned for commercial, which equates to approximately 744 acres. He stated that using those figures it results in approximately six million (6,000,000) square feet of commercial space that can be developed, and adding that to already existing space along Ann Road. He stated that the Comprehensive Plan suggests that the ratio of per-capita for retail uses ranges from 24 square feet to 55 square feet. Using those figures a population of approximately 128,000 to 354,000 people to support that much commercial. He further stated that the subject site is supposed to be located adjacent to two (2) 100-foot rights-of-way or greater, with Ann Road being a 100-foot right-of-way, and Allen Lane is an 80-foot and Farrel Street is a 60-foot right-of-way. In addition, at any intersection it is not recommended that more than thirty-five (35) acres of commercial be approved, considering that this is next to two (2) intersections. He stated that if this were approved there would be more than 35 acres, and combining both of those there would be approximately 40 acres. As a result, the Development Services Department is recommending denial for the Amendment to the Comprehensive Plan. Mr. Jordan stated all this is regarding Item #1, AMP-10-01. With regards to Item #2, ZN-10-01, he stated staff is also recommending denial for the rezoning, likewise depending on the decision of the Planning Commission for Item #1 if there is not a positive decision to approve that, there would need to be a formal decision to deny the rezoning by the Planning Commission. Mr. Jordan stated that the Amendment to the Master Plan does require a super-majority vote of the Planning Commission, which is five (5) out of the seven (7), and Mr. Jordan noted that there were only five (5) Planning Commissioners present at this meeting.

Chairman Nelson Stone asked for the applicant to come forward. The applicant did not come forward and was not present.

Vice-Chairman Tom Langford stated to Chairman Stone that if there is no applicant present and the applicant has been properly notified, if Chairman Stone would close the Public Hearing, Vice-Chairman Langford will make a motion to deny this item.

Chairman Stone stated he believes the Planning Commission is obligated to open the Public Hearing, and asked Deputy City Attorney Jim Lewis for verification.

Deputy City Attorney stated that there are some people present who would like to speak on this issue and suggested they be allowed to speak.

Chairman Stone stated that he has approximately 25 cards requesting to speak on Items #1 and #2, and since the two items are related, he advised all those present to speak on both items will be called to come forward to make their statements.

Mr. Lewis advised Chairman Stone to note for the record that the applicant is not present.

Chairman Stone noted, for the record, that there is no applicant present and the Planning Commission will be taking public testimony.

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

- ▶ John Hupman, 5430 Sharptooth Way, North Las Vegas, Nevada 89031

Mr. Hupman stated that he lives off of Backcountry, the lot this project is proposed for and Ann Road. He stated that if he walks out his front door he will be less than fifty (50) yards from the back of a grocery store. He stated that when he bought his home it was supposed to be residential. Mr. Hupman stated he purchased his home in a cul-de-sac so that it would be quiet and have homes in front of him and that is why he opposes this project because he does not want to lose his view of the mountains and instead see the back end of a grocery store. He stated that there adequate shopping throughout the neighborhood and does not see the need for this project.

Chairman Stone stated before the next member of the public comes forward, he wanted to recognize City Councilman Shari Buck in the audience and stated she is a former Planning Commissioner and does a fine job for the City of North Las Vegas.

The next participant them came forward:

- ▶ Natalie Cox, 3527 Lonesome Woft Court, North Las Vegas, Nevada 89031

Ms. Cox stated that shen she and her husband purchased their house they relied on the fact that the lot which is being proposed in this item to be changed was residential and she believes there are plenty of commercial lots. She feels if this is approved, it will result in increased traffic, noise, an increase in crime, and is against this proposal. She feels the company can go somewhere else and does not need to build on this particular lot.

- ▶ Rob Allred, 5409 Dilly Circle, North Las Vegas, Nevada 89031

Mr. Allred stated that four (4) years ago this same type of project was being proposed at the same property. Mr. Allred stated that project was challenged before the City Council and was ultimately defeated. He stated that he and the neighboring residents do not want this project and want the area to

remain residential.

- ▶ Deanna Crostic, 5420 Dilly Circle, North Las Vegas, Nevada 89031

Ms. Crostic stated that she appeared before the Planning Commission four (4) years ago in opposition of the rezoning of the property of Allen and Ann Road. She does not support this property being rezoned. She stated using the intersection of Ann Road and Allen Lane as a starting point, it is only 4 tenths of a mile south to Washburn Road where there is a park and an elementary school with children crossing back and forth across Allen Lane and feels this proposed project will increase the traffic on Allen Lane. She further stated that 3 tenths of a mile will be the Simmons MarketPlace, which is a 170,000 square foot mall, one tenth of a mile further on the north side of Ann Road is where an Albertson's supermarket is proposed and 4 tenths of a mile further down is a strip mall. He stated with all this commercial in the area, she does not feel this commercial project is necessary. She stated she does that she and her neighbors do not want Ann Road to become another Craig Road and they do not want Allen Lane to become another Decatur Boulevard. She stated that this rezoning would mean that the residents on Backcountry would have a view of the back of a grocery store. She feels too much commercial is coming into this residential neighborhood and encourages the Planning Commission to deny this project. She stated she has a petition against this project with over 200 names of people who feel the way she does about the project and asks the Planning Commission to deny this project.

- ▶ James Ronduen, 5405 Dilly Circle, North Las Vegas, Nevada 89031

Mr. Ronduen stated he purchased his home over a year ago in hopes that he could purchase a home in a nice developed neighborhood on a cul-de-sac with nice residential neighbors, not commercial. He was told that north of Ann Road was zoned commercial and would provide some convenience of nearby shopping centers. He was looking for some equity to built in his home and believes that this commercial project would cause many residents to sell their homes thus driving down the value of his property. He also stated that an elementary school is nearby and this would promote more traffic as well as more accidents. He asked the Planning Commission to deny this project.

- ▶ Edward Miller, 3313 Back Country Drive, North Las Vegas, Nevada 89031

Mr. Miller stated that he lives at the corner of Back Country and Farrell. He stated that he feels it would be unfair to the residents in the area if this project were to be approved. He stated that in the surrounding area there are seven (7) grocery stores with three (3) proposed, there are three (3) retail stores, seven (7) pharmacies, and there are twenty-two (22) vacant retail stores within these nearby shopping centers and does not believe that another shopping center in front of his house is necessary. Mr. Miller stated that there was a meeting held the previous week with the applicant and the applicant was arrogant, inconsiderate, and he does not believe the applicant belongs in that community. He asked the Planning Commission to deny this agenda item.

- ▶ Terry Crostic, 5420 Dilly Circle, North Las Vegas, Nevada 89031

Mr. Crostic stated he has a letter from a couple who live in Woft Creek and wants to admit the letter into the public record. Mr. Crostic stated he concurs with the statements made by the other members of the public.

- ▶ Deidra Hayden, 1918 Giant Rock, North Las Vegas, Nevada 89031

Ms. Hayden stated that she lives in Eldorado and he children have ball practices at the schools that have been referred to by the other residents earlier.

- ▶ Riner Roudszus, 3515 Back Country Drive, North Las Vegas, Nevada 89031

Mr. Roudszus stated he lives near Allen Street and he opposes this project as he feels it will disrupt the peace in the neighborhood.

- ▶ Liane Roudszus, 3515 Back Country Drive, North Las Vegas, Nevada 89031

Mrs. Roudszus stated that when she and her husband purchased their house four (4) years ago, they contacted the City to inquire as to what was going to be done with this property and stated that she was told it is residential, single homes only. She stated that if she knew this property were going to be rezoned, they would not have purchased property in that area. She feels this will diminish her quality of life. Mrs. Roudszus asked the Planning Commission to deny this project.

- ▶ Chad Hammack, 3409 Mournful Call Court, North Las Vegas, Nevada 89031

Mr. Hammack stated that he agrees with everyone else who has appeared on this item before the Planning Commission and believes if this item is approved it will reduce the value on his property and asked the Planning Commission to deny this project.

- ▶ Barry Hollan, 3420 Mournful Call Court, North Las Vegas, Nevada 89031

Mr. Hollan stated that he concurs with what has been said by the other residents on this item and hopes that Planning Commission will not approve this item.

- ▶ Harvey Ellison, 3421 Back Country, North Las Vegas, Nevada 89031

Mr. Ellison stated that he will be directly affected by this project if it is approved and he does not want to see this property out in front of his door and he opposes this project.

- ▶ Mark Cera, 5429 Silent Path Way, North Las Vegas, Nevada 89031

Mr. Cera stated that when he purchased his house in July he was told that it was zoned residential and he opposes this project because often there are many children in the area, and he believes that this project will increase traffic and pose a greater risk to the children in the neighborhood.

- ▶ Dr. Scott Vezina, 3519 Back Country Drive, North Las Vegas, Nevada 89031

Dr. Vezina stated that he does not mind looking at a brick wall, but he does not want it to be in his front yard. He feels that this project is not suitable for the area and asked the Planning Commission to deny this project.

- ▶ Donna Parker, 5433 Silent Path Way, North Las Vegas, Nevada 89031

Ms. Parker stated she has three (3) children that go to school in the area, two of whom walk to elementary school on Back Country, which is on the backside of where this is supposed to be built. She stated that her children are within walking distance of the school and there is no bussing available. She believes that the increased traffic would put her children in danger, and she opposes having delivery trucks, garbage trucks and other commercial traffic going through the neighborhood. She also noted that the applicant is not present.

- ▶ Gerard Dube, 3417 Back Country, North Las Vegas, Nevada 89031

Mr. Dube stated he agrees with everything else that has been said against this project. He does not want to walk out of his front door and smell a dumpster, or see trucks going in and out of this property every day. He also stated that he is concerned because when he and other residents attended a meeting with the applicant, that the applicant stated to them that he does not care about their community and he opposes this project. Mr. Dube stated that when he moved in the area it with the understanding this was zoned R-1. He stated he agrees with development, but asked the Planning Commission to deny this project as he believes it belongs residential.

Chairman Stone asked Mr. Dube about the meeting he referenced that was held with the applicant and whether or not Mr. Dube was in attendance at that meeting.

Mr. Dube replied that he was in attendance at the meeting with the applicant.

Chairman Stone asked Mr. Dube when was the meeting held.

Mr. Dube stated the meeting was held the Thursday before this Planning Commission meeting and was held at the American Legion Hall. Mr. Dube stated that the applicant tried to get the residents to agree to anything, and the Mr. Dube and the other residents stated that they do not want the commercial project in the community. Mr. Dube stated that the applicant stated to him and the other residents that the applicant did not really care about their community. Mr. Dube stated that the applicant sent out two letters; the first one stated the project was going to be on the northeast side of Ann Road and the residents who read that first letter were in agreement with that location. He stated that two days later another letter arrived stating the project will be built on his side. He again asked the Planning Commission to deny this project.

- ▶ Cynthia Hito-Oden, 3514 Lonesome Woft Court, North Las Vegas, Nevada 89031

Ms. Hito-Oden stated that she concurs with all the previous testimony that the other residents have given on this item.

- ▶ Layton Brown, 3503 Lonesome Woft Court, North Las Vegas, Nevada 89031

Mr. Brown stated he also concurs with the statements of the other residents and requests this item be denied.

- ▶ Russell Bruce, 3717 St. Peter Court, Las Vegas, Nevada 89031

Mr. Bruce stated he is against this project. He stated that if the Planning Commission wants to make improvements to the area, he suggested libraries, parks, community centers, fire houses, post offices and the like would be better ideas than this project. Mr. Bruce referred to statements of staff earlier which indicated that there is a certain amount of commercial development allowed in the current zoning and he wanted to know if the residents have any say to stop the commercial development.

Chairman Stone stated that the Comprehensive Plan identifies planned areas for commercial and residential and stated there is a fairly significant commercial corridor going down Ann Road and asked staff whether he was accurate in that statement.

Marc Jordan replied that currently there is a 149 acres along Ann Road between Decatur and Revere Street that has been approved for commercial developments, and likewise there have been commercial developments already approved and the Comprehensive Plan also supports additional commercial in those areas.

Chairman Stone asked Mr. Jordan if it would be fair to say that the character of Ann Road is something similar to Cheyenne or Craig.

Mr. Jordan replied that it would not be quite as intense.

Steve Baxter, Planning Manager, stated that Craig Road is almost solid commercial from Commerce west to Decatur where as Ann Road will be at least half or more residential as shown in the Comprehensive Plan.

Mr. Bruce asked if the residents have any recourse other than to continue to appear before the Planning Commission.

Chairman Stone stated that this is the proper forum for residents to fight for issues they believe in.

Chairman Stone closed the Public Hearing. He also stated that he appreciates seeing the homeowners coming out and participate in the process.

Commissioner Anita Wood stated that she does not want see the same mistakes made on Ann Road with regards to the great intensity of commercial along Craig Road. She believes that a precedence has been set and started a boundary where there is more commercial on the north and the southern half of Ann Road has been left to be residential, and she believes that part of that has been because of the concerns expressed by staff and by City Council due to the over-saturation of commercial on Ann Road and the possibility of that continuing. She believes the residents have a valid point since Allen and Farrell are not intended to be offramps for the beltway, which means they are going to remain smaller and therefore she feels the Planning Commission should consider denying this item.

Commissioner Anita Wood **MOVED** and Vice-Chairman Tom Langford **SECONDED** to **DENY** AMP-10-01 per staff's recommendations as the subject site does not comply with the guidelines established in the Comprehensive Plan and there is no compelling reason to amend the Comprehensive Plan at this time.

The motion carried by **UNANIMOUS** vote.

Items #1 and #2 are related and therefore being presented and heard together.

2) ZN-10-01 (3742) ANN & ALLEN PROMENADE (Public Hearing)

An application submitted by Specialty Holdings, Inc., 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 southeast corner of Ann Road and Allen Lane. The Assessor's Parcel Numbers are 124-32-101-002, 124-32-101-003, 124-32-101-004, 124-32-101-005 and 124-32-101-006.

RECOMMENDATION:

The Development Services Department recommends that AMP-10-01 be denied as the subject site does not comply with the guidelines established in the Comprehensive Plan and there is no compelling reason to amend the Comprehensive Plan.

The Development Services Department recommends that ZN-10-01 be denied as the rezoning is not justified by changed or changing conditions since the adoption of the Comprehensive Plan in June of 1999.

Chairman Nelson Stone stated that the Item #1 and this Item #2 are related and that all discussions regarding Item #1 shall apply to Item #2. Chairman Stone opened the Public Hearing. He included testimony stated in Item #1 to apply to item #2. The Public Hearing was closed.

Commissioner Anita Wood MOVED and Vice-Chairman Tom Langford SECONDED to DENY ZN-10-01 per staff's recommendations as the rezoning is not justified by changed or changing conditions since the adoption of the Comprehensive Plan in 1999.

The motion carried by UNANIMOUS vote.

3) AMP-11-01 (3804) TROPICAL/CLAYTON BY PARDEE (Public Hearing)

An applicaton submitted by Pardee Construction Company, property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of LDR Low Density Residential to MDR Medium Density Residential. The property is generally located at the southwest corner of Tropical Parkway and Clayton Street. The Assessor's Parcel Number is 124-29-702-001.

RECOMMENDATION:

The Development Services Department recommends that AMP-11-01 be approved to amend the Comprehensive Plan for the subject site from Low Density Residential to Medium Density Residential.

Prior to the Planning Commission meeting, the applicant requested the item be continued to 4/11/01.

Commissioner Anita Wood MOVED and Commissioner Tom Langford SECONDED to CONTINUE AMP-11-01 to the 4/11/01 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item is CONTINUED to 4/11/01.

Items #4 and #5 are related and therefore being presented and heard together.

4) AMP-12-01 (3802) ANN & COMMERCE PROMENADE (Public Hearing)

An application submitted by Specialty Holdings, Inc. on behalf of Rancho Mirage, LLC., property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of LDR Low Density Residential to Neighborhood Commercial. The property is generally located at the northwest corner of Ann Road and Commerce Street. The Assessor's Parcel Number is 124-27-401-007.

RECOMMENDATION:

The Development Services Department recommends that AMP-12-01 be denied as the proposed change does not comply with the guidelines established in the Comprehensive Plan and there is no compelling reason to amend the Comprehensive Plan.

The Development Services Department recommends that ZN-11-01 be denied as the rezoning is not justified by changed or changing conditions since the adoption of the Comprehensive Plan in June of 1999.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated that there is an accompanying application to rezone the property from Ranch Estates to C-1 Neighborhood Commercial and he will be briefing the Planning Commission on both together. He stated these two items are required to meet guideline standards of the Comprehensive Plan in order to warrant commercial zoning. He stated that a market demand analysis was submitted for this and that market demand analysis appeared to address the needs of the entire Las Vegas Valley rather than the site specifically within the two mile radius. Mr. Jordan stated according to the plans approved within a two mile radius of Ann Road there is approximately 150 acres approved for commercial which would equate to about 1.4 million square feet of commercial space. He further stated areas along Craig Road within a two mile area have approximately 350 acres or 3.3 million square feet of commercial space. Along North 5th Street and the beltway there is approximately 100 acres or 958,000 square feet of approved commercial space. In addition, according to the Comprehensive Plan there is approximately 400 acres that could be zoned for commercial. He stated that there is approximately 1,000 acres within a two mile radius of this site. Mr. Jordan stated it appears the applicant would be able to comply with the rest of the requirements outlined in the Commercial Design Standards, however because the market analysis does not support additional commercial at this area, staff is recommending this item be denied as well as the accompanying rezoning application.

Chairman Nelson Stone called for the applicant to come forward. The applicant was not present.

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

Commissioner Anita Wood stated she is concerned about the proximity of this project to RC Farms agricultural activities. She stated that she thinks the R-E that is currently there is the most appropriate use to abut RC Farms at this time.

Commissioner Laura Perkins MOVED and Commissioner Anita Wood SECONDED to DENY AMP-12-01 per staff's recommendations as the rezoning is not justified by changed or changing conditions since the adoption of the Comprehensive Plan.

The motion carried by UNANIMOUS vote.

Items #4 and #5 are related and therefore being presented and heard together.

5) ZN-11-01 (3743) ANN & COMMERCE PROMENADE (Public Hearing)

An application submitted by Specialty Holdings, Inc. on behalf of Rancho Mirage, LLC., 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 northwest corner of Ann Road and Commerce Street. The Assessor's Parcel Number is 124-27-401-007.

RECOMMENDATION:

The Development Services Department recommends that AMP-12-01 be denied as the proposed change does not comply with the guidelines established in the Comprehensive Plan and there is no compelling reason to amend the Comprehensive Plan.

The Development Services Department recommends that ZN-11-01 be denied as the rezoning is not justified by changed or changing conditions since the adoption of the Comprehensive Plan in June of 1999.

Chairman Nelson Stone indicated for the record that the same information presented in Item #4 shall apply to Item #5 as they are related. Chairman Stone opened the Public Hearing. No participants came forward. The Public Hearing was closed.

Vice-Chairman Tom Langford MOVED and Commissioner Dean Leavitt SECONDED to DENY ZN-11-01 per staff's recommendations as the rezoning is not justified by changed or changing conditions since the adoption of the Comprehensive Plan in June of 1999.

The motion carried by UNANIMOUS vote.

6) AMP-09-01 (3803) MLK PLAZA SENIOR APARTMENTS (Public Hearing)

An application submitted by Lucchesi Galati Architects on behalf of Clark County, property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of Public/Semi-Public to HDR High Density Residential. The property is generally located at the northwest corner of Carey Avenue and Lexington Street. The Assessor's Parcel Number is 139-16-801-005.

RECOMMENDATION:

The Development Services Department recommends that AMP-09-01 be denied as the subject site does not comply with the guidelines established in the Comprehensive Plan and there is no compelling reason to amend the Comprehensive Plan.

The Development Services Department recommends that ZN-12-01 be denied as the rezoning is not justified by changed or changing conditions since the adoption of the Comprehensive Plan in June of 1999.

Prior to the Planning Commission meeting, the applicant requested the item be continued to 4/25/01.

Commissioner Anita Wood MOVED and Commissioner Tom Langford SECONDED to CONTINUE AMP-09-01 to 4/25/01.

The motion carried by UNANIMOUS vote.

The item is CONTINUED to 4/25/01.

7) ZN-12-01 (3806) MLK PLAZA SENIOR APARTMENTS (Public Hearing)

An application submitted by Lucchesi Galati Architects, Inc. on behalf of Clark County , property owner, for reclassification of property from a C-1 Neighborhood Commercial District to an R-3 Multi-Family Residential District. The property is generally located at the northwest corner of Carey Avenue and Lexington Street. The Assessor's Parcel Number is 139-16-801-005.

RECOMMENDATION:

The Development Services Department recommends that AMP-09-01 be denied as the subject site does not comply with the guidelines established in the Comprehensive Plan and there is no compelling reason to amend the Comprehensive Plan.

The Development Services Department recommends that ZN-12-01 be denied as the rezoning is not justified by changed or changing conditions since the adoption of the Comprehensive Plan in June of 1999.

Prior to the Planning Commission meeting, the applicant requested the item be continued to 4/25/01.

Commissioner Anita Wood MOVED and Commissioner Tom Langford SECONDED to CONTINUE ZN-12-01 to 4/25/01.

The motion carried by UNANIMOUS vote.

The item is CONTINUED to 4/25/01.

8) UN-19-01 (3800) IGLESIA EVANGELICA AMIGOS (Public Hearing)

An application submitted by Iglesia Evangelica Amigos on behalf of Juliana De Peralta, property owner, for a use permit in an R-E Ranch Estates District to allow a church. The property is generally located at the southeast corner of Simmons Street and San Miguel Avenue. The Assessor's Parcel Number is 139-05-801-001.

RECOMMENDATION:

The Development Services Department recommends that UN-19-01 be approved subject to the following conditions:

1. Standard Conditions 1, 2, 3, 6, 7, 8, 10, 11, 12, 15, 26, and 27.
2. The development shall comply with the Commercial Development Design Standards including but not limited to the following:
 - a. The building shall be relocated to the street corner.
 - b. Sidewalks shall be provided along any facade featuring a customer entrance which exits into a parking area or travel lane.
 - c. Sidewalks shall be located at least six feet from the facade of the building to provide planting beds for foundation landscaping.
 - d. A minimum six-foot-wide landscaped island shall be provided for every 15 parking spaces contained in a row and at the ends of every row.
 - e. A minimum 20 feet of landscaping (which may include sidewalks) shall be provided along San Miguel Avenue and Simmons Street.
 - f. A minimum six-foot-high wall shall be constructed on the property line(s) between the proposed development which abuts the residential property to the south and east.
 - g. In addition to a solid masonry wall, a landscaped buffer area with a minimum width of 20 feet shall be provided adjacent to the residential property to the south and east.
3. An additional 20 feet of right-of-way must be dedicated along the Simmons Street frontage. Simmons Street is shown on the Master Plan of Streets and Highways as a 100-foot-wide street. The east side of Simmons Street has a 30-foot dedication where 50 feet is required.
4. A 25-foot radius spandrel must be dedicated at San Miguel Avenue and Simmons Street intersection.
5. Fiber optic conduit is required along the Simmons frontage.

6. The driveways do not meet the standard width of 32 feet. The existing driveways must be brought up to code requirements and any new driveways must be constructed in accordance with the standard. (*Ref. Uniform Standard Drawings for Public Works Construction, Drawing No. 222A*).
7. The northern most driveway on Simmons Street is too close to San Miguel Avenue. The minimum offset required by Municipal Code 17.24.130.C is 150 feet.

8. Fire Department access lanes shall be provided in accordance with the requirements outlined in Ordinance 1283.
9. The development shall comply with all Fire Department Codes and Ordinances in effect at the time building plans are submitted for review.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated staff is recommending approval of this item subject to conditions, however he stated that just prior to this Planning Commission meeting the applicant submitted revised copies of a site plan in which staff has not had the ability to look at and therefore staff is therefore recommending this item be continued to the 4/25/01 Planning Commission meeting to allow staff the opportunity to review the site plan and write up appropriate comments that could be distributed to the Planning Commission.

Jaime De La Vegas, 6944 Erin Circle, Las Vegas, Nevada 89145 appeared on behalf of the applicant and stated he received a letter from the City of North Las Vegas, reviewed all the standard conditions, and agrees completely to comply with all the conditions, as well as he concurs with staff's recommendation of a continuance until the 4/25/01 meeting.

Chairman Nelson Stone opened the Public Hearing. No participants came forward. The Public Hearing remained open until the 4/25/01 Planning Commission meeting.

Vice-Chairman Tom Langford **MOVED** and Commissioner Laura Perkins **SECONDED** to **CONTINUE** UN-19-01 per staff's recommendations without closing the Public Hearing.

The motion carried by **UNANIMOUS** vote.

The item is CONTINUED to 4/25/01.

9) ZN-13-01 (3807) VALLEY & ROME (Public Hearing)

An application submitted by Mohawk Valley Partners, LLC, on behalf of Centennial 95 Limited Partnership, property owner, for reclassification of property from an O-L Open Land District to a C-2 General Commercial District. The property is generally located at the southwest corner of Valley Drive and Rome Boulevard. The Assessor's parcel Number is 124-19-401-005.

RECOMMENDATION:

The Development Services Department recommends that ZN-13-01 be denied at the recommendation of the Economic Development Department.

Prior to the Planning Commission meeting, the applicant requested the item be continued to 4/11/01.

Commissioner Anita Wood MOVED and Vice-Chairman Tom Langford SECONDED to CONTINUE ZN-13-01 to 4/11/01.

The motion carried by UNANIMOUS vote.

The item is CONTINUED to 4/11/01.

10) UN-18-01 (3790) CECIL VERNON (Public Hearing)

An application submitted by Cecil Vernon, property owner, for a use permit in an R-1 Single-Family Residential District to allow an expansion to an existing accessory building making the total building area approximately 2,455 square feet. The applicant is also requesting the expansion to be constructed of cinder blocks rather than the required stucco, and to exceed the height of the dwelling by four (4) feet. The property is located at 3028 Haddock Avenue. The Assessor's Parcel Number is 139-13-810-002.

RECOMMENDATION:

The Development Services Department recommends that UN-18-01 be denied. However, should the Planning Commission find that approval would be appropriate, staff recommends the following conditions.

1. That Standard Conditions 4, 11 and 12 apply.
2. That the accessory structure be painted to match the residence.
3. That the roof be finished with asphalt shingles or similar.
4. That a Consolidation Map be filed which combines the two lots occupied by the applicant prior to the issuance of a building permit.

The application was presented by Chris Melendrez, Associate Planner, on behalf of staff who indicated staff is recommending denial of this item due to its excessive size as well as the proposed building materials.

Cecil Vernon, 3028 Haddock Avenue, North Las Vegas, Nevada 89030 appeared on behalf of the applicant. Mr. Vernon stated he could drop the height to 14 feet which would make it 15.6 height overall. He stated there are 19 residents on this dead-end street, all mobile homes except one, 10 of which have metal roofs as they are older model mobile homes. He stated there are trees on both sides of this so as to hide it from view. Mr. Vernon suggested he could call this a "garage conversion" if it will assist in obtaining approval of this item.

Chairman Nelson Stone advised the applicant that the City has adopted new laws and regulations and Design Standards.

Vice-Chairman Tom Langford stated that his only concern is the applicant's roofing materials and asked the applicant if he would be willing to use a different material for the roof.

Mr. Vernon replied that he was willing to do that.

Commissioner Anita Wood asked the applicant if he has a problem with consolidating the two lots.

Mr. Vernon stated that he does have a problem with consolidating the two lots. He stated that he does not intend for anyone to get that lot as long as he lives there.

Chairman Stone stated that nonconforming lots came into existence many years ago and he believes there are certain things they need to live with. He stated that he is in agreement with deleting the consolidation map, but he supports conditions #1, 2, and 3.

Mr. Jordan stated if the Planning Commission decides to approve this application, staff would then recommend condition #4 be stricken and removed as a requirement.

Chairman Nelson Stone MOVED and Commissioner Anita Wood SECONDED to APPROVE UN-18-01 per staff's recommendations subject to the following change:

Condition #4 deleted.

The motion carried by UNANIMOUS vote.

Chairman Nelson Stone stated he will be abstaining from voting on Item #11 as his company has a business interest and therefore believes there would be a conflict of interest.

11) UN-21-01 (3808) SPRINT PCS FACILITY (Public Hearing)

An application submitted by Sprint PCS on behalf of Red Partners, property owner, for a use permit in a C-2 General Commercial District to allow a 50-foot monopole communication tower. The property is located at 1311 W. Craig Road. The Assessor's Parcel Number is 139-04-701-011.

RECOMMENDATION:

The Development Services Department recommends that UN-21-01 be approved subject to the following conditions:

1. Standard condition numbers: 4, 8, 10, 11 and 12.
2. The maximum height of the tower shall not exceed 50 feet.
3. The tower shall be a monopole design.
4. The tower shall be painted desert tan. (Benjamin Moore Paints #1032 or equivalent)
5. Co-location shall be permitted by others at competitive rates.

The application was presented by Chris Melendrez, Associate Planner, on behalf of staff who indicated staff is recommending approval with conditions and staff would like to add an additional condition to read as follows:

Condition #6 Added to Read: "If approved, UN-08-01, the previously approved use permit, shall be null and void."

Dan Davis, of Sprint PCS, 7380 W. Russell Road Suite 100, Las Vegas, Nevada 89113 appeared on behalf of the applicant who stated he concurs with all of staff's recommendations including the newly added condition #6.

Vice-Chairman Tom Langford asked the applicant if this is approved, will it interfere with Petsmart or other businesses at the location.

Mr. Davis replied that the equipment has been moved and will not interfere with the businesses.

Vice-Chairman Langford opened the Public Hearing. No participants came forward. The Public Hearing was closed.

Commissioner Laura Perkins stated she was disappointed to learn this tower was going to just be a painted pole and was hoping for some type of camouflage of the tower.

Mr. Davis stated that since the tower was being moved just a couple of hundred feet he did not feel it was necessary at this time to camouflage this particular tower, however he further stated he has been working with Commission Marilyn Kirkpatrick on putting together a study to help assist the Planning Commission in developing change to the City's Ordinance that might be appropriate in the future.

Commissioner Anita Wood stated she has similar concerns as Commissioner Perkins in that the Planning Commission has seen applications come forward where instead of being the 50-foot tower the applicant ends up placing it in a less conspicuous location such as on a rooftop, and she stated that it would be nice if he would look into this issue.

Steve Baxter, Planning Manager, stated that staff intends to have a workshop on this issue and believes it will take place in approximately four (4) weeks.

Vice-Chairman Langford stated the Commission is asking Sprint to look into some of these other designs for poles and towers.

Commissioner Dean Leavitt MOVED and Commissioner Laura Perkins SECONDED to APPROVE UN-21-01 per staff's recommendations subject to the following change:

Condition #6 Added to Read: "If approved, UN-08-01, which is the previously approved use permit, shall be null and void."

The motion carried by MAJORITY vote with Chairman Nelson Stone abstaining from voting due to his company having a business interest in the item.

**There was a break in the proceedings at 8:20 p.m.
The meeting reconvened at 8:29 p.m.**

12) UN-41-94 (1520) TABERNACLE OF FAITH CHURCH (Public Hearing)

An application submitted by the Tabernacle of Faith Church, property owner, for an extension of time on a use permit in an R-A/FA Redevelopment Area/Focus Area Subdistrict. The property is located at 2030 Yale Street. The Assessor's Parcel Number is 139-22-610-010.

RECOMMENDATION:

The Development Services Department recommends that UN-41-94 be approved for a one (1) year extension of time subject to the following conditions:

1. Standard Conditions: 2, 7, 11, 15, 26 and 27.
2. That the development and use of this site be subject to all conditions of the previously-approved interim use permit (UN-41-94). Where there is a conflict with the conditions stated herein, the stricter shall apply; and
3. That any violation of these conditions shall warrant revocation of the interim use permit.

The application was presented by Chris Melendrez, Associate Planner, on behalf of staff who indicated staff is recommending approval of the one year extension of time with conditions.

Corine Claiborne, 1609 Ferguson Avenue, North Las Vegas, Nevada 89030 appeared on behalf of the applicant and stated she concurs with staff's recommendations.

Vice-Chairman Tom Langford MOVED and Commissioner Laura Perkins SECONDED to APPROVE UN-41-94 per staff's recommendations.

The motion carried by UNANIMOUS vote.

Steve Baxter, Planning Manager, advised the Planning Commission this item will be forwarded to the Redevelopment Agency for final approval.

This item is a duplicate of Item #21 and will be heard in sequential order after Item #20 has been heard.

13) UN-15-01 (3735) LA ESPIGA DE ORO (Public Hearing)

An application submitted by La Espiga De Oro Bakery, Inc. on behalf of Elizabeth Evans, property owner, for a use permit in the R-A/FA Redevelopment Area Focus Area Subdistrict to allow a specialty food store and financial institution (check cashing establishment). The property is located at 1618 N. Las Vegas Boulevard. The Assessor's Parcel Numbers are 139-23-402-003 and 139-23-402-004.

RECOMMENDATION:

The Development Services Department recommends that UN-15-01 be approved with the following conditions and that this item be forwarded to the Redevelopment Agency for final consideration.

1. Standard conditions number 10, 11 and 12.
2. The driveway number and location are subject to the review and approval of the City Traffic Engineer.
3. All driveways must meet City standards.
4. A traffic study is required.

The applicant must dedicate five feet adjacent to Las Vegas Boulevard. The site plan must be revised to show this area.

5. That a minimum 10 feet of landscaping shall be provided between the parking lot and sidewalk along Las Vegas Boulevard and Owens Avenue.
6. That the 10 feet of landscaping shall incorporate 24 inch box trees to be planted at intervals of 10 feet, plants and shrubs to achieve a minimum ground coverage of 60% (not including trees). The landscaping plan shall be subject to staff review and approval
7. All signage shall be in compliance with the Redevelopment Area design standards.
8. No bands of color, or other type of color combinations shall be permitted on the building face. The color must be in compliance with the Redevelopment Area design standards.

9. All conditions shall be met and approved for compliance by the Redevelopment staff and Development Services staff prior to applying for a business license.

This item is a duplicate of Item #21 and will be heard in sequential order after Item #20 has been heard.

14) SPR-07-01 (3799) DETENTION CENTER DORMITORY

An application submitted by the City of North Las Vegas, property owner, for a site plan review in the R-A/CR Redevelopment Area / Commercial-Retail Subdistrict to allow a detention center dormitory. The property is located at 2222 Constitution Way. The Assessor's Parcel Numbers are 139-23-506-001 and 139-23-506-004.

RECOMMENDATION:

The Development Services Department recommends that SPR-07-01 be approved and forwarded to the Redevelopment Agency for final consideration subject to the following conditions:

1. Standard Conditions 4, 8, 10 and 11.
2. The development shall comply with all Fire Department Codes and Ordinances in effect at the time building plans are submitted for review.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated staff is recommending approval of this item subject to 2 conditions. Mr. Jordan also stated this item will also require to be forwarded to the Redevelopment Agency for final consideration.

Commissioner Laura Perkins MOVED and Commissioner Anita Wood SECONDED to APPROVE SPR-07-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

15) T-867 (3794) CREEKSIDE ONE-UNIT 1

An application submitted by Centex Homes on behalf of Arik Raiter, Sam Ventura, Ann-Allen, LLC, property owners, for a tentative map review in an R-1 Single-Family Residential District. The property is generally located at the southwest corner of El Campo Grande and Allen Lane. The Assessor's Parcel Numbers are 124-30-701-007, 124-30-701-010, 124-30-701-013 and 124-30-701-016.

RECOMMENDATION:

The Development Services Department recommends that T-867 be continued indefinitely to allow the applicant time to meet with the School District in order for the School District to secure property for a school site within Section 30. State Statutes require the Planning Commission to act within 45 days, otherwise the tentative map would be deemed approved. Therefore, unless the applicant is willing to continue the application, the Development Services Department will have to recommend that T-867 be denied.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated originally staff was recommending an indefinite continuance of this item because of a memorandum the School District submitted in which they are looking for a school site within section 30 which this property is located in. They have been working with Mr. Burns on this. He stated the School District has submitted a letter to staff indicating they no longer request this item be held therefore staff is recommending approval of this tentative map subject to conditions listed in the memorandum given to the Planning Commissioners in the prebriefing meeting and he believes Mr. Burns also has that memorandum.

Brad Burns, 3600 N. Rancho Drive, Las Vegas, Nevada 89130 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Commissioner Anita Wood **MOVED** and Commissioner Tom Langford **SECONDED** to **APPROVE** T-867 per staff's recommendations.

The motion carried by **UNANIMOUS** vote.

16) T-868 (3795) CREEKSIDE ONE-UNIT 2

An application submitted by Centex Homes on behalf of Ann-Allen, LLC, Arik Raiter and Sam Ventura, property owners, for a tentative map review in an R-1 Single-Family Residential District. The property is generally located at the northwest corner of El Campo Grande and Allen Lane. The Assessor's Parcel Number is 124-30-701-004.

RECOMMENDATION:

The Development Services Department recommends that T-868 be continued indefinitely to allow the applicant time to meet with the School District in order for the School District to secure property for a school site within Section 30. State Statutes require the Planning Commission to act within 45 days, otherwise the tentative map would be deemed approved. Therefore, unless the applicant is willing to continue the application, the Development Services Department will have to recommend that T-868 be denied.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated, as was the case in the previous Item #15, there was a submitted memo asking this to be held until a school site could be located. He stated a new letter has since been submitted stating they no longer wish this item be held for that therefore staff is recommending approval of this item subject to the conditions listed in the memorandum passed out to the Planning Commissioners in the prebriefing meeting.

Brad Burns, 3600 N. Rancho Drive, Las Vegas, Nevada 89130 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Commissioner Anita Wood MOVED and Vice-Chairman Tom Langford SECONDED to APPROVE T-868 per staff's recommendations.

The motion carried by UNANIMOUS vote.

17) T-869 (3796) CREEKSIDE ONE-UNIT 3

An application submitted by Centex Homes on behalf of Mary Bartsas, property owner, for a tentative map review in an R-1 Single-Family Residential District. The property is generally located at the southwest corner of Allen Lane and Tropical Parkway. The Assessor's Parcel Number is 124-30-701-002.

RECOMMENDATION:

The Development Services Department recommends that T-869 be continued indefinitely to allow the applicant time to meet with the School District in order for the School District to secure property for a school site within Section 30 and to submit a revised tentative map showing curvilinear streets. State Statutes require the Planning Commission to act within 45 days, otherwise the tentative map would be deemed approved. Therefore, unless the applicant is willing to continue the application, the Development Services Department will have to recommend that T-869 be denied.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated this, as was the case with the previous two items (#15, and #16), the school district has submitted a letter indicating they wish this item be held so that a school site can be found within this section. He stated his understanding is they have been working with Mr. Burns on this, however they have not come up with a site yet and therefore are asking to have this item to be held until such time a school site can be worked out. Mr. Jordan stated staff's recommendation is for an indefinite continuance, however if the applicant is not agreeable to that then staff's recommendation would be to deny this item. He stated that he understands the applicant will ask to have this item continued for two (2) weeks which staff has no problem with.

Brad Burns, 3600 N. Rancho Drive, Las Vegas, Nevada 89130 appeared on behalf of the applicant who stated he does not want an indefinite continuance, but is in agreement to continue this item for 2 weeks.

Commissioner Anita Wood MOVED and Vice-Chairman Tom Langford SECONDED to CONTINUE T-869 this item to the 4/11/01 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

This item is CONTINUED to 4/11/01.

18) T-870 (3797) CREEKSIDE ONE-UNIT 4

An application submitted by Centex Homes on behalf of Robert Cohen, property owner, for a tentative map review in an R-1 Single-Family Residential District. The property is generally located at the southwest corner of Tropical Parkway and Willis Street. The Assessor's Parcel Number is 124-30-701-005.

RECOMMENDATION:

The Development Services Department recommends that T-870 be continued indefinitely to allow the applicant time to meet with the School District in order for the School District to secure property for a school site within Section 30. State Statutes require the Planning Commission to act within 45 days, otherwise the tentative map would be deemed approved. Therefore, unless the applicant is willing to continue the application, the Development Services Department will have to recommend that T-870 be denied.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated this application is as the application before it (Item #17) staff originally recommended continuance of this due to the school district's requirements. He stated staff has no objections to continue this item for 2 weeks like the previous application if the applicant is agreeable to that.

Brad Burns, 3600 N. Rancho Drive, Las Vegas, Nevada 89130 appeared on behalf of the applicant who stated he is in agreement to continue this item for 2 weeks.

Commissioner Dean Leavitt MOVED and Commissioner Laura Perkins SECONDED to CONTINUE T-870 to the 4/11/01 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item is CONTINUED to 4/11/01.

19) T-871 (3805) CHEYENNE VALLEY COMMERCE CENTER

An application submitted by EMJ Development Company on behalf of Cheyenne Valley, LLC, property owner, for a tentative map review in an Planned Unit Development District (PUD). The property is generally located at the northwest corner of Cheyenne Avenue and Valley Drive. The Assessor's Parcel Number is 139-07-410-004.

RECOMMENDATION:

The Development Services Department recommends that T-871 be approved subject to the following conditions:

1. Standard conditions number: 1, 2, 3, 7, 11, 15, 16, 17, 26, 27, 29 and 31.
2. The driveways on Cheyenne Avenue will be restricted to right-in, right-out movements only, except at median openings.
3. The driveways on Cheyenne Avenue must have a clear throat depth of 50 feet.
4. Right-of-way for a bus turn-out must be dedicated on Cheyenne Avenue, west of Valley Drive.
5. The applicant shall comply with all conditions of approval for the specific PUD Planned Unit Development District listed in Ordinance 1447.
6. All Fire Department codes and ordinances in effect at the issuance of building plans shall apply.
7. Two copies of a corrected tentative map incorporating the conditions of approval shall be submitted for review by the Public Works Department and the Planning Division prior to submittal of the final map.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated the Planning Commission not too long ago approved a request for Planned Unit Development (PUD) which would include

an Industrial Development Park and that request was also approved by the City Council on November 1, 2000. He stated the applicant has just simply come in with a Commercial Subdivision for this site. He stated staff is recommending approval of this item subject to the seven (7) conditions listed.

Mark Hedge, 5828 Spring Mountain Road #308, Las Vegas, Nevada 89146 appeared on behalf of the applicant who stated he would like discuss some of the conditions and try to work something out. He stated that standard condition #16 states they submit to Clark County Regional Flood Control District for map review and he stated that is not in a flood zone and there are no washes to the site and was curious why that was placed or is it simply something that is placed on all final maps.

Steve Casmus, of Public Works, stated that would be the only reason the Public Works Department would require concurrence from the Regional Flood Control District.

Chairman Nelson Stone stated he does not believe the Planning Commission could waive that; it is either adjacent to a regional facility or it is not.

Mr. Hedge stated he is not aware of any regional facility other than a 60x30 storm drain pipe.

Mr. Casmus stated that under condition #2 with the technical drainage study requirement that would be submitted for concurrence to the Regional Flood Control District regardless of condition #16.

Chairman Stone asked if Standard Condition #2 supercedes Standard Condition #16.

Mr. Casmus stated he believes it accomplishes the same thing and the Public Works Department would no object to that.

Mr. Hedge next stated he wanted to look at Standard Condition #17 which states:

17. That prior to submittal of a final map, street names shall be submitted to and approved by the Fire Alarm Office and U.S. Postal Service.

Mr. Hedge stated this is a one-lot commercial subdivision where they are proposing no public streets and no streets to be named so therefore he does not know why this condition would apply.

Mr. Jordan stated staff has no objection to that condition be deleted.

Mr. Hedge stated, with regards to condition #2, he would like to add the verbage at the end of the sentence to read:

2. The driveways on Cheyenne Avenue will be restricted to right-in, right-out movements only, except at median openings as approved by NDOT and the City of North Las Vegas Public Works Department.

Charity Fechter, of Transportation Services, stated that is acceptable to them.

Mr. Hedge then referred to condition #3: "The driveways on Cheyenne Avenue must have a clear throat depth of 50 feet." He stated he understands that the Industrial Design Guidelines / PUD requirements are asking for a 20-foot landscape strip along Cheyenne.

Charity Fechter stated this is a standard requirement of NDOT and Cheyenne is an NDOT street.

Chairman Nelson Stone MOVED and Commissioner Anita Wood SECONDED to APPROVE T-871 per staff's recommendations subject to the following modifications:

Condition #2 and #3 shall contain the language regarding NDOT: “or as approved by NDOT and the City of North Las Vegas Traffic Engineer.”

Delete Standard Conditions #16 and #17.

The motion carried by UNANIMOUS vote.

20) SPR-08-01 (3923) CRAIG ROAD INDUSTRIAL PARK

An application submitted by Gerald Butler for an Amendment to the site plan for the Craig Road Industrial Park. The property is generally located on the south side of Craig Road west of Walnut Road. The Assessor's Parcel Number is 140-06-210-032.

RECOMMENDATION:

Based on the abutting property owners support of this project, the Development Services Department recommends approval of SPR-08-01 subject to the following conditions:

1. That SPR-08-01 be subject to all previously approved conditions for SPR-02-00. If there is a conflict with the conditions stated herein, the more restrictive shall apply; and
2. That the applicant obtain all required authorizations from the appropriate jurisdictions prior to further construction on the wall; and
3. That the top of the wall (adjacent to the southern property line) may vary from three (3) feet to eight (8) feet above the finished floor elevations of the buildings.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated that not too long ago the City Council approved a variance for this property that would allow a 10-foot separation between the proposed building and the residential neighborhood to the south. Likewise the Planning Commission approved a site plan review on this site which did identify that 10-foot separation. He stated that in addition to the site plan, the Planning Commission reviewed and identified an 8-foot high block wall on the southern property line. He stated the block wall was presented to be 8 feet by the finished floor elevation of the buildings which would provide some screening of the buildings. Mr. Jordan stated this item which is presented to the Planning Commission tonight is to consider that block wall and the height of it. He believes that presently the applicant wants to raise that wall by approximately 2 courses to approximately 8 feet which would allow the block wall to be approximately 3 feet above the finished floor elevation of the site. He believes the site has been graded and that finished floor elevation is existing out there and is in place at this time. In addition to this application, the applicant has submitted several letters with signatures and addresses

from the neighboring residential properties indicating that they have no objections to an 8 foot high wall. Staff is recommending approval of this item subject to three (3) conditions. Mr. Jordan referred to discussion in the prebriefing meeting where staff discussed the possibility about a 6-foot high decorative wall between the buildings and on the sides and stated that is up to the discretion of the Planning Commission.

Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas, Nevada 89109 appeared on behalf of the applicant. He stated a site plan was approved approximately one year ago. He stated that he believes there was some discrepancy with respect to the floor plan and the wall height. He stated the applicant would like to add 2 extra courses to the block wall which would make it 8 feet. He believes the applicant submitted 13 or 14 letter to the neighbors confirming there was no opposition. He stated he would like to add an additional condition to be approved and the reason he is bringing this condition up is the condition was originally in staff's recommendation as a condition one year ago and he would like to see this condition put back in and it states: "the approval of the site plan submitted with this application is not intended nor implied." The reason he wants to put that back in is if there is any discrepancies with respect to the block wall being 8 feet or 7 feet, 11 inches, that he could come back and work with staff to obtain their determination at the time. In addition, regarding the landscaping, Mr. Gronauer stated that the applicant was under the belief in the back of the 10-foot separation when it was approved he was adding some palm trees and rock covering in the back. The applicant understood that was approved last year subject as that and he stated he believes there is some discrepancy of putting some other smaller landscape between the wall and the building itself, and he would like to do some other type of alternative type of landscaping there, but since it is 10 feet he does not know what good it will do since it will not screen anything else.

Chairman Nelson Stone stated this particular application is strictly addressing the wall issues and landscape issues would not be relevant to discuss at this time.

Steve Baxter, Planning Manager, agreed with Chairman Stone on that issue.

Vice-Chairman Tom Langford asked the applicant if the residents are aware that the building is still going to be higher, even though the wall is being made higher.

Mr. Gronauer replied that he does not know exactly what the residents are aware of, but stated the property owner has knowledge of such information.

Commissioner Anita Wood stated she is concerned about what the residents are aware of.

Commissioner Wood also asked Mr. Gronauer how many courses may be added to wall before the integrity of the wall is affected.

Mr. Gronauer stated he is not sure as he is not a structural engineer, but believes that two courses were adequate otherwise they would not be put on the wall.

Commissioner Wood stated that she has received information that states that a recent site visit revealed that some sections of the wall appear to have been increased by as many as four (4) courses and she reiterated her concern about the wall.

Chairman Stone asked Mr. Jordan to presume this application fails and what would that imply the developer would need to do (i.e., remove blocks off of an existing wall, etc.).

Steve Baxter, Planning Manager, replied that the reason for the denial might be an indication for the developer as what to do at that point. He stated they would have the option of appealing the item before the City Council or removing block from the wall.

Chairman Stone stated if this item fails block will be removed off of a wall which may increase the visibility of this project to the existing residents. He stated he believes there should be as much screen there as possible.

Commissioner Wood stated the Planning Commission was given three (3) options: The Planning Commission has the discretion to,

1. Require all wall sections to be 8 feet above the finished floor elevation.
2. Allow the top of the wall to be 3 feet above the finished floor elevation.
3. Modify the required wall height as they deem appropriate.

Commissioner Wood stated that considering this is a neighborhood that is very active in making negotiations with developers, she believes if the Planning Commission will be deciding one of the 3 options, the Planning Commission should be receiving some input from those residents.

Mr. Baxter stated that originally the applicant came in with a variance request and the neighbors were notified of that. He stated he recalls the neighbors at that time being told there would be an 8-foot wall and being supportive of that. He stated the item was denied by the Planning Commission because of lack of a hardship and the item went on to the City Council on appeal and the City Council approved it, but directed a site plan review back to the Planning Commission to work out the details. He stated he believes the neighbors are expecting an 8-foot wall.

Mr. Gronauer stated neighbors do not want to see a 13 foot or 14 foot high wall from their elevation. He stated the residents were happy with the two added courses.

Vice-Chairman Langford stated his only problem is whether the residents are aware of the details and he is concerned about Mr. Gronauer's answer being that he did not know.

Tom Bell, Director of Development Services, stated he mentioned it to the applicant when he noticed the discrepancy between the grading plan and the site plan approved by the Commission. He stated that the applicant stated that if you look at the block wall from the homeowners' side you will see an 8 foot wall, but right behind there is the wall of a building, so whether the block wall is 14 feet high or 8 feet high it is the same material as you would see in the back of the building because it is the same CMU block, which is one of the reasons staff recommended approval as there was no difference. Mr. Bell stated it could be screened to increase security by preventing people from getting in there. Mr. Bell stated Jim Lewis, Deputy City Attorney has recommended perhaps changing that condition to read: "That the applicant obtain all required authorizations from the appropriate jurisdictions prior to further construction on the wall; and adjacent property owners having an ownership interest in the wall prior to further construction of the wall."

Commissioner Wood stated she is concerned about what the residents really want. She also wants to know how does the City make sure that the structural integrity of the wall has not been compromised.

Mr. Bell stated they would be required to have a structural analysis completed before a building permit could be issued. He also stated that he is not sure that it is in the City's jurisdiction, which is why that condition regarding them obtaining approval from the appropriate jurisdiction.

Mr. Gronauer stated that the owner just walked into the room and he requested to have this item placed at the end of the meeting to allow him the opportunity to speak with the owner.

Chairman Stone stated this item will be trailed to the end of the meeting to allow Mr. Gronauer to speak with the property owner.

Mr. Gronauer stated that the property owner is now present and has indicated that he did, in fact, meet with the property owners with respect to the wall elevations. He stated that the property owners know that the

elevation will be higher with respect to the building.

Gerald Butler, 8928 La Manga Avenue, Las Vegas, Nevada 89147 appeared on behalf of the applicant and stated he has met with the neighbors and no one has indicated they are opposed to his project.

Jim Lewis stated the City Council had previously considered the variance and he believes it was reduced to the 10-foot depth.

Mr. Bell stated all buildings must meet the City's Building Code.

Chairman Nelson Stone MOVED and Commissioner Dean Leavitt SECONDED to APPROVE SPR-08-01 per staff's recommendations subject to the following condition:

“A six (6) foot high decorative wall shall be provided adjacent to the landscaping between the two buildings and at the end of each building between the buildings and the existing perimeter wall. In addition, a gate shall be installed in the wall between the two buildings to provide access for maintenance of the landscaped area behind the buildings.”

The motion carried by MAJORITY vote with Vice-Chairman Tom Langford voting against the item.

21) UN-15-01 (3735) LA ESPIGA DE ORO (Public Hearing)

An application submitted by La Espiga De Oro Bakery, Inc. on behalf of Elizabeth Evans, property owner, for a use permit in the R-A/FA Redevelopment Area Focus Area Subdistrict to allow a specialty food store and financial institution (check cashing establishment). The property is located at 1618 N. Las Vegas Boulevard. The Assessor's Parcel Numbers are 139-23-402-003 and 139-23-402-004.

RECOMMENDATION:

The Development Services Department recommends that UN-15-01 be approved with the following conditions and that this item be forwarded to the Redevelopment Agency for final consideration.

1. Standard conditions number 10, 11 and 12.
2. The driveway number and location are subject to the review and approval of the City Traffic Engineer.
3. All driveways must meet City standards.
4. A traffic study is required.

The applicant must dedicate five feet adjacent to Las Vegas Boulevard. The site plan must be revised to show this area.

5. That a minimum 10 feet of landscaping shall be provided between the parking lot and sidewalk along Las Vegas Boulevard and Owens Avenue.
6. That the 10 feet of landscaping shall incorporate 24 inch box trees to be planted at intervals of 10 feet, plants and shrubs to achieve a minimum ground coverage of 60% (not including trees). The landscaping plan shall be subject to staff review and approval

7. All signage shall be in compliance with the Redevelopment Area design standards.
8. No bands of color, or other type of color combinations shall be permitted on the building face. The color must be in compliance with the Redevelopment Area design standards.
9. All conditions shall be met and approved for compliance by the Redevelopment staff and Development Services staff prior to applying for a business license.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated this item was originally scheduled for the 3/14/01 Planning Commission meeting, but was continued because the site plan that was continued showed a portion of the parking lot to the south in which he believes the property owner has not signed, therefore it was continued for the applicant to submit a revised site plan showing the correct parcel. Mr. Jordan stated the applicant has done that and it was reflected in the memorandum given to the Planning Commissioners in the prebriefing meeting. According to that site plan there are two buildings on that site and one of them is currently occupied by a bar and the other building is where the proposed use permit is being requested. He stated that there is a driveway between the buildings and there are approximately 15 parking spaces on the site. Behind the building where the use permit is being proposed there is an outside storage area. Staff is recommending approval of this item, however staff is recommending that storage area be cleaned out and that area be utilized for parking. Mr. Jordan stated originally parking was an issue for this site, and apparently they only have a month-to-month lease on the property for 12 parking spaces, however the Municipal Code does have provisions that would allow lawful use that does not have the required parking spaces be converted to another use without full compliance with the parking requirements and that is listed in that memorandum. One of the provisions is if there is any way they can provide additional parking on site they must do so which is why staff is asking that storage area be cleaned out and that area be converted to parking. He stated that staff is recommending approval of this item subject to the eight (8) conditions that are listed in the memorandum given to the Planning Commissioners.

Yolanda Marguerita, 1400 E. Reno Avenue #26, Las Vegas, Nevada 89119 appeared on behalf of the 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 Wood stated she is concerned as the Redevelopment Agency has stated that check cashing facilities do not provide a benefit to the community and she is equally concerned about the financial institution. She believes check cashing can provide some benefit to the community, but is usually a service that is provided free of charge, which is not the case in this business. She does not believe this type of a financial institution should be in an area that the Planning Commission is trying to improve.

The applicant stated that she does not have a problem with the Planning Commission denying the check cashing portion of the business.

Vice-Chairman Tom Langford stated he agrees with Commissioner Wood in that the application for the specialty food stores is desirable, but not the check cashing portion of the business.

Commissioner Wood asked the applicant if she has any problem with removing the fence to create the additional parking behind the bakery.

The applicant stated she will do that what is required of her to gain approval.

Commissioner Wood asked staff to verify if removing the fence has been addressed in the new conditions.

Mr. Jordan replied that the new conditions addressed that the storage area had to be open for employee parking and another condition requires that all the materials in that storage area to be removed.

Commissioner Wood asked Jim Lewis if there is a difficulty to make a motion to approve this item for only one of the two applied for uses.

Jim Lewis replied that is not a problem and the Planning Commission may amend the special use permit as it sees fit.

Commissioner Laura Perkins stated she is concerned about the parking being on a month-to-month lease and expressed concern about the applicant losing their lease for parking in the future.

Mr. Jordan stated the applicant could still come before the Redevelopment Agency and the Planning Commission under the same provisions staff listed on that parking.

Commissioner Anita Wood MOVED and Vice-Chairman Tom Langford SECONDED to APPROVE UN-15-01 subject to the deletion of the check cashing business as it is not a use that is necessary or desirable at this particular location and the check cashing facility is not in conformance with the Redevelopment Plan for the City of North Las Vegas.

**This item is APPROVED with ONE CHANGE:
“Check cashing facility to be deleted.”**

The motion carried by UNANIMOUS vote.

22) SPR-05-01 (3737) SYSCO FOOD SERVICES OF LAS VEGAS

An application submitted by Sysco Corporation on behalf of the Beesley Centennial Parkway Trust, Kenneth R. Gragson, Trustee, property owner, for a site plan review in an Open Land District (pending property reclassification to M-2 General Industrial District) to allow a food distribution center and warehouse. The property is generally located at the southwest corner of Centennial Parkway and Mt. Hood Road. The Assessor's Parcel Numbes are 123-27-101-004 through 123-27-101-011 and 123-27-101-018 through 123-27-101-025.

RECOMMENDATION:

The Development Services Department and the Public Works Department recommends that SPR-05-01 be continued indefinitely to allow the applicant time to submit a revised site plan that is in compliance with the site plan review requirements in Municipal Code 17.28.040.

If however, the Planning Commission were to determine that approval is warranted at this time, then the Development Services Department recommends the following conditions:

1. Standard conditions number: 1, 2, 3, 4, 6, 7, 8, 10, 11, 15, 26 and 27.
2. The applicant shall comply with the industrial design standards with the exception of the following items:
 - a. Bicycle or pedestrian paths on-site are not required.
 - b. Bicycle parking facilities are not required.
 - c. The employee parking lot location as shown on the site plan may be allowed.

3. The applicant shall comply with the parking requirements.
4. The building shall not exceed the maximum height allowed in the M-2 General Industrial District unless approved by a separate special use for an increase in building height.
5. The applicant shall receive separate approval for UN-16-01 to allow hazardous materials (approximately 9,800 lbs. of anhydrous ammonia and 22,500 gallons of diesel fuel) in conjunction with the facility and its operations.
6. Regina Avenue and Fannin Way shall be provided unless vacated.
7. Separate approval of ZN-09-01 to rezone the subject site from O-L Open Land to M-2 General Industrial shall be obtained by the applicant, otherwise the site plan review shall be considered null and void.
8. A second means of access shall be provided to the northeast parking lot adjacent to the ammonia refrigeration controls and fire pump room, subject to review and approval by the Fire Department.
9. Access shall be provided to the north side of the freezer in accordance with the UFC, subject to review and approval by the Fire Department.

10. All access gates shall be electric with AVI loop.
11. All Fire Department codes and ordinances in effect at the issuance of building plans shall apply.
12. Parking, backing or maneuvering is not permitted on public streets.
13. All requirements of Municipal Code 17.28.040 C must be met.
14. A merger and resubdivision map is required to combine all lots.
15. If the box culvert shown on the site plan is to be public , a drainage easement must be provided.
16. The radius spandrel at the intersection of Mt. Hood Street and Centennial Parkway must be increased to 54 feet.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated this item was originally considered at 3/14/01 meeting, but was continued to allow the applicant to work with staff regarding the waiver request. He stated the applicant has submitted a new letter indicating they are withdrawing their request for those waiver items with the exception of the three (3) items staff is supporting, therefore staff's recommendation would remain the same and staff is recommending approval of this item subject to the conditions listed in the original staff report.

Kirk Anderson, of Martin and Martin, 2101 S. Jones Boulevard, Las Vegas, Nevada 89121 appeared on behalf of the applicant and stated he agrees with staff's recommendations.

Commissioner Laura Perkins MOVED and Commissioner Dean Leavitt SECONDED to APPROVE

SPR-05-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

PUBLIC FORUM

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

The following member of the public came forward:

Steve Cochran, 2601 S. Grand Canyon, Las Vegas, Nevada 89117

Mr. Cochran asked the Planning Commission if the residents would receive another public notice informing them of the item being forwarded to City Council.

Chairman Nelson Stone replied that a public notice will not go out for this item as it already has and those who attended the Planning Commission meeting are now notified the item is being forwarded to City Council for final consideration.

DIRECTOR'S BUSINESS:

Tom Bell, Director of Development Services, reminded the Planning Commissioners that their financial disclosure statements need to be completed and submitted.

Jim Lewis, Deputy City Attorney, commented on the Review Panel of the Gaming Policy Committee substituting its judgments for the North Las Vegas City Council when it reversed the City Council's decision to create a gaming enterprise district at the northwest corner of Commerce and Craig. Mr. Lewis stated it was

3-2 vote to reverse.

Commissioner Anita Wood asked Mr. Lewis what did the Review Panel base its decision on.

Mr. Lewis replied that NRS463.30.88, which is the review provision, allows the Review Panel to substitute its judgment. He stated that the three (3) members who voted to reverse felt that the applicant had not met, by clear and convincing evidence, that the neighboring communities quality of life would not be unduly impacted and they had not met their burden of proof with regard whether or not the casino would be incompatible with the surrounding area.

Vice-Chairman Tom Langford asked if that decision is final or can there be an appeal.

Mr. Lewis stated that neighborhood acts appeal periods are very swift. He stated that what will happen is on April 12, 2001 the Review Panel of the Gaming Policy Committee must make their decision 30 days after the City Council rendered their decision, therefore on April 12, 2001 they will render the decision that the North Las Vegas City Council's decision is reversed by a 3-2 margin. At that point the applicant and/or the City may appeal to District Court and they have 20 days from April 12, 2001 to make that appeal. Mr. Lewis stated he does not know whether or not the City has decided to make that appeal and stated that decision is a decision to be made by City Management in conjunction with the City Council members.

Vice-Chairman Tom Langford asked Mr. Lewis if Station Casinos has indicated since this decision was reversed whether or not they will use the other area which was being considered.

Mr. Lewis replied at the City Council hearing Rich Haskins, who was Associate General Council for Station Casinos indicated they would begin very soon if the Craig Ranch site was reversed on appeal.

Mr. Baxter stated Station Casinos has until December 31, 2002 to do something with that other property.

Mr. Lewis stated Station Casinos needs to get started soon if in fact they want to make the cut off as he believes it would be a shame to spend \$105,000,000 dollars and not get the doors open. He stated Station Casinos can move ahead with the other property.

Chairman Nelson Stone asked Mr. Lewis if the Review Panel can reverse the decision on the other site and Mr. Lewis replied that they cannot.

Vice-Chairman Tom Langford stated he was originally against this project at Craig Ranch, however based on the approval of the City of North Las Vegas Planning Commission and the City of North Las Vegas City Council, Vice-Chairman Langford understood that this project was "a done deal." He, along with Chairman Stone, stated he is very surprised that three (3) people, at the State level of government, could "undo" that which was approved within the City's government.

Mr. Lewis stated the Gaming Policy Committee is made up of eleven (11) members, including the governor. He stated the Review Panel is made up of five (5) of the eleven (11) members of the Gaming Policy Committee. The five members of the Review Panel are: Brian Sandoval-Chairman of the Nevada Gaming Commission, Dennis Nylander-Chairman of the Gaming Control Board, Arlan Melendrez-Tribal leader in Washoe County, Mr. Carol Johnson-retired Clark County School Principal, Dr. Ardee Praboo-of Las Vegas. Mr. Lewis stated that interestingly the three members of the Review Panel who voted to reverse this decision are residents of Northern Nevada.

Commissioner Dean Leavitt stated when the Public Hearing was held on this item, the public was evenly split, 50/50 in favor and opposition of this project, and the same were the results with the Planning Commission.

Chairman Stone stated though he disagrees with the reversal of the decision, it is our form of government and

he would rather live here than anywhere else.

Mr. Baxter stated there will be a workshop on 4/11/01 at 5:45 PM in the City Manager's Conference Room regarding Private Parks Standards as well as a discussion regarding possible Commercial Freestanding Sign Ordinance Amendments.

Chairman Stone stated a member of the public was present who wished to speak to the Commission. The following participant came forward:

- ▶ Bob Borgersen, 4751 Possum Berry Lane, North Las Vegas, Nevada 89031

Mr. Borgersen stated he concurs with comments the Planning Commission and staff made regarding the Station Casino project. He stated that there were 346 signatures against the project and over 10,000 in favor of it.

CHAIRMAN'S BUSINESS: None

ADJOURNMENT: 10:00 PM

A motion to ADJOURN the March 28, 2001 meeting of the Planning Commission of the City of North Las Vegas was made by Chairman Nelson Stone. Commissioner Anita Wood SECONDED the motion.

Nelson Stone, Chairman

ATTEST:

