

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

April 11, 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 - Present
Laura Perkins - Present
Marilyn Kirkpatrick - Present

STAFF PRESENT:

Steve Baxter, Planning Manager
Bob Hoyes, Associate Planner
Chris Melendrez, Associate Planner
Lenny Badger, Public Works
Madeleine Jabbour, Transportation Services
Steven DiGiovanni, Fire Department
Jim Lewis, Deputy City Attorney
Ted Karant, Recording Secretary

PLEDGE OF ALLEGIANCE:

Commissioner Harry Shull

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 28, 2001.

Approval of the minutes for the 3/28/01 Planning Commission meeting is being continued to the 4/25/01 Planning Commission meeting.

Commissioner Laura Perkins MOVED and Commissioner Anita Wood SECONDED to APPROVE the 4/11/01 Agenda.

The motion carried by UNANIMOUS vote.

CONSENT AGENDA

A) PW-34-01 (4067) NORTH MEADOWS UNIT 4

Advise the Director of Public Works to notify Gulf Insurance Company to release the Subdivision Bond in the amount of \$319,473.82.

B) PW-35-01 (4068) SILVERWOOD RANCH 6B

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 Improvement Bond in the amount of \$263,187.00.

C) PW-36-01 (4069) STOCKTON PRODUCTS

Accept the Commercial Developments Off-Site Improvements Agreement by Stockton Products and accept the Performance Bond in the amount of \$102,179.00.

D) PW-37-01 (4070) NORTHPORT BUSINESS CENTER

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify the City of North Las Vegas Finance Department to release the Cash-in-lieu of Bond Deposit in the amount of \$136,220.90.

E) PW-38-01 (4074) STARWOOD UNIT 1

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Developers Insurance Company to release the Performance Bond in the amount of \$610,867.00.

F) PW-39-01 (4076) STARWOOD UNIT 1

Reinstate the Subdivision Bond in the amount of \$173,843.00 by Celebrate Homes I, LLC.

G) PW-40-01 (4099) LONE MOUNTAIN/SIMMONS COMMERCIAL CENTER

Approve the Final Map submitted by Lone Mountain/Simmons LLC.

Vice-Chairman Tom Lagford MOVED and Commissioner Dean Leavitt SECONDED to APPROVE Consent Agenda items B, C, D, and G.

The motion carried by UNANIMOUS vote.

Vice-Chairman Tom Langford MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE Consent Agenda items A, E, and F, with Commissioner Harry Shull abstaining due to a conflict of interest.

The motion carried by MAJORITY vote.

NEW BUSINESS

1) UN-19-00 (1361) CAR TITLE LOAN (Public Hearing)

An application submitted by Bijan Mirzasafi on behalf of Jacob Chic Hecht, property owner, for an annual review of a use permit in a RA/CR Redevelopment-Area/Commercial/Retail Subdistrict for a financial institution. The property is located at 2510 East Lake Mead Boulevard. The Assessor's Parcel Number is 139-24-210-269.

RECOMMENDATION:

The Development Services Department recommends that UN-19-00 be approved subject to the following conditions and forwarded to the Redevelopment Agency for final consideration.

1. Standard conditions number 10, 11 and 12.
2. Landscaping must be provided as originally required, subject to review and approval by staff.
3. The parking area in the rear of the building shall be opened for customer or employee parking.
4. All materials in the back of the building shall be removed.
5. All signage shall be in compliance with the Redevelopment Area design standards.
6. 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.
7. 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 Chris Melendrez, Associate Planner, who stated staff is recommending denial of this item as the applicant has failed to comply with conditions of approval that were associated with the original approval. Those conditions are:

8. **Landscaping must be provided as originally required, subject to review and approval by staff.**
9. **The parking area in the rear of the building shall be opened for customer or employee parking.**
10. **All materials in the back of the building shall be removed.**

Mr. Melendrez stated none of these conditions have been met therefore staff is recommending denial.

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.

Vice-Chairman Tom Langford MOVED and Commissioner Laura Perkins SECONDED to DENY UN-19-00 per staff's recommendations.

The motion carried by UNANIMOUS vote.

2) UN-22-01 (3861) EL POLLO LOCO (Public Hearing)

An application submitted by El Pollo Loco, on behalf of College Park Realty Company, property owner, for a use permit in the R-A/CR Redevelopment Area/Commercial/Retail Subdistrict to allow a convenience food restaurant with a drive-through. The property is located at 2400 E. Lake Mead Boulevard. The Assessor's Parcel Number is 139-23-610-006.

RECOMMENDATION:

The Development Services Department recommends that UN-22-01 be approved and forwarded to the Redevelopment Agency for final consideration 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 Redevelopment Area Design Standards.
3. Any freestanding sign shall be limited to a monument sign with a maximum height of 8 feet. All materials used for the construction of the monument sign shall be compatible with those used in the construction of the primary building.
4. That the trash enclosure be oriented with the metal doors facing north.
5. The owner must provide recorded copies of the ingress/egress easement which allows the shared use of driveways on Lake Mead Boulevard and Civic Center Drive.
6. Fire Department access lanes shall be provided in accordance with the requirements outlined in Ordinance 1283.
7. 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 Bob Hoyes, Associate Planner, on behalf of staff who indicated

Lorenzo Reyes, 1224 E. Katella Avenue, Suite 105, Orange, California 92867 appeared on behalf of the applicant who stated he has a problem with condition #1 and #2. He stated El Pollo Loco is probably the only fast food restaurant, in the major downtown area, that based on these conditions will not be allowed to use their standards building design. Mr. Reyes stated in order for El Pollo Loco to prosper at this location, he needs to be readily identifiable and to have some identification and the two issues he is concerned about are the signage and the building elevations. Regarding the signage, he stated he is seeking to have a sign of 28.5 feet high. Mr. Reyes stated the taco stand just north of this property has a forty (40) foot sign. The KFC on the opposite side of the street has a sign in excess of over thirty-five (35) feet high. The Carl's, Jr. has a sign in excess of fifty (50) feet high, the Arby's Restaurant another 50 foot restaurant, going east the McDonald's Restaurant, going east the Burger King, the Citgo, the 7-Eleven. He stated as he went through the approval process with their internal management they looked at what is allowed by code. He stated El Pollo Loco is taking a piece of property that is currently an eyesore and converting it to an attractive business. He stated in order for El Pollo Loco to prosper and be able to compete on an equal level they need to 28.5 feet high sign. Mr. Reyes stated that there are other businesses in the area with signs in excess of the eight (8) foot monument sign staff is proposing. He stated it would be a true hardship for El Pollo Loco Corporation to spend virtually \$1,000,000 at this location and not to have adequate signage. He stated this would give every one of the other businesses in the area an unfair advantage.

Regarding the design requirements on the building, they include a canvass awning over the windows. He stated that with the extreme temperatures the awnings do not last long and El Pollo Loco Corporation would be diligent in replacing them. He does not believe that canvass will last much beyond 12 to 14 months. He stated the vinyl El Pollo Loco uses is a fiber and vinyl and can be hosed off, with the sheen staying on the material, and he has a problem with this condition as he believes this does not work in commercial settings. With regards to the exterior of the building, he stated the Redevelopment Agency asked for a single color on the building and no more than one band. Mr. Reyes stated he would have no problem changing the color if he were allowed to go with a particular trim (pointing to the overhead display). He asks that they be allowed to maintain some form of corporate identity on the exterior of the building.

Chairman Nelsone Stone recognized Councilman Rhodes who was in attendance in the audience.

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

Commissioner Harry Shull stated he understands El Pollo Loco's need for logo identity and he does not have a problem with the color bands that the applicant is proposing and he, personally, does not have a problem with the plastic awnings as he agrees with the applicant with regards to the effects of the extreme weather. Commissioner Shull stated this is the City's redevelopment area and this property is in the heart of the City's downtown. He stated the Planning Commission is trying to improve the image of the City and he would like to see a low profile sign. He stated this is a great corner location and believes El Pollo Loco is an excellent company and believes it will do well in the community and he hopes the applicant can live with a small sign.

Mr. Reyes stated if he was approved for the 28.5 foot high sign, his sign will be lower than all the signs of neighboring businesses in the area. He feels he is being held to a much higher standard than the other businesses in the area.

Commissioner Anita Wood asked staff if the signs of the neighboring businesses, if in fact are over 28.5 feet high, is that due to the fact they were built prior to the redevelopment area being designated and prior to stricter rules of the redevelopment area.

Steve Baxter, Planning Manager, replied that is correct.

Mr. Hoyes replied that many of those signs are associated with shopping centers and typically a shopping center, under the old requirements, was allowed more signage whether it was height or square footage.

Chairman Stone stated the Planning Commission is, in fact, holding El Pollo Loco and all new development in the redevelopment area to a higher standard because that is the desire of the Planning Commission. He concurs with Commissioner Shull stating he has no problem with the color and the canopy, but signs are something the Planning Commission is currently struggling with. He stated that five years ago it would have been different that it is now. He stated all new development is being held to a higher standard in the redevelopment area.

Mr. Reyes stated there are no empty lots in the area to allow for development. He stated that this property is next to a self-service car wash and a furniture rental. With regards to shopping center, he stated people are going to shopping centers. They are traffic-generators. He stated if anything, a shopping center needs less sign, not more sign. El Pollo Loco's location is a corner lot.

Vice-Chairman Tom Langford stated he believes El Pollo Loco will draw a great deal of attention at this location and he does not believe a larger sign is necessary.

Mr. Reyes stated if he does not gain approval of the sign he is seeking, he may not go forward with this project at this location.

Commissioner Wood stated the Planning Commission is looking to improve the area and also is very happy to have El Pollo Loco come into the area. She also stated the Planning Commission is looking for people who are committed to North Las Vegas. She stated if he is unable to make good use of the large amount of signage space on the exterior walls of the building and an eight (8) foot high monument sign that it does not say very much to the applicant's commitment to building at this location or in North Las Vegas and is very sorry about that because she believes there are many people in the City who are excited about El Pollo Loco coming in to town.

Mr. Reyes stated the decision to complete this project will not be his and his alone.

Commissioner Dean Leavitt stated to the applicant if he does not obtain approval through the Planning Commission, he has the option of appealing the decision to the City Council.

Commissioner Laura Perkins stated she agrees with Commissioner Shull regarding the colors of the business, however she believes that a lower sign is appropriate in this area. She stated she believes the property location is in a prime spot and she does not believe a 28 foot high sign is necessary.

Ed Bassford, of College Park Realty who owns the property, 5720 S. Arville, Las Vegas, Nevada 89118 appeared on behalf of the applicant who asked the Commission of the sign ordinance has changed.

Chairman Stone replied that this is the redevelopment area.

Mr. Bassford asked Chairman Stone if the sign ordinance for the redevelopment area has changed.

Steve Baxter stated the sign ordinance for the redevelopment area has not changed. He stated this is a use permit application and this is one suggested condition of approval for the special use permit.

Mr. Bassford asked staff if this standard will be applied to all applicants in the future.

Mr. Baxter stated this would set a precedence for lower signage for future applicants.

Mr. Bassford asked if the sign ordinance would then be changed for future applicants.

Mr. Baxter stated there is going to be a proposal to bring other businesses in line with design guidelines elsewhere in the City and that will be going before the Planning Commission within the next couple of months. He stated there is also some discussion at this time regarding possible amendments to the City's Commercial Sign Design Guideline requirements and believes that will be coming up in the not so distant future.

Mr. Bassford stated he believes that El Pollo Loco would be a great asset to North Las Vegas and strongly recommends the Commission approve the signage according to the existing critier to make them competitive.

Mr. Reyes asked staff to clarify if the use permit requirement is for the drive-thru or is it for the use itself.

Mr. Hoyes stated it is for the use itself, a convenience food restaurant which El Pollo Loco meets the qualifications requiring a special use permit.

Mr. Reyes asked staff what type of a project could go in under the existing ordinance without a use permit.

Mr. Hoyes replied a restaurant, as defined in the City's ordinance, the convenience food restaurant definition includes a take-out clause regarding carrying food out the door, and typically associated with restaurants the patrons are more inclined to sit down and eat the meal on the premises. He also stated associated with restaurants are servers and there would not necessarily be a walk-up window to order food.

Mr. Reyes asked if sixty (60) seats and a service counter would still be considered a convenience?

Commissioner Harry Shull MOVED and Vice-Chairman Tom Langford SECONDED to APPROVED UN-22-01 per staff's recommendations subject to modifications to condition #2:

Condition #2 Changed to Read:

"The development shall comply with the Redevelopment Area Design Standards with the exception of the color bands as presented."

The motion carried by UNANIMOUS vote.

The Planning Commission recommended to the Redevelopment Agency that the applicant be permitted to use plastic awning material versus canvas, as recommended by staff.

Chairman Nelson Stone stated Items #3, 4, and 5 are related and all discussions with staff, the public and the Commission shall apply to all three (3) items.

3) UN-20-01 (3887) CRAIG SHOPPING CENTER (Public Hearing)

An application submitted by All Investments, LLC, on behalf of San Miguel Metropolitan, LTD, property owner, for a use permit in a C-1 Neighborhood Commercial District to allow a convenience store with gas pumps. The property is generally located at the southwest corner of Craig Road and Valley Drive. The Assessor's Parcel Numbers are 139-06-301-002 and 139-06-301-005.

RECOMMENDATION:

1. Standard condition numbers 1, 2, 7, 8, 10, 11, 12, 15, 26 and 27
2. Architectural enhancements shall be provided on the building elevations fronting the street corner. Such enhancements shall be subject to review and approval by staff.
3. Uniform signage shall be required for the entire development.
4. The applicant shall comply with all applicable Building and Fire Department codes and ordinances.
5. That the proposed development shall comply with the Commercial Design Standards including but not limited to providing the required landscaping.

The application was presented by Chris Melendrez, Associate Planner, on behalf of staff who indicated the Comprehensive Plan shows this location to be Community Commercial and the zoning is C-1 Neighborhood Commercial. He stated staff is recommending approval subject to five (5) conditions as well as he would like to add an additional condition #6: **“That the owner must provide recorded copies of the document that allows shared ingress/egress to the driveways on Craig Road and the drive aisles on each parcel.”**

Harold Foster, 3230 Polaris Avenue (no city, state, zip given) appeared on behalf of the applicant who stated this particular site is part of a 5 ½ acres parcel that was zoned C-1 along with the R-1 that was part of this overall parcel rezoned in 1991. He stated he concurs with all of staff's conditions.

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

- ▶ Charles Faulk, 4319 Totano Drive, North Las Vegas, Nevada 89032

Mr. Faulk stated he opposes this project. The backside of his property will be facing the gas station and drive throughs. He stated he understands that a C-1 is part of the Master Plan of the City. He stated a 40-foot water line was recently placed down Valley Drive. He also has concerns regarding the installation of gas tanks in the ground and leakage problems. Mr. Faulk stated he is concerned about the convenience store and gas station being open 24-hours a day.

- ▶ Perry Thompson, 4315 Totano Drive, North Las Vegas, Nevada 89032

Mr. Thompson stated he is concerned about the safety of gas tanks. He stated this project does not contribute to the well being of the neighborhood or the community.

- ▶ Mary Goodin, 4307 Totano Drive, North Las Vegas, Nevada 89032

Mrs. Goodin stated she is concerned that the use permit does not specify what type of gas station, restaurant and car wash are being proposed. She is also concerned about increased traffic and construction noise.

Chairman Stone closed the Public Hearing and called for the applicant to come forward to respond to the comments made by the public.

Mr. Foster stated the convenience store, gas station and car wash will be open 24 hours a day and the restaurant probably will not be open 24 hours a day as well as the lube and smog facility will be daytime uses. He stated the car wash is an automated facility which is quiet. He stated, with regards to the concern about the gas tanks leaking, he stated this facility will have the more sophisticated-type tanks installed with detectors on them so there is very little chance there will be any leakage and contamination of the property in the area. With regards to traffic concerns, he stated there is already a great deal of traffic which is normal to this area. He stated he is in concurrence with staff's recommendations regarding landscaping.

Mr. Farmanelli (owner) stated he believes these are appropriate uses and seeks the approval of the Planning Commission.

Commissioner Marilyn Kirkpatrick stated when the other businesses in the area first opened, she believes the residents were excited because there was nothing out there, but a dirt road with no traffic lights. She stated that now, within one mile, there are five (5) gas stations, three (3) minute lubes and, she believes, on Craig Road one of the minute lubes has been closed down due to the fact there was not enough business. She believes this is a good project, but for another location and not this one.

Commissioner Harry Shull stated he believes these types of commercial projects are good for the community as they help increase property values.

Chairman Stone asked Lenny Badger, of Public Works, how many streets in North Las Vegas have water lines in them.

Lenny Badger, of Public Works, stated virtually every street has them.

Chairman Stone asked Steve DiGiovanni of the Fire Department if the Fire Department has a problem with gas stations and underground tanks.

Steve DeGiovanni replied the Fire Department does not have a problem with those things.

Chairman Stone asked if it is true that there is new criteria for underground tanks with respect to the EPA, referring to leaks of older tanks and he believes there are environmental level studies that address that for new sites.

Mr. DiGiovanni stated that is part of the reason there is the requirement for applicants to go through the state fire marshal. In order to maintain a level of safety, the regulation on hazardous materials such as gasoline/fuel dispensing stations has risen to meet that challenge. He stated that currently this would be regulated by the City, the County and the State as far as the installation and continuing inspection of the underground storage tanks.

Vice-Chairman Tom Langford stated he has learned from the time he has served on the Planning Commission that most developers seem to have less of a problem if the developer had addressed the neighborhood with what they want to do by confronting them and explaining to the residents what the developer is trying to do and see if the residents have some input to work out a smooth transition. He asked the applicant if he met with or attempted to meet with the residents which will be directly around this property.

Mr. Foster replied that he did not meet with or attempt to meet with the residents.

Commissioner Anita Wood stated she lives in this area and asked the applicant if his client owns the retail area that is along the southern boundary of the project and if so does he ever intend to build that retail.

Mr. Foster stated his client owns that parcel and does intend to build that retail space.

Mr. Farmanelli stated build-out will be done in phases, but he does intend to build out the entire project eventually.

Commissioner Wood asked the owner if he intends to put the use permits in soon and retail to follow.

Mr. Farmanelli replied yes.

Commissioner Wood stated her personal feeling on this is this is a typical use permit in a C-1, however this is a unique area and he is trying to do something typical, and that does not work. She stated this is the only parcel along all of Craig Road that is surrounded on all three (3) sides by residential. Typically on the north side of Craig Road she believes it is C-2. She stated he is wanting to bring in some very high intensity use permits on a small parcel that is basically, other than Craig Road, landlocked by residential, and he is doing so to bring in uses that are simply duplicating uses that are currently in the neighborhood. She believes this business is too much for this neighborhood and does not believe this is necessary.

Mr. Farmanelli stated he is providing necessary services to the neighborhood. He also does not believe another business use can go in this location. He stated this property has been sitting since 1991 and will sit for another 10 years because no one is going to develop this property the way the Commission is stating it should be developed.

Chairman Stone reminded the Commission that there are three (3) items here that are related: Item #3 is just the convenience store and gas pumps, Item #4 is the convenience food restaurant/drive through, and Item #5 is the car wash, smog check and lube facility, therefore he stated the current discussion shall focus on Item #3, but there shall be separate motions for each different item.

Commissioner Dean Leavitt asked the applicant if he has a timeline regarding the build-out being done in phases.

Mr. Farmanelli stated that phase 1 is the fast food, convenience store and car wash within twelve (12) months. The next twelve months the estimate is to develop the remainder of the property.

Commissioner Laura Perkins stated she agrees with Commissioner Kirkpatrick as she does not believe another convenience store this close to other convenience stores is necessary.

Commissioner Harry Shull MOVED and Chairman Nelson Stone SECONDED to APPROVE UN-20-01 per staff's recommendations.

The MOTION TO APPROVE failed.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Anita Wood SECONDED to DENY UN-20-01 as it is not necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood or the community.

The motion carried by UNANIMOUS vote.

Chairman Nelson Stone stated Items #3, 4, and 5 are related and all discussions with staff, the public and the Commission shall apply to all three (3) items.

4) UN-23-01 (3888) CRAIG SHOPPING CENTER (Public Hearing)

An application submitted by All investments, LLC, on behalf of San Miguel Metropolitan, LTC, property owner, for a use permit in a C-1 Neighborhood Commercial District to allow a convenience food restaurant with drive-through. The property is generally located at the southwest corner of Craig Road and Valley Drive. The Assessor's Parcel Numbers are 139-06-301-002 and 139-06-301-005.

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

Harold Foster, 3230 Polaris Avenue, Las Vegas, Nevada 89102 appeared on behalf of the applicant who stated his comments on this item are reflected in Item #3.

Chairman Nelson Stone opened the Public Hearing. He stated that all the public comments from Item #3 shall apply to this item, as well as these items are related. The Public Hearing was closed.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Anita Wood SECONDED to DENY UN-23-01 as this particular proposal is not necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood or community.

The motion carried by MAJORITY vote with Chairman Nelson Stone and Commissioner Laura Perkins voting against the motion.

Chairman Nelson Stone stated Items #3, 4, and 5 are related and all discussions with staff, the public and the Commission shall apply to all three (3) items.

5) UN-24-01 (3886) CRAIG SHOPPING CENTER (Public Hearing)

An application submitted by All Investments, LLC, on behalf of San Miguel Metropolitan, LTC, property owner, for a use permit in a C-1 Neighborhood Commercial District to allow an automobile washing establishment and an automobile service facility that would include a smog check facility and a quick lube facility. The property is generally located at the southwest corner of Craig Road and Valley Drive. The Assessor's Parcel Numbers are 139-06-301-002 and 139-06-301-005.

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

Harold Foster, 3230 Polaris Avenue, Las Vegas, Nevada 89102 appeared on behalf of the applicant who stated his comments on this item are reflected in Item #3.

Chairman Nelson Stone opened the Public Hearing. He stated that all the public comments from Item #3 shall apply to this item, as well as these items are related. The Public Hearing was closed.

Commissioner Anita Wood stated she does not have a problem with the smog check and lube facility, however she does not think it should be along Valley and would be better suited to be more to the interior of the project.

Bob Hoyes, Associate Planner, stated short of designing this project at the podium, staff would recommend to continue this item to allow the applicant to bring back a design reflecting the Commission's concerns.

Chairman Nelson Stone asked the applicant if he would consider a continuance as staff has recommended so that the applicant may address the concerns of the Planning Commission.

Mr. Farmanelli stated that he does not wish to continue the item and would prefer a motion.

Commissioner Anita Wood **MOVED** and Commissioner Marilyn Kirkpatrick **SECONDED** to **DENY** UN-24-01 as it does not provide a necessary or desirable use for the well being and could be detrimental to the persons living in the area.

The motion carried by **MAJORITY** vote with Chairman Nelson Stone voting against the motion.

6) UN-25-01 (3896) RIGLERS DIESEL SERVICE (Public Hearing)

An application submitted by Rigers Diesel Service on behalf of Carlos R. Raylor, property owner, for a use permit in an M-2 General Industrial District to allow a truck repair facility. The property is located at 1114 George Avenue. The Assessor's Parcel Number is 139-11-302-002.

The application was presented by Chris Melendrez, Associate Planner, on behalf of staff who indicated staff is recommending approval of this item subject to conditions including a condition for a masonry screen wall.

Clark Bingham, 1313 Sattes, Las Vegas, Nevada 89101 appeared on behalf of the applicant. Phillip Rigler, 4509 Santa Monica Avenue, North Las Vegas, Nevada 89032 also appeared on behalf of the applicant. Mr. Bingham stated he concurs with all of staff's recommendations with the exception of condition #4 regarding the block wall. He stated this property was acquired back in 1987 and there was nothing out there at that time. He stated that it would be a financial hardship for him to comply with condition #4 at this time.

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

Commissioner Anita Wood stated there are many inoperable vehicles along Gowan in the rear of the property and asked the applicant if those are from a previous usage.

Mr. Bingham replied that those belong to a tenant he is in the process of evicting.

Commissioner Wood stated she does not recall the Commission approving any kind of chain link fence in that area since the Commission has gone to requiring block walls.

Mr. Hoyes confirmed she was correct.

Commissioner Wood stated this project has the roll-up doors which are east of the building. She asked what type of work will be conducted there as the current request is for open screening where the existing chain link fence is which is behind where the roll-up doors are located and if there are going to be uses that should be screened does the wall need to be moved forward and block the roll-up doors.

Mr. Bingham stated this building was originally purchased in 1987 and used as a diesel repair shop and that is what it will continue to be.

Commissioner Harry Shull asked staff if the vehicles that are stored there now were out of there would a block wall still be required.

Mr. Melendrez stated a block wall would still be required.

Commissioner Harry Shull MOVED and Commissioner Anita Wood SECONDED to APPROVE UN-25-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

7) UN-26-01 (3909) LOSEE MINI MART (Public Hearing)

An application submitted by Thomas J. DellaValle on behalf of Losee, LLC, property owner, for a use permit in a C-1 Neighborhood Commercial District to allow a drive-through automobile washing establishment. The property is located at 300 W. Lake Mead Boulevard. The Assessor's Parcel Numbers are 139-22-203-001 and 139-22-203-002.

RECOMMENDATION:

The Development Services Department recommends that UN-26-01 be continued indefinitely to allow the applicant time to redesign the subject site, in accordance with all applicable City Codes and Ordinances. If the applicant is unable or unwilling to continue this item, the Development Services Department recommends that UN-26-01 be denied because the site's design is not consistent with regulations and conditions specified in the Zoning Ordinance for such use.

Prior to the Planning Commission meeting, the applicant requested the item be continued to 5/9/01.

Commissioner Laura Perkins MOVED and Commissioner Anita Wood SECONDED to CONTINUE UN-26-01 per applicant's request to the 5/9/01 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 4/25/01.

8) UN-29-01 (3910) LOSEE MINI MART (Public Hearing)

An application submitted by Thomas J. DellaValle on behalf of Losee, LLC, property owner, for a use permit in a C-1 Neighborhood Commercial District to allow an automobile service facility (smog certification facility). The property is located at 300 W. Lake Mead Boulevard. The Assessor's Parcel Numbers are 139-22-203-001 and 139-22-203-002.

RECOMMENDATION:

The Development Services Department recommends that UN-29-01 be continued indefinitely to allow the applicant time to redesign the subject site, in accordance with all applicable City Codes and Ordinances. If the applicant is unable or unwilling to continue this item, the Development Services Department recommends that UN-29-01 be denied because the site's design is not consistent with regulations and conditions specified in the Zoning Ordinance for such use.

Prior to the Planning Commission meeting, the applicant requested the item be continued to 5/9/01.

Commissioner Laura Perkins MOVED and Commissioner Anita Wood SECONDED to CONTINUE UN-29-01 per applicant's request to the 5/9/01 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 4/25/01.

9) UN-30-01 (3911) LOSEE MINI MART (Public Hearing)

An application submitted by Thomas J. Della Valle on behalf of Losee, LLC, property owner, for a use permit in a C-1 Neighborhood Commercial District to allow a convenience food restaurant with drive-through in conjunction with a convenience food restaurant with drive-through. The property is located at 300 W. Lake Mead Boulevard. The Assessor's Parcel Numbers are 139-22-203-001 and 139-22-203-002.

RECOMMENDATION:

The Development Services Department recommends that UN-30-01 be continued indefinitely to allow the applicant time to redesign the subject site, in accordance with all applicable City Codes and Ordinances. If the applicant is unable or unwilling to continue this item, the Development Services Department recommends that UN-30-01 be denied because the site's design is not consistent with regulations and conditions specified in the Zoning Ordinance for such use.

Prior to the Planning Commission meeting, the applicant requested the item be continued to 5/9/01.

Commissioner Laura Perkins MOVED and Commissioner Anita Wood SECONDED to CONTINUE UN-30-01 per applicant's request to the 5/9/01 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 4/25/01.

**There was a break in the proceedings at 8:33 P.M.
The meeting reconvened at 8:47 P.M.**

10) ZN-20-96 (3541) MENDENHALL FAMILY TRUST (Public Hearing)

An application submitted by the Mendenhall Family Trust/Millennium Gaming on behalf of the Mendenhall Family Trust, property owner, for an extension of time for a reclassification of property from an M-2 General Industrial District to a C-3 General Service Commercial District. The property is generally located at the southwest corner of Craig Road and Losee Road. The Assessor's Parcel Numbers are 139-02-701-002 and 139-02-701-003.

RECOMMENDATION:

The Development Services Department recommends that ZN-20-96 be approved subject to the following conditions:

1. That Standard Conditions 1, 2, 3, 5, 7, 9, 10, 11, 12, 14, 15, 22, 26, 27, 28, 29 and 32 apply; and
2. That this development be subject to all previously recommended conditions for ZN-20-96, in addition to the conditions mentioned herein. Where there is a conflict, the more restrictive shall apply; and
3. That Craig Road be improved to its ultimate width of 120 feet, 60 feet either side of center line of the road; and
4. That the main driveway onto Craig Road align with the median opening. All other driveways on Craig Road are restricted to right-in / right-out movements only; and
5. That a final development plan, which incorporates the conditions mentioned herein, be reviewed and approved by the Planning Commission prior to the issuance of any construction, grading or building permits; and
6. That complete building elevations, colors and materials be subject to review and approval by the Planning Commission as part of the final development plan, and shall incorporate the following:
 - a. Architectural relief shall be provided on all building faces and shall be similar to the primary entrance elevations; and
 - b. All roof-top equipment shall be screened by a parapet wall integral to the design and construction of the building; and
 - c. No exhaust vents shall be permitted to extend from the sides of the building; and
 - d. No exterior roof ladders shall be permitted. Access to the roof shall be from within the building; and
 - e. No push-through air conditioners shall be permitted; and
7. That fire apparatus access lane widths and turning radii be in accordance with Ordinance 1283; and
8. That this development be subject to all codes and ordinances in effect at the time of building permit issuance; and
9. That 20-foot-wide (minimum) landscape areas be provided adjacent to Craig Road, Losee Road

and Aerojet Way. The landscape areas shall incorporate a three-foot-high barrier in the form of a berm, wall, hedge or any combination thereof; and

10. That a photometric lighting plan be submitted to the Planning Division for review and approval prior to the issuance of a building permit. The plan shall be prepared by a licensed electrical engineer and shall show the light intensity in foot-candles on a 10-foot grid and the location of proposed structures, parking areas, drive aisles, and pedestrian walkways. The minimum light intensity for all vehicle and pedestrian traffic areas shall be 1.0 foot-candles maintained, with a maximum ratio of 10:1. Parking lot lighting shall be installed prior to the issuance of a certificate of occupancy. Light standards shall not exceed twenty (20) feet in overall height; and
11. That all service and loading zones be located to the rear, side or to an internal location where visibility from public streets and views from neighboring buildings and properties will be minimized. Such areas shall be screened by the use of walls and/or dense landscaping, which will serve as both a visual and a noise barrier; and
12. That a six-foot-wide (minimum) landscape island be provided at the end of all automobile parking rows not in a parking structure. An additional planter shall be required for every 15 spaces in an automobile parking row. In addition to other required landscaping materials, a minimum of one tree per car length of planter shall be provided within the landscape islands. The required trees shall be a 1-½ inch caliper, measured 4 feet, 6 inches above the top of the root ball; and
13. That refuse collection areas and dumpsters of sufficient size and number for the needs of the proposed development be provided. They shall be located away from the street fronts and screened from view from rights-of-way, sidewalks and abutting properties through the use of landscaping and screening to better integrate the structure into the site; and
14. That refuse collection areas and dumpsters be enclosed by masonry walls finished in the same manner as the main structure and shall follow the same design theme and use similar materials to those used in the main structure. All such enclosures shall have solid metal gates and roofs, or other type of approved screening device which covers the top of the enclosure; and
15. That the parking structure be designed to match the hotel / casino in colors and appearance; and
16. That an eight-foot-high decorative solid masonry wall be provided along the southern and western property lines, where this site abuts adjacent properties. The wall shall be stepped down within a minimum of 20 feet from Craig Road and Aerojet Way, or as determined by the City Traffic Engineer; and
17. That street trees (trees planted adjacent to the street frontages) shall be planted in accordance with any corridor or specific area plan as adopted by the City. In the absence of any such adopted plan, the following requirements shall apply: street trees, of a type approved in Section 17.24.100 shall be planted along all public streets. Larger tree varieties which reach a mature height of greater than 15 feet shall be planted at intervals of 30 feet. Smaller tree varieties which reach a mature height of up to 15 feet shall be planted at intervals of ten feet. Large variety street trees shall be sized at 36" box (minimum 2-1/2" caliper measured 4 feet, 6 inches above the top of the root ball) at the time of installation. Small variety street trees shall be sized at 24" box (minimum 1-1/2" caliper measured 4 feet, 6 inches above the top of the root ball) at the time of installation. In cases where it is proven that a species as specifically recommended or required by the City is not available in 36" box size, the minimum installation size will be 24" box (minimum 1-1/2" caliper measured 4 feet, 6 inches above the top of the root ball.) Palm trees shall be a minimum of 15 feet in height, as measured from ground to base of fronds, at time of installation; and

18. That a continuous internal pedestrian walkway be provided from all perimeter public sidewalks to the principal customer entrance. The walkways shall be distinguished from driving surfaces through the use of special pavers, bricks or patterned concrete to enhance pedestrian safety and the attractiveness of the walkways; and
19. That sidewalks be provided along any facade featuring a customer entrance which exits into a parking area or travel lane. Sidewalks which abut 90-degree parking spaces shall be a minimum of eight feet in width in instances where vehicle wheel stops are not used between the parking space and the sidewalk curb, and five feet in width when vehicle wheel stops are installed. Such sidewalks shall be located a least six feet from the facade of the building to provide planting beds for foundation landscaping. Landscaping plans shall take into consideration site-specific geotechnical recommendations which may require additional protection to prevent infiltration of water into unsuitable soils; and
20. That six-foot-wide (minimum) landscaped islands be installed between the parking rows of every other double row of parking. To produce a shade canopy within the parking areas, shade trees shall be planted at intervals of 25 feet within the landscaped islands between rows. Trees shall be a minimum 24-inch box size (minimum 1-1/2 inch caliper measured at 4 feet, six inches above the top of the root ball) at time of planting; and
21. That all landscaped islands be landscaped with approved plant materials to provide a minimum ground coverage of 60% (not including trees.) The 60% coverage shall be reached within two years of the time a Certificate of Occupancy is issued by the City. All other landscaping shall meet the requirements of Section 17.24.100; and
22. That the design of the structures take into consideration future wireless communications facilities; and
23. That site plan approval is not implied; and
24. That ZN-20-96 shall expire on December 31, 2002.

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

Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas, Nevada 89109 appeared on behalf of the applicant who stated this property was in litigation with the City approximately two (2) years ago and as a part of the settlement agreement there were some conditions needed to be met to go forward with the extension of time. The first stipulated condition required the applicant to have a gaming operator on the property. He stated he has a letter to submit for the record between Millenium Gaming and The Mendenhall Family Trust regarding their commitment of developing this property. He stated the second condition that is being fulfilled tonight is that he needed to show that he is proceeding forward to obtain the building permits. The plans that have been submitted to staff he believes are under review for the final development plan and he also believes that plan is scheduled for the first week in May and believes they meet the conditions. He concurs with staff's recommendations.

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

Vice-Chairman Tom Langford stated this item has been before the Planning Commission a few times before and he has always supported this item and is glad to see the applicant back before the Commission on this item.

Mr. Hoyes stated staff has received three (3) letters of support and one (1) letter of opposition.

Commissioner Anita Wood asked Mr. Hoyes what was the reason given in the letter of opposition.

Mr. Hoyes stated the primary concern was traffic.

Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to APPROVE ZN-20-96 per staff's recommendations with the understanding the Planning Commission only recommends approval if the applicant has satisfied the terms and conditions of the stipulation in order to dismiss with prejudice Case # A397647, signed and dated by District Court on August 12, 1999.

The motion carried by UNANIMOUS vote.

11) UN-48-96 (3540) MENDENHALL FAMILY TRUST (Public Hearing)

An application submitted by the Mendenhall Family Trust/Millennium Gaming on behalf of the Mendenhall Family Trust, property owner, for an extension of time of a Special Use Permit in an M-2 General Industrial District (ROI to C-3 General Service Commercial District) to allow a casino and hotel. The property is generally located on the southwest corner Craig Road and Losee Road. The Assessor's Parcel Numbers are 139-02-701-002 and 139-02-701-003.

RECOMMENDATION:

The Development Services Department recommends that ZN-20-96 be approved subject to the following conditions:

1. That Standard Conditions 1, 2, 3, 5, 7, 9, 10, 11, 12, 14, 15, 22, 26, 27, 28, 29 and 32 apply; and
2. That this development be subject to all previously recommended conditions for ZN-20-96, in addition to the conditions mentioned herein. Where there is a conflict, the more restrictive shall apply; and
3. That Craig Road be improved to its ultimate width of 120 feet, 60 feet either side of center line of the road; and
4. That the main driveway onto Craig Road align with the median opening. All other driveways on Craig Road are restricted to right-in / right-out movements only; and
5. That a final development plan, which incorporates the conditions mentioned herein, be reviewed and approved by the Planning Commission prior to the issuance of any construction, grading or building permits; and
6. That complete building elevations, colors and materials be subject to review and approval by the Planning Commission as part of the final development plan, and shall incorporate the following:
 - a. Architectural relief shall be provided on all building faces and shall be similar to the primary entrance elevations; and
 - b. All roof-top equipment shall be screened by a parapet wall integral to the design and construction of the building; and
 - c. No exhaust vents shall be permitted to extend from the sides of the building; and
 - d. No exterior roof ladders shall be permitted. Access to the roof shall be from within the building; and
 - e. No push-through air conditioners shall be permitted; and
7. That fire apparatus access lane widths and turning radii be in accordance with Ordinance 1283; and
8. That this development be subject to all codes and ordinances in effect at the time of building permit issuance; and
9. That 20-foot-wide (minimum) landscape areas be provided adjacent to Craig Road, Losee Road and Aerojet Way. The landscape areas shall incorporate a three-foot-high barrier in the form of a

berm, wall, hedge or any combination thereof; and

10. That a photometric lighting plan be submitted to the Planning Division for review and approval prior to the issuance of a building permit. The plan shall be prepared by a licensed electrical engineer and shall show the light intensity in foot-candles on a 10-foot grid and the location of proposed structures, parking areas, drive aisles, and pedestrian walkways. The minimum light intensity for all vehicle and pedestrian traffic areas shall be 1.0 foot-candles maintained, with a maximum ratio of 10:1. Parking lot lighting shall be installed prior to the issuance of a certificate of occupancy. Light standards shall not exceed twenty (20) feet in overall height; and
11. That all service and loading zones be located to the rear, side or to an internal location where visibility from public streets and views from neighboring buildings and properties will be minimized. Such areas shall be screened by the use of walls and/or dense landscaping, which will serve as both a visual and a noise barrier; and
12. That a six-foot-wide (minimum) landscape island be provided at the end of all automobile parking rows not in a parking structure. An additional planter shall be required for every 15 spaces in an automobile parking row. In addition to other required landscaping materials, a minimum of one tree per car length of planter shall be provided within the landscape islands. The required trees shall be a 1-½ inch caliper, measured 4 feet, 6 inches above the top of the root ball; and
13. That refuse collection areas and dumpsters of sufficient size and number for the needs of the proposed development be provided. They shall be located away from the street fronts and screened from view from rights-of-way, sidewalks and abutting properties through the use of landscaping and screening to better integrate the structure into the site; and
14. That refuse collection areas and dumpsters be enclosed by masonry walls finished in the same manner as the main structure and shall follow the same design theme and use similar materials to those used in the main structure. All such enclosures shall have solid metal gates and roofs, or other type of approved screening device which covers the top of the enclosure; and
15. That the parking structure be designed to match the hotel / casino in colors and appearance; and
16. That an eight-foot-high decorative solid masonry wall be provided along the southern and western property lines, where this site abuts adjacent properties. The wall shall be stepped down within a minimum of 20 feet from Craig Road and Aerojet Way, or as determined by the City Traffic Engineer; and
17. That street trees (trees planted adjacent to the street frontages) shall be planted in accordance with any corridor or specific area plan as adopted by the City. In the absence of any such adopted plan, the following requirements shall apply: street trees, of a type approved in Section 17.24.100 shall be planted along all public streets. Larger tree varieties which reach a mature height of greater than 15 feet shall be planted at intervals of 30 feet. Smaller tree varieties which reach a mature height of up to 15 feet shall be planted at intervals of ten feet. Large variety street trees shall be sized at 36" box (minimum 2-1/2" caliper measured 4 feet, 6 inches above the top of the root ball) at the time of installation. Small variety street trees shall be sized at 24" box (minimum 1-1/2" caliper measured 4 feet, 6 inches above the top of the root ball) at the time of installation. In cases where it is proven that a species as specifically recommended or required by the City is not available in 36" box size, the minimum installation size will be 24" box (minimum 1-1/2" caliper measured 4 feet, 6 inches above the top of the root ball.) Palm trees shall be a minimum of 15 feet in height, as measured from ground to base of fronds, at time of installation; and

18. That a continuous internal pedestrian walkway be provided from all perimeter public sidewalks to the principal customer entrance. The walkways shall be distinguished from driving surfaces through the use of special pavers, bricks or patterned concrete to enhance pedestrian safety and the attractiveness of the walkways; and
19. That sidewalks be provided along any facade featuring a customer entrance which exits into a parking area or travel lane. Sidewalks which abut 90-degree parking spaces shall be a minimum of eight feet in width in instances where vehicle wheel stops are not used between the parking space and the sidewalk curb, and five feet in width when vehicle wheel stops are installed. Such sidewalks shall be located a least six feet from the facade of the building to provide planting beds for foundation landscaping. Landscaping plans shall take into consideration site-specific geotechnical recommendations which may require additional protection to prevent infiltration of water into unsuitable soils; and
20. That six-foot-wide (minimum) landscaped islands be installed between the parking rows of every other double row of parking. To produce a shade canopy within the parking areas, shade trees shall be planted at intervals of 25 feet within the landscaped islands between rows. Trees shall be a minimum 24-inch box size (minimum 1-1/2 inch caliper measured at 4 feet, six inches above the top of the root ball) at time of planting; and
21. That all landscaped islands be landscaped with approved plant materials to provide a minimum ground coverage of 60% (not including trees.) The 60% coverage shall be reached within two years of the time a Certificate of Occupancy is issued by the City. All other landscaping shall meet the requirements of Section 17.24.100; and
22. That the design of the structures take into consideration future wireless communications facilities; and
23. That site plan approval is not implied; and
24. That ZN-20-96 shall expire on December 31, 2002.

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

Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas, Nevada 89109 appeared on behalf of the applicant who stated he would like to incorporate everything from Item #10 into Item #11 and asks for the Planning Commission's approval.

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

Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to APPROVE UN-48-96 per staff's recommendations.

The motion carried by UNANIMOUS vote.

12) ZN-14-01 (3891) CLNV-REDEVELOPMENT (Public Hearing)

An application submitted by the City of North Las Vegas, property owner, for reclassification of property from an R-A/CR Redevelopment Area/Commercial/Retail Subdistrict to an R-A/PSP Redevelopment Area/Public/Semi-Public Subdistrict. The property is generally located at the southeast corner of Las Vegas Boulevard North and Civic Center Drive. The Assessor's Parcel Numbers are 139-23-506-001 and 139-23-506-003.

RECOMMENDATION:

The Development Services Department recommends that ZN-14-01 be approved for permanent "hard zoning" to the R-A/PSP Redevelopment Area/Public/Semi-Public Subdistrict by ordinance.

The application was presented by Chris Melendrez, Associate Planner, on behalf of staff who indicated the Redevelopment Division has requested the subject site be rezoned to this rezoned proposal. The proposed request would allow for the immediate expansion of the detention center and future land uses would also include the new police station and court facility. He stated staff is recommending approval of this item.

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

Commissioner Laura Perkins **MOVED** and Commissioner Anita Wood **SECONDED** to **APPROVE** ZN-14-01 per staff's recommendations.

The motion carried by **UNANIMOUS** vote.

13) VN-01-01 (3892) IGLESIA DE DIOS (Public Hearing)

An application submitted by Samuel Diaz on behalf of Iglesia De Dios, property owner, for a variance in an R-1 Single-Family Residential District to allow an eight (8) foot setback where 20 feet is the minimum allowed. The property is located at 2540 Belmont Street. The Assessor's Parcel Numbers are 139-13-810-001 and 139-13-811-005.

RECOMMENDATION:

The Development Services Department recommends that VN-01-01 be denied because the applicant has not demonstrated any compelling reasons to support the requested variance and because the criteria mentioned above have not adequately been satisfied.

If, however, the Planning Commission finds from the evidence presented that a favorable motion is warranted, then the Development Services Department recommends the following conditions:

1. That Standard Conditions 4, 8, 22 and 27 apply; and
2. That VN-01-01 be subject to all applicable conditions of UN-86-00. If UN-86-00 is denied, this application shall be considered null and void; and
3. That the expansion be designed and painted to match the existing stucco exterior.

The application was presented by Bob Hoyes, Associate Planner, on behalf of staff, who indicated that based on the information provided to the Development Services Department, the applicant has not demonstrated any compelling reasons for staff to support the requested variance and further staff recommends denial because the criteria mentioned in the staff report has not been adequately satisfied.

Samuel Diaz, 4430 Titus Circle, Las Vegas, Nevada 89115 appeared on behalf of the applicant who stated his church is in the process of expansion.

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

Commissioner Anita Wood stated this is always a difficult decision for the Planning Commission as the Commission is limited by state law as to what they are allowed to grant variances for. She stated the issue is not that the Commission does not want to help the church out and approve this variance, but the reality is the church has not met the criteria for the Planning Commission to recommend approval, and unfortunately there is nothing unique about the property that gives the Commission a reason to recommend the approval for a variance.

Chairman Stone stated he concurs with Commissioner Wood's statements as he does not see any compelling reason to recommend a variance in accordance with state law.

Commissioner Harry Shull **MOVED** and Commissioner Marilyn Kirkpatrick **SECONDED** to **DENY** VN-01-01 per staff's recommendations.

The motion carried by **UNANIMOUS** vote.

14) ZN-15-01 (3897) MLK-HIGHLAND BUSINESS PARK

An application submitted by Rick Jackle on behalf of Tracy Max Butcher, property owner, for reclassification of property from an R-1 Single-Family Residential District to a Planned Unit Development (PUD) consisting of M-1 Business Park Industrial uses and M-2 General Industrial uses and a radio studio with a 250-foot high radio tower. The property is generally located west of Martin Luther King, Jr. Boulevard approximately 795 feet south of Brooks Avenue. The Assessor's Parcel Number is 139-16-201-004.

RECOMMENDATION:

The Development Services Department recommends that ZN-15-01 be approved for permanent "hard zoning" to the PUD Planned Unit Development District by ordinance with the following as conditions of the PUD Planned Unit Development District.

1. A final development plan shall be required. The site plan shall generally conform to the preliminary development plan as submitted.
2. Development of the site shall comply with the industrial design guidelines, including, but not limited to the following:
 - A. Twenty feet of landscaping shall be provided next to Martin L. King Boulevard and the interior street.
 - B. Twenty feet of landscaping shall be provided next to the southern property line.
3. Landscaping shall be required next to Martin L. King Boulevard with the first phase of development.
4. Landscaping next to Martin L. King Boulevard shall be similar to the approved landscaping scheme and materials for the street medians in Martin L. King Boulevard.
5. A perimeter wall shall be required with the first phase of development. That portion of the wall adjacent to any public street shall be decorative and subject to staff review and approval.
6. Outside storage shall be prohibited on any lot within the development.
7. The minimum building setback for the front and corner sides shall be 30 feet and for the interior and rear sides 15 feet.
8. All buildings on the southern lots shall be limited to one story, not to exceed 28 feet in height. Buildings located on the remaining lots shall not exceed 45 feet.
9. All buildings within the development shall share architectural themes and color schemes.
10. The radio tower shall not exceed 250 feet in height.
11. If the applicant chooses, cellular facilities may be located on the radio tower.
12. The applicant must file FAA form 7460-1, "Notice of Proposed Construction or Alteration" with the

FAA Western Pacific Region, and obtain a permit from the Clark County Director of Aviation. Any structures greater than 2,353 feet above mean sea level at the subject property must obtain a Variance from the Airport Hazard Areas Board of Adjustment (AHABA).

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

James Veltman, with Veltman Planning Design Group, 2921 W. Tenaya, Las Vegas, Nevada 89128 appeared on behalf of the 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 Harry Shull **MOVED** and Vice-Chairman Tom Langford **SECONDED** to **APPROVE** ZN-15-01 per staff's recommendations.

The motion carried by **UNANIMOUS** vote.

15) ZOA-05-01 (3938) CITY OF NORTH LAS VEGAS (Public Hearing)

An ordinance amendment initiated by the City of North Las Vegas to add Section 17.20.085 to Title 17 of the North Las Vegas Municipal Code (Zoning Ordinance) establishing purpose, uses, special uses, accessory uses, setbacks, lot width and area requirements, and additional building and performance standards for a new PSP Public/Semi-Public Zoning District.

Recommendation: Staff recommends approval of ZOA-5-01.

The application was presented by Steve Baxter, Planning Manager, on behalf of staff who indicated the main reason for this zoning change is the BLM's requirement for the 7,500 acres, that such a zone be established. He stated that staff also feels, however, there could be other uses for the zone besides the 7,500 acres. Many jurisdictions have such a zone, but the City of North Las Vegas is in the minority by not having it and staff is recommending approval.

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

Commissioner Anita Wood MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE ZOA-05-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

Commissioner Harry Shull abstained from voting on this item as he has a business interest.

16) T-872 (3835) NORTH MEADOWS II

An application submitted by Celebrate Homes on behalf of 70 Limited Partnership, 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 Lone Mountain Road and Clayton Street. The Assessor's Parcel Number is 139-05-501-004.

RECOMMENDATION:

The Development Services Department recommends that T-872 be approved subject to the following conditions:

1. Standard conditions 1, 2, 3, 4, 7, 11,15, 16, 17, 18, 19, 22, 26, 27, 29 and 31.
2. The developer shall comply with the single family design standards, including, but not limited to the following: Ten feet of landscaping, which may include the sidewalk, shall be provided adjacent to the corner side of all corner lots within the subdivision.
3. That all landscape areas shall be shown as a common element on the final map.
4. Installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.
5. Fire hydrants are required to be installed within the development and on perimeter streets in accordance with Ordinance 1283.
6. All Fire Department codes and ordinances in effect at the issuance of building plans shall apply.
7. Two copies of a revised tentative map incorporating the conditions of approval shall be submitted for review to the Public Works Department and the Planning Division prior to submittal of the final map.

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

Dean Rasmussen, 3068 E. Sunset Road, Las Vegas, Nevada 89120 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Vice-Chairman Tom Langford MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE T-872per staff's recommendations.

The motion carried by MAJORITY vote with Commissioner Harry Shull abstaining.

17) T-873 (3894) TIERRA DE LAS PALMAS VILL 2 #3

An application submitted by Pelican Creek, LLC, on behalf of Las Palmas, LLC, property owner, for a tentative map review in a PUD Planned Unit Development District consisting of single-family homes. The property is generally located west of Clayton Street approximately 538 feet south of Washburn Road. The Assessor's Parcel Number is 124-32-710-006.

RECOMMENDATION:

The Development Services Department recommends that T-873 be approved subject to the following conditions:

1. Standard conditions 1, 2, 3, 4, 7, 11, 15, 17, 18, 22, 26, 27, 29 and 31.
2. Development of the subdivision shall comply with the single family design guidelines, with the exception of the following items:
 - a. Perimeter landscaping next to Clayton Street is not required.
 - b. Landscaping next to street rights-of-way less than 60 feet in width is not required. This pertains to Lot 118.
3. The applicant shall comply with all applicable conditions of approval for ZN-25-93.
4. Installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.
5. Fire hydrants are required to be installed on Clayton Street in accordance with Ordinance 1283.
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 Chris Melendrez, Associate Planner, on behalf of staff who indicated staff is recommending approval subject to conditions.

Lisa Platt, 3241 Idaho Springs, North Las Vegas, Nevada 89032 appeared on behalf of the applicant who stated she concurs with staff's recommendations.

Commissioner Anita Wood stated because of the small size of this project and in order to maintain consistency with the earlier phases of this project she recommends this item be approved.

Chairman Nelson Stone asked staff if there were any landscaping requirements in this project.

Commissioner Anita Wood MOVED and Vice-Chairman Tom Langford SECONDED to APPROVE T-873 per staff's recommendations.

The motion carried by UNANIMOUS vote.

18) T-874 (3898) HOMETOWN WEST UNITS 3 & 4

An application submitted by Greystone Nevada, LLC, on behalf of Anthony and Marla Ferra, property owners, for a tentative map review in an R-1 Single-Family Residential District. The property is generally located at the southeast corner of Lone Mountain Road and Ferrell Street. The Assessor's Parcel Number is 139-05-107-001.

RECOMMENDATION:

The Development Services Department recommends that T-874 be approved subject to the following conditions:

1. Standard conditions 1, 2, 3, 4, 7, 11, 15, 16, 17, 18, 22, 26, 27, 29 and 31.
2. Development of the subdivision shall comply with the single family design guidelines.
3. Installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.
4. All Fire Department codes and ordinances in effect at the issuance of building plans shall apply.
5. 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 Chris Melendrez, Associate Planner, on behalf of staff who indicated the proposed lots meet or exceed the minimum size requirements of 6,000 square feet required in R-1 zone and have a density of 5.28 dwelling units per acre. He stated the proposed development appears to comply with residential design standards and staff is recommending approval subject to conditions.

Gloria Reamer, or Carter/Burgess, 6655 Sunset Road, Las Vegas, Nevada 89119 appeared on behalf of the applicant who stated she concurs with staff's recommendations.

Vice-Chairman Tom Langford MOVED and Commissioner Dean Leavitt SECONDED to APPROVE T-874 per staff's recommendations.

The motion carried by UNANIMOUS vote.

OLD BUSINESS

19) AMP-03-00 (1171) ELDORADO-HAMMER LANE (Public Hearing)

An application submitted by Pardee Construction Company, property owner, for an Amendment to the Master Plan of Streets and Highways to delete a portion of Hammer Lane commencing at Camino Al Norte and proceeding west approximately 2,175 feet and add a 60 foot wide alignment for the proposed Washburn Road right-of-way, to Hammer Lane commencing at 250 feet west of Camino Al Norte and proceeding approximately 1,400 feet west and then proceeding in a northwesterly direction approximately 1,350 feet. Also an 80 foot right-of-way beginning at Camino Al Norte and proceeding west for 250 feet. The Assessor's Parcel Numbers are 124-33-601-001, 124-33-601-004, 124-33-601-006, 124-33-601-007, 124-33-501-001 and 124-33-701-004.

FROM 4/11/01 MEMO:

This item was continued indefinitely from the March 3, 2000, Planning Commission meeting at the request of the applicant. The applicant has since submitted a traffic study that supports the request and has amended the application.

The applicant is requesting the Planning Commission's favorable recommendation to modify the Master Plan of Streets and Highways as follows:

- a. Delete a portion of Hammer Lane (60-foot right-of-way) commencing at Camino Al Norte and proceeding west approximately 2,550 feet.
- b. Add a 60-foot collector (Washburn Road) commencing at Hammer Lane and proceeding in a curve to the south approximately 1,700 feet then continuing east approximately 1,400 feet to Camino Al Norte.

On January 17, 2001, the City Council approved the vacation (VAC-18-00) of Concord Street and an unnamed street located approximately 1,250 feet west of Camino Al Norte and south of Hammer Lane within the proposed development. Condition number one states, "that the Master Plan of Street and Highways shall be amended to add a 60-foot collector connecting Hammer Lane with Washburn Road on the South." The applicant's proposal would satisfy this requirement with this application.

The Planning Commission on February 28, 2001, denied a request for a tentative map (T-865) for a 260-lot subdivision located within the property in question. The applicant appealed the Planning Commission decision and will proceed to the City Council for final consideration on April 4, 2001.

DEPARTMENTAL COMMENTS:

Public Works:

The Department of Public Works recommends approval of AMP-03-00.

Recommendation:

The Development Services Department recommends that AMP-03-00 receive a favorable recommendation and that it be forwarded to the City Council for final consideration.

The application was presented by Bob Hoyes, Associate Planner, on behalf of staff who indicated this is

an application originally submitted in the year 2000. He stated the request was to realign a portion of Hammer and to add a 60 foot collector, better known as Washburn. He stated this item was continued indefinitely from the March 3, 2000 Planning Commission meeting and stated the applicant has resolved all the issues that were outstanding and at this point staff is recommending approval.

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

Chairman Stone opened the Public Hearing. He left the Public Hearing open.

Bob Hoyes stated that staff's recommendation would be a continuance for at least a month, but if the Planning Commission so desires an indefinite continuance, staff would support that.

CHAIRMAN STONE STATED THAT A MOTION FOR RECONSIDERATION FOR ITEM #19, AMP-03-00.

COMMISSIONER HARRY SHULL MOVED AND VICE-CHAIRMAN TOM LANGFORD SECONDED TO RECONSIDER AMP-03-00.

THE MOTION CARRIED BY UNANIMOUS VOTE. This item was then heard following Item #26 on this agenda.

The application was presented by Bob Hoyes, Associate Planner, on behalf of staff who indicated staff is recommending approval of this item and that it be forwarded to City Council for final consideration.

Ira Wallace, of G.C.Wallace, 15555 S. Rainbow Boulevard, Las Vegas, Nevada 89146 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Chairman Stone stated he Public Hearing has remained open on this item. No participants came forward. The Public Hearing was closed.

Commissioner Anita Wood stated the Fire Department was previously opposed to this application and she does not see anything that addresses the Fire Department in the new paperwork.

Steve DiGiovanni, of the Fire Department, stated upon review of this item the Fire Department is satisfied with this item.

Mr. Hoyes stated he wanted to clarify that the recommendation is for approval with no conditions. The conditions that were referred to were part of the original staff report dated March 8, 2000 and the revised memorandum from Public Works dated April 11, 2001 reads: **"The Department of Public Works recommends approval of AMP-03-01."**

Commissioner Harry Shull MOVED and Vice-Chairman Tom Langford SECONDED to APPROVE AMP-03-00 to the 5/9/01 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

20) UN-86-00 (2990) IGLESIA DE DIOS (Public Hearing)

An application submitted by Iglesia de Dios, property owner, for a use permit in an R-1 Single-Family Residential District to allow an expansion of an existing church. The property is located at 2540 Belmont Street. The Assessor's Parcel Numbers are 139-13-810-001 and 139-13-811-005, 139-13-811-006 and 139-13-811-001.

RECOMMENDATION:

The Development Services Department recommends that UN-86-00 be approved subject to the following conditions:

1. That Standard Conditions 4, 7, 8, 10, 11, 12, 15, 22, 26 and 27 apply; and
2. That a merger and resubdivision map or a reversionary map to combine the three contiguous lots be recorded prior to the issuance of a building permit; and
3. That the driveways be limited to one on Belmont Street north of Haddock Avenue, one on the north side of Haddock Avenue east of Belmont Street, one on the south side of Haddock Avenue east of Belmont Street and one on Belmont Street south of Haddock Avenue; and
4. That all parking stalls meet City standards; and
5. That the existing parking spaces on the south side of the proposed expansion be replaced with landscaping in accordance with the Zoning Ordinance; and
6. That a minimum ten (10) feet of landscaping be provided adjacent to the north and east property lines. In addition to other required landscape materials, these areas shall contain 24-inch-box trees planted at intervals of not more than twenty (20) feet; and
7. That the PVC pipe and asphalt be removed from the gutter on the north side of Haddock Avenue east of Belmont Street; and
8. That a minimum six (6) feet of landscaping be provided between the parking lots and Haddock Avenue. In addition to the required one- and five-gallon plants, these areas shall contain one 15-gallon plant for each car-length of planter area; and
9. That an average ten (10) feet of landscaping be provided between the parking lot and Belmont Street north of Haddock Avenue. In addition to the required one- and five-gallon plants, these areas shall contain 24-inch-box trees spaced not more than 25 feet on center; and
10. That a minimum four (4) feet of landscaping be provided between the parking lot and Belmont Street south of Haddock Avenue. In addition to the required one- and five-gallon plants, this area shall contain 15-gallon plants spaced not greater than 25 feet on centers; and
11. That landscaping not be required at each end of all parking rows; and

12. That landscaping generally be provided as identified on the submitted site plan; and
13. That two copies of the landscape and irrigation plans be submitted in conjunction with the building permit application for review and approval by staff; and

14. That all proposed parking areas and drive aisles be paved in accordance with City standards; and
15. That, if the church expands to more than 5,000 square feet, the entire structure shall be sprinklered, in accordance with Ordinance 1283; and

16. That, prior to the issuance of a building permit, the applicant provide proof to the City that a deed restriction prohibits the sale of the parcel on the southeast corner of Haddock Avenue and Belmont Street. The restriction shall be effective until such time that the special use permit for the parcels expires or until such time that the church can provide sufficient off-street parking in accordance with the Zoning Ordinance; and
17. That the requirement for a three-foot berm or wall between the parking areas and the adjacent streets be waived; and
18. That the proposed expansion comply with all building setback requirements unless otherwise approved by separate action for a variance.

FROM 4/11/01 MEMO:

This application was continued from the Planning Commission meeting of February 28, 2001, to allow the applicant time to meet with the neighbors.

If the Planning Commission chooses to act favorably on this item, the Development Services Department would like to reiterate an additional condition that was read into the record on February 28, 2001:

1. That the existing on-site mobile home east of the church be removed prior to the issuance of any building permits.

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

Samuel Diaz, 4430 Titus Circle, Las Vegas, Nevada 89115 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

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

- ▶ Martha Cazares, 1408 Beaver Springs Street, Las Vegas, Nevada 89128

Mrs. Cazares stated the church is in great need of expansion as they need more room to teach their children and hope the Planning Commission approves this item.

The Public Hearing was closed.

Bob Hoyes stated since this item was continued staff has determined that there is a mobile home on site therefore staff has added **condition #19 that read: "that the existing on-site mobile home east of the**

church be removed prior to the issuance of any building permits.”

Chairman Stone asked the applicant if he understands and agrees with the new condition.

Mr. Diaz stated he is in concurrence.

Commissioner Anita Wood asked the applicant what his relationship is to the church.

Mr. Diaz replied that he is the pastor.

Commissioner Anita Wood stated that the Planning Commission does not have a problem with the expansion of the church in and of itself. The problem that has risen is complaints from the neighborhood complaining of loud music and disturbing the peace.

Mr. Diaz stated he had a meeting with the neighbors last night and said some of the neighbors are present at tonight's hearing. He stated the neighbors support this project as long as the church fulfills all of the requirements of the Planning Commission.

Cecil Vernon, 3028 Haddock Avenue, North Las Vegas, Nevada 89030 appeared as a neighborhood resident and stated he, along with other residents, met with the pastor the night before and has received a written promise from the pastor that the church will maintain an acceptable noise level and not disturb the peace any longer.

Commissioner Wood asked the applicant

Vice-Chairman Tom Langford MOVED and Commissioner Harry Shull SECONDED to APPROVE UN-86-00 per staff's recommendations.

The motion carried by UNANIMOUS vote.

There was a short recess to clear the room of a large crowd that appeared in support of the above item.

21) AMP-07-01 (3637) CITY OF NORTH LAS VEGAS (Public Hearing)

An application submitted by The City of North Las Vegas, property owner, for an Amendment to the Master Plan of Streets & Highways to add streets to the newly annexed areas of the city. The property is generally located east of Lamb Boulevard between North Las Vegas Boulevard and Grand Teton Drive.

RECOMMENDATION:

The Development Services Department recommends that AMP-07-01 be approved and forwarded to the City Council for final consideration.

FROM 4/11/01 MEMO:

This item was continued from the March 14, 2001, Planning Commission meeting at the request of the Planning Commission.

Prior to the Planning Commission meeting, staff requested the item be continued to the 5/9/01 Planning Commission meeting.

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

The motion carried by UNANIMOUS vote.

The item is CONTINUED TO 5/9/01.

22) AMP-08-01 (3698) CITY OF NORTH LAS VEGAS (Public Hearing)

An application submitted by The City of North Las Vegas, property owner, for an Amendment to the Master Plan of Streets & Highways to change the following street widths from 100' to 120' rights-of-way:

Simmons Street from Centennial Parkway to Farm Road
Revere Street from Dorrell Lane to Farm Road
North Fifth Street from Deer Springs Way to the Beltway Interchange
Losee Road from Deer Springs Way to Farm Road
Pecos Road from Deer Springs Way to Farm Road
Lamb Boulevard from Deer Springs Way to Farm Road

RECOMMENDATION:

The Development Services Department recommends that AMP-08-01 be approved and forwarded to the City Council for final consideration.

FROM 4/11/01 MEMO:

This item was continued from the March 14, 2001, Planning Commission meeting at the request of the Planning Commission.

The application was presented by Bob Hoyes, Associate Planner, on behalf of staff who indicated this item was continued from the March 14, 2001 Planning Commission meeting to allow residents who spoke at the Public Hearing an opportunity to meet with staff to resolve any concerns. The request is to increase the right-of-way width from 100 feet to 120 feet for portions of Simmons Street, Revere Street, North 5th Street, Losee Road, Pecos Road and Lamb Boulevard in the vicinity of the proposed beltway. He stated staff is recommending approval.

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

Commissioner Anita Wood stated this item is interconnected with Item #21, AMP-07-01, which is being continued to the 5/9/01 Planning Commission meeting and asked if this item should also be continued so that both items may be heard at the same time.

Mr. Hoyes stated AMP-07-01 has to do with addition of streets to the Master Plan of Streets and Highways, primarily east of Nellis Boulevard and north of Las Vegas Boulevard. He stated this application is applicable to the streets south of the proposed beltway and from Lamb Boulevard west to Simmons Street, therefore this is a different application.

Commissioner Wood stated in that case the opposition that was presented at the previous meeting for the other item is not affected by this.

Commissioner Harry Shull **MOVED** and Vice-Chairman Tom Langford **SECONDED** to **APPROVE** AMP-08-01 per staff's recommendations.

The motion carried by **UNANIMOUS** vote.

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

An application 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.

FROM 4/11/01 MEMO:

This item was continued from the March 28, 2001, Planning Commission meeting at the request of the applicant.

The application was presented by Bob Hoyes, Associate Planner, on behalf of staff who indicated this item was continued from the March 28, 2001 Planning Commission meeting. The request is to change the Comprehensive Plan from Low Density Residential to Medium Density Residential. The difference in densities would be Low Density Residential is a range of 2 to 4.5 dwelling units per acre. Medium Density Residential allows a density range from 4.5 to 10 dwelling units per acre. He stated the intent of the applicant is to have this property developed under a development agreement with the City. As of today a development agreement is not in place, however he stated staff is recommending approval.

Cliff Andrews, of Pardee Homes, 7220 Bermuda Road, Las Vegas, Nevada 89119 appeared on behalf of the applicant who stated he is requesting an amendment to the Comprehensive Plan that would allow him to bring an additional piece of property into their Eldorado community. He stated there will be a series of actions that will come before both the Planning Commission and the City Council, and this is the first in that series of actions. He stated, as was mentioned by staff, he will be bringing in a development agreement that will have a PUD and a zoning request as a part of some overall changes they are doing within Eldorado that relate to this site, and ultimately he would have a tentative map in, as well. He stated that currently the City Attorney's office is working on a development agreement and he expects that to be completed in a few weeks, and at that point he will be returning to discuss a PUD, as well. He stated what they are doing is taking a 40 acre piece of property to the west of Clayton and incorporating it into their overall Eldorado master plan. Mr. Andrews stated he has found that Medium Density Residential seems to work better with elementary schools as these families tend to have younger-aged children and tend to view school sites as an amenity rather than something that is not desirable in their neighborhoods.

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

- ▶ Christine Wilson, 2211 W. El Campo Grande, North Las Vegas, Nevada 89031

Ms. Wilson stated there is heavy traffic in this area and believes if this is approved the traffic will increase and is concerned about that.

- ▶ Bobby Frank, 2119 El Campo Grande, North Las Vegas, Nevada 89031

Mr. Frank stated he lives to the south of this project and is excited about the school coming into the area. He stated when he purchased his house the area was Low Density and is concerned about it being changed to Medium or High Density and the potential traffic increases that may accompany the change.

▶ Steve Crocker, 2601 S. Grand Canyon Drive #1108, Las Vegas, Nevada 89117

Mr. Crocker stated he is concerned about traffic increasing in the area. He wanted to know if speed bumps could be added if the residents raised the money to pay for them.

Madeleine Jabbour, of the City's Transportation Services Department, responded that speed bumps are currently not an option in the City of North Las Vegas. She stated this issue is currently being studied and discussed with City Council.

▶ Matthew Mendoza, 2115 W. El Campo Grande Avenue, North Las Vegas, Nevada 89031

Mr. Mendoza stated he has a petition with 67 homeowners' signatures objecting to this zone change. He stated he is concerned about the traffic increases.

The Public Hearing was closed.

Chairman Stone asked the applicant if he is planning for an average density of 5 ½ ?

Mr. Andrews replied there are approximately 27 acres remaining and it is approximately 5.5 units per gross acre.

Commissioner Harry Shull stated that there is a small difference between R-1 and this PUD therefore he does not see much of an impact to the community.

Steve Baxter, Planning Manager, agreed with Commissioner Shull's comments.

Commissioner Anita Wood stated she is concerned about the status of the development agreement. She stated she does not believe the development agreement is near completion.

Jim Lewis, Deputy City Attorney, stated he intends to have a draft for Pardee sometime in the near future. He expects to have comments returned rapidly.

Commissioner Wood stated she is concerned about changing the zoning prior to the development agreement having been finalized and is concerned about approving something without having the safeguards in place beforehand and not after.

Lenny Badger, or Public Works, stated traffic personnel and Public Works staff can go out and take a look at that area.

Vice-Chairman Tom Langford stated he has reservations about approving this item and he agrees with the residents' concerns regarding the traffic issues.

Jim Lewis stated this amendment to the Master Plan will go to City Council and will not be heard for five weeks.

Commissioner Harry Shull MOVED and Commissioner Laura Perkins SECONDED to APPROVE

AMP-11-01 per staff's recommendations.

The motion carried by MAJORITY vote with Vice-Chairman Tom Langford and Commissioner Anita Wood voting against the motion.

24) 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.

FROM 4/11/01 MEMO:

This item was continued from the March 28, 2001, Planning Commission meeting at the request of the applicant.

The application was presented by Chris Melendrez, Associate Planner, on behalf of staff who indicated the Comprehensive Plan shows that the subject site is designated as Community Commercial and the property does border on two sides the 7,500-acre BLM property on the north and east. He stated the subject property is part of a larger area designated as Community Commercial located on the north side of the proposed beltway at the intersection at Decatur Boulevard. He stated the Economic Development Department as well as the Fire Department have indicated concerns regarding this application and due to those reasons staff is recommending denial of this item at this time.

Georgre Garcia, 2501 Green Valley Parkway Suite 108, Henderson, Nevada 89014 appeared on behalf of the applicant who stated he disagrees with staff on this item. He stated staff indicated this does comply with the Comprehensive Plan and stated that typically the rules are if you comply with the Comprehensive Plan a zoning ordinance would be in order.

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

- ▶ Rebecca Bourke, 7170 Eldora Avenue, Las Vegas, Nevada 89117

Ms. Bourke stated she represents the owners of the property adjacent to this property to the west and she is hoping the Planning Commission approves this item. She stated the property was master planned in 1999 for C-2 and she hopes to have her property zoned C-2 in the future.

Chairman Stone closed the Public Hearing.

Chairman Stone asked staff if the appraisal is done on the 7,500 acres?

Steve Baxter, Planning Manager, replied that it is done.

Chairman Stone stated he does not believe the Commission has denied or continued a zone change because an individual stated he has not completed an appraisal of the land.

Commissioner Laura Perkins stated she supports this application to change to zoning to be compatible with the Comprehensive Plan.

Commissioner Anita Wood stated understands the 7,500 acres will be zoned by villages and asked staff what village is being proposed for the area to the north and to the east of this project.

Steve Baxter replied staff does not have a plan yet, but will know fairly soon what the plan is for the western part of the 7,500 acres as the development agreement has to be approved by October 1, 2001.

Vice-Chairman Tom Langford stated he supports this application.

Commissioner Shull agreed with Vice-Chairman Langford's comments.

Chairman Stone concurred with the other Commissioners.

Commissioner Marilyn Kirkpatrick MOVED and Vice-Chairman Tom Langford SECONDED to APPROVE ZN-13-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

25) 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.

FROM 4/11/01 MEMO:

The applicant has submitted a revised tentative map showing a curvilinear street design for the two streets previously addressed in the original staff report. According to the revised tentative map, the streets have an offset of approximately 15 feet. In addition, the square footage for Lot 46 is 5,946 square feet where the minimum required is 6,000 square feet. However, it appears as though the property lines for Lot 46 can be altered to increase the lot square footage to the minimum required and not affect the adjacent lots or cause a major revision.

Staff originally recommended an indefinite continuance of this item due to the concerns of the Clark County School District. The Clark County School District has submitted a new letter indicating that a hold on the proposed subdivision is no longer required. Therefore, staff is now recommending approval subject to the following conditions:

1. Standard conditions: 1, 2, 3, 7, 11, 15, 16, 17, 18, 26, 27, 29 and 31.
2. Fiber optic conduit is required on Allen Lane and Tropical Parkway.
3. Right-of-way for a bus turn-out must be provided on Allen Lane south of Tropical Parkway.
4. The developer shall comply with the single family design standards, including, but not limited to the following:
 - a. Ten feet of landscaping, which may include the sidewalk shall be provided adjacent to the corner side of all corner lots within the subdivision. The landscaping may be shown as common elements or as an easement on the final map. Maintenance of the landscaping shall be the responsibility of the homeowner's association.
5. All lots must comply with the minimum lot size requirement of 6,000 square feet.
6. Installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.
7. All Fire Department codes and ordinances in effect at the issuance of building plans shall apply.
8. Two copies of a revised tentative map incorporating the conditions of approval shall be submitted for review to the Public Works Department and the Planning Division prior to submittal of the final map.

The application was presented by Chris Melendrez, Associate Planner, on behalf of staff who indicated this item was continued from the March 28, 2001 Planning Commission meeting to allow the applicant to meet with the Clark County School District to resolve issues regarding site of future schools in the area. He stated the proposed lots exceed the minimum 6,000 square foot lot size requirement and would have a density of 4.35 dwelling units per acre, therefore staff is recommending approval of this item.

John Terry, of Real Homes by Centex, 3600 N. Rancho Drive, Las Vegas, Nevada 89130 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Commissioner Laura Perkins MOVED and Commissioner Harry Shull SECONDED to APPROVE T-869 per staff's recommendations.

The motion carried by UNANIMOUS vote.

26) 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.

FROM 4/11/01 MEMO:

The applicant has submitted a revised tentative map showing the addition of one lot. However, the configuration of the proposed tentative map remains the same as originally proposed. The additional lot is located where Cox Communication currently operates a cellular facility with a tower. The lot is approximately 12,210 square feet in size and 111 feet in width. The proposed additional lot would allow the developer the opportunity to divide the lot in the future and still comply with the R-1 standards when the lease is up on the cellular facility.

Staff originally recommended an indefinite continuance of this item due to the concerns of the Clark County School District. The Clark County School District has submitted a new letter indicating that a hold on the proposed subdivision is no longer required. Therefore, staff is now recommending approval subject to the following conditions:

1. Standard conditions: 1, 2, 3, 7, 11, 15, 16, 17, 18, 26, 27, 29 and 31.
2. Fiber optic conduit is required on Tropical Parkway.
3. The developer shall comply with the single family design standards, including, but not limited to the following:
 - a. Ten feet of landscaping, which may include the sidewalk shall be provided adjacent to the corner side of all corner lots within the subdivision. The landscaping may be shown as common elements or as an easement on the final map. Maintenance of the landscaping shall be the responsibility of the homeowner's association.
4. The tentative map shall provide 25 feet of dedication from the edge of the channel (which may include the existing 16-foot right-of-way) for future access and landscaping improvements immediately adjacent to the drainage channel.
5. Installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.
6. The hydrant distribution near the Coconut Creek/Gentle Creek intersection needs to be revised, as spacing of hydrants around this intersection exceeds the maximum spacing of 500 feet allowed by Ordinance 1283.
7. All Fire Department codes and ordinance in effect at the issuance of building plans shall apply.

8. Two copies of a revised tentative map incorporating the conditions of approval shall be submitted for review to the Public Works Department and the Planning Division prior to submittal of the final map.

The application was presented by Chris Melendrez, Associate Planner, on behalf of staff who indicated this item was also continued from the March 28, 2001 Planning Commission meeting for the same reasons as Item #25, T-869. He stated staff has received a letter from the Clark County School District stating they have released their hold on this item therefore staff is recommending approval subject to conditions.

John Terry, of Real Homes by Centex, 3600 N. Rancho Drive, Las Vegas, Nevada 89130 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Commissioner Harry Shull MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE T-870 per staff's recommendations.

The motion carried by UNANIMOUS vote.

CHAIRMAN STONE STATED THAT A MOTION FOR RECONSIDERATION FOR ITEM #19, AMP-03-00.

COMMISSIONER HARRY SHULL MOVED AND VICE-CHAIRMAN TOM LANGFORD SECONDED TO RECONSIDER AMP-03-00.

THE MOTION CARRIED BY UNANIMOUS VOTE.

Item #19 was then presented by staff and heard by the Commission. (See Item #19 for details).

PUBLIC FORUM

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

No members of the public came forward.

DIRECTOR'S BUSINESS:

Steve Baxter, Planning Manager, stated there will be a workshop regarding cellular towers on 4/25/01 at 5:30 PM in the City Manager's Conference Room. Lenny Badger of Public Works will also make a presentation at this workshop.

Assistant City Manager, Gregory Rose, was in attendance in the audience and Chairman Stone asked Mr. Rose to come forward to the podium.

Gregory Rose stated he plans to attend more Planning Commission meetings and feels the discussions regarding the traffic calming devices are important. Chairman Stone stated he appreciates Mr. Rose being present and involved.

CHAIRMAN'S BUSINESS:

Commissioner Anita Wood spoke of holding some joint meetings with the City Council.

ADJOURNMENT:

10:30 PM

A motion to ADJOURN the April 11, 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:

Ted Karant, Recording Secretary