

# MINUTES CITY OF NORTH LAS VEGAS PLANNING COMMISSION

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

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

Tom Langford, Vice Chairman  
Anita Wood  
Harry Shull

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**May 9, 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 - Absent  
Nelson Stone - Present  
Harry Shull - Absent  
Laura Perkins - Present  
Marilyn Kirkpatrick - Present

**STAFF PRESENT:**

Steve Baxter, Planning Manager  
Marc Jordan, Senior Planner  
Bob Hoyes, Associate Planner  
Steve Casmus, Public Works  
Madeleine Jabbour, Transportation Services  
Steven DiGiovanni, Fire Department  
Jim Lewis, Deputy City Attorney  
Ted Karant, Recording Secretary

**PLEDGE OF ALLEGIANCE**

Chairman Nelson Stone

**ANNOUNCEMENTS:**

Verification of compliance with NRS 241, Open Meeting Law.

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

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

## MINUTES

Approval of the minutes for the Planning Commission meeting of March 28, 2001.  
Approval of the minutes for the Planning Commission meeting of April 11, 2001.  
Approval of the minutes for the Planning Commission meeting of April 25, 2001.  
Approval of the amended minutes for the Planning Commission meeting of November 8, 2000.

Commissioner Laura Perkins MOVED and Commissioner Dean Leavitt SECONDED to APPROVE the minutes of the March 28, 2001, April 11, 2001, April 25, 2001 and the amended minutes of the November 8, 2000 Planning Commission Meetings.

The motion carried by UNANIMOUS vote.

## CONSENT AGENDA

### **A) PW-44-01 (4259) CRAIG/COMMERCE OFFSITES BY LPROP COUGER, LLC**

Advise the Director of Public Works to notify Developers Insurance Company to release the Performance Bond in the amount of \$285,277.47.

### **B) PW-45-01 (4260) ELDORADO 16 R1-70 #6**

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Pardee Construction Company of Nevada and accept the Subdivision Bond in the amount of \$852,836.99.

### **C) PW-46-01 (4261) CRAIG RANCH BUILDING, NLV STAKE**

Accept the Commercial Developments Off-Site Improvements Agreement by the Corp. of the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints, a Utah Corp. Sole and accept the Irrevocable Standby Letter of Credit in the amount of \$76,124.90.

Commissioner Anita Wood MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE Consent Agenda Items A through C.

The motion carried by UNANIMOUS vote.

## NEW BUSINESS

### **1) UN-41-01 (4060) NCS, INC. DBA BUDGET CASH LOANS (Public Hearing)**

An application submitted by NCS Inc. on behalf of the Andrew, Nettie and Emil Miller Trust, property owners, for a use permit in an M-2 General Industrial District to allow a financial institution. The property is located at 2040-2080 East Craig Road. The Assessor's Parcel Number is 139-02-613-016.

#### **RECOMMENDATION:**

The Development Services Department recommends that UN-41-01 be approved subject to the following conditions:

1. That Standard Conditions 4, 8, 10, 11, 12 and 27 apply; and
2. That the development of this site be in compliance with all applicable conditions of UN-17-00 and UN-84-00; and
3. That signage for the financial institution be in compliance with the commercial sign requirements outlined in the Zoning Ordinance; and
4. That a traffic study update be provided.

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

Frank Bruno, of the Bruno Group, 701 Sir James Bridge Road, Las Vegas, Nevada 89145 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 Dean Leavitt MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE UN-41-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**2) UN-42-01 (4080) WINCHELL PUB & GRILL (Public Hearing)**

An application submitted by Ronald Winchell on behalf of the Winchell Family Trust, property owner, for a use permit in an R-E Ranch Estates District (ROI to C-1 Neighborhood Commercial District) to allow the “on sale” of alcoholic beverages in conjunction with a Pub and Grill. The property is generally located west of Simmons Street approximately 960 feet south of Ann Road. The Assessor’s Parcel Number is 124-32-102-003.

**RECOMMENDATION:**

The Development Services Department recommends that UN-42-01 be denied because condition number 30 on the resolution of intent does not allow any pad development to occur prior to the development of the major anchor, condition number nine (9) requires a final development plan to be reviewed and approved by the Planning Commission which should occur prior to any pad development, and the site plan does not comply with the parking requirements.

Prior to the Planning Commission meeting, the applicant requested the item be continued to 5/23/01.

Commissioner Anita Wood MOVED and Commissioner Laura Perkins SECONDED to CONTINUE UN-42-01 to the 5/23/01 Planning Commission meeting per the applicant’s request.

The motion carried by UNANIMOUS vote.

**The item is CONTINUED to 5/23/01.**

**3) UN-43-01 (4101) WASHINGTON MUTUAL BANK (Public Hearing)**

An application submitted by Washington Mutual on behalf of Retail Holdings 4, property owner, for a use permit in a C-1 Neighborhood Commercial District to allow a financial institution. The property is located at 2015 W. Craig Road. The Assessor's Parcel Number is 139-05-703-002.

**RECOMMENDATION:**

The Development Services Department recommends that UN-43-01 be approved subject to the following conditions:

1. Standard Conditions: 7, 11, 12, 15, 26, and 27.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated this is an application for a special use permit to allow a bank. He stated the property is located at the southwest corner of Craig Road and Clayton Street and presently this is where the Target Center is located and the bank will be at the pad development that is at the corner. He stated the building has been built and the bank is going to occupy approximately 4,000 square feet of that building. Mr. Jordan stated staff is recommending approval of this item.

Doug Fujimoto, Project Manager for Washington Mutual, 8791 Monterey Oaks Drive, Elk Grove, California 95758 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Eric Grabbell, 3023 20<sup>th</sup> Avenue West #302, Seattle, Washington 98199 appeared on behalf of the applicant.

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

Commissioner Anita Wood **MOVED** and Commissioner Dean Leavitt **SECONDED** to **APPROVE** UN-43-01 per staff's recommendations.

The motion carried by **UNANIMOUS** vote.

**4) ZN-16-01 (4008) DESERT PASSAGE NORTH (Public Hearing)**

An application submitted by Orion Engineering & Surveying, Inc. on behalf of Specialty Holdings/Capital City Enterprises, property owner, for reclassification of property from an R-E Ranch Estates District to an R-1 Single Family Residential District. The property is generally located at the northeast corner of Lone Mountain Road and Commerce Street. The Assessor's Parcel Numbers are 124-34-801-002, 124-34-801-003, 124-34-801-004 and 124-34-801-006.

**RECOMMENDATION:**

The Development Services Department recommends that ZN-16-01 receive a favorable recommendation and that this item be forwarded to the City Council for permanent "hard zoning" to the R-1 Single Family Residential District by ordinance.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated the Comprehensive Plan does support Low Density Residential in this area therefore staff is recommending approval of this item.

Dean Rasmussen, 3068 E. Sunset Road, #9, Las Vegas, Nevada 89120 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 Marilyn Kirkpatrick MOVED and Commissioner Laura Perkins SECONDED to APPROVE ZN-16-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**5) T-875 (4009) DESERT PASSAGE NORTH**

An application submitted by Orion Engineering & Surveying, Inc. on behalf of Specialty Holdings / Capital City Enterprises, property owner, for a tentative map review in an R-E Ranch Estates District (proposed property reclassification to R-1 Single-Family Residential District). The property is generally located at the northeast corner of Lone Mountain Road and Commerce Street. The Assessor's Parcel Numbers are 124-34-801-002, 124-34-801-003, 124-34-801-004 and 124-34-801-006.

**RECOMMENDATION:**

The Development Services Department recommends that T-875 be approved subject to the following conditions:

1. Standard conditions: 1, 2, 3, 7, 11, 15, 17, 18, 22, 26, 27, 29 and 31.
2. The developer shall comply with the single family design standards, including, but not limited to providing ten feet of landscaping, which may include the sidewalk 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.
3. The cul-de-sac known as Kite Shield Court shall not exceed 500 feet in length unless otherwise approved by the City Engineer.
4. The installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City.
5. Perimeter fire hydrants shall be provided in accordance with Ordinance 1283.
6. All Fire Department codes and ordinances in effect at the issuance of building plans shall apply.
7. Fiber optic conduit is required on the Lone Mountain Road and Commerce Street frontages.
8. The developer is required to sign a Cost Participation Agreement and pay for traffic signal contributions.
9. Right-of-way dedication for a bus turn-out is required to be dedicated at a location immediately north of Lone Mountain Road on Commerce Street.
10. Pedestrian access must be provided to Conway Street to accommodate pedestrian traffic to the adjacent school.
11. 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 Marc Jordan, Senior Planner, on behalf of staff who indicated staff is recommending approval of this item subject to eleven (11) conditions.

Commissioner Anita Wood asked the applicant, with regards to lots 48 and 49 being approximately 1,300 feet from either Roman Empire Street or Commerce Street, does the applicant plan to put in pedestrian access.

Mr. Rasmussen replied that would not be a problem.

Dean Rasmussen, 3068 E. Sunset Road, #9, Las Vegas, Nevada 89120 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Commissioner Anita Wood MOVED and Commissioner Dean Leavitt SECONDED to APPROVE T-875 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**6) ZN-40-98 (4091) CAREFREE VILLAS (Public Hearing)**

An application submitted by Templeton Development Corporation on behalf of Carefree Alexander LLC, property owner, for review of a previously approved condition concerning the wrought iron and pilaster fence in an R-1 Single Family Residential District (ROI to a Planned Unit Development District consisting of affordable senior citizen apartments). The property is located at 3949 West Alexander Road. The Assessor's Parcel Number is 139-07-501-004.

**RECOMMENDATION:**

The Development Services Department recommends that condition #27 of Resolution of Intent #2113 be amended to read as follows:

27. That a minimum six-foot (6') high perimeter wall shall be provided consisting of split-face block with a fluted course one course from the top and a decorative cap on top of the wall. The wall shall be brown or tan in color.

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

John Welch, 103 E. Charleston Boulevard, Las Vegas, Nevada 89104 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 Anita Wood asked the applicant if Carefree Villas will be responsible for maintenance of the wall with regards to issues such as graffiti and also has the applicant been instructed that they need to submit a letter in order to move to permanent zoning.

Mr. Welch stated Carefree will be responsible for maintenance of the wall and they are also aware of the requirement to submit a letter for permanent zoning.

Commissioner Laura Perkins MOVED and Commissioner Dean Leavitt SECONDED to APPROVE ZN-40-98 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**7) FDP-04-01 (4079) CAREFREE VILLAS SENIOR APTS**

An application submitted by Templeton Development Corp. on behalf of Carefree Alexander LLC, property owner, for a final development plan review in an R-1 Single Family Residential District (ROI to PUD) to modify a previously approved development plan. The property is located at 3949 West Alexander Road. The Assessor's Parcel Number is 139-07-501-004.

**RECOMMENDATION:**

The Development Services Department recommends that FDP-04-01 be continued indefinitely until such time that the applicant submits calculations providing the seven (7) percent of open space as required by condition #23 of Resolution of Intent #2113 and a revised site plan indicating where the 60 garages would be located.

Prior to the Planning Commission meeting, the applicant requested the item be continued to 5/23/01.

Commissioner Anita Wood **MOVED** and Commissioner Dean Leavitt **SECONDED** to **CONTINUE** FDP-04-01 to the 5/23/01 Planning Commission meeting per the applicant's request.

The motion carried by **UNANIMOUS** vote.

**The item is CONTINUED to 5/23/01.**

**8) ZOA-06-01 (4039) CNLV-REDEVELOPMENT (Public Hearing)**

An ordinance amendment initiated by the City of North Las Vegas to repeal Section 17.20.210(J) of Title 17 (Ordinance No. 994) of the North Las Vegas Municipal Code (Zoning Ordinance) and deleting references to Section 17.20.210(J) throughout the Code. This amendment would allow the current design guidelines to apply to new developments in the Redevelopment Area.

**Recommendation:**

The Development Services Department recommends that ZOA-06-01 be approved and that Title 17 be amended as follows:

Section 17.20.210.C.11:

Additional Building and Performance Standards. Development of any parcel of land within this district shall be subject to all applicable requirements of ~~subsection J of this section~~ **the Single-Family Design Guidelines or Multifamily Development Standards** and Section 17.24.160, including, but not limited to, fences, parking, signs, screening, trash enclosures, lighting, stormwater control, landscaping and home occupations.

Section 17.20.210.D.11:

Additional Building and Performance Standards. Development of any parcel of land within this district shall be subject to all applicable requirements of ~~subsection J of this section~~ **the Single-Family Design Guidelines or Multifamily Development Standards** and Section 17.24.160, including, but not limited to, fences, parking, signs, screening, trash enclosures, lighting, stormwater control, landscaping and home occupations.

Section 17.20.210.E.8:

Additional Building and Performance Standards. Development of any parcel of land within this district shall be subject to all applicable requirements of ~~subsection J of this section~~ **the Commercial Development Standards and Design Guidelines** and Section 17.24.160, including, but not limited to, fencing, screening, signs, parking, trash enclosures, landscaping, lighting and stormwater control. ~~In the case of conflicting standards the standards of subsection J of this section shall prevail.~~

Section 17.20.210.F.8:

Additional Building and Performance Standards. Development of any parcel of land within this district shall be subject to all applicable requirements of ~~subsection J of this section~~ **the Commercial Development Standards and Design Guidelines** and Section 17.24.160, including, but not limited to, fencing, screening, signs, parking, trash enclosures, landscaping, lighting and stormwater control.

Section 17.20.210.G.8:

Additional Building and Performance Standards. Development of any parcel of land within this district shall be subject to all applicable requirements of ~~subsection J of this section~~ **the Commercial Development Standards and Design Guidelines** and Section 17.24.160, including, but not limited to, fencing, screening, signs, parking, trash enclosures, landscaping, lighting and stormwater control. ~~In the case of conflicting standards the standards of subsection J of this section shall prevail.~~

Section 17.20.210.H.8:

Additional Building and Performance Standards. Development of any parcel of land within this district shall be subject to all applicable requirements of ~~subsection J of this section~~ **the Commercial Development Standards and Design Guidelines** and Section 17.24.160, including, but not limited to, fencing, screening, signs, parking, trash enclosures, landscaping, lighting and stormwater control. ~~In the case of conflicting standards the standards of subsection J of this section shall prevail.~~

Section 17.20.210.H.1.8:

Additional Building and Performance Standards. Development of any parcel of land within this district shall be subject to all applicable requirements of ~~subsection J of this section~~ **the Commercial Development Standards and Design Guidelines** and Section 17.24.160, including, but not limited to, fencing, screening, signs, parking, trash enclosures, landscaping, lighting and stormwater control. ~~In the case of conflicting standards the standards of subsection J of this section shall prevail.~~

Section 17.20.210.I.8:

Additional Building and Performance Standards. Development of any parcel of land within this district shall be subject to all applicable requirements of ~~subsection J of this section~~ **the Commercial Development Standards and Design Guidelines** and Section 17.24.160, including, but not limited to, fencing, screening, signs, parking, trash enclosures, landscaping, lighting and stormwater control. ~~In the case of conflicting standards the standards of subsection J of this section shall prevail.~~

Section 17.20.210.J:

Repealed

Note: This section provides design guidelines for developments within the Redevelopment Area. Repeal of this subsection would require new developments or expansions to existing developments to comply with the appropriate design guidelines.

Section 17.20.210.K:

**KJ. Design Review Procedure.**

Section 17.20.210.K.1:

Submission and Review of Plans. Plans and specifications for design elements ~~subject to subsection J of this section~~ shall be submitted as part of the site plan approval process, Section 17.28.040, and subsection ~~E~~ **K** of this section.

Section 17.20.210.K.4:

Repealed.

Note: This section provides procedures in which an applicant may apply for a deviation of the design standards in subsection J. All of the design standards presently has built in provisions in which an individual may apply for a waiver of the design standards. This section would be redundant.

± K. Traffic Impact Analysis.

± L. Procedures for Development Approvals in the Redevelopment Area District.

Section 17.20.210.M.1:

Site Plan and Signage Approval. Requests for site plan approval shall be subject to all the conditions of Section 17.28.040 and ~~subsection J of this section~~ **the appropriate design guidelines**, except that final approval for major site plans shall be the responsibility of the redevelopment agency. In addition to the conditions of Section 17.28.040, the following procedures will apply to site plan approval requests for developments within the redevelopment area district, except those site plans defined as minor site plans by Section 17.28.040.

Section 17.20.210.M.1.b:

Signage. Requests for signage within the redevelopment area district shall accompany any site plan approval application. When an application for signage is submitted that is not in conjunction with a site plan approval request, the application shall be processed as for a minor site plan within the redevelopment area district.

Signage shall be subject to all requirements of Section 17.24.110 and ~~subsection J of this section~~ **the appropriate design guidelines**. City staff may request any specifications, samples, examples or other information deemed necessary to ensure signage compatibility with development in the redevelopment area district and the goals, objectives and policies of this section and the city's adopted North Las Vegas final redevelopment plan.

Section 17.24.200.B:

Applicability

With the exception of Resort Casino development, ~~and land, buildings and structures located within the redevelopment area,~~ no new commercial building or structure shall be erected unless in conformity with all applicable provisions of these regulations. And no existing commercial building or structure shall be moved or substantially enlarged, and no previously developed site shall be substantially enlarged unless in conformance with all applicable provisions of these regulations to the greatest extent practicable.

Section 17.24.205.B:

Applicability

~~All~~ ~~With the exception of land, buildings and structures located within the redevelopment area,~~ no new buildings or structures within an industrial zone shall **not** be erected unless in conformity with all applicable provisions of these regulations. And no existing building or structure within an industrial zone shall be moved or substantially enlarged, and no previously developed site shall be substantially enlarged unless in conformance with all applicable provisions of these regulations to the greatest extent practicable.

Note: Language shown in bold italics is proposed new language, and language that is struck out is proposed to be deleted.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated this is an application that was originated by the City of North Las Vegas. He stated the Redevelopment Agency directed staff to prepare an ordinance that would repeal the design standards in the downtown redevelopment area. With those design standards being repealed, all the new commercial design standards or multi-family, single-family, or industrial design standards would automatically be required for any new developments in those areas. He stated this is an ordinance amendment to go through the zoning code and change certain sections to repeal those design standards and replace them with appropriate design standards.

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

Commissioner Dean Leavitt ~~MOVED~~ and Commissioner Anita Wood ~~SECONDED~~ to APPROVE ZOA-06-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**9) AMP-15-01 (4222) CITY OF NORTH LAS VEGAS-PUBLIC WORKS (Public Hearing)**

An application submitted by the City of North Las Vegas for an Amendment to the Master Plan of Streets and Highways to add a south ramp connection from Donovan Way south to Craig Road and a north ramp connection from Donovan Way north to Craig Road. The property is generally located east of the Union Pacific Railroad crossing on the north and south sides of Craig Road. The Assessor's Parcel Numbers are 139-01-611-006 and 139-01-702-001.

**RECOMMENDATION:**

The Development Services Department recommends that AMP-15-01 be approved and forwarded to the City Council for final consideration.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated this is an application submitted by the City of North Las Vegas. He stated this is an amendment to the Master Plan of Streets and Highways to add ramp connections to Donovan Way, north and south of Craig Road. He stated eventually a bridge will be built over that intersection and in order to provide access to Donovan Way, Mr. Jordan stated the Master Plan of Streets and Highways needs to be amended to show those ramp connections which would be a 60-foot right-of-way. He stated staff is recommending approval of this item. He also stated that one of the properties where the ramp connections would cut through, there is currently a building permit request in for an 8,000 square foot building. He stated the Public Works Department is aware of this situation and would be working with that property owner to resolve anything.

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

Chairman Stone asked if this is an NDOT funded project.

Madeleine Jabbour of Transportation Services replied that it is an NDOT project.

Commissioner Anita Wood stated that the businesses on Donovan will be affected and she assumes that within 300-500 feet of this intersection notices have been sent out.

Mr. Jordan stated that he believes the Public Works Department also sent out notices.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Anita Wood SECONDED to APPROVE AMP-15-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**10) ZOA-07-01 (4241) CITY OF NORTH LAS VEGAS (Public Hearing)**

An ordinance amendment initiated by the City of North Las Vegas to amend Section 17.24.110(E) of Title 17 of the North Las Vegas Municipal Code (Zoning Ordinance) to reduce the size and height and increase the distance between freestanding signs in Commercial and Industrial zones. The amendment also provides requirements for changeable copy signs.

**RECOMMENDATION:**

The Development Services Department recommends that the Commission provide a recommendation of approval to the Council.

The application was presented by Steve Baxter, Planning Manager, who indicated this is an ordinance draft that would amend the size, height and spacing requirements of freestanding signs in commercial and industrial zones. He stated it also provides for changeable copy signs and it would amend the square footage requirements for freestanding signs reducing them from several hundred feet to either 50 feet or 150 square feet depending on the size of the business. Mr. Baxter stated it would allow only one freestanding sign per street frontage unless it is a lot exceeding ten (10) acres, in which case the closest the signs could be together to each other would be 200 feet rather than 100 feet. He stated the maximum sign height would be reduced from the building height, which currently in the C-2 zones is 60 feet, down to 20 feet in the case of a large shopping center or anchor tenant sign and eight (8) feet for smaller uses such as fast food restaurants and small retail stores. The changeable copy signs would be permitted, both the electronic and manual type signs for gas stations and for other uses which could be in combination with freestanding signs or mounted on walls. He also stated there would be a waiver provision as part of this amendment to allow adjustments to be made to the requirements in certain circumstances where that would be justified.

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

Commissioner Anita Wood commended staff for a job well done on this ordinance amendment. She stated this appears to be based on the length of the street frontage to either 50 square feet or 150 square feet of signage which appears that a small business would get the 50 square feet and a large business would get the 150 square feet, but she stated there does not appear to be a provision for 100 square feet for a medium size business.

Mr. Baxter stated there is room to change a bi-polar type of requirement into a sliding scale if that is the desire. He stated there could be a stipulation, for example, for businesses with 25,000 square feet of floor area that the sign area may be 100 square feet.

Commissioner Laura Perkins stated she agrees with Commissioner Wood regarding the changeable signs only be allowed for gas signs.

Chairman Nelson Stone asked how would staff be affected if this item were held over to allow for the input of the two Planning Commissioners (Vice-Chairman Tom Langford and Commissioner Harry Shull) who were not present at this particular meeting.

Mr. Baxter replied that he spoke with Tom Bell, Director of Development Services, who stated to Mr. Baxter that the City Council is very eager regarding this project.

Commissioner Laura Perkins MOVED and Commissioner Anita Wood SECONDED to APPROVE ZOA-07-01 per staff's recommendations subject to the following changes:

**“That the manual reader boards would only be allowed for gas stations. That there will be an intermediate sign size for businesses with 25,000 square feet up to 49.9 thousand square feet and that those signs could be 100 square feet in size.”**

**“That staff could approve subdivision identification signs.”**

The motion carried by UNANIMOUS vote.

### **11) FDP-03-01 (4077) SUNRIDGE VILLAGE**

An application submitted by NEVSUR Inc., property owner, for a final development plan review in an PUD Planned Unit Development District for a 176 unit apartment complex. The property is generally located approximately 330 feet north of Gowan Road and Commerce Street. The Assessor's Parcel Number is 139-10-201-010.

#### **RECOMMENDATION:**

The Development Services Department recommends that FDP-03-01 be continued to allow the applicant additional time to submit wall elevations and specific details of all open space amenities.

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

11. Standard conditions: 2, 3, 4, 5, 7, 8, 11, 15, 26 and 27.
12. The applicant shall comply with the Multifamily Development Standard, including, but not limited to the following:
  - a. A meandering sidewalk shall be required next to Commerce Street.
  - b. Any fence or wall next to Commerce Street shall be set back 25 feet from the back of curb.
13. Additional architectural features shall be incorporated in the rear elevation of each of the six buildings proposed on the north side of the development and shall be subject to staff review and approval.
14. A wrought iron and decorative pilaster fence shall be provided next to Commerce Street and shall be subject to staff review and approval.
15. All residential structures, regardless of size, shall have sprinkler protection and have monitored alarms transmitted off-site.
16. All Fire Department codes and ordinances in effect at the issuance of building plans shall apply.
17. Details of all open space amenities shall be submitted for review and approval by the Parks and Recreation Department.
18. A traffic study update is required.
19. A queuing analysis is required.
20. Fiber optic conduit is required on the Commerce Street frontage.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated this development is the multi-family component of the Glenn Eagles PUD that was approved in 1998. He stated the applicant is proposing to do a series of fourplex buildings within this development, with each building being under one ownership and then the owner would be able to lease or rent out the individual apartments within that building. He stated the buildings would all back up to one other and have a separation of approximately 10 feet, which is where all the ground-mounted equipment would be and there would be screen walls between the two buildings.

He stated the only exception of that would be the six (6) buildings on the north side in which the rear of the building would either face the residential or face the interior portion of the development. Mr. Jordan stated the backs of each building have minimal architectural features and one of the things staff would be recommending as part of this approval is that additional architectural features be included into the back of each of those six buildings on that northern side. As he stated earlier, this is part of a PUD and as a results there were some conditions of approval that are required to be met when they submit a final development plan. They had to submit elevations of the proposed wall and currently there is a wall existing on the east side, but the wall next to Commerce Street is not there and the applicant has not submitted elevations of such wall. He also stated they were supposed to submitted details of all the open space amenities. The site plan shows where those open space areas would be, but details of those amenities have not been submitted. Staff is recommending that this item be continued indefinitely to allow the applicant time to submit wall elevations and specific details of the open space amenities.

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

Commissioner Anita Wood stated she feels since staff is recommending a continuance, this item should be continued.

Chairman Stone asked Jim Lewis, Deputy City Attorney, if this item may be continued per staff's recommendation without the applicant be present.

Mr. Lewis asked for a moment to verify what is allowed.

Chairman Stone asked staff if the applicant was aware of this recommendation for continuance.

Mr. Jordan stated the applicant received a report indicating the recommendation.

Mr. Lewis stated this item may be continued.

Commissioner Anita Wood MOVED and Commissioner Laura Perkins SECONDED to CONTINUE FDP-03-01 INDEFINITELY per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED INDEFINITELY.**

**12) SPR-14-01 (4082) GBS TWO INC.**

An application submitted by Suzana Rutar, Architect on behalf of GBS Two Inc., property owner, for a site plan review in a M-2 General Industrial District to allow a 50,200 square foot office/warehouse. The Assessor's Parcel Number is 140-06-501-001.

**RECOMMENDATION:**

The Development Services Department recommends that SPR-14-01 be approved subject to the following conditions:

1. Standard Conditions 1, 2, 4, 6, 7, 8, 11, 15 and 27.
2. That a minimum six (6) and maximum twelve (12) feet of landscaping shall be provided along Lone Mountain Road and Mitchell Street, as identified on the submitted site plan.

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

Caven Raco, 1950 E. Warm Springs Road, Las Vegas, Nevada 89119 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Commissioner Anita Wood **MOVED** and Commissioner Marilyn Kirkpatrick **SECONDED** to **APPROVE** SPR-14-01 per staff's recommendations.

The motion carried by **UNANIMOUS** vote.

**13) SPR-15-01 (4083) UNITED RENTALS STORAGE YARD**

An application submitted by Dennis Smith on behalf of Evergreen II LLC, property owner, for a site plan review in a M-2 General Industrial District to allow a chain link fence where a block wall is required. The Assessor's Parcel Numbers are 140-06-110-011 and 140-06-210-027.

**RECOMMENDATION:**

The Development Services Department recommends that SPR-15-01 be approved subject to the following conditions:

1. That the applicant shall submit landscape and irrigation plans for review and approval by staff for the required 20 foot landscape area adjacent to Andrews Street. Such plans shall be required prior to the issuance of building permits for any improvements on the subject site.
2. That Fire Department access shall be provided in accordance with Ordinance 1283.
3. That additional on-site fire hydrants required by Ordinance 1283 must be provided.
4. That all Fire Department Codes and Ordinances in effect at the issuance of a building permit shall apply.

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

Dan Sullivan, of Cornerstone Engineering, 2285 Renaissance Drive, Unit C, Las Vegas, Nevada 89119 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Laura Perkins SECONDED to APPROVE SPR-15-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**14) T-812 (4050) RANCHO MIRAGE UNIT II**

An application submitted by VTN Nevada on behalf of Specialty holdings, property owner, for an extension of time on a tentative map review in a Planned Unit Development District (PUD) consisting of 135 Single Family lots. The property is generally located at the northwest corner of Ann Road and Commerce Street. The Assessor's Parcel Numbers are 124-27-401-003, 124-27-410-050 through 124-27-410-057, 124-27-410-075 through 124-27-410-085, 124-27-410-059 and 124-27-410-060.

**Recommendation:**

The Development Services Department Recommends that a one year extension of time for T-812 be approved subject to the following conditions:

5. That the development comply with all applicable conditions of approval for ZN-64-98 (Resolution of Intent #2097), FDP-04-99 and T-812; including all conditions added at subsequent extension of time approvals.
6. That the applicant and/or developer and their successors in interest shall disclose to the initial purchaser of a new residence, as contained within the sales agreement by separate written document, disclosure of the potential for odor from the RC Farms.
7. That the 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.
8. That a fire apparatus turnaround be provided at the north end of Coral Sun Street.
9. That all Fire Department Codes and Ordinances in effect at the issuance of building permits shall apply.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated this site is currently under resolution of intent to the PUD District. He stated there is a final development plan already approved for this site and the applicant has requested additional time apparently to allow recordation of a final map. Mr. Jordan stated staff is recommending approval for a one year extension of time with some additional conditions which are listed in the staff report.

Tim Nicholson, 2727 S. Rainbow Boulevard, Las Vegas, Nevada 89146 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Chairman Nelson Stone asked the applicant if the bonded fees have been paid.

Mr. Nicholson stated that all three units of this phase have been bonded and fees have been paid and on phase three and the Southern Nevada Water Authority fees have also been paid.

Chairman Stone asked the applicant if it is currently under construction.

Mr. Nicholson replied he has a grading permit and the site is basically graded out at this time.

Chairman Stone asked Mr. Nicholson what his time frame is for completion of the project.

Mr. Nicholson stated he believes it will be completed within one year.

Chairman Stone asked Mr. Nicholson if his final map is currently in the system.

Mr. Nicholson replied the final maps have been heard and approved for all three units.

Chairman Nelson Stone MOVED and Commissioner Dean Leavitt SECONDED to APPROVE T-812 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**15) SPR-26-00 (2139) LAS VEGAS COGENERATION FACILITY**

An application submitted by Las Vegas Cogeneration, L.P., on behalf of RTP Environmental Associates, Inc., property owner, for review of a previously approved condition. The property is located at 1701 E. Alexander Road. The Assessor's Parcel Number is 139-11-501-001.

**Recommendation:**

The Development Services Department recommends that condition number seven (7) of SPR-26-00 be amended as follows:

7. There is an existing flood channel on the site parallel to Alexander Road. An easement for access and maintenance of this channel in a form proposed by the City and acceptable to the applicant must be granted to the City of North Las Vegas.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated the applicant is proposing instead of dedicating this as right-of-way granting an easement over this area. He stated the Public Works Department submitted their own recommendation for an amendment to this condition. The Public Works Department has reviewed that and has amended it slightly and staff is recommending approval of this item as indicated in the staff report.

R.D. Hawkins, representing Las Vegas Cogeneration, 10029 Crescent Creek Drive, Las Vegas, Nevada 89134 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Mr. Jordan stated the amendment to this condition is the removal of the language at the end of the condition which read, "prior to issuance of building permits." The condition otherwise remains the same.

Commissioner Anita Wood MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE SPR-26-00 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**16) FDP-14-00 (3211) MENDENHALL/HOTEL-CASINO**

An application submitted by the Mendenhall Family Trust, property owner, for a Final Development Plan review in an M-2 General Industrial District (ROI to C-3, General Service Commercial, pending extension of time) for a hotel / casino. 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 FDP-14-00 be approved subject to the following condition:

1. That FDP-14-00 be subject to all previously approved conditions of UN-48-96.

The application was presented by Bob Hoyes, Associate Planner, on behalf of staff who indicated staff is recommending approval of this item subject to conditions that were distributed at the briefing meeting and are included in this record.

Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas, Nevada appeared on behalf of the applicant.

Chairman Nelson Stone asked the applicant and/or Jim Lewis, Deputy City Attorney, with regards to SB208 when this facility would have to be in, in order to not lose the vesting rights for the casino.

Mr. Lewis stated state law would require them to be licensed by state gaming before December 31, 2002.

Mr. Gronauer stated the applicant's construction schedule is going to be an aggressive schedule and believes that within 14 months this should be completed.

Commissioner Anita Wood stated the Planning Commission received an updated memorandum during the briefing meeting before the Planning Commission meeting and wanted to verify the applicant has reviewed and agree with the conditions listed in it.

Mr. Gronauer replied he has reviewed and agrees with staff's recommendations.

Commissioner Laura Perkins MOVED and Commissioner Dean Leavitt SECONDED to APPROVE FDP-14-00 per staff's recommendations subject to the following condition being added at the request of the applicant:

**Condition #8 Added to Read: "That oversize vehicle parking be provided subject to review and approval by staff."**

The motion carried by UNANIMOUS vote.

**17) SPR-13-01 (4081) RYDER TRUCK FACILITY**

An application submitted by Breslin Builders on behalf of Ryder Truck Rental Inc., property owner, for a site plan review in an M-2 General Industrial District to allow a chain link fence with slats where a block wall is required. The Assessor's Parcel Number is 139-01-201-018.

**RECOMMENDATION:**

The Development Services Department recommends that SPR-13-01 be denied and that an 8-foot opaque screen wall be provided to screen the outdoor storage area.

Prior to the Planning Commission meeting, the applicant requested the item be continued to 5/23/01.

Commissioner Dean Leavitt **MOVED** and Commissioner Laura Perkins **SECONDED** to **CONTINUE** SPR-13-01 to the 5/23/01 Planning Commission meeting per the applicant's request.

The motion carried by **UNANIMOUS** vote.

**The item is CONTINUED to 5/23/01.**

## OLD BUSINESS

### **18) 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 the streets listed on the attached table due to the annexation of approximately 12 square miles. 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.

Prior to the Planning Commission meeting, staff requested the item be continued to 6/13/01.

Commissioner Dean Leavitt **MOVED** and Commissioner Anita Wood **SECONDED** to **CONTINUE** AMP-07-01 to the 6/13/01 Planning Commission meeting per staff's recommendation.

The motion carried by **UNANIMOUS** vote.

**The item is CONTINUED to 6/13/01.**

**19) UN-40-01 (3972) NOBLE EQUIPMENT (Public Hearing)**

An application submitted by Noble Equipment on behalf of BCMS, LLC, property owner, for a use permit in an M-2 General Industrial District to allow to storage of hazardous materials (an above-ground fuel tank with a 3,000 gallon capacity). The property is located at 2524 East Gowan Road. The Assessor's Parcel Number is 139-12-201-010.

**RECOMMENDATION:**

The Development Services Department recommends that UN-40-01 be approved subject to the following conditions:

1. That the applicant receive a Hazardous Materials permit from the State of Nevada.
2. That the storage tank be located a minimum of 15' from any property line.
3. That the tank be protected from vehicular damage by bollards installed in accordance with section 8001.11.3 of the Uniform Fire Code.
4. That UN-40-01 shall be considered valid only upon the obtainment of M-2 zoning for the entire subject site.
5. That the use permit is site specific and nontransferable.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated that a portion of this property is zoned M-2 and a portion of it is actually zoned R-1. He stated there is currently an ordinance that will be written to give that property M-2 zoning, therefore staff is recommending approval of this item.

James Ludwig, 2780 N. Nellis Boulevard, 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. No participants came forward. The Public Hearing.

Mr. Ludwig asked the Planning Commission if there would be a problem with moving the tank a little further to the southeast, which would be approximately 30 feet. Mr. Ludwig then showed the Planning Commission and staff (via the overhead monitor) a picture with which he showed specifically where he would like to move the tank to.

Mr. Jordan stated the move would be acceptable to staff.

Commissioner Anita Wood asked Steve DiGiovanni of the Fire Department if moving the tank 30 feet would be acceptable to the Fire Department.

Steve DiGiovanni replied that the insulation of the tank would have to come under a special use permit/fire permit and the location the site would have to be in compliance with the Uniform Fire Code as was stated in the Fire Department's comments. Mr. DiGiovanni stated he would need time to review where the applicant was going to put the tank and how he was going to protect it.

Mr. Ludwig stated he would like to request to have the Fire Marshal come out to the field to work with the applicant on these specifics.

Commissioner Anita Wood stated the problem with that is the applicant's site plan is tied to the use permit

and when the Planning Commission approves the use permit it is being approved based upon the site plan that has been submitted.

Mr. DiGiovanni stated he would be willing to meet with the applicant and determine a site for the tank that would be in conformance with the Uniform Fire Code.

Mr. Jordan stated the condition that requires it to be 15 feet from the property line is actually from the Fire Department. He stated where the applicant is wanting to locate the tank is fine with staff, but he suggested that a condition be added that the location of that fuel tank be subject to staff review and approval, and such staff review and approval would include the Fire Department.

Mr. Ludwig stated he does not have a problem with that.

Commissioner Anita Wood MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE UN-40-01 per staff's recommendations subject to the following condition:

**Condition #6 Added to Read: "That the exact location of the fuel tank to be approved by staff."**

The motion carried by UNANIMOUS vote.

## **20) SPR-11-01 (3970) NOBLE EQUIPMENT**

An application submitted by Noble Equipment on behalf of BCMS LLC, property owner, for a site plan review in an M-2 General Industrial District for a waiver of the Industrial Design Standards to allow 10 feet of perimeter landscaping where 20 feet is required. The property is located at 2524 E. Gowan Road. The Assessor's Parcel Number is 139-12-201-010.

### **RECOMMENDATION:**

The Development Services Department recommends that SPR-11-01 be approved for 10' of landscaping along Gowan Road, and that the waiver request for 10' of landscaping along Civic Center Drive be denied due to the applicants lack of a compelling argument to grant the requested waiver. Staff recommends the following conditions:

1. That an area of at least 10' in width from the property line be landscaped and maintained in accordance with Ordinance requirements along Gowan Road.
2. That the proposed development shall comply with the Industrial Design Standards, including but not limited to the following:
  - a. That an area of at least 20' in width from the property line be landscaped and maintained in accordance with ordinance requirements along Civic Center Drive.
3. That the approved waivers of SPR-11-01 shall be considered valid only upon the obtainment of M-2 zoning for the entire subject site.
4. That a landscape and irrigation plans shall be submitted within 90 days and shall be subject to review and approval by staff.
5. That SPR-11-01 shall be considered valid only upon the obtainment of M-2 zoning for the entire subject site.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated this is an application for a waiver of the Industrial Design Standards. He stated the applicant is asking for Planning Commission approval to provide ten (10) feet of landscaping adjacent to Civic Center Drive and Gowan Road where twenty (20) feet is required. He stated presently the landscaping along Gowan Road to the west of the property is approximately ten (10) feet in width. Mr. Jordan stated staff has no objections to ten (10) feet of landscaping for this site along Gowan Road to provide the continuity between the two landscaped areas, however as a transition at that corner staff is recommending twenty (20) feet of landscaping still be provided adjacent to Civic Center Drive, therefore staff is recommending approval of only the ten (10) feet next to Gowan Road.

James Ludwig, 2810 N. Nellis Boulevard, Las Vegas, Nevada 89151 appeared on behalf of the applicant who stated he feels the landscaping could pose a possible threat to the safety of neighborhood children.

Chairman Nelson Stone stated he does not believe it is a compelling argument to equate large landscape areas with unsafe pedestrian traffic, whether children or pedestrians in general.

Commissioner Anita Wood stated she agrees with Chairman Stone's comments. She stated she has no problem accepting the 10 feet on Gowan, but believes it should be 20 feet on Civic Center.

Commissioner Dean Leavitt stated he works for the Clark County School District and is very familiar with this particular intersection. He agreed with Chairman Stone and Commissioner Wood by stated that Civic Center should have the 20 foot landscaping and that is what he will support.

Commissioner Laura Perkins stated she agrees with Chairman Stone and would prefer to see 20 feet on all sides, but is willing to accept the 10 feet on Gowan and 20 feet on Civic Center.

Commissioner Anita Wood MOVED and Commissioner Laura Perkins SECONDED to APPROVE SPR-11-01 per staff's recommendations with the following change:

**“Delete Condition #5 as it is a duplicate of Condition #3.”**

The motion carried by UNANIMOUS vote.

**21) UN-33-01 (3963) MOBILE TECH FLEET SERVICE (Public Hearing)**

An application submitted by Mobile Tech Fleet Service on behalf of Dinah Hafen, property owner, for a use permit in an M-2 General Industrial District to allow an automobile repair facility. The property is located at 3824 Losee Road #8. The Assessor's Parcel Number is 139-11-504-005.

**RECOMMENDATION:**

The Development Services Department recommends that UN-33-01 be continued in order for the concerns of the Fire Department and Public Works Department to be resolved.

However, if the Planning Commission should choose to act favorably upon this item at this time, staff recommends the following conditions:

1. Standard Conditions: 2, 3, 10, 11, 12, 15, 27 and 29
2. That the applicant receive a Hazardous Materials Permit from the State of Nevada.
3. That the applicant must demonstrate the adequacy of the fire protection systems including but not limited to sprinkler systems, access lanes and hydrant distribution.
4. That all on-site repairs shall be performed within a building.
5. That in no case shall a site plan be approved which exposes repair bays, unassembled vehicles, auto repair activities or auto parts to any street or residential property.
6. That all vehicles awaiting repair shall be screened from view by a masonry wall. The design of such wall shall be subject to review and approval by staff.
7. That all conditions mentioned herein be satisfied prior to the application of a business license.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated this item was originally presented to the Planning Commission at the April 25, 2001 meeting and was continued to allow the applicant time to meet with the Fire Department and Public Works Department. He stated the applicant has done so and satisfied the two department's concerns, therefore staff is recommending approval of this item subject to the conditions listed.

Keith Hafen ,4965 N. Durango, Las Vegas, Nevada 89149 appeared on behalf of the applicant who stated he would like to put in vinyl slats in the chain link fence to screen the area. He stated he was told that he would need to get a letter from the surrounding property owners stating that was acceptable to them and he has done so. Mr. Hafen stated the property address is actually 2824 Losee Road Unit B and the parcel number listed on the agenda is -005 and should be -006.

Chairman Stone stated this appears to be a legal issue and suggested a break in the proceedings to allow Jim Lewis, Deputy City Attorney, an opportunity to review this issue.

**There was a break in the proceedings at 8:24 P.M to allow staff time to review this item.  
The meeting reconvened at 8:33 P.M.**

Chairman Stone reconvened meeting. He stated item #21 UN-33-01 had a legal issue which Jim Lewis,

Deputy City Attorney, was reviewing.

Jim Lewis stated after review of the application and the notice that was sent to the surrounding neighbors he finds that the address problem is a harmless error. He stated that because of the notice a reasonable person looking at the notice would understand that there was a special use permit application for the address that was on the notice therefore the proceedings on this item may continue without renoticing.

Chairman Stone stated to the applicant he would not accept slats and feels the Planning Commission is getting away from slats.

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

Commissioner Anita Wood asked to clarify that staff's recommendation was for the masonry wall and anything submitted by surrounding property owners does not affect staff's recommendation.

Marc Jordan replied that is correct.

Commissioner Wood stated the Planning Commission has made a major effort to improve the look of the City with the Industrial and Commercial Design Guidelines as well as the Residential Design Guidelines, and it is going to take some time for all of the tenants and property owners to comply with those design guidelines. She stated that when other applicants come before the Commission in the future they will be required to meet the new requirements, as well.

Commissioner Anita Wood MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE UN-33-01 per staff's recommendations subject to the following additional condition:

**Condition #8 Added to Read: "Landscaping shall be provided within the existing planter areas and shall be subject to staff review and approval."**

The motion carried by UNANIMOUS vote.

**are related and shall be heard together.**

**22) 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 approved subject to the following conditions:

1. That Standard Conditions 1, 2, 4, 7, 8, 10, 11, 12, 15, 16, 26 and 27 apply; and
2. That fire access lanes be provided in accordance with the requirements set forth in Ordinance 1283; and
3. That all Fire Department codes and ordinances in effect at the time of building permit issuance apply; and
4. That the structure match the principal building in colors, design and materials; and
5. That the convenience food restaurant / convenience store building be constructed concurrently or prior to the car wash building; and
6. That all applicable conditions of UN-30-01 apply to the development of this site; and
7. That the car wash building not have any windows or flashing lights visible from Bangle Street. The building shall otherwise have consistent architectural embellishments and design features on all sides of the structure, which may include false windows; and
8. That the hours of operation be limited to 7:00 a.m. through 11:00 p.m.

The Development Services Department recommends that **UN-29-01** be approved subject to the following conditions:

1. That Standard Conditions 1, 2, 4, 7, 8, 10, 11, 12, 15, 16, 26 and 27 apply; and
2. That fire access lanes be provided in accordance with the requirements set forth in Ordinance 1283; and
3. That all Fire Department codes and ordinances in effect at the time of building permit issuance apply; and
4. That the structure match the principal building in colors, design and materials; and
5. That the car wash building be constructed prior the operation of the smog certification facility; and
6. That all applicable conditions for UN-30-01 apply to the development of this site; and

7. That the car wash building not have any windows or flashing lights visible from Bangle Street. The building shall otherwise have consistent architectural embellishments and design features on all sides of the structure, which may include false windows; and
8. That all machinery, hoses, apparatus, tools and/or equipment related to the function of smog certification remain within the building, unless it is in operation and attended by an employee; and
9. That a cantilever roof be provided over the parking stall intended for customers of the smog certification facility. The roof shall provide a minimum 10 feet by 20 feet of cover for vehicles being serviced; and
10. That the hours of operation be limited to 7:00 a.m. through 11:00 p.m.

The Development Services Department recommends that **UN-30-01** be approved subject to the following conditions:

1. That Standard Conditions 1, 2, 4, 7, 8, 10, 11, 12, 15, 16, 26 and 27 apply; and
2. That fire access lanes be provided in accordance with the requirements set forth in Ordinance 1283; and
3. That all Fire Department codes and ordinances in effect at the time of building permit issuance apply; and
4. That the canopy and trash enclosure match the principal building in colors, design and materials; and
5. That clay or concrete tiles be provided, rather than seamed metal, for the pyramid element over the main public entrance; and
6. That the foundation landscape area adjacent to the east and south sides of the building be a minimum two (2) feet in horizontal depth; and
7. That, immediately behind the curbs fronting Losee Road and Lake Mead Boulevard, the following sequence shall be provided: a minimum five (5) feet of landscaping, a five-foot sidewalk, and then five (5) additional feet of landscaping. The property owner shall be responsible for the maintenance and upkeep of all landscaping; and
8. That the applicant record a Public Pedestrian Access Easement for the areas within the right-of-way. The applicant should talk to the City's Property Management Division prior to recordation; and
9. That a minimum twenty (20) feet of landscaping be provided adjacent to the Bangle Street right-of-way; and
10. That the canopy be provided with recessed can lights that direct light downward, rather than outward; and
11. That all signage for the site be in compliance with the Zoning Ordinance; and
12. That all retaining walls be constructed with brown split-face CMU blocks. The retaining wall sections nearest Bangle Street shall be stepped in accordance with the Zoning Ordinance; and

13. That a minimum seven (7) feet of landscaping be provided adjacent to the northern property line. The landscape area shall include 24-inch box trees (1-1/2" caliper measured 4'-6" above the top of the root ball) spaced not greater than 15 feet on-center. In addition to the trees, other landscape materials shall be provided in accordance with ordinance requirements; and
14. That two copies of the photometric lighting plan be submitted in conjunction with the building permit application. The photometric plan shall address all on-site lighting, including the canopy lights; and
15. That all access to the roofs be from within the buildings. Exterior roof ladders shall not be permitted; and
16. That a reversionary map be recorded to consolidate the parcels prior to the issuance of any construction permits.

The application was presented by Bob Hoyes, Associate Planner, on behalf of staff who indicated these three items #22 UN-26-01 is for a drive through car wash, #23 UN-29-01 is for a smog certification facility, and #24 UN-30-01 is for convenience food restaurant with a drive through in conjunction with a convenience store with gas pumps. He stated staff is recommending approval subject to conditions.

Bill Curran, of Curran & Parry, 601 S. Rancho, Las Vegas, Nevada 89120 appeared on behalf of the applicant. Mr. Curran stated, with regards to Standard Condition #8, he wanted to clarify this condition means an administrative review of the site plan before construction by staff and not a return visit through the system.

Mr. Hoyes replied that is correct.

Mr. Curran stated, with regards to Special Condition #4, he is concerned with losing the benefit of the Chevron image and brand value. Mr. Curran stated Condition #7, with regards to windows on the west side of the property, he feels that windows are necessary to provide a sense of security for the customers, yet he has no problem with not having flashing lights. Next Mr. Curran stated he is concerned about Special Condition #8 regarding the hours of operation. He stated his client has other locations and all of those locations operate on a 24 hours/7 days basis.

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

Chairman Stone stated he uses car wash facilities such as the proposed facility and he does not see a need for "real" windows in such a facility.

Mr. Curran stated he is permitted to have false windows per staff's recommendation, however they would prefer real windows.

Chairman Stone asked staff what is the basis for the hours of operation staff has recommended.

Mr. Hoyes stated it was based on similar applications similar to this. He stated residents would prefer the hours of operation be limited and staff's interests are to protect the interests of the residents.

Commissioner Anita Wood stated she does not see the need for people to be able to wash their car past 11:00 PM. With regards to windows, she stated she would like to hear an opinion from staff on that issue. Commissioner Wood stated she does not remember seeing windows in this type of a car wash in the past.

Thomas J. DellaValle, 2560 Champions Circle, Las Vegas, Nevada 89142 appeared on behalf of the applicant who stated that windows in car washes is a new concept within the past 4-5 years according to the car wash machinery salesman. He stated the windows make people feel good when they are going through the car wash. He also stated the windows will be located near the exit of the car wash so as to allow some light into the car wash.

Commissioner Wood asked staff what their opinion on the windows is.

Mr. Hoyes stated that perhaps there could be a skylight, but it is up to the discretion of the Planning Commission.

Commissioner Laura Perkins stated she would prefer to see the hours of operation be from 7:00 AM to 11:00 PM and if there are no complaints after a certain time then make it 24 hours.

Jim Lewis, Deputy City Attorney, stated that would be a difficult proposition for the City to enforce.

Mr. Hoyes stated a six (6) month review would be difficult because it would have to be done from issuance of a certificate of occupancy and he stated it is staff's experience that is difficult for the Planning Department to track when the applicant gets the certificate of occupancy. He stated that perhaps it could be done on a complaint basis and if, for example, more than three (3) complaints are received, a public hearing may be scheduled for further review.

Jim Lewis stated he needs to research the feasibility of scheduling such a hearing.

Commissioner Marilyn Kirkpatrick asked the applicant if he is willing to limit the hours of operation to 11:00 PM.

Mr. Curran stated that no one in the neighborhood has raised this as a concern.

Mr. Hoyes stated the City has noise and disturbance ordinances and if the neighbors have a complaint they can contact the police to handle the disturbance.

Jim Lewis stated after reviewing the code with regard to conditions, it permits this Planning Commission to place upon a special use permit, 1) Conditions of operation of any enterprise which would permit the Planning Commission to place Condition #8 upon this special use permit. 2) The Planning Commission may make any other condition, requirement or safeguard the Planning Commission may consider necessary to the public health, safety and welfare. Mr. Lewis stated if the Planning Commission believes the noise situation from the car wash is detrimental to the health, safety and welfare of the neighbors, the Planning Commission may attach a condition to #8 that would read: "that 24 hours of operation of the car wash be allowed with review at a six (6) month period whereby this condition will be reviewed and additional conditions may be added."

Chairman Stone stated this could be date specific to today's date and he would like to hear this item six (6) months after they are in operation.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Laura Perkins SECONDED to APPROVE UN-26-01 per staff's recommendations subject to the following changes:

**Condition #7 Changed to Read: "That the car wash building may have a skylight, but shall not have any windows or flashing lights visible from Bengle Street. The building shall otherwise have consistent architectural embellishments and design features on all sides of the structure, which may include false windows; and"**

**Condition #8 Changed to Read: "That the hours of operation be allowed to be 24 hours with the understanding that this condition will be reviewed in one year from today (5/9/01) and with the understanding that this condition may be modified at that public hearing."**

The motion carried by MAJORITY vote with Commissioner Wood voting against the motion.

**Items #22 UN-26-01, #23 UN-29-01, and #24 UN-30-01 are related and shall be heard together.**

**23) 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.

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

**\*See Item #22 un-26-01 for detailed discussion which applies to this item as well.\***

Chairman Stone asked the applicant if there were any issues related to this structure.

Mr. Curran stated the "hours of operation" issue was a concern.

Chairman Stone stated he does not support the smog station being open 24 hours a day.

Chairman Nelson Stone MOVED and Commissioner Dean Leavitt SECONDED to APPROVE UN-29-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**Items #22 UN-26-01, #23 UN-29-01, and #24 UN-30-01 are related and shall be heard together.**

**24) UN-30-01 (3911) 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 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.

**RECOMMENDATIONS:**

The Development Services Department recommends that **UN-26-01** be approved subject to the following conditions:

1. That Standard Conditions 1, 2, 4, 7, 8, 10, 11, 12, 15, 16, 26 and 27 apply; and
2. That fire access lanes be provided in accordance with the requirements set forth in Ordinance 1283; and
3. That all Fire Department codes and ordinances in effect at the time of building permit issuance apply; and
4. That the structure match the principal building in colors, design and materials; and
5. That the convenience food restaurant / convenience store building be constructed concurrently or prior to the car wash building; and
6. That all applicable conditions of UN-30-01 apply to the development of this site; and
7. That the car wash building not have any windows or flashing lights visible from Bangle Street. The building shall otherwise have consistent architectural embellishments and design features on all sides of the structure, which may include false windows; and
8. That the hours of operation be limited to 7:00 a.m. through 11:00 p.m.

The Development Services Department recommends that **UN-29-01** be approved subject to the following conditions:

1. That Standard Conditions 1, 2, 4, 7, 8, 10, 11, 12, 15, 16, 26 and 27 apply; and
2. That fire access lanes be provided in accordance with the requirements set forth in Ordinance 1283; and
3. That all Fire Department codes and ordinances in effect at the time of building permit issuance apply; and
4. That the structure match the principal building in colors, design and materials; and
5. That the car wash building be constructed prior the operation of the smog certification facility; and

6. That all applicable conditions for UN-30-01 apply to the development of this site; and
7. That the car wash building not have any windows or flashing lights visible from Bangle Street. The building shall otherwise have consistent architectural embellishments and design features on all sides of the structure, which may include false windows; and
8. That all machinery, hoses, apparatus, tools and/or equipment related to the function of smog certification remain within the building, unless it is in operation and attended by an employee; and
9. That a cantilever roof be provided over the parking stall intended for customers of the smog certification facility. The roof shall provide a minimum 10 feet by 20 feet of cover for vehicles being serviced; and
10. That the hours of operation be limited to 7:00 a.m. through 11:00 p.m.

The Development Services Department recommends that **UN-30-01** be approved subject to the following conditions:

1. That Standard Conditions 1, 2, 4, 7, 8, 10, 11, 12, 15, 16, 26 and 27 apply; and
2. That fire access lanes be provided in accordance with the requirements set forth in Ordinance 1283; and
3. That all Fire Department codes and ordinances in effect at the time of building permit issuance apply; and
4. That the canopy and trash enclosure match the principal building in colors, design and materials; and
5. That clay or concrete tiles be provided, rather than seamed metal, for the pyramid element over the main public entrance; and
6. That the foundation landscape area adjacent to the east and south sides of the building be a minimum two (2) feet in horizontal depth; and
7. That, immediately behind the curbs fronting Losee Road and Lake Mead Boulevard, the following sequence shall be provided: a minimum five (5) feet of landscaping, a five-foot sidewalk, and then five (5) additional feet of landscaping. The property owner shall be responsible for the maintenance and upkeep of all landscaping; and
8. That the applicant record a Public Pedestrian Access Easement for the areas within the right-of-way. The applicant should talk to the City's Property Management Division prior to recordation; and
9. That a minimum twenty (20) feet of landscaping be provided adjacent to the Bangle Street right-of-way; and
10. That the canopy be provided with recessed can lights that direct light downward, rather than outward; and

11. That all signage for the site be in compliance with the Zoning Ordinance; and
12. That all retaining walls be constructed with brown split-face CMU blocks. The retaining wall sections nearest Bangle Street shall be stepped in accordance with the Zoning Ordinance; and
13. That a minimum seven (7) feet of landscaping be provided adjacent to the northern property line. The landscape area shall include 24-inch box trees (1-1/2" caliper measured 4'-6" above the top of the root ball) spaced not greater than 15 feet on-center. In addition to the trees, other landscape materials shall be provided in accordance with ordinance requirements; and
14. That two copies of the photometric lighting plan be submitted in conjunction with the building permit application. The photometric plan shall address all on-site lighting, including the canopy lights; and
15. That all access to the roofs be from within the buildings. Exterior roof ladders shall not be permitted; and
16. That a reversionary map be recorded to consolidate the parcels prior to the issuance of any construction permits.

**\*See Item #22 un-26-01 for detailed discussion which applies to this item as well.\***

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

Chairman Nelson Stone stated the issues on this item relate to the fascia, the canopy color, and the stucco on the columns.

Bill Curran stated the other issue with this item is the configuration of the landscaping on the two streets whether there is landscaping/sidewalk/landscaping.

Mr. Hoyes stated when he met with the applicant at the counter this issue was discussed and the applicant agreed to it therefore that is the only reason it is a condition. He stated the design standards require the sidewalk to be separated from the street on arterials of 100 feet or wider.

Chairman Stone stated he will support the design standard issue regarding the sidewalk. With regard to the stucco and columns, he feels that the columns are an area that commonly get the most dirt accumulated on them.

Commissioner Anita Wood stated she is concerned about the location of the trash enclosure as it abuts the residential area.

Mr. Hoyes stated in most cases staff tries to conceal or screen the trash enclosure from public rights-of-way.

Commissioner Wood stated she is concerned about the noise made by the trash company picking up the dumpster late at night or early in the morning.

Mr. Hoyes stated the Planning Commission may limit the hours of landscaping maintenance and trash collection.

Commissioner Wood also stated she is concerned about the drive-thru speakers operating after 11:00 PM and causing a disturbance for the residents.

Commissioner Wood stated another issue is the landscaping. She stated the design standards require the 5 feet of landscaping, 5 feet of sidewalk, and 5 more feet of landscaping.

Mr. Hoyes stated the design standards require the sidewalk to be separated by a minimum of five (5) feet from arterials of 100 feet or wider.

Commissioner Wood asked to clarify that means there would be five (5) feet of landscaping, five (5) feet of sidewalk, and 5 more feet of landscaping.

Mr. Hoyes replied that normally there would be 15 feet more landscaping, but in this case it is 5 feet.

Marc Jordan stated that a Turtle Stop on Donovan Way was required, as one of their conditions of approval, to stucco their canopy area. He stated the applicant in that case came to staff with a particular type of paint and demonstrated to staff that such paint could go on to metal and be flexible without the paint cracking off, which still gave the appearance of a stucco look from a distance.

Mr. Curran stated the color is their main concern. He stated the "Chevron" look is what they are looking to achieve.

Commissioner Anita Wood stated Mr. Jordan's suggestion would not affect the fascia.

Mr. Hoyes stated the concern is the columns and the fascia. He stated the color is at the discretion of the Planning Commission.

Mr. Hoyes asked the applicant about the tiles on the property. He stated perhaps a blue tile on the top with the fascia earthtone and sand-textured. It would still be metal, but with the sandgrain look with blue tiles on top.

Mr. Curran stated he does not have a problem with the tile, providing he could get it in the "Chevron" color.

Mr. Hoyes stated if the applicant can find "blue" tile staff would be in agreement with that and then the fascia would be a white or beige, the applicant could have their sign as permitted by code and then the tiles on top could be blue.

Mr. Hoyes stated staff is requesting, as far as inconsistency of the Design Standards, if the applicant wants blue tile it is acceptable by staff. He stated that staff is requesting the pyramid cap on the main building be tile.

Commissioner Anita Wood MOVED and Commissioner Laura Perkins SECONDED to APPROVE UN-30-01 per staff's recommendations subject to the following changes:

**Condition #4 Changed to Read:** “that the canopy be allowed to be metal and match the principle building and color, design and materials as closely as possible and equals the quality of the photograph presented to the Planning Commission at this Public Hearing on 5/9/01 and admitted into the record, and the trash enclosure remains stucco and match the principle building in color, design and materials completely.”

**Condition #5 Changed to Read:** “to allow for blue clay or tiles to be provided”

**Condition #17 Added to Read:** “that the speaker servicing the drive-thru not be in service between the hours of 11:00 PM and 7:00 AM.

The motion carried by UNANIMOUS vote.

## PUBLIC FORUM

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

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

**DIRECTOR'S BUSINESS:** None

**CHAIRMAN'S BUSINESS:** Assistant City Manager Gregory Rose spoke about the auction held earlier in the day for the sale of the BLM property at the 7,500 acres project.

**ADJOURNMENT:** 10:05 PM

A motion to ADJOURN the May 9, 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.

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Nelson Stone, Chairman

**ATTEST:**

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Ted Karant, Recording Secretary