

MINUTES CITY OF NORTH LAS VEGAS PLANNING COMMISSION

Nelson Stone, Chairman
Marilyn Kirkpatrick
Dean Leavitt
Scott Albright

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

Harry Shull, Vice Chairman
Anita Wood
Tom Langford

July 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
Scott Albright - Present
Marilyn Kirkpatrick - Present

STAFF PRESENT:

Tom Bell, Development Services Director
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.

Election of Planning Commission Officers

Commissioner Harry Shull MOVED and Anita Wood SECONDED to NOMINATE Nelson Stone as CHAIRMAN of the Planning Commission.

The motion carried by UNANIMOUS vote.

Vice-Chairman Tom Langford MOVED and Commissioner Marilyn Kirkpatrick SECONDED to NOMINATE Commissioner Harry Shull as VICE-CHAIRMAN of the Planning Commission.

The motion carried by UNANIMOUS vote.

MINUTES

Approval of the MINUTES for the Planning Commission meeting of June 27, 2001.

Vice-Chairman Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to APPROVE the minutes of the June 27, 2001 Planning Commission Meeting with Commissioner Scott Albright abstaining from the vote as he was not seated as a member of the Planning Commission on June 27, 2001.

The motion carried by MAJORITY vote with Commissioner Albright abstaining.

CONSENT AGENDA

A) PW-71-01 (4686) GLENEAGLES CHANNEL INITIAL IMPROVEMENTS

Approve the Commercial Off-site Improvements Agreement by Wexford at Gleneagles for initial improvements and accept the Bond in the amount of \$443,796.38.

B) PW-72-01 (4694) GLENEAGLES UNIT 4

Approve the Final Map and the Subdivision Off-site Improvements Agreement by Wexford at Gleneagles, a Limited Partnership and accept the Offsite Improvements Bond in the amount of \$500,616.93.

C) PW-73-01 (4697) GLENEAGLES CHANNEL FUTURE IMPROVEMENTS

Approve the Commercial Off-site Improvements Agreement by Wexford at Gleneagles for future improvements and accept the Bond in the amount of \$106,371.10.

D) PW-74-01 (4701) CAREY ESTATES UNIT 2

Approve the Final Map and the Subdivision Off-site Improvements Agreement by Carey Avenue Estates, LLC and accept the Subdivision Bond in the amount of \$353,826.44.

E) PW-75-01 (4704) DOVE CANYON UNIT 5

Approve the Final Map and the Subdivision Off-site Improvements Agreement by The Developers of Nevada, LLC and accept the Performance Bond in the amount of \$300,077.53.

F) PW-76-01 (4707) SANTA FE VILLAGE II, PHASE 3

Approve the Subdivision Off-site Improvements Agreement by Heller Development and accept the Subdivision Bond in the amount of \$81,683.81.

G) PW-77-01 (4710) SCHELLING ESTATES 1, 2

Approve the Subdivision Off-site Improvements Agreement by Carey Avenue Estates, LLC and accept the Subdivision Bond in the amount of \$186,467.83.

H) PW-78-01 (4713) NORTHERN VISTAS

Approve the Final Map and the Subdivision Off-site Improvements Agreement by Millennium Development and accept the Performance Bond in the amount of \$114,941.15.

I) PW-79-01 (4715) ROSE HILL UNIT 1

Accept the off-site improvements for maintenance and advise the Director of Public Works to release the Subdivision Bond in the amount of \$287,716.00.

J) PW-80-01 (4716) ROSE HILL UNIT 2

Accept the off-site improvements for maintenance and advise the Director of Public Works to release the Cash in lieu of Bond in the remaining amount of \$41,867.39.

K) PW-81-01 (4717) ROSE HILL UNIT 3

Accept the off-site improvements for maintenance and advise the Director of Public Works to release the Subdivision Bond in the amount of \$238,237.89.

L) PW-82-01 (4718) ROSE HILL UNIT 4

Accept the off-site improvements for maintenance and advise the Director of Public Works to release the Subdivision Bond in the remaining amount of \$109,511.82.

M) PW-83-01 (4719) SCHELLING ESTATES 1-2

Accept the off-site improvements for maintenance and advise the Director of Public Works to release the Subdivision Bond in the amount of \$348,192.08.

N) PW-84-01 (4720) GLENEAGLES CHANNEL

Advise the Director of Public Works to release the Subdivision Bond in the amount of \$456,141.24.

O) PW-85-01 (4721) GLENEAGLES UNIT 4-DELAYED CONSTRUCTION

Approve the Final Map and the Subdivision Off-site Improvements Agreement by Wexford and Gleneagles, a Limited Partnership and accept the Offsite Improvements Bond in the amount of \$65,942.86.

P) PW-59-01 (4577) NORTHERN VISTAS

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Millennium Development and accept the Performance Bond in the amount of \$114,941.15.

Q) RN/88-108-01 (4665) DEEDS OF DEDICATION

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

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Tom Langford SECONDED to CONTINUE Consent Agenda Items A, B, C, N, and O to the 7/25/01 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

Commissioner Anita Wood MOVED and Commissioner Tom Langford SECONDED to APPROVE Consent Agenda Items D through G, I through M, and P and Q.

The motion carried by UNANIMOUS vote.

NEW BUSINESS

1) AMP-17-01 (4495) ELKHORN/COMMERCE (Public Hearing)

An application submitted by Ranco Holdings, LLC on behalf of Elkcom Investments, LLC, property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of Office to MDR Medium-Density Residential. The property is generally located at the southeast corner of Elkhorn Road and Commerce Street. The Assessor's Parcel Numbers are 124-22-501-005, 124-22-501-006, 124-22-501-007, and 124-22-501-008.

RECOMMENDATION:

The Development Services Department recommends that AMP-17-01 be approved to amend the Comprehensive Plan land use designation for the subject site to Medium Density Residential.

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

Bill Curran, or Curran and Perry, 601 S. Rancho Drive, 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 Anita Wood stated at the last Planning Commission meeting there was a similar situation where staff was recommending approval for the AMP, but either denial or a continuance on the zoning application and the Commission decided at that time to keep the items together and continue the AMP along with the rezoning. She stated she believes it would be best to continue this item along with the rezoning application (ZN-25-01) so that they may be heard together.

Commissioner Tom Langford stated he agrees with Commissioner Wood's statement that he does not believe the Planning Commission should automatically approve this item without hearing the rezoning application together with this item and therefore recommends this item be continued to be heard along with the rezoning application.

Commissioner Scott Albright stated he believes the Planning Commission should treat the Comprehensive Plan as the document to guide the Commission and he believes these cases should be considered on their individual merit and not based on zoning or the site plan, therefore he is in favor of proceeding forward with this item at tonight's meeting.

Vice-Chairman Harry Shull stated he agrees with Commissioner Albright in that these two cases should be heard separately and does not favor continuing this item to be heard along with the rezoning application.

Chairman Nelson Stone stated he also would prefer to vote on these items separately and would be in support of the Amendment to the Master Plan. He also reminded the Planning Commission that an AMP requires a supermajority of the vote, which would be a 5-2 vote, in order to pass.

Vice-Chairman Harry Shull MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE AMP-17-01 per staff's recommendations.

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

2) ZN-25-01 (4496) ELKHORN/COMMERCE (Public Hearing)

An application submitted by Ranco Holdings, LLC, on behalf of Elkcom Investments, LLC, property owner, for reclassification of property from an R-E Ranch Estates District to a Planned Unit Development District (PUD) consisting of 287 Single-Family Residential lots. The property is generally located at the southeast corner of Elkhorn Road and Commerce Street. The Assessor's Parcel Numbers are 124-22-501-005, 124-22-501-006, 124-22-501-007, 124-22-501-008.

RECOMMENDATION:

The Development Services Department recommends that ZN-25-01 be denied because the proposed lots do not meet the minimum lot size requirement of 4,500 square feet as suggested by the Comprehensive Plan and the proposed development does not appear to comply with the purpose of the PUD district.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated this item is related to the previous item, #1 AMP-17-01, and he understands the applicant wishes to continue this item for two (2) weeks.

Bill Curran, of Curran and Parry, 601 S. Rancho Drive, Las Vegas, Nevada 89120 appeared on behalf of the applicant who stated staff has raised some valid concerns and he has no problem with continuing this item for two (2) weeks to allow these issues to be addressed.

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 CONTINUE ZN-25-01 to the 7/25/01 Planning Commission meeting per applicant's request.

The motion carried by UNANIMOUS vote.

The item is CONTINUED to 7/25/01.

Items #3 AMP-27,00, #4 ZN-37-00, #5 AMP-28-00, and #6 ZN-38-00 are related.

3) AMP-27-00 (3205) LONE MOUNTAIN/DECATUR (Public Hearing)

An application submitted by Dayside Inc. on behalf of the James H. Bilbray Family Trust, property owner, for an amendment to the Comprehensive Plan, land use element, to change the current designation of Office to Neighborhood Commercial. The property is generally located at the northeast corner of Lone Mountain Road and Decatur Boulevard. The Assessor's Parcel Number is 124-31-401-001.

RECOMMENDATION:

The Development Services Department recommends that AMP-27-00 be denied as the subject site does not comply with the guidelines established in the Comprehensive Plan and there is no compelling reason to amend the Comprehensive Plan.

The Development Services Department recommends that ZN-37-00 be denied as the rezoning is not justified by changed or changing conditions since the adoption of the Comprehensive Plan in June of 1999.

Prior to the Planning Commission meeting, the applicant requested the item be continued to 8/8/01.

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

- ▶ Jewell Daniels, 4939 Clear Summit Lane, North Las Vegas, Nevada 89031

Ms. Daniels stated she was concerned about this area being zoned R-1 Single-Family.

Marc Jordan, Senior Planner, stated that the property is currently zoned R-1 Single-Family, therefore it could be developed as Single-Family. He stated the Comprehensive Plan is currently designated as Office, therefore in the future someone could apply for an office use and the Comprehensive Plan would support that.

Chairman Stone stated that since this item will be continued he will leave the Public Hearing open until such time the item is heard completely.

Commissioner Tom Langford MOVED and Vice-Chairman Harry Shull SECONDED to CONTINUE AMP-27-00 to the 8/8/01 Planning Commission meeting per the applicant's request.

The motion carried by UNANIMOUS vote.

The item is CONTINUED to 8/8/01.

Items #3 AMP-27,00, #4 ZN-37-00, #5 AMP-28-00, and #6 ZN-38-00 are related.

4) ZN-37-00 (3207) LONE MOUNTAIN/DECATUR (Public Hearing)

An application submitted by Dayside, Inc. on behalf of the James H. Bilbray Family Trust, property owner, for a reclassification of property from an R-1 Single Family Residential District to a C-1 Neighborhood Commercial District. The property is generally located at the northeast corner of Lone Mountain Road and Decatur Boulevard. The Assessor's Parcel Number is 124-31-401-001.

RECOMMENDATION:

The Development Services Department recommends that AMP-27-00 be denied as the subject site does not comply with the guidelines established in the Comprehensive Plan and there is no compelling reason to amend the Comprehensive Plan.

The Development Services Department recommends that ZN-37-00 be denied as the rezoning is not justified by changed or changing conditions since the adoption of the Comprehensive Plan in June of 1999.

Prior to the Planning Commission meeting, the applicant requested the item be continued to 8/8/01.

Chairman Nelson Stone opened the Public Hearing. He stated that the member of the public who came forward on Item #3 AMP-27-00, Jewell Daniels, shall have her comments apply to Items #3 AMP-27,00, #4 ZN-37-00, #5 AMP-28-00, and #6 ZN-38-00 as they are related and shall keep the Public Hearing open until such time as the item is heard in its entirety.

Commissioner Tom Langford **MOVED** and Commissioner Dean Leavitt **SECONDED** to **CONTINUE** ZN-37-00 to the 8/8/01 Planning Commission meeting per the applicant's request.

The motion carried by **UNANIMOUS** vote.

The item is CONTINUED to 8/8/01.

Items #3 AMP-27,00, #4 ZN-37-00, #5 AMP-28-00, and #6 ZN-38-00 are related.

5) AMP-28-00 (3206) LONE MOUNTAIN/DECATUR (Public Hearing)

An application submitted by Dayside, Inc. on behalf of the James H. Bilbray Family Trust, property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of Office to MDR Medium Density Residential. The property is generally located at the northeast corner of Lone Mountain Road and Decatur Boulevard. The Assessor's Parcel Number is 124-31-401-001.

RECOMMENDATION:

The Development Services Department recommends that AMP-28-00 be denied because there is no compelling reason to amend the Comprehensive Plan as the existing office designation would serve as a buffer between the existing residential and the existing commercial west of Decatur Boulevard or, if approved, the proposed commercial next to Decatur Boulevard.

The Development Services Department recommends that ZN-38-00 be denied as the rezoning is not justified by changed or changing conditions since the adoption of the Comprehensive Plan in June of 1999.

Prior to the Planning Commission meeting, the applicant requested the item be continued to 8/8/01.

Chairman Nelson Stone opened the Public Hearing. He stated that the member of the public who came forward on Item #3 AMP-27-00, Jewell Daniels, shall have her comments apply to Items #3 AMP-27,00, #4 ZN-37-00, #5 AMP-28-00, and #6 ZN-38-00 as they are related and shall keep the Public Hearing open.

Commissioner Anita Wood MOVED and Commissioner Marilyn Kirkpatrick SECONDED to CONTINUE AMP-28-00 to the 8/8/01 Planning Commission meeting per the applicant's request.

The motion carried by UNANIMOUS vote.

The item is CONTINUED to 8/8/01.

Items #3 AMP-27,00, #4 ZN-37-00, #5 AMP-28-00, and #6 ZN-38-00 are related.

6) ZN-38-00 (3204) LONE MOUNTAIN/DECATUR (Public Hearing)

An application submitted by Dayside, Inc. on behalf of the James H. Bilbray Family Trust, property owner, for a reclassification of property from an R-1 Single-Family Residential District to an R-2 Two-Family Residential District. The property is generally located at the northeast corner of Lone Mountain Road and Decatur Boulevard. The Assessor's Parcel Number is 124-31-401-001.

RECOMMENDATION:

The Development Services Department recommends that AMP-28-00 be denied because there is no compelling reason to amend the Comprehensive Plan as the existing office designation would serve as a buffer between the existing residential and the existing commercial west of Decatur Boulevard or, if approved, the proposed commercial next to Decatur Boulevard.

The Development Services Department recommends that ZN-38-00 be denied as the rezoning is not justified by changed or changing conditions since the adoption of the Comprehensive Plan in June of 1999.

Prior to the Planning Commission meeting, the applicant requested the item be continued to 8/8/01.

Chairman Nelson Stone opened the Public Hearing. He stated that the member of the public who came forward on Item #3 AMP-27-00, Jewell Daniels, shall have her comments apply to Items #3 AMP-27,00, #4 ZN-37-00, #5 AMP-28-00, and #6 ZN-38-00 as they are related and shall keep the Public Hearing open until such time the item is heard in its entirety.

Commissioner Dean Leavitt MOVED and Commissioner Anita Wood SECONDED to CONTINUE ZN-38-00 to the 8/8/01 Planning Commission meeting per the applicant's request.

The motion carried by UNANIMOUS vote.

The item is CONTINUED to 8/8/01.

7) VAC-08-01 (4475) CITY OF NORTH LAS VEGAS (Public Hearing)

An application submitted by the City of North Las Vegas, property owner, for a vacation of approximately 8,189 square feet of drainage channel. The property is located approximately 1,200 feet west of Revere Street and approximately 1,300 feet north of Alexander Road. The Assessor's Parcel Number is 139-04-899-006.

RECOMMENDATION:

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

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

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

Commissioner Tom Langford MOVED and Commissioner Dean Leavitt SECONDED to APPROVE VAC-08-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

8) VAC-09-01 (4483) CREEKSIDE ONE (Public Hearing)

An application submitted by Centex Homes, property owner, for a vacation of ten (10) feet of the Allen Lane right-of-way commencing at El Campo Grande Avenue proceeding south approximately 568 feet. The Assessor's Parcel Number is 124-30-802-016.

RECOMMENDATION:

The Development Services Department recommends that VAC-09-01 be approved subject to the condition listed below and that this item be forwarded to City Council for final consideration.

1. Relocation of any existing utility facilities shall be at the developer's expense.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated that in February of 1978 this area was dedicated and currently on the Master Plan of Streets and Highways Allen Lane is not proposed as a 100-foot right-of-way, therefore staff is recommending approval of this vacation.

Mark Jones, 3600 N. Rancho Drive, Las Vegas, Nevada 89120 appeared on behalf of the applicant who stated he concurs with staff's recommendation.

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

Commissioner Tom Langford MOVED and Commissioner Anita Wood SECONDED to APPROVE VAC-09-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

9) UN-56-01 (4456) SOPHIA'S FOODS, INC. (Public Hearing)

An application submitted by Sophia's Foods, Inc. dba Sophia's Pizza & Subs on behalf of the Connors Family Trust, property owner, for a use permit in an M-2 General Industrial District to allow an 814-square-foot expansion to an existing sandwich shop. The property is located at 2040 E. Craig Road. The Assessor's Parcel Number is 139-02-613-016.

RECOMMENDATION:

The Development Services Department recommends that UN-56-01 be approved subject to the following conditions:

1. That Standard Conditions 4, 8, 10, 11, 12 and 27 apply; and
2. That signage for the restaurant be in compliance with the commercial sign requirements outlined in the Zoning Ordinance.

The application was presented by Bob Hoyes, Associate Planner, on behalf of staff who indicated staff is recommending approval of this item subject to two (2) condition.

Frank Bruno of the Bruno Group, 2040 E. Craig Road Suite 101, North Las Vegas, Nevada 89030 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 Tom Langford stated he had lunch the previous day in this establishment and is impressed with the restaurant and the quality of the food.

Vice-Chairman Harry Shull MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE UN-56-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

10) UN-55-01 (4440) AMERIGAS PROPANE CO. (Public Hearing)

An application submitted by Amerigas Propane Company, property owner, for a use permit in an M-2 General Industrial District to allow a 30,000 gallon vertical propane tank. The property is located at 4430 McGuire Street. The Assessor's Parcel Number is 140-06-210-015.

RECOMMENDATION:

The Development Services Department recommends that UN-55-01 be approved subject to the following conditions.

1. Standard conditions number 4, 8, 10, 11 and 12.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated on April 10, 1998 the Planning Commission approved a special use permit for this area to allow propane storage and transfer facility. He stated the applicant is now requesting permission to allow a vertical 1,150-gallon, above ground, propane tank, which would be located in the center of the site next to an existing 30,000 gallon propane tank. He stated staff is recommending approval of this item subject to one (1) condition.

David Vance, 4430 McGuire Street, North Las Vegas, Nevada 89031 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Commissioner Anita Wood stated the applicant currently has a 30,000-gallon propane tank on site and would like to know what customers the applicant plans to service with the 1,150-gallon tank that are not already being serviced by the 30,000-gallon tank.

Mr. Vance stated the 30,000-gallon tank is used for their trucks to fill up from so that they could go out and distribute the fuel off site. The 1,150-gallon tank will be for their commercial customers as well as those wishing to fill a barbeque tank, which cannot be done from their 30,000-gallon tank.

Commissioner Wood asked staff to verify this falls under an industrial use and does not fall under the rules of commercial use.

Mr. Jordan replied that currently in an industrial area retail sales requires a special use permit, however approximately 15% of the retail sales is incidental to the principal use, and provided the applicant's retail customer base is not more than 15% he would be permitted to do that.

Chairman Nelson Stone asked the applicant about the safety procedures with regards to the use of these types of tanks.

Mr. Vance replied there are emergency plans in place and those plans have been submitted to the State Fire Marshall. In addition, he stated there are emergency shut-off systems currently in place.

Chairman Stone stated that if there was a leak propane is heavier than air therefore it would remain close to the ground.

Vice-Chairman Harry Shull MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE UN-55-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

11) UN-85-00 (4436) TIMBERS (Public Hearing)

An application submitted by THG, Inc., property owner, for an extension of time on a use permit in a C-1 Neighborhood Commercial District to allow the “on-sale” of alcoholic beverages in conjunction with a bar & grill. The property is generally located north of Ann Road approximately 292 feet east of Simmons Street. The Assessor’s Parcel Number is 124-29-803-008.

Prior to the Planning Commission meeting, the applicant requested the item be continued to 8/8/01.

Chairman Nelson Stone opened the Public Hearing and stated the Public Hearing shall remain open until this item is heard completely.

Commissioner Tom Langford MOVED and Commissioner Anita Wood SECONDED to CONTINUE UN-85-00 to the 8/8/01 Planning Commission meeting per the applicant’s request.

The motion carried by UNANIMOUS vote.

The item is CONTINUED to 8/8/01.

12) ZN-20-01 (4181) THE SALVATION ARMY (Public Hearing)

An application submitted by The Salvation Army, property owner, for reclassification of property from an R-3 Multi-Family Residential District to a Planned Unit Development District (PUD) consisting of a residential treatment center, a work therapy center, and a retail thrift store. The property is located 2035 Yale Street. The Assessor's Parcel Number is 139-22-605-001.

RECOMMENDATION:

The Development Services Department recommends that ZN-20-01 receive a favorable recommendation and that this item be forwarded to the City Council for permanent "hard zoning" to the PUD Planned Unit Development District by ordinance subject to the following conditions:

1. Standard conditions 4, 6, 8, 9 and 11.
2. That the proposed 12,000 square-foot building follow the same design theme and use similar materials to those used in the existing structures.
3. No outdoor storage shall be allowed.
4. Merchandise drop-off shall be allowed from 8:00 a.m. to 5:00 p.m.
5. All drop-off merchandise shall be required to be placed in storage by 6:00 p.m. on the day of drop-off.
6. That the proposed 12,000 square-foot building shall be required to have fire sprinklers in accordance with Ordinance 1283.
7. That fire lane widths and turning radii shall be reviewed and approved by the Fire Department prior to approval of all building permits.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated that currently under the Zoning District many of the proposed uses would not be allowed. He stated the applicant is also proposing to expand the facility with an additional 12,000-square foot thrift store and warehouse. He stated the proposed warehouse would be constructed of metal siding and a metal roof. Mr. Jordan stated staff is recommending the warehouse be constructed using similar materials as the existing buildings which is either a stucco or a concrete tilt-up. He stated the Redevelopment Staff has indicated this request complies with the goals and objectives of the North Las Vegas Redevelopment Plan and are recommending approval of this item. Mr. Jordan stated staff is also recommending approval of this item subject to seven (7) conditions.

Leo Warnes, 1009 Casino Center Boulevard South, Las Vegas, Nevada appeared on behalf of the applicant.

Lt. Colonel Jim Sullivan, 8405 Baycrest Drive, Las Vegas, Nevada 89128 appeared on behalf of the applicant who stated with regard to Condition #4, it states that merchandise drop-off shall be allowed from 8:00 a.m. to 5:00 p.m. and the business is open until 7:00 p.m., therefore he would like to see that condition amended to allow drop-off up to 7:00 p.m. In addition, he stated, with regard to Condition #5, it states that all drop-off merchandise shall be required to be placed in storage by 6:00 p.m., and he would like to see that condition amended to extend that time to 7:00 p.m. In addition, he stated he would like to have Condition #2 amended with regards to the building materials to be used.

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

Chairman Stone asked staff how they felt with regards to the merchandise drop-off time being extended to 7:00 p.m. He also asked staff to address the issue of using a metal building.

Mr. Jordan stated the City Council, at their last meeting, repealed the Design Standards in the Redevelopment Area and adopted the Commercial Design Standards and this development would be subject to that. He stated according to those commercial design standards metal buildings are not a listed material within that. Mr. Jordan stated since this is a PUD and design standards are part of that, it would be up to the discretion of the Planning Commission to allow alternative materials to be used on that building.

Tom Bell, Director of Development Services, suggested that the recommendation be modified to read that all materials shall be approved by the Planning Commission in conjunction with the final development plan since the final development plan must be approved by the Planning Commission in the future.

Commissioner Anita Wood stated she agrees with Mr. Bell's comments and she believes there is something the Commission could do to work with the applicant regarding the metal building providing it is a quality metal building. She stated this property is highly visible and there is grass that faces the elementary school, but nothing is in the middle of the complex. She stated that something needs to be done, especially when discussing a metal building, with regards to landscaping to buffer that view from I-15.

Lt. Colonel stated that new landscaping is currently in the new plan.

Commissioner Wood asked staff if the landscaping is something that needs to be looked when the applicant brings in the site plan review, or is it something that the Commission will look at when the applicant comes in with the elevations for the metal building, or is this something the Planning Commission should do as part of the use permit.

Mr. Jordan stated this is a request for approval, and there would be no use permit. He stated if the Planning Commission wanted landscaping, this is the time to add it in. He stated that the Planning Commissions could also make a condition that would allow staff to review it.

Commissioner Tom Langford stated the applicant asked for a change in the end time to Condition #4 to 7:00 p.m. as well as the end time to Condition #5. He suggested that perhaps the applicant would do better to have the end time on Condition #4 be changed to 7:30 p.m., to allow sufficient time to close the business and put everything away.

Chairman Stone stated he prefers to see an attractive, metal building.

Commissioner Anita Wood MOVED and Commissioner Tom Langford SECONDED to APPROVE ZN-20-01 per staff's recommendations subject to the following changes:

Condition #2 Changed to Read: “That the proposed 12,000-square foot building follow the design guidelines and be reviewed and approved by the Planning Commission in conjunction with the Final Development Plan review.”

Condition #4 Changed to Read: “Merchandise drop-off shall be allowed from 8:00 a.m. to 7:00 p.m.”

Condition #5 Changed to Read: “All drop-off merchandise shall be required to be placed in storage by 7:30 pm. on the day of drop-off.”

Condition #8 Added to Read: “ Evergreen trees (Modale Pine) shall be provided within the landscaped areas adjacent to the westerly property line next to I-15 and Lake Mead Blvd. Trees shall be a minimum of 15-gallon in size and spaced at 20-foot intervals.

Condition #9 Added to Read: All areas not devoted as parking lots, drive aisles, building placement, etc. shall be landscaped. Landscaping plans shall be subject to review and approval by staff.

he motion carried by UNANIMOUS vote.

Chairman Nelson Stone recognized Laura Perkins, former Planning Commissioner for the City of North Las Vegas, for her service to the City as a Planning Commissioner. Chairman Stone presented Mrs. Perkins with a plaque of appreciation for her service to the City from July 7, 1999 to June 30, 2001.

13) UN-57-01 (4481) SILVER STATE SCHOOL CREDIT UNION (Public Hearing)

An application submitted by Silver State Schools Credit Union on behalf of Red Partners, LLC, property owner, for a use permit in a C-2 General Commercial District to allow a financial institution. The property is generally located at the southeast corner of Craig Road and Martin Luther King Boulevard. The Assessor's Parcel Number is 139-04-701-015.

RECOMMENDATION:

The Development Services Department recommends that UN-57-01 be approved subject to the following conditions:

1. Standard Conditions: 10 and 12.

Chairman Nelson Stone abstained from this item as this is located in a center that he was an engineer on. He stated Vice-Chairman Harry Shull will preside over this item.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated staff is recommending approval of this item subject to one (1) condition. He also stated, for clarification purposes, that there was a memorandum from the Police Department stating there was no significant impact on this site for this project.

Kim Hardy, 6655 Bermuda Road, Las Vegas, Nevada 89119 appeared on behalf of the applicant who stated she concurs with staff's recommendation.

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

Commissioner Dean Leavitt MOVED and Commissioner Tom Langford SECONDED to APPROVE UN-57-01 per staff's recommendations.

The motion carried by MAJORITY vote with Chairman Nelson Stone abstaining.

14) UN-58-01 (4493) SPECTRUM CELLULAR (Public Hearing)

An application submitted by Cingular Wireless on behalf of Mohler Investment Company and The CHC 1984 Trust, property owners, for a use permit in a C-1 Neighborhood Commercial District to allow a cellular facility with a 63-foot tower. The property is generally located at the northeast corner of Decatur Boulevard and Craig Road. The Assessor's Parcel Number is 139-06-215-014.

RECOMMENDATION:

The Development Services Department recommends that UN-58-01 be approved subject to the following conditions:

1. Standard condition numbers: 4, 8, 10, 11 and 12.
2. The maximum height of the tower shall not exceed 63 feet.
3. The tower shall be a monopole design.
4. The tower shall be painted desert tan, (Benjamin Moore Paints #1032 or equivalent.)
5. Co-location shall be permitted by others at competitive rates.
6. The equipment area shall be enclosed by an 8' decorative block wall. Such wall shall be subject to review and approval by staff.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated that currently portions of this property has been developed with commercial activities and the rest of the area is also designated for commercial development. He stated there is a small area north of the property which is zoned R-E Ranch Estates, but at one time was under a resolution of intent proposed for mini-warehousing. He stated the Comprehensive Plan shows that area as commercial and it is anticipated that it will be rezoned for commercial uses in the future. Mr. Jordan stated staff is recommending approval of this item subject to six (6) conditions.

Roger Spencer, 1211 Town Center Drive Suite 100, Las Vegas, Nevada 89144 appeared on behalf of the applicant.

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

- ▶ Linda Newberg, 4436 Gunsmoke Circle, North Las Vegas, Nevada

Ms. Newberg stated she opposes this project as she does not wish to see a cellular tower in her neighborhood.

Mr. Jordan stated that staff had received a letter of opposition from a Thomas E. Winter, at 5804 LoneSong Road, North Las Vegas, Nevada.

Commissioner Anita Wood stated the applicant claims that there are no other towers in the area that they could collocate with, however there is a brand new 63-foot tower at Craig and San Mateo. She stated the Planning Commission has worked hard with the cellular industry and the Commission prefers to avoid having too many cellular towers close together. She stated that she finds it hard to believe that the tower at Craig and San Mateo, which has been up for three (3) months, cannot provide collocation for the applicant's business.

Mr. Spencer stated this is the first he is hearing about a cellular tower being in this area.

Commissioner Wood asked the applicant if he could collocate on the existing tower at Craig and San Mateo instead of this new tower going in.

Mr. Spencer replied that he does not have details regarding that particular site and there are requirements he must meet in order for the cellular service to operate.

Commissioner Marilyn Kirkpatrick asked staff, with regards to the monopole design in Condition #3, does that include a "slimline" design?

Mr. Jordan replied that he does not believe that includes the slimline design.

Jim Lewis, Deputy City Attorney, asked if the "slimline" design is a term that is known throughout the cellular industry or is greater clarity necessary with regards to what the applicant is offering.

Mr. Spencer stated that a monopole is just a pole.

Steve Baxter, Planning Manager, asked if the applicant could provide a photograph to staff as to what it will look like with some specifications so that it can be made into an exhibit that would accompany approval.

Chairman Stone stated that may be something that would require a continuance for two (2) weeks.

Commissioner Tom Langford stated that the Planning Commission has requested that all the cellular towers coming into the City be collocatable and the Commission has been assured repeatedly that is the case, and he has not heard of anyone collocating on any of these poles yet.

Commissioner Dean Leavitt asked the applicant if the slimline design is adequate for the applicant's needs.

Mr. Spencer stated that it is.

Commissioner Albright stated that he concurs with Commissioner Wood and Commissioner Langford that in light of the fact that there are other sites within a reasonable distance to this particular site it would be important to investigate collocation opportunities. He stated this is a gateway to the City of North Las Vegas and he feels this would be an obstruction to the City, therefore he is in favor of continuing this item to allow for a better solution to be reached.

Commissioner Kirkpatrick suggested a continuance to allow the applicant time to reach a solution that would be acceptable to the Commission.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Anita Wood SECONDED to CONTINUE UN-58-01 to 7/25/01 to allow the applicant sufficient time to address the Commission's concerns.

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

15) T-802 (4474) CAREY ESTATES

An application submitted by Heller Development on behalf of Carey Avenue, LLC, property owner, for an extension of time of a tentative map in an R-1 Single-Family Residential District. The property is generally located south of Cartier Avenue approximately 630 feet west of Revere Street. The Assessor's Parcel Number is 139-16-802-001.

RECOMMENDATION:

The Development Services Department recommends that T-802 be approved for a one-year extension of time, subject to the following conditions:

1. That all previously approved conditions for T-802 apply to all unrecorded portions of this development; and
2. That the Fire Department review and inspect the plans for the grass pavers and the electric gate for the second Fire Department access to the development from Nelson Avenue; and
3. That all Fire Department codes and ordinances in effect at the issuance of building plans shall apply; and
4. That no site plan review by the Fire Department shall be implied.

The application was presented by Bob Hoyes, Associate Planner, on behalf of staff who indicated staff is recommending approval subject to one (1) condition.

Vicky Troy, 528 Goldhill Road, Henderson, Nevada 89074 appeared on behalf of the applicant who stated she concurs with staff's recommendations.

Commissioner Anita Wood MOVED and Commissioner Dean Leavitt SECONDED to APPROVE T-802 per staff's recommendations.

The motion carried by UNANIMOUS vote.

16) FDP-07-01 (4476) CRAIG/ALLEN

An application submitted by Sunbelt Realty Advisors, LLC on behalf of the Lied Foundation Trust, property owner, for a Final Development Plan review in a Planned Unit Development District (PUD) consisting of C-1 Neighborhood Commercial. The property is generally located at the southwest corner of Craig Road and Allen Lane. The Assessor's Parcel Numbers are 139-06-701-002, 139-06-701-003, 139-06-701-004, 139-06-701-005, 139-06-701-006 and 139-06-701-007.

RECOMMENDATION:

The Development Services Department recommends that FDP-07-01 be continued until such time that the applicant can meet with the Departments of Fire and Public Works and Planning staff to resolve outstanding issues addressed in the analysis above. The site plan and elevation drawings should be re-drawn and re-submitted to allow the reviewing departments adequate time to provide a responsible recommendation to the Planning Commission.

If the applicant is unable or unwilling to continue the item, FDP-07-01 should be denied because it does not satisfy the requirements for this development, nor does it satisfy requirements in the Zoning Ordinance for this type of development.

Prior to the Planning Commission meeting, the applicant requested the item be continued to 7/25/01.

Vice-Chairman Harry Shull MOVED and Commissioner Anita Wood SECONDED to CONTINUE FDP-07-01 to the 7/25/01 Planning Commission meeting per the applicant's request.

The motion carried by UNANIMOUS vote.

The item is CONTINUED to 7/25/01.

17) ZOA-08-01 (4537) CITY OF NORTH LAS VEGAS (Public Hearing)

An ordinance amendment initiated by the City of North Las Vegas to amend Section 17.28.020.B of Title 17 of the North Las Vegas Municipal Code (Zoning Ordinance) to require sixteen (16) copies of a boundary map be submitted with an application for property reclassifications and other matters related thereto.

Recommendation:

The Development Services Department recommends that ZOA-08-01 be approved and that Title 17, Section 17.28.020.B be amended as follows:

B. Application for Rezoning:

All applications submitted by property owner(s) or Bureau of Land Management land by land users for an amendment shall be submitted to the development department in accordance with the following:

1. **Form.** If the application for an amendment in order to reclassify property from one district to another is initiated by the property owner(s) or Bureau of Land Management land by land users, such application shall be made on forms as provided by the development department. In the case of Bureau of Land Management land the land users shall submit proof of authorization from the Bureau of Land Management to use the land and any conditions placed on that use. The application form shall be filed with the development department along with the legal description, ~~elevation drawings, ten (10) copies of the site plan and a construction schedule of all improvements~~ **and sixteen (16) copies of a boundary map**. The application shall be signed and executed by the recorded owner(s) or Bureau of Land Management land by land users of the property sought to be reclassified. Upon receipt of a properly executed application, the development department shall set a date for a public hearing and shall maintain the application, together with all pertinent attachments and exhibits, in the permanent files of the department as a public record.
2. **Filing Fee.** To partially defray the cost of noticing public hearings and other incidental administrative and investigative expenses involved in the application, a non-refundable fee shall be charged. This fee shall be due and payable at the time of the filing of the application. No application shall be accepted for processing unless such fees have been paid or waived by motion of the city council.

Note: Language shown in bold italics is proposed new language, and language that is lined-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 for an Ordinance Amendment to the Zoning Ordinance, essentially a housekeeping item. He stated the Resolutions of Intent was eliminated and the ordinance was amended accordingly. It was noticed for rezoning applications site plans were being required and this is to amend that requirement to eliminate the site plan requirement and replace it with sixteen (16) copies of a boundary map.

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

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Tom Langford SECONDED to APPROVE ZOA-08-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

OLD BUSINESS

18) UN-52-01 (4375) CYCLOP AUTOMOTIVE (Public Hearing)

An application submitted by George Petculescu on behalf of Charles Hecht, property owner, for a use permit in an M-2 General Industrial District to allow an automotive service and repair facility. The property is located at 4130 Losee Road. The Assessor's Parcel Number is 139-01-401-004.

RECOMMENDATION:

The Development Services Department recommends that UN-52-01 be continued in order for the concerns of the Fire 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: 10, 11 & 12.
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 the applicant must obtain a Fire Department permit for the paint spray booth.
5. That all on-site repairs shall be performed within a building.
6. That all vehicles awaiting repair shall be stored within the confines of a 100% opaque masonry screen wall.
7. That all conditions mentioned herein be satisfied prior to the application of a business license for the automobile repair operation.
8. An opaque steel gate must be provided in place of the existing chain-link gate with slats, in order to appropriately block views from Losee Road.
9. The existing trash enclosure must be improved to include a roof, as well as opaque steel gates.
10. All Fire Department codes and ordinances in effect at the issuance of building plans shall apply.

The application was presented by Marc Jordan, Senior Planner, who indicated this item was continued from the June 27, 2001 to allow the applicant to meet with the Fire Department to address some issues of concern. He stated the applicant has met with the Fire Department and the Fire Department has indicated to staff they have no problem with this item moving forward, therefore staff is recommending approval of this item subject to the ten (10) conditions.

George Petculescu, 1624 Birch Street, Las Vegas, Nevada 89102 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 Tom Langford MOVED and Vice-Chairman Harry Shull SECONDED to APPROVE UN-52-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

19) FDP-06-01 (4414) SIMMONS PROPERTIES LLC

An application submitted by Simmons Properties LLC, property owner, for a Final Development Plan review in an R-E Ranch Estates District (ROI to C-1 Neighborhood Commercial). The property is generally located at the southwest corner of Ann Road and Simmons Street. The Assessor's Parcel Number is 124-32-102-003.

Prior to the Planning Commission meeting, the applicant requested the item be continued to 8/8/01.

Commissioner Tom Langford MOVED and Commissioner Marilyn Kirkpatrick SECONDED to CONTINUE FDP-06-01 to the 8/8/01 Planning Commission meeting per the applicant's request.

The motion carried by UNANIMOUS vote.

The item is CONTINUED to 8/8/01.

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: Chairman Nelson Stone thanked the Planning Commissioners for re-electing him as their Chairman for another term and also welcomed the new Planning Commissioner to the Board, Scott Albright.

ADJOURNMENT: 8:30 PM

A motion to ADJOURN the July 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