

**MINUTES
CITY OF NORTH LAS VEGAS
PLANNING COMMISSION**

October 8, 2008

BRIEFING: 5:30 P.M., Conference Room, North Las Vegas City Hall, 2200 Civic Center Drive

CALL TO ORDER: 6:00 P.M., Council Chambers, North Las Vegas City Hall, 2200 Civic Center Drive

WELCOME: Chairman Angelo Carvalho

ROLL CALL: Chairman Angelo Carvalho - Present
Vice-Chairman Harry Shull - Present
Commissioner Steve Brown - Present
Commissioner Dean Leavitt - Present
Commissioner Jay Aston - Present
Commissioner Jo Cato - Present
Commissioner Dilip Trivedi - Present

STAFF PRESENT: Frank Fiori, Planning & Zoning Director
Marc Jordan, Planning Manager
Robert Eastman, Principal Planner
Nick Vaskov, Assistant City Attorney
Lorena Candelario, PW Real Property Mgmt.
Eric Hawkins, Public Works
Janice Carr, Fire Department
Jose Rodriguez, Police Department
Gina Luongo, Police Department
Doug Bergstrom, Utilities Department
Jo Ann Lawrence, Recording Secretary

VERIFICATION: Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE: Chairman Angelo Carvalho

PUBLIC FORUM

There was no public participation.

MINUTES

- **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF SEPTEMBER 10, 2008.**

ACTION: APPROVED

MOTION: Vice-Chairman Shull

SECOND: Commissioner Leavitt

AYES: Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston, Brown, Cato and Trivedi

NAYS: None

ABSTAIN: None

Item No. 5 was heard next.

NEW BUSINESS

1. AMP-10-08 (36870) GOLDFIELD II (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TANEY ENGINEERING ON BEHALF OF WILLIAM LYON HOMES, INC. AND ARCHANA PATEL, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF SINGLE-FAMILY LOW (UP TO 6 DU/AC) TO NEIGHBORHOOD COMMERCIAL. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF NORTH 5TH STREET AND LONE MOUNTAIN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-34-804-002, 124-34-804-003, 124-34-804-005, 124-34-804-006, AND 124-34-804-007.

Item Nos. 1 and 2 were presented together.

Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89169 appeared on behalf of the applicant requesting that AMP-10-08 and ZN-25-08 be continued to October 22, 2008, explaining they would be presenting the residents with revised plans for the commercial project.

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

- **John Kusler, 252 East Lone Mountain Road, North Las Vegas, NV 89031** indicated he was opposed to commercial at the proposed location.
- **Stefanie Palacio, 517 East LaMadre Way, North Las Vegas, NV 89081** indicated she was opposed to commercial at the proposed location. She was concerned with the children walking to and from school and how the traffic would be affected by commercial development. She understood with the North 5th Street project, some of the streets would be closed and did not know how the property would be accessed and felt there was sufficient commercial to accommodate the area.
- **Phil Shellhorn, 4828 Captain McCall Court, North Las Vegas, NV 89031** was opposed to commercial and indicated his property backed up to the proposed site and there was no commercial project that would be beneficial to the neighborhood.
- **Shawn Vogann, 4832 Captain McCall Court, North Las Vegas, NV 89031** indicated he purchased his home because the subject site was set up for single family homes and was opposed to commercial.
- **Joyce Thomas, 5 Verde Way, North Las Vegas, NV** was opposed to commercial at the proposed location.

Chairman Carvalho indicated the Public Hearing would remain open.

ACTION: CONTINUED TO OCTOBER 22, 2008

MOTION: Vice-Chairman Shull

SECOND: Commissioner Leavitt

AYES: Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston,
Brown, Cato and Trivedi

NAYS: None

ABSTAIN: None

2. **ZN-25-08 (36851) GOLDFIELD II (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TANEY ENGINEERING ON BEHALF OF WILLIAM LYON HOMES, INC. AND ARCHANA PATEL, PROPERTY OWNERS, FOR A RECLASSIFICATION OF PROPERTY FROM AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT AND AN R-E, RANCH ESTATES DISTRICT TO A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF NORTH 5TH STREET AND LONE MOUNTAIN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-34-804-002, 124-34-804-003, 124-34-804-005, 124-34-804-006, AND 124-34-804-007.**

Item Nos. 1 and 2 were presented together.

Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89169 appeared on behalf of the applicant requesting that AMP-10-08 and ZN-25-08 be continued to October 22, 2008, explaining they would be presenting the residents with revised plans for the commercial project.

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

- **John Kusler, 252 East Lone Mountain Road, North Las Vegas, NV 89031** indicated he was opposed to commercial at the proposed location.
- **Stefanie Palacio, 517 East LaMadre Way, North Las Vegas, NV 89081** indicated she was opposed to commercial at the proposed location. She was concerned with the children walking to and from school and how the traffic would be affected by commercial development. She understood with the North 5th Street project, some of the streets would be closed and did not know how the property would be accessed and felt there was sufficient commercial to accommodate the area.
- **Phil Shellhorn, 4828 Captain McCall Court, North Las Vegas, NV 89031** was opposed to commercial and indicated his property backed up to the proposed site and there was no commercial project that would be beneficial to the neighborhood.
- **Shawn Vogann, 4832 Captain McCall Court, North Las Vegas, NV 89031** indicated he purchased his home because the subject site was set up for single family homes and was opposed to commercial.
- **Joyce Thomas, 5 Verde Way, North Las Vegas, NV** was opposed to commercial at the proposed location.

Chairman Carvalho indicated the Public Hearing would remain open.

ACTION: CONTINUED TO OCTOBER 22, 2008

MOTION: Vice-Chairman Shull

SECOND: Commissioner Leavitt

AYES: Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston,
Brown, Cato and Trivedi

NAYS: None

ABSTAIN: None

3. **UN-97-08 (36849) UNEV PIPELINE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY UNEV PIPELINE LLC ON BEHALF OF KAPEX LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW THE STORAGE OF HAZARDOUS MATERIALS (APPROXIMATELY 315,000 BARRELS OF GASOLINE, DIESEL AND/OR ETHANOL). THE PROPERTY IS LOCATED APPROXIMATELY 3,800 FEET SOUTH OF GRAND VALLEY PARKWAY AND APPROXIMATELY 6,000 FEET WEST OF US HIGHWAY 93. THE ASSESSOR'S PARCEL NUMBER IS 103-16-000-004.**

The application was presented by Marc Jordan, Planning Manager who explained the applicant was proposing nine storage tanks, which would be utilized for the storage of gasoline, diesel and ethanol, five of which would be for future development. They would be storing approximately 315,000 barrels of fuel, which equated to a little over 17 million gallons. The applicant submitted a revised site plan, which was reviewed and showed some perimeter walls along some of the property lines that were not previously proposed and have moved one of the tanks closer to one of the property lines. The Fire Department had no objection to the change. Staff was recommending approval of UN-97-08 subject to the following conditions listed in the revised memorandum dated October 8, 2008:

1. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. That UN-97-08 is site specific and non transferrable.
3. That the developer shall provide 20 feet of landscaped area adjacent to the property line within the subject property along Grand Valley Parkway. The 20 foot landscaped area may include sidewalks and shall be landscaped with approved plant materials to provide a minimum ground coverage of 60% (not including trees). The 60% coverage shall be reached within two (2) years of the time a Certificate of Occupancy is issued by the City.
4. That the developer shall provide six (6) feet of foundation landscaping with a minimum five (5) foot sidewalk/pedestrian path along all building entrances and where allocated parking spaces abut buildings for the proposed structure depicted as "Terminal Building" on the site plan. If foundation landscaping is determined to be impractical because of soils conditions, a geotechnical report is required for this determination, one or more of the three (3) options listed in Title 17.24.200.D.7 may be used so long as a minimum planter depth of six (6) feet is maintained.

5. That the design of any pre-engineered metal buildings and canopies is acceptable, provided that the exterior elevations are altered to look like concrete tilt-up buildings. The overhang and pitched roofline shall be screened from view with a parapet wall facade constructed with material that has the appearance of concrete tilt-up.
6. That any use of barbed wire atop the perimeter fence, as depicted on the site plan, shall be prohibited; unless the additional security measure is approved by the City Council under a separate Special Use Permit as set forth under Ordinance No. 2439.
7. That adequate traffic barriers shall be used along the internal access drive to prevent vehicles and trucks from leaving the paved access drive, serving the purpose of providing erosion and dust control mitigation measures.
8. That the design of any perimeter walls using concrete block shall meet the design criteria as set forth in Title 17.24.205.G. and Title 17.12.020 definition of a "Wall, Decorative".
9. Approval of an update to the master traffic study or a traffic mitigation report, along with a queuing analysis, is required.
10. An approved drainage study is required prior to approval of the civil improvement plans.
11. Conformance with the Master Drainage Study.
12. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
13. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
14. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground if they are relocated or adjusted.
15. Prior to the installation of any permanent subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.

16. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100, upon completion of the Master Transportation Study:
 - a. Grand Valley Parkway
17. The property owner is required to grant a roadway easement for commercial driveway(s).
18. The property owner is required to sign a restrictive covenant for utilities.
19. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code
20. Fire access lanes shall be designed, located, and installed in accordance with the Fire Code.
21. A Hazardous Materials Technical Report, addressing hazardous material fire code compliance of this facility shall be prepared and sealed by a Nevada Licensed Fire Protection Engineer and submitted to the North Las Vegas Fire Department prior to the approval of the process piping and equipment plans.
22. A foam suppression system, either automatic or capable of remote activation from a location that is continuously staffed and continuously monitors the facility to the satisfaction of the Fire Chief, shall be provided in accordance with the applicable National Fire Protection Association standards for all tanks holding Class I flammable or Class II combustible liquids as defined by the Fire Code, unless otherwise approved by the Fire Chief.
23. A completely automatic foam suppression system, in accordance with the applicable National Fire Protection Association standards and the operational needs of the Fire Department as specified by the Fire Chief, shall be provided where Class I, II, or III flammable and combustible liquids, as defined by the Fire Code, are normally loaded or off-loaded.
24. An additional 500 gallons of foam in 5 gallon containers shall be provided on site and maintained or replaced in accordance with the manufacture's recommendations and the National Fire Protection Association standards.
25. As a condition of receiving water and sewer service, applicant shall enter into a development agreement with the City under the terms and provisions approved by the City Council.

26. Building permits are required for all proposed storage tanks.
27. Outriggers shall be affixed to the top of the existing fence.
28. There shall be security personnel on the property during off business hours.

Stephanie Allen of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant indicating she had reviewed the revised memorandum and concurred with Staff recommendation with the exception of Condition Nos. 24 and 28. She asked that the wording, "or as otherwise approved by the Fire Chief" be added to the end of Condition No. 24 and the wording, "or as otherwise approved by the Police Chief" be added to the end of Condition No. 28.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS IN MEMORANDUM DATED OCTOBER 8, 2008 WITH CONDITION NOS. 24 AND 28 AMENDED TO READ:

24. AN ADDITIONAL 500 GALLONS OF FOAM IN 5 GALLON CONTAINERS SHALL BE PROVIDED ON SITE AND MAINTAINED OR REPLACED IN ACCORDANCE WITH THE MANUFACTURE'S RECOMMENDATIONS AND THE NATIONAL FIRE PROTECTION ASSOCIATION STANDARDS, OR AS OTHERWISE APPROVED BY THE FIRE CHIEF.
28. THERE SHALL BE SECURITY PERSONNEL ON THE PROPERTY DURING OFF BUSINESS HOURS, OR AS OTHERWISE APPROVED BY THE POLICE CHIEF.

MOTION: Vice-Chairman Shull

SECOND: Commissioner Leavitt

AYES: Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston, Brown, Cato and Trivedi

NAYS: None

ABSTAIN: None

4. **T-1328 (36872) CENTENNIAL WEST - SOUTH HALF. AN APPLICATION SUBMITTED BY LOCHSA ENGINEERING ON BEHALF OF CENTENNIAL WEST LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW A ONE (1) LOT INDUSTRIAL SUBDIVISION. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF AZURE AVENUE AND MT. HOOD STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 123-27-501-005 AND 123-27-501-006.**

The application was presented by Robert Eastman, Principal Planner who explained the proposed lot was in conformance with the Comprehensive Plan and Title 17; therefore, Staff was recommending approval of T-1328 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. Approval of a traffic study is required prior to submittal of the civil improvement plans.
3. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
4. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
5. Technical Drainage Study Updates will be required for all proposed onsite development.
6. Centennial Parkway, Mt. Hood Street, Azure Avenue and Shatz Street are all no cut streets.
7. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
8. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground if they are relocated or adjusted.

9. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.
10. All off-site improvements must be completed prior to final inspection of the first building.
11. All appropriate subdivision and/or parcel mapping is required to complete this project. All mapping shall be in compliance with NRS Chapter 278 and the *City of North Las Vegas Municipal Code*, and associated Master Plans in effect at the time of subdivision and/or parcel map approval. Conformance may require modifications to the site.
12. All mapping shall be in compliance with Codes and Ordinances in effect at the time of building permit issuance.
13. The property owner is required to sign a restrictive covenant for utilities.
14. This application shall comply with the *City of North Las Vegas Municipal Code* and NRS Chapter 278. Conformance may require modifications to the site.
15. Applicant shall sign the restrictive covenant and an agreement with the City to participate in the Sewer SID Cost Sharing prior to the City processing an interlocal agreement with Clark County (prior to mylar approval).
16. The development of this site shall comply with all requirements set forth by the Southern Nevada Health District in the attached letter dated September 9, 2008.

Ann Coleman, 6345 South Jones, Las Vegas, NV appeared on behalf of the applicant indicating she concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Vice-Chairman Shull

SECOND: Commissioner Cato

AYES: Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston, Brown, Cato and Trivedi

NAYS: None

ABSTAIN: None

Public Forum was heard next.

OLD BUSINESS

5. **AMP-09-08 (36516) COACH USA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PAUL SCHEUCHENZUBER ON BEHALF OF ISTAR BUSCO INC, PROPERTY OWNER, FOR AN AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS TO REMOVE LA MADRE WAY BETWEEN LINCOLN ROAD AND THE I-15. THE ASSESSOR'S PARCEL NUMBERS ARE 123-31-801-003 AND 123-31-801-004. (CONTINUED SEPTEMBER 10, 2008)**

It was requested by the applicant to withdraw AMP-09-08.

ACTION: WITHDRAWN

Item No. 6 was heard next.

6. **ZN-05-06 (36505) MONTECITO PAVILION (PUBLIC HEARING). AN APPLICATION SUBMITTED BY VEDELAGO PETSCH ARCHITECTS ON BEHALF OF COLONIAL REALITY LP AND TROPICAL-LAMB LLC, PROPERTY OWNERS, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED PUD, PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF A MIXED-USE DEVELOPMENT. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF AZURE AVENUE AND LAMB BOULEVARD. THE ASSESSOR'S PARCEL NUMBERS ARE 123-30-601-013, 123-30-601-014 AND 123-30-601-015. (CONTINUED SEPTEMBER 10, 2008)**

It was requested to continue ZN-05-06 to the November 12, 2008 Planning Commission meeting.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho indicated the Public Hearing would remain open.

ACTION: CONTINUED TO NOVEMBER 12, 2008

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Shull

AYES: Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston, Brown, Cato and Trivedi

NAYS: None

ABSTAIN: None

Item No. 1 was heard next.

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

Marc Jordan, Planning Manager explained there was a scheduling conflict with the November 10, 2009 Planning Commissioner Meeting, as Council Chambers was scheduled for Parks and Recreation Board meeting on that date and also pointed out the meeting could not be moved to November 9, as Chambers was scheduled for a Traffic and Parking Advisory Board meeting on that date. He also pointed out the November 25, 2009 meeting could not be moved to Tuesday, November 24, as the Library Board was scheduled to meet on that date and suggested the meeting could be moved to Monday, November 23.

The Commission decided to discuss the issue at the October 22, 2008 Planning Commission meeting.

CHAIRMAN'S BUSINESS

There was no report given.

ADJOURNMENT

The meeting adjourned at 6:17 p.m.

APPROVED: November 12, 2008

/s/ Angelo Carvalho
Angelo Carvalho, Chairman

/s/ Jo Ann Lawrence
Jo Ann Lawrence, Recording Secretary