

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

April 28, 2010

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: Vice-Chairman Steve Brown

ROLL CALL: Chairman Dean Leavitt - Absent
Vice-Chairman Steve Brown - Present
Commissioner Jay Aston - Present
Commissioner Jo Cato - Present
Commissioner Dilip Trivedi - Present
Commissioner Laura Perkins - Present
Commissioner Joseph DePhillips - Absent

STAFF PRESENT: Frank Fiori, P & Z Director
Marc Jordan, Planning Manager
Robert Eastman, Principal Planner
Bethany Sanchez, Deputy City Attorney II
Lorena Candelario, PW Real Property Mgmt.
Vidya Medisetty, Public Works
Ish Garza, PW City Traffic Engineer
Mike Steele, Fire Department
Xiaohui Yu, Utilities

Jo Ann Lawrence, Recording Secretary

VERIFICATION: Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE: Commissioner Jo Cato

PUBLIC FORUM

There was no public participation.

MINUTES

• **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF MARCH 24, 2010.**

ACTION: APPROVED

MOTION: Commissioner Cato

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: Commissioner Perkins

Item No. 2 was heard next.

NEW BUSINESS

1. **UN-26-10 (40862) 3505 EMMONS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RUSTY AND BOBETTE READY, PROPERTY OWNERS, FOR A SPECIAL USE PERMIT IN AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT TO ALLOW A GARAGE CONVERSION. THE PROPERTY IS LOCATED AT 3505 EMMONS AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-24-711-037.**

The application was presented by Marc Jordan, Planning Manager who explained the applicant was proposing to convert an existing 229 square foot garage into living space. The building was constructed in 1974 and was approximately 989 square feet, so when conversion was complete, the building would be approximately 1218 square feet. The applicant complied with the zoning ordinance requirements by demonstrating there were three other properties within 300 feet that had legally converted their garages and also demonstrated compliance with the on-site parking requirement of at least 18 X 18. Staff was recommending approval of UN-26-10 with the following condition:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes, ordinances and the Single-Family Design Guidelines.

Rusty Ready, 3505 Emmons Avenue, North Las Vegas, NV appeared on the application, indicating he concurred with Staff recommendation.

Vice-Chairman Steve Brown opened the Public Hearing. There was no public participation.

Vice-Chairman Brown closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Aston

SECOND: Commissioner Cato

AYES: Vice-Chairman Brown, Commissioners Aston, Cato, Trivedi, and Perkins

NAYS: None

ABSTAIN: None

Item No. 3 was heard next.

2. DISCUSSION AND/OR ACTION REGARDING AMENDMENTS TO THE PLANNING COMMISSION BY-LAWS TO HOLD ONE PLANNING COMMISSION MEETING PER MONTH, ALONG WITH OTHER MINOR CHANGES TO UPDATE THE LANGUAGE IN THE BY-LAWS.

It was requested to continue Item No. 2 to May 12, 2010.

ACTION: CONTINUED TO MAY 12, 2010

MOTION: Commissioner Perkins

SECOND: Commissioner Cato

AYES: Vice-Chairman Brown, Commissioners Aston, Cato, Trivedi, and Perkins

NAYS: None

ABSTAIN: None

Item No. 5 was heard next.

OLD BUSINESS

3. **UN-11-10 (40342) GROUP FOSTER HOME (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CURTIS STUCKEY ON BEHALF OF GREEN ARROW LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A GROUP CARE FACILITY ON A 4,791 SQUARE FOOT LOT WHERE A 6,500 SQUARE FOOT LOT IS THE MINIMUM REQUIRED. THE PROPERTY IS LOCATED AT 3932 CARLA ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 123-30-810-164. (CONTINUED FEBRUARY 10 AND MARCH 24, 2010)**

The application was presented by Marc Jordan, Planning Manager who explained normally group homes could be considered by Staff through a conditional use permit, provided the applicant could demonstrate compliance with the conditions listed in the Zoning Ordinance. When they could not, they had the opportunity to file for a special use permit, which is why the application was submitted. The lot for the proposed use permit was less than 6500 square feet and the applicant indicated they planned to have children ranging from eight to 18 years of age and would have live-in parents and the children would not be driving so there would not be an impact on traffic or parking. The applicant also indicated they met the distance separation requirement of 1500 feet from other uses and complied with other conditions. Staff was recommending approval of UN-11-10 with the following condition:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.

Stephanie Allen, Kaempfer Crowell Renshaw Gronauer & Fiorentino, 8345 West Sunset Road, Suite 250, Las Vegas, NV 89113 appeared on behalf of the applicant introducing Curtis Stuckey and Charles Miller. She indicated the use would not be before the Commission if the lot were 6500 square feet as the group foster care facility was allowed under the guidelines of Foster Care for Clark County. She explained the home was more than adequate for the six children who would be living there. It was a five bedroom home with 5,000 square feet and there would be two live-in house parents and had the same dynamic as a family. City Council had just considered two similar applications on appeal and were approved with a three month review. The applicant was willing to accept a similar condition should the Commission require a review. City Council did not have an issue with the lot size, but were concerned with neighborhood relations and explained the children were well supervised with a structured environment.

Vice-Chairman Steve Brown opened the Public Hearing. There was no public participation.

Vice-Chairman Brown closed the Public Hearing.

Commissioner Jo Cato was in support of the application and commended Mr. Stuckey for his efforts to provide a family setting for the foster children and did not feel restrictions needed to be placed on the approval.

Commissioner Dilip Trivedi was in support of the application with no restrictions.

Vice-Chairman Steve Brown was in support of the application and pointed out the lot size on the two appealed applications were not addressed by City Council, which was the issue, and he did not feel restrictions should be placed on the use.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Cato

SECOND: Commissioner Trivedi

AYES: Vice-Chairman Brown, Commissioners Aston, Cato, Trivedi, and Perkins

NAYS: None

ABSTAIN: None

4. UN-28-02 (40737) CENTENNIAL CROSSINGS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CASINO SITE, LLC AND CARL PARMER LIVING TRUST ET AL., PROPERTY OWNERS, FOR AN EXTENSION OF TIME FOR A PREVIOUSLY APPROVED SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW A CASINO/HOTEL. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF INTERSTATE 15 AND 215 BELTWAY. THE ASSESSOR'S PARCEL NUMBERS ARE 123-28-101-003 THROUGH 123-28-101-006. (CONTINUED APRIL 14, 2010)

The application was presented by Robert Eastman, Principal Planner who explained the application was originally approved in 2002 and there had been three extensions of time. The site plan showed a five story tower with 300 rooms and a one story casino. The plan should be considered conceptual and there were conditions for a final development plan to be brought back before the Commission when there was a more concrete plan and construction design for the site. The plans presented were the same as presented in 2008. Staff was recommending approval of UN-28-02 with the following conditions:

1. That, unless otherwise approved through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That the development of this site shall be in compliance with the Commercial Development Standards and Design Guidelines.
3. That the site plan and building elevations contained herein shall be considered "conceptual" and will require modifications to be in compliance with all applicable codes, ordinances and conditions.
4. That, if the desired building height exceeds 60 feet, then a separate special use permit shall be considered independently of this request.
5. That a phasing plan shall be submitted by the applicant, and reviewed and approved by staff prior to submittal of the civil improvement plans.
6. That all perimeter landscaping be installed with the first phase of development.
7. Semi-truck and Recreational Vehicle (RV) parking shall be provided on-site with reasonable access to the nearest signalized intersection or direct access route to/from the freeway system.
8. That technical design comments will be made at the time development plans are submitted.
9. Approval of a traffic study is required prior to submittal of the civil improvement plans.

10. A master transportation plan with modeling containing 20-year projections will be required prior to submittal of the civil improvement plans.
11. The civil improvement plans for the project shall include schedule 40 PVC fiber optic along Centennial Parkway and Christy Lane
12. 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.
13. The easterly driveway on Centennial Parkway shall be located midblock, approximately 660 feet from the intersection of Christy Lane, for full access, otherwise, the driveway shall be right in/right out.
14. The westerly driveway on Centennial Parkway shall meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130 and will be restricted to right-in/right-out.
15. The developer is required to construct a raised median within Centennial Parkway. The median shall be constructed per *Clark County Area Uniform Standard Drawing* numbers 218 and 219 "A" type island curb. The median shall be landscaped via encroachment permit; maintenance of the landscaping will be the responsibility of the developer and at the expense of the developer. Additional landscaping may be required within the Christy Lane right-of-way. The median landscape plan shall be subject to review and approval of the Parks and Recreation Department.
16. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
17. North Belt Road shall be changed to Centennial Parkway.
18. Appropriate mapping is required to consolidate the parcels. 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 map approval. Conformance may require modifications to the site.
19. That UN-28-02 shall expire April 10, 2012.
20. The sanitary sewer for the subject project shall be routed south on Sloan Lane and connect into the existing Clark County sanitary sewer, unless otherwise directed by the Director of Utilities.

21. The developer shall provide a meter and backflow prevention per building per City of North Las Vegas Municipal Water Services District Service Rules and Regulations.
22. The Final Development Plan approval for this site shall contain a condition requiring the developer to provide measures to mitigate its impact on emergency services to the satisfaction of the Fire Chief.
23. The property owner is required to grant a roadway easement for commercial driveway(s).
24. The property owner is required to sign a restrictive covenant for utilities.
25. A revocable encroachment permit for landscaping within the public right of way is required.
26. All off-site improvements must be completed prior to final inspection of the first building.
27. The property owner is required to grant a public pedestrian access easement for sidewalk located within a common element, or on private property, when that sidewalk is providing public access adjacent to the right-of-way.
28. Right-of-way dedication and construction of a flared intersection, including a right turn lane, is required at Centennial Parkway and Christy Lane per the *Uniform Standard Drawings for Public Works' Construction Off-site Improvements* Drawing Number 201.1 and 245.1.
29. Prior to any construction on the site, a Final Development Plan shall be approved by the Planning Commission at a public hearing.
30. Prior to approval of the Final Development Plan, the applicant shall work with the Nevada National Guard and the City of North Las Vegas regarding design of the site.

Ray Paglia, Alliance Real Estate Holdings, 3102 La Marada, Las Vegas, NV appeared on behalf of the applicant explaining the property was taken back via foreclosure two months ago and they were trying to keep the current zoning in place to allow them time to market the property.

Vice-Chairman Steve Brown opened the Public Hearing. The following participant came forward:

- **Lt. Stromberg Nathan, Nevada Army National Guard, Las Vegas, NV** explained the National Guard was opposed due to 24 hour military operations, truck maneuvers, and training.

Vice-Chairman Brown closed the Public Hearing.

Commissioner Jo Cato was in support of the application.

Commissioner Dilip Trivedi asked the applicant if there were plans to build in the near future.

Mr. Paglia responded they had the property for less than 60 days and were currently trying to market it, as it was a foreclosure.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Cato

SECOND: Vice-Chairman Brown

AYES: Vice-Chairman Brown, Commissioners Aston, Cato, Trivedi, and Perkins

NAYS: None

ABSTAIN: None

The Second Public Forum was heard next.

5. **UN-22-10 (40706) ARCO AM/PM (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NEVADA WEST PETROLEUM, LLC ON BEHALF OF NEVSUR INSURANCE AGENCY, INC., PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD STORE WITH GAS PUMPS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CHEYENNE AVENUE AND MARTIN L. KING BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-09-401-011. (CONTINUED APRIL 14, 2010)**

Item Nos. 5 and 6 were heard together.

It was requested by the applicant to continued UN-22-10 to May 12, 2010.

Vice-Chairman Steve Brown opened the Public Hearing. There was no public participation.

Vice-Chairman Brown indicated the Public Hearing would remain open.

ACTION: CONTINUED TO MAY 12, 2010

MOTION: Commissioner Trivedi

SECOND: Commissioner Cato

AYES: Vice-Chairman Brown, Commissioners Aston, Cato, Trivedi, and Perkins

NAYS: None

ABSTAIN: None

6. **UN-23-10 (40707) ARCO AM/PM (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NEVADA WEST PETROLEUM, LLC ON BEHALF OF NEVSUR INSURANCE AGENCY, INC., PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW AN AUTOMOBILE WASHING ESTABLISHMENT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CHEYENNE AVENUE AND MARTIN L. KING BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-09-401-011. (CONTINUED APRIL 14, 2010)**

Item Nos. 5 and 6 were heard together.

It was requested by the applicant to continued UN-23-10 to May 12, 2010.

Vice-Chairman Steve Brown opened the Public Hearing. There was no public participation.

Vice-Chairman Brown indicated the Public Hearing would remain open.

ACTION: CONTINUED TO MAY 12, 2010

MOTION: Commissioner Trivedi

SECOND: Commissioner Cato

AYES: Vice-Chairman Brown, Commissioners Aston, Cato, Trivedi, and Perkins

NAYS: None

ABSTAIN: None

Item No. 1 was heard next.

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

There was no report given.

CHAIRMAN'S BUSINESS

Vice-Chairman Steve Brown asked the Board if they had input on the amendments to the By-laws. Vice-Chairman Brown suggested the number of unplanned absences be amended to two instead of three.

ADJOURNMENT

The meeting adjourned at 6:24 p.m.

APPROVED: May 26, 2010

/s/ Dean Leavitt
Dean Leavitt, Chairman

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