

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

June 23, 2010

**BRIEFING:** 5:37 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 Dean Leavitt

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

**STAFF PRESENT:** Frank Fiori, P & Z Director  
Marc Jordan, Planning Manager  
Sandra Morgan, Deputy City Attorney  
Jennifer Doody, Development & Flood Control  
Ish Garza, Public Works  
Mike Steele, Fire Department  
Jose Rodriguez, Police Department  
Xiaohui Yu, Utilities  
Jo Ann Lawrence, Recording Secretary

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**VERIFICATION:** Jo Ann Lawrence, Recording Secretary

**PLEDGE OF ALLEGIANCE:** Vice-Chairman Steve Brown

**PUBLIC FORUM**

There was no public participation.

**Item No. 5 was heard next.**

**MINUTES**

- **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF MAY 26, 2010.**

ACTION: APPROVED

MOTION: Commissioner Cato

SECOND: Vice-Chairman Brown

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

NAYS: None

ABSTAIN: None

**NEW BUSINESS**

1. **UN-38-10 (41168) CARL'S JR (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DAPPER DEVELOPMENT ON BEHALF OF NELLIS CORNER, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT (CARL'S JR.). THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CRAIG ROAD AND LAMB BOULEVARD. THE ASSESSOR'S PARCEL NUMBERS ARE 140-06-611-005, 140-06-611-006, 140-06-714-005 AND 140-06-714-006.**

Item Nos. 1 and 2 were presented together.

The application was presented by Marc Jordan, Planning Manager who explained the applicant requested one waiver to the Commercial Design Standards, which was for the buildings not to be required to be orientated to the corner or street frontage, which Staff was supporting. The applicant demonstrated the buildings complied with the Design Guidelines with the exception of Raising Cane's, the applicant showed it had exposed downspouts and roof ladders and Staff requested those items be concealed into the design of the building. The site plan showed 66 parking spaces and after review, between both uses, parking was factored on the public floor area; therefore, approximately 70 parking spaces were required, so the site plan was short by four spaces, which was a minor change and in reviewing the floor plans, there was probably some areas the applicant could exclude, which would make them come into compliance with the parking. Since Staff's review, the applicant revised the parking between the two restaurants, which appears to be a minor change to the site plan. Staff was recommending approval of UN-38-10 with the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. This use permit is site-specific and non-transferrable.
3. This development shall comply with all the commercial design guidelines including but not limited to the following:
  - a. A twenty (20) foot wide perimeter landscape area measured from the property line is required along the frontages of Craig Road and Lamb Boulevard. The proposed bus-turn out along the Lamb Boulevard can encroach into the required perimeter landscape area.

4. Provide a total of seventy (70) parking spaces to comply with the parking requirements.
5. 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.
6. Approval of a drainage study is required prior to submittal of the civil improvement plans.
7. NDOT concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
8. Approval of a traffic study is required prior to submittal of the civil improvement plans.
9. Construction of a right turn lane on Craig Road if required by the traffic study.
10. Right-of-way dedication and construction of a CAT bus turn-out is required on Lamb Boulevard near Craig Road. The bus stop placement shall be provided within the exclusive right turn lane for the property per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.3.
11. A minimum of five stacking spaces for the drive thru shall be provided behind the order board for the fast food restaurant.
12. The civil improvement plans shall include schedule 40 PVC fiber optic conduit along Lamb Boulevard and Craig Road.
13. 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 the *City of North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
14. 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.
15. The property owner is required to grant a roadway easement for commercial driveway(s).
16. Prior to approval of the civil improvement plans, the owner(s) shall provide a copy of the cross access/reciprocal parking agreement.

17. The property owner is required to grant a 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.
18. A revocable encroachment permit for landscaping within the public right of way is required.
19. The property owner is required to sign a restrictive covenant for utilities.
20. All off-site improvements must be completed prior to final inspection of the first building.
21. 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.

**John Burke, Architect, 3471 West Oquendo, Las Vegas, NV 89118** appeared on behalf of the applicant indicating they were in conformance with all of Staff recommendations and indicated the civil engineer, Eric Ritz had a comment regarding one of Public Works' conditions.

**Eric Ritz, Civil Engineer, 249 ???, Henderson, NV** stated Condition No. 9 required construction of a right turn lane on Craig Road and asked that it be reworded so the right turn lane would be constructed if required by the traffic study.

Ish Garza of Public Works stated Traffic had no objection to the requested change.

Chairman Dean Leavitt opened the Public Hearing. There was no public participation.

Chairman Leavitt closed the Public Hearing.

**ACTION:** APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH  
CONDITION NO. 9 AMENDED TO READ:

9. CONSTRUCTION OF A RIGHT TURN LANE ON CRAIG ROAD, IF  
REQUIRED BY THE TRAFFIC STUDY.

**MOTION:** Vice-Chairman Brown

**SECOND:** Commissioner Trivedi

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

**NAYS:** None

**ABSTAIN:** None

2. **UN-39-10 (41170) RAISING CANE'S (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DAPPER DEVELOPMENT ON BEHALF OF NELLIS CORNER, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT (RAISING CANE'S). THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CRAIG ROAD AND LAMB BOULEVARD. THE ASSESSOR'S PARCEL NUMBERS ARE 140-06-611-005, 140-06-611-006, 140-06-714-005 AND 140-06-714-006.**

*Item Nos. 1 and 2 were presented together.*

The application was presented by Marc Jordan, Planning Manager who explained the applicant requested one waiver to the Commercial Design Standards, which was for the buildings not to be required to be orientated to the corner or street frontage, which Staff was supporting. The applicant demonstrated the buildings complied with the Design Guidelines with the exception of Raising Cane's, the applicant showed it had exposed downspouts and roof ladders and Staff requested those items be concealed into the design of the building. The site plan showed 66 parking spaces and after review, between both uses, parking was factored on the public floor area; therefore, approximately 70 parking spaces were required, so the site plan was short by four spaces, which was a minor change and in reviewing the floor plans, there was probably some areas the applicant could exclude, which would make them come into compliance with the parking. Since Staff's review, the applicant revised the parking between the two restaurants, which appears to be a minor change to the site plan. *Staff was recommending approval of UN-39-10 with the following conditions:*

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. This use permit is site-specific and non-transferrable.
3. This development shall comply with all the commercial design guidelines including, but not limited to the following:
  - a. Mechanical equipment including exposed roof ladders and down spouts must be screened from the view of public right-of-ways and neighboring properties.
4. Provide a total of seventy (70) parking spaces to comply with the parking requirements.
5. 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.

6. Approval of a drainage study is required prior to submittal of the civil improvement plans.
7. NDOT concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
8. Approval of a traffic study is required prior to submittal of the civil improvement plans.
9. Construction of a right turn lane on Craig Road, if required by the traffic study.
10. Right-of-way dedication and construction of a CAT bus turn-out is required on Lamb Boulevard near Craig Road. The bus stop placement shall be provided within the exclusive right turn lane for the property per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.3.
11. A minimum of five stacking spaces for the drive thru shall be provided behind the order board for the fast food restaurant.
12. The civil improvement plans shall include schedule 40 PVC fiber optic conduit along Lamb Boulevard and Craig Road.
13. 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 the *City of North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
14. 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.
15. The property owner is required to grant a roadway easement for commercial driveway(s).
16. Prior to approval of the civil improvement plans, the owner(s) shall provide a copy of the cross access/reciprocal parking agreement.
17. The property owner is required to grant a 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.
18. A revocable encroachment permit for landscaping within the public right of way is required.

19. The property owner is required to sign a restrictive covenant for utilities.
20. All off-site improvements must be completed prior to final inspection of the first building.
21. 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.

**John Burke, Architect, 3471 West Oquendo, Las Vegas, NV 89118** appeared on behalf of the applicant indicating they were in conformance with all of Staff recommendations and indicated the civil engineer, Eric Ritz had a comment regarding one of Public Works' conditions.

**Eric Ritz, Civil Engineer, 249 ???, Henderson, NV** stated Condition No. 9 required construction of a right turn lane on Craig Road and asked that it be reworded so the right turn lane would be constructed if required by the traffic study.

*Ish Garza of Public Works stated Traffic had no objection to the requested change.*

*Chairman Dean Leavitt opened the Public Hearing. There was no public participation.*

*Chairman Leavitt closed the Public Hearing.*

Commissioner Jay Aston asked Staff if their concerns with the downspouts and roof ladder were addressed in the conditions.

Mr. Jordan responded they were.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH  
CONDITION NO. 9 AMENDED TO READ:

9. CONSTRUCTION OF A RIGHT TURN LANE ON CRAIG ROAD, IF  
REQUIRED BY THE TRAFFIC STUDY.

MOTION: Vice-Chairman Brown

SECOND: Commissioner Perkins

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

NAYS: None

ABSTAIN: None

**3. UN-40-10 (41171) GARAGE/STORAGE BUILDING (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SALLY TACKLEY, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN R-E, RANCH ESTATES DISTRICT TO ALLOW A 1,500 SQUARE FOOT ACCESSORY BUILDING (GARAGE) WHERE A 1,200 SQUARE FOOT ACCESSORY BUILDING IS THE MAXIMUM SQUARE FOOTAGE ALLOWED. THE PROPERTY IS LOCATED AT 4544 HOLSTER AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-07-110-003.**

The application was presented by Marc Jordan, Planning Manager who explained the house was constructed in 1979 with an addition constructed in March 2001. Typically, when detached buildings exceed 1200 square feet, they require approval of a special use permit. The applicant indicated the design of the building would match the existing home and according to the Staff Report, the existing home complied with the Single Family Design Guidelines with the exception that it had an asphalt shingle roof, where tile was now required. Staff had no objection and was recommending approval of UN-40-10 with the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. The accessory structure shall comply with all of the Single Family Design Guidelines, including but not limited to the following:
  - a. The accessory structure shall match the principal building in material, design and color.
3. The accessory structure shall not exceed 1,500 square feet.
4. The property must maintain FHA Type A lot drainage.

Chairman Dean Leavitt recognized Councilwoman Anita Wood and Councilman Richard Cherchio.

**Marty DeLuca and Sally Tackley, 4544 Holster Avenue, North Las Vegas, NV** appeared on the application indicating they concurred with Staff recommendation.

Chairman Dean Leavitt opened the Public Hearing. There was no public participation.

Chairman Leavitt closed the Public Hearing.

Commissioner Laura Perkins thanked the applicants for the time they spent with her when she visited their property to review the plan.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Vice-Chairman Brown

SECOND: Commissioner DePhillips

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

NAYS: None

ABSTAIN: None

**4. UN-41-10 (41186) POWERTRAIN PERFORMANCE SERVICES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ANTONIO J. SALAS ON BEHALF OF STARS & STRIPES HELIPLEX LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW AN AUTOMOTIVE REPAIR FACILITY. THE PROPERTY IS LOCATED AT 576 EAST CHEYENNE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-11-401-007.**

The application was presented by Marc Jordan, Planning Manager who explained the use was located on the site where the Stars and Stripes Helicopter Service was located. The applicant was proposing to utilize the warehouse building located closest to Cheyenne Avenue and planned to work on light and medium duty diesel trucks. Staff had no objection, but were recommending vehicles be parked inside the building after hours, as the site was not designed with a screened storage yard. Staff was recommending approval of UN-41-10 with Condition No. 4 amended to read: "Prior to issuance of a business license, approval of a traffic study or other means of mitigation is required." The original recommended conditions are as follows:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That all work shall be performed within the building.
3. That all vehicles shall be stored within the building.
4. Approval of a traffic study is required prior to issuance of a business license.

**Antonio J. Salas, 1927 Tiger Circle, North Las Vegas, NV 89031** appeared on the application stating he had spoken to Ish Garza in Public Works regarding a solution for the traffic study.

Ish Garza of Public Works agreed Traffic had come to an agreement with Mr. Salas.

Chairman Dean Leavitt opened the Public Hearing. There was no public participation.

Chairman Leavitt closed the Public Hearing.

Commissioner Jo Cato inquired if the heli-pad was still located on the site.

Mr. Salas responded the heli-pad was still there, but only operated in the evening.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH  
CONDITION NO. 4 AMENDED TO READ:

4. PRIOR TO ISSUANCE OF A BUSINESS LICENSE, APPROVAL OF  
A TRAFFIC STUDY OR OTHER MEANS OF MITIGATION IS  
REQUIRED.

MOTION: Vice-Chairman Brown

SECOND: Chairman Leavitt

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

NAYS: None

ABSTAIN: None

**Public Forum was heard next.**

5. **UN-42-10 (41187) STORAGE DIRECT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY STORAGE DIRECT LOSEE ROAD LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW A TEMPORARY BUILDING. THE PROPERTY IS LOCATED AT 2608 LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-15-702-005.**

It was requested by the applicant to withdraw UN-42-10.

ACTION: WITHDRAWN

**Minutes were heard next.**

**PUBLIC FORUM**

There was no public participation.

**DIRECTOR'S BUSINESS**

There was no report given.

**CHAIRMAN'S BUSINESS**

There was no report given.

**ADJOURNMENT**

The meeting adjourned at 6:15 p.m.

APPROVED: July 28, 2010

/s/ Dilip Trivedi  
Dilip Trivedi, Chairman

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