

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

October 13, 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: Chairman Dilip Trivedi

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

STAFF PRESENT: Frank Fiori, Community Development Director
Marc Jordan, Planning Manager
Robert Eastman, Principal Planner
Bethany Sanchez, Deputy City Attorney II
Jennifer Doody, Development & Flood Control
Eric Hawkins, Public Works, Traffic
Janice Thomas, Fire Department
Jose Rodriguez, Police Department
Madeleine Jabbour, Utilities Department
Jo Ann Lawrence, Recording Secretary

VERIFICATION: Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE: Commissioner Joseph DePhillips

PUBLIC FORUM

- **JD Thornton Jr., 1912 West McDonald Avenue, North Las Vegas, NV 89030** indicated he lived in Highland Village and was appearing on behalf of Buena Vista Springs and requested to be notified of any applications coming before the Planning Commission regarding that development.

Commissioner Jo Cato interjected Buena Vista Springs was in receivership and was going through the sale process.

Chairman Dilip Trivedi informed Mr. Thornton that all agendas were available on the City's web-site.

MINUTES

- **APPROVAL OF MINUTES FOR THE PLANNING COMMISSION MEETING OF SEPTEMBER 8, 2010.**

ACTION: APPROVED

MOTION: Vice-Chairman Brown

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 9 was heard next.

NEW BUSINESS

1. **VAC-07-10 (41764) SUNRISE AUTO SALES & LOBO AUTO (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ISRAEL HERNANDEZ ON BEHALF OF EDGARDO ISRAEL HERNANDEZ, ETAL, PROPERTY OWNER, TO VACATE THE 14' 6" PUBLIC DRAINAGE EASEMENT AND RIGHT-OF-WAY. THE PROPERTY IS LOCATED AT 2643 NORTH LAS VEGAS BOULEVARD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-13-301-003, 139-13-302-006 AND 139-13-302-007.**

The application was presented by Marc Jordan, Planning Manager who explained the applicant had filed a reversionary map for the property and one of the conditions was that they apply for a vacation. As a condition of approval, Staff would be asking for another easement to be dedicated. There were several easements on the property and this vacation was to help clean it up; therefore, Staff was recommending approval of VAC-07-10 and that it be forwarded to City Council for final consideration with the following recommended conditions:

1. The property owner shall dedicate a new 14.5 foot wide drainage easement in accordance with the Reversionary Parcel Map #41722.
2. The vacation shall record concurrently with the parcel map.

David Turner of Baughman & Turner Engineering, 1210 Hinson Street, Las Vegas, NV 89102 appeared on behalf of the applicant stating the application was a requirement of UN-61-08 and also a requirement of the reversionary map and indicated he concurred with Staff recommendation.

Chairman Dilip Trivedi opened the Public Hearing. There was no public participation.

Chairman Trivedi closed the Public Hearing.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS;
FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION**

MOTION: Commissioner Perkins

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

2. **UN-61-08 (41765) SUNRISE AUTO SALES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ISRAEL HERNANDEZ ON BEHALF OF EDGARDO ISRAEL HERNANDEZ, ETAL, PROPERTY OWNER, FOR AN EXTENSION OF TIME FOR A PREVIOUSLY APPROVED SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW AN AUTOMOBILE SALES FACILITY. THE PROPERTY IS LOCATED AT 2643 NORTH LAS VEGAS BOULEVARD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-13-301-003, 139-13-302-006 AND 139-13-302-007.**

The application was presented by Marc Jordan, Planning Manager who explained the applicant submitted a new site plan for the use, which increased the number of automobile display spaces from 22 to 29; however, upon calculating the spaces in comparison to what was proposed and also existing on the site, the applicant did not show compliance with the parking requirements. In a phone conversation with the applicant, they agreed to go back to the originally approved site plan, which Staff was supporting. Staff was recommending approval of UN-61-08 and that it be forwarded to the Redevelopment Agency for final consideration with the following recommended conditions:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. The maximum number of display parking spaces shall be 22; the minimum number of customer parking spaces shall be 23.
3. A six (6) foot wide landscape islands are required at both the ends of the parking lot located south of the existing building.
4. Due to the size of the site, this development may be eligible for a drainage study waiver. Please complete and submit waiver application to Public Works Development & Flood Control Division (Mark Escobedo @ 633-1912 or Kent Chang @ 633-2771). Applications may be found on the City of North Las Vegas website (<http://www.cityofnorthlasvegas.com/About/Forms.shtm>)
5. 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.
6. Approval of a traffic study is required prior to submittal of the civil improvement plans.

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. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
9. 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.
10. The property owner is required to sign a restrictive covenant for utilities.
11. The civil improvement plans will need to show the City owned right-of-way traversing this site, in the area of the existing storm drain facility. Additionally, the property owner must apply for a vacation of this right-of-way; consequently, the City will reserve easements to allow the developer to complete this project as proposed.
12. The civil improvement plans must show all existing easements.
13. Appropriate mapping must be filed to create the proposed parcel and remove the internal property line(s).
14. A wrought iron fence is required along the west property line.
15. All vehicles must be stored in a secured area on the property and the management must employ and maintain a strict key control policy.
16. Fire access lanes shall be located in accordance with Fire Code requirements.
17. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
18. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.
19. That this extension of time shall expire on September 3, 2012.

David Turner of Baughman & Turner Engineering, 1210 Hinson Street, Las Vegas, NV 89102 appeared on behalf of the applicant indicating he concurred with Staff recommendation.

Chairman Dilip Trivedi opened the Public Hearing. There was no public participation.

Chairman Trivedi closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS;
FORWARDED TO THE REDEVELOPMENT AGENCY FOR FINAL
CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner DePhillips

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

NAYS: None

ABSTAIN: None

3. **VAC-06-10 (41696) RHAPSODY NORTH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY WILLIAM LYON HOMES INC., PROPERTY OWNER, TO VACATE THE 10 FOOT PUBLIC DRAINAGE EASEMENT ACROSS TWO (2) LOTS. THE PROPERTY IS GENERALLY LOCATED AT THE SOUTHWEST CORNER OF WASHBURN ROAD AND HAROLD STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-35-701-003 AND 124-35-701-004.**

The application was presented by Marc Jordan, Planning Manager who explained the Commission approved a tentative map for Rhapsody North, which consisted of 39 lots and the proposed vacation was in line with that approved tentative map. Staff was recommending approval of VAC-06-10 and that it be forwarded to City Council for final consideration with the following recommended conditions:

1. The vacation shall record prior to approval of the civil improvement plans or concurrently with the final map.
2. Should the order of vacation not record within one year from the approval date, the vacation shall be deemed null and void.

Robert Cunningham of Taney Engineering, 6030 South Jones Boulevard #100, Las Vegas, NV 89118 appeared on behalf of the applicant indicating he concurred with Staff recommendation.

Chairman Dilip Trivedi opened the Public Hearing. There was no public participation.

Chairman Trivedi closed the Public Hearing.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS;
FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION**

MOTION: Commissioner Leavitt

SECOND: Commissioner Perkins

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

NAYS: None

ABSTAIN: None

4. VN-05-10 (41659) SLOAN & STEPHENS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY WILLIAMS LILL HOLDINGS L.P., PROPERTY OWNER, FOR A VARIANCE IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW A 10 FOOT HIGH FENCE WHERE EIGHT (8) FEET IS THE MAXIMUM HEIGHT ALLOWED. THE PROPERTY IS LOCATED AT 5530 NORTH SLOAN LANE. THE ASSESSOR'S PARCEL NUMBER IS 123-34-101-002.

The application was presented by Marc Jordan, Planning Manager who explained the variance was for the north, east and south property lines, as the property to the west was zoned M-2. The use was a trucking facility for fuel tankers and the fence and barbed wire was needed for additional security measures as part of their contract. In reviewing the application, the variance was necessary as the property was surrounded partly by North Las Vegas and the County with property zoned either open land or rural open land, which was for residential development and the maximum height of a fence could only be eight feet. The master plans for both North Las Vegas and the County show industrial for the surrounding property and Staff did not anticipate residential would ever be developed, as the area was currently developing as industrial. Staff was recommending approval of VN-05-10 with the following conditions:

1. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. The total height of the security fencing, including barbed wire, shall not exceed ten (10) feet.

Richard Gallegos of Pacific Design Concepts, LLC, 3005 West Horizon Ridge Parkway, Henderson, NV 89052 appeared on behalf of the applicant indicating he concurred with Staff recommendation.

Chairman Dilip Trivedi opened the Public Hearing. There was no public participation.

Chairman Trivedi closed the Public Hearing.

Chairman Trivedi agreed with Staff's recommendation, as it was anticipated the surrounding property would develop as industrial.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Brown

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

NAYS: None

ABSTAIN: None

5. UN-66-10 (41663) ALL JAPANESE AUTO PARTS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MICHAEL C. PUSKARICH ON BEHALF OF FINGER REVOCABLE TRUST, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW AN AUTOMOBILE WRECKING YARD. THE PROPERTY IS LOCATED AT 4860 LAMANCHA AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 123-29-801-004.

The application was presented by Marc Jordan, Planning Manager who explained, according to the applicant, the property was a wrecking yard prior to 2003 and after that time became a landscape nursery business and due to the market conditions, it was no longer a viable use and they wished to turn it back into a wrecking yard. Staff had no objection to the use but there were a few problems with the site plan. The applicant indicated they were proposing landscape screening along Lamont and LaMancha Avenues and had showed Mondale Pines spaced every 15 feet on center and 36" box trees and under normal circumstances, a decorative block wall would be used to screen the yards. If the applicant wished to use landscape screening, Staff had no objections; however, the current landscaping was not all Mondale pines, but palm trees and other plant species which did not adequately screen the storage yard from view. There was a condition that required a decorative block wall or additional plants could be added to help screen the storage yard; but, Staff did not want to see the proposed brown meshing. The applicant indicated they would start storing the automobiles to the front of the yard, and as the business grew, they would be stored to the rear. Staff had no objection to the automobiles being stored on an unpaved surface, but wanted paved drive aisles throughout the yard. The Public Works Department requested half street improvements be provided for both Lamont and LaMancha Avenues and when the improvements were put in, there would be some landscaped areas that would be dirt between the right-of-way and the existing landscape and Title 17 and the Industrial Design Standards require ground coverage, so Staff was requesting plant materials and ground coverage be provided in that area also. Staff was recommending approval of UN-66-10 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. That all areas for vehicular circulation shall be paved with a concrete or asphaltic surface.
3. A minimum eight-foot high solid decorative masonry screen wall shall be provided behind the required landscaping next to La Mancha Avenue and Lamont Street to screen the wrecking yard. However, should the applicant determine to utilize the existing landscaping as screening, then additional plant materials shall be provided

- to adequately screen the wrecking yard from street view. A landscaping plan shall be provided to staff, demonstrating the additional plant species and size of the plants to be added to the existing landscaping to screen the wrecking yard. Such landscaping plan shall be subject to staff review and approval.
4. A minimum 60 percent ground coverage shall be provided within the planter areas between the fence and rights-of-way (La Mancha Avenue and Lamont Street).
 5. Construction of the following 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:
 - a. La Mancha Avenue
 - b. Lamont Street
 6. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
 7. Approval of a traffic study is required prior to submittal of the civil improvement plans.
 8. 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.
 9. 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.
 10. The property owner is required to grant a roadway easement for commercial driveway(s).
 11. Approval of a drainage study is required prior to submittal of the civil improvement plans.
 12. All Nevada Energy 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.
 13. 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.
 14. The property owner is required to sign a restrictive covenant for utilities.

Dave Murray of All Japanese Auto Parts, 4550 Smiley Road, North Las Vegas, NV 89115 and **Ed Finger on behalf of property owner, 5825 North Lamont Street, North Las Vegas, NV 89115** appeared on the application. Mr. Finger stated he was willing to install Mondale Pines and indicated they still had the nursery on Lamont and concurred with Staff recommendation. He questioned Public Works' condition regarding the sewer, as there was no sewer in the vicinity of the property.

Jennifer Doody of Public Works indicated if there was no sewer, she did not think it would be required, but if sewer was brought to the area in the future, they would be required to connect.

Mr. Finger asked, if the utility lines were located within the right-of-way, who would be responsible for relocating them.

Jennifer Doody of Public Works stated if they were on the 30 foot line at the centerline, they would be behind sidewalk.

Mr. Finger stated they would be in sidewalk.

Ms. Doody explained as long as there were ADA clearances and the applicant did not have to touch the poles to put in the driveway, then the poles could remain.

Mr. Finger also inquired if street lights were required.

Eric Hawkins of Public Works responded street lights were required.

Chairman Dilip Trivedi opened the Public Hearing. There was no public participation.

Chairman Trivedi closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Perkins

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

NAYS: None

ABSTAIN: None

6. **FDP-02-10 (41769) ARCO AM/PM. AN APPLICATION SUBMITTED BY GK3 ARCHITECTURE ON BEHALF OF MARIA ENAMORADO, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD, PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF A CONVENIENCE STORE WITH GAS PUMPS, AUTOMATIC DRIVE-THROUGH WASHING ESTABLISHMENT, AND CONVENIENCE FOOD ESTABLISHMENT. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF ANN ROAD AND NORTH 5TH STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-34-502-006.**

The application was presented by Marc Jordan, Planning Manager who explained a final development plan was previously approved for the site for another convenience food restaurant, but as a result of some amendments to the PUD, there was a condition that required the applicant to file a new final development plan for the site. According to the site plan, the applicant was complying with the parking requirements and had an overage of parking, which was consistent with the final development plan approved on the western side of the site, which required them to provide some of the parking on the eastern portion to meet all parking requirements. The applicant also showed a conceptual landscape plan and that they were complying with the landscaping along the southern property line where it was reduced in width and had provided more landscaping, but would be reviewed during the building permit stage. The building was redesigned and shows compliance with the Title 17 Design Criteria and also the conditions of the PUD. The applicant submitted elevations of the gas canopy, which show it was primarily a metal structure with a flat roof. In speaking with the applicant's representative, they indicated it could be redesigned to include more of a mansard style roof and wainscoting around the base of the column, which would match the primary building on the site. As part of the canopy, though the applicant did not request it, they would need a waiver to the sign criteria, as the maximum signage on a gas canopy was 20 percent and Staff estimates the signage to be approximately 40 percent; but, in the conditions of approval they were allowed 60 percent signage on the gas canopy, which would be consistent with the way ARCO AM/PM designs their logo and the blue stripe and was also consistent with another previously approved ARCO AM/PM at Cheyenne Avenue and Martin Luther King Boulevard. The applicant also showed there was possible future expansion, by approximately 700 square feet to the west of the convenience food restaurant. Staff was recommending approval of FDP-02-10 with the following conditions:

1. This development shall comply with all conditions of Ordinance Number 2519 (ZN-44-02).
2. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.

3. The gas canopy shall be redesigned to include a mansard roof design and wainscoting around the base of the columns to match the design of the primary building. The canopy shall also use similar material and colors of the primary building.
4. The gas canopy shall have recessed lighting.
5. The canopy signage shall be permitted to have a maximum of 60% coverage on each elevation to include the colored stripes and logo only.
6. Any future expansion of the building shall match the existing building in design, materials and building colors. Furthermore, a minimum six (6) feet of foundational landscaping shall be provided on the south and west sides of the expanded building area.

Gemie Knisely with GK3 Architecture, 2111 Edgewood Avenue, Las Vegas, NV 89102 appeared on behalf of the applicant indicating the site was essentially the same as a previous application with the improvements of the additional facade landscaping, where 11 foot was the minimum and they had also improved the building elevations based on previous comments and concurred with Staff recommendation.

Commissioner Jay Aston asked the applicant what kind of time frame they were looking at to start the project.

Ms. Knisely responded they should have the final zoning approvals in January, 2011 and would be getting started on the project approximately one year from that time.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner DePhillips

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

NAYS: None

ABSTAIN: None

7. **UN-67-10 (41767) LANTIS FIREWORKS STORAGE APEX (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LANTIS PRODUCTIONS, INC. ON BEHALF OF KAPEX LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW HAZARDOUS MATERIALS (PYROTECHNICS AND FIREWORKS STORAGE). THE PROPERTY IS LOCATED AT 13975 GRAND VALLEY PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 103-16-010-006.**

The application was presented by Robert Eastman, Principal Planner who explained the site was approximately 2,000 acres and the applicant was using a small portion of the site to place five 40 foot long storage containers. Two of the containers would have fireworks and the other three containers would be used to store equipment used for the fireworks shows. The applicant met with the Fire Department and had demonstrated compliance with the distance separation requirements in the Fire Code. The site was determined to be a less visible site and was well away from the state highways in the area; therefore, Staff was recommending approval of UN-67-10 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.

Matt Jorgensen of Lantis Productions, Inc., P.O. Box 491, Draper, UT 84020 appeared on behalf of the applicant indicating he concurred with Staff recommendation.

Chairman Dilip Trivedi opened the Public Hearing. There was no public participation.

Chairman Trivedi closed the Public Hearing.

Chairman Trivedi asked the applicant if this would be the only use on the property.

Mr. Jorgensen responded they were leasing a small section of a parcel from Kapex Industrial Park.

Commissioner Laura Perkins asked how the fireworks would be contained for safety.

Mr. Jorgensen responded that they followed all Federal ATF approved guidelines for storage and the products would be in shipping containers that were lined for sparking instances and had Federally approved locks and shields with sheeting on them and were very secure.

Chairman Trivedi asked Staff if this was the second use of this type in the Apex Area.

Mr. Eastman responded this was the second time a fireworks storage had come before the Commission, but the other site was located off of I-15 and Donovan Way.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Brown

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

NAYS: None

ABSTAIN: None

8. **VN-06-10 (41822) 4012 DOVE CREEK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SUE HRAJNOHA ON BEHALF OF JOAN RUBIN REVOCABLE TRUST, PROPERTY OWNER, FOR A VARIANCE IN AN R-1, SINGLE-FAMILY LOW DENSITY RESIDENTIAL DISTRICT TO ALLOW A SIX (6) FOOT HIGH FENCE WHERE FOUR (4) FEET HIGH IS THE MAXIMUM HEIGHT ALLOWED. THE PROPERTY IS LOCATED AT 4012 DOVE CREEK ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-06-416-030.**

The application was presented by Robert Eastman, Principal Planner who explained the site was located in an R-1, Single-family Residential District where, under normal circumstances, a fence would be allowed to be four feet of which the majority would be wrought iron. In this case, the applicant has constructed a six foot fence, which was predominantly wrought iron with three courses of concrete block and the remaining portion was tubular steel and the fence also has two six foot pilasters, made out of concrete block. The fence is already constructed and was built a number of years ago and was located at the back of sidewalk on the property line and was in the cul-de-sac of a developed neighborhood. From a Staff perspective, they do not feel the fence is a detriment to the neighborhood and was not a concern in regard to how it would comply with the Comprehensive Plan or how it would have any impact on the neighborhood; however, because the application was for a variance, the applicant must demonstrate that their lot had some unique circumstance that was different than other neighborhood lots in the area. Staff did not feel there was a unique circumstance, therefore, were recommending denial of VN-06-10.

The applicant was not present for comment.

Chairman Dilip Trivedi opened the Public Hearing. The following applicant came forward:

- **Kenneth Sprayberry, 4431 Cinderwood Court, North Las Vegas, NV** explained when he moved to the neighborhood nearly three years ago, the pilaster and concrete wall were there, but the additional fencing structure was constructed, he believed, without a permit within the past year and agreed with Staff recommendation.

Chairman Trivedi closed the Public Hearing.

Commissioner Steve Brown inquired if this item had been brought to the Commission due to a complaint or a citation.

Mr. Eastman responded there was a complaint lodged by a neighbor, so an inspection was made and it was determined the fence was not built with an approved building permit, so a notice of compliance was issued; therefore, the applicant was applying for a variance.

Chairman Dilip Trivedi asked what was typically done in these types of cases.

Mr. Eastman explained under normal circumstances, with any use that would have either a Building Department or Code compliance issue, a citation or notice to comply would be issued, if it required a building permit, then they would apply for the building permit as “as built” and come into compliance with the Building Code and it was handled administratively; but, because the fence was built and was not in compliance with the Zoning Code, the remedy was a variance, because the fence was over height. If it was against the Code in some other way, it may be required to be torn down and reconstructed to Code; but, because there was a remedy available to them, and in this case, it was to request a variance, they needed to request the variance. If the Commission chooses to deny the variance, it would be on the City’s responsibility through either Building or Code Enforcement to have the applicant fix the fence to come into compliance with Code.

Commissioner Jay Aston commented that whomever constructed the fence should have pulled a permit and the homeowner should have some recourse with the subcontractor who did the work. He would like to see the wrought iron lowered and since the applicant was not present, there could be no discussion on what could possibly be done, so the application could either be continued to allow that to happen or be denied.

Chairman Trivedi agreed with comments made by Commissioner Aston

Commissioner Joseph DePhillips agreed the application should be continued to allow the applicant to present their case.

Commissioner Brown did not feel the application should be continued and was not in support of the application and agreed with Staff recommendation for denial and also pointed out there was neighborhood opposition to the application.

Commissioner Laura Perkins agreed with Commissioner Brown that the application should be denied and also pointed out a neighbor showed up in opposition.

ACTION: DENIED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Brown

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

NAYS: None

ABSTAIN: None

Item No. 11 was heard next.

9. **SPR-15-07 (41644) DEER SPRINGS & NORTH 5TH. AN APPLICATION SUBMITTED BY CAMDEN DEVELOPMENT, INC. ON BEHALF OF CAMDEN OPERATING LP, PROPERTY OWNER, FOR AN EXTENSION OF TIME FOR A PREVIOUSLY APPROVED SITE PLAN REVIEW IN AN R-4, HIGH DENSITY RESIDENTIAL DISTRICT CONSISTING OF 214 MULTI-FAMILY UNITS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF DEER SPRINGS WAY AND NORTH 5TH STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-22-601-005.**

Item Nos. 9 and 10 were heard together.

It was requested by the applicant to continue SPR-15-07 to November 10, 2010.

ACTION: CONTINUED TO NOVEMBER 10, 2010

MOTION: Commissioner Leavitt

SECOND: Commissioner Perkins

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

NAYS: None

ABSTAIN: None

10. **SPR-16-07 (41643) DEER SPRINGS & GOLDFIELD. AN APPLICATION SUBMITTED BY CAMDEN DEVELOPMENT, INC. ON BEHALF OF CAMDEN OPERATING LP, PROPERTY OWNER, FOR AN EXTENSION OF TIME FOR A PREVIOUSLY APPROVED SITE PLAN REVIEW IN AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT CONSISTING OF 214 MULTI-FAMILY UNITS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF DEER SPRINGS WAY AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-22-701-011.**

Item Nos. 9 and 10 were heard together.

It was requested by the applicant to continue SPR-16-07 to November 10, 2010.

ACTION: CONTINUED TO NOVEMBER 10, 2010

MOTION: Commissioner Leavitt

SECOND: Commissioner Perkins

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

NAYS: None

ABSTAIN: None

Item No. 12 was heard next.

11. **SPR-08-10 (41772) ADESA LAS VEGAS. AN APPLICATION SUBMITTED BY ADESA, INC. ON BEHALF OF MELDRUM GERALDINE ANN AND MELDRUM FAMILY TRUST AND FLOYD A. & GERALDINE MELDRUM FAMILY TRUST FOR A SITE PLAN REVIEW IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW AN AUTOMOBILE AUCTION FACILITY ON 45.87 ACRES AND WAIVERS FROM DESIGN STANDARDS. THE PROPERTY IS LOCATED AT 801 EAST GOWAN ROAD AND 1000 EAST GOWAN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-11-201-004 AND 139-11-202-001.**

The application was presented by Robert Eastman, Principal Planner who explained the applicant was also requesting two waivers, one was a waiver to reduce the landscape buffer and one to waive the decorative wall requirement and allow a chainlink fence to be used around the perimeter of the site. The site was previously developed for outdoor manufacturing and some of the buildings were in compliance with the Industrial Design Standards and some were not and the applicant was proposing minor modifications to the buildings. There was a block wall around the majority of the site and the decorative block wall was located on part of Gowan Road along Bruce Street and along Gilmore Avenue. The applicant was requesting that the remaining portion, which was chainlink, be allowed to remain. The Industrial Design Guidelines would require that it be a decorative block wall and Staff was recommending that it be built as a decorative block wall. Originally, the site had approvals for outdoor manufacturing with a use permit and one of the conditions of the use permit was that a block wall would be built around all of the site as development occurred. With this application, the applicant was proposing to use the entire site; therefore, a block wall was appropriate per the original conditions of the use permit. Additionally, the applicant was requesting to reduce the required 20 feet of landscaping to the five feet of perimeter landscaping, which the site currently had, which Staff was supporting. Staff was recommending approval of SPR-08-10 with the following conditions:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. The development shall comply with the Industrial Development Standards, including but not limited to the following:
 - a. Foundation landscaping, a minimum of six (6) feet in width, in conjunction with a five (5) foot sidewalk is required for any customer entrance which exits into a parking area.
 - b. A minimum of five (5) feet of landscaping in conjunction with a five (5) foot sidewalk shall be provided along Gowan Road. Landscape areas must be planted with approved trees every 15 feet and a minimum of 60% ground coverage that can be achieved within two (2) years from the time a final inspection is issued. Landscape plans shall be submitted for staff review and approval.

- c. All bay doors facing the right-of-way shall be screened from view with a decorative block wall or intensive landscaping.
3. A decorative block wall, matching the existing block wall, a minimum six (6) feet in height, shall be provided along Gowan Road.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. Approval of a traffic study is required prior to submittal of the civil improvement plans.
6. If not already on file, the property owner shall grant a roadway easement for the commercial driveways.
7. Appropriate subdivision and/or parcel mapping may be 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.
8. Fire access lanes shall be marked to prohibit parking in accordance with the fire code.

John Hamilton of JHR Associates, 4880 West University Avenue #B-2, Las Vegas, NV 89103 appeared on behalf of the applicant indicating he concurred with Staff recommendation. He explained there were three areas that had a block wall located on site and it was proposed to take that block wall and move it to the perimeter and to take the perimeter parking area and make it an internal parking area, which was not in the original site plan. He pointed out the wall was currently existing on the site and they just wanted to move it to the perimeter of the site. Mr. Hamilton stated the concept of the site remained unchanged, except that the main building size had slightly increased.

Brett Roland, Sr. Vice-President of Adesa Corporation, 13085 Hamilton Crossing Blvd, Carmel, IA 46032 stated they were playing with the size of the buildings, nothing excessive. They would be increasing the recon building from 54,693 to 58,318, the mechanic shop would remain the same, the new arena and the new building would go from 54,000 feet to 58,318 and they were adding a lane to the back of the structure to handle another auction lane.

Mr. Hamilton stated it should be noted that with the increase of the square footage of the buildings, there was adequate parking.

Mr. Roland pointed out on the site plan there was a building owned by the trust that would be moved to another location and the Trust would be filing an application for that.

Chairman Dilip Trivedi asked Staff if the applicant would need to submit a new site plan or if the changes could be handled administratively.

Mr. Eastman asked the applicant if the site plan presented to the Commission indicated the changes verbally given.

Mr. Hamilton explained the decision to move the wall to the perimeter of the site was made yesterday. They had no objection to constructing the wall as recommended.

Mr. Roland stated if Staff had a problem with the changes, they would take it off the table and re-approach it at a later date. The goal was to start construction in November and they would like to have the facility open by March 2011.

Mr. Eastman stated that based on the information that was verbally given and comparing it to what was shown, the changes were minor and Staff did not have any concerns.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Perkins

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

NAYS: None

ABSTAIN: None

Public Forum was heard next.

OLD BUSINESS

12. **SPR-06-10 (41583) IN-N-OUT BURGER. AN APPLICATION SUBMITTED BY IN-N-OUT BURGERS, A CALIFORNIA CORPORATION ON BEHALF OF MORGAN FAMILY TRUST LTD PARTNERSHIP, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW A 65 FOOT HIGH FREESTANDING SIGN WHERE AN 18 FOOT HIGH FREESTANDING SIGN IS THE MAXIMUM ALLOWED AND TO ALLOW 300 SQUARE FEET OF SIGN AREA WHERE 125 SQUARE FEET IS THE MAXIMUM ALLOWED. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CRAIG ROAD AND BERG STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-01-302-006. (CONTINUED SEPTEMBER 8, 2010)**

It was requested by the applicant to withdraw SPR-06-10.

ACTION: WITHDRAWN

Item No. 1 was heard next.

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

There was no report given.

CHAIRMAN'S BUSINESS

Chairman Dilip Trivedi reported he had received an e-mail from American Planners Association which showed the John S. Park neighborhood in Las Vegas as one of the top ten neighborhoods in the country and asked if there was any interest in having a walking tour of the neighborhood.

ADJOURNMENT

The meeting adjourned at 7:00 p.m.

APPROVED: November 10, 2010

/s/ Dilip Trivedi
Dilip Trivedi, Chairman

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