

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

May 9, 2012

BRIEFING: 5:30 P.M., Caucus Room, 2250 Las Vegas Boulevard North, North Las Vegas, Nevada

CALL TO ORDER: 6:00 P.M., Council Chambers, 2250 Las Vegas Boulevard North, North Las Vegas, Nevada

WELCOME: Chairman Steve Brown

ROLL CALL: Chairman Steve Brown - Present
Vice-Chairman Dilip Trivedi - Present
Commissioner Dean Leavitt - Present
Commissioner Jay Aston - Present
Commissioner Laura Perkins - Present
Commissioner Sylvia Joiner-Greene - Present
Commissioner Willard Ewing - Present

STAFF PRESENT: Frank Fiori, Community Development Director
Marc Jordan, Planning Manager
Robert Eastman, Principal Planner
Sandra Morgan, Deputy City Attorney
Jennifer Doody, PW Development & Flood Control
Jeff Herb, Public Works Traffic Engineer
Carolyn White, Police Department
Curt Kroeker, Utilities Department
Jo Ann Lawrence, Recording Secretary

VERIFICATION: Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE: Commissioner Dean Leavitt

PUBLIC FORUM

There was no public participation.

MINUTES

- **APPROVAL OF MINUTES FOR THE PLANNING COMMISSION MEETING OF APRIL 11, 2012. (FOR POSSIBLE ACTION)**

ACTION: APPROVED

MOTION: Commissioner Perkins

SECOND: Commissioner Leavitt

AYES: Chairman Brown, Vice-Chairman Trivedi, Commissioners Leavitt, Aston, Perkins, Joiner-Greene and Ewing

NAYS: None

ABSTAIN: None

NEW BUSINESS

1. **ZN-53-02 (44511) JOSHUA HILLS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY BEN YOUNG / UPTOWN BLUE LLC, PROPERTY OWNER, FOR AN AMENDMENT TO AN EXISTING PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW 180 CONDOMINIUMS ON THE NORTHERN 10 ACRES OF THE PUD WHERE 168 APARTMENTS WERE ORIGINALLY APPROVED. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF STATZ STREET AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-25-112-029 THRU 112, 124-25-112-141 THRU 158, 124-25-112-181 THRU 238, 124-25-112-306 THRU 325, 124-25-112-337 AND 338. (FOR POSSIBLE ACTION)**

The application was presented by Robert Eastman, Principal Planner who explained the proposed development would be under 13 units per acre at a density of 11.6. The PUD was originally approved in 2002 and since that time, all of the single family homes and three of the condominium buildings had been built and the majority of the recreation. The park for the single family homes and the recreation center for the condominiums had been constructed. The applicant was proposing to build the remaining three buildings and the three new buildings would have 12 additional units than what was originally approved requiring the need to amend the PUD. The landscaping and open space requirements under the new code had been met; but the applicant was asking for consideration to allow tandem parking spaces. There were 24 tandem parking spaces being proposed and under normal circumstances they would not be allowed by code. They were allowed in limited circumstances in the downtown Redevelopment Area in commercial areas using a parking attendant; however, with the PUD, the applicant requested that tandem parking be considered, which was in the Commission's purview. Staff was okay with the tandem spaces if they were assigned to individual units. If they were to be used for multiple units or for guests, Staff would not support them. Originally, the existing site plan met most of the open space requirements using balconies, which the old code allowed an overage in balcony space to be counted as open space, which the new codes does not allow; so, the new plan has larger open space areas between the buildings. Overall, Staff was in support of the requested amendment to the PUD. The development was short seven parking spaces, five of which must be covered, which was a minor change. Staff was recommending approval of ZN-53-02 subject to the following conditions:

1. That a traffic study is required.
2. That a comprehensive drainage study is required.
3. That dedication of perimeter streets is required and offsite improvements are to be as required by the Director of Public Works.

4. That approval of this application does not imply a commitment to the City for utility service to the subject property. A utility commitment will only be issued upon compliance with the requirements and conditions set forth in the Utility Service Commitment Policy Guidelines available from the Utilities Department
5. That landscaping shall be provided in accordance with ordinance requirements.
6. That the driveway location and parking plan for the site shall be subject to Planning Commission review and approval.
7. That the final development plan for the site shall be subject to Planning Commission review and approval.
8. That the development shall comply with all applicable codes and ordinances.
9. That development shall comply with all applicable requirements of Title 16 and NRS 278.
10. That the Clark County Regional Flood Control must review the map prior to submittal of a final map.
11. That prior to submittal of a final map, street names shall be submitted to and approved by the Fire Alarm Office and the U.S. Postal Service.
12. That rear and/or side yard vehicular access for those lots adjacent to arterial streets, eighty feet (80') in width or greater, shall be prohibited.
13. That the developer prior to submittal of a final map, shall provide staff with graphic illustrations that the proposed dwelling unit may be located on irregularly shaped lots without necessitating special consideration by the Planning Commission.
14. That the tentative map shall show building setback lines in order to determine the minimum lot widths on gore-shaped lots.
15. That street construction must conform to current engineering standards and City Ordinances.
16. That technological design comments will be made at the time of development plans are submitted.
17. That some interior streets may require minor revisions as required by the Traffic Engineer.
18. That a water network analysis must be provided prior to development.

19. Any known geologic hazards shall be shown on the plans. The presence of such hazards may substantially alter the design of the Tentative Map layout.
20. The owner/developer is responsible for extending public utilities to the site.
21. Applicant shall dedicate right of way as follows:
 - a. Thirty feet (30.00') for Azure Avenue
 - b. Forty feet (40.00') for Statz Street.
 - c. Fifty feet (50.00') for Centennial Parkway
 - d. Additional right of way for the flared intersection at Centennial Parkway and Statz Street per Uniform Standard Drawings for Public Works' Construction Off-Site Improvements Drawing Number 201.1.
 - e. Bus turn out on Statz Street south of Centennial Parkway.
22. The landscape area along Centennial Parkway shall be increased as needed to accommodate the Nevada Power transmission line easement.
23. The stub street design on the single family portion of the project requires the streets to be privately maintained. If the applicant chooses to have publicly maintained streets, the stub streets must be revised to include a cul-de-sac with a minimum twenty-four foot (24.0') back of curb radius.
24. The entrance on Statz Street shall have an electric gate that is installed and maintained by the property owner and/or homeowner's association.
25. That all open space acreage, amenities and requirements shall be provided in accordance with the Zoning Ordinance; and
26. That each residential unit in the multi-family portion of the development shall be provided with fire sprinklers with alarms transmitted off-site to a central station; and
27. That each residential unit in the detached portion of the development shall be provided with fire sprinklers for fire suppression, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map; and
28. That a minimum two means of access shall be provided for every group of 25 or more residential units; and
29. That Fire access lanes shall be provided to all buildings in accordance with the requirements of the Fire Code; and
30. That the preliminary development plan be revised to identify a minimum two ADA-compliant pedestrian access ways onto Statz Street and a minimum two ADA-compliant access ways onto Azure Avenue; and

31. That the development comply with the Single Family Design Guidelines; and
32. That a swimming pool will be provided in the multi-family portion of the development; and
33. That the following setbacks apply:
 - a. Front: Fifteen (15) feet, provided all garages maintain a 20-foot front setback.
 - b. Interior side: Five (5) feet.
 - c. Corner side: Ten (10) feet.
 - d. Rear yard: Fifteen (15); and
34. That a final development plan be submitted for review and approval by the Planning Commission prior to the issuance of any residential construction permits. The final development plan shall identify colors, materials and elevations for the dwellings, as well as all amenities and design elements pertaining to the parks, recreation areas and open space; and
35. That a minimum one-third of the required park area be constructed prior to the issuance of the 30th building permit; and
36. That all of the required park areas be constructed prior to the issuance of the 60th building permit; and
37. That the five-foot (5.00') sidewalk along Centennial Parkway be separated from the back-of-curb by a minimum five feet (5.00') of landscaping; and
38. That the perimeter walls be owned and maintained by the homeowners' association; and
39. That corner side yard landscaping be maintained by the homeowners' association; and
40. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping; and
41. That CC&R's be reviewed and approved by the Development Services Department prior to recording any final map; and
42. That perimeter landscaping of the exterior street perimeter be designated as "Common Elements" and that interior perimeter landscaping commonly described as corner side yard landscaping be addressed as allowed for in the North Las Vegas Municipal Code Section 17.24.210(E); and
43. That plastic, vinyl and similar materials not be permitted as part, or in whole, for the construction of any walls or fences within this development; and

44. That lot numbers, sizes (in square feet), and dimensions be provided on the revised preliminary development plan; and
45. That open space calculations, including dimensions and square feet, be provided for each individual area on the revised preliminary development plan; and
46. That the development of this site be in compliance with all Codes and Ordinances in effect at the time of building permit issuance. If there is a conflict with the conditions mentioned herein, the more restrictive shall apply; and
47. That eight (8) copies of the revised preliminary development plan, incorporating all conditions mentioned herein, be submitted to the Development Services Department prior to the issuance of any construction permits; and
48. That all conditions mentioned herein be satisfied prior to recording any final map.
49. Approval of a drainage study is not required prior to submittal of the civil improvement plans if the same finished floor elevations shown in the approved drainage study are used, otherwise, approval of a drainage study is required prior to submittal of the civil improvement plans.
50. Appropriate 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.
51. A minimum of two benches per courtyard shall be provided within the courtyards of the three buildings.
52. A maximum of 28 tandem parking spaces shall be utilized within the development. The tandem spaces shall be used as assigned parking for individual units.

Gary Leobold, and Ben Young (no address stated) appeared on the application. Mr. Leobold explained the modifications to the project and indicated he concurred with Staff recommendation.

Mr. Young indicated there would be an 18 month build-out and explained how the construction traffic would be handled.

Chairman Steve Brown asked if there were driveways on Building "C".

Mr. Young explained there was and there would be parking spaces in front of the garage, which were the tandem spaces.

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

Chairman Brown closed the Public Hearing.

Commissioner Laura Perkins pointed out the current parking for the development was too narrow and liked the parking design shown for the additional buildings.

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

MOTION: Commissioner Perkins

SECOND: Commissioner Joiner-Greene

AYES: Chairman Brown, Vice-Chairman Trivedi, Commissioners Leavitt, Aston,
Perkins, Joiner-Greene and Ewing

NAYS: None

ABSTAIN: None

2. **UN-14-12 (44517) LA MOJARRAS LOCA #2 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LA MOJARRA LOCA #2 ON BEHALF OF LAKE MEAD MANAGEMENT CORPORATION, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN R-A/DC, REDEVELOPMENT AREA / DOWNTOWN CORE DISTRICT TO ALLOW THE "ON-SALE" OF BEER AND WINE IN CONJUNCTION WITH A RESTAURANT. THE PROPERTY IS LOCATED AT 3210 EAST LAKE MEAD BOULEVARD, SUITES 4, 5 AND 6. THE ASSESSOR'S PARCEL NUMBER IS 139-24-601-002. (FOR POSSIBLE ACTION)**

The application was presented by Robert Eastman, Principal Planner who explained there was previously a use permit for the on-sale of beer and wine approved in 2001 and since that time, that restaurant went out of business and their use permit lapsed and was null and void. With the current application, the applicant was requesting on-sale of beer and wine and previous to their approval, there was an existing church that was within 400 feet. The applicant was requesting a waiver of the 400 foot separation and were in compliance with parking requirements. Under normal circumstances, Staff does and does not support waivers, but in this instance, because the use was existing and the church was on a temporary interim use, did not occupy the same site and did not have shared access, it was felt the waiver was warranted, so were in support of UN-14-12 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 special use permit is site-specific and non-transferable.

Cathy Villanueva, 3210 East Lake Mead Boulevard #4, North Las Vegas, NV 89030 appeared on the application and explained the church was only open one night per week and concurred with Staff recommendation.

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

Chairman Brown closed the Public Hearing.

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

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Trivedi

AYES: Chairman Brown, Vice-Chairman Trivedi, Commissioners Leavitt, Aston, Perkins, Joiner-Greene and Ewing

NAYS: None

ABSTAIN: None

3. **VAC-03-12 (44515) SOLAR ENERGY PROJECT @ MOUNTAIN VIEW INDUSTRIAL PARK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY FOTOWATIO NEVADA SOLAR LLC, PROPERTY OWNER, TO VACATE A PORTION OF A PUBLIC DRAINAGE EASEMENT. THE EASEMENT IS LOCATED ON PROPERTY NORTH OF THE PROPOSED GARNET VALLEY BOULEVARD AND APPROXIMATELY 2640 FEET WEST OF APEX POWER PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 103-17-010-001. (FOR POSSIBLE ACTION)**

The application was presented by Marc Jordan, Planning Manager who explained the applicant was proposing the vacation so access can be granted to NV Energy to an on-site switch yard. Staff was recommending approval of VAC-03-02 subject to the following conditions:

1. A public ingress/egress easement for the purpose of maintenance access shall be reserved over the area to be vacated.
2. A public utility easement shall be recorded prior to the recordation of this vacation.

Lori Freund, Triton Engineering, 6757 West Charleston Boulevard, Suite B, Las Vegas, NV 89146 appeared on behalf of the applicant indicating she concurred with Staff recommendation.

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

Chairman Brown 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 Brown, Vice-Chairman Trivedi, Commissioners Leavitt, Aston,
Perkins, Joiner-Greene and Ewing**

NAYS: None

ABSTAIN: None

4. UN-13-12 (44504) DELIVERANCE THROUGH THE WORD APOSTOLIC CHURCH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DELIVERANCE THROUGH THE WORD APOSTOLIC CHURCH ON BEHALF OF BERRY TRUST AND BERRY RUDY S. JR. AND FRANCES MITRAS, PROPERTY OWNERS, FOR A SPECIAL USE PERMIT IN A PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A CHURCH. THE PROPERTY IS LOCATED AT 3440 WEST CHEYENNE AVENUE, SUITE 200. THE ASSESSOR'S PARCEL NUMBER IS 139-08-417-004. (FOR POSSIBLE ACTION)

The application was presented by Marc Jordan, Planning Manager who explained the applicant indicated their services would be on Sunday between 9 a.m. and 2 p.m., Wednesday from 6 p.m. to 9 p.m., and every quarter on Friday evening from 6 p.m to 9 p.m. The church is occupying 1300 square feet of an office complex. Two cards were received in support of the application. Staff was recommending approval of UN-13-12 subject to 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 applicant must apply for a change of occupancy with the Building Safety Division of the City of North Las Vegas. (Any applications for a tenant improvement will simultaneously satisfy this condition.) The change of occupancy must be approved by the City prior to occupancy.
3. A fire alarm system may be required.
4. A fire sprinkler system may be required.

Paula Cheney, 7648 Flat Creek Street, Las Vegas, NV 89131 appeared on the application indicating she concurred with Staff recommendation.

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

Chairman Brown closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Chairman Brown

AYES: Chairman Brown, Vice-Chairman Trivedi, Commissioners Leavitt, Aston, Perkins, Joiner-Greene and Ewing

NAYS: None

ABSTAIN: None

5. VAC-02-12 (44509) CITY AUTO PICK APART (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LAS VEGAS RECYCLING DBA LV RECYCLING ON BEHALF OF SUSAN CANNAVO, PROPERTY OWNER, TO VACATE CRUTCHFIELD AVENUE LOCATED APPROXIMATELY 400 FEET NORTH OF MILLER AVENUE AND EAST OF COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-22-501-009. (FOR POSSIBLE ACTION)

The application was presented by Marc Jordan, Planning Manager who explained the street was originally dedicated to allow access to a building, which was no longer there and also in accordance with the conditions of approval for the recycling operation, the applicant was required to apply for the vacation. Staff was recommending approval of VAC-02-12 subject to the following conditions:

1. The roadway easement for the commercial driveway, the public drainage easement, and the public utility easement shall be recorded prior to the recordation of this vacation.
2. The vacation shall record concurrently with approval of the civil improvement plans for the associated use permit (UN-09-12). A roadway easement for a commercial driveway may be required at that time, depending upon the type of driveway installed.
3. Prior to recording the vacation, the applicant shall provide a notarized letter from the adjacent property owner (APN 139-22-501-011, presently owned by ALSCO INC.) Stating that said owner has no objection to the vacation of Crutchfield Avenue -or- the applicant shall provide a copy of a recorded private access agreement with the adjacent property owner (APN 139-22-501-011).

Lucy Stewart, 3900 Meadows Lane, Las Vegas, NV appeared on behalf of the applicant indicating she concurred with Staff recommendation.

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

Chairman Brown 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 Brown, Vice-Chairman Trivedi, Commissioners Leavitt, Aston,
Perkins, Joiner-Greene and Ewing**

NAYS: None

ABSTAIN: None

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 6:29 p.m.

APPROVED: June 13, 2012

/s/ Steve Brown
Steve Brown, Chairman

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