

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

July 11, 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 Jay Aston - Present  
Commissioner Laura Perkins - Present  
Commissioner Sylvia Joiner-Greene - Present  
Commissioner Willard Ewing - Present  
Commissioner Nelson Stone – Present  
Commissioner Felix Acevedo - Absent

**STAFF PRESENT:** Marc Jordan, Planning Manager  
Robert Eastman, Principal Planner  
Sandra Morgan, Deputy City Attorney  
Jennifer Doody, Development & Flood Control  
Eric Hawkins, Public Works, Traffic  
Kent Chang, Utilities Department  
Jo Ann Lawrence, Recording Secretary

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

**PLEDGE OF ALLEGIANCE:** Commissioner Laura Perkins

- **PRESENTATION TO OUTGOING COMMISSIONERS DEAN LEAVITT AND DILIP TRIVEDI FOR THEIR YEARS OF SERVICE ON THE PLANNING COMMISSION.**

Awards were presented to outgoing Commissioners Leavitt and Trivedi.

Chairman Steve Brown welcomed Commissioner Nelson Stone to the Board and opened election for officers.

**ELECTION OF PLANNING COMMISSION OFFICERS** (For possible action)

ACTION: STEVE BROWN CHAIRMAN

MOTION: Commissioner Perkins

SECOND: Commissioner Aston

AYES: Chairman Brown, Commissioners Aston, Perkins, Joiner-Greene, Ewing and Stone

NAYS: None

ABSTAIN: None

ACTION: JAY ASTON VICE-CHAIRMAN

MOTION: Commissioner Joiner-Greene

SECOND: Commissioner Perkins

AYES: Chairman Brown, Commissioners Aston, Perkins, Joiner-Greene, Ewing and Stone

NAYS: None

ABSTAIN: None

**PUBLIC FORUM**

There was no public participation.

**MINUTES**

- **APPROVAL OF MINUTES FOR THE PLANNING COMMISSION MEETING OF JUNE 13, 2012 (FOR POSSIBLE ACTION)**

ACTION: APPROVED

MOTION: Commissioner Perkins

SECOND: Vice-Chairman Aston

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

NAYS: None

ABSTAIN: None

### NEW BUSINESS

1. **AMP-04-12 (44685) SILVERLEAF BUSINESS PARK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CORNERSTONE LV, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF EMPLOYMENT TO NEIGHBORHOOD COMMERCIAL. THE PROPERTY IS LOCATED AT 5710 SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-29-801-007. (FOR POSSIBLE ACTION)**

Item Nos. 1 and 2 were presented together.

The application was presented by Marc Jordan, Planning Manager who explained some history on the property. The Comprehensive Plan was amended in October, 2001 changing the land use from Low Density Residential to an Office designation and then in 2006, when the new Comprehensive Plan was adopted, the land use designation was changed from Office to Employment. In December, 2001, the applicant received a property reclassification from R-E Ranch Estates District to the current zoning of C-P Professional Office Commercial. In 2003 the property owner applied to re-zone the property to Neighborhood Commercial and C-1, which was not supported by Staff and the application was withdrawn by the applicant prior to Planning Commission consideration. In the current Comprehensive Plan, the characteristics and location for Employment uses are generally located along major arterials and Simmons Street was a 100 foot right-of-way. The purpose of the C-P, Professional Office Commercial District was to provide for development of certain low intensity businesses, such as professional offices that were in harmony and compatible with the surrounding and adjacent residential neighborhood. When Staff visited the site, it appeared there were 10 suites available and six were occupied. The characteristics and location for Neighborhood Commercial land uses should have direct relationship to adjacent or nearby residential communities in their use, accessibility, scale and character and should be located at the intersection of two 80 foot streets or at the intersection of a collector and an arterial. On the surface, the proposed request may appear to be an appropriate land use for the area, but upon review by Staff, the more intense land uses to the south and west which were C-1 as compared to the C-P and then you look at the uses to the north, specifically the day care center to the north and the church to the northeast and the residential the west, the current land use appears to serve as an appropriate buffer between the C-1 neighborhood commercial uses and the day care and church and the residential uses to the north. When looking at some of the uses that

may be allowed in a C-1 District such as some of the on-sale and off-sale and payday lending type uses, there are buffering and separation requirements from day care, residential and churches and changing the zoning to C-1 could possibly bring in allowed uses that would not meet the separation requirements; thereby given the existing use or the existing zoning and land use as appropriate buffers between the commercial to the south and the churches and day care and residential to the north and west. In the staff report, Staff listed the criteria for Comprehensive Plan Amendments and it indicates the circumstances surrounding the site has not changed since the land use was amended in 2001, or the proposed amendment in 2003 and later with the adoption of the current Comprehensive Plan in 2006; so, over the years it does not appear the circumstances surrounding the site have changed enough to warrant a different recommendation from Staff to support the request. In addition, it appears there are plenty of opportunities for commercial business in close proximity to the subject site. The existing land use would serve as an appropriate buffer to the more intense uses to the south. Staff recommended denial of AMP-04-12 and ZN-06-12. Mr. Jordan added that two cards were received in support of AMP-04-12 and three cards in support of ZN-06-12.

**Jim and Victoria Rothermel, owner of Silverleaf Business Park, 1930 Village Center Circle #3-393, Las Vegas, NV 89134** appeared on the application explaining the two major issues were the buffering of the zoning and the economic need for the zone change. He had a letter from Kids Campus indicating they approved of the use. He also showed some pictures of the surrounding area and felt the buffering was sufficient. He explained they planned to put in a salon in the suite facing Simmons Avenue and felt the use being proposed fit in with the required buffering. His vacancy factor was at 40 percent and he was having trouble keeping his suites occupied. He also stated they would not be putting in any bars.

Victoria Rothermel explained salon studios had come in very strong in the City and would bring class to the area.

Chairman Steve Brown asked Staff if a variance could be given for the salon.

Mr. Jordan responded a variance was dimensional and not allowed, as they were for items like a setback or a height issue.

Chairman Brown asked if it could be allowed as a special use.

Mr. Jordan responded a salon was not allowed as a special use in C-P but was allowed in C-1 and explained a text amendment to the Zoning Ordinance would be required to allow a salon in C-P zoning.

Mr. Rothermel felt C-1 was appropriate for the area and did not understand why the buffering was a problem.

Commissioner Nelson Stone asked Staff if an AMP was required to go to City Council.

Mr. Jordan responded an Amendment to the Master Plan (AMP) and a re-zoning (ZN) required City Council approval. He explained an AMP went automatically to City Council for consideration whether it was approved or denied by the Commission and if a ZN was denied by the Commission, action would stop unless it was appealed to City Council and if it was approved by the Commission, it would be forwarded to City Council for final consideration.

Commissioner Stone asked if a super majority vote was required only for the AMP or also for the ZN.

Mr. Jordan responded a super majority was only required for the AMP.

Commissioner Stone asked Staff to list some of the uses that were allowed in C-1.

Mr. Jordan responded a C-1 allowed more retail type uses. On-sale, off-sale, and payday loan type uses were more specific and had separation requirements and in this case, with the church, residential and daycare, they were impacted by those types of uses. When looking at a Neighborhood Commercial District, you were looking at low intense retail type uses, hobby store and markets. In this case, if it was felt a beauty salon would be an acceptable use, then a text amendment would be the way to go versus re-zoning and opening it up to more uses that were not compatible with surrounding uses.

Chairman Brown asked what was involved in a text amendment.

Mr. Jordan explained there would be an application with a \$400 filing fee, for the applicant to request that the zoning ordinance be amended to allow the use as a special use or a principally permitted use in that district. There were also other ways to do a text amendment. Council or the Planning Commission could direct Staff to prepare a text amendment or the property owner could apply for the text amendment.

Commissioner Laura Perkins asked if the Commission were to request the text amendment, if the applicant would have to do anything further.

Mr. Jordan explained if the Commission were to direct Staff to prepare a text amendment, then Staff would create the application and prepare the amendment,

present it to the Commission and if approved, it would be forwarded to City Council for final consideration.

Commissioner Willard Ewing asked what percentage of the C-1 property in the area of the proposed site was leased.

Mr. Jordan responded when Staff drove the area, it appeared most of the properties were leased.

Commissioner Ewing asked the applicant if they had someone interested in leasing the site for a salon.

Mr. Rothermel responded him and his wife would own the salon, explaining rooms would be created and each room would be leased to individual technicians. It would take \$50 to \$75 thousand dollars to add plumbing so each room would have a sink. It would also give them control over the building.

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

Chairman Brown closed the Public Hearing.

Chairman Brown stated he would like to see the applicant be allowed to put in a salon, but was not in support of amending the master plan or a zone change. If the amendment was supported, in the past, the zoning could be addressed, but if not, Staff could be requested to do a text amendment.

Commissioner Jay Aston asked if the AMP were approved, the zoning would stop until the application went to City Council.

It was explained, the AMP would go to City Council whether it was approved or denied.

Mr. Rothermel asked if the major problem was the buffering issues, because he was more buffered than the other properties. He understood there was a problem rezoning to C-1 because it would allow uses that were not appropriate for the area.

Mr. Jordan suggested if there was a desire by the Commission to allow the beauty salon, that Staff be directed to come back with a text amendment and allow it to run its course and if it was approved, it would meet the needs of the applicant and suggested the applicant continue the applications for 60 to 90 days to allow Staff to run the course of action through the Commission and City Council. If the text amendment was approved, the applicant could withdraw the applications.

Chairman Brown asked if a vote would be required to take the suggested course of action.

Mr. Jordan explained the applicant would need to request a continuance and then the Commission would direct Staff to prepare a text amendment.

Commissioner Brown asked the applicant if he understood the suggested course of action.

Commissioner Laura Perkins asked if a salon could be considered a professional office use like a counselling business that has separate offices that were leased out.

Robert Eastman, Principal Planner explained it could not, as there was a distinct definition for personal services which included dry cleaners, salons and barbers, which was not allowed in a C-P District but was a principally permitted use in a C-1 District.

After discussion, the applicant requested an up/down vote.

**ACTION: DENIED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION**

**MOTION: Vice-Chairman Aston**

**SECOND: Commissioner Stone**

**AYES: Chairman Brown, Vice-Chairman Aston, Commissioners Perkins, Joiner-Greene, Ewing and Stone**

**NAYS: None**

**ABSTAIN: None**

2. **ZN-06-12 (44684) SILVERLEAF BUSINESS PARK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CORNERSTONE LV, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A C-P, PROFESSIONAL OFFICE COMMERCIAL DISTRICT TO A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT 5710 SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-29-801-007. (FOR POSSIBLE ACTION)**

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the existing zoning and land use as appropriate buffers between the commercial to the south and the churches and day care and residential to the north and west. In the staff report, Staff listed the criteria for Comprehensive Plan Amendments and it indicates the circumstances surrounding the site has not changed since the land use was amended in 2001, or the proposed amendment in 2003 and later with the adoption of the current Comprehensive Plan in 2006; so, over the years it does not appear the circumstances surrounding the site have changed enough to warrant a different recommendation from Staff to support the request. In addition, it appears there are plenty of opportunities for commercial business in close proximity to the subject site. The existing land use would serve as an appropriate buffer to the more intense uses to the south. Staff recommended denial of AMP-04-12 and ZN-06-12. Mr. Jordan added that two cards were received in support of AMP-04-12 and three cards in support of ZN-06-12.

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Victoria Rothermel explained salon studios had come in very strong in the City and would bring class to the area.

Chairman Steve Brown asked Staff if a variance could be given for the salon.

Mr. Jordan responded a variance was dimensional and not allowed, as they were for items like a setback or a height issue.

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Commissioner Stone asked if a super majority vote was required only for the AMP or also for the ZN.

Mr. Jordan responded a super majority was only required for the AMP.

Commissioner Stone asked Staff to list some of the uses that were allowed in C-1.

Mr. Jordan responded a C-1 allowed more retail type uses. On-sale, off-sale, and payday loan type uses were more specific and had separation requirements and in this case, with the church, residential and daycare, they were impacted by those types of uses. When looking at a Neighborhood Commercial District, you were looking at low intense retail type uses, hobby store and markets. In this case, if it was felt a beauty salon would be an acceptable use, then a text amendment would be the way to go versus re-zoning and opening it up to more uses that were not compatible with surrounding uses.

Chairman Brown asked what was involved in a text amendment.

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Commissioner Laura Perkins asked if the Commission were to request the text amendment, if the applicant would have to do anything further.

Mr. Jordan explained if the Commission were to direct Staff to prepare a text amendment, then Staff would create the application and prepare the amendment, present it to the Commission and if approved, it would be forwarded to City Council for final consideration.

Commissioner Willard Ewing asked what percentage of the C-1 property in the area of the proposed site was leased.

Mr. Jordan responded when Staff drove the area, it appeared most of the properties were leased.

Commissioner Ewing asked the applicant if they had someone interested in leasing the site for a salon.

Mr. Rothermel responded him and his wife would own the salon, explaining rooms would be created and each room would be leased to individual technicians. It would take \$50 to \$75 thousand dollars to add plumbing so each room would have a sink. It would also give them control over the building.

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

Chairman Brown closed the Public Hearing.

Chairman Brown stated he would like to see the applicant be allowed to put in a salon, but was not in support of amending the master plan or a zone change. If the amendment was supported, in the past, the zoning could be addressed, but if not, Staff could be requested to do a text amendment.

Commissioner Jay Aston asked if the AMP were approved, the zoning would stop until the application went to City Council.

It was explained, the AMP would go to City Council whether it was approved or denied.

Mr. Rothermel asked if the major problem was the buffering issues, because he was more buffered than the other properties. He understood there was a problem rezoning to C-1 because it would allow uses that were not appropriate for the area.

Mr. Jordan suggested if there was a desire by the Commission to allow the beauty salon, that Staff be directed to come back with a text amendment and allow it to run its course and if it was approved, it would meet the needs of the applicant and suggested the applicant continue the applications for 60 to 90 days to allow Staff to run the course of action through the Commission and City Council. If the text amendment was approved, the applicant could withdraw the applications.

Chairman Brown asked if a vote would be required to take the suggested course of action.

Mr. Jordan explained the applicant would need to request a continuance and then the Commission would direct Staff to prepare a text amendment.

Commissioner Brown asked the applicant if he understood the suggested course of action.

Commissioner Laura Perkins asked if a salon could be considered a professional office use like a counselling business that has separate offices that were leased out.

Robert Eastman, Principal Planner explained it could not, as there was a distinct definition for personal services which included dry cleaners, salons and barbers, which was not allowed in a C-P District but was a principally permitted use in a C-1 District.

After discussion, the applicant requested an up/down vote.

**ACTION: DENIED**

**MOTION: Commissioner Perkins**

**SECOND: Vice-Chairman Aston**

**AYES: Chairman Brown, Vice-Chairman Aston, Commissioners Perkins, Joiner-Greene, Ewing and Stone**

**NAYS: None**

**ABSTAIN: None**

**ACTION: STAFF DIRECTED TO PREPARE A TEXT AMENDMENT TO ALLOW A SALON AS A SPECIAL USE IN A C-P, PROFESSIONAL OFFICE COMMERCIAL DISTRICT.**

**MOTION: Vice-Chairman Aston**

**SECOND: Commissioner Joiner-Greene**

**AYES: Chairman Brown, Vice-Chairman Aston, Commissioners Perkins, Joiner-Greene, Ewing and Stone**

**NAYS: None**

**ABSTAIN: None**

3. **UN-21-12 (44727) BUDGET CAR AND TRUCK SALES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JOHN W MALLO ON BEHALF OF NELLIS CORNER LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW A VEHICLE SALES AND RENTAL FACILITY. 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. (FOR POSSIBLE ACTION)**

The application was presented by Marc Jordan, Planning Manager who explained the applicant was proposing to develop a single-story building that would be approximately 17,000 square feet, which would contain an office and sales area along with service bays for the facility. The site plan showed 15 feet of landscaping with a five foot sidewalk next to Craig Road and Lamb Boulevard and 10 feet of landscaping along the south property line where multi-family residential was located. The zoning ordinance required 20 feet of landscaping; therefore, the applicant would have to amend the plan to bring it into compliance. There was a wrought iron fence along Craig Road and Lamb Boulevard at the back of sidewalk for the display area only. Staff was recommending the fence be moved back five feet to be behind the required landscaping. Some of the landscape islands in the parking lot were shy of the required six feet in width which would be a minor change. The trash enclosure was shown 10 feet from the southern property line, which was required to be 30 feet. Normally the standards for vehicle sales, do not allow displays at the corner and the building was required to be pushed up, but could be waived by the Commission. Staff believed the building location was okay, because if the building were moved up to the front corner, the service bays would also be moved and it would bring the traffic into the side of the building closer to the residential area. Prior to completing the Staff Report, Staff met with the applicant and architect, and discussed the changes, which would be minor and could be reviewed during the building permit process and the applicant and architect agreed. Staff recommended approval of UN-21-12 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. Should a wrought iron fence be installed next to Craig Road and/or Lamb Boulevard, such fencing shall be installed behind the required perimeter landscaping.

3. Twenty feet of landscaping shall be provided adjacent to the west and south property lines, unless otherwise waived by a separation application through the waiver procedure.
4. All landscaped islands and diamonds, and foundational landscaping shall conform to the design standards contained within the Zoning Ordinance.
5. Landscaping shall be installed in front of the screen wall for the service bays fronting Craig Road. Such landscaping shall have a minimum depth of five (5) feet and located along the length of the wall or within insets having a minimum width of 10 feet with 20-foot spacing.
6. The trash enclosure shall be relocated to maintain a minimum 30-foot setback from any property line with a residential designation, and shall not be located adjacent to Craig Road or Lamb Boulevard.
7. All known geologic hazards, such as fault lines and/or fissures, shall be shown on the civil improvement plans submitted to the Department of Public Works. Subsequent identification of additional hazards may substantially alter the original site plan.
8. Approval of a drainage study is required prior to submittal of the civil improvement plans.
9. NDOT concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
10. The developer shall remove the existing asphalt and construct curb and gutter along Craig Road within the area recently vacated.
11. Approval of a traffic study update is required prior to submittal of the civil improvement plans.
12. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222.1 and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
13. The property owner is required to grant a roadway easement for commercial driveway(s).

14. 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.
15. A revocable encroachment permit for landscaping within the public right of way is required.
16. Appropriate mapping is required to combine the parcels and 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 map approval.
17. All Nevada Energy easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. New distribution lines or existing distribution lines being adjusted or relocated, shall be placed underground.
18. All off-site improvements must be completed prior to final inspection of the building.

The applicant was not present for comment.

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:** Vice-Chairman Aston

**SECOND:** Commissioner Ewing

**AYES:** Chairman Brown, Vice-Chairman Aston, Commissioners Perkins, Joiner-Greene, Ewing and Stone

**NAYS:** None

**ABSTAIN:** None

4. **UN-23-12 (44743) MAVERICK BELMONT & LV. BLVD (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MAVERICK INC. C/O TODD MEYERS, ON BEHALF OF BRUNNER AND PLACID LLC, C/O RAY KOROGHLI, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE STORE WITH GAS PUMPS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF BELMONT STREET AND LAS VEGAS BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-13-702-001. (FOR POSSIBLE ACTION)**

It was requested by the applicant to continue UN-23-12 to August 8, 2012.

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

Chairman Brown indicated the Public Hearing would remain open.

**ACTION:** CONTINUED TO AUGUST 8, 2012

**MOTION:** Vice-Chairman Aston

**SECOND:** Commissioner Perkins

**AYES:** Chairman Brown, Vice-Chairman Aston, Commissioners Perkins, Joiner-Greene, Ewing and Stone

**NAYS:** None

**ABSTAIN:** None

5. **UN-22-12 (44740) DOLLAR LOAN CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CHARLES BRENNAN ON BEHALF OF 2745 WEST CENTENNIAL PKWY HOLDINGS LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A SHORT TERM LOAN ESTABLISHMENT. THE PROPERTY IS LOCATED AT 2805 WEST CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-29-513-004. (FOR POSSIBLE ACTION)**

Vice-Chairman Jay Aston disclosed the company he works for owns property close to the site of this application, but did not feel it would affect his decision on the application.

The application was presented by Marc Jordan, Planning Manager who explained the applicant was proposing to take over an existing business which was previously a bank. In reviewing the application, a survey was submitted showing compliance with separation requirements from residential and other like establishments. There was a requirement of 1500 square feet of floor area for this type of use, which had been met. Staff recommended approval of UN-22-12 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 special use permit is site-specific and non-transferable.
3. The hours of operation for this use shall be limited to 8:00 a.m. through 8:00 p.m.

**Chris Ferrari, 8863 West Sunset Road, Las Vegas, NV 89148** appeared on behalf of the applicant indicating he 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 Perkins**

**SECOND: Commissioner Ewing**

**AYES: Chairman Brown, Vice-Chairman Aston, Commissioners Perkins, Joiner-Greene, Ewing and Stone**

NAYS: None  
ABSTAIN: None

6. **VN-09-08 (44644) MILLER SUBSTATION EXPANSION (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NV ENERGY ON BEHALF OF NEVADA POWER COMPANY, PROPERTY OWNER, FOR AN EXTENSION OF TIME TO A PREVIOUSLY APPROVED VARIANCE IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A 14-FOOT HIGH PERIMETER WALL WHERE 10 FEET IS THE MAXIMUM HEIGHT ALLOWED. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF COMMERCE STREET AND CAREY AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-15-401-013. (FOR POSSIBLE ACTION)**

The application was presented by Marc Jordan, Planning Manager who explained the applicant was previously approved for a 14 foot high wall and this was the second request for an extension of time. There is an approved site plan review for the expansion to Commerce Street from the existing facility. The applicant requested a five year extension of time; but, the zoning ordinance only allows a two year extension. Staff recommended approval of VN-09-08 subject to the following conditions:

1. That, unless expressly authorized through the variance, waiver or another method, this development shall comply with all applicable codes and ordinances; and
2. That this variance shall comply with the conditions of approval for SPR-04-10.
3. That the block walls shall be setback a minimum of twenty (20) feet from the adjusted property line after the right hand turn lane dedications on Commerce Street and Carey Avenue.
4. That this extension of time shall expire on July 10, 2014.

**Tom Dombrowsky, 6226 West Sahara Avenue, Las Vegas, NV 89146** appeared on behalf of the applicant explaining the extension was being requested due to the lack of sustainable growth and lack of need for power at this time; but, it would be necessary to expand the substation in the future 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

MOTION: Vice-Chairman Aston

SECOND: Commissioner Joiner-Greene  
AYES: Chairman Brown, Vice-Chairman Aston, Commissioners Perkins, Joiner-Greene, Ewing and Stone  
NAYS: None  
ABSTAIN: None

7. **FDP-01-12 (44737) JOSHUA HILLS. AN APPLICATION SUBMITTED BY BEN YOUNG, UPTOWN BLUE LLC, ON BEHALF OF UPTOWN BLUE LLC, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD, PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 96 CONDOMINIUM UNITS. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND STATZ STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-25-112-029 THRU 112. (FOR POSSIBLE ACTION)**

Item Nos. 7 and 8 were presented together.

The application was presented by Marc Jordan, Planning Manager who explained the Commission previously approved an amendment to the existing PUD that allowed the addition of 12 units so there would be a total of 180 units with 96 units left to build. Three of the buildings were currently in place. The design of the building was changed but was still compatible with what was already built. The open space has been met and indicated they would provide some new open space within the center courtyards. When Council considered the request, one condition was amended that allowed 40 tandem parking spaces where 28 was originally considered by the Commission. The final development plan needs one minor amendment, which was to come up with more parking, which was a minor issue. Staff recommended approval of FDP-01-12 and T-1346. The recommended conditions of approval for FDP-01-12 are as follows:

1. This development shall comply with all conditions of Ordinance 2612 (ZN-53-02).
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 pedestrian courtyard area/open space shall be amenitized as shown on the submitted landscape plans.
4. All landscaping and amenities are required prior to issuance of the certificate of occupancy for the residential units.

**Gary Leobold, 2753 Laguna Seca Avenue, Henderson, NV 89052, Ben Young, Uptown Blue LLC, 2929 East Centennial Pkwy, North Las Vegas, NV 89081 and Daryn Bench, 1915 North Green Valley Parkway, Henderson, NV 89074** appeared on the application. Mr. Leobold explained since the PUD was originally viewed by the Commission, they had made some changes and added more parking spaces and

narrowed some of the garages. The project was approximately five parking spaces short. When the project was reviewed by Council, they wanted to see some relief to the desert landscaping, so some artificial turf and seating areas have been added. He indicated they concurred with Staff recommendation.

Commissioner Nelson Stone clarified the applicant was in agreement with Staff recommendation.

Mr. Leobold asked Staff if they were required to add additional parking spaces, as there were some added since the PUD was approved by the Commission.

Mr. Jordan responded the applicant must comply with the parking requirements under the PUD as approved by City Council, so they would have to provide all of the required parking plus the 40 tandem spaces.

Mr. Leobold asked if that included the five spaces they were short.

Mr. Jordan indicated it did include the five spaces.

Mr. Leobold explained they could convert some of the upper floor two bedroom units to one bedroom plus a den, which would save a half parking space per unit.

Commissioner Stone asked if that could be handled administratively.

Mr. Jordan responded it could be handled administratively.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS**

**MOTION: Commissioner Stone**

**SECOND: Commissioner Ewing**

**AYES: Chairman Brown, Vice-Chairman Aston, Commissioners Perkins, Joiner-Greene, Ewing and Stone**

**NAYS: None**

**ABSTAIN: None**

8. **T-1346 (44738) JOSHUA HILLS. AN APPLICATION SUBMITTED BY BLUE MARBLE DEVELOPMENT LLC, ON BEHALF OF UPTOWN BLUE LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A PUD, PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 96 CONDOMINIUM UNITS. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND STATZ STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-25-112-029 THRU 112. (FOR POSSIBLE ACTION)**

Item Nos. 7 and 8 were presented together.

The application was presented by Marc Jordan, Planning Manager who explained the Commission previously approved an amendment to the existing PUD that allowed the addition of 12 units so there would be a total of 180 units with 96 units left to build. Three of the buildings were currently in place. The design of the building was changed but was still compatible with what was already built. The open space has been met and indicated they would provide some new open space within the center courtyards. When Council considered the request, one condition was amended that allowed 40 tandem parking spaces where 28 was originally considered by the Commission. The final development plan needs one minor amendment, which was to come up with more parking, which was a minor issue. Staff recommended approval of FDP-01-12 and T-1346. The recommended conditions of approval for T-1346 are as follows:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. The tentative map shall comply with all conditions of Ordinance 2612 (ZN-53-02) and FDP-01-12.

**Gary Leobold, 2753 Laguna Seca Avenue, Henderson, NV 89052, Ben Young, Uptown Blue LLC, 2929 East Centennial Pkwy, North Las Vegas, NV 89081 and Daryn Bench, 1915 North Green Valley Parkway, Henderson, NV 89074** appeared on the application. Mr. Leobold explained since the PUD was originally viewed by the Commission, they had made some changes and added more parking spaces and narrowed some of the garages. The project was approximately five parking spaces short. When the project was reviewed by Council, they wanted to see some relief to the desert landscaping, so some artificial turf and seating areas have been added. He indicated they concurred with Staff recommendation.

Commissioner Nelson Stone clarified the applicant was in agreement with Staff recommendation.

Mr. Leobold asked Staff if they were required to add additional parking spaces, as there were some added since the PUD was approved by the Commission.

Mr. Jordan responded the applicant must comply with the parking requirements under the PUD as approved by City Council, so they would have to provide all of the required parking plus the 40 tandem spaces.

Mr. Leobold asked if that included the five spaces they were short.

Mr. Jordan indicated it did include the five spaces.

Mr. Leobold explained they could convert some of the upper floor two bedroom units to one bedroom plus a den, which would save a half parking space per unit.

Commissioner Stone asked if that could be handled administratively.

Mr. Jordan responded it could be handled administratively.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS**

**MOTION: Commissioner Stone**

**SECOND: Commissioner Ewing**

**AYES: Chairman Brown, Vice-Chairman Aston, Commissioners Perkins, Joiner-Greene, Ewing and Stone**

**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 7:04 p.m.

APPROVED: August 8, 2012

/s/ Steve Brown  
Steve Brown, Chairman

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