MINUTES
CITY OF NORTH LAS VEGAS
PLANNING COMMISSION

June 12, 2013

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

CALL TO ORDER: 6:03 P.M.
Council Chambers, 2250 Las Vegas Boulevard North
North Las Vegas, Nevada

WELCOME: Vice-Chairman Aston

ROLL CALL:
Chairman Steve Brown - Absent
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 - Present

STAFF PRESENT:
Frank Fiori, Community Services and Development Director
Marc Jordan, Planning Manager
Robert Eastman, Principal Planner
Bethany Rudd-Sanchez, Sr. Deputy City Attorney
Eric Hawkins, Public Works/Traffic
Jennifer Doody, Public Works/Development & Flood Control
Xiaohui Yu, Utilities
Julie Shields, Recording Secretary

VERIFICATION: Julie Shields, Recording Secretary

PLEDGE OF ALLEGIANCE: Vice-Chairman Jay Aston

PUBLIC FORUM

Scott Sauer, North Las Vegas (no address stated), thanked those Planning Commissioners whose terms will expire June 30, 2013, for their service.

MINUTES

- Approval of Minutes for the Planning Commission Meeting of May 8, 2013 (For possible action)

ACTION: APPROVED

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

NEW BUSINESS

1. **AMP-04-13 (46077) KB @ CENTENNIAL SPRINGS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY KB HOME ON BEHALF OF CENTENNIAL SPRINGS LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MULTI-FAMILY RESIDENTIAL TO SINGLE FAMILY MEDIUM RESIDENTIAL. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CENTENNIAL PARKWAY AND VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-30-101-007. (FOR POSSIBLE ACTION)**

The application was presented by Robert Eastman, Principal Planner, who advised Item Nos. 1 and 2 were related, and requested they be presented together.

The proposed land use classification is compatible with the surrounding neighborhood. Previous development was a multi-family PUD, with a higher density. The applicant's proposal will bring in a lower density, single-family product versus an attached PUD product. Staff advised the proposed land use and zoning was compatible with the neighborhood and staff recommended approval of both items.

Jennifer Lazovich, 8345 West Sunset Road, appeared on behalf of the applicant, KB Home. Ms. Lazovich stated the request was for single-family detached, with 5.2 dwelling units to the acre. Ms. Lazovich reviewed the site plan and requested approval of the zone change and amendment to master plan.

Vice-Chairman Aston opened the Public Hearing. Vice-Chairman Aston closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

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

2. **ZN-04-13 (46078) KB @ CENTENNIAL SPRINGS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY KB HOME ON BEHALF OF CENTENNIAL SPRINGS LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO THE R-2, SINGLE-FAMILY MEDIUM DENSITY DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER CENTENNIAL PARKWAY AND VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-30-101-007. (FOR POSSIBLE ACTION)**

Vice-Chairman Aston opened the Public Hearing. Vice-Chairman Aston closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

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

Vice-Chairman Aston welcomed Troop 181 to the Planning Commission meeting.

3. **WAV-02-13 (46080) KB @ CENTENNIAL SPRINGS. AN APPLICATION SUBMITTED BY KB HOME ON BEHALF OF CENTENNIAL SPRINGS LLC, PROPERTY OWNER, FOR A WAIVER IN A PROPOSED R-2, SINGLE-FAMILY MEDIUM DENSITY RESIDENTIAL DISTRICT TO ALLOW A WAIVER FROM TITLE 16 REQUIRING SIDEWALKS ON BOTH SIDES OF A PRIVATE STREET. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CENTENNIAL PARKWAY AND VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-30-101-007. (FOR POSSIBLE ACTION)**

The application was presented by Robert Eastman, Principal Planner, who advised KB Home requested a waiver of Title 16 requirements to allow the development to use 47-foot internal streets with sidewalk on one side of street. The applicant proposed to develop their subdivision using a 47-foot street, with sidewalk on one side of street and a landscape parkway. Title 16 requires sidewalks on both sides of street. The applicant requested that Title 16 requirement be waived.

Eric Hawkins, Public Works/Traffic, advised that a waiver of Title 16 would require a hardship, and Staff had not been notified of such. The sidewalk on both sides was important for several reasons: 1) Public Safety. Mr. Hawkins referred to the houses on the south side of those houses on northern most streets. If they did not have a sidewalk, pedestrians would have to walk in the street; 2) Pedestrian Accessibility. Mr. Hawkins referred again to the northern most streets, and stated there is no sidewalk to get from one street to the next, which could present ADA issues. If someone was in a wheelchair, the house would not be ADA compliant; and 3) Title 8, Trash Collection. This allows trash to be placed in front of house on the day of pick up, on the sidewalk. There were concerns regarding whether trash collectors could pick up trash that is placed on private property. Mr. Hawkins stated putting sidewalks on both sides is feasible, per Item No. 14.

Mr. Hawkins expressed concern on behalf of Public Works, that if the waiver is approved, it would set a precedent, which would not be good.

Jennifer Lazovich, 8345 West Sunset Road, appeared on behalf of the applicant, KB Home.

Ms. Lazovich confirmed the waiver was for a sidewalk to only be on one side of the street. The sidewalks are 5-foot wide. In addition, all green areas along streetscapes are a 5-foot wide landscape buffer. They are proposing a 5-foot wide streetscape, immediately adjacent to the street; and behind that would be 5-foot wide, detached sidewalk.

Ms. Lazovich addressed staff's concerns. She advised attention was given to design for connectivity. She addressed the issue of trash collection and advised throughout the Valley, there were developments with sidewalks on one or neither side. To her knowledge, no concerns were expressed by Republic Services regarding trash collection.

Ms. Lazovich opined this was not a negative precedent to set. This was not the only place in Southern Nevada where only one sidewalk would exist. This was allowed in master-planned communities such as Summerlin.

Ms. Lazovich added that with only one 5-foot sidewalk, the remaining 5-feet would provide for adjustment to rear lot lines between 15-17 feet. The extra depth would be put into rear yards.

Commissioner Stone asked if the waiver would be forwarded to City Council, and Robert Eastman responded yes. Additionally, Commissioner Stone referred to the parkway landscaping between a sidewalk and the curb, and asked if that area calculation was part of the common element acreage requirement on this project. Mr. Eastman advised it was not on this project. In Title 17, the landscape parkway [in some instances] is included in the open space requirement. They met the open space requirement without the landscape parkway. The landscape parkway is a design requirement that is currently in the design standards, which were approved during summer 2011, and effective October, 2011.

Commissioner Ewing asked the applicant to respond to staff's point regarding the lack of a hardship. Ms. Lazovich responded that when referring to "hardship" this normally referred to a variance, and the standards required to prove a hardship for a variance. If standards are similar to variance, because of constraints with the 215 to the north and the large drainage channel, the property was designed as a side triangle. The hardship would be the unusual shape of project. Instead of a hardship, while the parcel may be odd, the goal would be to increase backyards for future residents and turn a hardship into a positive.

Commissioner Ewing asked if the applicant had prior experience with ADA requirements in prior projects. Ms. Lazovich responded an issue was raised in the County (Mountain's Edge), and pertained to requirements for the length of a driveway.

Commissioner Ewing also asked about the two feet additional space in the backyard and whether this was something homebuyers considered. Ms. Lazovich responded yes, the deeper the yard, gave more options for pools, which had been a selling point.

Commissioner Perkins discussed safety regarding sidewalks. Lately, decisions had been made regarding walk-ability, to encourage people to get outside. The research she had done regarding sidewalks stated it enhanced the community-type feeling, and improved quality of the general area when there are sidewalks on both sides. The individual does not have to go into the street. Homes on the outside have sidewalks on both sides; however, people on the inside have to cross the street twice.

Additionally, she discussed safety of pedestrians, and stated that when cars and pedestrians are in same space, the cars usually win.

Commissioner Acevedo posed a question; however, his inquiry was inaudible. Ms. Lazovich responded no, there had been no studies. The developer stays on [the project] until 75% of the units have been sold for HOA purposes.

Vice-Chairman Aston asked if the new trash can ordinance had been introduced to all of North Las Vegas. He had received instruction that trash cans had to go to street with wheels back to the curb – that would eliminate Title 8. He understood concerns from

Planning and Traffic, Safety and ADA. He wondered how other entities approved sidewalks on one side or no sides of the street, as they would have some of the same accessibility and safety concerns.

Vice-Chairman Aston conveyed the economy for the homebuilding industry had changed and improved. It was moving more strongly with other entities than in North Las Vegas. He believed business was increasing in North Las Vegas, but not as much on the residential side as with other entities. This was a concern of his for the financial stability of North Las Vegas going forward.

Vice-Chairman Aston opened the Public Hearing. Vice-Chairman Aston closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

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

4. T-1353 (46079) KB @ CENTENNIAL SPRINGS. AN APPLICATION SUBMITTED BY KB HOME ON BEHALF OF CENTENNIAL SPRINGS LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT (PROPOSED R-2, SINGLE-FAMILY MEDIUM DENSITY RESIDENTIAL DISTRICT) TO ALLOW 127 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CENTENNIAL PARKWAY AND VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-30-101-007. (FOR POSSIBLE ACTION)

The application was presented by Robert Eastman, Principal Planner, discussed this was the accompanying item by KB Home, for a 127-lot residential subdivision on 24 acres, with an approximate density of 5.3 dwelling units to the acre. The development is in compliance with Title 17. All lots met the minimum lot size requirement of 4,000 square feet, and also met Title 17 requirement of a minimum lot length of 40 feet at the building line. There is a requirement for 600 square feet of open space per dwelling unit. This requires the subdivision to provide 76,200 square feet of open space. The tentative map shown reflects 78,629 square feet of open space and is in compliance.

The problem and concerns with the tentative map were with compliance of Title 16 requirements; specifically, there was a street with a cul-de-sac 900 feet in length—the maximum is 500 feet. Mr. Eastman referred to the long street labeled Street F, (across

the northern parcel), adjacent to the 215, and stated it is a straight street, not offset 25 feet, and did not meet the curvilinear requirement. Additionally, with the tentative map, Valley Drive would be cul-de-sac'd instead of continuing north. Since Valley Drive does not cross the 215, that space is now being used as open space. The cul-de-sac would have to be on this side of tentative map, and it was not in this instance. While the lots met the 40-foot width requirements at the building line, they did not meet the 30-foot line at the street to provide adequate spacing for the driveways. Therefore, staff recommended the item be continued to allow the applicant time to redesign their site slightly, and return to the Planning Commission to meet the Title 16 requirements. If the Commission decided to approve the item, there were conditions that would require the applicant to put in the curvilinear street, to move the cul-de-sac of Valley Drive over onto their side; and request the applicant continue the open space all the way to the 215 to tie into the trail that the City is in the process of developing, that runs along the 215 corridor. Staff would need to delete a condition that was in reference to the waiver.

Jennifer Lazovich, appeared on behalf of KB Home, and stated this was a technical/procedural issue. There were some issues with the tentative map. A lot of those issues could be addressed and handled in a way that staff would be comfortable, if City Council approved the waiver for the sidewalks on just one side. She requested that Planning Commission either approve or deny the tentative map. At such time, the applicant would appeal the tentative map to City Council, so that it could remain with the other items, since it is tied to what the City Council would decide regarding the sidewalk issue.

Vice-Chairman Aston asked staff for clarification regarding the waiver going forward to City Council, and how the Commission could approve the tentative map as is.

Mr. Eastman responded that if the Commission approved the tentative map on the condition that they either comply with what is in the waiver, or staff adds the condition that they must comply with WAV-02-13.

Vice-Chairman Aston stated there were issues with this item such as curvilinear requirements. Vice-Chairman asked how wide the lots were. Ms. Lazovich responded lots are 45-feet wide, but most are 40-feet wide.

Chris Thompson, Civil Engineer, RCI Engineering, 3281 S. Highland Dr., Las Vegas, NV, addressed staff's concern about the comment pertaining to "500-foot" and stated it was relative to the non-curvilinear street section. Staff has identified the long road section between cul-de-sacs. Five hundred eighty (580) feet is curved near the beltway alignment. It had a curve of about 5,000 feet. The delineation changes on lot frontages. There is a tangent section of 417 feet. The area to work out with staff is the divergence of center line in conformance of Title 16 requirements of 25 feet. The magnitude of changes is small. He addressed the lot frontage issue, and stated some lots are in the low 20's. Frontages would be brought up to conform to Title 16 requirements.

Mr. Jordan advised staff was in the process of amending Condition No. 9, that if the Commission were to approve the tentative map, it would allow the waiver to go forward to City Council, so they could consider it. If City Council would approve the waiver, the tentative map would be fine on its own merits. If City Council denied the waiver, they would amend the condition that would make it applicable.

Vice-Chairman Aston stated that Mr. Eastman advised the cul-de-sacs were over 500 feet. He did not see where it applied, and Mr. Jordan responded it applied at the cul-de-sac proposed at the end of Valley Drive. The tentative map shows a half street cul-de-sac and Public Works advised it needed to be a whole cul-de-sac shown entirely on the property, which would be an amendment. In regard to the curvilinear requirements, [street along the top] because it is more than 500 feet, Title 16 requires a 25-foot offset for every 500 feet. There would be an adjustment to that street to comply with that.

Commissioner Stone stated the tentative maps were one of the few items that the Planning Commission approved, and the action was final. It was important to see the maps. Reconfiguring the Valley Drive cul-de-sac and the curvilinear definition of 25-foot offset for 500-feet would have significant impact to the map. The applicant and engineer could address this issue. Commissioner Stone stated he might not be in support of the map if the applicant did not want a continuance. He stated a continuance hurt the process, and might be more inclined to deny the map knowing the process the applicant has to go through then to condition it.

Mr. Jordan advised per Nevada Revised Statutes, the tentative map could only be continued with the applicant's concurrence. If applicant is not in concurrence for a continuance, and staff does not recommend approval, staff would default to a recommendation of denial. Otherwise, after 45 days that tentative map would be deemed approved.

Ms. Lazovich, advised if the map would be denied by the Planning Commission, they would appeal to City Council to keep the items together, and work with City staff on other issues while they wait for final decision on waiver for sidewalks.

ACTION: DENIED

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

5. UN-13-13 (46081) WORKSHOP/GARAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DOUGLAS BUELTEL AND STEPHEN BUELTEL, ON BEHALF OF DOUGLAS BUELTEL, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN R-E, RANCH ESTATES DISTRICT TO ALLOW A 1,710 SQUARE FOOT DETACHED WORKSHOP/GARAGE. THE PROPERTY IS LOCATED AT 4709 OVERLOOK RANCH STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-05-114-015. (FOR POSSIBLE ACTION)

Commissioner Stone discussed this item with staff from the City Attorney's office, and advised he would be abstaining because a reasonable person could conclude he may not be objective in his decision, as Commissioner Stone lives within a few lots away. Commissioner Stone exited Council Chambers.

Bethany Sanchez, Sr. Deputy City Attorney, added that someone in Commissioner Stone's household had strong opinions and position regarding this item.

The application was presented by Robert Eastman, Principal Planner. He advised the application was for a special use permit to allow a 1,710 square foot, detached workshop/garage, located at 4709 Overlook Ranch Street. The applicant requested a Special Use Permit to construct an accessory building. The Title 17 requirement is for 1,200 square foot maximum size for an accessory building. The proposal for the development has a building that is generally in compliance and consistent in same materials, design and colors of the main house.

The original home was constructed as 2,660 square feet, and the proposed accessory building did not dominate the lot. It would be an accessory to the main structure of the home. The elevations are in compliance with design standards, and are architecturally compatible with homes in the neighborhood.

Staff had concerns with the drive. Not more than one third of the front yard could be used for parking or surfaced with paving. All vehicles were to be placed on paved surface – concrete or asphalt. Proposed drives for the accessory building would have more than one third of the front yard under pavement.

Staff believed this item needed to be continued to allow the applicant enough time to show how they will provide access to the building from the street with only one drive, and meet compliance with one third of the yard under pavement. Staff recommended continuance of this item.

Frank Hibarra, 3644 Raymond Street, Las Vegas, NV, 89129, appeared on behalf of Mr. Bueltel, and presented a proposal for a 1,710 square foot accessory structure, designed to be part garage/workshop for Mr. Bueltel's vehicles. They reviewed the recommendations from Planning and Zoning and agreed with them. He confirmed materials, colors, and embellishments would match the structure of the home. The

accessory structure would not exceed 1,710 feet; 1,485 feet of the structure on the corner is designated for patio. Elevations would be 21' 3" in height.

Mr. Hibarra addressed the driveway issue, and stated they would like to use ecological pavers, which were also in the driveway. He advised the homeowner's association (HOA) was more comfortable with use of pavers rather than solid concrete.

Steven Bueltel, 4709 Overlook Ranch, North Las Vegas, 89031, was present with Mr. Hibarra and stated his name and address for the record.

Vice-Chairman Aston opened the Public Hearing.

Sandy Stone, 3604 Chaps Ranch Avenue, Lone Mountain Estates Subdivision, North Las Vegas, has been a resident over seven years. Mrs. Stone conveyed the Staff Report stated the home was constructed in 2004, and it was constructed in 2013. This home, along with others, was built within the last year, finishing out the bankrupted lots from the original builder.

She stated she did not support this application for several reasons. Mrs. Stone conveyed the proposed use was not consistent with the master plan and zoning regulations. There is a code maximum of 12,000 square foot RV garage. The 1,710 square foot, detached workshop/garage was too large for the neighborhood. Homeowners pay a high monthly HOA fee for the lots that are there. The structure would be dominant. This would be a long row of garage doors from the street. She expressed concern that if this item were approved, this action would set a precedent, and it was rumored that other residents may request a similar set-up.

Mrs. Stone asked if other applications had been received from other residents. Mr. Eastman advised no applications in the immediate or surrounding neighborhoods requesting larger accessory buildings had been received at this time. Mrs. Stone added the driveway width of home plus driveway width of the proposed workshop would be excessive.

Mrs. Stone advised no public neighborhood meetings had been conducted by the applicant regarding this item. She stated neither she, nor the residents in the original homes, had given their consent, or had been contacted by the applicant regarding their thoughts. She asked whether the HOA had approved the garage/workshop. Mr. Bueltel advised the HOA had not formally approved the garage/workshop. They have a description, but do not have the elevation description. (comments following are inaudible). Mrs. Stone requested the application be denied.

Merle Kelly, 3608 Chaps Ranch Avenue, North Las Vegas, NV 89031, stated she and her husband are seven year residents who purchased their home in this area because of spaciousness, the space between the homes, and because it was a gated community. She opposed the size of the detached workshop, but did not oppose a

normal sized RV garage. Nowhere in the information did it state it was a gated community. As previously addressed, the home was built in 2012, not 2004. No overall dimensions were listed for the garage, but it appeared it would completely fill the lot. Ms. Kelly stated in Lot Space 15, they wanted to build a large garage, and she was told Lots 13 and 14 were planning to do the same thing. She added, if they build these large garages in a span of three homes, she would be looking at 12 garage doors from her street. Our neighborhood would look like a commercial warehouse district and not a family neighborhood.

Mr. Hibarra stated they provided information to Planning and Zoning staff and reviewed the original size of the lot against the size of the proposed structure, accessory structure size, location, setbacks from property lines, and reviewed elevations. (inaudible)

The structure was built in an HOA. Partial information was sent because they did not yet have approved plans from Planning Commission. They will then go to HOA second. He received letters from neighbors who support the application. He advised there were more than three letters in support of this request.

Commissioner Perkins asked that staff restate their comment regarding materials. Mr. Eastman advised, in general, the materials were consistent with what is in the development. There were architectural features that will need to be added to the proposed garage to comply with architectural design standards and flavor of the neighborhood -- pop outs around windows; surrounds around doors, etc. The siding and roofing material will be expected to be consistent and match with the principal building structure of the home; i.e. if the home uses clay tile, the garage will use clay tile.

Commissioner Ewing stated staff's recommendation was to continue the item so the applicant could provide staff with an explanation as to how they could demonstrate how the concrete would work in front of the driveway. Staff stated if the Planning Commission approved the proposal, the applicant still had to submit a driveway plan for final review before they could build.

Commissioner Ewing asked for clarification. Mr. Eastman stated if the item were to be continued, and after the applicant and staff meet and propose a solution, the Commission can then review and approve the item; otherwise the Commission would rely on staff to provide a driveway for the neighborhood that is in compliance.

Commissioner Ewing asked if the Commission continues the matter in order for that to be accomplished, would the Commission be able to review added cosmetic changes. Mr. Eastman confirmed they would.

Commissioner Ewing acknowledged six letters were received, and asked if the applicant if a community meeting had been held, or whether he knocked on doors. Mr. Bueltel advised he approached adjoining neighbors. Commissioner Ewing asked if the

applicant talked to anyone who would not support this request, and Mr. Bueltel advised there were none.

Mr. Hibarra advised in order to receive approval from the HOA, everything had to match – roof tile, texture of stucco, color. The driveway was part of the process they needed in the plans for Building Department approval.

Vice-Chairman Aston closed the Public Hearing.

Mr. Eastman recommended the motion maker confirm length of continuance.

Vice-Chairman Aston recommended the applicant meet with the homeowners to resolve their concerns.

ACTION: CONTINUED TO JULY 10, 2013

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

Commissioner Stone returned to Council Chambers.

6. UN-14-13 (46082) FUSA INC. (PUBLIC HEARING). AN APPLICATION SUBMITTED BY FUSA INC. ON BEHALF OF ISAACTOS LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW A VEHICLE SALES FACILITY. THE PROPERTY IS LOCATED AT 2266 LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-22-510-005 THRU 008. (FOR POSSIBLE ACTION)

The application was presented by Robert Eastman, Principal Planner. The applicant requested a use permit to allow them to move their used car dealership to a new location. The applicant intended to keep four to five vehicles on the lot, at any one time. All the proposed vehicles would be outdoor storage only, no indoor storage.

Mr. Eastman advised the site was in compliance with parking requirements. They are occupying an existing building. Staff did not feel the proposed use would have a negative impact on the neighborhood. Staff recommended approval of this item, subject to the conditions listed.

Vice-Chairman Aston opened the Public Hearing. Vice-Chairman Aston closed the Public Hearing.

The condition is as follows:

That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances including, but not limited to:

1. Foundation landscaping to include 50% live ground coverage and shrubs.

ACTION: APPROVED

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

7. UN-18-13 (46094) ALL CITY AUTO SPA AT CHEYENNE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SARKIS FURNCHYAN, ON BEHALF OF DJANIBEKYAN ARMEN & AVETISYAN HASMIK, PROPERTY OWNERS, FOR A SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW A VEHICLE WASHING FACILITY. THE PROPERTY IS LOCATED AT 2436 E CHEYENNE AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-11-813-010, 011 AND 012. (FOR POSSIBLE ACTION)

The application was presented by Robert Eastman, Principal Planner, who requested to brief Item Nos. 7 and 8 together. Item No. 7 was a special use permit to allow a car wash and Item No. 8 was the accompanying variance application.

There were three variances; one to allow an 11-foot building setback where 20-feet would be required; and a zero setback where 10-feet would be required for the parking lot.

This is for an existing car washing facility located at 2436 E. Cheyenne Avenue. The carwash had been operating in this location for almost 30 years, until last year when they let their business license lapse and it ceased to operate.

As their legally non-conforming use has expired, a new use permit is required. One of the requirements for a use permit is compliance with all existing ordinances and codes. The building does not comply, as it requires variances for all the setbacks. Therefore, the accompanying variance is requested.

In general, as the site is developed it has three curb cuts, one on Cheyenne and two on Mary Dee. The one on Cheyenne is not used and right now there is a fence that goes across and blocks it. Staff wanted to ensure the curb cut remains closed. There is a block wall around most of the site. There are places where the block wall is missing. Staff believes the block wall needs to be continued fully on two sides; one to the north and one to the west.

Generally, the car wash is compatible with the neighborhood. The site is not fully in compliance with design standards, as the building was built so long ago. They do not have all the architectural features that a building would have now, or the landscaping features. The only existing landscaping area is at the corner where their sign is located. Staff recommends they landscape with plant material that would be lush, and low enough to not block the signage, if approved,. Staff recommends approval of the use permit.

Mr. Eastman referred to the variance and advised because the existing site was fully developed so many years ago, Staff believed a variance was warranted at this. They would have a hardship to comply with the setbacks as currently listed. Staff also recommended approval of the variance.

George Garcia, 1711 Whitney Mesa Drive, Suite 100, Henderson, NV, appeared on behalf of the applicant. As staff stated, the use permit lapsed after many years. His client picked up the property from a bankruptcy. The bank did not maintain the necessary entitlements, and were unaware of all the details. This was an opportunity to put this business on the tax rolls, create new jobs and improve the property.

Improvements had already been made to the block wall on the rear of the property. They have worked on the condition with respect to the wrought iron in the front, which would address Public Works Condition No. 5. The queuing analysis had already been done for the site, and staff found them to be in compliance. An official submittal would be made, and Condition No. 6 would be struck. The client is moving forward to make necessary improvements.

Mr. Eastman read the amendments below for the record, and Mr. Garcia concurred with the revised conditions.

Vice-Chairman Aston opened the Public Hearing. Vice-Chairman Aston closed the Public Hearing.

Commissioner Perkins stated she was glad to see the corner being improved and was happy to see the project going forward.

The original conditions are as follows:

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

2. Landscaping of shrubs and groundcovers shall be planted at the corner of Mary Dee and Cheyenne Avenues to provide an 80% ground coverage within two years of planting.

3. The block wall along the north property line shall be completed and painted white to match existing wall.

4. Prior to issuance of the business license / certificate of occupancy, a traffic study must be submitted to Public Works for review and approval. The applicant may apply for a traffic study waiver. Contact Traffic Engineering Services at 633-2749.

5. The curb cut on Cheyenne Avenue shall be removed and replaced with curb, gutter, and sidewalk per the applicable standard drawings.

6. The southernmost driveway on Mary Dee Avenue shall be removed, unless the traffic impact study shows that on-site queuing for the car wash will not impede traffic on Mary Dee Avenue.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS TO AMEND CONDITION NO. 5 AND DELETE CONDITION NO. 6; FORWARDED TO REDEVELOPMENT AGENCY FOR FINAL CONSIDERATION

CONDITION NO. 5 AMENDED TO READ:

DIRECT ACCESS TO CHEYENNE AVENUE SHALL NOT BE ALLOWED. A WROUGHT IRON FENCE SHALL BE PERMANENTLY INSTALLED AT THE EXISTING DRIVEWAY AT CHEYENNE AVENUE. IF THE FENCE IS EVER REMOVED FOR ANY REASON, THE DEVELOPER SHALL REMOVE THE EXISTING DRIVEWAY AND REPLACE IT WITH CURB, GUTTER AND SIDEWALK, PER CLARK COUNTY AREA UNIFORM STANDARD DRAWINGS NUMBERS 216 AND 234.

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

8. **VN-02-13 (46096) ALL CITY AUTO SPA AT CHEYENNE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SARKIS FURNCHYAN ON BEHALF OF DJANIBEKYAN ARMEN & AVETISYAN HASMIK, PROPERTY OWNERS, FOR A VARIANCE IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW AN 11-FOOT BUILDING SETBACK WHERE 20 FEET IS REQUIRED FOR AN EXISTING HAND CARWASH AND ZERO SETBACK WHERE 10 FEET IS REQUIRED FOR A PARKING LOT. THE PROPERTY IS LOCATED AT 2436 E CHEYENNE AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-11-813-010, 011 AND 012. (FOR POSSIBLE ACTION)**

Vice-Chairman Aston opened the Public Hearing. Vice-Chairman Aston closed the Public Hearing.

The condition is as follows:

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

ACTION: APPROVED; FORWARDED TO REDEVELOPMENT AGENCY FOR FINAL CONSIDERATION
MOTION: Commissioner Perkins
SECOND: Commissioner Joiner-Greene
AYES: Vice-Chairman Aston, Commissioners Perkins, Joiner-Greene, Ewing, Stone, and Acevedo
NAYS: None
ABSTAIN: None

9. **UN-15-13 (46088) AA ACTION TOWING INC. (PUBLIC HEARING). AN APPLICATION SUBMITTED BY AA ACTION TOWING ON BEHALF OF COUGAR, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW AN AUTOMOBILE IMPOUND YARD. THE PROPERTY IS LOCATED AT 2511 KIEL WAY. THE ASSESSOR'S PARCEL NUMBER IS 139-15-801-014. (FOR POSSIBLE ACTION)**

The application was presented by Marc Jordan, Planning Manager, who stated the property is located next to the future Kiel Ranch Park. The first phase of construction is proposed to begin in fall 2013. Staff had no objections to the use as it is appropriately zoned.

Staff commented on use specific standards for impound yards that the applicant needed to be aware of for compatibility against the future park; i.e. proper screening in place – an 8-foot masonry wall would be required between this use and the park, and appropriate paving for the impound yard. Staff recommended approval. Mr. Jordan advised one card was on file in opposition.

John Howell, AA Action Towing, 3035 Westwood Drive, Las Vegas, NV 89109, advised they were not anticipating the additional expense for draining, traffic studies and pavement. These costs were not in their budget. The actual time it would take to be done and developed was not considered. They needed to occupy the space immediately. They could only accept approval of the special use permit if those conditions were removed – Conditions Nos., 5, 7, and 8. Mr. Howell conveyed the studies would have to be done prior to taking occupancy, and they needed to take occupancy immediately.

Vice-Chairman Aston opened the Public Hearing. Vice-Chairman Aston closed the Public Hearing.

Commissioner Stone asked Jennifer Doody what appreciable impact the drainage study would have. Ms. Doody advised the requirements were set up for: 1) the screening requirement; i.e. if there isn't currently a block wall there, and one is required, that would hinder drainage. The drainage study is needed to show how they are going to drain the site; and 2) the requirement of the paving. The curve number would increase; therefore, the run-off would increase, and the impact of that needed to be shown. If those requirements are no longer necessary, than the drainage study would go away.

Commissioner Stone asked how long it would take Staff to review the study, and Ms. Doody advised it would take 3-4 weeks for initial review of the drainage study.

Commissioner Stone asked Eric Hawkins about the traffic impact study. Mr. Hawkins advised the site would not generate too many trips; the engineer would provide an abbreviated traffic study, and a waiver could be offered.

Vice-Chairman Aston asked whether a dust prohibitive alternative be considered [rather than pavers]. Mr. Jordan advised the paving requirement applies to aisle-ways, but not where vehicle is being stored. Title 17 has provisions for alternative materials that can be considered. The applicant could propose what he would like to provide. Planning and Public Works staff would review the proposal to ensure paving and draining requirements are met.

Ms. Doody advised language could be added to a condition such as "or as otherwise approved by the Director of Public Works."

Commissioner Acevedo stated the issue of the block wall needed to be addressed. The applicant reiterated they had not anticipated this expense.

Mr. Howell stated due to the way the property sits, there was a slope to the back yard. This would need to be fully grated, which would take more time. This would result in carrying costs with the facility they now occupy, along with a new mortgage. These were considerations they had not thought about.

Mr. Jordan stated the block wall would be in excess of 50 feet.

The original conditions are as follows:

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

2. All vehicles shall be screened from view of the Kiel Ranch Historic Park by a solid, decorative wall at least eight feet in height. The height of the vehicles, and or equipment shall not exceed the height of the screening wall.

3. The dismantling and servicing of any vehicle and or parts of a vehicle within an automobile impound yard is prohibited.

4. All vehicles stored shall remain mechanically operable and licensed at all times.

5. All areas for vehicular circulation and storage shall be paved with drainage controls to control and prevent excess runoff and standing water.

6. The special use permit is site-specific and non-transferable.

7. Approval of a drainage study is required prior to submittal of the civil improvement plans.

8. Approval of a traffic impact study is required prior to submittal of the civil improvement plans.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS; CONDITION NOS. 7 & 8 AMENDED TO READ:

CONDITION NO. 7 AMENDED TO READ:

APPROVAL OF A DRAINAGE STUDY IS REQUIRED PRIOR TO SUBMITTAL OF CIVIL IMPROVEMENT PLANS, OR AS OTHERWISE APPROVED BY PUBLIC WORKS.

CONDITION NO. 8 AMENDED TO READ:

APPROVAL OF TRAFFIC IMPACT STUDY OR WAIVER IS REQUIRED PRIOR TO SUBMITTAL OF THE CIVIL IMPROVEMENT PLANS.

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

The applicant requested that the Use Permit be denied. Vice-Chairman Aston advised the item was approved based on the conditions stated. If the applicant did not want to go forward with the application, it would not move forward.

Ms. Sanchez advised an option was the Planning Commission could reconsider the item, and consider a straight denial.

Robert Hall, AA Towing, 3035 Westwood Drive, Las Vegas, NV, stated there were other concerns. Kiel Ranch would be developing the park. The wall would have to be 8-foot tall; currently, the wall is 6-feet. The requirements state that nothing can exceed the height of the wall. The storage area for impounded tow trucks and RV's would exceed that wall, and would be an eyesore. They were unaware these issues would come up.

Ms. Sanchez advised the applicant could appeal any decision made by the Planning Commission to the City Council.

10. UN-16-13 (46090) UNEV TERMINAL EXPANSION (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RICK PARTAIN, ON BEHALF OF UNEV PIPELINE LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW AN EXPANSION TO AN EXISTING HAZARDOUS MATERIALS STORAGE, TO ALLOW AN ADDITIONAL 110,000 BARRELS OF UNLEADED GASOLINE AND 30,000 BARRELS OF ETHANOL. THE PROPERTY IS LOCATED AT 13420 GRAND VALLEY PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 103-15-000-005. (FOR POSSIBLE ACTION)

The application was presented by Marc Jordan, Planning Manager, stated the applicant proposed three new tanks to house an additional 140,000 barrels of fuel and ethanol. Two tanks would house 110,000 barrels of unleaded fuel and one tank would store up to 30,000 barrels of ethanol.

In 2008, the Planning Commission and City Council approved a use permit that would allow approximately 315,000 barrels of fuel and ethanol on this site and nine tanks. This was an expansion of that area. The applicant proposed expanding the existing truck rack from two to four lanes and additional on-site infrastructure. This would help speed up loading and transferring of fuel to surrounding area. Staff had no objections and recommended approval.

Elizabeth Trosper, representative for UNEV Pipeline, 2275 Corporate Circle, Henderson, NV, 89074 concurred with staff's recommendations. They have been open for business during the past year, and requested approval of the application. Ms. Trosper advised Michael Smith was present from Norwest Engineering and could answer technical questions.

Vice-Chairman Aston opened the Public Hearing. Vice-Chairman Aston closed the Public Hearing.

Commissioner Acevedo questioned the applicant regarding fuel stockpile and storage capacity. (inaudible)

Ms. Trosper said this issue was being researched. The 2004 Blue Ribbon Commission Report indicated before they were built, the only pipeline coming into Nevada was from California [Kinder Morgan] and located in Clark County. There was 19 hours worth of fuel that was accessible should something happen to that pipeline. Since then, there is now a 400 foot, secondary pipeline coming in from Salt Lake City. She conveyed trucks were ready to take out fuel from the current loading racks.

Commissioner Acevedo (inaudible).

Commissioner Stone requested the applicant state for the record they would conform to the North Las Vegas Fire Codes and Life Safety Protection.

Ms. Trosper stated for the record that they would do everything the Fire Department asked them to do. They have been working with staff over the past six years. They met last week to review final requirements. Ms. Trosper conveyed safety was very important to her client.

The conditions are as follows:

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

2. Compliance with all conditions of approval for UN-97-08 shall be maintained.

3. 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.

4. Approval of a drainage study update is required prior to submittal of the civil improvement plans.

5. Approval of a traffic study update is required prior to submittal of the civil improvement plans.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

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

11. UN-17-13 (46095) PELON AUTO SALES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MARTIN LOPEZ, ON BEHALF OF 3853 LLC, GERALD BUTLER, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW A VEHICLE SALES FACILITY. THE PROPERTY IS LOCATED AT 3873 EAST CRAIG ROAD, SUITE 10. THE ASSESSOR'S PARCEL NUMBER IS 140-06-210-032. (FOR POSSIBLE ACTION)

The application was presented by Marc Jordan, Planning Manager. The applicant indicated in their letter of intent they would store approximately six vehicles, which would be inside the building and would not have any outside display. The site complies with parking requirements. Staff had no objections and recommended approval.

Jamie Lopez, 9010 Crystal Rock Circle, Las Vegas, 89123, was present to address any questions on behalf of Pelon Auto Sales.

Vice-Chairman opened the public hearing. Vice-Chairman Aston closed the public hearing.

The conditions are as follows:

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

2. No outdoor vehicle display spaces may be allowed. All "for sale" vehicles shall be stored within the warehouse.

3. A minimum of six (6) parking spaces must be designated for the exclusive use of this business.

4. The special use permit is site-specific and non-transferable.

5. Prior to issuance of the business license/certificate of occupancy, a traffic study must be submitted to Public Works for review and approval. Contact Traffic Engineering Services at 633-2749.

ACTION: APPROVED

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

12. UN-44-06 (45906) ALEXANDER RD. & MLK BLVD. (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GHASSAN SHAMOUN ON BEHALF OF ZUHAIN ZORA AND GHASSAN SHAMOUN, PROPERTY OWNERS, FOR AN EXTENSION OF TIME TO A PREVIOUSLY APPROVED SPECIAL USE PERMIT IN A PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A CONVENIENCE FOOD STORE WITH GAS PUMPS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ALEXANDER ROAD AND MARTIN LUTHER KING BOULEVARD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-04-410-007 THRU 139-04-410-013. (FOR POSSIBLE ACTION)

The application was presented by Marc Jordan, Planning Manager. This is the applicant's third request for an extension of time. Staff had no objections to the request. Mr. Jordan conveyed since this was a PUD, a final development plan would be required to come before the Planning Commission for final review and approval. Staff would require that final development plan to show compliance with conditions of approval for

special use permit and compliance with conditions of approval on the PUD itself. Staff had no objections and recommended approval.

Vice-Chairman Aston noted the applicant was not present.

Vice-Chairman Aston opened the Public Hearing.

Vice-Chairman Aston asked whether the applicant needed to provide a reason for the extension since this was the third request. Mr. Jordan advised that applied to a request for continuance.

Commissioner Perkins did have a question for the applicant pertaining to the gas station.

Commissioner Stone opined the applicant should be present, as this was an extension of time of two years. Previously, if an applicant was not present, the item might be continued. Commissioner Stone requested additional information from Ms. Sanchez concerning the request for an extension.

Ms. Sanchez advised her concern was due process and whether the applicant understood the process. An applicant may not be aware that they need to appear at the Planning Commission meeting. Ms. Sanchez advised that previously, the applicant had a professional representative, and it appeared from the letter staff received, that they may no longer have a professional representative. This could be a situation where the applicant may be unaware of the process.

Director Fiori stated staff could respond to Commissioner Perkins' question regarding street width. Ms. Perkins stated a Shamrock or a Sinclair was looking at that corner. Director Fiori conveyed the letter states nothing had changed. There was a reference to the economy and change in the PUD.

Vice-Chairman Aston requested Staff contact the applicant to inform them of the next meeting and recommend they attend.

ACTION: CONTINUED TO JULY 10, 2013

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

13. **ZN-05-13 (46087) HAMMER/LAWRENCE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DENUO LLC, ON BEHALF OF TERRA SANTA LTD AND DAKOTA TECH LLC, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E, RANCH ESTATES DISTRICT TO AN R-1, SINGLE FAMILY LOW DENSITY DISTRICT. THE PROPERTY IS LOCATED APPROXIMATELY 132 FEET SOUTH OF HAMMER LANE AND WEST OF LAWRENCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-35-601-003 AND 006. (FOR POSSIBLE ACTION)**

The application was presented by Marc Jordan, Planning Manager, who stated the comprehensive plan designation is single family, low which is supportive of their request for R-1 District. Staff recommended approval of this item.

Ray Frederickson, 197 Carlsbad Caverns, Henderson, NV 89012, stated the request was for a rezoning from an R-E to an R-1, with the intent to develop 20 lots on a currently undeveloped piece of land. They held a neighborhood meeting last week. Two people attended and expressed no concerns. They agree to all conditions put forth by staff and request approval.

Vice-Chairman Aston opened the Public Hearing. Vice-Chairman Aston closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

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

14. **T-1354 (46089) HAMMER/LAWRENCE. AN APPLICATION SUBMITTED BY DENUO LLC, ON BEHALF OF TERRA SANTA LTD AND DAKOTA TECH LLC, PROPERTY OWNERS, FOR APPROVAL OF A TENTATIVE MAP IN AN R-E RANCH ESTATE DISTRICT (PROPOSED R-1, SINGLE-FAMILY LOW DENSITY DISTRICT) TO ALLOW 20 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED APPROXIMATELY 132 FEET SOUTH OF HAMMER LANE AND WEST OF LAWRENCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-35-601-003 AND 006. (FOR POSSIBLE ACTION)**

The application was presented by Marc Jordan, Planning Manager, stated this was the accompanying tentative map for a 20 lot subdivision. The applicant proposed a density

of approximately 5 dwelling units to the acre. The tentative map is in compliance with Title 17 requirements. Mr. Jordan noted the landscaping along Lawrence Street shows a 5-foot sidewalk and 10 feet of landscaping. There would need to be some adjustments. A 5-foot sidewalk is required to be offset from the back of curb, and there would be 5-feet of landscaping no longer meandering. There would be a 5-foot landscape strip; 5-foot sidewalk; and another 5-foot landscape strip – overall, 15 feet, which includes the 5-foot sidewalk. The application shows compliance. This is a minor adjustment to the tentative map. They also indicate the required landscape parkway on one side of the street (a new requirement). The cul-de-sac is exceeding the 500-foot length; however, this was something that could be administratively waived by the Director of Public Works or designee – which has been waived. Staff is recommending approval.

Ray Frederickson, 197 Carlsbad Caverns, Henderson, NV 89012, was in agreement with Staff. He stated the sidewalk issue on Lawrence was simple. They would move the sidewalk over and have landscaping on both sides. He added he found a way to get sidewalks on both sides of the street. Mr. Frederickson requested approval.

The conditions are as follows:

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

2. The perimeter sidewalk shall be located within the center of the perimeter landscaping, with two (2) approximate equal strips of landscaping on each side of the sidewalk.

3. The tentative map shall become null and void should the accompanying rezoning request (ZN-05-13) not be approved by the City Council.

4. All known geologic hazards shall be shown on the preliminary development plan, tentative map and the civil improvement plans. Geological hazards such as fault lines or fissures affecting residential structures may substantially alter the tentative map layout and require the submission of a revised tentative map which must be approved by the City prior to final approval of the civil improvement plans. The footprint of proposed structures shall be plotted on all lots impacted by faults and/or fissures and a minimum width of five (5) feet shall be provided from the edge of any proposed structure to the nearest fault and/or fissure.

5. Approval of a drainage study is required prior to submittal of the civil improvement plans.

6. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan,* or as otherwise approved by the Director of Public Works or her designee.

7. The preliminary street sections shown on the plans shall be used for planning purposes only; the geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.

8. Approval of a traffic study is required prior to submittal of the civil improvement plans.

9. Dedication and construction of the following streets and/or 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. Lawrence Street

10. Temporary pavement shall be extended south on Lawrence Street to connect to the existing pavement to establish a secondary access; otherwise, the developer shall be required to construct a cul-de-sac per *Clark County Area Uniform Standard Drawing* number 212 at the terminus of Lawrence Street.

11. The street name shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards and must be approved by the City of Las Vegas Central Fire Alarm Office.

12. 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.

13. Proposed residential driveway slopes shall not exceed twelve percent (12%).

14. 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 if impacted by the proposed development of the parcel or if the pole impedes upon the proper ADA clearances for sidewalk. Under no circumstances will new down guy wires be permitted.

ACTION: APPROVED

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

15. ZN-06-13 (46092) REGENA & GOLDFIELD, LLC (PUBLIC HEARING). AN APPLICATION SUBMITTED BY REGENA & GOLDFIELD LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM THE R-2, SINGLE-FAMILY MEDIUM DENSITY DISTRICT TO AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF REGENA AVENUE AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-504-001. (FOR POSSIBLE ACTION)

Vice-Chairman Aston stated for the record that due to his affiliation with an adjoining property that he would abstain from voting on this item. Vice-Chairman Aston exited Council Chambers.

The application was presented by Marc Jordan, Planning Manager.

On the accompanying item that was continued indefinitely at the request of the applicant, the applicant was proposing to develop this site with 96, multi-family dwelling units. The comprehensive land use site for this designation is mainly mixed use commercial. There could be two or more types of land uses within designation. Usually 75% is commercial and 25% residential use. Mixed use commercial can be developed in either a vertical or horizontal manner. In this case, the applicant is not proposing a vertical mixed use. The applicant is proposing one type of use which is multi-family. Mixed use does not mean every property has to be developed with two or more uses; there can be one use.

Staff considers the surrounding area, how it is developing, and its design. In this case, there is multi-family to the north and to the east, a church to the south and commercial to the northwest, commercial to the northeast. Connectivity between uses would be reviewed, as well. Transit in the area -- how would residents get to various areas; are there stops, existing or proposed. The North 5th Street Transit Support Concept Plan would be used as a tool in evaluating requests.

Under the Plan, it shows five distinct districts. Within the districts, this site falls under the North 5th Street District. Each district is broken into transit stops that can be either surrounded by a core, center or edge which influenced the location of higher densities

mixed uses and design of a circular system. The core is usually the area that is approximately 600 feet from the transit center. Highest densities. When you move out from the core you find the center (600-1500 feet). You will still find higher densities, but it will start to lower. When you get to the edge, that is when you see transition from these areas to areas beyond the edge, where you will find lower densities within the area. Another thing that you would find within each district are distinct design densities that show densities, ranges and uses. This area would be designated as suburban medium density, and under transit plan it indicates 15 dwelling units to the acre and is usually an ideal area for buildings 2-5 stories in height. In this case, the applicant and accompanying item are proposing a 2-story building. Mr. Jordan noted this area is 600 feet from a future transit center, proposed off North 5th Street. Higher densities may be warranted. The applicant and accompanying application shows 22 dwelling units to the acre. You could consider 15-25 dwelling units to the acre, depending on the design.

Staff considered these factors, and is supportive of the request for rezoning from R-2 to R-3, with the idea that when the application on the accompanying item (which is continued indefinitely), comes before the Commission, they show mixed use design concepts within that. In this case, Staff recommended indefinite continuance, as there were several major amendments that were needed, that would be reviewed at a future date. Staff was recommending approval.

George Garcia, 1711 Whitney Mesa Drive, Suite 100, Henderson, NV, concurred with Mr. Jordan's summary. Mr. Garcia stated a lot of work went into the North 5th Street Corridor Study and Transit Corridor Study.

Commissioner Stone opened the Public Hearing. Commissioner Stone closed the Public Hearing.

Commissioner Ewing confirmed Item No. 16 would be continued. Mr. Garcia stated they would meet with staff regarding this item.

Commissioner Stone stated he believed R-3 zoning is either straight R-3 or PUD. It appeared there is a newer zoning with density being the same, or you could go vertical or horizontal. He confirmed the maximum was 25 units to the acre. Mr. Jordan confirmed the proposal was R-3 – apartments, condominiums or townhomes. If an applicant wanted more mixed use, it would be a different type of zoning designation -- mixed use concepts.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

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

Vice-Chairman Aston re-entered Council Chambers.

16. SPR-03-13 (46093) REGENA & GOLDFIELD, LLC (PUBLIC HEARING). AN APPLICATION SUBMITTED BY REGENA & GOLDFIELD LLC, PROPERTY OWNER, FOR A MAJOR SITE PLAN REVIEW IN AN R-2, SINGLE-FAMILY MEDIUM DENSITY DISTRICT (PROPOSED CHANGE TO AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT) TO ALLOW 96 UNITS OF MULTIFAMILY RESIDENTIAL DEVELOPMENT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF REGENA AVENUE AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-504-001. (FOR POSSIBLE ACTION)

Vice-Chairman Aston opened the Public Hearing.

ACTION: CONTINUED INDEFINITELY, AT THE REQUEST OF THE APPLICANT

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

Director Fiori thanked Chairman Brown, Vice-Chairman Aston and Commissioner Perkins for their service, and advised appointments/reappointments to the Planning Commission may be made at the July 3, 2013 City Council meeting.

In addition, a resolution may be presented to Council to address the issue of allowing those whose terms will be expiring to remain until such time replacements could be made.

Director Fiori advised City staff would contact them regarding possible reappointment.

CHAIRMAN'S BUSINESS

Vice-Chairman Aston stated he had served 10-11 years on the Commission, and he came to know staff, commissioners and past commissioners, applicants and residents. He has learned and grown a lot from his service. He thanked staff for their assistance throughout his term, and acknowledged the Commission for their support and service.

ADJOURNMENT

The meeting adjourned at 8:20 p.m.

APPROVED: July 10, 2013

/s/ Laura Perkins
Laura Perkins, Acting Chairman

/s/ Julie Shields
Julie Shields, Recording Secretary