

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

August 14, 2013

**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:** Chairwoman Perkins

**ROLL CALL:** Chairwoman Laura Perkins – Present  
Vice-Chairman Nelson Stone – Present  
Commissioner Jay Aston - Present  
Commissioner Sylvia Joiner-Greene – Present  
Commissioner Willard Ewing – Present  
Commissioner Felix Acevedo – Absent  
Commissioner Kenneth Kraft – 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  
Julie Shields, Recording Secretary

**VERIFICATION:** Julie Shields, Recording Secretary

**PLEDGE OF ALLEGIANCE:** Commissioner Jay Aston

**PUBLIC FORUM**

There was no public participation.

**MINUTES**

• **APPROVAL OF MINUTES FOR THE PLANNING COMMISSION MEETING OF JULY 10, 2013 (FOR POSSIBLE ACTION)**

ACTION: APPROVED

MOTION: Vice-Chairman Stone

SECOND: Commissioner Kraft

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

NAYS: None

ABSTAIN: None

Chairwoman Perkins requested the order of the agenda be modified so that Item Nos. 10-16 would be heard first.

ACTION: APPROVED

MOTION: Vice-Chairman Stone

SECOND: Commissioner Kraft

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

NAYS: None

ABSTAIN: None

Chairwoman Perkins requested the order of the agenda be modified to consider the applicant's request to continue item Nos. 17-22.

**OLD BUSINESS**

**Bill Curran, Ballard Spahr, 100 N. City Parkway, Las Vegas**, appeared on behalf of Station Casinos, who requested the items be continued for one year. They, along with a competitor, applied for casinos in the area of Losee Road, north of the beltway. At the time of filing the application, the economy crashed and projects were not financially viable. Secondly, the City Council [at that time] requested an analysis be completed of the impact on new gaming opportunities in North Las Vegas. A report was prepared, but not fully considered or adopted by City Council. The applicant wants to keep applications current and pending, and move forward when the economy justifies it. Another applicant's application was approved by the City's Planning Commission. Subsequently, the matter moved forward to City Council. The applicant requested the

application be held and it has been held by City Council each year since the time of the request. City Council recently granted a one year extension to the applicant.

17. AMP-08-08 (35792) LOSEE STATION RESORT & CASINO (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LOSEE ELKHORN PROPERTIES LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS TO INCREASE SEVERENCE LANE BETWEEN LOSEE ROAD AND STATZ STREET FROM A 60-FOOT RIGHT-OF-WAY TO AN 80-FOOT RIGHT-OF-WAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-13-401-001, 124-13-401-002, 124-13-401-005, 124-13-401-006, 124-13-401-007 AND 124-13-401-008. (CONTINUED JULY 9, AUGUST 13, AND DECEMBER 10, 2008, MARCH 11, JUNE 24, AND NOVEMBER 24, 2009, JANUARY 13 AND JULY 28, 2010, JANUARY 12 AND JULY 13, 2011 AND AUGUST 8, 2012) (FOR POSSIBLE ACTION)

Chairwoman Perkins opened the Public Hearing.

ACTION: CONTINUED TO AUGUST 13, 2014, AT THE REQUEST OF THE APPLICANT

MOTION: Commissioner Kraft

SECOND: Commissioner Joiner-Greene

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

NAYS: None

ABSTAIN: None

18. VAC-07-08 (35796) LOSEE STATION RESORT & CASINO (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LOSEE ELKHORN PROPERTIES LLC, PROPERTY OWNER, TO VACATE ELKHORN ROAD BETWEEN LOSEE ROAD AND STATZ STREET; AND TO VACATE BERG STREET BETWEEN SEVERENCE LANE AND ELKHORN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-13-401-001, 124-13-401-002, 124-13-401-005, 124-13-401-006, 124-13-401-007 AND 124-13-401-008. (CONTINUED JULY 9, AUGUST 13, AND DECEMBER 10, 2008, MARCH 11, JUNE 24, AND NOVEMBER 24, 2009, JANUARY 13 AND JULY 28, 2010, JANUARY 12 AND JULY 13, 2011 AND AUGUST 8, 2012) (FOR POSSIBLE ACTION)

Chairwoman Perkins opened the Public Hearing.

ACTION: CONTINUED TO AUGUST 13, 2014, AT THE REQUEST OF THE APPLICANT

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

19. AMP-07-08 (35791) LOSEE STATION RESORT & CASINO (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LOSEE ELKHORN PROPERTIES LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MIXED-USE NEIGHBORHOOD TO RESORT COMMERCIAL. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF STATZ STREET AND SEVERENCE LANE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-13-401-001, 124-13-401-002, 124-13-401-005 THROUGH 124-13-401-008. (CONTINUED JULY 9, AUGUST 13, AND DECEMBER 10, 2008, MARCH 11, JUNE 24, AND NOVEMBER 24, 2009, JANUARY 13 AND JULY 28, 2010, JANUARY 12 AND JULY 13, 2011 AND AUGUST 8, 2012) (FOR POSSIBLE ACTION)

Chairwoman Perkins opened the Public Hearing.

ACTION: CONTINUED TO AUGUST 13, 2014, AT THE REQUEST OF THE APPLICANT

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

20. **ZN-20-08 (35795) LOSEE STATION RESORT & CASINO (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LOSEE ELKHORN PROPERTIES LLC, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM AN R-E, RANCH ESTATES DISTRICT TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF A CASINO/HOTEL. THIS PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF STATZ STREET AND SEVERENCE LANE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-13-401-001, 124-13-401-002, 124-13-401-005 THROUGH 124-13-401-008. (CONTINUED JULY 9, AUGUST 13, AND DECEMBER 10, 2008, MARCH 11, JUNE 24, AND NOVEMBER 24, 2009, JANUARY 13 AND JULY 28, 2010, JANUARY 12 AND JULY 13, 2011 AND AUGUST 8, 2012) (FOR POSSIBLE ACTION)**

Chairwoman Perkins opened the Public Hearing.

ACTION: CONTINUED TO AUGUST 13, 2014, AT THE REQUEST OF THE APPLICANT

MOTION: Commissioner Kraft

SECOND: Commissioner Joiner-Greene

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

NAYS: None

ABSTAIN: None

21. **GED-03-08 (35793) LOSEE STATION RESORT & CASINO (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LOSEE ELKHORN PROPERTIES LLC, PROPERTY OWNER, FOR A PETITION TO ESTABLISH A GAMING ENTERPRISE DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF STATZ STREET AND SEVERENCE LANE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-13-401-001, 124-13-401-002, 124-13-401-005 THROUGH 124-13-401-008. (CONTINUED JULY 9, AUGUST 13, AND DECEMBER 10, 2008, MARCH 11, JUNE 24, AND NOVEMBER 24, 2009, JANUARY 13 AND JULY 28, 2010, JANUARY 12 AND JULY 13, 2011 AND AUGUST 8, 2012) (FOR POSSIBLE ACTION)**

Chairwoman Perkins opened the Public Hearing.

ACTION: CONTINUED TO AUGUST 13, 2014, AT THE REQUEST OF THE APPLICANT

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

22. **UN-64-08 (35794) LOSEE STATION RESORT & CASINO (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LOSEE ELKHORN PROPERTIES LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN R-E, RANCH ESTATES DISTRICT (PROPOSED PUD, PLANNED UNIT DEVELOPMENT DISTRICT) TO ALLOW A CASINO/HOTEL. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF STATZ STREET AND SEVERENCE LANE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-13-401-001, 124-13-401-002, 124-13-401-005 THROUGH 124-13-401-008. (CONTINUED JULY 9, AUGUST 13, AND DECEMBER 10, 2008, MARCH 11, JUNE 24, AND NOVEMBER 24, 2009, JANUARY 13 AND JULY 28, 2010, JANUARY 12 AND JULY 13, 2011 AND AUGUST 8, 2012) (FOR POSSIBLE ACTION)**

Chairwoman Perkins opened the Public Hearing.

ACTION: CONTINUED TO AUGUST 13, 2014, AT THE REQUEST OF THE APPLICANT

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

10. **UN-19-13 (46149) UNITED AUTO SALES, LLC (PUBLIC HEARING). AN APPLICATION SUBMITTED BY UNITED AUTO SALES LLC ON BEHALF OF BRI CHEYENNE STORAGE 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 2222 WEST CHEYENNE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-08-803-009. (CONTINUED JULY 10, 2013) (FOR POSSIBLE ACTION)**

This application was presented by Robert Eastman, Principal Planner.

The applicant intends to display up to six vehicles in an office using a portion of the building. The remaining portion of the office and the lot behind the building would be used for storage for a paving company. The site was originally used by Rainbow Rock, which has gone out of business. The paving company and the auto sales company are

currently operating elsewhere in the city and are moving to expand the business. The site is in general compliance with commercial design standards and meets the parking requirements for both uses. Staff recommends approval subject to the conditions listed below:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. A minimum of fourteen (14) parking spaces must be designated for the exclusive use of this business.
3. The special use permit is site-specific and non-transferable.

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.

**Terry (inaudible), United Auto Sales**, appeared to request approval from the Planning Commission.

Chairwoman Perkins opened the Public Hearing. Chairwoman Perkins closed the Public Hearing.

Commissioner Aston requested the applicant confirm he was familiar with the conditions requested by staff, and the applicant stated he was.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATIONS**

**MOTION: Commissioner Aston**

**SECOND: Commissioner Ewing**

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

**NAYS: None**

**ABSTAIN: None**

- 11. UN-21-13 (46245) ALL JAPANESE AUTO PARTS STORAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NEVADA LANDSCAPE CORP. ON BEHALF OF L & J LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW A SALVAGE YARD CENTER. THE PROPERTY IS LOCATED AT 5825 NORTH LAMONT STREET. THE ASSESSOR'S PARCEL NUMBER IS 123-29-701-006. (CONTINUED JULY 10, 2013) (FOR POSSIBLE ACTION)**

This application was presented by Robert Eastman, Principal Planner.

This is a heavy industrial area currently being occupied partially by a landscape company and All Japanese Auto Parts. All Japanese Auto Parts is using the majority of the site as storage for wrecked vehicles and parts storage as overflow for their existing location on La Mancha Avenue.

In general, the site is appropriate for the proposed use; however at present, it does not comply with all requirements for the industrial use that they are requesting. They will need to pave the drive aisles on the site for vehicles that would be driving on the site. The wrecked vehicles can be stored on their current combination of dirt and crushed rock. (inaudible) Additionally, under normal circumstances storage yards are required to be screened from view, but the applicant is proposing to screen the view using landscaping materials. The knuckle around Lamont Street is small and there is enough screening. Landscaping adjacent to the interstate is not sufficient and the applicant would need to provide a more effective landscape screen. Staff recommends approval subject to the conditions listed below:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That all areas for vehicular circulation shall be paved with a concrete or asphaltic surface subject to review and approval of the Director of Public Works and Director of Community Services and Development, or their designees.
3. A landscaping plan shall be provided to staff, demonstrating the additional plant species and size of the plants to be added to the existing landscaping to screen the wrecking yard from Interstate 15. Such landscaping plan shall be subject to staff review and approval.
4. A minimum 60 percent ground coverage shall be provided within the planter areas between the fence and rights-of-way (La Mancha Avenue and Lamont Street).
5. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
6. Approval of a drainage study is required prior to submittal of the civil improvement plans.
7. Due to the proximity of the project to the I-15 right-of-way, NDOT concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.

8. 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.

**Lucy Stewart, 3900 Meadows Lane**, applicant, understood and agreed with staff's conditions and requested approval.

Chairwoman Perkins opened the Public Hearing. Chairwoman Perkins closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATIONS

MOTION: Vice-Chairman Stone

SECOND: Commissioner Kraft

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

NAYS: None

ABSTAIN: None

12. **UN-20-13 (46237) GREAT AMERICAN AUTO SALES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY FADL A. DARWICHE ON BEHALF OF RIO PLAZA AUTO LLC C/O GREAT AMERICAN CAPITAL, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A VEHICLE SALES FACILITY. THE PROPERTY IS LOCATED AT 5128 CAMINO AL NORTE, SUITE #100. THE ASSESSOR'S PARCEL NUMBER IS 124-34-301-007. (CONTINUED JULY 10, 2013) (FOR POSSIBLE ACTION)**

This application was presented by Robert Eastman, Principal Planner.

Currently, the applicant is using two adjacent suites as a vehicle service facility. The location is an existing PUD. Under normal circumstances, automobile sales would be allowed in a C-2, and the underlying uses in the PUD are C-2 general commercial type uses; the zoning district is not C-2, and a use permit is required. The applicant is intending to keep 8-10 vehicles at the location and are not proposing any outdoor display of the vehicles. The required parking is 9 spaces, which the PUD has and are in compliance. Additionally, they are in compliance with commercial design standards. Staff recommends approval for auto sales in Suite 100, and could not spill over into Suite 200 or 300, where they are currently operating their auto service facility.

Staff recommends approval subject to the conditions listed below:

1. 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:
2. All vehicles for sale must be stored within Suite 100 of the building.
3. No outdoor display of the vehicles for sale is allowed.
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.

The applicant's comments were inaudible, with the exception of a request for approval from the Planning Commission.

Chairwoman Perkins opened the Public Hearing. Chairwoman Perkins closed the Public Hearing.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATIONS**

**MOTION: Vice-Chairman Stone**

**SECOND: Commissioner Joiner-Greene**

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

**NAYS: None**

**ABSTAIN: None**

- 13. UN-22-13 (46250) NO GREATER LOVE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NO GREATER LOVE WORSHIP CENTER ON BEHALF OF KIRWEN PROPERTIES LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A RELIGIOUS INSTITUTION (CHURCH). THE PROPERTY IS LOCATED AT 3355 WEST CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-05-316-014. (CONTINUED JULY 10, 2013) (FOR POSSIBLE ACTION)**

This application was presented by Marc Jordan, Planning Manager.

This is a commercial site with 12 buildings; two of the buildings front Craig Road and contain a variety of retail and office type uses. The remaining buildings are located behind the two buildings that front Craig Road and are office type uses. Previously, the Planning Commission has approved three other use permits for churches within the

center. Two have relocated or are no longer open. The center is predominantly unoccupied. Two major occupants are the North Las Vegas Police Department and Chamber of Commerce. The site when originally built was over-parked. The applicant anticipates 70 members. Parking is based on sanctuary size, rather than congregation size. The facility will be open on Sunday and Tuesday. Staff does not anticipate any parking concerns and recommends approval, subject to the condition listed below:

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

**Pastors Andrew and Betty Jackson, 5846 Rose Sage Street, North Las Vegas,** applicants, appeared before the Planning Commission to address any questions or concerns.

Chairwoman Perkins opened the Public Hearing. Chairwoman Perkins closed the Public Hearing.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATIONS**

**MOTION:** Commissioner Kraft

**SECOND:** Commissioner Joiner-Greene

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

**NAYS:** None

**ABSTAIN:** None

14. **UN-24-11 (46223) SOMMERSET CENTENNIAL ACADEMY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SOMERSET ACADEMY ON BEHALF OF SCHOOL DEVELOPMENT CENTENNIAL LLC, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT 385 WEST CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-27-115-022. (CONTINUED JULY 10, 2013) (FOR POSSIBLE ACTION)**

This application was presented by Marc Jordan, Planning Manager.

When this item was originally approved, the applicant proposed grades K-8th for a portion of the building. As part of the approval, Condition No. 9 limited turf to 12,000 square feet and specified where the turf area was to be located within the playground. The school has been successful, and applicant requested staff approval to expand that school into remaining portions of the building. Staff addressed this issue administratively. As a result of expansion, the needs of students and outdoor needs have changed.

The applicant requests Condition No. 9 be amended to allow the turf area to be expanded to 17,310 square feet, and to allow an additional playground area to the north of the existing playground area. The applicant proposed to remove 30 parking spaces within the parking lot and convert it to a playground that would consist of a basketball court and other hard surface playing areas. The area would be secured with a chain link fence and rolling gates to protect the children from automobile traffic where the drive aisle is located. The applicant indicated the drive aisle would be open during drop off and pick-up times and when the school is not in session. There is enough parking to convert the existing parking lot to the proposed playground area. There is plenty of circulation so that when the gates are closed it would not disturb other patrons within the shopping center. Staff recommends approval of amended use permit, changing Condition No. 9. This item is required to be forwarded to City Council for final consideration, subject to the conditions listed below:

1. 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 all attached departmental memoranda.
2. The development of this site shall be in compliance with the Commercial Development Standards and Design Guidelines, unless otherwise specified herein.
3. The special use permit is site-specific and non-transferable.
4. The building's west elevation shall be improved to include:
  - a. a wainscot, as shown on the north elevation; and
  - b. a cornice, as shown on the north elevation; and
  - c. painted stucco, as shown on the north elevation; and
  - d. stone veneer, as shown on the north elevation; and
  - e. a colonnade over the doors, as shown on the north elevation, or another method to provide shade / shelter as students enter and exit the building. If an alternative method is used, it shall be permanently affixed to the building and shall substantially match the design and architecture of the north elevation.
5. All exterior improvements, including but not limited to, the completion of the west elevation (Condition #4 above), concrete sidewalk around the playground, appropriate paving markings (as identified on the site plan for drop off/pick up lane) shall be provided prior to the issuance of a certificate of occupancy. The playground, playground equipment, and wrought iron fencing shall be reviewed and approved administratively by the Community Development Director or their designee and shall be installed by October 31, 2011.

6. The "New Fence" identified on the site plan (SHT A1.1) proposed to be located across the colonnade (adjacent to the north side of the building) between the proposed school and the "Existing Daycare, Suite I" will not be permitted. The shopping center's pedestrian connections shall remain unobstructed and accessible to the public.
7. All 148 on-site parking spaces identified on the site plan (Sheet "SHT A1.1") shall remain open and accessible to the public. With the exception of required ADA parking stalls, no other parking stalls shall be considered or labeled as "reserved" for the school or specific school personnel. Any vans, shuttles or transport vehicles for the school shall be parked off-site during non-school hours.
8. The Multi-Purpose Room / Cafeteria shall comply with occupancy requirements established by the North Las Vegas Fire Code and Building Code.
9. Turf shall be limited to the area identified on the amended site plan.
10. A minimum sixteen (16) shade trees (24" box) shall be planted along the southern and western edges of the playground areas. The trees shall be spaced not greater than 20 feet on-center. Specific species shall be subject to review and approval by staff during the review of the landscape and irrigation plans.
11. With the exception of the proposed turf, all landscaping and irrigation shall be provided with the first phase of construction / tenant improvements. Irrigation lines intended for turf irrigation shall be stubbed until such time that the turf is installed.
12. The playground areas west of the building shall be fully enclosed by wrought-iron fencing.
13. Approval of a traffic study update is required prior to approval of the civil improvement plans.
14. A drainage study for the project is required, however, due to the size of the area being developed, this project may be eligible for a drainage study waiver. A presubmittal meeting is required for drainage study waivers. To apply for a drainage study waiver, contact Public Works - Development & Flood Control Division at 633-2771.

**John Lopeman, 8985 S. Eastern**, applicant, read, understood and agreed to staff's conditions, and appeared before the Planning Commission to answer questions.

Chairwoman Perkins opened the Public Hearing.

**Scott Sauer, 6330 Orions Tool Street, North Las Vegas**, lived near the facility and stated they have been a good neighbor. Mr. Sauer had no issues with the expansion of the proposed playground. Mr. Sauer had issues with the proposed chain link fence, and stated the existing fence was wrought iron and was in keeping with the commercial design standards. He would like to see wrought iron rather than chain link fencing.

Chairwoman Perkins closed the Public Hearing.

Vice-Chairman Stone asked staff if chain link fencing was allowed by the City's design standards. Mr. Jordan responded normally wrought iron is the type of fencing desired in a commercial shopping area. If it was the Planning Commission's desire to require wrought iron fencing in this area, Condition No. 12 would need to be amended to require a wrought iron fence. Discussion was held regarding chain link fence being more forgiving than wrought iron in school playground areas.

The applicant advised the chain link fence was in the middle of automobile traffic. The wrought iron was protected by a sidewalk and curb. There is a greater opportunity for traffic to hit this fence rather than a wrought iron fence. There was a maintenance issue. Unless you were inside the center of shopping center, you could not see the chain link fence from the street.

Commissioner Ewing asked if this was the item where staff discussed removing part of the parking lot to provide for the expanded playground, and Mr. Jordan advised it was. Commissioner Ewing also asked if the applicant vacated the property, would it have to be returned to parking spaces and Mr. Jordan confirmed that was true. Mr. Jordan advised that staff looked at the entire shopping center, and the school and considered zoning requirements of all uses to see what the parking needs would be. If the school were to vacate and the main building would return to retail uses, the requirement for retail might be greater, and staff would have to revisit parking requirements. Most likely, the playground would have to be converted back to a parking lot.

The CCR's for the shopping center required the applicant to return it to a shopping center in the event they vacated.

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

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

**15. UN-23-13 (46252) LAS VEGAS SPEED & MOTOR SPORTS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LAS VEGAS SPEED & MOTOR SPORTS, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW A VEHICLE REPAIR FACILITY. THE PROPERTY IS LOCATED AT 3500 JOHN PETER LEE STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-10-310-010. (CONTINUED JULY 10, 2013) (FOR POSSIBLE ACTION)**

Marc Jordan, Planning Manager, requested Item Nos. 15 and 16 be briefed together since they were related and advised they would require separate votes.

Item No. 15 is a request for a special use permit for a vehicle repair facility, and Item No. 16 is also a request for a special use permit to allow vehicle sales facility.

The applicant is currently operating an indoor manufacturing facility, manufactures motors and vehicle rebuilding. They would like to repair vehicles such as cars, trikes pick-ups and motorcycles. Those vehicles would be stored in a secured parking lot.

Item No. 16 is a request for a use permit to allow vehicle sales, which would be stored outside within the same secured parking lot.

Staff reviewed both applications and considered the three proposed uses -- manufacturing, repair and sales and recommends approval for both applications, subject to the conditions listed below:

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 awaiting repair or pickup by the owner shall be stored in a screened, secure lot behind the existing building.
3. The special use permit is site-specific and non-transferable.
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.

**Chuck Shubnell, 3500 John Peter Lee, North Las Vegas**, applicant, appeared before the Planning Commission to address any questions or concerns.

Chairwoman Perkins opened the Public Hearing. Chairwoman Perkins closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATIONS

MOTION: Commissioner Kraft

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

16. **UN-24-13 (46253) LAS VEGAS SPEED & MOTOR SPORTS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LAS VEGAS SPEED & MOTOR SPORTS, 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 3500 JOHN PETER LEE STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-10-310-010. (CONTINUED JULY 10, 2013) (FOR POSSIBLE ACTION)**

Staff recommends approval, subject to the conditions listed below:

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. Vehicles for sale shall not be displayed in the parking lot.
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.

**Chuck Shubnell, 3500 John Peter Lee, North Las Vegas**, applicant, appeared before the Planning Commission to address any questions or concerns.

Chairwoman Perkins opened the Public Hearing. Chairwoman Perkins closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATIONS

MOTION: Commissioner Kraft

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

### NEW BUSINESS

- 1. AMP-05-13 (46487) SOMERSET ACADEMY LOSEE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ACADEMICA NEVADA ON BEHALF OF BANK OF NEVADA, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF HEAVY INDUSTRIAL TO PUBLIC/SEMI-PUBLIC. THE PROPERTY IS LOCATED ON THE EAST SIDE OF LOSEE ROAD AND APPROXIMATELY 485 FEET SOUTH OF LONE MOUNTAIN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-01-101-014. (FOR POSSIBLE ACTION)**

Marc Jordan, Planning Manager, requested Item Nos. 1 and 2 be briefed together since they were related.

Item No. 1 is an amendment to the Comprehensive Plan, Land Use Element, and Item No. 2 is a request for re-zoning of the property.

The applicant indicated the purpose to develop the site with a school, K-12<sup>th</sup> grade. Staff reviewed the purpose of public/semi-public district which is to provide uses such as offices, government, military, schools, and airports, etc.

The trend for this location is toward commercial type use, as well as increased residential.

Staff felt it was warranted to amend the Comprehensive Plan and re-zoning.

Mr. Jordan advised City Council adopted Strategic Plan 2012-2017 and 2030. Within that plan are principles and goals that encourage new development to improve the overall image of North Las Vegas, and staff supports both requests to amend the Comprehensive Plan and re-zoning.

**Bob Gronauer, 8345 W. Sunset Road**, represented Canyon Agassi Group and Somerset Academy. Mr. Gronauer requested the Planning Commission follow staff's recommendations for the amendment to the master plan and zoning.

Chairwoman Perkins opened the Public Hearing. Chairwoman Perkins closed the Public Hearing.

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

MOTION: Vice-Chairman Stone

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

2. **ZN-08-13 (46489) SOMERSET ACADEMY LOSEE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ACADEMICA NEVADA ON BEHALF OF BANK OF NEVADA, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM THE CURRENT DESIGNATION OF M-2, GENERAL INDUSTRIAL DISTRICT TO PSP, PUBLIC/SEMI-PUBLIC DISTRICT. THE PROPERTY IS LOCATED ON THE EAST SIDE OF LOSEE ROAD, APPROXIMATELY 485 FEET SOUTH OF LONE MOUNTAIN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-01-101-014. (FOR POSSIBLE ACTION)**

Chairwoman Perkins opened the Public Hearing. Chairwoman Perkins closed the Public Hearing.

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

MOTION: Vice-Chairman Stone

SECOND: Commissioner Joiner-Greene

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

NAYS: None

ABSTAIN: None

3. **SPR-05-13 (46483) SOMERSET ACADEMY LOSEE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ACADEMICA NEVADA ON BEHALF OF BANK OF NEVADA, PROPERTY OWNER, FOR A MAJOR SITE PLAN REVIEW IN AN M-2, GENERAL INDUSTRIAL DISTRICT, (PROPOSED**

**PROPERTY RECLASSIFICATION TO PSP, PUBLIC/SEMI-PUBLIC DISTRICT)  
FOR THE DEVELOPMENT OF A NEW SCHOOL, K-12. THE PROPERTY IS  
LOCATED ON THE EAST SIDE OF LOSEE ROAD, APPROXIMATELY 485  
FEET SOUTH OF LONE MOUNTAIN ROAD. THE ASSESSOR'S PARCEL  
NUMBER IS 139-01-101-014. (FOR POSSIBLE ACTION)**

This application was presented by Marc Jordan, Planning Manager.

The applicant proposed 150,000 square feet of building and 421 parking spaces. Any time a development proposes more than 80,000 square feet and more than 350 parking spaces, it requires a major site plan review required for reviewed by the Commission.

The applicant proposed completing this in five phases. Phase 1 includes the elementary school and entrances to the site, parking for Phases 1 and 2, playground and traffic loop that surrounds the site. Phase 2 consists of the Middle School; Phase 3 consists of a portion of the High School and additional parking and turf playing field; Phase 4 would consist of the rest of the High School, and Phase 5 would consist of the gymnasium building.

Design standards comply with commercial design and landscaping standards. Staff has no objections and recommends approval with the conditions outlined in the memorandum dated August 14, 2013 reviewed during pre-briefing. Additionally, conditions within that memorandum need to be amended. Condition Nos. 8, 9 and 10 to be deleted. Add new Condition No. 8 (renumber as appropriate) to state: "The applicant shall comply with all conditions of approval for the accompanying application for a Special Use Permit, UN-28-13", and renumber conditions accordingly.

Approval is subject to the conditions listed below:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. This site plan review shall become null and void should the accompanying requests (AMP-05-13, ZN-08-13, and UN-28-13) not be approved by the City Council.
3. A barrier, subject to staff review and approval shall be provided between undeveloped and developed portions of the site, appropriate to each phase of development to prevent vehicle use on undeveloped areas of the site.
4. Landscaping shall be installed as appropriate to each phase of development.
5. Parking shall be installed as appropriate to each phase of development.

6. The site plan shows only one (1) van accessible parking space. Per IBC 2009 Section 1106.5, at least two (2) van accessible parking spaces are required since nine (9) accessible parking spaces are provided.
7. Accessible route shall be provided from the accessible parking spaces and public sidewalk to the accessible entrance of the buildings per IBC Section 1106.6.
8. Approval of a traffic impact study is required prior to submittal of civil improvement plans.
9. Because of the resulting unacceptable public safety hazard, normal operation of the school shall never result in any queuing onto public streets, specifically, Losee Road. Therefore, all queuing from the normal operation of the school must be on-site. If the Director of Public Works or her designee observes queuing onto public streets or any other public safety hazard caused by this development, the City will require the school to employ all means necessary to remedy the situation. Mitigation measures will be at the sole cost of the property owner. Mitigation measures shall be to the satisfaction of the Director of Public Works and shall be completed as soon as possible, within a maximum of 30 days from notification by the City. Mitigation measures include, but are not limited to:
  - a. Providing more on-site paved queuing lanes
  - b. Restricting all driveways to right-in/right-out access only
  - c. Creating an online carpool, with a limited number of passes
  - d. Providing additional staggered bell times
  - e. Providing NLVPD Police Officer(s) to direct traffic during peak times at the sole cost and expense of the property owner
  - f. Reducing the school population
10. A deceleration lane is required to be constructed on Losee Road from the south property line to the northern driveway.
11. No drop-off or pickup outside the boundaries of the school is allowed.
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. All known geologic hazards shall be shown on the civil improvement plans. Geologic hazards such as faults and/or fissures may alter the site plan.

15. Approval of a drainage study is required prior to submittal of the civil improvement plans.
16. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study may be required prior to approval of the civil improvement plans.
17. A five foot wide sidewalk shall be constructed along Losee Road per Clark County Area Uniform Standard Drawing number 234.
18. 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.
19. A revocable encroachment permit for landscaping within the public right of way is required.
20. 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. Approval of a traffic impact study is required prior to submittal of civil improvement plans.
21. All off-site improvements must be completed prior to final inspection of the building.

Chairwoman Perkins opened the Public Hearing. Chairwoman Perkins closed the Public Hearing.

**Bob Gronauer, 8345 W. Sunset Road**, represented Canyon Agassi Group and Somerset Academy. Mr. Gronauer requested the Planning Commission's approval, and confirmed the campus includes K-8<sup>th</sup>; middle school and high school. This would be an addition to the existing charter school on Centennial and Commerce. Mr. Gronauer accepted staff's recommendations.

Chairwoman Perkins opened the Public Hearing. Chairwoman Perkins closed the Public Hearing.

**ACTION:** APPROVED SUBJECT TO STAFF RECOMMENDATIONS IN THE MEMORANDUM DATED AUGUST 14, 2013, WITH THE FOLLOWING CHANGES: DELETE CONDITION NOS. 8, 9, 10. ADD NEW CONDITION NO. 8: "THE APPLICANT SHALL COMPLY WITH ALL CONDITIONS OF APPROVAL FOR THE ACCOMPANYING

APPLICATION FOR A SPECIAL USE PERMIT, UN-28-13"; AND  
RENUMBER CONDITIONS ACCORDINGLY

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

4. **UN-28-13 (46482) SOMERSET ACADEMY LOSEE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ACADEMIC NEVADA ON BEHALF OF BANK OF NEVADA, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT, (PROPOSED PROPERTY RECLASSIFICATION TO PSP, PUBLIC/SEMI-PUBLIC DISTRICT) TO ALLOW A SCHOOL. THE PROPERTY IS LOCATED ON THE EAST SIDE OF LOSEE ROAD, APPROXIMATELY 485 FEET SOUTH OF LONE MOUNTAIN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-01-101-014. (FOR POSSIBLE ACTION)**

This application was presented by Marc Jordan, Planning Manager.

This application related to the Use Permit for the school itself. They will have 15 students that will be pre-kindergarten. It is anticipated there will be 2,415 students when fully built out. Operating hours will be 8:00 a.m. to 4:00 p.m., with three bell times. Staff recommended approval of the special use permit subject to conditions of revised memorandum, as listed below:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. This use permit shall become null and void should the accompanying requests (AMP-05-13 and ZN-08-13) not be approved by the City Council.
3. The applicant shall comply with all conditions of approval for the accompanying application for a major site plan review, SPR-05-13.
4. Approval of a traffic impact study is required prior to submittal of civil improvements plans.
5. Due to the fact the project only has access to one public road, a three month review from opening of school to review traffic flows shall be conducted by the Department of Public Works to assess the traffic impact of the project. If queuing

onto public streets or any other public safety hazards are observed, the school shall be required to employ all means necessary to remedy the situation at the sole cost of the property owner. Mitigation measures shall be to the satisfaction of the Director of Public Works or designee, and shall be completed within a time frame determined by the City.

6. A deceleration lane is required to be constructed on Losee Road north of the southern most driveway, subject to review and approval by the Director of Public Works or their designee.

**Bob Gronauer, 8345 W. Sunset Road**, represented Canyon Agassi Group and Somerset Academy. Mr. Gronauer thanked traffic, engineering and planning staff for their assistance in resolving traffic issues. Additionally, he accepted the re-revised conditions.

Vice-Chairman Stone confirmed with Mr. Gronauer that Condition No. 6 regarding the deceleration lane requirement on Losee Road north of the southern most driveway subject to review and approval by Director of Public Works or his designee, met with his approval. Mr. Gronauer will meet with the Director to discuss the accepted distance from the southern driveway going north on where to start the deceleration lane.

Chairwoman Perkins opened the Public Hearing. Chairwoman Perkins closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATIONS IN THE MEMORANDUM DATED AUGUST 14, 2013; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Aston

SECOND: Commissioner Joiner-Greene

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

NAYS: None

ABSTAIN: None

5. **UN-25-13 (46395) DETACHED ACCESSORY BUILDING (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LLOYD BRINER, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN R-E, RANCH ESTATE DISTRICT TO ALLOW A 2,217 SQUARE FOOT DETACHED GARAGE/POOL CABANA. THE PROPERTY IS LOCATED AT 4717 OVERLOOK RANCH. THE ASSESSOR'S PARCEL NUMBER IS 139-05-114-013. (FOR POSSIBLE ACTION)**

Vice-Chairman Stone abstained due to a family member present at the meeting who would be speaking on this item, and exited Council chambers.

This application was presented by Marc Jordan, Planning Manager.

The applicant's property is .35 acres or 15,165 square feet in size. The zoning ordinance normally allows a detached building that does not exceed 1,200 square feet in size. If a person desires to go above that, it requires approval of a special use permit by the Planning Commission. The Applicant complies with setback requirements for a detached structure and with the design requirements. The applicant would need to comply with a roll-up door on east side, where a pop-up architectural feature is needed. Whenever anyone is proposing a new garage, the front yard paving requirement is no more than one third. The applicant is exceeding this slightly, and would need to review the driveway design to bring the paved area down to meet the requirement.

Staff received a couple of cards and one letter from Rosco Nash, Jr. in opposition of this item. Copies were distributed to Planning Commission during pre-briefing.

Staff recommends approval of this item, subject to the conditions listed below:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. The accessory structure shall comply with all of the Single Family Design Guidelines, including but not limited to the following:
  - a. The accessory structure shall match the principal building in material, design and color.
  - b. Architectural embellishments shall be required around all doors and windows.
3. The accessory structure shall not exceed 2,217 square feet.
4. A driveway plan must be submitted for review and approval at the time of building permit application.

**Lloyd Briner, 4717 Overlook Street, North Las Vegas**, owner and applicant, appeared before the Planning Commission. Mr. Briner will support the one third front yard paving requirement. He will match his existing structure, design, and code, and accepts all the issues. Mr. Briner stated he lives in a gated community of 28 homes and he received 15 letters from neighbors in support of the project. Everyone on his street supports his project. He went throughout the neighborhood – two residents did not sign and two did not want to sign, but did not oppose. He made an effort to let them know about the project. He will be investing \$80,000 to \$100,000 into the project, which should increase the value of his home and neighborhood.

**Merle Kelly, 3608 Chaps Ranch Avenue, North Las Vegas**, spoke in opposition to this application, due to the large size of the proposed building. The structure exceeded the 1,200 square foot permitted by NLV Zoning Code 17.20.030 by 945 square feet. Ms. Kelly requested the item be continued because of a discrepancy in the square footage published in the agenda and public hearing notice (2,145 square feet) -- a difference of 72 square feet. In addition, Ms. Kelly requested a continuance due to pending appeal filed July 10, 2013 on UN-13-13, which was before City Council.

**Sandy Stone, 3604 Chaps Ranch Avenue, North Las Vegas**, spoke in opposition to this item. Ms. Stone appeared before the Planning Commission on July 10 on a similar item. That item was approved by the Planning Commission, and subsequent to that decision, a number of homeowners filed an appeal regarding the Planning Commission's decision. Ms. Stone requested a continuance on this item until City Council has made a decision on the appeal filed on UN-13-13.

**Stewart Freshwater, 4716 Estate Ranch Street, North Las Vegas**, homeowner, spoke in opposition to this item. He had not received a notice or plans from the applicant regarding this project. Mr. Freshwater advised this project had not been before the Homeowner's Association as of this time. Mr. Freshwater presented drawings of existing structures, as well as a Photoshopped representation of the proposed structure. Mr. Freshwater requested a continuance on this item until City Council made a decision on the appeal filed on UN-13-13.

Director Fiori advised the City had no enforcement authority over the Homeowners Association (HOA) and the CC & R's. Mr. Fiori stated they were civil documents between the property owners and the HOA. This issue would have to be addressed by the HOA. Mr. Fiori added there was nothing that required the property owner to receive approval from HOA prior to coming before the Planning Commission, which is heard under Title 17.

Mr. Briner advised he submitted this [proposed plan] in May to the Homeowners Association, and they had an opportunity to review it. He stated it is automatically approved if you did not receive a response within 45 days.

The applicant stated the frontage view would be the same whether it was 1,200 square feet or 2,217 square feet.

Chairwoman Perkins opened the Public Hearing. Chairwoman Perkins closed the Public Hearing.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATIONS**

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

Vice-Chairman Stone re-entered Council chambers.

Chairwoman Perkins requested the Planning Commission consider that the agenda be amended to move to Chairwoman's business.

ACTION: AGENDA AMENDED; MOVE TO CHAIRWOMAN'S BUSINESS

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

### **CHAIRWOMAN'S BUSINESS**

Mayor Lee acknowledged the Planning Commission and extended an invitation to meet with him in the future to discuss the City's direction. He thanked the Planning Commission for their service.

Vice-Chairman Stone stated prior joint meetings between the City Council and the Planning Commission were held, and said he looked forward to meeting with the City Council in the future.

Commissioner Aston stated the Planning Commission appreciated Mayor Lee stopping by and looked forward to his leadership.

### **NEW BUSINESS, CONTINUED**

6. **UN-26-13 (46470) ACTION FLEET REPAIR, LLC (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ACTION FLEET REPAIR, LLC, ON BEHALF OF STARS & STRIPES HELIPLX LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT, TO ALLOW A VEHICLE REPAIR FACILITY. THE PROPERTY IS LOCATED AT 574 EAST CHEYENNE AVENUE, BUILDING "B". THE ASSESSOR'S PARCEL NUMBER IS 139-11-401-007. (FOR POSSIBLE ACTION)**

This application was presented by Marc Jordan, Planning Manager.

At one time, this property was approved for a heliport owned by Stars & Stripes, but the City had not seen the operations of a heliport on the site for some time. The building toward Cheyenne Avenue was approved for vehicle repair. There is an office building on site that is used as an office by the applicant. The applicant is proposing parking between the building and east property line; however, that area is not large enough to serve as parking and applicant would not be able to use it. The site has ample parking for their use. Staff recommends approval, subject to the conditions listed below:

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 awaiting repair or pickup by the owner shall be stored indoors or in a screened, secure lot.
3. The special use permit is site-specific and non-transferable.
4. The gate on each of the driveways adjacent to North 5<sup>th</sup> Street shall be either removed or moved back to accommodate one WB-50 vehicle.

**Lorwyn McNeil, 4221 Lily Glen Court,** applicant. Mr. McNeil stated it was a good thing to open a new business, and the building has been setting vacant for years. A helicopter has not landed there for a couple of years. They were excited to be a new business in North Las Vegas.

Chairwoman Perkins opened the Public Hearing. Chairwoman Perkins closed the Public Hearing.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATIONS**

**MOTION: Commissioner Aston**

**SECOND: Commissioner Kraft**

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

**NAYS: None**

**ABSTAIN: None**

Mr. McNeil re-addressed the Planning Commission regarding the gate in the driveway. He stated the gates would remain open during business hours and closed to secure the site at night. He asked if the Planning Commission was recommending removal of the gates or to move them back.

Commissioner Aston stated action had already been taken on this item, and the condition would need to be amended. The action would need to be rescinded.

Ms. Sanchez discussed the interpretation of Condition No. 4 and conveyed the gate being open or shut may not have any bearing on this condition.

Eric Hawkins, Public Works/Traffic, stated the gate is too close to the street, and staff did not want vehicles to back onto the road.

Ms. Sanchez stated procedurally, if the body is considering changing the language of the condition, the item would require a motion to be reconsidered.

The applicant stated there would not be a need to back onto the road, as there was ample room to turn around.

The Planning Commission did not have a desire to reconsider the motion.

Chairwoman Perkins advised the applicant he could appeal the condition. The applicant did not wish to do so.

7. **UN-29-13 (46490) TIMBERS AT ANN & SIMMONS (PUBLIC HEARING). AN APPLICATION SUBMITTED S & A VENTURES, INC. ON BEHALF OF 2010-1 CRE NV-RETAIL, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT, TO ALLOW AN "ON-SALE" (RESTRICTED GAMING) ESTABLISHMENT. THE PROPERTY IS LOCATED AT 2696 WEST ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-29-811-002. (FOR POSSIBLE ACTION)**

This application was presented by Robert Eastman, Principal Planner.

The original application was approved in 2000, and operated at this location until January 2011. Since that time the building has remained vacant, and the Timbers Corporation now wants to re-open their tavern. Since the original approval, the ordinance has changed. Other competing land uses have moved into the site and they do not meet the separation requirements. There is a Cavanaugh's (Ann Road) and Winchell's (Simmons Street) within 2,500 feet; there is a daycare and two churches within 1,500 feet and existing residential within 500 feet. All separations which would preclude under normal circumstance a tavern being located at this site. However, since that time, and earlier this year we had a zoning ordinance which allows a use that previously existed to re-open as long as another use has not moved into the facility. The business had to be operating, had to have a use permit; had to be operating in good faith, and then close, and then remain vacant. This is one of the few locations that this ordinance pertains to. The applicant is asking for a waiver of the separations, as the code allows. Under normal circumstance, under the existing code, staff would have said no. However, the neighborhood had not changed substantially since the tavern operated in January 2011. The separations that were in place did not seem to deter or damage the fabric of the neighborhood in any way.

Staff recommends approval, subject to the one condition listed.

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

**George Garcia, 1711 Whitney Mesa Drive, Suite #110**, appreciated Staff's recommendation for approval, and agreed with their condition. He stated it was a great opportunity to bring the business back and to serve the neighborhood, generate jobs and income.

Chairwoman Perkins opened the Public Hearing. Chairwoman Perkins closed the Public Hearing.

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

**MOTION:** Commissioner Ewing

**SECOND:** Commissioner Joiner-Greene

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

**NAYS:** None

**ABSTAIN:** None

8. **UN-36-03 (46349) COAST HOTEL & CASINO (PUBLIC HEARING). AN APPLICATION SUBMITTED BY COAST HOTEL & CASINOS, INC., PROPERTY OWNER, FOR AN EXTENSION OF TIME FOR A PREVIOUSLY APPROVED SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT, TO ALLOW A HOTEL AND 80,000 SQUARE FOOT CASINO, WITH A HEIGHT OF 190 FEET. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND LAMB BOULEVARD (4205 EAST CENTENNIAL PARKWAY). THE ASSESSOR'S PARCEL NUMBER IS 123-20-501-008. (FOR POSSIBLE ACTION)**

This application was presented by Robert Eastman, Principal Planner.

This application was submitted by Coast Hotel & Casino for a two year extension of time. The Use Permit has previously been approved, and they received a number of extensions of time. They have an existing gaming enterprise district. The proposed hotel has 398 rooms, bowling alley, movie theatre and gaming facility. This will be the applicant's fifth request for an extension of time. The neighborhood has not substantially changed since their last request for an extension and staff recommends approval of this use permit, subject to the 26 conditions listed below:

1. That approval of a traffic study is required prior to submittal of the civil improvement plans; and
2. That approval of a drainage study is required prior to submittal of the civil improvement plans; and
3. That Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans; and
4. That driveway number and location are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in North Las Vegas Municipal Code 17.24.130. Conformance may require modifications to the site; and
5. That a water network analysis must be submitted with the civil improvement plans; and
6. That 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; and
7. That the following right of way dedications are required, unless deemed otherwise by the City's Traffic Engineer:
  - a. Sixty feet (60.0') for Lamb Boulevard;
  - b. Thirty feet (30.00') for Azure Avenue;
  - c. Additional right of way for the flared intersection at Centennial Parkway and Lamb Boulevard per the Uniform Standard Drawings for Public Works' Construction Off-Site Improvements Drawing Number 201.1;
  - d. Bus turn out on Lamb Boulevard near Centennial Parkway; and
8. That the development of this site be in compliance with the Commercial Development Standards and Design Guidelines, with the exception of the building orientation/placement, whereby the principal structure may be located as identified on the site plan; and
9. That the development of this site be in compliance with the Commercial Development Standards and Design Guidelines, including but not limited to the following:
  - a. A minimum twenty feet (20.00') of landscaping shall be provided between all on-site parking areas and/or drive aisles, and the rights-of-way for Centennial Parkway, Lamb Boulevard and Azure Avenue, except where there is a required dedication for a bus turn-out; and

- b. A berm or two-sided decorative wall measuring three feet (3.00') in height, as measured from the on-site parking lot / drive aisle grade, shall be provided between all on-site parking lot / drive aisles and the abutting rights-of-way for Centennial Parkway, Lamb Boulevard and Azure Avenue; and
10. That the hotel / tower structure(s) be designed and constructed to support wireless communications facilities; and
11. That the most direct route as is reasonable shall be provided from outside to the movie theaters; and
12. That signage be permitted in accordance with the following:
  - a. That one 60-foot (maximum) sign be permitted along Centennial Parkway in the immediate vicinity of the second (i.e., main) entrance, as identified on the site plan; and
  - b. That one 60-foot (maximum) sign be permitted along Lamb Boulevard in the immediate vicinity of the southern (i.e., main) entrance, as identified on the site plan; and
  - c. That all other free-standing signage be limited to monument signs not taller than eight feet (8.00'); and
13. That the parking structure be constructed as part of the first phase of development; and
14. That the west side of the parking structure shall include, but not be limited to, Conditions A through C:
  - a. One continuous landscape planter along the exterior side(s) of the ramp(s) shall be provided; and
  - b. The landscape planters shall be a minimum four feet (4.00') in width (inside-to-inside); and
  - c. The planting materials within the planters shall provide 100% coverage and are encouraged to "spill-over" the exterior sides; and
15. That a minimum thirty feet (30.00') of landscaping be provided along the western property line. The landscape area shall include two rows of 36-inch box trees spaced not greater than 25 feet on-center. The rows shall be staggered with centers equally offset and one of the rows shall be planted upon a berm. The berm shall be a minimum four feet (4.00') in height, as measured from the

adjacent drive aisle. The trees shall be of an evergreen variety/species that provides for maximum screening. The required trees shall be in addition to other required landscape materials; and

16. That all structures shall recognize a minimum 90-foot (90.00') setback from the southern and western property lines; and
17. That a minimum 12-plex theater be provided as part of the first phase of development; and
18. That a minimum 64-lane bowling alley be provided as part of the first phase of development; and
19. That the height of the principal structure shall not exceed 190 feet; and
20. That UN-36-03 shall expire on June 28, 2015; and
21. That a recessed loading dock, as depicted on the elevations, shall be included; and
22. That 30,000 square feet of independent meeting rooms and/or convention space be provided similar to those facilities provided at the Sun Coast Hotel and Casino; and
23. That a minimum two (2) palm trees per section shall be planted adjacent to the north side of the parking structure. A "section" shall be generally defined by the support columns, which are approximately 39 feet apart (on-centers.) Said palm trees shall be a minimum 22 feet tall, from the top of the root ball to the bottom of the fronds. The north side of the parking structure currently has four "sections" identified on the plans; and
24. That a minimum one (1) palm tree for every two (2) sections shall be planted adjacent to the west side of the parking structure. A "section" shall be generally defined by the support columns (minus the ramp,) which are approximately 18 feet apart (on-centers.) Said palm trees shall be a minimum 22 feet tall, from the top of the root ball to the bottom of the fronds. The west side of the parking structure currently has 31 "sections" identified on the plans; and
25. That a minimum three (3) additional decorative panels, "A" or "B", be added to the north side of the parking structure. The panels may be located at the owner's discretion. Currently, there are 10 decorative panels identified on the plans; and
26. That a minimum six (6) additional decorative panels, "A" or "B", be added to the west side of the parking structure. The panels may be located at the owner's discretion. Currently, there are 13 decorative panels identified on the plans.

**Bob Gronauer, 8345 W. Sunset Road**, represented Boyd Gaming, and asked that the Planning Commission follow staff's recommendations.

Chairwoman Perkins opened the Public Hearing. Chairwoman Perkins closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATIONS

MOTION: Commissioner Ewing

SECOND: Commissioner Kraft

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

NAYS: None

ABSTAIN: None

9. **SPR-04-10 (46352) MILLER SUBSTATION EXPANSION. AN APPLICATION SUBMITTED BY NV ENERGY, PROPERTY OWNER, FOR AN EXTENSION OF TIME FOR A PREVIOUSLY APPROVED SITE PLAN REVIEW IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW THE EXPANSION OF AN EXISTING SUBSTATION AND A WAIVER OF LANDSCAPING REQUIREMENTS ALONG THE NORTH SIDE OF THE SITE. 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)**

This application was presented by Robert Eastman, Principal Planner.

The applicant previously received approval of the site plan, with a waiver. This was approved under the previous code. The current code allows the Planning Commission to consider the item under the previous requirements, which is what the applicant is requesting with the extension, and which allows them to request a waiver of the landscaping requirements. Since this was originally approved under the site plan review, their extension of time remains as a site plan review. The neighborhood has not changed substantially. The waiver request was to reduce their landscaping. Staff recommended approval subject to the conditions listed below:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. The development shall comply with the Commercial Design Guidelines and Development Standards, including but not limited to the following:

- a. That landscape and irrigation plans be submitted for review and approval by the City of North Las Vegas prior to installation of any planting materials or irrigation system.
  - b. Provide a five (5) foot landscape buffer between the north property line and the perimeter block walls of the existing and proposed substations.
  - c. A twenty (20) foot wide perimeter landscape area (measured from the adjusted property line after dedications) with 24" box trees spaced at every ten (10) feet on center along Carey Avenue and Commerce Street in front of the walls must be maintained except for the portion of the proposed bus turn-out and existing substation.
  - d. All landscape areas must be planted with a minimum of 60% ground coverage that can be achieved within two (2) years from the time a final inspection is issued for the walls.
3. This site plan review shall expire on July 28, 2015, unless an extension of time is requested and approved by the Planning Commission.
  4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
  5. 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. Commerce St.
    - b. Associated Spandrels
  6. Additional dedication and construction of a right turn lane on Commerce Street, as depicted on site plan, is required.
  7. Right-of-way dedication and construction of a CAT bus turn-out is required on Carey Avenue west of Commerce Street per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
  8. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Carey Avenue.
  9. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
  10. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 226, with minimum widths as depicted on the site plan. (20 foot width on Carey Ave. - 28 foot width on Commerce St.)

11. 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.
12. A revocable encroachment permit for landscaping within the public right of way is required.
13. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. New distribution lines, or existing distribution lines being adjusted or relocated, shall be placed underground.
14. 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.
15. Fire access lanes and gates shall be designed per the Fire Code.
16. The applicant shall install a reduced pressure principal assembly (backflow prevention), per UDACS requirements, directly behind the existing water meter.

**Thomas Dombrowski, NV Energy, 6226 W. Sahara**, agreed with staff's recommendations and conditions, and requested the Planning Commission's approval.

Chairwoman Perkins advised since she opposed the landscaping changes when this was previously brought before the Planning Commission, she would be opposing this item at this time.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATIONS**

**MOTION: Commissioner Aston**

**SECOND: Commissioner Ewing**

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

**NAYS: Chairwoman Perkins**

**ABSTAIN: None**

### **PUBLIC FORUM**

There was no public participation.

**DIRECTOR'S BUSINESS**

Director Fiori congratulated Commissioner Aston on his re-appointment, and Commissioner Kraft on this appointment.

**ADJOURNMENT**

The meeting adjourned at 7:45 p.m.

APPROVED: September 11, 2013

**/s/ Laura Perkins**  
Laura Perkins, Chairwoman

**/s/ Julie Shields**  
Julie Shields, Recording Secretary