

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

April 9, 2014

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 Laura 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 – Present
Commissioner Kenneth Kraft – Present

STAFF PRESENT: Gregory Blackburn, Director
Marc Jordan, Planning Manager
Robert Eastman, Principal Planner
Bethany Rudd Sanchez, Sr. Deputy City Attorney
James Martines, City Attorney's Office
Rob McLaughlin, Public Works/Development & Flood
Control
Alyssa Reynolds, Public Works/Traffic
Julie Shields, Recording Secretary

VERIFICATION: Julie Shields, Recording Secretary

PLEDGE OF ALLEGIANCE: Commissioner Felix Acevedo

PUBLIC FORUM

There was no public participation.

AGENDA

1. APPROVAL OF THE PLANNING COMMISSION MEETING AGENDA OF APRIL 9, 2014 (FOR POSSIBLE ACTION)

ACTION: APPROVED

MOTION: Commissioner Kraft

SECOND: Commissioner Acevedo

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

NAYS: None

ABSTAIN: None

MINUTES

2. APPROVAL OF MINUTES FOR THE PLANNING COMMISSION MEETING OF MARCH 12, 2014 (FOR POSSIBLE ACTION)

ACTION: APPROVED

MOTION: Commissioner Stone

SECOND: Commissioner Kraft

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

NAYS: None

ABSTAIN: Commissioners Joiner-Greene and Acevedo

NEW BUSINESS

3. AMP-04-14 (48196) DELTA ACADEMY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TT VEGAS HOLDING COMPANY LLC ON BEHALF OF RED HILLS PROPERTY LLC AND BROOKS AVENUE LLC, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE

PLAN, LAND USE ELEMENT TO CHANGE THE CURRENT DESIGNATION OF MIX-USE EMPLOYMENT TO PUBLIC/SEMI-PUBLIC. THE PROPERTY IS LOCATED AT 818 WEST BROOKS AVENUE (NORTHWEST CORNER OF BROOKS AVENUE AND REVERE STREET). THE ASSESSOR'S PARCEL NUMBERS ARE 139-16-501-011 AND 139-16-501-012. (FOR POSSIBLE ACTION)

This item was presented by Marc Jordan, Planning Manager.

Item Nos. 3 and 4 were briefed simultaneously, and the Planning Commission was advised each item would be voted upon separately.

Mr. Jordan advised the April 9, 2014 Staff Report reflected that at the time the application was filed, the applicant had not held a neighborhood meeting. Subsequent to that time, staff was informed the neighborhood meeting had taken place, but there were no attendees.

Staff did not feel the proposed amendment to the Comprehensive Plan or the re-zoning would impact the development or the operations of the industrial in the area. Staff recommended approval of both items.

Robert Gertesén (phonetic), 817 S. Main Street, Las Vegas, architect, concurred with staff's recommended conditions. Mr. Gertesén stated that Delta Academy enrolled high risk students. The proposed facility would allow them to expand its student population. They met with administrators from Desert Rose High School, who were very welcoming. Students would be enrolled during Phase 1. The tenant improvements would go before City Council on May 7. A soccer field, gym and improvements to the drop-off zone will be scheduled during Phase 2.

Chairwoman Perkins opened the public hearing. Chairwoman Perkins closed the public hearing.

Commissioner Acevedo asked about the level of high risk teens. Kyle Konold, Executive Director and founder for Delta Academy, stated it was the school's seventh year of existence. They had just received an additional six year charter renewal from CCSD. Mr. Konold stated their students had not found success in traditional schools or campuses. Students have challenges, but they work together and move forward in a productive way. Currently, there are 280 students, grades 7-12. Next year they are requesting grades 6-12 to be housed in the new building.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Kraft

SECOND: Commissioner Acevedo

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

NAYS: None

ABSTAIN: None

4. **ZN-06-14 (48197) DELTA ACADEMY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TT VEGAS HOLDING COMPANY LLC ON BEHALF OF RED HILLS PROPERTY LLC AND BROOKS AVENUE LLC, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM THE CURRENT ZONING DESIGNATION OF AN M-2, GENERAL INDUSTRIAL DISTRICT TO A PSP, PUBLIC/SEMI-PUBLIC DISTRICT. THE PROPERTY IS LOCATED AT 818 WEST BROOKS AVENUE (NORTHWEST CORNER OF BROOKS AVENUE AND REVERE STREET). THE ASSESSOR'S PARCEL NUMBERS ARE 139-16-501-011 AND 139-16-501-012. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

Item Nos. 3 and 4 were briefed simultaneously, and the Planning Commission was advised each item would be voted upon separately.

Mr. Jordan advised the April 9, 2014 Staff Report reflected the applicant had not held a neighborhood meeting at the time the application was filed. Subsequent to that time, staff was informed the neighborhood meeting had taken place, but there were no attendees.

Staff did not feel the proposed amendment to the Comprehensive Plan or the re-zoning would impact the development or the operations of the industrial in the area. Staff recommended approval for both items.

Robert Gertesén (phonetic), 817 S. Main Street, Las Vegas, architect, concurred with staff's recommended conditions. Mr. Gertesén stated that Delta Academy enrolled high risk students. The proposed facility would allow them to expand its student population. They met with administrators from Desert Rose High School, who were very welcoming. Students would be enrolled during Phase 1. The tenant improvements would go before

City Council on May 7. A soccer field, gym and improvements to the drop-off zone will be scheduled during Phase 2.

Chairwoman Perkins opened the public hearing. Chairwoman Perkins closed the public hearing.

Commissioner Acevedo asked about the level of high risk teens. Kyle Konold, Executive Director and founder for Delta Academy, stated it was the school's seventh year of existence. They had just received an additional six year charter renewal from CCSD. Mr. Konold stated their students had not found success in traditional schools or campuses. Students have challenges, but they work together and move forward in a productive way. Currently, there are 280 students, grades 7-12, and next year they are requesting grades 6-12 to be housed in the new building.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Joiner-Greene

SECOND: Commissioner Acevedo

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

NAYS: None

ABSTAIN: None

5. **UN-14-14 (48195) DELTA ACADEMY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TT VEGAS HOLDING COMPANY LLC ON BEHALF OF RED HILLS PROPERTY LLC AND BROOKS AVENUE LLC, PROPERTY OWNERS, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT, (PROPOSED PROPERTY RECLASSIFICATION TO A PSP, PUBLIC/SEMI-PUBLIC DISTRICT) TO ALLOW A PRIMARY AND SECONDARY SCHOOL. THE PROPERTY IS LOCATED AT 818 WEST BROOKS AVENUE (NORTHWEST CORNER OF BROOKS AVENUE AND REVERE STREET). THE ASSESSOR'S PARCEL NUMBERS ARE 139-16-501-011 AND 139-16-501-012. (FOR POSSIBLE ACTION)**

This item was presented Robert Eastman, Principal Planner.

Staff recommended approval subject to conditions and amendment to Condition No. 2.

The original conditions per Staff Report dated April 9, 2014 are as follows:

PLANNING & ZONING:

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, including replacement of any dead material on the existing site.
5. The site shall comply with the parking requirements in the zoning ordinance; modifications to Phase II may be required.

PUBLIC WORKS:

6. 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.
7. Approval of a drainage study is required prior to submittal of the civil improvement plans.
8. Approval of a traffic study is required prior to submittal of the civil improvement plans.
9. Appropriate subdivision and/or parcel mapping is required to complete this project. All mapping shall be in compliance with NRS Chapter 278 and the *City of North Las Vegas Municipal Code* and associated Master Plans in effect at the time of subdivision and/or parcel map approval. Conformance may require modifications to the site.

Chairwoman Perkins opened the public hearing. Chairwoman Perkins closed the public hearing.

Sam Dunham (phonetic), 6960 Smoke Ranch Rd., Las Vegas, Civil Engineer, enjoyed working with staff on the project during the past week. Mr. Dunham stated there is a requirement for approval of a drainage and traffic study, which will be met in Phase 2, during the construction of the new building. There is also a requirement for an extension of a water main along Brooks Street, and they have worked out the condition that the water extension would go along with the Phase 2 construction. Additionally, there is a requirement to change out the fire meter, and install a grease interceptor. Mr. Dunham stated they will comply with those conditions, and requested the conditions not hold up the tentative improvement building permit. The plans will be approved, and the facilities will be installed prior to the Certificate of Occupancy, and prior to the improvements on the existing building.

Mr. Eastman responded this was substantially the agreement that staff worked out with the applicant this afternoon. The majority of the items are with the construction of Phase 2, especially the civil improvements plans dealing with grading. The grease interceptor will be done during the tenant improvement portion. The City will not be holding up the building permit. Staff will allow them to file their building permit and begin construction. The final Certificate of Occupancy will be held until these requirements are met. They will not hold up the applicant from converting the building.

Commissioner Acevedo asked what the determining factor would be for building Phase 2. An unidentified representative replied scope and schedule. A building permit would be needed by June 7-10 so they can construct and complete the first tenant improvements during Phase 1, (before August 21) so the students could move in. Phase 2 would include all other ancillary amenities such as the gym, the enhanced drop-off zone, soccer fields, basketball, and covered seating area.

Chairwoman Perkins opened the public hearing. Chairwoman Perkins closed the public hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS AND AMENDMENT TO CONDITION NO. 2. FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

Condition No. 2 to read:

This use permit shall become null and void should the accompanying requests (AMP-04-14 and ZN-06-14) not be approved by the City Council.

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

6. **UN-11-14 (48146) JMR AUTO SALES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MARLENNE RENDON ON BEHALF OF 2987 N. LAS VEGAS BLVD. LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW A VEHICLE SALES FACILITY. THE PROPERTY IS LOCATED AT 2987 NORTH LAS VEGAS BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-13-506-005. (FOR POSSIBLE ACTION)**

This item was presented by Robert Eastman, Principal Planner.

This item is in the Redevelopment area, and would be forwarded to the Redevelopment Agency for final action.

Mr. Eastman stated there is adequate parking for the proposed use. The building and site are not in compliance with the City's commercial design standards, as the principal building was built in 1950. Since that time, through the addition of other uses, some small modifications and enhancements have been done, but the site still has a number of violations from the current zoning standards. The building has a lot of advertisement that needs to be removed in order to be in compliance with signage standards. The landscaping along Las Vegas Boulevard is inadequate or in need of replacement. There appears to be an outdoor storage area in the northwest corner of the site, which is not permitted in the C-2 district, and would need to be removed.

The proposed use of an auto dealership is consistent with the other uses along Las Vegas Boulevard. Staff does not believe it would create a negative impact on the neighborhood and recommends approval, subject to the conditions listed.

The original conditions per Staff report dated April 9, 2014 are as follows:

PLANNING & ZONING:

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. Parking lot landscaping shall be enhanced with the following:
 - a. A 24-inch box tree shall be planted within each landscape diamond in the parking lot.
 - b. A 24-inch box tree and three 5 gallon shrubs shall be added to all other landscaping islands within the parking lot.
4. Landscaping along Las Vegas Boulevard shall be enhanced to provide one 24-inch box tree every 20 feet on center with shrubs / groundcovers to provide 50% ground coverage.
5. The storage area along the northern corner shall be removed.

PUBLIC WORKS:

6. 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.

Juan Peña (phonetic), 2987 N. Las Vegas Boulevard, appeared to answer questions, and understood and agreed with staff's recommended conditions.

Chairwoman Perkins opened the public hearing. Chairwoman Perkins closed the public hearing.

Commissioner Joiner-Greene reconfirmed with the applicant that he understood staff's recommendations, specifically regarding the beautification of the exterior landscaping. Mr. Peña acknowledged he understood.

ACTION: APPROVED; FORWARDED TO REDEVELOPMENT AGENCY FOR FINAL CONSIDERATION

MOTION: Commissioner Joiner-Greene

SECOND: Commissioner Acevedo

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

NAYS: None

ABSTAIN: None

7. **UN-13-14 (48188) POWERTRAIN PERFORMANCE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY POWERTRAIN PERFORMANCE LLC ON BEHALF OF SUSAN CANNAVO TRUST, 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 4150 LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-01-401-001. (FOR POSSIBLE ACTION)**

This item was presented by Robert Eastman, Principal Planner.

This was a previously developed industrial building that housed a transmission repair shop until January 2013. Since that time, the use permit had expired and a new permit is required. The building was originally built in 1992, and is not in compliance with the City's current industrial design standards. The applicant is not proposing any changes to the site or the building, and the facade of the building is in compliance with the City's design standards. It is only the back portion of the building that is not in compliance.

The site has 21 parking spaces, and adequate parking exists for the proposed use. The surrounding neighborhood has not changed substantially since the transmission shop was in place, and staff does not believe the proposed use could be a detriment to the neighborhood. Staff recommends approval subject to the conditions listed.

The original conditions per Staff Report dated April 9, 2014 are as follows:

PLANNING & ZONING:

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 repair work on vehicles shall be performed inside the building.
3. The entire site shall be screen with a decorative block wall. The gates shall be enhanced with metal mesh to provide additional screening.
4. The special use permit is site-specific and non-transferable.
5. The portion of the site to the rear of the building shall be paved or blocked off to prevent vehicle access.

PUBLIC WORKS:

6. 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.

Lucy Stewart (phonetic), 2500 W. Sahara, Las Vegas, represented the property owner and applicant. Also present was Tony Sallis (phonetic), the proposed tenant. Ms. Stewart requested clarification on Condition No. 3, regarding the entire site being screened with a decorative block wall. It was her understanding [through Mr. Eastman] that the wall did not have to be decorative, and only had to be installed if the site were to be used as storage area. During the day, cars being worked on would be stored inside the building. Movement of the cars from indoors to outdoors would occur throughout the day. The owner has agreed to screen the fence, and they would be screening their area from the truck storage. Ms. Stewart requested that screening of the wall be deferred for one year so they could work with neighbors to work on the screening collaboratively.

Mr. Eastman stated the applicant was correct, that a decorative wall was not required. The code specifically states for vehicle repair facilities that any storage of vehicles must be behind an opaque screen wall. Under the code, if they use the inside of the building for storage, a screened in wall would not be required. If they decide to use the back portion for storage of vehicles, then a screened in wall would be needed, and would not have to be decorative. Until a screened wall is present, they cannot use the back portion for overnight storage, but could use that area to transfer cars from indoors to outdoors.

Chairwoman Perkins asked Ms. Stewart if it were agreeable not to use the outside for storage and she stated she was unsure. Mr. Eastman stated if it is the Planning Commission's desire they could amend Condition No. 3 to allow the construction of the screen wall within one year of approval. If the applicant does not use the storage area, then the screen wall would not be required.

Chairwoman Perkins conveyed a 90-day period may be a consideration. Mr. Sallis, tenant, stated after 5:30 p.m., no vehicles were parked out front (North 5th and Cheyenne), but during the day vehicles came and went. Due to the nature and cost of the trucks they repair (\$30K-\$130K), it is in their best interest to store them inside for security reasons. He preferred to store vehicles inside by 6:00 p.m. He liked to maintain a professional and clean image in his shop.

Commissioner Aston was open to the amendment inferred by Mr. Eastman, when considering the surrounding property and intent of the ordinance. It seemed as though there would not be a lot of vehicles stored outside.

Vice-Chairman Stone asked staff about the block wall requirement as it was currently written, and asked if the block wall would have to be in place before business license was issued.

Mr. Eastman responded no. The code states for vehicle service or repair, overnight storage would have to be behind an opaque screen. If the applicant stores all the vehicles in the building, he could operate his business and never put up a wall. The City would not prohibit his business license. If, at a future time, it was determined he was storing vehicles, and did not have screen wall, then Code Enforcement would address the issue.

Vice-Chairman Stone added Code Enforcement observes the site and would establish a time by when corrective action would have to occur.

Ms. Rudd Sanchez added a notice of violation would be issued, which would specify the corrective active needed, and the time period in which to complete it. If the condition is not corrected within the time frame stipulated, a citation would be issued.

Vice-Chairman Stone was in favor of the one year time allotment to allow the applicant to work with the adjacent neighbors to lessen the cost of the wall.

Chairwoman Perkins opened the public hearing. Chairwoman Perkins closed the public hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS, AND AMENDMENT TO CONDITION NO. 3.

Condition No. 3 to read:

The entire site shall be screen, in compliance with Title 17. The gates shall be enhanced with metal mesh to provide additional screening. The appropriate screening shall be installed within one year from the date of approval.

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

8. **ZOA-01-14 (48271) AMEND PET ORDINANCE (PUBLIC HEARING). AN ORDINANCE AMENDMENT INITIATED BY THE CITY OF NORTH LAS VEGAS TO AMEND TITLE 17 (ZONING ORDINANCE), SECTION 17.32.030 (DEFINITION OF TERMS) OF THE NORTH LAS VEGAS MUNICIPAL CODE TO AMEND THE TERMS OF "PET CARE AND BOARDING FACILITY" AND "ANIMAL HOSPITAL OR CLINIC" AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (FOR POSSIBLE ACTION)**

This item was presented by Robert Eastman, Principal Planner.

The proposed amendment was the same for both "Pet Care and Boarding Facility" and "Animal Hospital or Clinic," which would strike the maximum number of animals that could be kept on site at any one time. It is currently set at 30 animals, which would be removed from the definition. Other entities in the Valley and the City of North Las Vegas already have requirements regarding the number of animals that can be kept at a boarding facility or veterinary clinic, and are based on the size of the animal and the size of the clinic. The existing definition would preclude, or not allow, a larger facility to be built because of the artificial cap of 30 animals. Therefore, staff believes the definition should be amended, and the City would rely on the requirements that exist in Animal Control, and in a similar manner as the other entities within the Valley.

Staff recommended the definitions be approved and forwarded to City Council for final consideration.

The original amendments per Staff Report dated April 9, 2014 are as follows:

Amend Title 17, Section 17.32.030 Definition of Terms by amending the following definitions:

Animal Hospital or Clinic

A place where small animals (such as dogs, cats, birds, hamsters, ferrets, fish, and domestic pets) are given medical or surgical treatment, and are cared for during and following the time of such treatment. Such facility shall be operated

by a Nevada-licensed veterinarian and shall have the primary use dedicated to the out-patient treatment of small animals. Outside pens, kennels, or runs are not permitted as part of an animal hospital. The short-term boarding of no more than 10 days is permitted. A maximum 25% of the total floor area of the facility may be devoted to boarding.

Pet Care and Boarding Facility

A place where small animals (such as dogs, cats, birds, hamsters, ferrets, and domestic pets) are given regular care and boarding for the time of stay. The total floor area of the facility may be devoted to care and boarding.

Chairwoman Perkins opened the public hearing. Chairwoman Perkins closed the public hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Kraft

SECOND: Commissioner Acevedo

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

NAYS: None

ABSTAIN: None

Chairwoman Perkins acknowledged Councilman Barron's attendance at the Planning Commission meeting.

- 9. UN-10-14 (48181) REPUBLIC SILVER STATE DISPOSAL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY REPUBLIC SILVER STATE DISPOSAL, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT, TO ALLOW A LOW INTENSITY MATERIALS RECOVERY FACILITY. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CHEYENNE AVENUE AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-10-402-001. (FOR POSSIBLE ACTION)**

Item Nos. 9, 10 and 11 were briefed simultaneously, and the Planning Commission was advised each item would be voted upon separately.

Item No. 9 is a use permit for a low intensity materials recovery facility. This would be a new facility located south of their existing facility. They meet the minimum acreage size. They are at least 500 feet from residential, and 150 feet from where storage may occur from residential. They are 720 feet from the nearest residential. The applicant indicated they will comply with all requirements listed within Title 17. Staff had no objections and recommended approval.

Item No. 10 is to vacate a portion of right-of-way along the curve of Colton Avenue and 3rd Street, located to the west of their facility. This is excess right-of-way (approximately 1,200 square feet) that is not required. The applicant requested it be removed and incorporated into their site. Staff had no objections and recommended approval.

Item No. 11 is the site plan review. This item is presented to the Planning Commission because it is a major site plan, and is more than 80,000 square feet – it is 106,000 square feet in size. The applicant proposed to locate the building in the center of the site toward the northern property line, to avoid a floodplain that is part of their site. The design of the building complies with industrial guidelines. The applicant asked Public Works to defer off-site improvements, and Utilities to defer off-sites that would be part of the off-site improvements. In addition, the applicant requested Planning Commission's consideration to defer the landscape, adjacent to 3rd Street only. Staff had no objections to deferring, and requested the landscaping be installed at the time Public Works requests to see the off-site improvements put into place. Staff had no objections and recommended approval.

The original conditions per Staff Report dated April 9, 2014 are as follows:

PLANNING & ZONING:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. The applicant shall comply with all conditions of approval for SPR-01-14.

Bob Gronauer, 8345 W. Sunset Rd., appeared with Ed Vance (phonetic)/Architect and Sam Dunham (phonetic)/Engineer. The site was on the north side of Cheyenne, and is approximately 16 acres of vacant property. To the north of the site is the current recycling facility. Based on the changes to the franchise agreement with the City of North Las Vegas, Clark County and the City of Henderson [over the past year], Republic Services is in the process of expanding their recycling facility. The property in the surrounding area is also industrial. The facility is 102,000 feet. All truck traffic would

come from the north side of the property. The applicant accepts staff's recommendations on all three applications.

Chairwoman Perkins opened the public hearing. Chairwoman Perkins closed the public hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Aston

SECOND: Commissioner Ewing

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

NAYS: None

ABSTAIN: None

10. VAC-03-14 (48183) REPUBLIC SILVER STATE DISPOSAL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY REPUBLIC SILVER STATE DISPOSAL, PROPERTY OWNER, TO VACATE A PORTION OF EXCESS RIGHT-OF-WAY ALONG THE CURVE OF COLTON AVENUE AND THIRD STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-10-402-001. (FOR POSSIBLE ACTION)

Item Nos. 9, 10 and 11 were briefed simultaneously, and the Planning Commission was advised each item would be voted upon separately.

Item No. 9 is a use permit for a low intensity materials recovery facility. This would be a new facility that would be located south of their existing facility. They meet the minimum acreage size. They are at least 500 feet from residential, and 150 feet from where storage may occur from residential. They are 720 feet from the nearest residential. The applicant indicated they will comply with all requirements listed within Title 17. Staff had no objections and recommended approval.

Item No. 10 is to vacate a portion of right-of-way along the curve of Colton Avenue and 3rd Street, located to the west of their facility. This is excess right-of-way (approximately 1,200 square feet) that is not required. The applicant requested it be removed and incorporated into their site. Staff had no objections and recommended approval.

Item No. 11 is the site plan review. This item is presented to the Planning Commission because it is a major site plan, and is more than 80,000 square feet – it is 106,000 square feet in size. The applicant proposed to locate the building in the center of the site toward the northern property line, to avoid a floodplain that is part of their site. The

design of the building complies with industrial guidelines. The applicant asked Public Works to defer off-site improvements, and Utilities to defer off-sites that would be part of the off-site improvements. In addition, the applicant requested Planning Commission's consideration to defer the landscape, adjacent to 3rd Street only. Staff had no objections to deferring and requested the landscaping be installed at the time Public Works requests to see the off-site improvements put into place. Staff had no objections and recommended approval.

The original conditions per Staff Report dated April 9, 2014 are as follows:

PUBLIC WORKS:

1. The vacation shall record prior to or concurrently with approval of the civil improvement plans for the associated Special Use Permit (UN-10-14) and Site Plan Review (SPR-01-14).
2. The exhibit provided by the applicant that is showing the area to be vacated is subject to modification based upon a detailed review of the right-of-way during the civil improvement plan review process.
3. Dedication of additional right-of-way will be required, per *Clark County Area Uniform Standard Drawing* number 211, to correct the design of the knuckle. The vacation shall record with the additional dedication.

Bob Gronauer, 8345 W. Sunset Rd., appeared with Ed Vance (phonetic)/Architect and Sam Dunham (phonetic)/Engineer. The site was on the north side of Cheyenne, and is approximately 16 acres of vacant property. To the north of the site is the current recycling facility. Based on the changes to the franchise agreement with the City of North Las Vegas, Clark County and the City of Henderson [over the past year], Republic Services is in the process of expanding their recycling facility. The property in the surrounding area is also industrial. The facility is 102,000 feet. All truck traffic would come from the north side of the property. They accept staff's recommendations on all three applications.

Chairwoman Perkins opened the public hearing. Chairwoman Perkins closed the public hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

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

11. **SPR-01-14 (48182) REPUBLIC SILVER STATE DISPOSAL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY REPUBLIC SILVER STATE DISPOSAL, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2, GENERAL INDUSTRIAL DISTRICT, TO REVIEW THE SITE DESIGN AND BUILDING (APPROXIMATELY 106,019 SQUARE FEET IN SIZE) FOR A LOW INTENSITY MATERIAL RECOVERY FACILITY. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CHEYENNE AVENUE AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-10-402-001. (FOR POSSIBLE ACTION)**

Item Nos. 9, 10 and 11 were briefed simultaneously, and the Planning Commission was advised each item would be voted upon separately.

Item No. 9 is a use permit for a low intensity materials recovery facility. This would be a new facility located south of their existing facility. They meet the minimum acreage size. They are at least 500 feet from residential, and 150 feet from where storage may occur from residential. They are 720 feet from the nearest residential. The applicant indicated they will comply with all requirements listed within Title 17. Staff had no objections and recommended approval.

Item No. 10 is to vacate a portion of right-of-way along the curve of Colton Avenue and 3rd Street, located to the west of their facility. This is excess right-of-way (approximately 1,200 square feet) that is not required. The applicant requested it be removed and incorporated into their site. Staff had no objections and recommended approval.

Item No. 11 is the site plan review. This item is presented to the Planning Commission because it is a Major Site Plan, and is more than 80,000 square feet – it is 106,000 square feet in size. The applicant proposed to locate the building in the center of the site toward the northern property line, to avoid a floodplain that is part of their site. The design of the building complies with industrial guidelines. The applicant asked Public Works to defer off-site improvements, and Utilities to defer off-sites that would be part of the off-site improvements. In addition, the applicant requested Planning Commission's consideration to defer the landscape, adjacent to 3rd Street only. Staff had no

objections to deferring, and requested the landscaping be installed at the time Public Works requests to see the off-site improvements put into place. Staff had no objections and recommended approval.

The original conditions per Staff Report dated April 9, 2014, are as follows:

PLANNING & ZONING:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. A minimum eight-foot high decorative screen wall shall be provided behind the required landscaping for Cheyenne Avenue, Commerce Street, and Third Street.
3. Landscaping between the back of side walk and the screen wall shall be provided with the initial phase of development for both Cheyenne Avenue and Commerce Street. However, landscaping improvements adjacent to Third Street may be deferred until such time that off-site improvements are required.
4. The site plan review shall become null and void should the accompanying special use permit (UN-10-14) not be approved by either the Planning Commission or City Council.

PUBLIC WORKS:

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. The limits of the Federal Emergency Management Agency Special Flood Hazard Area Zone A must be shown on all site plans, civil improvement plans, etc. submitted to the City.
 - a. The City of North Las Vegas does not permit the construction of any buildings within a Federal Emergency Management Agency (FEMA) designated Special Flood Hazard Area (SFHA). Under this policy, the applicant must meet the following requirements prior to issuance of permits and certificates of occupancy:

- b. Grading and off-site construction permits may be issued once a copy of the Conditional Letter of Map Review (CLOMR) application has been submitted to FEMA for processing.
 - c. The Project's surety/bond may be released after the Letter of Map Revision (LOMR) has been obtained from FEMA.
8. 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 Street
 - b. Third Street (improvements to be designed, bonded; construction may be deferred until required by the Director of Public Works)
 - c. Third Street / Colton Street knuckle/intersection
9. 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.
10. 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, or as approved by the City Traffic Engineer.
11. The property owner is required to grant a roadway easement for commercial driveway(s).
12. During the civil plan review process, if the existing driveways along Commerce Street are found to not meet current ADA requirements, then they shall be replaced with a driveway meeting the current standards (225 or 226.S1); or, if construction of a block wall/fencing will preclude the existing driveways from being used, then the existing driveways will need to be replaced with curb gutter and sidewalk.

13. Approval of a traffic study is required prior to submittal of the civil improvement plans.
14. The proposed "NEW RIGHT TURN LANE" is not approved or accepted by way of this application and is subject to a detailed review by the City Traffic Engineer.

Bob Gronauer, 8345 W. Sunset Rd., appeared with Ed Vance (phonetic)/Architect and Sam Dunham (phonetic)/Engineer. The site was on the north side of Cheyenne, and is approximately 16 acres of vacant property. To the north of the site is the current recycling facility. Based on the changes to the franchise agreement with the City of North Las Vegas, Clark County and the City of Henderson [over the past year], Republic Services is in the process of expanding their recycling facility. The property in the surrounding area is also industrial. The facility is 102,000 feet. All truck traffic would come from the north side of the property. They accept staff's recommendations on all three applications.

Chairwoman Perkins opened the public hearing. Chairwoman Perkins closed the public hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Aston

SECOND: Commissioner Joiner-Greene

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

NAYS: None

ABSTAIN: None

12. **ZN-05-14 (48190) SIMMONS & SAN MIGUEL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY BERG BUILDERS ON BEHALF OF TRIPLE LATS LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM THE CURRENT ZONING DESIGNATION OF AN R-E, RANCH ESTATES DISTRICT TO AN R-1, SINGLE-FAMILY LOW DENSITY DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF SAN MIGUEL AVENUE AND SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-05-801-001. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

Staff had no objections and recommended approval.

Rebecca Chiriboga, 6030 South Jones Boulevard, appeared on behalf of the applicant. This zone change is in conjunction with Item No. 13,T-1365. The zoning is consistent with the neighborhood. Ms. Chiriboga agreed with staff's recommended conditions.

Chairwoman Perkins opened the public hearing. Chairwoman Perkins closed the public hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Aston

SECOND: Commissioner Kraft

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

NAYS: None

ABSTAIN: None

13. T-1365 (48191) SIMMONS & SAN MIGUEL. AN APPLICATION SUBMITTED BY BERG BUILDERS ON BEHALF OF TRIPLE LATS LLC, PROPERTY OWNER, FOR AN APPROVAL OF A TENTATIVE MAP IN AN R-E, RANCH ESTATES DISTRICT (PROPOSED PROPERTY RECLASSIFICATION TO AN R-1, SINGLE-FAMILY LOW DENSITY DISTRICT) TO ALLOW TEN RESIDENTIAL LOTS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF SAN MIGUEL AVENUE AND SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-05-801-001. (FOR POSSIBLE ACTION)

This item was presented by Marc Jordan, Planning Manager.

Staff had no objections and recommended approval.

The original conditions per Staff Report dated April 9, 2014 are as follows:

PLANNING AND ZONING:

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

PUBLIC WORKS DEPARTMENT:

2. This project must be coordinated with the capital improvement project for Simmons Street. The City of North Las Vegas contact is Thomas Brady (702) 633-1227.
3. 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. Simmons Street
 - b. San Miguel Avenue
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. Any preliminary street section(s) 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.
7. Approval of a traffic study waiver is required prior to submittal of the civil improvement plans.
8. 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.
9. All common elements shall be labeled and are to be maintained by the Home Owners Association or Landscape Maintenance Associate.

10. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element when that sidewalk is providing public access adjacent to the right-of-way.
11. A revocable encroachment permit for landscaping within the public right of way is required.
12. All off-site improvements must be completed prior to final inspection of the first home.
13. All residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222.
14. Proposed residential driveway slopes shall not exceed twelve percent (12%).
15. 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.

Rebecca Chiriboga, 6030 South Jones Boulevard, appeared on behalf of the applicant. This zone change is in conjunction with Item No. 13, T-1365. The zoning is consistent with the neighborhood. Ms. Chiriboga agreed with staff's recommended conditions.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Kraft

SECOND: Commissioner Ewing

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

NAYS: None

ABSTAIN: None

14. **UN-09-14 (48169) TMT CUSTOMZ (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TMT CUSTOMZ LLC ON BEHALF OF FENIX INVESTMENT HOLDING LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A VEHICLE SERVICE FACILITY. THE PROPERTY IS LOCATED AT 4600 WEST CRAIG ROAD, SUITE 401. THE ASSESSOR'S PARCEL NUMBER IS 139-06-215-011. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

In March 2005, the Planning Commission approved a Special Use Permit for a service facility at this location. The business owner went out of business in July 2012, and a new use permit is required. The applicant of this use permit is proposing uses that are very similar. Staff expressed concern when the applicants indicated in their letter of intent that they would offer body kits, as staff was uncertain as to what this would constitute. Mr. Jordan stated body work and paint normally fell under a vehicle repair facility, which is a heavy duty type of repair, and is not allowed in a C-1 district. It is only allowed as a special use in an M-2 district.

Staff had no objections to the use; however, Condition No. 4 was added which prohibits any body work or painting that would constitute vehicle repair under the City's definition of vehicle repair.

Staff recommended approval subject to conditions listed, and deleted Condition No. 5.

The original conditions per Staff Report dated April 9, 2014 are as follows:

PLANNING AND ZONING:

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 service and material storage shall be conducted within the building.
3. Outside over night vehicle storage shall be prohibited.
4. Body work, painting, and any other type of operation that constitutes as a repair facility, under the City definition of a "Vehicle Repair Facility" shall be prohibited.

PUBLIC WORKS DEPARTMENT:

5. 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.

Arnold Stalk (phonetic), 2701 Alta Drive, Las Vegas, appeared on behalf of the owner and tenant. The applicant agreed with staff's conditions. There will be no heavy duty body repairs or painting on the premises.

Chairwoman Perkins opened the public hearing. Chairwoman Perkins closed the public hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS AND DELETED CONDITION NO. 5

MOTION: Commissioner Ewing

SECOND: Commissioner Acevedo

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

NAYS: None

ABSTAIN: None

15. **UN-12-14 (48187) NEW ANTIOCH CHRISTIAN FELLOWSHIP (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NEW ANTIOCH CHRISTIAN FELLOWSHIP ON BEHALF OF GREEN VALLEY DEVELOPMENT LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN MPC - CP, MASTER PLANNED COMMUNITY - PROFESSIONAL OFFICE COMMERCIAL DISTRICT TO ALLOW A RELIGIOUS INSTITUTION (CHURCH). THE PROPERTY IS LOCATED AT 2550 NATURE PARK DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-20-501-008. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

The applicant is currently operating out of the Home Finding Center. Due to a change of ownership, the applicant needed a new location.

The applicant proposed to relocate their church to the existing office complex, located next to the Home Finding Center, and to occupy approximately 6,600 square feet of the ground floor of the eastern most building.

The parking is adequate, and staff did not anticipate any issues with parking.

Staff had no objections and recommended approval.

The original conditions per Staff Report dated April 9, 2014 are as follows:

PLANNING AND ZONING:

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 church shall comply with the Development Agreement between the City of North Las Vegas and North Valley Enterprises, LLC, dated January 16, 2002, or as amended, and with the Aliante Commercial Design Guidelines and Aliante Master Sign Plan.

Linda Branch, 2600 Nature Park Drive, stated there were currently 200 members and they have been in the Aliante area for four years. They proposed to move directly across the parking lot to 2550 Nature Park Drive. They want to continue providing community and youth services, family empowerment seminars, open a counseling center, and provide after school programming for children. Service times are 12:30 p.m. on Sunday and 7:00 p.m. on Tuesday.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Acevedo

SECOND: Commissioner Joiner-Greene

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

NAYS: None

ABSTAIN: None

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

No report was given.

CHAIRWOMAN'S BUSINESS

No report was given.

ADJOURNMENT

The meeting adjourned at 7:00 p.m.

APPROVED: May 14, 2014

/s/ Julie Shields
Julie Shields, Recording Secretary

/s/ Laura Perkins
Laura Perkins, Chairwoman