

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

June 11, 2014

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

CALL TO ORDER: 6:07 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 – Absent
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
James Martines, Office of the City Attorney
Rob McLaughlin, Public Works/Development & Flood
Control
Alyssa Reynolds, Public Works/Traffic
Carolyn White, Police Department
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 JUNE 11, 2014 (FOR POSSIBLE ACTION)

Planning Manager Marc Jordan advised staff received a letter from the applicant requesting Item No. 11, SPA-01-14 and No. 12, ZN-98-04 be continued to July 9, 2014.

ACTION: APPROVED AS AMENDED; ITEM NO. 11, SPA-01-14 and ITEM NO. 12, ZN-98-04, CONTINUED TO JULY 9, 2014

MOTION: Commissioner Kraft

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

NAYS: None

ABSTAIN: None

MINUTES

2. APPROVAL OF MINUTES FOR THE PLANNING COMMISSION MEETING OF MAY 14, 2014 (FOR POSSIBLE ACTION)

ACTION: APPROVED

MOTION: Commissioner Acevedo

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

NAYS: None

ABSTAIN: Commissioner Kraft

Approval to re-open Public Forum at 6:10 p.m. to allow Steve Shoaff the opportunity to speak regarding Item No. 11, SPA-01-14 and No. 12, ZN-98-04, since these items were continued to the July 9, 2014 Planning Commission meeting.

ACTION: APPROVED

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

PUBLIC FORUM

Steve Shoaff, 5622 Midnight Breeze Street, North Las Vegas, stated he lived on the corner of Ann Road and Lawrence Street. He said when it rained the manhole covers blow off of Ann Road. It floods from Ann Road down to the channel on the north side of the road, which is also part of Harmony Homes. He lives in a homeowners association of 95 homes, and said Centex put their section in and did not know why Harmony Homes could not put in theirs. He attended a meeting at the YMCA, and only three people attended. Those who did attend believed Harmony Homes should put in their section and that it would not be too expensive for them to do so.

Mr. Shoaff stated (per his conversation with Dr. Liu) that it costs the City of North Las Vegas \$40,000 when it rains because of the sludge and debris that piles up in the system, and blocks the drainage through the channel. He requested the Planning Commission consider making them do what they are supposed to do. Mr. Shoaff stated every other developer in the county has done what they had to do – they put in all the infrastructure and gave it back to the county. He did not understand why Harmony Homes should be allowed not to do the same thing.

Chairwoman Perkins asked if the comments could be moved forward, and Mr. Martines, Office of the City Attorney, stated they would be in the record for this meeting, and advised the comments made today could be forwarded to the next meeting and be made part of that record when they are heard.

NEW BUSINESS

- 3. ZN-54-06 (48726) PDQ AT CRAIG & ALLEN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CRAIG ALLEN RETAIL LLC C/O TRAMMELL CROW RES., PROPERTY OWNER, FOR AN AMENDMENT TO AN EXISTING MUD, MIXED-USE DEVELOPMENT DISTRICT TO AMEND THE LAND USES TO ALLOW A FAST FOOD RESTAURANT WITHIN THE FIRST PHASE AND TO AMEND THE REQUIREMENT FOR DECORATIVE PAVERS OR STAMPED AND COLORED CONCRETE AS PAVING MATERIAL FOR CROSS WALKS. THE PROPERTY IS LOCATED AT SOUTHWEST CORNER OF CRAIG ROAD AND ALLEN LANE. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

The applicant proposed to remove what was once approved to be a convenience store and replace it with a fast food restaurant that would contain a drive-through lane.

The applicant also requested an amendment to Condition No. 5e which addresses how crosswalks are designed. Condition No. 5e requires a stamped paver system or stamped, colored concrete for the crosswalks, and the applicant is requesting the Planning Commission's approval to comply with Clark County design standards for crosswalks.

Mr. Jordan stated staff had no objections to amending the land use to replace the convenience store with a fast food restaurant.

Mr. Jordan stated staff is recommending some amendments to the design of the site; specifically, removing approximately 11,000 square feet of pedestrian priority area. One area is located originally behind where the convenience restaurant was once located, and another area is located just to the north and west of that same pad. The applicant proposed these changes because of the needs of the proposed restaurant, which takes up more of the site.

Staff is recommending the applicant amend the site plan to remove the trash enclosure that is located behind the restaurant and relocate it further south, near to Craig Crossing (a private street), and to remove two parking spaces that are located behind the restaurant. By removing the parking spaces, it would not bring the site under the required parking spaces, since the applicant would meet the parking requirements. This change would enable the applicant to shift the building back approximately 20 feet and would be able to provide an additional pedestrian priority area in the front of the building that could be landscaped and amenitized, and used by either the patrons of the restaurant or other customers that would use the commercial center. Staff indicated there were concerns with the drive-through lane and its design.

A queuing analysis would be required to ensure proper queuing is proposed that would not encroach into the drive aisles or possibly out into Craig Road. There is a pedestrian crosswalk that goes through that drive aisle that staff would like addressed.

Mr. Jordan stated this is a Mixed Use Development (MUD), and part of it is to promote walkability, creativity, to bring in the neighborhood, and also to promote excellence in site design, and to ensure compatibility with other buildings.

Mr. Jordan referred to the condition to amend Condition No. 5e, which addresses the issue with the design of the crosswalks, and stated staff is not supportive of that amendment. Crosswalks are intended to be different from what you would normally see to be able to distinguish where pedestrians would cross. In addition, when the item was originally approved under the previous zoning ordinance, the ordinance was clear in

using decorative pavers or concrete. It was also clear that striping or thermoplastic was a prohibitive material to use for crosswalks. Under the design standards for Clark County, either painting or thermoplastic design on the crosswalks would be used. Because this is an MUD, the apartments south of Craig Crossing are part of the MUD. When the apartments were developed, they had already inserted part of their crosswalks using a decorative paver material. Staff would like to see that design continued through Craig Crossing and into the commercial development. Those decorative pavers would be one of the materials that would tie both components together, as this is a horizontal (not vertical) mixed use type development. Staff is not supportive to amend Condition No. 5e.

Staff is recommending approval of the conditions listed in the Staff Report, and the amendments.

The original conditions per Staff Report dated June 11, 2014 are as follows:

(Note: The conditions listed include all conditions of the MUD. Condition three and 20 have been modified to address the concerns regarding the pedestrian priority area and automobile queuing. In addition, conditions 25 and 26 are new conditions.)

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. Phasing shall be allowed consisting of the following three phases:
 - a. Phase One - Pad A, with associated pedestrian open space and all parking area east of Pad B, and the eastern drive ways on Craig Road and Craig Crossing.
 - b. Phase Two - Pad D, Pad E with associated pedestrian open space and parking areas, and the western drive ways on Craig Road and Craig Crossing.
 - c. Phase Three - Pad B, Pad C, Pad F with associated parking areas.
3. A Final Development Plan, for each phase, shall be reviewed and approved by the Planning Commission and City Council prior to construction of any building within the phase. In addition, Pad A shall be modified as follows:
 - a. The two parking spaces located south of the building shall be removed.
 - b. The trash enclosure shall be relocated to the landscaped area next to Craig Crossing and east of the parking row next to Craig Crossing.

- c. A new pedestrian priority area with a minimum dimension of 20' X 30' shall be provided in front of Pad A. The pedestrian priority area shall contain landscaping and amenities.
4. Gas pumps shall not be allowed within the development.
5. That development shall comply with Mixed Use Development Standards, including but not limited to the following:
 - a. Six (6) foot landscape islands shall be installed for every 12 spaces contained within a parking row, and at the end of all parking rows.
 - b. The residential land use type shall not occupy more than seventy-five percent (75%) of the entire site.
 - c. Internal pedestrian priority areas shall be provided to connect the internal residential areas to the commercial areas of the development. Furthermore, additional pedestrian priority areas shall also be provided next to Craig Road, Allen Lane and Goldcrest Drive to serve as pedestrian connections to the commercial areas from the surrounding neighborhoods.
 - d. Pedestrian crosswalks shall be provided across Craig Crossing as shown on the Preliminary Development Plan.
 - e. Decorative pavers or stamped and colored concrete shall be used as paving material on all pedestrian connections within the commercial component and across Craig Crossing.
 - f. A minimum 20 feet of landscaping shall be provided between the right-of-way and any wall or fence along Goldcrest Drive.
 - g. Carports shall be prohibited in front of any commercial establishments.
6. A minimum of 695 parking spaces shall be provided on the site in which 590 parking spaces shall be designated for the residential use, or as shown with a parking impact study subject to review and modification by the City of North Las Vegas Traffic Engineer.
7. No permanent structures, including signs, will be permitted over the 30' drainage easement area adjacent to Craig Road.
8. Approval of a drainage study is required prior to submittal of the civil improvement plans.
9. 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.
10. Right-of-way dedication and construction of a CAT bus turn-out is required on Allen Lane near Craig Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
 11. A minimum of 5' landscape area must be provided behind any proposed bus turn-outs.
 12. The property owner is required to grant a roadway easement for commercial driveway(s).
 13. The property owner is required to sign a restrictive covenant for utilities.
 14. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element, or on private property, when that sidewalk is providing public access adjacent to the right-of-way.
 15. All off-site improvements must be completed prior to final inspection of the first building.
 16. 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. Distribution lines, existing or proposed, shall be placed underground.
 17. No trees shall be planted within five (5) feet either side of the underground drainage facility.
 18. Internal street names are required on all drive aisles.
 19. Approval of a traffic study and a parking study is required prior to submittal of the civil improvement plans.
 20. A queuing analysis is required for review and approval prior to submittal of the civil improvement plans. Improvements to the configuration of the stacking lane may be required and the order board location is subject to change. Consequently, minor modifications to the site plan maybe required.
 21. The size and number of driveways and their locations 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* section 17.24.130. Conformance may require modifications to the site.

22. That the development comply with the appropriate Building Code requirements.
23. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
24. The following minimum amenities shall be required as part of the usable open space:
 - a. Circuitous lighted paths and fitness course
 - b. A minimum of 20 24-inch box trees per acre
 - c. At least two locations providing 2 differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada (4 play structures total)
 - d. A minimum of 1,980 square feet of swimming pool area with clubhouse/cabana, restrooms, decking, barbecue areas, and shade structures
 - e. Shaded picnic areas, including picnic table(s), barbecue grill(s), trash receptacle(s) and drinking fountain(s)
 - f. At least one large open space area for group/organized play w/ drinking fountain
 - g. One sport court (i.e. basketball, sand volleyball, tennis, etc.) may substitute two play structures from provision 3 above
 - h. One large lighted group shade area/gazebo (30' diameter)
 - i. Benches spaced along pathways
 - j. Bicycle racks at 2-3 different locations
 - k. Dog stations
 - l. Details of amenities to be provided
25. All known geologic hazards, such as fault lines and/or fissures, shall be shown on the civil improvement plans submitted to the Department of Public Works. Subsequent identification of additional hazards may substantially alter the original site plan.
26. 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.

George Garcia, 1055 Whitney Ranch Drive, Suite 210, Henderson, stated it was a pleasure to come before the Planning Commission, since the project had been sitting vacant as an almost fully improved pad location for approximately seven years. The proposed PDQ restaurant was new to the Las Vegas market; however, it is a well established chain in the country. The building is 4,400 square feet of casual dining, which includes a drive-through, and sit down restaurant.

Mr. Garcia addressed staff's concern regarding the trash enclosure and the issues it presented for PDQ and Trammell Crow, the developer of the property. Moving the trash

enclosure to the south would create problems for the residential on the other side, which is a serious problem for the developer and the residents of the MUD to the south.

Mr. Garcia stated moving the green space to the front had an appeal to it, but created problems beyond moving the trash enclosure. This would move the building farther to the south, which relative to the other buildings, would further obstruct the line of site and visibility. PDQ indicated that this is a serious obstacle with the visibility.

Mr. Garcia identified and reviewed the pedestrian priority areas throughout the site, and stated they could provide additional amenities, but could not move the building south which would create a problem with the trash enclosure up against Craig Crossing. They could not concur with staff's recommendation, but would be willing do to some additional amenities.

Mr. Garcia addressed the issue of the queuing analysis, which he provided to the Traffic/Engineering Department. He received an e-mail from them, which he read into the record: "The conclusions of the queuing analysis are acceptable, and that all vehicles using the drive-through window will not impact the public right-of-way." He suggested since this issue was addressed, Condition No. 20 could possibly be stricken.

Mr. Garcia addressed the issue concerning the crosswalks, which are a cost issue for the project. They offered to do the crosswalks at a number of locations to create a pedestrian system. While the pavers look attractive, they create maintenance issues due to rubber build-up and lose their appeal. The crosswalks are more easily maintained. Mr. Garcia identified several crosswalks on the site.

Chairwoman Perkins opened the public hearing.

Scott Sauer, 6330 Orions Tool Street, North Las Vegas, requested his comments from Item No. 3, ZN-54-06, be carried over to Item No. 4, FDP-04-14. Mr. Sauer stated it was nice to see development at this site. The only issue he had with the project was the crosswalks. He wanted to see the alternate paving material used on this site. This was an enhancement the City gets for the developer having a lot more flexibility in getting other benefits to them. While pavers may be an on-going maintenance issue, it is also a maintenance issue that is more likely to get addressed. Paint fades, and does not get re-done regularly. The thermoplastic fades and has the same rubber issue and becomes the same problem, and it does not necessarily get maintained. This is a development that is meant to have a higher level of pedestrian use. Enhanced safety needs to be there. He did not support use of paint and striping in lieu of alternate paving material.

Chairwoman Perkins closed the public hearing.

Vice-Chairman Stone asked Mr. Garcia if a neighborhood meeting was held, and what the results were. Mr. Garcia stated they held a neighborhood meeting, and those in

attendance did not oppose the project. A representative for Green Valley Grocery attended and supported the project. A representative from the apartment project contacted them and also supported the project. When Mr. Garcia discussed relocating the trash enclosure with them, they were not supportive of that.

Vice-Chairman Stone confirmed with Mr. Garcia that he requests Condition Nos. 3a, b, and c be stricken, and Mr. Garcia confirmed he does, in addition to Condition No. 20, queuing analysis, and Condition No. 5e, regarding the decorative paver. Vice-Chairman Stone advised he was supportive of the pavers and liked their appearance.

Commissioner Aston stated he supported the layout as is, but wanted to see an alternate material on the pedestrian crossings.

Commissioner Ewing stated he understood line of site was important to the applicant. He did not want them to be disadvantaged over other businesses that already exist in the area. They want to be visible so that people traveling on Craig Road could see them.

Commissioner Kraft stated he supported Vice-Chairman Stone and Commissioner Aston to strike Condition No. 3 in its entirety and maintain Condition No. 5. Commissioner Kraft asked staff if the queuing analysis provided satisfied Condition No. 20. Mr. Jordan responded that he recommended Condition No. 20 remain as is for the following reasons: 1) Condition No. 20 was always on this MUD. This condition has not been requested by the applicant, through their letter of intent, to be amended; and 2) If they have complied with that condition, there is no harm to leave the condition on, because they have already indicated they comply with it, and 3) Even though they have a letter from the Traffic Engineer addressing the queuing, there are still some concerns that staff has with pedestrians walking through the queuing area that can be addressed more appropriately during final approval. Staff recommends Condition No. 20 be left in its entirety.

Mr. Jordan further stated that staff desires to see the restaurant built, and had no objections to it. Staff believed it would be a good addition to the area. Staff would like to find a compromise to be able to incorporate the ideas of mixed use into the development. Mr. Jordan understood the need to have a line of site from Craig Road. Equally, staff has a responsibility to the citizens and residents of the area to try to maintain the concepts of a Mixed Use Development. Mr. Jordan recommended that instead of removing Conditions 3a, b, and c, he would recommend amendments to those conditions. One amendment would be to move the trash enclosure and locate it near Craig Crossing. Though Trammell Crow, the developer, stated they did not want it located next to Craig Crossing, when reviewing the site plan, the pads to the west all show the trash enclosures located next to Craig Crossing. It is consistent with the design that is already in place, which has been approved by the Planning Commission and City Council.

Mr. Jordan stated two parking spaces could be removed south of the PDQ restaurant. Staff recommended that rather than moving the building south, allow the applicant to leave the building as is, and convert the two parking spaces (where the trash enclosure is) to landscaping. The applicant would still meet the parking requirements for the center, and would not require them to relocate the building. This would bring more landscaping, and soften the view particularly for the residents in the apartments to the south.

Mr. Jordan added that the site plan currently in front of the Planning Commission is not the site plan that was submitted to staff. That plan is within the agenda item back-up materials. The site plan displayed on the monitor is close, but there are minor changes. Mr. Jordan advised the plan displayed on the monitor is not what the Planning Commission would be approving.

Mr. Jordan referred to the plan on the monitor and stated the drive-through lane that extends on the east side to the front of PDQ does not show landscaping; the site plan in the packet does show landscaping within that area. The crosswalks are also slightly different from what is in the packet. They are minor changes, and Mr. Jordan reiterated what would be approved is the plan included in the agenda item back-up material, and not what is displayed on the monitor.

Mr. Garcia stated Trammell Crow was the original developer, but no longer owned the apartments. The apartments are now under separate ownership and control from this portion of it. The plan that Trammell Crow has that the Planning Commission is viewing is conceptual. That did not mean that the owner of the property to the south was supportive of the elements that were in the prior plan. They have made it very clear that they do not want the trash enclosure on the south side of the site. Mr. Garcia stated he would be willing to consider removal of parking spaces and to add some amenities, and to discuss this with staff and his client between now and the City Council meeting. His concern was to ensure the safety of the people in the project and surrounding area. If the amenities became a nuisance and attracted an unsavory element, he wanted the ability to remove them. They would not support relocating the trash enclosure, but would consider converting two parking spaces to open space.

Commissioner Aston asked Mr. Garcia what his concern was about relocating the trash enclosure. Mr. Garcia responded they wanted to keep the noise and visibility of the trash enclosure removed from the residential area. They did not want to locate it toward Allen Lane or Craig Road, and tried to place it where it is well removed from major, highly visible locations, and put it close to the proximity where the employees dispose of the trash.

Commissioner Aston asked if this was a safety concern and Mr. Garcia stated from PDQ's standpoint [not the developer's] it was an issue for them to have their employees crossing the drive aisle or drive-through lane. It was an operational, aesthetic, and safety issue.

Mr. Jordan stated if it was the Planning Commission's desire to approve the plan as is, then Condition No. 3 would have to be amended. He would not recommend that Condition No. 3 be removed in its entirety, but be amended to remove the last sentence which states: "In addition, Pad A should be modified as follows." Remove subconditions a, b and c, as requested by the applicant. Mr. Jordan advised the rest of the condition should remain as. They would be required to come before the Planning Commission and City Council with the Final Development Plan.

Chairwoman Perkins advised she would like to see the consistency in the paving materials throughout the site. She stated the landscaping and driveway would provide a good buffer and shield the residents from the noise of the trash enclosure.

ACTION: APPROVED PER STAFF RECOMMENDED CONDITIONS AND AMENDMENTS; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

Condition No. 3 to read:

A Final Development Plan, for each phase, shall be reviewed and approved by the Planning Commission and City Council prior to construction of any building within the phase.

MOTION: Vice-Chairman Stone

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

NAYS: None

ABSTAIN: None

4. **FDP-04-14 (48728) PDQ AT CRAIG & ALLEN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CRAIG ALLEN RETAIL LLC, C/O TRAMMELL CROW RES., PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN AN MUD, MIXED-USE DEVELOPMENT DISTRICT TO DEVELOP A FAST FOOD RESTAURANT. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CRAIG ROAD AND ALLEN LANE. THE ASSESSOR'S PARCEL NUMBER IS 139-06-714-001. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

Mr. Jordan advised staff had no objections to the design of the PDQ building. Mr. Jordan referred to the Staff Report and stated staff originally requested the item be continued because they wanted to see some changes; however, based upon the

previous item, and the conditions that were amended, Staff had no objections and is now recommending approval.

The original conditions per Staff Report dated June 11, 2014 are as follows:

1. This development shall comply with all conditions of ZN-54-06.
2. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
3. The PDQ restaurant, which is known has Phase One shall be developed with all landscaping, pedestrian priority areas, parking, and any other site improvements according to the phasing plan.

Chairwoman Perkins opened the public hearing.

At the request of Mr. Scott Sauer, the follow item was carried over from Item No. 3, ZN-54-06.

Scott Sauer, 6330 Orions Tool Street, North Las Vegas, requested his comments from Item No. 3, ZN-54-06, be copied into Item No. 4, FDP-04-14. Mr. Sauer stated it was nice to see development at this site. The only issue he had with the project was the crosswalks. He wanted to see the alternate paving material used on this site. This was an enhancement the City gets for the developer having a lot more flexibility in getting other benefits to them. While pavers may be an on-going maintenance issue, it is also a maintenance issue that is more likely to get addressed. Paint fades, and does not get re-done regularly. The thermoplastic fades and gets that same rubber issue and becomes the same problem, and it does not necessarily get maintained. This is a development that is meant to have a higher level of pedestrian use. Enhanced safety needs to be there. He did not support use of paint and striping in lieu of alternate paving material.

Chairwoman Perkins closed the public hearing.

Vice-Chairman Stone requested that Mr. Garcia summarize and verify where the public areas would be for the record.

George Garcia, 1055 Whitney Ranch Drive, Suite 210, Henderson, reviewed the pedestrian priority plan, open space calculations, and landscaping plan. Mr. Garcia added the pedestrian priority areas would have amenities such as benches and tables.

Vice-Chairman Stone asked staff where an additional node could be located. Mr. Jordan advised the MUD governed the FDP. The applicant could remove parking next to pedestrian priority area; i.e. next to Craig Crossing.

Mr. Garcia stated he could discuss removing the two parking spaces with PDQ and convert that space into part of the pedestrian priority area.

Mr. Jordan stated the phasing plan shown on the screen was not the approved phasing plan. When the item was last considered for the Mixed Use Development (MUD), it showed how the commercial would be developed, and a phasing plan was submitted at that time and it was approved. That is demonstrated in the conditions on the ordinance for this MUD. The plan is similar, but the phasing plan actually showed some of the sidewalk and landscaping on the western side of the driveway that goes between Craig Road and Craig Crossing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Vice-Chairman Stone

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

NAYS: None

ABSTAIN: None

5. **UN-17-14 (48657) VEHICLE SALES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MOVE ON LLC, ON BEHALF OF MUNDEE TRUCKING INC., PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT, TO ALLOW A VEHICLE SALES AND RENTAL FACILITY. THE PROPERTY IS LOCATED AT 281 AND 261 COMMERCE PARK COURT. THE ASSESSOR'S PARCEL NUMBERS ARE 139-10-710-001 AND 139-10-710-002. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

Mr. Jordan stated this application for a special use permit is to allow vehicle sales in a rental lot. The applicant indicated they will store approximately 3-8 trucks that would be available for rental, and 2-5 vehicles that would be available for sale. There are two parcels. Currently, there is a user on the site that is operating a repair facility. Mr. Jordan advised when reviewing the parking needs for the existing and proposed tenant of the use permit, it appears there would be approximately 28 parking spaces that would be needed for customers, employees and display of the applicant's rental and for sale vehicles.

As part of the use standards for vehicle sales, it does prohibit the display of vehicles at a corner and therefore, vehicle display at the corner of Commerce and Commerce Park Court would be prohibited under Title 17.

Staff had no objections and is recommending approval subject to conditions listed in the Staff Report.

The original conditions per Staff Report dated June 11, 2014 are as follows:

PLANNING & ZONING:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. The display of vehicles within the parking area next to Commerce Park Court and Commerce Street shall be prohibited.
3. All vehicles shall be stored on a paved surface.
4. Appropriate customer and employee parking shall be provided based upon the area of outdoor display. This shall be in addition to the parking required for other tenants on site.

Victor Scarpelli, 281 Commerce Park Court, North Las Vegas, appeared on behalf of his company, Move On. Mr. Scarpelli understood and concurred with staff's recommended conditions.

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

ACTION: APPROVED

MOTION: Commissioner Kraft

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

NAYS: None

ABSTAIN: None

6. **UN-28-02 (48543) CENTENNIAL CROSSINGS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ROBERT B. BRINTON, SPT ET AL ON BEHALF OF CASINO SITE LLC, AND ROBERT B. BRINTON, PROPERTY OWNERS, FOR AN EXTENSION OF TIME FOR AN EXISTING SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW A CASINO/HOTEL. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF NORTH BELT ROAD AND CHRISTY LANE. THE ASSESSOR'S**

PARCEL NUMBERS ARE 123-28-101-003 THROUGH 123-28-101-006. (FOR POSSIBLE ACTION)

This item was presented by Marc Jordan, Planning Manager.

Mr. Jordan stated when this item was considered for an extension of time during the third request, the Nevada National Guard came forward and expressed concerns with the proposed use, which is across the street from their site. They were concerned about the light from the casino and the impact it would have on training activities, and that people staying in the hotel could observe their training activities; which could have an impact on real world operations. As a result, it was agreed upon that two conditions were added to the use permit. One condition would require the applicant to work with the National Guard and the City when they began to develop the site and hotel to help mitigate the concerns the National Guard had with the use adjacent to their property. It also required the applicant to come forward to the Planning Commission with a Final Development Plan. The plan before the Planning Commission tonight was considered a preliminary plan, and the applicant would have to return with a final design that would satisfy the concerns of the National Guard.

This item was originally approved in September, 2011. The City participated with the State Guard, Nellis Air Force Base, and Clark County on a joint land use study regarding land uses that would be more compatible with the development of the National Guard and with the future interests of the City in this area.

Mr. Jordan stated one of the recommendations was that should the City ever consider adopting an ordinance that would limit the duration of a Gaming Enterprise District (GED) to the same duration of a use permit; and should that use permit ever expire, the GED would expire itself. The recommended land uses would be research and development or light industrial and to have other uses that would be more compatible with the operations of the National Guard. Mr. Jordan stated this is only a recommendation and not an ordinance.

Staff had no objections to the extension of time and is recommending approval.

The original conditions per Staff Report dated June 11, 2014 are as follows:

(Note: All original conditions have been re-listed as a convenience with the exception that condition 19 has been amended to reflect the new expiration date.)

1. That, unless otherwise approved through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That the development of this site shall be in compliance with the Commercial Development Standards and Design Guidelines.

3. That the site plan and building elevations contained herein shall be considered “conceptual” and will require modifications to be in compliance with all applicable codes, ordinances and conditions.
4. That, if the desired building height exceeds 60 feet, then a separate variance permit shall be considered independently of this request.
5. That a phasing plan shall be submitted by the applicant, and reviewed and approved by staff prior to submittal of the civil improvement plans.
6. That all perimeter landscaping be installed with the first phase of development.
7. Semi-truck and Recreational Vehicle (RV) parking shall be provided on-site with reasonable access to the nearest signalized intersection or direct access route to/from the freeway system.
8. That technical design comments will be made at the time development plans are submitted.
9. Approval of a traffic study is required prior to submittal of the civil improvement plans.
10. A master transportation plan with modeling containing 20-year projections will be required prior to submittal of the civil improvement plans.
11. The civil improvement plans for the project shall include schedule 40 PVC fiber optic along Centennial Parkway and Christy Lane
12. The size and number of driveways and their locations 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* section 17.24.130. Conformance may require modifications to the site.
13. The easterly driveway on Centennial Parkway shall be located midblock, approximately 660 feet from the intersection of Christy Lane, for full access, otherwise, the driveway shall be right in/right out.
14. The westerly driveway on Centennial Parkway shall meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130 and will be restricted to right-in/right-out.
15. The developer is required to construct a raised median within Centennial Parkway. The median shall be constructed per *Clark County Area Uniform Standard Drawing* numbers 218 and 219 “A” type island curb. The median shall be landscaped via encroachment permit; maintenance of the landscaping will be

- the responsibility of the developer and at the expense of the developer. Additional landscaping may be required within the Christy Lane right-of-way. The median landscape plan shall be subject to review and approval of the Parks and Recreation Department.
16. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
 17. North Belt Road shall be changed to Centennial Parkway.
 18. Appropriate mapping is required to consolidate the parcels. All mapping shall be in compliance with NRS Chapter 278 and the *City of North Las Vegas Municipal Code*, and associated Master Plans in effect at the time of map approval. Conformance may require modifications to the site.
 19. That UN-28-02 shall expire April 10, 2016.
 20. The sanitary sewer for the subject project shall be routed south on Sloan Lane and connect into the existing Clark County sanitary sewer, unless otherwise directed by the Director of Utilities.
 21. The developer shall provide a meter and backflow prevention per building per City of North Las Vegas Municipal Water Services District Service Rules and Regulations.
 22. The Final Development Plan approval for this site shall contain a condition requiring the developer to provide measures to mitigate its impact on emergency services to the satisfaction of the Fire Chief.
 23. The property owner is required to grant a roadway easement for commercial driveway(s).
 24. The property owner is required to sign a restrictive covenant for utilities.
 25. A revocable encroachment permit for landscaping within the public right of way is required.
 26. All off-site improvements must be completed prior to final inspection of the first building.
 27. The property owner is required to grant a public 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.
 28. Right-of-way dedication and construction of a flared intersection, including a right

turn lane, is required at Centennial Parkway and Christy Lane per the *Uniform Standard Drawings for Public Works' Construction Off-site Improvements* Drawing Number 201.1 and 245.1.

29. Prior to any construction on the site, a Final Development Plan shall be approved by the Planning Commission at a public hearing.
30. Prior to approval of the Final Development Plan, the applicant shall work with the Nevada National Guard and the City of North Las Vegas regarding design of the site.

Robert Brinton, 11920 Southern Highlands Parkway, Las Vegas, appeared to answer the Planning Commission's questions.

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

ACTION: APPROVED

MOTION: Commissioner Ewing

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

NAYS: None

ABSTAIN: None

7. **T-1367 (48524) DESERT MESA. AN APPLICATION SUBMITTED BY GRGW DEVELOPMENT ON BEHALF OF DESERT MESA 30 INVESTORS LLC, RES-NV DM LLC, DESERT MESA 1 LLC, AND SAMMIE ARMSTRONG, PROPERTY OWNERS, FOR APPROVAL OF A TENTATIVE MAP IN A PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW 96 SINGLE FAMILY DWELLINGS AND ONE LARGE LOT FOR FUTURE SENIOR APARTMENTS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CAREY AVENUE AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 139-15-417-001 THROUGH 139-15-417-124, 139-15-497-004 THROUGH 139-15-497-019, AND 139-15-401-006. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

The proposed tentative map was for 96 lots, and one large lot (approximately six acres) for future senior apartments (300 units). The request is consistent with the conditions of approval for the Planned Unit Development that required the applicant to come forward with the appropriate mapping.

The 96 lots and associated common elements to perimeter landscaping are identical to what has already been approved and recorded on this site. The applicant had a variety of options to be able to map this. The map is to revert 27 single-family lots and one larger lot at the corner of Revere and Carey Streets, to acreage that would be held out for the future 300-unit senior apartments. The 96 lots are identical to what has been approved and recorded. This is in compliance with Condition No. 31 and also Condition No. 19, which required amendments to Sand Sage Avenue. Staff is recommending approval of the tentative map.

Scott Johnson, applicant, represented GRGW Development. Due to concerns expressed by constituents in the area, he requested the item be continued to July 9, 2014, so that a neighborhood meeting could be held to address their concerns.

Chairwoman Perkins requested direction from Mr. Martines, Office of the City Attorney. Although this is not a public hearing item, there were numerous in attendance who submitted Request to Speak cards. Mr. Martines advised because this is not a public hearing, it is best for all comments to be made at the next hearing date. If anyone would like to put their comments on the record during Public Forum at the end of this meeting they could do so.

ACTION: CONTINUED TO JULY 9, 2014

MOTION: Commissioner Kraft

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

NAYS: None

ABSTAIN: None

8. **ZOA-03-14 (48602) NLV ZONING FOR AUTO TITLE LOANS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MICHAEL WRIGHT FOR SAHARA VEGAS LLC, TO AMEND TITLE 17 (ZONING ORDINANCE), SECTION 17.20.020, SUBSECTION C.4 OF THE NORTH LAS VEGAS MUNICIPAL CODE TO AMEND THE PROXIMITY DISTANCE AND MEASUREMENT REQUIREMENTS FOR AUTO TITLE LOAN ESTABLISHMENTS. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

This was a request to amend Title 17, concerning auto title loan establishments. The applicant requested consideration to amend the separation requirements for auto title loan establishments from three linear miles to 1,000 feet. The applicant also asked consideration to amend the separation requirements from 500 feet to 200 feet from developed residential areas. The applicant asked to amend the measurement method to be from primary public entrance to primary public entrance between like

establishments vs primary public entrance to the property line. Additionally, the applicant requests to amend the measurement from primary public entrance to the property line to using the nearest pedestrian vehicular route. This request was similar to one brought before the Planning Commission with the past few months, which amended the requirements for a payday lending institution's distance separation to the same distance and measurement requirements.

Staff researched what the other jurisdictions were proposing, which is included in the Staff Report. The applicant proposed similar distance separation requirements to what other jurisdictions are proposing. There is a slight difference in the proposed method of measurement between what the applicant is proposing and what staff is supporting, but is similar to what the County has in place.

Mr. Jordan stated the request is for auto title and not auto pawn -- auto pawn would fall under a pawn shop requirement which would be a 500 foot separation from residential and three linear mile separation between like uses.

Staff had no objections to the proposed amendments.

The original conditions and amendments per Staff Report dated June 11, are as follows:

4. Auto Title Loan Establishment

a. Proximity Distance Requirements:

- (i) The proposed auto title loan establishment shall be set back a minimum of 1,000 feet from all existing or approved auto title loan establishments.
- (ii) Auto title loan establishments holding a valid license on the effective date of the ordinance codified in this chapter are exempt from provisions of this section provided that they continue to maintain such valid licenses.
- (iii) The proposed auto title loan establishment shall be set back a minimum of 200 feet from any developed residential zoning district. For purposes of this section, "developed residential zoning district" means a parcel of land zoned for residential use in which construction for at least one residential unit has begun on the date the applicant applied for the special use permit.

b. Proof of Proximity Distance Compliance Required

- (i) The City shall not accept, nor set for hearing any request unless the applicant provides to the City one of the following with the application:
 - (1) A notarized statement by the applicant that the location complies with the proximity distance requirements above, or

- (2) A survey plat prepared by a Nevada Licensed Professional Land Surveyor showing that the proposed location complies with the proximity distance requirements above.
 - (ii) The minimum separation of 1,000 feet between any existing or approved auto title loan establishment shall be measured utilizing the shortest direct line distance between the primary public entrance of each establishment.
 - (iii) The minimum separation of 200 feet from any developed residential zoning district shall be measured along the nearest pedestrian or vehicular route from the primary public entrance of the auto title loan establishment to the property line of the nearest developed residential zoning district.
- c. **Floor Area Requirements for Auto Title Loan Establishments**
The building or portion thereof that is dedicated to auto title loan establishment shall have a minimum size of 1,500 square feet of building floor area.

Dave Galyen, 8860 W. Sunset Rd., stated they were trying to accomplish the same thing as with short term lending when he appeared before the Planning Commission in November and City Council in December, and received approval to meet the standards of the surrounding municipalities. Mr. Galyen is a representative of Dollar Loan Center, who leases from Steven Wright, LLC, at 2445 W. Craig Road.

Mr. Galyen stated last year they decided to enter into the auto title loan business, at the request of their customers. Out of their 26 locations in the Southern Nevada area, there are only three locations where they cannot provide an auto title loan, which are located in North Las Vegas. With the requirement of three linear miles from a similar company, it is impossible to find a location, unless the building is placed next to a mountain. Initially, when the title was changed to put this into place, it made sense because there were a lot of small companies. Over the past 10 years, things have changed. If anyone comes to any of the North Las Vegas locations, they have to refer them to another location 5-6 miles away, in another municipality to attempt to get an auto title loan. Dollar Loan Center and the City of North Las Vegas lose business. Mr. Galyen stated they were willing to meet any of staff's recommended conditions.

Commissioner Kraft stated this was an instance where it was okay for the City of North Las Vegas to be more restrictive than other municipalities in the valley, because historically North Las Vegas had a certain reputation. Commissioner Kraft advised he also voted against the amendment to payday lending, and did not support this amendment.

Chairwoman Perkins stated it opened the door to go from three miles to 1,000 square feet. This could cause a plethora of [this type of] businesses to come into North Las Vegas. There is a connotation that is associated with auto title loans, unfortunately.

Since there is no restriction on how many there can be in the state or city, she did not believe it would be fair to change the entire ordinance for one business to obtain a location.

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

MOTION: Commissioner Ewing

AYES: Vice-Chairman Stone, Commissioners Aston, Ewing, and Acevedo

NAYS: Chairwoman Perkins and Commissioner Kraft

ABSTAIN: None

9. FDP-03-14 (48651) PROFESSIONAL OFFICE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY WILLIAM VARGAS, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO DEVELOP A PROFESSIONAL OFFICE SITE. THE PROPERTY IS LOCATED AT 2501 FLOWER AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-24-312-039. (FOR POSSIBLE ACTION)

This item was presented by Robert Eastman, Principal Planner.

Mr. Eastman stated this was originally approved as a PUD/PID over a year ago, which converted single-family homes into commercial development. With the PUD application, the applicant received a waiver of the required parking as long as a parking study supporting the reduction in parking was approved. That parking study has been submitted and approved from the City's Traffic Engineer. The building that was approved is in conformance with the commercial design standards. The home will be converted into an office building.

The only concern staff had with the proposal is the Final Development Plan shows a wall located at the back of the sidewalk with landscaping. Staff has a submitted civil improvement plan on file in Public Works which shows the existing chain link fence staying in place with the landscaped hedge.

Staff's preferred method would be the landscaped hedge. The chain link fence that is currently in place is a combination of chain link, pallets and wood fence portions that are not in compliance with the design standards, and need to be removed. The block wall the applicant is proposing at the back of the sidewalk also is not a preferred method, as it would encourage pedestrians to walk away from the wall and would be closer to the traffic, which is adjacent at the curb line. Staff would prefer the wall be left off the plan. If a fence is needed, a wrought iron fence could be located between the landscaping and the parking lot.

Staff recommended approval per recommended conditions.

The original recommendations per Staff Report dated June 11, 2014 are as follows:

PLANNING AND 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 development shall comply with all requirements and conditions of ZN-09-12.

Tim Ayala, (inaudible) Sunset Road, represented the applicant. Mr. Ayala concurred with staff's recommended conditions. Mr. Ayala displayed the site plan and reviewed the plans for landscaping facing Civic Center Drive, which will provide a buffer.

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

ACTION: APPROVED

MOTION: Commissioner Aston

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

NAYS: None

ABSTAIN: None

10. **SPR-03-14 (48705) LAS VEGAS CORPORATE CENTER 19 (PUBLIC HEARING). AN APPLICATION BY JOHN LOW - PROLOGIS, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2, GENERAL INDUSTRIAL DISTRICT, TO ALLOW MORE THAN 80,000 SQUARE FEET OF NON-RESIDENTIAL FLOOR AREA ON ONE LOT -- SPECIFICALLY, TWO INDUSTRIAL STYLE WAREHOUSES CONSISTING OF 464,203 SQUARE FEET AND 153,456 SQUARE FEET. THE PROPERTY IS LOCATED AT 3700 BAY LAKE TRAIL. THE ASSESSOR'S PARCEL NUMBER IS 139-12-610-002. (FOR POSSIBLE ACTION)**

This item was presented by Robert Eastman, Principal Planner.

Mr. Eastman stated this would be an expansion of the Prologis Business Park. In general, the buildings are in compliance with the industrial design standards. They are designed as warehouses and are consistent with other buildings in the Prologis Business Park.

Staff expressed a concern regarding the chain link fence along Bay Lake Trail which was not consistent with the design standards. The chain link fence would be removed, and either a decorative wall or fence would be put in place.

Staff recommended approval subject to conditions listed.

The original conditions per Staff Report dated June 11, 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, including but not limited to: any fencing and gates along Bay Lake Trail or visible from a public access way shall be decorative.

PUBLIC WORKS DEPARTMENT:

2. 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.
3. Approval of a drainage study is required prior to submittal of the civil improvement plans.
4. Approval of a traffic study update is required prior to submittal of the civil improvement plans.
5. The size and number of driveways and their locations 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* section 17.24.040. Conformance may require modifications to the site.
6. Commercial driveways are to be designed and constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222.1 and 225. Gates as shown on the plan shall be open during business hours; all gates and throat depths are subject to review and approval by the City Traffic Engineer.
7. Adjacent to the perimeter streets, completion of certain off-site street improvements (including but not limited to street lights, sidewalk) is required per the *City of North Las Vegas Municipal Code* section 16.24.100.
8. The property owner is required to grant a roadway easement for commercial driveway(s).
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. All off-site improvements must be completed prior to final inspection of the first building.

John Low, 2817 E. Cedar Street, Suite 200, Ontario, CA, Prologis/Development Manager for the Project, was excited about being able to develop a state of the art logistics warehouse facility in North Las Vegas. Mr. Low understood the conditions and will work with staff concerning the decorative wall on Bay Lake. He will work with Public Works and the Fire Department on the drive approaches. The project is fully funded and ready to start construction.

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

ACTION: APPROVED PER STAFF RECOMMENDED CONDITIONS AND AMENDMENTS

Condition No. 6 Amended to read:

Commercial driveways are to be designed and constructed in accordance with *Clark County Uniform Standard Drawing* numbers 222.1 and 225. All gates and throat depths are subject to review and approval by the City Traffic Engineer.

MOTION: Commissioner Jay Aston

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

NAYS: None

ABSTAIN: None

11. **SPA-01-14 (48727) ANN LOSEE VILLAGE 3 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY HARMONY 461 LLC, PROPERTY OWNER, FOR AN APPEAL OF A DECISION UNDER TITLE 16 CONCERNING DEVELOPMENT WITHIN AN EXISTING PUD, PLANNED UNIT DEVELOPMENT DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF ANN ROAD AND LAWRENCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-35-513-001 THROUGH 124-35-513-092 AND 124-35-595-003. (FOR POSSIBLE ACTION)**

ACTION: CONTINUED TO JULY 9, 2014

MOTION: Commissioner Kraft

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

NAYS: None

ABSTAIN: None

12. **ZN-98-04 (48725) ANN LOSEE VILLAGE 3 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY HARMONY 461 LLC, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED PUD PLANNED UNIT DEVELOPMENT DISTRICT TO REMOVE THE REQUIREMENT TO CONSTRUCT A FLOOD CONTROL FACILITY. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF ANN ROAD AND LAWRENCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-35-513-001 THROUGH 124-35-513-092 AND 124-35-595-003. (FOR POSSIBLE ACTION)**

ACTION: CONTINUED TO JULY 9, 2014

MOTION: Commissioner Kraft

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

NAYS: None

ABSTAIN: None

PUBLIC FORUM

Public comments were heard at this time regarding Item No. 7, T-1367.

Chairwoman Perkins conveyed to the public that they may also return to speak when the item is heard at the July 9, 2014 Planning Commission meeting.

Lydia Garrett, 1921 W. McDonald Avenue, North Las Vegas, President of the North Valley Leadership Team. Ms. Garrett stated she represented 1,100 households in North Las Vegas, whose borders are Lake Mead Boulevard, Martin Luther King, Cheyenne Avenue, and Simmons Street. She opposed Item No. 7, T-1367. There were several issues concerning this item: 1) this matter was not discussed with the residents of 96 single-family dwellings or with the 300-unit facility for seniors.

They understood from GRGW development that one of the partners is Evan Williams, who Ms. Garrett said was a bad neighbor from 20-30 years ago. Recently, Carey Arms was demolished and Carey Arms was Mr. Williams' development for many years. Congressman Horsford was recently here with the I.R.S. pulling Mr. Williams' tax credits from the senior building that he currently has now in the Senior Section of Carey Arms.

Ms. Garrett said Evan Williams has had ample opportunity in their community to build quality places for seniors to live, but chooses not to. Mr. Williams has attended a couple of meetings and stated he would not fix air conditioners, will not spray, or fix the security in the buildings. He wants to build more senior facilities and they did not support that. Ms. Garrett stated he took advantage of seniors, who were the most vulnerable people in their population. Ms. Garrett stated he owed the City of North Las Vegas \$86,000 in water bills. Ms. Garrett stated the North Las Vegas Police Department attends monthly meetings, and advised the statistics reports reflect out of 56 calls, 53 of them are for Evan Williams' building. Ms. Garrett stated we are using up resources because he refuses to put in security for seniors. She did not see how it would benefit the City to allow this person, and bad neighbor, to build another 300 unit complex.

Ms. Garrett asked the Planning Commission to stop Mr. Williams because he had a terrible track record in the community, and Mr. Williams has not discussed this issue with any of the residents about what he wants to do in the community. He is draining the City's resources including Police and Code Enforcement.

Ms. Garret asked, as a resident and President of the North Valley Leadership team, to "stop this slumlord in his tracks before he comes back into the community and builds again."

Alma Bennett-Evans, 2510 Morton Avenue, North Las Vegas, stated she was a recipient of the bad treatment of the slum landlord that he [Evan Williams] was and is. Before he became the manager, the residents had three maintenance employees and he reduced it to one person who had to take care of 59 senior units, as well as 20 family units. Mr. Williams refused to replace florescent kitchen lights. He told the residents to trim their own overgrown bushes outside their patios, and said he would give them clippers and they could cut them. He wanted residents to take the water hose and wash the court yard down to save him \$200 per month. There was no phone-to-door access for a year and one half. If someone came to see a resident, you had to go downstairs and let them in. The elevator broke down frequently. Because he owed so much money to the Otis Elevator Company, they would not come out until the Fire Department and Code Enforcement stepped in. He stopped paying the pest control company, and the company in charge of the emergency pull cords. The residents still do not have emergency pull cords, and Mr. Williams has been gone over two years. He owed so much money to so many people that it is hard to get vendors to do anything on the property. He moved residents in on the second floor, who used Hoveround's, electric chairs and walkers. He refused to place screens on the patio doors. When the residents asked for security, Mr. Williams told them we could get security, but he would have to raise the rent to over \$500 per unit. Ms. Bennett-Evans stated she was opposed to Evan Williams doing anything in the community again; "he was a slum landlord." She had stacks of papers from when Mr. Blackburn was in charge of Code Enforcement. Ms. Bennett-Evans stated Mr. Williams is gone, but everything he did is still there. We are still paying for the mistakes that he did not pay for. He does not

need to be in charge of any kind of housing unless it is for puppies, cats and kittens. She greatly opposed his getting anything in the community ever again, or anyone that he is affiliated with. She said the project needs to be denied.

Thomas A. Garrett, Jr. 1921 W. McDonald Avenue, North Las Vegas, was opposed to the project that Mr. Williams is supposed to be in charge of. He is one of Mr. Williams' superintendents at Carey Arms when it was rehabilitated. It was an \$8 million project, and 288 units. Mr. Garrett was employed by Dalton Properties, which Mr. Williams was in charge of. Mr. Garrett stated he did not want to see Mr. Williams in charge of the new project, Desert Mesa. He said Mr. Williams is not an honest person. Mr. Garrett stated Mr. Williams still owed him money from the 1970's. Mr. Garrett opposed the project.

Gene Collins, 3925 N. Martin Luther King, #213, North Las Vegas, stated his business was Hidden Canyon Shopping Center. He is a former State Assemblyman, a former President of the NAACP, and is the Regional Director for Reverend Al Sharpton's National Action Network. He stated he rose against this project. He has known Mr. Williams since Dalton Construction, in the 1970's.

Mr. Collins stated [an unidentified] Mayor said that I will chain myself to the doors at Buena Vista Springs, (or something in that regard), because those places were unlivable, and Mr. Williams had something to do with that.

Mr. Collins read excerpts from a statement from Mr. Williams concerning Buena Vista, that said a tenant should be held partially responsible for many of the senior apartment complex problems up to the including long standing mold and water damage issues. These people, in their particular area, always find somebody to blame their problems on. Williams said (on Thursday) they could move someplace else, that this was the lowest priced place in the area. There is nothing wrong with the place he said. Yes, there are some things that need to be repaired and no management and ownership of that place has not been right 100%. Mr. Collins said Mr. Williams went on to say that the latest project they want the Planning Commission's preliminary approval on, the residents were told he had nothing to do with the project. Now Mr. Collins was told by people [in the hallway] that Mr. Williams is no longer part of the project and he is gone, but when it was time for them to get up and speak, they chose not to. Mr. Collins believed they chose not to speak because they knew the residents/tenants were there and would not buy into what they had to say.

Mr. Collins has visited the site, which is horrible. He stated you would not allow relatives of yours to live in conditions like that. But yet, a few blocks down the street at Buena Vista Springs, he wants to move down and do such an eloquent job with the new facility, if the Planning Commission allows him to do it.

Mr. Collins asked the Planning Commission to not approve this item and deny the project. He asked the original park be put in so they did not have to drive to Aliante.

Carrie B. Thomas, 305 Rossmoyne Avenue, North Las Vegas, has been a North Las Vegas resident since 1964. She stated Mr. Williams should not be over a dog run. Ms. Thomas lives at Rossmoyne and Commerce. She stated many things have been added to the City and moved north – congratulations, it is beautiful over there. Where we are is between Jo Mackey and Carey and Cheyenne -- we have the junk yard, the government building, and the dump. That has been like that for years; and our representatives who were on the board sold us out, saying they were going to do all of these wonderful things. Now we are stuck with about seven acres of Kiel Ranch. Ms. Thomas said she had been sounding the drum and no one can find any money.

Ms. Thomas said we are close to downtown, minutes from the airport, and I am not moving. It costs too much to get a cab and go to Summerlin. It costs \$45 to come from the airport to North Las Vegas.

Ms. Thomas will be out of town on July 9, and stated Mr. Williams should be denied and even run out of town from what she has heard.

Ms. Thomas said she has been trying to get Kiel Ranch, a 25- acre historical park, has been denied. Those who came before us, we trusted, and we did not get anything left but about seven acres. Ms. Thomas has been to meeting after meeting, and has appeared before the board trying to get seven acres of Kiel Ranch. The historical society spoke about it. Ms. Thomas said; just give us one little bit of something that we can be proud of, even if it is a tree with a bench around it. The school students can come and visit, it is on the historical map.

Ms. Thomas added that she is hoping we get our finances in order; she would like to see something in her immediate area, so she can walk down to our park.

Ms. Thomas stated she did not support [Item No. 7] and she will mail in her no vote.

Ms. Thomas requested money be found to do something at Kiel Ranch.

DIRECTOR'S BUSINESS

Director Blackburn advised *The Travel Channel* is working with City staff in the filming of Kiel Ranch for a future broadcast. Additionally, staff continues to work diligently toward obtaining funding for this historical site.

The annual election of officers will take place during the July 9, 2014 meeting.

The Independence Day Jubilee will take place at Craig Ranch Regional Park on Thursday, July 3 from 1:00 p.m. to 9:30 p.m.

CHAIRWOMAN'S BUSINESS

Chairwoman Perkins advised City staff is working toward transitioning the Planning Commission's current agenda and voting process to SIRE, which could be completed by September, 2014.

Chairwoman Perkins extended Happy Father's Day wishes.

ADJOURNMENT

The meeting adjourned at 7:45 p.m.

APPROVED: July 9, 2014

/s/ Nelson Stone
Nelson Stone, Chairman

/s/ Julie Shields
Julie Shields, Recording Secretary