

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

September 10, 2014

BRIEFING:

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

CALL TO ORDER:

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

WELCOME:

Chairman Nelson Stone

ROLL CALL:

Chairman Nelson Stone – Present
Vice-Chairman Willard Ewing – Absent (Excused)
Commissioner Jay Aston – Present
Commissioner Laura Perkins – Present
Commissioner Sylvia Joiner-Greene – Present
Commissioner Felix Acevedo – Absent (Excused)
Commissioner Kenneth Kraft – Present

STAFF PRESENT:

Marc Jordan, Planning Manager
Robert Eastman, Principal Planner
Bethany Sanchez, Chief Deputy City Attorney
Robert McLaughlin, Public Works/Manager
Alyssa Reynolds, Public Works/Traffic
Curt Kroeker, Public Works/Engineering
Carolyn White, Police Department
Julie Shields, Recording Secretary

STAFF ABSENT:

Gregory Blackburn, Director (Excused)

VERIFICATION:

Julie Shields, Recording Secretary

PLEDGE OF ALLEGIANCE:

Commissioner Jay Aston

PUBLIC FORUM

There was no public participation.

AGENDA

1. APPROVAL OF THE PLANNING COMMISSION MEETING AGENDA OF SEPTEMBER 10, 2014 (FOR POSSIBLE ACTION)

Planning Manager Marc Jordan advised the applicants requested Item Nos. 3 and 8 be continued to October 8, 2014. Staff requested Item No. 15 be continued to October 8, 2014.

ACTION: APPROVED AS AMENDED. ITEM NUMBERS 3, 8, AND 15 CONTINUED TO OCTOBER 8, 2014

MOTION: Commissioner Perkins

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

NAYS: None

ABSTAIN: None

NEW BUSINESS

2. ZN-10-14 (49391) MATLOCK HOLDINGS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MATLOCK HOLDINGS I, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM THE CURRENT DESIGNATION OF AN O-L, OPEN LAND DISTRICT TO AN M-2, GENERAL INDUSTRIAL DISTRICT. THE PROPERTY IS GENERALLY LOCATED APPROXIMATELY 330 FEET NORTH OF AZURE AVENUE AND WEST OF BEESLEY DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 123-27-101-017. (FOR POSSIBLE ACTION)

This item was presented by Robert Eastman, Principal Planner. Staff recommended approval.

Travis West, 11441 Arlington Park Dr., Unit 210, Las Vegas, confirmed with Chairman Stone that he agreed with staff's recommendations.

Chairman Stone opened the public hearing. Chairman Stone closed the public hearing. Commissioner Perkins asked if there were plans for the property. Mr. West advised that currently there was a special use permit for a medical marijuana establishment, which is in the planning stages.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Kraft

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

NAYS: None

ABSTAIN: None

3. **UN-29-14 (49261) VERIZON WIRELESS TELECOMMUNICATION FACILITY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CHERRY JACKSON FOR VERIZON WIRELESS, ON BEHALF OF CHEYENNE CONDOMINIUM ASSOCIATION, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN R-4, HIGH DENSITY RESIDENTIAL DISTRICT TO ALLOW A TELECOMMUNICATION FACILITY (80-FOOT MONOPALM TOWER). THE PROPERTY IS LOCATED AT 3301 CIVIC CENTER DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-11-814-000. (FOR POSSIBLE ACTION)**

ACTION: CONTINUED TO OCTOBER 8, 2014, PER THE APPLICANT'S REQUEST

MOTION: Commissioner Perkins

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

NAYS: None

ABSTAIN: None

4. **UN-30-14 (49353) CARL'S JR. AT NATURE PARK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TEN 15 NATURE PARK LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN MPC/C-P, MASTER PLANNED COMMUNITY/PROFESSIONAL OFFICE COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF ALIANTE PARKWAY AND NATURE PARK DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-20-501-007. (FOR POSSIBLE ACTION)**

This item was presented by Robert Eastman, Principal Planner.

The last occupant was a church, and previous to that time the site was the home finding center for the Aliante community. The site has been sporadically vacant.

The applicant is proposing to develop the sites with two restaurants; a Capriotti's sandwich shop and a Carl's Jr.

This use permit is for a Carl's Jr. restaurant. Capriotti's does not require one, as it does not fall under the definition for a convenience food restaurant, and is a permitted use.

The Carl's Jr. drive-through requires a use permit. The site is providing 62 off-street parking spaces, where 42 spaces are required. The parking lot adjacent to this parcel, which contains office buildings, has a shared parking agreement that has been in place and has been part of the original Development Agreement for Aliante. The buildings are in conformance with the Aliante commercial design standards and the commercial design standards within the City's 2001 code.

Mr. Eastman advised staff did not anticipate any negative impacts from this development on the community and staff recommended approval, subject to the conditions listed.

Robert Gronauer, 8345 W. Sunset Road, Las Vegas, represented Dapper Development. The existing building located on the property has been used for multiple uses over the years. His client is currently developing properties within Aliante. Mr. Gronauer stated there will be a Capriotti's, and the special use permit is for a Carl's Jr.

They are in compliance with the development standards and design guidelines. He appreciated staff's recommendations for approval and was available to answer questions.

Chairman Stone opened the public hearing.

Krysten Porterfield, 7137 Pipers Run Pl., North Las Vegas. Mrs. Porterfield stated she was concerned the City was disregarding the Aliante master planned community and choosing the interest of B-List or junk businesses over the needs and wants of the residents who pay taxes, SID and HOA fees. Mrs. Porterfield asked what the City's intention was for this master planned community and what the benefits are for the community by bringing in fast food drive-throughs in the heart of Aliante, and with a park across the street from it.

Mrs. Porterfield collected 40 signatures (within a few hours) from residents who are in disagreement with this action. She stated if she had additional time she believed she would have 100% disapproval from her neighborhood and the Autumn Ridge community.

Mrs. Porterfield discussed two 7-11 convenience stores within a half mile of each other, as well as the possibility of a Dotty's going in across from the library, which is between an elementary and middle school.

Mrs. Porterfield submitted a petition for the record.

Patrick Porterfield, 7137 Pipers Run Pl., North Las Vegas, is the husband of Krysten Porterfield. He recommended the Planning Commission disapprove the application. He accompanied Mrs. Porterfield when she gathered signatures, and stated he could get 100% of the Autumn Ridge community, Springdale community, parts of El Dorado and Aliante.

He stated Aliante was a beautifully master planned community, and was not opposed to the Carl's Jr. business. He stated there were other locations in which the restaurant could go. He stated wildlife (geese, ducks, rabbits, turtles, quail and roadrunners) crossed Nature Park daily, 2-3 times per day, and they stop traffic.

He did not believe a traffic study would support (without major renovations) to give that capacity to a drive-through, with the randomness of the people who would go through the area.

Mr. Porterfield stated the wildlife would have more reason to cross the road and would be at risk. There would be traffic problems during the weekends, when the children had soccer games.

The trash would also pose an issue. Having a restaurant at that location would be bad for the park, as there were existing problems with the park not being maintained.

Mr. Porterfield stated he wanted to maintain the park and master planned community in the condition for which it was intended.

Jill Petty, 7073 Arcadia Glen Ct., North Las Vegas, stated although she liked Carl's Jr., she did not want it at the entrance to her subdivision. She would like to see a traffic study with and without these businesses. Currently, the statistics of accidents at the intersection of Aliante and Nature Park Dr. are distressing. She recommended a left

turn only lane, and the right lane be straight or right turn only. She was also concerned about the hours of operation for the businesses. She stated she would like to see a church on that corner because it was more of a community feel. She shared concerns about the geese, and stated they did not need additional reasons to cross the road. She was concerned about the clientele; i.e. fast food versus family restaurants. She was concerned about the health hazards due to the numbers of geese in the area.

Ms. Petty stated this [restaurant] would decrease the value of the homes in the master planned subdivisions. Ms. Petty agreed the park has gone downhill with graffiti, fights, and increased traffic during the evenings when the park is supposed to be closed.

Jeff Alpert, 3828 Fuselier Dr., North Las Vegas, stated he did not live in the area, but over the past six years he has driven by the park hundreds of times. He has gone into the park a number of times, and appreciates how well the park is kept up. He is leaning toward opposing the project because on the west side of Aliante Parkway there is a large Smith's shopping center, a Domino's, a KFC, an Arby's and a Subway sandwich shop. He stated throughout the year, the ducks migrate to the other side of the street, and sometimes as far as to the Interstate 215 overpass and to Aliante Casino. He assumed most of the traffic would be coming in on Nature Park, and not off Aliante. He was concerned about the ducks being run over or attracted to the smell of food. He thought people might have the tendency to bring fast food back to the park and feed the ducks, which might create a health issue. He was also concerned about children and infants who frequent the parks. He was concerned about the children crossing the street, and into the driveway entrance. He stated there were a number of fast food choices on the west side of the street. The east side of the street was family-oriented and had a park and library.

Marisa Kagan, 7108 Manzanares Dr., North Las Vegas, is a previous Vice-President to the Aliante Master Association and has been involved since 2010. She stated she purchased her home at the low end, and that Aliante was built at the height of the market. She stated there were many residents that were original homeowners. She discussed the number of residents in Seville/Bel Etage subdivision (227 homes). The homes sold for over \$700,000 and are now valued at \$300,000. She stated as homeowners they are asked to sign paperwork concerning guidelines for Aliante Master Association. The purpose of the document was to ensure a consistent standard quality throughout the village.

Ms. Kagan attended the last Aliante Master Association meeting, and this item was not on the agenda, and they were not asked for an opinion. She contacted Mr. Eastman, who advised they were required to notice 500 feet from the proposed site. Ms. Kagan

stated this would include Smith's parking lot, the park and possibly some residents in Springdale subdivision.

Ms. Kagan presented an on-line petition with 55 signatures of people not living in Springdale, or the street affected, but on the other side of Interstate 215, who represented the families and those who use the park.

Ms. Kagan stated the duck and geese cross the road more than three times per day.

Ms. Kagan also submitted the Aliante Association guidelines, which state the lot was to be used for office use.

Ms. Kagan asked the Planning Commission to postpone the agenda item, and have the Aliante Master Association provide input so that the Planning Commission could receive input from the homeowners.

Kenyatta Robinson, 2917 Tropic Bird Dr., North Las Vegas, is a board member of the Master Association and also the Estates (one of the sub associations). Ms. Robinson stated it really bothered her that none of them were notified. She stated the first time they heard of this was a few weeks ago, and it did them a disservice with the community. She said it felt like someone tried to slip something in on them. She stated this would impact her neighborhood, and would devalue it. She stated notice should go out to the people who are impacted, and allow people to attend and give their opinions.

Ms. Robinson requested the Planning Commission not make a decision tonight and give people an opportunity to gather signatures, so that the Planning Commission would know what the constituents wanted.

Chris Barbosa, 7090 Arcadia Glen Ct., North Las Vegas, lives in the neighborhood, and was surprised to hear there was no opposition from the Planning Department. He reviewed the map of the area. He stated there were already fast food restaurants in the area, and this would cause a major problem for the geese, and a major safety issue for children.

Mr. Barbosa requested the traffic data for the intersection. He stated the accidents that have happened when people are exiting Interstate 215 are pretty violent. There have been over 18 accidents since 2011. He was concerned about the increase in traffic as a result of the drive-through. He was also concerned about the wildlife, and stated those who did not live in the area would not be as concerned about it as those who lived there. He stated a fast food restaurant would deteriorate the value of his home, and it would not increase. He did not understand why Capriotti's was not up for a vote.

He stated it is a sandwich shop and not a sit down restaurant. He asked the Planning Commission to delay their decision until they could gather more signatures. He stated no one in Autumn Ridge or Springdale will support this.

Bob Gronauer, 8345 W. Sunset Rd., Las Vegas, stated in 2001 he drafted the Aliante Master Planned Community Development Agreement, put the plans together and negotiated with the City over that time span. He stated he was proud to represent the master planned community of Aliante, and believed it to be the City's nicest master planned community.

Mr. Gronauer stated when the Development Agreement was negotiated, it was always contemplated to have some commercial uses in the area. The other buildings on the property are office professional buildings. Unfortunately, there is no demand for office professional buildings, and unfortunately the location of the existing building has failed numerous times.

Mr. Gronauer stated it is disheartening to hear there is an image problem with Aliante. He stated one of the speakers said there is a trash issue and the parks are not maintained by the City. Mr. Gronauer said we are trying to create life within the master planned community, and you cannot create life by keeping abandoned buildings with uses that keep failing.

Mr. Gronauer referred to Capriotti's, and said it was the first time in 18 years that he has represented someone like Capriotti's and was told they are an inappropriate use in an area. He referred to Carl's Jr. and stated a fast food restaurant is right at the intersection of a freeway and a major arterial for Aliante Parkway. Mr. Gronauer stated these uses complement the park area. Mr. Gronauer stated he uses the park and Rocco's across the street. He stated the restaurant is an amenity, and is needed in the community. He added this is why staff recommended approval – it meets the design criteria.

Mr. Gronauer conveyed he was disappointed because there was opposition to where someone is trying to invest, create jobs, and put something in that was meant to be.

Mr. Gronauer asked the Planning Commission to consider staff's recommendations, and reiterated they met the development standards, the Development Agreement, and the design guidelines of what was projected and proposed.

Chairman Stone closed the public hearing.

Commissioner Joiner-Greene asked Mr. Gronauer if any notifications were sent regarding neighborhood meetings, and he responded that there are people who live across the freeway who are not literally impacted. He stated he would never think that a Capriotti's or Carl's Jr. would be in opposition. Mr. Gronauer stated if the item is held another 30 days, those in opposition would still not support this, and this would allow for additional opposition to come forward. He stated he was willing to meet with the neighbors. The problem could be they will agree to disagree. Something needs to be put into this area to bring up the value in the area.

Commissioner Joiner-Greene stated the Planning Commission wanted to serve the community as well, and provide them with the opportunity to voice their opinion.

Commissioner Kraft stated one of the concerns the neighborhood had was a traffic study. He stated one staff's conditions was approval of the traffic study, and asked if this would come back to the Planning Commission at that time, and what impact did it have.

Mr. Eastman responded the traffic study is a requirement of the Public Works Department. In the Public Works memorandum attached, the traffic study has already been submitted by the applicant. The results of the study are unknown.

Alyssa Reynolds, City Traffic Engineer, stated the applicant submitted a traffic study in June, which has been reviewed by staff. The conclusions were that there would be no adverse impacts on the roadway system or the intersection in the current and future conditions; therefore, this report was approved.

Commissioner Kraft stated a fast food restaurant would be added that could have 10-20 patrons at any given time, in addition to Capriotti's, which would also have patrons and would not have any adverse impact. Commissioner Kraft asked Ms. Reynolds to define adverse impact, and she advised it would degrade the operation of the intersection. Commissioner Kraft asked if any changes to the Nature Discovery intersection would be recommended, and she responded no. Ms. Reynolds did note the citizen's comment regarding the configuration of Nature Park, with a shared through left turn lane, which is something that could be reviewed.

Commissioner Perkins confirmed the only reason this item was brought before the Planning Commission was because the restaurant had a drive-through. If Carl's Jr. eliminated the drive-through, then this item would not be brought to the Planning Commission, and Mr. Eastman said that was essentially true.

Commissioner Perkins asked Mr. Gronauer to address the issue of property values, and he responded that generally property values go down when there are vacant buildings, because they bring vandalism, graffiti and crime into the area. Mr. Gronauer stated an abandoned building would be removed that was used and vacated several times.

Mr. Gronauer stated the addition of this restaurant would bring business into the area, would raise taxes, and having improvements in the area and more businesses would increase the value.

Commissioner Aston understood why the neighbors had issues regarding the placement of a fast food drive-through at the entrance to the crowning point in this area. There are a lot of signatures in opposition to this drive-through at this intersection.

Mr. Gronauer stated they would work with the association, but if there needs to be a buffer with additional trees to soften the area, they did not have opposition to that.

Commissioner Aston responded consideration needed to be given because of the degree of opposition. Currently, there is no buffer for the establishment and he understood the residents concerns.

Mr. Gronauer stated if the Planning Commission would like the applicant to look at the buffering along the street section, it would not be an issue. Mr. Gronauer stated he was willing to work with the neighbors, and did not mind having a neighborhood meeting. He stated he would have to work with the Association regarding the tree buffering and landscaping.

Commissioner Aston asked where the landscape setbacks were in regard to approval for buffering. Are the setbacks within the realm of the master association. Mr. Gronauer said he presumed they were part of the master HOA.

Commissioner Aston recommended a continuance to meet with the HOA.

Commissioner Kraft referred to the two drive-through establishments across the street, and stated the windows to the dining area face the street. With this restaurant, the drive-through lane faces the street.

Chairman Stone confirmed with Bethany Sanchez, Chief Deputy City Attorney, that three votes would be required to approve a motion for approval or for denial for continuance.

Chairman Stone addressed the application for a Use Permit, and reiterated it is for the use, and the Planning Commission is not implying approval of a site plan at this stage. Chairman Stone asked would there be a subsequent FDP or SPR that would come before them? He stated there is no landscaping plan in the back-up materials.

Mr. Jordan stated this is a Use Permit, and the Planning Commission is looking at the site plan, building elevations and associated use. The applicant would not be required to come back with a final development plan because it is not part of a planned unit development that would require a final development plan. In regard to the landscaping plan, this is submitted when the applicant files for a building permit, and staff reviews, and is not seen at the Planning Commission level.

Chairman Stone asked Mr. Jordan to review what the landscaping requirements would be. Mr. Jordan stated because this development is under the Aliante Development Agreement, at the time it was approved they froze Title 17 zoning ordinance with that Development Agreement which was brought back in 2001. Under that, the landscaping standards for commercial development would be at least 60% ground coverage, and trees spaced every 20 feet on center, possibly more. Also, landscaping in the parking lot at the end of every parking row within the islands, and an additional island every 15 parking spaces in a row. There are also landscaping requirements around the building; normally, six feet of foundational landscaping.

Chairman Stone stated the Planning Commission does not approve traffic studies, and are a land use board. Chairman Stone stated the drive-through aspect initiated the use permit. We try to orient drive-throughs with as few pedestrian conflicts as possible; i.e. toward the side. The queing is on the back side of the arterial street, where there should not be a lot of children in this area.

ACTION: CONTINUED TO OCTOBER 8, 2014

MOTION: Commissioner Kraft

AYES: Commissioners Aston, Joiner-Greene, and Kraft

NAYS: Chairman Stone and Commissioner Perkins

ABSTAIN: None

An unidentified person stated the Aliante Master Association just met this week, and an unidentified person stated she was unsure if they would be meeting prior to the October 8.

5. **UN-31-14 (49354) DOTTY'S TAVERN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TEN 15 NATURE PARK LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN MPC/C-1, MASTER PLANNED COMMUNITY/NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A TAVERN (RESTRICTED GAMING "ON-SALE" LICENSE). THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF ALIANTE PARKWAY AND DEER SPRINGS WAY. THE ASSESSOR'S PARCEL NUMBER IS 124-20-714-004. (FOR POSSIBLE ACTION)**

This item was presented by Robert Eastman, Principal Planner.

The design of the building is in compliance with the commercial design standards for Aliante, and are in compliance with the other neighboring buildings within the center. The parking standards are met for the center, and the center is providing 142 parking spaces.

In reference to the proposed tavern, the applicants did not change any of the required buffering or speaker locations that were conditions placed previously with the Dairy Queen when it was brought forward.

Staff recommends approval of the proposed tavern subject to the conditions listed.

The original conditions per Staff Report dated September 10, 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 site plan and building elevations shall be amended to comply with the Aliante Design Guidelines and Development Standards.
3. All access to the roof shall be from within the building. Exterior roof ladders are prohibited.
4. All scuppers and downspouts shall be incorporated into the buildings, and shall not be exposed to the neighboring properties.

PUBLIC WORKS:

5. All known geologic hazards shall be shown on the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
6. A drainage study for the project is required; however, due to the size of the site, this development may be eligible for a drainage study waiver. Please complete and submit the waiver application to Public Works Development & Flood Control Division (Dan Le @ 702-633-1932). Applications may be found on the City of North Las Vegas website <http://www.cityofnorthlasvegas.com/About/Forms.shtm>
7. A traffic study waiver may be required prior to submittal of the civil improvement plans.

Bob Gronauer, 8345 W. Sunset Rd., Las Vegas, represented the property owner and the applicant, Dotty's.

Chairman Stone opened the public hearing.

Krysten Porterfield, 7137 Pipers Run, North Las Vegas, stated she had concerns with Dotty's going in at this location. It would be located in between an elementary school and a middle school, in a family-oriented neighborhood. Mrs. Porterfield stated in was an inappropriate use for the space.

Chris Barbosa, 7090 Arcadia Glen Ct., North Las Vegas, stated his concerns were the same as Krysten Porterfield's. The location was approximately .4 miles from Cram Middle School. He stated that across the street from Smith's Shopping Center is a Sierra Gold, which is a tavern that has gambling, and Aliante Casino is also in this area.

Mr. Barbosa said he would appreciate it if the developer gathered neighborhood input. He said he would not be here today opposing, if a family-oriented restaurant such as a P.F. Chang's or Cheesecake Factory was proposed at this location.

He was in favor of developing the empty lots and buildings, but believed it needed to be something aimed at their village, and not about making a buck. He stated there would be more empty buildings because they would boycott businesses of this type.

Charles Finnegan, 2525 W. Deer Springs Way, North Las Vegas, owns and operates a 7-11. He and his wife have been in the area for 40 years, and have many businesses in North Las Vegas, and were proud to be in Aliante.

Mr. Finnegan stated the reason why there were two 7-11 stores in close proximity was because there was an acquisition of a City Stop.

Mr. Finnegan stated he was in opposition to Dotty's proposed on the site adjacent to the Firestone and his store. He stated there has been no notice given. He stated the site shares a median cut with the Aliante Library.

Mr. Finnegan stated he has been there for eight months and has seen hundreds of kids who shuttle across the street from Cram Middle School, which is approximately 1,150 feet from the proposed site. He believed this was the worse site for a Dotty's tavern.

Mr. Finnegan referenced staff's recommendations and stated he did not believe the site contributed to the general well being of the neighborhood or the community or that such use will not be detrimental to the health, safety or general welfare of persons working or residing in the vicinity.

Chairman Stone closed the public hearing.

Bob Gronauer advised he zoned the 7-11 at that location, and stated this issue was about competition; 7-11 has gaming and Dotty's has gaming. He advised Dotty's was more of a slot gaming parlor and not a true tavern. Dotty's caters to an older generation, who go there for the safety and convenience versus to the Aliante Casino or P.T.'s Pub.

Mr. Gronauer stated the commercial uses were contemplated when they went through the Development Agreement in 2001. There are people who want to develop in Aliante. There are demographics there. The business chains come into areas where they do research and there are people who will be using these types of services; otherwise, they would not be willing to make the investment.

Mr. Gronauer requested the Planning Commission follow staff's recommendations for approval.

Commissioner Kraft asked if the request had fallen under the current code, what are the separation requirements between a tavern establishment and a school. Mr. Eastman advised 2,500 feet from the school, and 500 feet from developed residential – the proposed site is 50 feet from developed residential.

Commissioner Perkins understood the demographic Dotty's served. She said it had a club atmosphere. She stated this particular Dotty's was inappropriate because it was across the street from a park where kids are, and was inappropriate because there is only a wall and a landscape patch that separates residential from this location of Dotty's.

Commissioner Aston stated he understood the use and people who used this service, and supported staff and the applicant in their recommendation.

ACTION: MOTION FAILED TO APPROVE UN-34-14

MOTION: Commission Aston

AYES: Chairman Stone and Commissioner Aston

NAYS: Commissioners Perkins, Joiner-Greene and Kraft

ABSTAIN: None

ACTION: MOTION PASSED TO DENY UN-34-14

MOTION: Commissioner Perkins

AYES: Commissioners Perkins, Joiner-Greene and Kraft

NAYS: Chairman Stone and Commissioner Aston

ABSTAIN: None

The motion to deny this item passed.

6. UN-35-14 (49375) FRONTLINE AUTOS LLC (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MARCI HENDERSON, ON BEHALF OF CCC, LLC, PROPERTY OWNER, FOR SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW A VEHICLE SALES FACILITY. THE PROPERTY IS LOCATED AT 2616 LOSEE ROAD, SUITE 9. THE ASSESSOR'S PARCEL NUMBER IS 139-15-702-005. (FOR POSSIBLE ACTION)

This item was presented by Robert Eastman, Principal Planner.

The applicant is in compliance with parking standards and the neighboring uses are compatible. Staff recommended approval subject to staff conditions.

The original conditions per Staff Report dated September 10, 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.

Chairman Stone opened the public hearing. Chairman Stone closed the public hearing.

Marci Henderson, 81 Pangloss St., Henderson, concurred with staff recommendations.

Commissioner Perkins requested plants be placed in this area. Chairman Stone requested that Code Enforcement inspect this area.

Commissioner Aston exited Council Chambers at 7:13 p.m.

ACTION: APPROVED PER STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Joiner-Greene

AYES: Chairman Stone, Commissioners Perkins, Joiner-Greene, and Kraft

NAYS: None

ABSTAIN: None

Note: Commissioner Aston was not present during the vote.

Commissioner Aston re-entered Council Chambers at 7:15 p.m.

7. **T-1368 (49382) LA MADRE WAY & VALLEY DR. AN APPLICATION SUBMITTED BY LA MADRE VALLEY LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-1, SINGLE-FAMILY LOW DENSITY DISTRICT TO ALLOW 42 SINGLE FAMILY DWELLING LOTS. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF LA MADRE WAY AND VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-31-701-014, AND 124-31-701-015, 124-31-701-018, AND 124-31-701-019. (FOR POSSIBLE ACTION)**

This item was presented by Robert Eastman, Principal Planner.

Mr. Eastman advised the applicant submitted a revised tentative map, and with the amendments, the applicant is in compliance with standards for Titles 16 and 17. They are providing perimeter landscaping and landscape parkway throughout the neighborhood. All lots are in compliance with the minimum lot area and lot width. They are providing the curvilinear street section as required, and have eliminated the double frontage lots that were proposed in their first map.

Staff recommended approval subject to the conditions listed.

The original conditions per Staff Report dated September 10, 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 tentative map shall be amended as appropriate to provide the required perimeter landscaping along La Madre Way.
3. The street cross sections for Valley Drive, La Madre Way, and Rosada Way shall be modified to indicate the proper sidewalk and landscaping configuration.
4. The five foot landscaping parkway along the internal streets shall be labeled as a common lot.

PUBLIC WORKS:

5. Four (4) copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review and approval to the Department of Public Works and the Department of Planning and Development prior to submittal of the final map and civil improvement plans.
6. All lots shall comply with the *City of North Las Vegas Municipal Code* section 16.20.020.D which states: *Double-frontage lots shall be avoided wherever possible.* The map shall be revised to eliminate the creation of double frontage lots 28-32.
7. The proposed utility easements within the proposed right-of-way are not needed and shall be eliminated.

8. 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.
9. Approval of a drainage study is required prior to submittal of the civil improvement plans.
10. Approval of a traffic study is required prior to submittal of the civil improvement plans. Please contact Traffic Engineering at 633-2676 to request a scope.
11. 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. La Madre Way (60')
 - b. **Valley Dr (80')**
 - c. Rosada Way (60')
12. All common elements shall be labeled and are to be maintained by the Home Owners Association.
13. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
14. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
15. 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.
16. A revocable encroachment permit for landscaping within the public right of way is required.
17. All residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements*

Drawing Number 222.

18. Proposed residential driveway slopes shall not exceed twelve percent (12%).
19. 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.
20. This application shall comply with Title 16 of the *City of North Las Vegas Municipal Code* and NRS 278. Conformance may require modifications to the site resulting in fewer lots.

Tim Moreno, Taney Engineering, 3060 S. Jones Blvd., Las Vegas, appeared on behalf of the applicant, and agreed with staff's recommendations.

ACTION: APPROVED PER STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Kraft

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

NAYS: None

ABSTAIN: None

8. **SPA-02-14 (49287) HOME OCCUPATION APPEAL. AN APPLICATION SUBMITTED BY MATHEW OLDEN, PROPERTY OWNER, FOR AN ADMINISTRATIVE APPEAL OF THE DIRECTOR'S DECISION REGARDING A HOME OCCUPATION PERMIT. THE PROPERTY IS LOCATED AT 7118 PUETOLLANO DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-19-513-067. (FOR POSSIBLE ACTION)**

ACTION: CONTINUED TO OCTOBER 8, 2014, PER THE APPLICANT'S REQUEST

MOTION: Commissioner Perkins

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

NAYS: None

ABSTAIN: None

9. **UN-32-14 (49369) DOLLAR LOAN CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DAVID GALYEN FOR DOLLAR LOAN CENTER, ON BEHALF OF RAINBOW COMMERCIAL LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW AN AUTO TITLE LOAN ESTABLISHMENT. THE PROPERTY IS LOCATED AT 4669 WEST ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-31-101-016. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

Mr. Jordan advised according to the applicant they held a neighborhood meeting, and no one appeared. They are in compliance with the new requirements the Planning Commission and City Council recently adopted.

Staff recommended approval.

The original condition per Staff Report dated September 10, 2014 is 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.

Dave Galyen, 8860 W. Sunset Rd., Las Vegas, agreed with staff's recommended conditions.

Chairman Stone opened the public hearing. Chairman Stone closed the public hearing.

Michael Humphrey advised he had a medical condition which prohibited him from completing a card and requested to speak on this item.

Chairman Stone re-opened the public hearing.

Michael Humphrey, 6666 Montezuma Castle Ln., North Las Vegas, opposed Item Nos. 9-12. He stated approximately 10 years ago the City had a lot of discussion regarding loan, dollar, and title stores. No one was in favor of this happening to North Las Vegas, and the opinion was we did not want to be "North Las Vegas Dollar Loan."

He did not believe anyone could believe it would help anyone to have a better life or get ahead. He stated that once you get caught up in the [borrowing] system, it was difficult to pay back the debt.

Chairman Stone requested Mr. Humphrey's comments be brought forward in the minutes for Item Nos. 9-12.

Chairman Stone closed the public hearing.

Chairman Stone stated 10-20 years ago there was a different connotation and regulation concerning Dollar Loan Stores.

Mr. Jordan advised 10 years ago there were concerns with auto title loan stores and short-term loan establishments. As a result, there was a wide opinion on them, and many special use permits were denied. Previously, they were categorized under financial institutions because the City did not have a specific category for them because they were a new business coming into the City.

There was a lot of discussion on a local and nationwide basis concerning these types of establishments. The City of North Las Vegas came up with standards regarding short term loan establishments and pay day lending.

The City adopted ordinances that required at least a 2,500 foot separation between like uses and a 500 foot separation from developed residential.

Auto title loans were different, and were similar to auto pawn at that time. The City came up with regulations that there was a three linear mile separation between auto title and a 500 foot separation between developed residential.

Dollar Loan approached the City several months ago to consider amending the zoning ordinance to what are the current requirements – 1,000 feet from like uses, and 200 feet from developed residential, as a person might walk or a vehicle might travel (not necessarily in a straight line).

Staff compared what the City had on the books to the cities of Henderson and Las Vegas, and Clark County. The City of North Las Vegas was more stringent than the other jurisdictions. The Planning Commission then considered an ordinance amendment, as well as City Council, and it was eventually approved.

During the ordinance amendment discussions, there were still concerns expressed regarding pay day lending and auto title loans -- how to regulate and protect the

community from it, and do you address this through land use? The only way that could be accomplished was through separation requirements.

The Planning Commission and City Council considered the other entities in the valley, and staff supported the ordinance amendment for deferred deposit.

Dollar Loan Center approached staff again regarding another request for an ordinance amendment to lessen the requirements for auto title loans. Staff had no objections, as the proposed change was consistent with the other entities in the valley.

Auto title loan and auto pawn were different because auto title loans will lend on the security interest of a vehicle and could take the title, but not the vehicle itself. Auto pawn will actually take possession of the vehicle.

This proposed amendment was approved by both the Planning Commission and City Council.

The applicant has been going through the land use process for its locations, and has demonstrated through meeting the requirements of neighborhood meetings and the surveys they submit; therefore, staff recommended approval.

Dave Galyen, 8860 W. Sunset Rd., Las Vegas, appreciated staff's recommendation for approval.

Commissioner Kraft stated he voted against the original changes in separation, and it moved forward to City Council and was approved. He stated the better remedy would be addressed at the next legislative session from a land use perspective. However, he did not see any reason to oppose this item.

Commissioner Joiner-Greene confirmed with Mr. Humphrey that he was aware these businesses were already established and this was an added service to them.

Commissioner Perkins previously opposed the amendment to the ordinance regarding separation requirements; however, now that it has been approved there was no reason not to include this business since it is already in existence.

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

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

10. **UN-33-14 (49370) DOLLAR LOAN CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DAVID GALYEN FOR DOLLAR LOAN CENTER, ON BEHALF OF SAHARA VEGAS LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW AN AUTO TITLE LOAN ESTABLISHMENT. THE PROPERTY IS LOCATED AT 2445 WEST CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-05-716-008. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

Staff recommended approval.

The original condition per Staff Report dated September 10, 2014 is 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.

Dave Galyen, 8860 W. Sunset Rd., Las Vegas, agreed with staff's recommendations for approval.

Chairman Stone opened the public hearing.

Michael Humphrey, 6666 Montezuma Castle Lane, North Las Vegas, opposed Item Nos. 9-12. He stated approximately 10 years ago the City had a lot of discussion regarding loan, dollar, and title stores. No one was in favor of this happening to North Las Vegas, and the opinion was we did not want to be "North Las Vegas Dollar Loan."

He did not believe anyone could believe it would help anyone to have a better life or get ahead. He stated that once you get caught up in the [borrowing] system, it was difficult to pay back the debt.

Jeff Alpert, 3828 Fuselier Dr., North Las Vegas, lives one mile from the establishment on the corner of Coleman and Craig. He did not object to the permit to do auto title

loans, but had Google'd Sahara Vegas, LLC and could not find any information on what type of business it was and who the owners were. He was concerned about that general corner. There are four medium sized buildings on the southwest corner of Coleman and Craig. He was unsure if one corporation (Sahara Vegas, LLC) or if there were multiple owners.

Mr. Alpert had been working with Code Enforcement regarding graffiti that appeared on three of the four buildings, and also items being dumped behind them. He stated last weekend there was an auto car wash set up with water and a tent, who were detailing cars behind the buildings. He did not know if they had a permit.

He asked as a new tenant that they would be more aggressive to complain to the property owner about graffiti adjacent to their building and on utility boxes in their parking lot.

Chairman Stone closed the public hearing.

ACTION: APPROVED PER STAFF RECOMMENDED CONDITION; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Joiner-Greene

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

NAYS: None

ABSTAIN: None

- 11. UN-34-14 (49371) DOLLAR LOAN CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DAVID GALYEN FOR DOLLAR LOAN CENTER, ON BEHALF OF WINE & DINE LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW AN AUTO TITLE LOAN ESTABLISHMENT. THE PROPERTY IS LOCATED AT 2711 NORTH LAS VEGAS BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-13-302-003. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

This application has not been approved by the Redevelopment Agency, but has been scheduled.

Staff recommended approval with the same conditions that they recommended when they came in for their previous special use permit. Staff included the condition that they bring their signage into compliance with current code.

The original conditions per Staff Report dated September 10, 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. Landscaping shall be brought into compliance prior to issuance of a business license. A landscaping plan shall be submitted to staff for review and approval prior to the installation of the landscaping.
3. All signage shall be brought into compliance with the current Zoning Ordinance.

Dave Galyen, 8860 W. Sunset Rd., Las Vegas, agreed with staff recommendations.

Chairman Stone opened the public hearing.

Michael Humphrey, 6666 Montezuma Castle Ln., North Las Vegas, opposed Item Nos. 9-12. He stated approximately 10 years ago the City had a lot of discussion regarding loan, dollar, and title stores. No one was in favor of this happening to North Las Vegas, and the opinion was we did not want to be "North Las Vegas Dollar Loan."

He did not believe anyone could believe it would help anyone to have a better life or get ahead. He stated that once you get caught up in the [borrowing] system, it was difficult to pay back the debt.

Chairman Stone closed the public hearing.

**ACTION: APPROVED PER STAFF RECOMMENDED CONDITIONS;
FORWARDED TO REDEVELOPMENT AGENCY FOR FINAL
CONSIDERATION**

MOTION: Commissioner Perkins

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

NAYS: None

ABSTAIN: None

12. **UN-36-14 (49388) DOLLAR LOAN CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DAVID GALYEN FOR DOLLAR LOAN CENTER, ON BEHALF OF INLAND DIVERSIFIED NORTH LAS VEGAS LOSEE LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW AN AUTO TITLE LOAN ESTABLISHMENT. THE PROPERTY IS LOCATED AT 2590 EAST CRAIG ROAD, SUITE 110. THE ASSESSOR'S PARCEL NUMBER IS 139-01-210-005. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

Staff recommended approval.

The original condition per Staff Report dated September 10, 2014 is 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.

Dave Galyen, 8860 W. Sunset Rd., Las Vegas, agreed with staff recommendations.

Chairman Stone opened the public hearing.

Michael Humphrey, 6666 Montezuma Castle Ln., North Las Vegas, opposed Item Nos. 9-12. He stated approximately 10 years ago the City had a lot of discussion regarding loan, dollar, and title stores. No one was in favor of this happening to North Las Vegas, and the opinion was we did not want to be "North Las Vegas Dollar Loan."

He did not believe anyone could believe it would help anyone to have a better life or get ahead. He stated that once you get caught up in the [borrowing] system, it was difficult to pay back the debt.

Chairman Stone closed the public hearing.

Commissioner Perkins asked how much longer it would be before the business license was processed. Mr. Galyen stated it should be turned over from the general contractor on September 22. There were significant issues with the plumber which delayed the process two months. Mr. Galyen stated the opening date should be September 30, 2014.

ACTION: APPROVED PER STAFF RECOMMENDED CONDITION; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Kraft

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

NAYS: None

ABSTAIN: None

13. **VAC-07-14 (49265) SOMERSET ACADEMY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CA LAS VEGAS LOSEE ROAD LLC, PROPERTY OWNER, TO VACATE A PORTION OF RIGHT-OF-WAY NEXT TO LOSEE ROAD. THE PROPERTY IS GENERALLY LOCATED APPROXIMATELY 630 FEET SOUTH OF LONE MOUNTAIN ROAD, EAST OF LOSEE ROAD, AND EXTENDS SOUTH APPROXIMATELY 450 FEET. THE ASSESSOR'S PARCEL NUMBER IS 139-01-101-014. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

This is the right turn lane into their property. There is a Century Link facility located within the right-of-way at this location. The applicant is required to remove and relocate. As a result of the expense, and the opening of the school, the applicant has worked with Century Link and the City to vacate the portion of the right-of-way. As a result, the applicant or property owner would be responsible to maintain that area and the facilities within that area.

Staff had no objections to the request, and recommended approval.

The original conditions per Staff Report dated September 10, 2014 are as follows:

PUBLIC WORKS:

1. A public utility and roadway easement shall be reserved over the area that is to be vacated.
2. The vacated area shall be maintained by the property owner.

Dennis Leighton, Heritage Surveying, 1895 Village Center Circle, appeared on behalf of the owner, to answer questions.

Chairman Stone opened the public hearing. Chairman Stone closed the public hearing.

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

MOTION: Commissioner Joiner-Greene

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

NAYS: None

ABSTAIN: None

- 14. ZN-09-14 (49334) CHEYENNE SIMMONS FOOD COURT (PUBLIC HEARING).
AN APPLICATION SUBMITTED BY DESERT HOLDING, LLC, PROPERTY
OWNER, FOR RECLASSIFICATION OF PROPERTY FROM THE CURRENT
DESIGNATION OF AN M-2, GENERAL INDUSTRIAL DISTRICT TO A C-2,
GENERAL COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT
THE SOUTHEAST CORNER OF CHEYENNE AVENUE AND SIMMONS
STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 139-17-510-034, 139-
17-510-046 AND 139-17-510-047. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

Staff had no objections and recommended approval.

Ernie Becker, 8090 S. Durango Dr., Suite 115, is in agreement with staff's recommendations.

Chairman Stone opened the public hearing.

Jeff Alpert, 3828 Fuselier Dr., North Las Vegas, stated he lived within a mile of this location. He was concerned about security issues that could occur at the establishment. He stated a large number of Cheyenne High School students walk south along Simmons in great numbers. He stated if a fast food restaurant opened there, it would become a hang out. He encouraged the owner to have security there. He had no objections as long as security was kept in mind.

He asked if Ms. Reynolds, Public Works/Traffic, had any comments concerning the development as it was on the southern tip of the Simmons Street project. These pads might conflict with roadwork that would be going on.

Chairman Stone closed the public hearing.

Mr. Becker stated it was up to the lessee to provide security. If he does not provide enough security, then they provide it. They also have a convenience store on the southeast corner, and they are not experiencing any problems.

Commissioner Perkins asked if this was going to be a fast food restaurant that would support the M-2 use, then that is not a special use that we can approve. Mr. Jordan responded if it were a convenience food restaurant, it would be something that could be considered as M-2, but what they recently discovered was Mr. Becker had a tenant which was a beauty salon that wanted to go into this facility. As a result, they originally did not sign off on their business license; however, in discussions with Mr. Becker, they talked about use of the property and what they could do. Beauty salons and churches would not be allowed in an M-2; however, a restaurant could. This building was designed to house multiple tenants, and not all being fast food establishments, some could be retail establishments that would not be allowed under M-2 zoning designation, but could be allowed under the proposed C-2 designation.

Commissioner Perkins asked if this would this change the character of the C-2 in the area, and cause further encroachment from C-2 to M-2. Mr. Jordan responded that it in staff's opinion it would not.

Commissioner Perkins added it was hard to fathom approving C-2 with all the vacant C-2 along Craig Road.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

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

OLD BUSINESS

- 15. UN-25-14 (49185) FORT CHEYENNE CASINO (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NEVADA RESTAURANT SERVICES, ON BEHALF OF CPM CHEYENNE LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT, TO ALLOW AN EXPANSION TO AN EXISTING CASINO. THE PROPERTY IS LOCATED AT 2414 AND 2428 EAST CHEYENNE AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-11-816-019 AND 139-11-816-020. (FOR POSSIBLE ACTION) (CONTINUED AUGUST 13, 2014)**

ACTION: CONTINUED TO OCTOBER 8, 2014

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

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

Marc Jordan, Planning Manager, conveyed an apology to the Planning Commission on behalf of Director Blackburn who could not attend the meeting.

CHAIRMAN'S BUSINESS

There was no Chairman's business to report.

ADJOURNMENT

The meeting adjourned at 7:49 p.m.

APPROVED: October 8, 2014

/s/ Nelson Stone
Nelson Stone, Chairman

/s/ Julie Shields
Julie Shields, Recording Secretary