MINUTES
CITY OF NORTH LAS VEGAS
PLANNING COMMISSION

November 12, 2014

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

CALL TO ORDER: 6:00 P.M.
Council Chambers, 2250 Las Vegas Boulevard, North
North Las Vegas, Nevada

WELCOME: Chairman Nelson Stone

ROLL CALL:
Chairman Nelson Stone – Present
Vice-Chairman Willard Ewing – Present
Commissioner Jay Aston – Present
Commissioner Laura Perkins – Present
Commissioner Sylvia Joiner-Greene – Present
Commissioner Felix Acevedo – Present
Commissioner Kenneth Kraft – Present

STAFF PRESENT:
Gregory Blackburn, Director
Marc Jordan, Planning Manager
Robert Eastman, Principal Planner
Bethany Rudd Sanchez, 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

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 NOVEMBER 12, 2014 (FOR POSSIBLE ACTION)

ACTION: APPROVED AS AMENDED; ITEM NOS. 10 (ZN-14-14), 11 (T-1371), AND 15 (SPR-06-14) CONTINUED TO DECEMBER 10, 2014, PER THE REQUEST OF THE APPLICANTS. ITEM NO. 16 (SPR-04-14) TO BE TRAILED UNTIL AFTER ITEM NO. 18 (RESOLUTION NO. 2014-01) IS HEARD, PER STAFF'S REQUEST. ITEM NO. 20 (SPA-02-14), WITHDRAWN BY THE APPLICANT

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

2. APPROVAL OF THE PLANNING COMMISSION MEETING MINUTES OF OCTOBER 8, 2014 (FOR POSSIBLE ACTION)

ACTION: APPROVED

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

NEW BUSINESS

3. AMP-07-14 (49598) ABOVE GROUND UTILITY PLAN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE CITY OF NORTH LAS VEGAS FOR AN AMENDMENT TO THE CITY OF NORTH LAS VEGAS 2006 COMPREHENSIVE MASTER PLAN, TO AMEND CHAPTER 3, GUIDING PRINCIPLES, GOALS AND POLICIES, AND FIGURE A-9: TRANSMISSION

LINE AND SUBSTATION PLAN, TO COMPLY WITH THE REQUIREMENTS OF NRS 278.165, AND DEVELOPMENT AND ADOPTION OF AN ABOVE GROUND UTILITY PLAN. (FOR POSSIBLE ACTION)

Johanna Murphy, Planning and Zoning Division, presented the request for an amendment to the Comprehensive Master Plan, which includes policies related to above ground utility planning. The 2013 Nevada Legislative Session approved AB-239, which added a requirement to NRS 168, that requires all the cities and counties to adopt an above ground utility plan as part of their comprehensive master plan. The NRS requirements stipulated that the process for the designation of transmission corridors is also consistent with the Nevada Office of Energy plans, the Bureau of Land Management's Resource Management plan, and the plans of the adjacent jurisdictions.

Most of the requirements of NRS 278.165 pertain to the coordination of the corridor planning. The Southern Nevada Regional Planning Coalition (SNRPC) formed a working group comprised of staff from the local jurisdictions to develop the policies for regional coordination.

The City's proposed changes were reviewed by the SNRPC and found to be in conformance with the regional policy plan, which is another requirement of the Nevada Revised Statutes.

In addition to revising the policies in Chapter 3, Guiding Principle No. 7, Goal 7.8, that are related to the power and planning, Figure A-9, Transmission Line and Substation Plan would be amended. The first amendment to the plan is to include the industrial lands in the Apex area. These lands were not part of the City when the map was originally adopted in 2006. Ms. Murphy reviewed the map and said instead of transmission corridors going throughout the Apex area, the entire area is shaded with at hatch to designate the entire Apex area, is open for the transmission lines and spurs associated with the development of alternative energy resources. The map will be revised to be consistent with Nevada Energy's most recent planning efforts. The map also reflects corridor lines going beyond jurisdictional boundaries, showing the City's coordination with adjacent jurisdictions. Staff requests Planning Commission's approval of the proposed changes to the Comprehensive Master Plan and that this item be forwarded to City Council for final consideration.

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

Commissioner Kraft referred to the map and addressed the future plan line that was drawn down Lamb. He stated there were issues during the 2011 Session (AB 416) that NV Energy wanted to do with plan transmission lines through the proposed national

monument, and asked if the proposed transmission line was through the national monument, and would it put the proposed legislation at risk.

Ms. Murphy advised that none of the corridors shown on the plan put the legislation at risk. The pending legislation for Tule Springs does allow for transmission lines to go through the proposed national monument, which are not reflected on the plan because they have not been designated yet. If that legislation is passed, and Tule Springs becomes a national monument, they will be working with the federal partners and Nevada Energy to update the map to correspond with the proposed changes.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

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

4. ZN-08-97 (49972) GEC CHEYENNE DEVELOPMENT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE LAYOUT COMPANY ON BEHALF OF 5090 MARY PARK, SERIES IV LLC, PROPERTY OWNER, FOR AN AMENDMENT TO AN EXISTING PUD, PLANNED UNIT DEVELOPMENT DISTRICT, TO AMEND THE PRELIMINARY DEVELOPMENT PLAN TO ALLOW LIGHT INDUSTRIAL USES. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CHEYENNE AVENUE AND ALLEN LANE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-08-417-001 AND 139-08-417-016. (FOR POSSIBLE ACTION)

This item was presented by Robert Eastman, Principal Planner.

The applicant proposed to build four additional buildings, approximately 9,750 square feet per building, to be used for light indoor manufacturing.

Staff recommended approval of the amendment to the PUD, with the conditions listed and an amendment to Condition No. 3.

Condition No. 3 amended to read:

A minimum of eight (8) feet of landscaping shall be provided along the northern property line.

The original conditions per Staff Report dated November 12, 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 allowable uses shall be limited to all permitted and special uses allowed within the C-P, Professional Commercial Office District and all permitted and conditional uses allowed within the M-1, Business Park Industrial District.

3. A minimum of twelve (12) feet of landscaping shall be provided along the northern property line.

4. The landscaping along the northern property line shall contains 24 inch box trees every 20 feet on center and shrubs that must provide 50% ground coverage within two years of planting.

5. The buildings shall contain elements and colors to be consistent with the other commercial buildings within the development, subject to review and approval of the Director of Community Development and Compliance.

PUBLIC WORKS:

6. Approval of a drainage study update is required prior to submittal to NDOT for concurrence and submittal of the civil improvement plans to CNLV.

7. NDOT concurrence with the results of the drainage study update is required prior to approval of the civil improvement plans;
   a. The project design shall not increase flows into NDOT right-of-way.
   b. On-site detention may be required.

8. 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.

9. Approval of a traffic study update is required prior to submittal of the civil improvement plans. Please contact Traffic Engineering at 633-1224 to request a scope.

10. NDOT concurrence with the results of the traffic study update is required prior to approval of the civil improvement plans.

11. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222.1, including throat depths and distance to intersections, and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter. Driveway locations are subject to review and approval by the City Traffic Engineer.

12. The property owner is required to grant a roadway easement for commercial driveway(s), if not already existing.

13. The property owner is required to dedicate a 5' x 25' area for a bus stop loading pad per *Clark County Area Uniform Standard Drawing* number 234.2.

14. A revocable encroachment permit for landscaping within the public right of way is required.

15. Appropriate mapping is required to combine 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 subdivision and/or parcel map approval. Conformance may require modifications to the site.

16. 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.

John Vornsand, 62 Swan Circle, Henderson, represented the applicant, and agreed with staff's recommendations. Mr. Vornsand stated this would provide an additional economic employment base for the City.

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

ACTION: APPROVED PER AMENDED CONDITION NO. 3, AND PER SITE PLANS AND ELEVATIONS AS PRESENTED AT THE NOVEMBER 12, 2014 PLANNING COMMISSION MEETING; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

Condition No. 3 amended to read:

A minimum of eight (8) feet of landscaping shall be provided along the northern property line.

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

5. UN-106-14 (49930) LONE MOUNTAIN TRUCK LEASING (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TIM C. AYALA ON BEHALF OF FLEETPARK LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT, TO ALLOW A VEHICLE SALES ESTABLISHMENT. THE PROPERTY IS LOCATED AT 4020 EAST LONE MOUNTAIN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 123-31-801-003 AND 123-31-801-004. (FOR POSSIBLE ACTION)

This item was presented by Robert Eastman, Principal Planner.

The site is currently used as a truck driving school. The applicant is proposing to use the site for truck sales. There is adequate parking for office use, display area and customer parking.

Staff recommended approval, subject to the conditions listed.

Tim Ayala, 4600 Sunset Road, represented the applicant, and stated he supported Planning and Zoning staff's recommendations. Mr. Ayala stated their intention was to sell some of the trucks, and referred to the Public Works traffic mitigation letter. He did not think there would be an impact to traffic and did not anticipate an increase. He said Public Works requested mapping and requested it be waived.

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

Alyssa Reynolds, City of North Las Vegas, Traffic Engineer, addressed the traffic study, and stated there was a standard comment placed on all developments of this type where they are changing their use from storage or repair type facility to add vehicle sales, which could potentially add traffic to their use. The applicant needs to contact Traffic Services to request a scope before the traffic study is prepared. A qualified

engineer would prepare the request. If the consultant returns with the opinion that there would be minimal impact, then no traffic study would be required.

Rob McLaughlin, City of North Las Vegas Development/Flood Control Manager, referred to the existing condition and stated he was not sure how the building was allowed to be constructed. The parcel line runs down the middle of the existing building. The standard policy is the building would be located on one lot.

Mr. Eastman stated one of the requirements of a use permit is compliance with all applicable codes and ordinances, and if the building is currently split by a parcel line and does not have a demising wall, and is not mapped that way, then it is not in compliance with all the applicable codes and ordinances. Staff is requesting that the applicant merge the two parcels. This is an administrative review that is done through Public Works. The current conditions require they do the appropriate mapping to comply with state law.

Mr. Eastman stated the applicant would need to work with a surveyor to combine the two parcels, have it reviewed and approved by the City and then it is filed at the County. The process normally takes two to three weeks.

ACTION: CONTINUED TO DECEMBER 10, 2014, PER THE REQUEST OF THE APPLICANT

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

6. UN-108-14 (49974) AWESOME AUTO SALES INC. (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TROY SMITH ON BEHALF OF RENEE R. SILVAGGIO, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT, FOR A VEHICLE SALES ESTABLISHMENT. THE PROPERTY IS LOCATED AT 2246 LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-22-510-012 AND 13-22-510-013. (FOR POSSIBLE ACTION)

This item was presented by Robert Eastman, Principal Planner.

Mr. Eastman stated there are parking issues that need to be addressed. The site plan shows additional display areas, and there is not adequate parking for all the displays

and the customers. They only have adequate parking for 13 display vehicles, and not the 20 they are proposing.

Staff had no other objections and recommended approval, subject to the conditions listed.

The original conditions per Staff Report dated November 12, 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.

PUBLIC WORKS:

3. Gates must be open during Business Hours.

4. Approval of a traffic study update may be required prior to approval of the civil improvement plans.

5. The existing driveway shall be removed and replaced with an ADA compliant driveway per Clark County Area Uniform Standard Drawings 226.S1.

Troy Smith, Awesome Auto Sales, stated he would be blacktopping the entire lot and re-striping it, and would address customer parking. There are two handicapped spaces in the front, and he would address customer parking along the rear fence in the back of the building. Mr. Smith agreed with staff's recommendations. Renee Silvaggio, owner, was also present to answer questions.

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

Commissioner Perkins addressed the three foot planter in the front of the building and requested improvement in its appearance. Mr. Smith stated they would trim the landscaping and also add more plants.

ACTION: APPROVED PER STAFF RECOMMENDED CONDITIONS

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

7. VN-03-14 (49886) UNITED RECYCLING (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MICHAEL LIVINGSTON, AIA, ON BEHALF OF RAILROAD VALLEY ENTERPRISES LLC FOR A VARIANCE IN AN M-2, GENERAL INDUSTRIAL DISTRICT, TO ALLOW A 14 FOOT FRONT SETBACK WHERE 20 FEET IS REQUIRED. THE PROPERTY IS LOCATED AT 3383 LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-11-413-002 THRU 139-11-413-005. (FOR POSSIBLE ACTION)

This item was presented by Robert Eastman, Principal Planner.

The applicant requested a 14-foot setback to add a canopy to the existing building. Staff did not support the proposed variance because they believe the site has some unique circumstances that make it different from the others. Staff believes the variance provides an advantage to the site that would not be enjoyed by others. Staff also believes approval of this variance may also cause or require the applicant to come back and amend his use permit to address the conditions of approval of the original use permit.

The original condition per Staff Report dated November 12, 2014 is 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.

Michael Livingston, Architect, 2851 Huber Heights Drive, Las Vegas, stated the reason why the canopy was being requested is for health reasons. He stated they have an on-going business that serves the community that recycles materials. The canopy is being built primarily at the request of the Health Department, who wants to see the outside bailers covered, and protected from the sun and the rain. The canopy is not to provide workers with shade, and is there for health reasons. Mr. Livingston stated this is the only place where the canopy can go in terms of processing on this site; therefore, they believe they have a hardship because it is being imposed upon the owner. They are improving the facility for health reasons.

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

Chairman Stone asked the applicant to identify the types of recycling materials.

Michael Wolfe, 3709 (inaudible) Bay, North Las Vegas, owner, responded the materials were cardboard, plastic and white ledger. Mr. Wolfe stated the high winds created problems. The canopy was more like a building with a top and two sides and would hook onto the existing building. He wants to cover the bailer which cost $500,000.

Commissioner Perkins asked staff to confirm the reason the canopy had to be built was because of air quality. Mr. Eastman responded according to the applicant's letter of intent they received a letter from the Southern Nevada Health District requiring a canopy for their outdoor storage, staging and loading area. Part of it is to prevent and help keep the recycled material from escaping off site.

Vice-Chairman Ewing asked what the square footage of the canopy was and Mr. Livingston responded it was 72' x 90.' Vice-Chairman Ewing asked if it could be altered six feet to comply with requirements. Mr. Livingston said it would not be possible because they needed to cover the bailer.

Vice-Chairman Ewing asked staff to address the issue of placement of canopy to another location. Mr. Livingston said it would create a hardship due to the flow of materials coming into the site.

Mr. Wolfe said everything was behind the wall, and there were iron gates in the front. He would like to position the building east and west, rather than north and south.

Mr. Wolfe reviewed the site plan and the improvements that were made. Mr. Wolfe spent $50,000 for a fire hydrant to be placed next to the building.

Commissioner Aston asked if staff had a copy of the Health District mandating this. Neither staff nor Mr. Livingston had a copy. Mr. Wolfe said when they received approval, the bailer had to be covered, and he decided to cover everything. Only the dumpsters would be outside.

Commissioner Kraft confirmed the setback was from Colton Avenue, and asked what the distance was from Colton Avenue to the existing building. Mr. Wolfe advised it was 14 feet.

Commissioner Kraft said according to staff when this was initially approved, the only thing that was allowed was outdoor storage. Mr. Eastman stated the condition did not allow outdoor operations, but storage in relation to recycling.

Commissioner Kraft confirmed that with the bailer being outside they are currently in violation, and Mr. Eastman advised they were. Commissioner Kraft asked why they did not add on to the building with a permanent structure. Commissioner Kraft thought they may be in violation of their original use permit. Mr. Wolfe advised both the City and the Health District approved the bailer being outside. They came to the site and issued the business license and permit. The bailers, containers and trucks were outside when they approved it.

Ms. Rudd Sanchez conveyed to the applicant that if a business license inspector went to the site, part of the conditions are to operate his business in conformance with all applicable codes, regulations and laws, which includes a use permit.

Chairman Stone reiterated the application was a variance for a setback.

Commissioner Aston stated if the Planning Commission were to approve the variance, then the applicant would need to amend the one condition on the special use permit. The Commission is challenged with approving the setback because of the violation of special use condition.

Mr. Wolfe said there was no violation. There were 20 items to be completed and he completed them all. They waived the enclosure for the trash.

Commissioner Aston referred to Item No. 3 on the original use permit which states all loading and unloading of materials and containers are to be indoors.

Mr. Wolfe responded "no" that all unloading containers shall be right there where they told him, but he cannot put all containers indoors. Mr. Wolfe said the empties are outside, everything else is inside.

Commissioner Aston said what he was trying to convey was that Mr. Wolfe might be able to sort this out with staff, and continue this application.

Mr. Livingston said this is not unloading or loading, and was processing.

Commissioner Perkins asked staff if all recycling operations had to be indoors. Mr. Eastman stated outdoor recycling requires a use permit, which the applicant had because it had outdoor activities for their storage.

Commissioner Perkins addressed air quality control and stated she had a difficult time approving this item because one person polluting the valley changes a lot of the money the City receives to build highways and bi-ways. If we do not continue to keep our air quality at a certain level we run the risk of losing federal funding. Commissioner Perkins had an issue with the bailer being on the outside of the building. She stated this seemed self-inflicted.

Commissioner Kraft asked for clarification regarding the request that the application was to reduce the setback from 20 feet to 14 feet. Mr. Eastman confirmed the existing building has a 14 foot setback. Commissioner Kraft confirmed with Mr. Wolfe that the wall would not be moved closer to Colton Avenue. Mr. Wolfe stated the proposed canopy would be placed where the building is right now (east and west).

Commissioner Kraft asked how the special use permit violation would be addressed. Mr. Eastman stated another inspector would visit the site.

ACTION: APPROVED PER STAFF RECOMMENDED CONDITION

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

8. FDP-06-14 (49444) 14 FLOWER. AN APPLICATION SUBMITTED BY SERGIO GOMEZ, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD, PLANNED UNIT DEVELOPMENT DISTRICT, TO DEVELOP A PROFESSIONAL OFFICE. THE PROPERTY IS LOCATED AT 2500 FLOWER AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-24-312-038. (FOR POSSIBLE ACTION)

This item was presented by Robert Eastman, Principal Planner.

The building is in compliance with Commercial Design Standards. Staff is requesting they move one parallel parking space farther to the north and increase the size of the parking landscape island, to add additional landscaping along the property line adjacent to the existing residential home. The Final Development Plan is in substantial compliance to the Preliminary Development Plan, as originally approved. Staff is recommending approval, subject to conditions listed.

The original conditions per Staff Report dated November 12, 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-05-12.

Brian Nagle, SSA Architecture/Project Manager, appeared on behalf of Sergio Gomez. Mr. Nagle reviewed the proposed design changes and landscaping. He is in agreement with staff's recommendations.

Commissioner Perkins stated this would be a great improvement along the corridor.

ACTION: APPROVED PER STAFF RECOMMENDED CONDITIONS

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

9. FDP-07-14 (49941) TIERRA SANTA. AN APPLICATION SUBMITTED BY WOODSIDE HOMES OF NEVADA LLC, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD, PLANNED UNIT DEVELOPMENT DISTRICT, TO DEVELOP 152 SINGLE-FAMILY DWELLING UNITS. THE PROPERTIES ARE LOCATED AT THE NORTHWEST CORNER OF NORTH FIFTH STREET AND DORRELL LANE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-22-512-001 THRU 124-22-512-152. (FOR POSSIBLE ACTION)

This item was presented by Robert Eastman, Principal Planner.

The site, in general, is in conformance with residential design standards. Every model must contain a porch, balcony or courtyard option. Only one model had that option; therefore, the other two models need to provide this as an option. The applicant stated this has been addressed and will be submitted and shown during the model home process.

Staff is recommending approval subject to conditions.

The original conditions per Staff Report dated November 12, 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-43-05.

3. The model homes shall be modified to comply with the Residential Design Standards, including, the addition of a porch, balcony, or courtyard option for each model.

Patrick Helfrich, 4670 S. Ft. Apache, Ste. 200, Las Vegas, agreed with staff comments and requested Planning Commission approval.

ACTION: APPROVED PER STAFF RECOMMENDED CONDITIONS

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

10. ZN-14-14 (49975) CENTENNIAL SPRINGS II (PUBLIC HEARING). AN APPLICATION SUBMITTED BY KB HOME LV CENTENNIAL SPRINGS, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM AN R-2, SINGLE-FAMILY MEDIUM DENSITY DISTRICT, TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF 143 SINGLE-FAMILY DWELLING UNITS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CENTENNIAL PARKWAY AND VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-30-101-010, 124-30-195-001 AND 124-30-113-001 THRU 1124-30-113- 075. (FOR POSSIBLE ACTION)

ACTION: CONTINUED TO DECEMBER 10, 2014, PER THE REQUEST OF THE APPLICANT

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

11. T-1371 (49976) CENTENNIAL SPRINGS II. AN APPLICATION SUBMITTED BY KB HOME LV CENTENNIAL SPRINGS, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-2, SINGLE-FAMILY, MEDIUM DENSITY DISTRICT, (PROPOSED PROPERTY RECLASSIFICATION TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT) TO ALLOW 143 SINGLE-FAMILY DWELLING LOTS. THE PROPERTIES ARE LOCATED AT THE NORTHWEST CORNER OF CENTENNIAL PARKWAY AND VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-30-101-010, 124-30-195-001 AND 124-30-113-001 THRU 124-30-113-075. (FOR POSSIBLE ACTION)

ACTION: CONTINUED TO DECEMBER 10, 2014, PER THE REQUEST OF THE APPLICANT

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

12. UN-107-14 (49964) U-HAUL RENTAL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY FAST & EZ SELF STORAGE, INC., PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT, TO ALLOW A VEHICLE RENTAL FACILITY. THE PROPERTY IS LOCATED AT 915 EAST COLTON AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-11-402-003. (FOR POSSIBLE ACTION)

This item was presented by Marc Jordan, Planning Manager.

Staff had no objections to the use itself, but had a couple of concerns. One concern is the location of the 14-foot long truck. There is only one customer parking space that is available in front, and that is the space the applicant is proposing to store their U-Haul truck. There is room within the storage facility itself where the applicant could store it away from the street front, and allow the one parking space to remain open for their

customers. Staff is recommending they move the location of the truck to the area inside the units.

Staff noticed the applicant has removed all their landscaping on the site. At one time, they had landscaping that was growing in front of their building. Staff has added the condition they add the landscaping back and comply with the current requirements for ground and tree coverage.

The applicant was not present at the conclusion of Mr. Jordan's presentation. Chairman Stone stated he would like to discuss the landscaping item with the applicant and trailed this item to the end of the meeting.

This item was trailed and re-visited following Item No. 19, UN-25-14. The applicant was not present.

ACTION: CONTINUED TO DECEMBER 10, 2014

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

13. AMP-09-14 (49966) SERENITY CIRCLE APARTMENTS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CORAN LAKE MEAD LLC, C/O FILIPP CHEBOTAREV, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF EMPLOYMENT TO MULTI-FAMILY. THE ASSESSOR'S PARCEL NUMBERS ARE 139-20-202-009 THRU 139-20-202-011. THE PROPERTIES ARE LOCATED APPROXIMATELY 650 FEET WEST OF SIMMONS STREET AND SOUTH OF LAKE MEAD BOULEVARD. (FOR POSSIBLE ACTION)

This item was presented by Marc Jordan, Planning Manager.

Mr. Jordan requested to brief Item Nos. 13 and 14 together. These items would require separate votes.

Item No. 13 is a request to amend the Comprehensive Plan from Employment to Multi-Family.

Item No. 14 is a rezoning request to change the classification of property from PUD District to R-3, Multi-Family Residential District.

The applicant is proposing to amend the land use and rezone the property. The PUD was zoned in 2001, and allows for light industrial park complex for this property and to the west. The PUD also allows for commercial type uses in the buildings that front Lake Mead Boulevard. Part of this PUD has been developed to the west and adjacent to the western property line. At one time, there was a Final Development Plan approved for the subject site. Mr. Jordan stated when looking at the characteristics for multi-family, the Comprehensive Plan indicates that they should generally occur in developed residential neighborhoods throughout the City, and typically, along major roadways and near high intensity uses such as commercial employment uses. Connectivity should be emphasized in the design of the project to connect the multi-family to the commercial activities within the area. When looking at the characteristics and location for Employment in existing land use, it also says that they should be located generally along major arterials and provide primary employment activity in fully enclosed operations that may serve as transition between heavy industrial activities and lesser intense uses. In this case, the land use and zoning allow for light industrial uses that are compliant with the existing land use.

In looking at the properties both east and west of the site, the Comprehensive Plan shows this as Employment. The applicant is proposing to take a segment of that and change the land use to Multi-Family. While it is not considered spot zoning, when considering it from a land use side, what they are proposing is an island of Multi-Family in an area that is actually surrounded by Employment land uses.

The Visioning 2025 Plan indicates one of the goals for the land use states that it is to create and adopt an updated Comprehensive Plan that takes the City into 2025 and promotes and manages growth to create a livable, citzen-friendly community.

Within this category, one of the strategies is to prevent the conversion of industrial land to residential land. As indicated before, the PUD is for light industrial. You would be converting light industrial to a residential land use, which is not supported by the Visioning 2025 Plan.

When considering the history of the site, the Comprehensive Plan was adopted by the City in November 2006. Prior to that, the City was operating under a 1999 Comprehensive Plan. Under that Plan, we envisioned this area as being light industrial. As a result of the 2006 Comprehensive Plan, we changed it from light industrial to Employment. Since 1999 to present day, essentially this area has remained. The City envisioned this as some type of light industrial or Employment land use category, which has been developed in this area.

Staffed considered the Air Terminal Environs Overlay District. In this case, it is just south of the North Las Vegas Airport. There are two Air Environ Overlays on this site – one within AE-60 and the other within AE-65 noise subzones.

Residential development is allowed within that area; however, when developed, they have to create some type of sound attenuation into it.

The Department of Aviation has given staff a letter expressing concerns with Multi-Family development on this property, in close proximity to the airport. As a result, they have indicated that since 1980's, the FAA has recommended that no new residential development will be located in areas that have a 65 DL noise rating. The FAA has also indicated that they would not contribute toward the purchase or help rehab these developments due to the construction of existing homes. The FAA is encouraging that the City is not developing any type of residential within an area that has a 65 DL noise rating. The Department of Aviation is recommending the Planning Commission not approve these two uses. The Department of Aviation has indicated they expect increased activities at the airport by approximately 150%. There are approximately 260 daily operations at this site, and they expect that to increase to approximately 900 operations. The subject site is located beneath these operation areas. As a result, staff is not supporting either application, and recommends denial.

George Garcia, 1055 Whitney Ranch Drive, Suite 210, reviewed the site map and discussed the variety of land uses – single-family residential, C-1 commercial, industrial PUD, and in the county was a mixture of residential, rural residential, elementary school, and vacant undeveloped property. Mr. Garcia identified major employment centers to the west, the Wal-Mart Shopping Center, and the Texas and Fiesta Hotel and Casinos.

Mr. Garcia stated they were creating an opportunity to bring development into an area that has been lacking development, looking for new energy, and reinvestment into the area. The project being proposed would bring new projects into the area where there has been no development. What is being proposed is a much higher value project. It will bring tenants to the area and residents who will support the businesses. The shopping center is largely vacant.

This would be a great opportunity to create a walkable neighborhood – residents can walk to work, shopping and entertainment. There is an elementary school to the immediate south.

Mr. Garcia reviewed the building elevations and stated they would perform additional work on the design of the site plan.

Mr. Garcia addressed the airport issues and stated 95 percent of the property is in the 60 decibel area, and the remainder is in the 65 decibel area. Numerous places throughout the valley are built in the 60 decibel area, to include multi-family and single-family. Because of the homes in the 65 decibel area, there would be a cost imposed to his client to upgrade to the higher decibel rating over and above what is required on 60 decibels. They are not seeking any federal funds to do the mitigation work. It is not meant to be a public project, and is a private project. It is not intended to be a low income project.

Chairman Stone opened the public hearing.

Jeff Jacquart, Clark County Department of Aviation, stated he had been with the Planning Division for approximately 20 years. He stated his office received calls and complaints regarding air traffic noise, and since the 1980's and 90's, they have been very proactive in working with land use planning jurisdictions to reduce the amount of new residential units built within the 60 noise contour and higher. Mr. Jacquart stated if a property owner does not already have existing residential zoning or master planned residential zoning, then his office aggressively opposes the project, which is why is attended tonight's meeting.

Mr. Jacquart stated this is master planned for non-residential use and the property owner is requesting to change that to a residential use. As shown on the map, the property is located close to the North Las Vegas Airport, and only one half mile away from the end of the runways. Mr. Jacquart identified the primary departure path out of the airport. At one time, it was the second busiest airport in the State of Nevada.

Mr. Jacquart stated it did not make sense to place homes in these noise contours. He acknowledged there are some existing homes in the noise contours -- single, multi-family, condominiums and apartments; however, they were built a long time ago. Many already had hard zoning that allowed residential or were master planned for residential use.

As indicated by staff, since 1999, this area has not been master planned residential. Currently, there are only 350 operations per day. The long term plan for the airport, once the economy improves, is up to 900 operations per day.

Mr. Jacquart stated although the applicant may not be seeking federal funding for sound attenuation, the federal agencies would not allow it anyway. He added when the residents move in and the applicant is no longer around, and apartments have been converted to condominiums, and those applicants 10-20 years from now ask the airport

and the City of North Las Vegas to come in and sound attenuate their home to even better than what is already required by code, it would not be allowed.

Mr. Jacquart addressed the noise contour issue. A portion of it is in the 65 DL area and the majority of it is in the 60 DL area, which is still a concern to them. The county and all the jurisdictions have chosen to be more proactive than the federal guidelines of stopping at 65 DL for land use compatibility. They have used 60 DL since the early 1990's. They agree with staff's recommendation for denial.

Leon McKittrick, 1904 Cindy Sue St., #1, Las Vegas, stated at Coran and Ranch there was a similar three story multi-family proposed, and the FAA denied it for height reasons. He stated height had not been addressed for this project and recommended it be looked into. He stated this was an isolated property and everything around it, except for the school and a couple of homes, are not compatible with multi-family. He stated multi-family would be put in an island, and would be dropped in the middle of nowhere.

Mr. McKittrick stated there was no need for it. He owns 99 rental units, and does not have maximum occupancy, and spoke with other owners in the neighborhood who said their vacancy factor was anywhere from 15%-50%. They did not need more residential. If it was put in at this location, the people who are landlords and struggling to make ends meet would find it more difficult.

Dorothy Berroyer, 3453 Anderson Lane, Las Vegas, stated she was opposed to this project because they are already overpopulated for the type of streets they have in the neighborhood. Most are without curb, gutter and sidewalks. It is also difficult for two cars to pass each other on Holly Lane. Everyone uses her neighborhood to cut through and do not use Lake Mead. There is too much traffic in the neighborhood already without adding new forms of residential. Ms. Berroyer said it had not been disclosed as to what the density would be on the project.

Michael Ramirez, 3311 W. Coran Avenue, Las Vegas, reviewed a site map and stated there were already apartments within a half mile of the proposed development that were not filled to vacancy. There are 270 units on an 11 acre parcel, and they are already asking for a parking waiver for the allotted parking. The current building to the west is already on the property line; therefore, if the Planning Commission were to approve this item, they would have to have even more setback to allow these people to have access to the property line. This would encroach upon the space they actually intend to use.

His address is on Coran and not Lake Mead. Mr. Ramirez displayed photos of traffic in front of the schools, and said it was horrendous when picking up children. The school is already overcrowded.

He stated the applicant said people would walk to Dotty's, Walmart, etc. His home was directly in front of it and he cannot open his windows because of the noise. He said in 2001, it was recommended no traffic would be on Coran Avenue. The buildings to the east were block wall and the building to the west is setback and all the entrances are on Lake Mead due to the traffic.

Mr. Ramirez stated last night a woman was gunned down at Portola Del Sol. A few years ago, in a retirement center east of Simmons, a woman in her wheelchair was robbed and killed. This is not an area where people walk around.

He requested the Planning Commission support staff's recommendation for denial.

Robert Potter, 2975 W. Lake Mead Blvd., North Las Vegas, presented a letter for submittal to the Planning Commission. He stated he was unequivocally and enthusiastically in support of the project. He attended the neighborhood meeting and reviewed the plans. He stated he was a business man and business neighbor (immediately east of the project) for 47 years – 1967-2014. He stated in the 1960's it was a very nice rural neighborhood. In the 1980's when the government chose to expand and change the location of Lake Mead, it changed the entire atmosphere of the neighborhood, along with the airport.

He stated he was glad to see him (unidentified) here representing what a good neighbor they are, when in fact, at that time, in front of the Planning Commission, they represented they would not do any of the things they have done today with the jets that come in and go out. They have created the noise abatement problem.

Mr. Potter did not believe they needed any industrial in the area. Mr. Potter previously appeared and argued in front of the Planning Commission and City Council for industrial. Mr. Potter owns many industrial buildings on the corner of Lake Mead and Simmons; two are setting vacant since the downturn of the economy.

Mr. Potter said we need a project like this that brings in a higher level of income, and helps stabilize the area. It is a class A/B project anywhere in town. We need it in our neighborhood so that things like that killing do not occur. It is a walkable neighborhood.

Mr. Potter said Coran Lane splits North Las Vegas and the City. He asked how many people who are here tonight do not live in North Las Vegas, and stated he has a business investment in North Las Vegas.

He supported the project, it is compatible with the neighborhood, it is a good project. Mr. Potter asked for the Planning Commission's support of the project.

Chairman Stone closed the public hearing.

George Garcia, 1055 Whitney Ranch Drive, Suite 210, addressed the crime issue. He stated putting more eyes on the street, activity, lighting and people on the street would increase security. The infrastructure that was mentioned (no sidewalks,etc.) will be required to be put in the improvements that are lacking. Mr. Garcia addressed safety and security and said he met with Chrissy Coons, North Las Vegas Police Department, to discuss the plan and its design, and they had no objections or concerns that it would increase crime. Eyes on the street, CPTED principles will support that this will improve things. The quality and character of the design will be a higher end project, and will help to support the businesses.

Mr. Garcia addressed the airport issue and reviewed the site map. He said the majority of the property was in the 60 decibel area and the 65 decibel area was the smaller portion. They will be attenuating to the higher level. The apartments are not being built to condominium standards, and will not be converted. If the noise alone were used to discourage development, there would be no Town Center or homes near the Henderson Executive Airport.

Mr. Garcia addressed the number of apartments in the area and stated that competition is a good thing, and forces people to do a better job of maintaining their property. This will be a professionally managed property that will be maintained. It will bring opportunities to the neighborhood, help improve the quality of life, is an investment in the area, and would make it better for the businesses and residents of the area.

The property is situated on a major arterial, Lake Mead, and is capable of handling all of the traffic.

Vice-Chairman Ewing asked if the entrance to the complex was on Lake Mead or Coran. Mr. Garcia responded the entrance was off of Lake Mead. There is one way on Coran only. This is subject to site plans with Traffic/Engineering. Mr. Garcia confirmed both entrances would be gated. Vice-Chairman Ewing confirmed the gates would be accessed via remote control. Vice-Chairman Ewing asked if there was any notice requirement regarding noise levels to applicants wanting to rent apartments. Mr. Garcia said he was not aware for rentals. Vice-Chairman Ewing confirmed this property was being built for apartments and not for condominiums, and that the current person had no history of converting apartments to condominiums.

Commissioner Perkins asked the applicant if they would attenuate to the higher rate for all of the units or just the units that are in the 65 decibel area. Mr. Garcia stated code requires that all buildings will be attenuated to the higher level.

Commissioner Perkins asked staff for five examples of what types of businesses could be in an M-1 district. Mr. Jordan responded that it is currently zoned for light industrial, and that as part of the PUD, all the buildings would be designed M-1: indoor manufacturing, offices, warehouses, businesses without hazardous materials, some outdoor storage.

Mr. Garcia stated there were 271 units on approximately 10 acres. The maximum density was 25, and they are under that.

Vice-Chairman Ewing asked if there was a proposed security plan in place, or security guard on site. Mr. Garcia responded he was not aware of that at this point. He thought it would be evaluated later, however it was not a recommendation.

Commissioner Kraft conveyed he was hesitant to convert industrial and commercial land to residential due to consolidated tax distribution perspective where you are incented to increase your assessed value; industrial and commercial property typically have a higher assessed value than residential.

Mr. Garcia added that might be true if it were single-family, as it creates greater demand for more services. When referring to apartment projects, the value of this project compared to the one next door, is more valuable than the kind of industrial building.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

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

14. ZN-13-14 (49965) SERENITY CIRCLE APARTMENTS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CORAN LAKE MEAD LLC, C/O FILIPP CHEBOTAREV, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM A PUD, PLANNED UNIT DEVELOPMENT DISTRICT, TO AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT. THE ASSESSOR'S PARCEL NUMBERS ARE 139-20-202-009 THRU 139-20-202-011. THE PROPERTIES ARE LOCATED APPROXIMATELY 650 FEET WEST OF SIMMONS STREET AND SOUTH OF LAKE MEAD BOULEVARD. (FOR POSSIBLE ACTION)

This item was presented by Marc Jordan, Planning Manager.

George Garcia, 1055 Whitney Ranch Drive, Suite 210, requested his comments be brought forward.

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

As requested, all comments from Item 13, AMP-09-14, are carried forward below:

This item was presented by Marc Jordan, Planning Manager.

Mr. Jordan requested to brief Item Nos. 13 and 14 together. These items would require separate votes.

Item No. 13 is a request to amend the Comprehensive Plan from Employment to Multi-Family.

Item No. 14 is a rezoning request to change the classification of property from PUD District to R-3, Multi-Family Residential District.

The applicant is proposing to amend the land use and rezone the property. The PUD was zoned in 2001, and allows for light industrial park complex for this property and to the west. The PUD also allows for commercial type uses in the buildings that front Lake Mead Boulevard. Part of this PUD has been developed to the west and adjacent to the western property line. At one time, there was a Final Development Plan approved for the subject site. Mr. Jordan stated when looking at the characteristics for multi-family, the Comprehensive Plan indicates that they should generally occur in developed residential neighborhoods throughout the City, and typically, along major roadways and near high intensity uses such as commercial employment uses. Connectivity should be emphasized in the design of the project to connect the multi-family to the commercial activities within the area. When looking at the characteristics and location for Employment in existing land use, it also says that they should be located generally along major arterials and provide primary employment activity in fully enclosed operations that may serve as transition between heavy industrial activities and lesser intense uses. In this case, the land use and zoning allow for light industrial uses that are compliant with the existing land use.

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considering it from a land use side, what they are proposing is an island of Multi-Family in an area that is actually surrounded by Employment land uses.

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When considering the history of the site, the Comprehensive Plan was adopted by the City in November 2006. Prior to that, the City was operating under a 1999 Comprehensive Plan. Under that Plan, we envisioned this area as being light industrial. As a result of the 2006 Comprehensive Plan, we changed it from light industrial to Employment. Since 1999 to present day, essentially this area has remained. The City envisioned this as some type of light industrial or Employment land use category, which has been developed in this area.

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The property is situated on a major arterial, Lake Mead, and is capable of handling all of the traffic.

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Commissioner Perkins asked staff for five examples of what types of businesses could be in an M-1 district. Mr. Jordan responded that it is currently zoned for light industrial, and that as part of the PUD, all the buildings would be designed M-1: indoor manufacturing, offices, warehouses, businesses without hazardous materials, some outdoor storage.

Mr. Garcia stated there were 271 units on approximately 10 acres. The maximum density was 25, and they are under that.

Vice-Chairman Ewing asked if there was a proposed security plan in place, or security guard on site. Mr. Garcia responded he was not aware of that at this point. He thought it would be evaluated later; however, it was not a recommendation.

Commissioner Kraft conveyed he was hesitant to convert industrial and commercial land to residential due to consolidated tax distribution perspective where you are incented to increase your assessed value; industrial and commercial property typically have a higher assessed value than residential.

Mr. Garcia added that might be true if it were single-family, as it creates greater demand for more services. When referring to apartment projects, the value of this project compared to the one next door, is more valuable than the kind of industrial building.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

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

15. SPR-06-14 (49967) SERENITY CIRCLE APARTMENTS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CORAN LAKE MEAD LLC, C/O FILIPP CHEBOTAREV, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A PUD, PLANNED UNIT DEVELOPMENT DISTRICT (PROPOSED PROPERTY RECLASSIFICATION TO THE R-3, MULTI-FAMILY RESIDENTIAL DISTRICT) TO ALLOW 271 MULTI-FAMILY DWELLING UNITS. THE ASSESSOR'S PARCEL NUMBERS ARE 139-20-202-009 THRU 139-20-202-011. (FOR POSSIBLE ACTION)

ACTION: CONTINUED TO DECEMBER 10, 2014, PER THE REQUEST OF THE APPLICANT

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

16. SPR-04-14 (49714) MME PROD. AT M16 AT APEX (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CLARK NATURAL MEDICINAL SOLUTION, LLC DBA NUVEDA, ON BEHALF OF FNBN KAPEX LLC / SORENSON GROUP MANAGEMENT, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW AN INDUSTRIAL STYLE WAREHOUSE BUILDING CONSISTING OF APPROXIMATELY 108,855 SQUARE FEET. (FOR POSSIBLE ACTION)

This item was trailed after Item No. 18.

This item was presented by Marc Jordan, Planning Manager. Mr. Jordan requested the applicant speak concerning his desire regarding this item at this time.

George Garcia, 1055 Whitney Ranch Drive, Suite 210, stated with the passage of the site plan review being done administratively by staff, it would be unnecessary for this item to come back to the Planning Commission for review. He could withdraw the site plan review for the location in Apex and submit the revision to staff and move forward under the new procedures.

ACTION: WITHDRAWN PER THE REQUEST OF THE APPLICANT. (NO VOTES WERE CAST)

17. T-1370 (49970) SPEEDWAY I-15 COMMERCIAL. AN APPLICATION SUBMITTED BY 702 CAPITAL LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP TO CREATE SINGLE LOT COMMERCIAL SUBDIVISION. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF SPEEDWAY BOULEVARD AND I-15 HIGHWAY. THE ASSESSOR'S PARCEL NUMBER IS 123-22-701-003. (FOR POSSIBLE ACTION)

This item was presented by Marc Jordan, Planning Manager.

Mr. Jordan advised the proposed tentative map is in compliance with the proposed land use request and proposed reclassification to the property. Staff recommended approval.

The original conditions per Staff Report dated November 12, 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 tentative map shall become null and void should the accompanying requests (AMP-08-14 and ZN-12-14) to amend the Comprehensive Plan, land use element and property reclassification not be approved by the City Council.

Public Works Department:

3. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.

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

5. NDOT concurrence with the results of the drainage study may be required prior to approval of the civil improvement plans.

6. 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.

7. Driveway locations are not currently proposed. 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.

8. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222.1, including throat depths, and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.

9. The property owner is required to grant a roadway easement for commercial driveway(s).

10. 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. Speedway Blvd (The ultimate configuration will include a median.)

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

12. The following note shall be added to the Final Map for the commercial subdivision:

INGRESS, EGRESS AND CROSS ACCESS NOTE
Easements for vehicular and pedestrian ingress / egress and cross access on all areas not occupied by buildings are hereby reserved and granted for all development parcels subsequently created within this map.

Frank DeLuca, 9910 W. Cheyenne Ave., #110, Las Vegas, appeared on behalf of the applicant, and concurred with staff's recommendations.

ACTION: APPROVED PER STAFF RECOMMENDED CONDITIONS

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

18. RESOLUTION NO. 2014-01; A RESOLUTION OF THE PLANNING COMMISSION MODIFYING A REQUIREMENT WITHIN TITLE 17, SECTION 17.12.070, SUBSECTION H, THE REQUIREMENT FOR INDUSTRIAL DEVELOPMENT EXCEEDING 80,000 SQUARE FEET IN SIZE TO BE CONSIDERED BY THE PLANNING COMMISSION AND PERMITTING THE DIRECTOR TO CONDUCT THIS REVIEW. (FOR POSSIBLE ACTION)

This item was presented by Marc Jordan, Planning Manager.

This resolution would allow the Planning Commission to delegate the review and approval of major site plan reviews for industrial developments only to staff. Currently, the Planning Commission reviews and considers and approves all major site plan reviews which can consist of any type of industrial or commercial development that is 80,000 square feet or more. Any multi-family development that has 60 units or more, any outside storage of 60,000 square feet or more, and for parking of more than 350 vehicles are considered by the Planning Commission. Anything else that is considered minor, is reviewed by staff administratively, typically through the building permit process.

Title 17 has a provision which authorizes the Planning Commission to delegate that review. Staff is requesting the Planning Commission delegate that review for industrial developments only.

The City's Visioning 2025 Plan and Strategic Plan 2012-2017-2030 addresses attracting new businesses in the City and creating a diverse economy with industrial development, in addition to increasing and improving the service delivery to the customer.

Mr. Jordan discussed the timeframes in which a major site plan comes before the Planning Commission. From the day they file with staff to the day it comes before the Planning Commission for consideration, takes approximately 45 days. Typically, major site plan reviews require more time; however, staff conducts a pre-application or task force meeting with the applicant to go over their plan. Sometimes there is a two or three month period from Staff review to Planning Commission review.

Staff is encouraging economic development within the City. Industrial development is very beneficial to the City. Recently, the Prologis development at Pecos and Gowan Road (a 450,000 square foot building and smaller building 140,000 square feet), that was brought before the Planning Commission received national attention. When the building was brought forward to the Planning Commission, it came forward complying with all codes and ordinances.

This resolution allows staff to administratively address these issues, but does not give staff the authority to deviate from the code and requires any applicant to meet all codes and requirements, which includes planning and zoning, public works, fire, and building. The applicant has to demonstrate compliance with all codes in order for staff to be able to approve the building permit.

Mr. Jordan stated one of the benefits to the resolution is it would help save staff time. By delegating authority, staff can review the project once, which would help to expedite the review process for other developments. It is a benefit to the development community.

Staff is requesting Planning Commission approval of this Resolution.

Frank DeLuca, Land Development Associates, 9910 W. Cheyenne, Suite #110, Las Vegas, spoke on behalf of the development manager of Apex, who is in support of the proposed resolution.

Commissioner Perkins asked where the 80,000 square foot cut off came into play, and why was it a major site plan review. Mr. Jordan stated the zoning ordinance of 1988 was changed in 1996 and in 2011, and the 80,000 square foot cut off was always a part of those ordinances. It has been in place for 26 years.

Commissioner Perkins asked if it was consistent with the other entities. Mr. Jordan responded that he did not know; however, North Las Vegas is normally faster in the entitlement process than the other entities. With other entities, the process does not normally stop at the Planning Commission level, but continues to a governing body, so there are longer timeframes in the process. Mr. Jordan added that since he has been employed by the City, he had not seen the Planning Commission deny a major site plan review for an industrial development. This resolution is for the development itself; the use will always come before the Planning Commission if it requires a special use permit.

Commissioner Perkins stated it was a good idea to expedite the process of bringing industry to North Las Vegas; however, her concern was she would have no problem approving if it was going to be located in Apex because that is what it was designed for. She was concerned about the industrial area recently talked about with an 80,000 square foot building being appropriate at that location. She would like to see some type of condition that if it is surrounded on three sides by industrial that it is acceptable.

Mr. Jordan referred to Prologis and stated when you look at the land use surrounding it, the County is on one side, the College of Southern Nevada on another side, and staff did not find any incompatibility issues with the development of the site.

Mr. Jordan also referred to the Golden Triangle Industrial Park and stated the buildings were a minimum of 200,000 square feet up to 350,000 square feet. Shadow Ridge Golf Club and other residential is in close proximity both on the west and east sides. Staff had not found any incompatibility issues.

Mr. Jordan conveyed having different standards in Apex from other industrial areas located outside of Apex is done purposefully to encourage development within the Apex area. If perimeters are added, there could be unintended consequences –it could lead to confusion to the development community as to what requires a major site plan review and what does not -- do they have to do a survey to be able to determine where it is, adding cost to their development. It could have an unintended consequence on what properties would be attractive for industrial development because people may say I am not so sure I want property there because it is so close to zoned boundaries, but I want to pick another property. There could be a negative impact on the property values. It could also increase the development timeframes because someone could actually file through the regular building permitting process for staff to review; staff would look at the surrounding area and realize they are within the boundaries established by the Planning Commission so they would have to write a correction letter saying they cannot review it at this time, and you would actually have to go through the site plan review. This would have an opposite effect on what staff is trying to accomplish, which is to expedite the review process.

Mr. Jordan reiterated the use would always come before the Planning Commission.

Chairman Stone asked if the resolution could be revised and Mr. Jordan stated it was presented to the Planning Commission for their consideration.

ACTION: APPROVED

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

OLD BUSINESS

19. 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, SEPTEMBER 10, 2014, AND OCTOBER 8, 2014)

This item was presented by Marc Jordan, Planning Manager.

Mr. Jordan stated this was a non-conforming use. Typically, an expansion for a non-conforming use is not allowed; however, Title 5 allows the applicant to request a special use permit to allow an expansion to the existing casino. In this case, the applicant is expanding it to 12,000 square feet. They are located within the Gaming Enterprise District. They have indicated the existing building that would not be used by the casino establishment would be available for retail sales, offices or other tenants in the future. The applicant is also requesting a waiver in Title 17 that does not allow non-conforming uses to expand when the valuation would increase more than 75 percent of the building. In this case, the applicant would be doing that. Normally, this is not something that could be waived; however, NRS 279 has a provision for redevelopment areas that allows the Commission or Redevelopment Agency to set aside certain codes of ordinances in the area of redevelopment. Staff had no objections to waiving that particular requirement.

The applicant has worked with staff and business owners in the area, and have shown improvements to the site in regard to landscaping within the parking lot. The applicant submitted a revised exhibit which was provided to the Planning Commission during pre-briefing which shows where that landscaping will be. The applicant is also proposing some façade improvements to the building, which would apply to all sides of the building. Staff had no objections and is recommending approval subject to conditions listed in the memorandum.

The conditions per revised Staff Memorandum dated November 12, 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 tentative map shall become null and void should the accompanying requests (AMP-08-14 and ZN-12-14) to amend the Comprehensive Plan, land use element and property reclassification not be approved by the City Council.

PUBLIC WORKS DEPARTMENT:

3. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.

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

5. NDOT concurrence with the results of the drainage study may be required prior to approval of the civil improvement plans.

6. 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.

7. Driveway locations are not currently proposed. 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.

8. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222.1, including throat depths, and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.

9. The property owner is required to grant a roadway easement for commercial driveway(s).

10. 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. Speedway Blvd (The ultimate configuration will include a median.)

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

12. The following note shall be added to the Final Map for the commercial subdivision:

    INGRESS, EGRESS AND CROSS ACCESS NOTE
    Easements for vehicular and pedestrian ingress / egress and cross access on all areas not occupied by buildings are hereby reserved and granted for all development parcels subsequently created within this map.

George Garcia, 1055 Whitney Ranch Drive, Suite 210, stated the landlord was present to answer any questions. Mr. Garcia was present, representing Dotty's, which would be part of the change.

Mr. Garcia displayed a number of aerial maps which reflected the gaming area, and related proposed casino expansion and the potential future expansion area.

Steve Weiss, 2218 E. Cheyenne Avenue and Rick Scironne, 3248 Civic Center Drive, North Las Vegas, representatives of the Commercial Property Owners Association, appeared in support of this item and asked for the Planning Commission's support. An open meeting was held, and certified letters to the membership were mailed. They reached a quorum from their Executive Board, and approved the revised parking plan they submitted with respect to the property owners within the parking area.

Troy Bulloch, 9363 Outer Banks Avenue, Las Vegas, General Manager/Fort Cheyenne Casino, spoke in support of the project. He stated it was a good transition for the building for them moving out of Fort Cheyenne and another provider coming in.

Mr. Bulloch read into the record, a small change they need to make to the parking plan from his father, Boyd Bulloch. This is in reference to a couple of lots on their plan.

Mr. Bulloch displayed a map which outlined a private lot, which is two parcels in the middle of the parking lot. They were requesting that they not use it for parking or driveways.

He read into the record, a letter which was given to the Cheyenne Square Business Association:

"To Whom It May Concern:"

"This letter serves to rescind the authorization to use lots 42 and 43 as joint use parking driveways in the Cheyenne Square Business Association located at Civic Center and Cheyenne. These lots were previously paved over and used as parking for the benefit of myself and my business to meet the parking density requirements for a casino expansion under North Las Vegas Use Permit No. UN-94-97. In order to attain the 800 plus parking stall requirements, the highest and best use of these two lots to benefit myself and my business was parking. Going forward, and in the future, development of this site, this is no longer the case. These two lots are no longer required for the high density parking and as such we make request these two lots not to be included in the development plans as parking and driveways. Parking density of the future development of this site under North Las Vegas use permit application 2514 requires less than 400 parking spaces and I request that parking be routed around these lots in order to preserve these lots as a future development site."

Mr. Bulloch displayed another map. He said they could go around two lots, which are in aisleways numbered 1 and 2. In order to get the use permit to operate the event center, (29,000 square feet) they had to have a lot of ingress and egress. The occupancy in one room was 2,660 and the occupancy in another room was 1,102. The building occupancy went up to 4,000. They are now bringing it back down, so they do not need the mass parking that they did. They could not use the entire building because they didn't have enough parking. Since they only need 400 parking spaces, it makes the lot available again to be used for future development.

Chairman Stone asked Mr. Bulloch to clarify whether he supported or opposed the project and he responded he supported it.

Mr. Garcia added they moved the landscape diamonds and all of the parking that was required for the expansion they are proposing. Mr. Bulloch's property remains exactly as it is today in terms of use and design.

Commissioner Aston recommended Mr. Bulloch address this issue through a separate application process.

Chairman Stone closed the public hearing.

Listed below are the comments brought forward from the October 8, 2014 Planning Commission meeting:

Mr. George Garcia 1055 Whitney Ranch Dr., Ste. 210, advised owners in the shopping center have raised questions, and requested the item be continued to November 12, 2014, in order to meet with those in the neighborhood.

Chairman Stone opened the public hearing.

Steven Weiss, 2218 E. Cheyenne Ave., North Las Vegas, President of the Association of Cheyenne Square, and property owner at 2218 E. Cheyenne Avenue. Mr. Weiss stated they met with Mr. Garcia, and there are issues with the parking plan. He did not have issues with refurbishing the building. The proposed expansion includes two parcels of property that are privately owned. He stated there were several issues that needed to be discussed with owners of all the properties. He requested the item be continued.

Commissioner Perkins requested additional information regarding Mr. Weiss' role and also asked that additional landscaping be provided. Mr. Garcia stated he could not comply with request on landscaping due to joint ownership of the parking lot.

Mr. Garcia added the landscaping request from Commissioner Perkins may be in conflict with what the owners want. They would have to give up parking lot space for landscaping. They do not own the parking, but have a right to use it.

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

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

20. 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) (CONTINUED SEPTEMBER 10, 2014)

ACTION: WITHDRAWN BY THE APPLICANT

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

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

Director Blackburn reviewed administrative changes regarding setting public hearing dates for agenda items that are forwarded from the Planning Commission to City Council.

Director Blackburn thanked the Planning Commission for their support of Resolution 2014-01, and also extended appreciation on behalf of Mayor Lee.

Marc Jordan advised last week the City was honored during the American Society of Public Administrators. Dr. Qiong Liu received the Public Administrator of the Year; Chief Lytle received Lifetime Achievement Award, and Greg received Emerging Public Administrator.

CHAIRMAN'S BUSINESS

Chairman Stone had no business to report.

Commissioner Perkins asked when the Planning Commission meetings would be converted to SIRE. Director Blackburn advised meetings with the City Clerk have been held and are scheduled regarding this issue. He added staff is exploring the option of iPads for the Planning Commission.

ADJOURNMENT

The meeting adjourned at 8:36 p.m.

APPROVED: December 10, 2014

/s/ Nelson Stone
Nelson Stone, Chairman

/s/ Julie Shields
Julie Shields, Recording Secretary