

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

January 14, 2015

BRIEFING:

5:00 P.M.
Caucus Room, 2250 Las Vegas Boulevard, North
North Las Vegas, Nevada

CALL TO ORDER:

6:06 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
Johanna Murphy, Principal Planner
Alyssa Rodriguez, Public Works/Traffic Engineer
Carolyn White, Police Department
Julie Shields, Recording Secretary

VERIFICATION:

Julie Shields, Recording Secretary

PLEDGE OF ALLEGIANCE

Commissioner Laura Perkins

PUBLIC FORUM

There was no public participation.

AGENDA

1. APPROVAL OF THE PLANNING COMMISSION MEETING AGENDA OF JANUARY 14, 2015 (FOR POSSIBLE ACTION)

ACTION: APPROVED AS AMENDED; ITEM NO. 9 (SPR-06-14) CONTINUED TO MARCH 11, 2015

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 DECEMBER 10, 2014 (FOR POSSIBLE ACTION)

ACTION: APPROVED

MOTION: Commissioner Joiner-Greene

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

NAYS: None

ABSTAIN: None

PRESENTATION

3. PRESENTATION REGARDING SOUTHERN NEVADA STRONG DOWNTOWN OPPORTUNITY SITE (FOR INFORMATIONAL PURPOSES ONLY)

ACTION: PRESENTATION GIVEN BY JOHANNA MURPHY, PRINCIPAL PLANNER

NEW BUSINESS

4. **ZN-01-15 (50298) BRING EM YOUNG ACADEMY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DONALD AND GLORIA PHILLIPS, ON BEHALF OF DONNA L. CALLAHAN, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM THE CURRENT DESIGNATION OF R-E, RANCH ESTATE DISTRICT TO A C-P, PROFESSIONAL OFFICE COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT 4100 NORTH DECATUR BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-06-411-002. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager. Staff recommended approval of the application.

Donald and Gloria Phillips, 8604 Apiary Wind St., Las Vegas, appeared and agreed with staff's recommendations.

Chairman Stone opened the public hearing.

Walter and Teresa Brown, 4048 N. Decatur Boulevard, Las Vegas, spoke in favor of this item.

Brett and Mary Jay, 4040 N. Decatur Boulevard, Las Vegas, spoke in favor of this item.

Ms. Jay advised the hours of operation are from 6:00 a.m. to 6:30 p.m. The floor plan allows up to 52 children, and ages range from 6 weeks to 13 years old.

The staff-to-children ratio will be: Infants to 12 Months/4:1; 12 Months to 3 Years/8:1; 3 Years to 5+ Years/3:1.

Mr. Jordan stated in the future the applicants would be required to file a special use permit and return to the Planning Commission.

Chairman Stone closed the public hearing.

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

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

5. **VAC-01-15 (50208) NORTH 5TH STREET, PHASE 1D (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE CITY OF NORTH LAS VEGAS, PROPERTY OWNER, TO VACATE A PORTION OF PUBLIC RIGHT-OF-WAY LOCATED EAST OF LOSEE ROAD AND NORTH OF THE NORTH 5TH STREET BRIDGE ALIGNMENT. THE ASSESSOR'S PARCEL NUMBER IS 139-14-399-006. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager. Staff recommended approval of the vacation.

Alyssa Rodriguez, Traffic Services, advised the North 5th bridge would be completed in approximately one year.

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

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

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

6. **ZOA-01-15 (50366) CITY OF NORTH LAS VEGAS (PUBLIC HEARING). AN APPLICATION INITIATED BY THE CITY OF NORTH LAS VEGAS TO AMEND TITLE 17 (ZONING ORDINANCE), PERTAINING TO VARIOUS RESIDENTIAL DEVELOPMENT STANDARDS REGARDING HOME AND SUBDIVISION DESIGN; INDIVIDUAL LOT REQUIREMENTS; AND PROVIDING FOR OTHER MATTERS PROPERTY RELATED THERETO. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

In August 2013, the Southern Nevada Home Builders Association submitted a letter to the City requesting amendments to Title 17 pertaining to residential development. A working group was created between City staff and the Southern Nevada Home Builders Association, which resulted in agreement of the proposed amendments between all parties.

Staff recommended approval of the proposed changes.

Chairman Stone opened the public hearing.

Nat Hodgson, 4175 S. Riley, #100, Las Vegas, Executive Officer, Southern Nevada Home Builders Association, spoke in favor of this item. Mr. Hodgson stated they were happy with what was being presented, the process was well vetted and he was available to answer any questions.

Marisa Kagen, 7108 Manzanares Dr., North Las Vegas, realtor, stated when people came to North Las Vegas to buy it is often because of limits set on the current codes. Ms. Kagen stated she bought in North Las Vegas, rather than Summerlin, because of the lot size. Ms. Kagen conveyed the proposed amendments created medium to high density and would devalue the area. Ms. Kagen submitted a portion of the Development Agreement with the City for the record that pertained to Aliante Master Association and density requirements.

Kenyatta Robinson, 2917 Tropicbird, North Las Vegas, spoke in opposition to this item. Ms. Robinson did not support reduction in lighting, sidewalk sizes, and eliminating pop-outs. She stated eliminating pop-outs left homes with no personality or character. She did not understand the reason for the amendments other than to pacify the homebuilders. Ms. Robinson asked the Planning Commission to reconsider.

Chairman Stone closed the public hearing.

Mr. Jordan advised what was proposed was part of Title 17 and did not have an impact on any developments that have an existing Development Agreement; i.e. Eldorado, Aliante, and Park Highlands. Mr. Jordan provided a historical overview and responded to concerns expressed by public speakers regarding prior and current standards; Title 19, zoning ordinance and related design standards; Residential Design Incentive System; RCL/Single-Family; and reduction in lot sizes and elevations.

Chairman Stone addressed the perception of compact lot sizes and confirmed with Mr. Jordan and stated for the record that an additional zoning district would be added between R-1 and R-2; i.e. R-1, R-CL, R-2, R-3, and R-4. These zoning designations would be appropriate within the Comprehensive Master Plan, where high, medium and

low densities are shown. Chairman Stone advised a change in the master plan would require a public hearing of the neighborhood residents, a super majority of the Planning Commission, and would be forwarded to City Council for final consideration.

Commissioner Kraft confirmed builders would be required to do pop-outs for anything that faces the street, but not along the side or back of the house. Mr. Jordan stated previously it was easier to review plans when pop-outs were required on all sides. Builders would now be required to indicate on the plans that they are aware when pop-outs are required. Commissioner Kraft asked when the landscape parkway was put into place and Mr. Jordan advised it was effective October 2011.

Vice-Chairman Ewing asked Mr. Jordan to explain the changes to the landscape parkway requirements. Mr. Jordan advised because of soils issues in some areas of North Las Vegas (expansive or collapsible soils) it can be difficult to plant trees or shrubs within five feet of hardscape (sidewalk, driveway or house). By having a landscape parkway between three and five feet in width, it can be difficult to plant something within that space. Staff learned when there are two driveways side-by-side it can become fragile and can create additional city maintenance. Staff agreed an attached sidewalk for the interior parkway would be better with the addition of trees. This did not apply to perimeter landscaping where there would be a detached sidewalk.

Commissioner Aston stated the proposed amendments to Title 17 did not reduce value, but gave us equal footing with the other entities in the valley, and would equalize the growth and development in our community, rather than restrict it. Commissioner Aston supported the proposed amendments to Title 17.

Commissioner Perkins asked why the R-CL's were stopped. Mr. Jordan stated the City used to allow small lots through a Planned Unit Development. A moratorium was placed on small lot development until the City came up with design standards, which was how the RDIS came about. If a developer wanted to develop small lots, they had to show how they met the point system, depending on the type of density, and what kind of amenities would be provided. Mr. Jordan stated this is how the City came about the R-CL, and eventually having this as an obsolete district. He added it was always on the books, but there was a point where an ordinance was created that did not allow additional R-CL districts to be created.

Commissioner Perkins asked about requirements for lighting on the walk ways, and Mr. Jordan advised a requirement was in place that appropriate lighting be provided on pedestrian pathways.

Commissioner Perkins discussed R-CL's and asked if there were a way to ensure parking on both sides of the street. Mr. Jordan advised street design and width were covered under Title 16, and no changes were being proposed.

ACTION: APPROVED PER STAFF RECOMMENDATIONS; 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

7. UN-01-15 (50396) QUICKS AUTO SALES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JOSE & MARIA L. TAPIA, PROPERTY OWNERS, FOR A SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW A VEHICLE SALES FACILITY. THE PROPERTY IS LOCATED AT 2925 LAS VEGAS BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-13-602-006. (FOR POSSIBLE ACTION)

This item was presented by Robert Eastman, Principal Planner.

Staff recommended approval subject to conditions listed.

The original conditions per Staff Report dated January 14, 2015 are as follows:

Planning and Zoning:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. The special use permit is site-specific and non-transferable.
3. The maximum number of vehicles for sale shall be sixteen (16).
4. The site shall provide a minimum of nine (9) parking spaces for customer parking.
5. The chain link fence shall be removed and replaced with a wrought iron fence.

6. Ten feet of perimeter landscaping, shall be provided along Las Vegas Boulevard. The landscaping shall contain trees every 25 feet on center in addition to shrubs / groundcovers that will provide a 50% ground coverage within two years of planting.
7. An encroachment permit shall be obtained, from the appropriate agency, for the required perimeter landscaping.

Lou Batista (phonetic), 3250 Shoreheight St., Las Vegas, appeared on behalf of Jose and Maria Tapia. They understood and agreed with staff's recommendations.

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

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

MOTION: Commissioner Aston

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

NAYS: None

ABSTAIN: None

8. **UN-34-13 (50078) NATURAL GAS FUELING STATION (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JIM AMES – TRANSFUELS LLC, ON BEHALF OF MORTONS INVESTMENT GROUP LP, PROPERTY OWNER, FOR AN EXTENSION OF TIME FOR A PREVIOUSLY APPROVED SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT, TO ALLOW THE STORAGE OF HAZARDOUS MATERIAL (LIQUID NATURAL GAS, LNG). THE PROPERTY IS LOCATED AT 1000 E CHEYENNE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-11-403-005. (FOR POSSIBLE ACTION)**

This item was presented by Robert Eastman, Principal Planner.

Staff recommended approval for the extension of time to October 1, 2015.

The original conditions per Staff Report dated January 14, 2015 are as follows:

Planning and Zoning:

1. That, unless expressly authorized through a variance, waiver or another

approved method, this development shall comply with all applicable codes and ordinances.

2. The temporary use would only be applicable until the permanent facility is completed or October 1, 2015, whichever occurs first.

Public Works:

3. 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 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>)
4. Any known geologic hazards, such as faults or fissures, must be shown on any plans submitted to City staff for review.

Fire Department:

5. The construction and installation of containers, pressure vessels, pumps, vaporization equipment, buildings, structures, and associated equipment used for the storage and dispensing of LNG and L/CNG as engine fuel for vehicles of all types shall commence before July 1, 2015 and shall be completed prior to October 1, 2015.
6. A Purple-K Dry Chemical, Wheel-type, Fire Extinguisher shall be provided for Fire Department use prior to January 29, 2015.

Brad Holgate, Transfuels, LLC, 3760 Commons Lane, Salt Lake City, UT, appeared and requested the extension of time be for a full year. Mr. Holgate spoke with the Fire Marshal and Mr. Holgate believes they can come into compliance with their concerns. The safety systems being developed have become robust and extremely safe. They can make adaptations to the terminal and containment area.

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

Mr. Eastman recommended approval of the conditions as written. The request is for an extension of time for hazardous material which would be required to be forwarded to City Council for final consideration. Mr. Eastman recommended the applicant and Fire Department meet prior to the City Council meeting to create a solution.

Commissioner Kraft confirmed with Mr. Eastman the request was for construction of the permanent facility by October 2015. The letter requesting the extension of time is dated October 24, 2014, which would effectively give the applicant one year from the time they requested the extension of time.

Vice-Chairman Ewing asked if gas prices dropping affected their business and Mr. Holgate said it did; however, they anticipate in the later part of this year prices would increase. He added it was difficult to compete with low diesel prices.

ACTION: APPROVED PER STAFF RECOMMENDATIONS; 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

OLD BUSINESS

9. 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) (CONTINUED NOVEMBER 12, 2014 AND DECEMBER 10, 2014)

ACTION: CONTINUED TO MARCH 11, 2015 PER THE APPLICANT'S REQUEST

MOTION: Commissioner Kraft

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

NAYS: None

ABSTAIN: None

10. **AMP-10-14 (50126) MADISON PALMS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GEORGE GEKAKIS, INC. ON BEHALF OF MADISON SQUARE LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF COMMUNITY COMMERCIAL TO MULTI-FAMILY. THE PROPERTY IS LOCATED APPROXIMATELY 400 FEET NORTH OF ANN ROAD AND EAST OF FERRELL STREET (3150 WEST ANN ROAD). THE ASSESSOR'S PARCEL NUMBER IS 124-29-412-002. (FOR POSSIBLE ACTION) (CONTINUED DECEMBER 10, 2014)**

This item was presented by Marc Jordan, Planning Manager.

Mr. Jordan requested Item Nos. 10 and 11 be briefed together as they were related. These items would require separate votes.

The applicant held a neighborhood meeting on August 11, 2014, and the sign-in sheet reflected there were four residents and business owners in attendance. According to the applicant, all expressed support for the proposed changes.

Staff considered the Comprehensive Plan, Visioning 2025, land use, and impact on economic development. Staff stated the best use was for community commercial and recommended both applications be denied.

Robert Gronauer, 8345 W. Sunset Rd. and George Gekakis, the proposed developer of the project, appeared on behalf of Madison Square LLC. Mr. Gronauer's presentation would include comments related to agenda item numbers 10 through 14.

Mr. Gronauer reviewed an aerial map and identified the major arterial streets in relation to the proposed site. Mr. Gronauer conveyed a senior housing development was appropriate and compatible to the surrounding area. Mr. Gronauer stated currently there were 13 vacant suites and a number of vacant buildings and/or businesses in the area. Mr. Gronauer stated the estimated \$30 million project would be built in two phases. Mr. Gronauer said by putting in this project, you would increase the tax base for the business in the area.

Mr. Gronauer distributed a letter to the Planning Commission from the president of the Rosemont Estates HOA which indicated support for the project. In addition, Mr. Gronauer submitted a petition for the record from 11 area businesses who supported this project.

Chairman Stone opened the public hearing.

James Shoughro, 5660 N. Ferrell St., North Las Vegas, Shags Carwash, spoke in favor of this item, and believed this project would bring additional business to the area. He said there was not enough in-filling. The height of the project would not be an issue as they would not be looking into anyone's backyard.

Chairman Stone closed the public hearing.

Commissioner Aston asked what kind of occupancy demand existed for the 126-unit senior housing development.

Mr. Gekakis, 2655 South Rainbow Blvd., Las Vegas, has been developing senior housing for over 20 years in Las Vegas. His existing businesses are 96%-100% occupied. His latest development located at Tropicana and US 95 has a one and half year waiting list.

Commissioner Aston asked what were the differences in amenities between this project and an apartment complex. Mr. Gekakis advised a lot of emphasis was placed on the club house, billiards room, and exercise room. They offered programs for seniors, which sometimes included free health programs/services for seniors.

Commissioner Perkins asked if there were reduced rates and Mr. Gekakis responded a 55+ plus community that is gated is different from a multi-family development and is more affordable than other market properties. There are one and two bedroom units and are "green" and Energy Star.

Commissioner Perkins stated it seemed wrong to take away from the commercial and not give it a chance to grow after the economic downturn. Commissioner Perkins agreed with staff and said it would be placing residential in the middle of a commercial center, which did not work well for the residents or commercial. Commissioner Perkins stated she would like to give the property a chance to catch up to its neighbors to the south and north.

Commissioner Joiner-Greene asked how long the commercial property had been vacant and Mr. Gekakis responded 15 years, and added the original land use of the property was for a mixed use development.

Commissioner Kraft referred to C-Tax and stated he was hesitant to rezone from commercial to residential. Commissioner Kraft asked staff if the entire parcel was originally zoned as Mixed Use. Mr. Jordan responded per the Staff Report, in 2006 when the City adopted the Comprehensive Plan, that is when the area was designated as Community Commercial. Prior to that, the 1999 Comprehensive Plan showed this

area as Neighborhood Commercial. The Mixed Use categories did not occur until the 2006 Comprehensive Plan.

Commissioner Kraft asked if the zoning change is approved, what could be done to lock it as senior apartments rather than apartments. Mr. Jordan advised the zoning was a yes or no decision; however, related Item No. 11, if approved, is for multi-family. There is a condition in Item No. 14, (the site plan review) that requires them to maintain it as an age-restricted community.

Commissioner Kraft stated there were vacancies in the area, and asked Mr. Gronauer if there had been any interest for commercial development. Mr. Gronauer said the property had been marketed but believed commercial would be developed on the vacant pad. Commissioner Kraft discussed accessibility and elevation issues on the site. He believed this to be a good project.

Commissioner Acevedo stated it was a good project. The property had been vacant and was not generating any revenue for the City. He would rather see senior apartments that could generate revenue for the businesses in the area, than to have a vacant lot.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Kraft

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

NAYS: Commissioner Perkins

ABSTAIN: None

11. **ZN-15-14 (50127) MADISON PALMS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GEORGE GEKAKIS, INC. ON BEHALF OF MADISON SQUARE LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM THE CURRENT DESIGNATION OF C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED APPROXIMATELY 400 FEET NORTH OF ANN ROAD AND EAST OF FERRELL STREET (3150 WEST ANN ROAD). THE ASSESSOR'S PARCEL NUMBER IS 124-29-412-002. (FOR POSSIBLE ACTION) (CONTINUED DECEMBER 10, 2014)**

This item was presented by Marc Jordan, Planning Manager.

Staff recommended denial of this item.

Chairman Stone opened the public hearing.

The comment below was brought forward per Chairman Stone and the speaker's requests:

James Shoughro, 5660 N. Ferrell St., North Las Vegas, Shags Carwash, spoke in favor of this item, and believed this project would bring additional business to the area. He said there was not enough in-filling. The height of the project would not be an issue as they would not be looking into anyone's backyard.

Chairman Stone closed the public hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Kraft

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

NAYS: Commissioner Perkins

ABSTAIN: None

- 12. VN-04-14 (50129) MADISON PALMS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GEORGE GEKAKIS, INC. ON BEHALF OF MADISON SQUARE LLC, PROPERTY OWNER, FOR A VARIANCE IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT (PROPOSED PROPERTY RECLASSIFICATION TO AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT) TO ALLOW 39 FOOT HIGH BUILDING WHERE 35 FEET THE MAXIMUM ALLOWED. THE PROPERTY IS LOCATED APPROXIMATELY 400 FEET NORTH OF ANN ROAD AND EAST OF FERRELL STREET (3150 WEST ANN ROAD). THE ASSESSOR'S PARCEL NUMBER IS 124-29-412-002. (FOR POSSIBLE ACTION) (CONTINUED DECEMBER 10, 2014)**

This item was presented by Marc Jordan, Planning Manager.

The applicant requested additional height to allow for the needs of the elevator and its associated equipment. Staff believed by approving this application, a benefit would be offered to the applicant that other property owners who have an R-3 designation do not enjoy. Staff opined the applicant could redesign the building to accommodate the elevator and comply with height requirements.

Staff recommended denial of this item.

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

Planning and Zoning:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances;
2. This variance shall become null and void should the accompanying amendment (AMP-10-14) to the Comprehensive Plan and rezoning request (ZN-15-14) not be approved by the City Council.
3. The building shall not exceed a mean height of 40 feet.

Robert Gronauer, 8345 W. Sunset Rd. and George Gekakis, developer, appeared to answer any questions. Mr. Gronauer displayed the site map and stated they were adding some architectural elevation character to the building. Mr. Gronauer said an adjustment in height would take away the architectural enhancement with the roof lines.

Chairman Stone opened the public hearing.

The comment below was brought forward per Chairman Stone and the speaker's requests:

James Shoughro, 5660 N. Ferrell St., North Las Vegas, Shags Carwash, spoke in favor of this item, and believed this project would bring additional business to the area. He said there was not enough in-filling. The height of the project would not be an issue as they would not be looking into anyone's backyard.

Chairman Stone closed the public hearing

ACTION: APPROVED

MOTION: Vice-Chairman Ewing

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

NAYS: Commissioner Perkins

ABSTAIN: None

13. WAV-01-14 (50128) MADISON PALMS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GEORGE GEKAKIS, INC., ON BEHALF OF MADISON SQUARE LLC, PROPERTY OWNER, FOR A WAIVER IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT (PROPOSED PROPERTY RECLASSIFICATION TO AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT) TO ALLOW 157 PARKING SPACES WHERE 284 ARE REQUIRED. THE PROPERTY IS LOCATED APPROXIMATELY 400 FEET SOUTH OF ANN ROAD AND EAST OF FERRELL STREET (3150 W. ANN ROAD). THE ASSESSOR'S PARCEL NUMBER IS 124-29-412-002. (FOR POSSIBLE ACTION) (CONTINUED DECEMBER 10, 2014)

This item was presented by Marc Jordan, Planning Manager.

Staff had no objections to the waiver provided two things occurred – 1) the applicant provides two compensating benefits and 2) the site is maintained as a senior complex.

Staff changed its recommendation from denial to approval.

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

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances;
2. This waiver shall become null and void should the accompanying amendment (AMP-10-14) to the Comprehensive Plan and rezoning request (ZN-15-14) not be approved by the City Council.
3. The applicant shall provide two compensating public benefits from Table 17.12-2. Such items shall be demonstrated with the submittal of building permits and shall be subject to staff review and approval.
4. The applicant shall comply with all conditions of approval for SPR-07-14.

Robert Gronauer, 8345 W. Sunset Rd. and George Gekakis, developer, appeared to answer any questions. Mr. Gronauer stated based on staff's recommendations they will exceed staff's requirements.

Chairman Stone opened the public hearing.

The comment below was brought forward per Chairman Stone and the speaker's requests:

James Shoughro, 5660 N. Ferrell St., North Las Vegas, Shags Carwash, spoke in favor of this item, and believed this project would bring additional business to the area. He said there was not enough in-filling. The height of the project would not be an issue as they would not be looking into anyone's backyard.

Chairman Stone closed the public hearing.

Commissioner Kraft asked which of the two incentives the applicant would choose. Mr. Gronauer advised Numbers 2 and 4.

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

MOTION: Commissioner Perkins

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

NAYS: None

ABSTAIN: None

- 14. SPR-07-14 (50130) MADISON PALMS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GEORGE GEKAKIS, INC. ON BEHALF OF MADISON SQUARE LLC, FOR A SITE PLAN REVIEW IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT (PROPOSED PROPERTY RECLASSIFICATION TO AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT) TO ALLOW 126 UNITS OF MULTI-FAMILY RESIDENTIAL DWELLINGS. THE PROPERTY IS LOCATED APPROXIMATELY 400 FEET NORTH OF ANN ROAD AND EAST OF FERRELL STREET (3150 WEST ANN ROAD). THE ASSESSOR'S PARCEL NUMBER IS 124-29-412-002. (FOR POSSIBLE ACTION) (CONTINUED DECEMBER 10, 2014)**

This item was presented by Marc Jordan, Planning Manager.

Mr. Jordan advised in the original Staff Report staff recommended denial; however, staff recommended a secondary recommendation for continuance because of pending issues. Mr. Gronauer and Mr. Gekakis filed a revised site plan, which addressed the major concerns, which included the open space requirements. They now have 55,000 square feet in open space where 50,000 square feet is required, and are now in compliance. In addition, they submitted a floor plan which indicates each unit would

have its own patio or balcony, which meet minimum size requirements. They also needed one covered parking space per unit; the revised site plan does not demonstrate that; however, staff considers this to be minor, and can be shown when they file for a building permit.

Based upon the revised site plan and previous approvals on items, staff is changing its recommendation for approval subject to the conditions listed within the revised memorandum.

The conditions listed in revised memorandum dated January 14, 2015 are as follows:

Planning and Zoning:

1. That, unless otherwise approved through a variance, waiver or other approved method, this development shall comply with all applicable codes and ordinances.
2. This site plan review shall become null and void should the accompanying amendment (AMP-10-14) to the Comprehensive Plan and rezoning request (ZN-15-14) not be approved by the City Council.
3. The development shall comply with the Multifamily Design Standards, including but not limited to the following:
 - a. A minimum of one covered parking space shall be provided for each dwelling unit.
 - b. A patio of 80 square feet shall be provided for all ground level apartment units, and a balcony of 40 square feet shall be provided for all above ground apartment units.
4. The landscaping plan submitted shall be considered conceptual. A detailed landscaping plan complying with the Zoning Ordinance shall be required at the time a building permit is filed.
5. The buildings shall be reduced in height to comply with the height requirements of the R-3 District unless otherwise approved by separate action of the Planning Commission as part of the accompanying variance (VN-04-14).
6. The site plan shall be revised to comply with the required parking spaces unless otherwise approved by separate action of the City Council as part of the accompanying waiver (WAV-01-14).

7. Occupancy of the dwelling units shall be restricted to Senior Citizens as defined in the Federal Fair Housing Act and amendments.

Public Works Department:

8. All existing improvements must be shown on the civil improvement plans. There appears to be existing utilities on the property that are not shown, consequently, City staff will need to review the applicant's proposal for the subject utilities. Additionally, all existing improvements must be shown 100 feet from property lines and 300 feet in each direction of street frontage.
9. Approval of a traffic study may be required prior to submittal of the civil improvement plans. Please contact Traffic Engineering at 633-2676 to request a scope.
10. Gated entrances must comply with *Clark County Area Uniform Standard Drawing No. 222.1* or as otherwise approved by the City Traffic Engineer.
11. Approval of a drainage study is required prior to submittal of the civil improvement plans.
12. 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.
13. 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.

Robert Gronauer, 8345 W. Sunset Rd. and George Gekakis, developer, thanked Marc Jordan and Robert Eastman for their assistance during the holiday season.

Chairman Stone opened the public hearing.

The comment below was brought forward per Chairman Stone and the speaker's requests:

James Shoughro, 5660 N. Ferrell St., North Las Vegas, Shags Carwash, spoke in favor of this item, and believed this project would bring additional business to the area. He said there was not enough in-filling. The height of the project would not be an issue as they would not be looking into anyone's backyard.

Chairman Stone closed the public hearing.

Commissioner Acevedo asked when groundbreaking would occur. Mr. Gekakis stated they were in full architectural and engineering phases at this time and would submit plans to the building department for approval. He did not expect to be able to start until next year.

ACTION: APPROVED PER STAFF RECOMMENDED CONDITIONS LISTED IN REVISED MEMORANDUM DATED JANUARY 14, 2015

MOTION: Commissioner Joiner-Greene

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 stated a Special City Council meeting (Financial Summit) was held January 5, 2015 regarding recommendations to address the City's challenges regarding improved community services and enhanced financial stability. A copy of the presentation materials will be forwarded to the Planning Commission. Director Blackburn added these materials reflect how the Planning Commission's actions and decisions have helped the City and improved its economic forecast.

Director Blackburn extended an invitation to the Planning Commission to attend the 2015 North Las Vegas State of the City Address and Luncheon on Tuesday, January 27, at the Texas Station.

CHAIRMAN'S BUSINESS

There were no action items.

ADJOURNMENT

The meeting adjourned at 7:58 p.m.

APPROVED: February 11, 2015

/s/ Nelson Stone
Nelson Stone, Chairman

/s/ Julie Shields
Julie Shields, Recording Secretary