

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

February 11, 2015

BRIEFING:

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

CALL TO ORDER:

6:04 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
Sandra Douglass Morgan, City Attorney
Bethany Rudd Sanchez, Chief Deputy City Attorney
Robert McLaughlin, Public Works/Manager
Alyssa Rodriguez, Public Works/Traffic Engineer
Carolyn White, Police Department
Julie Shields, Recording Secretary

VERIFICATION:

Julie Shields, Recording Secretary

PLEDGE OF ALLEGIANCE

Vice-Chairman Willard Ewing

PUBLIC FORUM

There was no public participation.

AGENDA

1. APPROVAL OF THE PLANNING COMMISSION MEETING AGENDA OF FEBRUARY 11, 2015 (FOR POSSIBLE ACTION)

ACTION: APPROVED AS AMENDED; ITEM NOS. 10 (SPA-01-14) and 11 (ZN-98-04) WERE MOVED FORWARD TO THE BEGINNING OF NEW BUSINESS

MOTION: Commissioner Perkins

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 JANUARY 14, 2015 (FOR POSSIBLE ACTION)

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

- 10. SPA-01-14 (48727) ANN LOSEE VILLAGE 3 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY HARMONY 461 LLC, PROPERTY OWNER, FOR AN APPEAL OF A DECISION UNDER TITLE 16 CONCERNING DEVELOPMENT WITHIN AN EXISTING PUD, PLANNED UNIT DEVELOPMENT DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF ANN ROAD AND LAWRENCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-35-513-001 THROUGH 124-35-513-092 AND 124-35-595-003. (FOR POSSIBLE ACTION) (CONTINUED JUNE 11, JULY 9, OCTOBER 8, AND DECEMBER 10, 2014)**

Sr. Deputy City Attorney Rudd Sanchez stated the City and applicant have come to a resolution.

Lesley Miller, represented Harmony Homes, and stated the City and Harmony Homes have entered into a preliminary settlement agreement and appeared before the Planning Commission to withdraw their items.

Ms. Rudd Sanchez advised the items would be withdrawn; however, the settlement agreement would need to be approved by City Council, and is scheduled on the March 4, 2015 City Council meeting agenda. If City Council does not approve the agreement, it is the applicant's right to bring these items back.

Chairman Stone opened the public hearing.

Steve Shoaff, 5622 Midnight Breeze St., North Las Vegas, appeared to speak in opposition to this item.

Chairman Stone closed the public hearing.

ACTION: WITHDRAWN, PER THE APPLICANT'S REQUEST

11. **ZN-98-04 (48725) ANN LOSEE VILLAGE 3 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY HARMONY 461 LLC, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED PUD, PLANNED UNIT DEVELOPMENT DISTRICT, TO REMOVE THE REQUIREMENT TO CONSTRUCT A FLOOD CONTROL FACILITY. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF ANN ROAD AND LAWRENCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-35-513-001 THROUGH 124-35-513-092 AND 124-35-595-003. (FOR POSSIBLE ACTION) (CONTINUED JUNE 11, JULY 9, OCTOBER 8, AND DECEMBER 10, 2014)**

Sr. Deputy City Attorney Rudd Sanchez stated the City and applicant have come to a resolution.

Lesley Miller, represented Harmony Homes, and stated the City and Harmony Homes have entered into a preliminary settlement agreement and appeared before the Planning Commission to withdraw their items.

Ms. Rudd Sanchez advised the items would be withdrawn; however, the settlement agreement would need to be approved by City Council, and is scheduled on the March 4, 2015 City Council meeting agenda. If City Council does not approve the agreement, it is the applicant's right to bring these items back.

Chairman Stone opened the public hearing.

Steve Shoaff, 5622 Midnight Breeze St., North Las Vegas, appeared to speak in opposition to this item.

Chairman Stone closed the public hearing.

ACTION: WITHDRAWN, PER THE APPLICANT'S REQUEST

NEW BUSINESS

- 3. UN-02-15 (50553) HYPNOTIC CREATIONS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY HYPNOTIC CREATIONS, ON BEHALF OF MARIA FARIAS DE MARTINEZ, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW A VEHICLE REPAIR FACILITY. THE PROPERTY IS LOCATED AT 2222 LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-22-510-015. (FOR POSSIBLE ACTION)**

This item was presented by Robert Eastman, Principal Planner.

Staff recommended approval subject to the conditions listed.

The original conditions per Staff Report dated February 11, 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. All service and material storage shall be conducted within the building or canopy / storage area.
3. Outside over night vehicle storage within the parking lot shall be prohibited.
4. A minimum of 5 parking spaces shall be maintained on-site.

Jamie Cox, 2222 Losee Road, appeared on behalf of Hypnotic Creations and to answer any questions. Mr. Cox agreed with staff recommendations.

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

ACTION: APPROVED

MOTION: Commissioner Acevedo

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

NAYS: None

ABSTAIN: None

4. **UN-03-15 (50554) RUSH HOUR MOTOR, LTD. (PUBLIC HEARING). AN APPLICATION SUBMITTED BY VULUU, ON BEHALF OF 3853 LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW A VEHICLE SALES FACILITY. THE PROPERTY IS LOCATED AT 3873 EAST CRAIG ROAD, SUITE 2. THE ASSESSOR'S PARCEL NUMBER IS 140-06-210-032. (FOR POSSIBLE ACTION)**

This item was presented by Robert Eastman, Principal Planner.

Staff recommended approval subject to conditions.

The original conditions per Staff Report dated February 11, 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 eight (8) and all vehicles for sale must be stored within the warehouse / showroom.

VuLuu, 7997 Dark Hollow Place, represented Rush Hour Motor, Ltd., 3873 East Craig Road, Suite 2. Mr. VuLuu advised this was an "appointment only" car dealership. There would be one to three vehicles available for sale. The vehicles would be on display inside the facility, and if necessary, would be moved outside so the customer can take a test drive. During the weekend, they would park one or two cars on the outside to advertise their location.

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

ACTION: APPROVED

MOTION: Commissioner Kraft

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

NAYS: None

ABSTAIN: None

5. **UN-06-15 (50572) CULICHI SUSHI (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JUAN G. GIL MALDONADO, ON BEHALF OF ARCHIE DANIEL GROFT AND NAOMI GROFT TRUST, FOR A SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW THE "ON-SALE" OF BEER AND WINE, IN CONJUNCTION WITH A RESTAURANT. THE PROPERTY IS LOCATED AT 2462 LAS VEGAS BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-13-410-039. (FOR POSSIBLE ACTION)**

This item was presented by Robert Eastman, Principal Planner.

In addition to the special use permit, the applicant requested a waiver of the distance separation requirements. Specifically, a waiver of the 400 foot distance separation from an existing day care facility, which is within the Boys and Girls Club, and is approximately 190 feet away from the restaurant. The building is an older drive-in restaurant built in 1956 and is not in compliance, there is no landscaping on site or ability for the applicant to provide additional landscaping.

The use is a restaurant that is in existence; this use permit would allow them to market and provide beverages for their clientele. Mr. Eastman addressed the waiver request and stated under normal circumstances, staff would not support a waiver for the distance separation; however, in this instance there are other more intense liquor uses; an off-sale, full liquor store adjacent to this restaurant and full liquor bar located within 200 feet of the Boys and Girls Club.

Staff did not believe this would have any negative impact on the day care and recommended approval subject to conditions.

The original conditions per Staff Report dated February 11, 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.

Juan (last name inaudible), 2462 Las Vegas Boulevard, North, agreed with staff recommendations.

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

ACTION: APPROVED; FORWARDED TO REDEVELOPMENT AGENCY 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. **UN-07-15 (50578) SINALOA AUTO REPAIR & TIRE CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JUAN M. HERRERA ON BEHALF OF 2500 EAST OWENS LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW TIRE SALES, REPAIR AND MOUNTING. THE PROPERTY IS LOCATED AT 2550 EAST OWENS AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-24-414-039. (FOR POSSIBLE ACTION)**

This item was presented by Robert Eastman, Principal Planner.

Staff recommended approval subject to conditions.

The original conditions per Staff Report dated February 11, 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. All service and material storage shall be conducted within the building or trash enclosure area.
3. Outside over night vehicle storage within the parking lot shall be prohibited.
4. Additional landscaping material containing shrubs and Mediterranean Fan Palms shall be provided to provide 50% ground coverage.
5. A concrete block trash enclosure, painted to match the building shall be provided along the rear of the site.

Applicant, (name was inaudible) 2500 East Owens, agreed with staff recommendations.

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

Commissioner Perkins asked if the Smog Buster sign would be removed, and the applicant responded it would.

ACTION: APPROVED

MOTION: Commissioner Perkins

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

NAYS: None

ABSTAIN: None

7. **UN-04-15 (50559) RENAISSANCE CHURCH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RENAISSANCE CHURCH, ON BEHALF OF SAVANT EKR LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT, TO ALLOW A RELIGIOUS INSTITUTION (CHURCH). THE PROPERTY IS LOCATED AT 2535 WEST CRAIG ROAD, SUITE 102. THE ASSESSOR'S PARCEL NUMBER IS 139-05-716-009. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

Staff recommended approval subject to conditions.

The original condition per Staff Report dated February 11, 2015 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.

Pastor James Reamer, 919 Clay Ridge Road, appeared on behalf of Renaissance Church and Savant EKR, LLC. Mr. Reamer agreed with staff recommendations.

Chairman Stone opened the public hearing.

Elder Carl Simon, 8853 Galacia Ave., Las Vegas, spoke in favor of this item.

Chairman Stone closed the public hearing.

ACTION: APPROVED

MOTION: Commissioner Joiner-Greene

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

NAYS: None

ABSTAIN: None

8. **UN-05-15 (50565) IGLESIA DE DIOS: COMMERCE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY IGLESIA DE DIOS, ON BEHALF OF MILVII LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT, TO ALLOW A RELIGIOUS INSTITUTION (CHURCH). THE PROPERTY IS LOCATED EAST OF COMMERCE STREET, APPROXIMATELY 300 FEET NORTH OF CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-03-610-002. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

Staff recommended approval of this item.

The original conditions per Staff Report dated February 11, 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.

Public Works:

2. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
3. Approval of a drainage study is required prior to submittal of the civil improvement plans.
4. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
5. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
6. Approval of a traffic study is required prior to submittal of the civil improvement plans. Please contact Traffic Engineering at 633-2676 to request a scope.
7. Existing driveways along Commerce Street are not shown on the site plan, consequently, the size and quantity of proposed 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 and the *Clark County Area Uniform Standard Drawings*. Conformance may require modifications to the site.
8. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100:
 - a. Commerce Street
9. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* number 222.1, including throat depths, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
10. The property owner is required to grant a roadway easement for commercial driveway(s).
11. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element, or on private property, when that sidewalk is providing public access adjacent to the right-of-way.

12. A revocable encroachment permit for landscaping within the public right of way is required.
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.
14. The property owner is required to sign a restrictive covenant for utilities.
15. All off-site improvements must be completed prior to final inspection of the first building.

John Lopeman, Architect, 8985 S. Eastern Avenue, Las Vegas and Will Pagan, 6214 Golden Ring Street, North Las Vegas, agreed with staff recommendations.

Chairman Stone opened the public hearing.

Bianca Ortiz, 9351 Enchanted Grove Avenue, Las Vegas, represented the Kids Ministry and spoke in favor of this item. Ms. Ortiz stated they had a great group of kids who wanted to help children in the streets so that they would come to their church and have God as their savior. They wanted to bring families together to show them how important it is to have God in their heart.

Joe Huerta, 7108 Flagstaff Ranch, Las Vegas, spoke in favor of this item. Mr. Huerta recommended approval of the special use permit. Having a church promotes service and economic growth to the City. They want to capture the youth so that they can become citizens who will give back to the community.

Bob Mersereau, 4836 Crystal Sword, North Las Vegas, spoke in favor of the church, and expressed concern regarding potential traffic issues on Commerce Street and Craig Road. Although Commerce Street is included in the future phases of road improvements, Mr. Mersereau was specifically concerned about the road between the Rebel Station and the channel. Craig Ranch Regional Park is across the street from the church. Mr. Mersereau also expressed concern over parking and traffic management once the amphitheater is completed.

Helen Uriarte, 705 Carpenter Drive, Las Vegas, spoke in favor of this item, and is the Kid's Ministry pastor. Pastor Uriarte stated the church has a great impact on children, and encouraged the Planning Commission to support this item. The church wants to help the community, and by being in this location, they will support surrounding

businesses, such as restaurants. Pastor Uriarte said the church offers substance abuse programs.

Alyssa Reynolds Rodriguez, City Traffic Engineer, stated the church would have to construct their full off-site improvements. The church will have to construct their half of Commerce Street, which includes sidewalk, landscaping improvements, and street lighting. They are required to submit a traffic impact study and staff will address any concerns, including driveways during the civil improvement plans process.

Chairman Stone closed the public hearing.

Vice-Chairman Ewing recognized the estimated 40 people in attendance who supported this item.

ACTION: APPROVED

MOTION: Commissioner Acevedo

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

NAYS: None

ABSTAIN: None

9. **ZN-02-15 (50526) TROPICAL & SHATZ INDUSTRIAL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MOTOR HOLDINGS, LLC, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM THE CURRENT DESIGNATION OF O-L, OPEN LAND DISTRICT TO AN M-2, GENERAL INDUSTRIAL DISTRICT. THE PROPERTY IS GENERALLY LOCATED AT THE SOUTHWEST CORNER OF TROPICAL PARKWAY AND SHATZ STREET. THE ASSESSOR'S PARCEL NUMBER IS 123-27-701-002. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

The applicant indicated in their Letter of Intent their desire to develop this site for industrial uses, and have indicated specifically, the cultivation of medical marijuana. They provided staff with a site plan; however, Mr. Jordan advised it is not needed with this type of application. The Planning Commission is not reviewing the site plan, and will be reviewing the appropriateness of changing the zoning on this site.

Staff was informed by the applicant that a neighborhood meeting was held and no one attended.

A letter from the Clark Council School District was received by staff and distributed to the Planning Commission regarding concerns over the proposed zone change. They

were concerned about possible use at this site. They did not ask for a denial, but raised a concern.

Mr. Jordan reiterated this is a request to change the zoning from Open Land to M-2, General Industrial; therefore, land use concerns would be addressed when the type of use is sought. At this time, staff did not have any requests for the type of business.

The application is consistent with the Comprehensive Plan, and staff recommended approval.

Tony Ricos (phonetic), Sperry Van Ness, 101 Convention Center Drive, Suite 350, Las Vegas, represented Motor Holdings, LLC. The neighborhood meeting was held Thursday, January 22, at the Memphis Barbecue, 4379 North Las Vegas Boulevard, from 6:00 p.m.-8:00 p.m. Their engineering firm, The Red, Ltd., was in attendance, along with Mr. Ricos. Thirty (30) letters were sent to the surrounding property owners. No one was in attendance. He concurred with staff recommendations for the approval of the zoning request.

Chairman Stone opened the public hearing. 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, Perkins, Joiner-Greene, Acevedo, and Kraft

NAYS: None

ABSTAIN: None

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

Director Blackburn advised the State of the City was held January 27, and was well attended with 735 participants. Mayor Lee's address highlighted the City's achievements during 2014, and Director Blackburn thanked the Planning Commission for their contributions toward the City's exciting progress and development.

CHAIRMAN'S BUSINESS

There were no action items.

ADJOURNMENT

The meeting adjourned at 6:43 p.m.

APPROVED: March 11, 2015

/s/ Nelson Stone
Nelson Stone, Chairman

/s/ Julie Shields