

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

May 13, 2015

- BRIEFING:** 5:30 P.M.
Caucus Room, 2250 Las Vegas Boulevard, North
North Las Vegas, Nevada
- CALL TO ORDER:** 6:08 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 via Telephone
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
Curt Kroeker, Public Works/Engineering Associate
Carolyn White, Police Department
Diana Tsouras, Executive Secretary
Julie Shields, Executive/Recording Secretary
- VERIFICATION** Julie Shields, Recording Secretary
- PLEDGE OF ALLEGIANCE** Chairman Nelson Stone

PUBLIC FORUM

Jeff Alpert, 328 Fuselier Dr., North Las Vegas, requested that citizens are notified when the Planning Commission meetings go live and are posted through web streaming in the future.

AGENDA

1. APPROVAL OF THE PLANNING COMMISSION MEETING AGENDA OF MAY 13, 2015 (FOR POSSIBLE ACTION)

ACTION: APPROVED

MOTION: Commissioner Acevedo

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 MARCH 11, 2015 (CONTINUED APRIL 8, 2015) (FOR POSSIBLE ACTION)

ACTION: APPROVED

MOTION: Commissioner Kraft

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

NAYS: None

ABSTAIN: Commissioner Aston

3. APPROVAL OF THE PLANNING COMMISSION MEETING MINUTES OF APRIL 8, 2015 (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

NEW BUSINESS

4. **AMP-01-15 (51321) HUANGHAI PROJECT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JAMES LIU ON BEHALF OF TSAI, MENG-CHUN AND MENG-WEI PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF HEAVY INDUSTRIAL TO MIXED USE EMPLOYMENT. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF COMMERCE STREET AND CHEYENNE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-10-801-001. (FOR POSSIBLE ACTION)**

This item was presented by Robert Eastman, Principal Planner, who advised the applicant would request a continuance on Item Nos. 4, AMP-01-15 and 5, ZN-04-15.

Matthew Callister, Callister & Associates, appeared with James Liu on behalf of Tsai, Meng-Chun and Meng-Wei, property owners. Mr. Callister requested a 30-day continuance so that they may meet with neighbors to address any concerns or issues.

Chairman Stone opened the public hearing.

Lydia Garrett, 1921 W. McDonald Ave., North Las Vegas, President of North Valley Leadership Team, a neighborhood association that represents 1,200 households. Ms. Garrett spoke in opposition to this item, and stated they were concerned about putting this type of industrial in the community. Ms. Garrett stated it was not well planned and had issues with its location next to Republic Services. She was also concerned about the placement of residential right next to industrial and commercial, and stated it did not flow well as a community. Ms. Garrett added this project needs to be better thought out and discussed with the residents. Ms. Garrett asked if this project would increase or decrease property values. They needed businesses that would bring jobs and services into the community. Ms. Garrett stated they did not want more slums. They wanted to develop the City to move forward and not go backward.

Jennifer Lazovich, 8345 W. Sunset Rd., Las Vegas, represented Republic Services, and spoke on behalf of Bob Coyle. Republic has a transfer station, recycling center, and other related facilities on the other three corners of the proposed site at Cheyenne and Commerce. Ms. Lazovich spoke in opposition to this item and stated there were concerns regarding the existing and proposed use. Ms. Lazovich requested they be included in any neighborhood meetings.

Chris McCullough, 601 S. Rancho, A-10, Las Vegas, represented the property owner to the east of the proposed development, Cheyenne & N. 5th, LLC. Mr. McCullough spoke in opposition to this item. They believed the use was incompatible with the surrounding neighborhood, and stated the plan that was submitted was deficient and

incomplete in a number of areas, and could not be fully evaluated. Mr. McCullough requested they be included in any subsequent meetings with the applicant.

Jeff Alpert, 3828 Fuselier Dr., North Las Vegas, spoke in opposition to this item. Alpert stated he was happy the representatives requested a continuance. It was important for the community to be able to have more input and that the meetings would be open to residents who lived more than 750 feet from the project site. He stated there were no homes within a half mile in any direction. His main concern was the project was not clearly defined as to what the land use would be for, and to go to mixed use would allow a hotels, restaurants, fast food, businesses and residential. Mr. Alpert stated there might be an earthquake zone fault running under this property and asked if staff had to look into this before any zoning changes were made.

Chairman Stone closed the public hearing.

ACTION: CONTINUED TO JUNE 10, 2015

MOTION: Commissioner Kraft

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

NAYS: None

ABSTAIN: None

5. **ZN-04-15 (51322) HUANGHAI PROJECT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JAMES LIU ON BEHALF OF TSAI, MENG-CHUN AND MENG-WEI PROPERTY OWNERS, FOR A RECLASSIFICATION OF PROPERTY FROM THE CURRENT DESIGNATION OF M-2, GENERAL INDUSTRIAL DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF WAREHOUSES; COMMERCIAL RETAIL; BUSINESS / PROFESSIONAL OFFICES; AND ACCESSORY RESIDENTIAL DWELLING UNITS. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF COMMERCE STREET AND CHEYENNE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-10-801-001. (FOR POSSIBLE ACTION)**

This item was presented by Robert Eastman, Principal Planner, who advised the applicant would request a continuance on Item Nos. 4, AMP-01-15 and 5, ZN-04-15.

Matthew Callister, Callister & Associates, appeared with James Liu on behalf of Tsai, Meng-Chun and Meng-Wei, property owners. Mr. Callister requested a 30-day continuance so that they may meet with neighbors to address any concerns or issues.

Chairman Stone requested the comments from Item No. 4, AMP-01-15 be brought forward to item No. ZN-04-15.

Lydia Garrett, 1921 W. McDonald Ave., North Las Vegas, President of North Valley Leadership Team, a neighborhood association that represents 1,200 households. Ms. Garrett spoke in opposition to this item, and stated they were concerned about putting this type of industrial in the community. Ms. Garrett stated it was not well planned and had issues with its location next to Republic Services. She was also concerned about the placement of residential right next to industrial and commercial, and stated it did not flow well as a community. Ms. Garrett added this project needs to be better thought out and discussed with the residents. Ms. Garrett asked if this project would increase or decrease property values. They needed businesses that would bring jobs and services into the community. Ms. Garrett stated they did not want more slums. They wanted to develop the City to move forward and not go backward.

Jennifer Lazovich, 8345 W. Sunset Rd., Las Vegas, represented Republic Services, and spoke on behalf of Bob Coyle. Republic has a transfer station, recycling center, and other related facilities on the other three corners of the proposed site at Cheyenne and Commerce. Ms. Lazovich spoke in opposition to this item and stated there were concerns regarding the existing and proposed use. Ms. Lazovich requested they be included in any neighborhood meetings.

Chris McCullough, 601 S. Rancho, A-10, Las Vegas, represented the property owner to the east of the proposed development, Cheyenne & N. 5th, LLC. Mr. McCullough spoke in opposition to this item. They believed the use was incompatible with the surrounding neighborhood, and stated the plan that was submitted was deficient and incomplete in a number of areas, and could not be fully evaluated. Mr. McCullough requested they be included in any subsequent meetings with the applicant.

Jeff Alpert, 3828 Fuselier Dr., North Las Vegas, spoke in opposition to this item. Alpert stated he was happy the representatives requested a continuance. It was important for the community to be able to have more input and that the meetings would be open to residents who lived more than 750 feet from the project site. He stated there were no homes within a half mile in any direction. His main concern was the project was not clearly defined as to what the land use would be for, and to go to mixed use would allow a hotels, restaurants, fast food, businesses and residential. Mr. Alpert stated there might be an earthquake zone fault running under this property and asked if staff had to look into this before any zoning changes were made.

ACTION: CONTINUED TO JUNE 10, 2015

MOTION: Commissioner Joiner-Greene

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

NAYS: None

ABSTAIN: None

6. **ZN-03-15 (51263) MEDICAL OFFICE/HOSPITAL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PARRIS ROBINSON EASTERN LLC, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM THE CURRENT DESIGNATION OF R-1, SINGLE-FAMILY LOW DENSITY DISTRICT TO C-2, GENERAL COMMERCIAL DISTRICT. THE PROPERTY IS GENERALLY LOCATED AT THE NORTHWEST CORNER OF CRAIG ROAD AND CAMINO AL NORTE. THE ASSESSOR'S PARCEL NUMBER IS 139-04-201-008. (FOR POSSIBLE ACTION)**

This item was presented by Robert Eastman, Principal Planner.

Mr. Eastman stated the site is five acres and the applicant proposed to develop it for a 60,000 square foot hospital/medical center. The proposed rezoning application is supported by the Comprehensive Plan. The designation is mixed use commercial. This would allow a mix of uses including predominantly commercial with supporting residential uses. The site is appropriate for the zoning classification of C-2. The remaining portion of the parcel would be R-1 at this time, but is also master planned for mixed use commercial.

Staff recommended approval, and that the item is forwarded to City Council for final consideration.

Jennifer Lazovich, 8345 W. Sunset Rd., appeared on behalf of the applicant. Ms. Lazovich reviewed an overhead of the five acre site they requested to be rezoned to C-2. Ms. Lazovich stated C-2 property existed to the south and east of the proposed site.

Chairman Stone opened the public hearing.

Jeff Alpert, 3828 Fuselier Dr., North Las Vegas, supported the use for the site. He stated it would be good for the area and could create jobs. It would revitalize the area and may encourage someone to look at the Target site at Clayton and Craig that had closed one year ago.

Mr. Alpert asked if the proposed site would be a general, all purpose hospital or a boutique hospital.

Chairman Stone closed the public hearing.

Ms. Jennifer Lazovich responded the proposal is for a hospital with predominantly professional medical offices located above it. It is a three story building with offices on the second and third floor and the hospital on the ground floor.

It is a hospital with eight patient beds that could be used for overnight stay. It meets the state's definition of what a hospital would be. There is a helipad and emergency room entrance, and would be open 24 hours.

ACTION: APPROVED; 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

7. **UN-16-15 (51262) MEDICAL OFFICE/HOSPITAL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PARRIS ROBINSON EASTERN, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN R-1, SINGLE-FAMILY LOW DENSITY DISTRICT (PROPOSED PROPERTY RECLASSIFICATION TO A C-2, GENERAL COMMERCIAL DISTRICT) TO ALLOW A HOSPITAL / MEDICAL CENTER. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CRAIG ROAD AND CAMINO AL NORTE. THE ASSESSOR'S PARCEL NUMBER IS 139-04-201-008. (FOR POSSIBLE ACTION)**

This item was presented by Robert Eastman, Principal Planner.

Mr. Eastman stated this item was the accompanying use permit for a hospital/medical center that was approximately 60,000 square feet. It is a three story building. The hospital is located on the first floor and the medical offices would be located on the second and third floors.

Mr. Eastman advised the applicant is also requesting a helipad to be located in the northwest portion of their site.

In general, the use is appropriate at this location. There is adequate parking for the site. The landscaping and open space requirements for a hospital requires a very large portion of the lot to be dedicated to open space and requires a 100 foot landscape buffer adjacent to residential. The other portion of the surrounding site to the west and north is currently zoned for R-1, single-family. Per the code, the applicant would be required to provide the 100 foot buffer, however, the land use for this site is mixed use commercial, and surrounding undeveloped land is envisioned for more commercial uses or mix of commercial and residential. Therefore, the 100 foot buffer may not be necessary.

Staff recommended the use permit be approved with the site plan amended to add Condition No. 3:

3. If ZN-03-15 is not approved by City Council, UN-16-15 is null and void.

The original conditions per Staff Report dated May 13, 2015 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. 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. 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.
6. 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:
 - i. Camino al Norte (sidewalk, street lights, etc)
7. The property owner is required to grant a roadway easement for commercial driveway(s).
8. The drive aisle fronting the building (130' north of the Craig Road right-of-way) shall be extended west to the property line to accommodate shared access for future development.
9. All Nevada Energy easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground if impacted by the proposed development of the parcel or if the pole

impedes upon the proper ADA clearances for sidewalk. Under no circumstances will new down guy wires be permitted.

Jennifer Lazovich, 8345 W. Sunset Rd., appeared on behalf of the applicant. Ms. Lazovich restated this was for a hospital use and was available to answer questions.

Chairman Stone opened the public hearing.

Chairman Stone requested Mr. Alpert's comments from Item No. 6, ZN-03-15 are brought forward for the record.

Jeff Alpert, 3828 Fuselier Dr., North Las Vegas, supported the use for the site. He stated it would be good for the area and could create jobs. It would revitalize the area and may encourage someone to look at the Target site at Clayton and Craig that had closed one year ago.

Mr. Alpert asked if the proposed site this would be a general, all purpose hospital or a boutique hospital.

Chairman Stone closed the public hearing.

Vice-Chairman Ewing stated it was great project, and the property had been vacant for 25 years. Vice-Chairman Ewing stated the hospital was small and asked if it could be expanded should the need arise. Ms. Lazovich stated she used the term a "boutique hospital," and "micro hospital" was the technical term. An unidentified person in the audience acknowledged it could be expanded with additional beds. Vice-Chairman Ewing asked if it could take emergency vehicles, and Ms. Lazovich responded it could. They will have a helipad, be open 24 hours per day with a board certified or eligible emergency room physician on duty at all times. Full C-T, x-ray and lab will be on site. If patient beds are full, they have agreements in place with other hospitals to transport patients.

Vice-Chairman Ewing asked if treatment would be available for the mentally ill, and could they be housed if they are a danger to themselves or others.

Commissioner Acevedo asked if this hospital would also perform surgery. Commissioner Acevedo confirmed with Ms. Lazovich this is a non-trauma hospital.

Dudley Carpenter (phonetic), 8686 New Trails, Woodlands, TX, appeared to answer questions. He responded to the ability to house psychiatric patients or those who needed mental health, and stated they were in the process of assessing service lines. They will provide what is physically necessary and required as part of hospital regulations. He stated he was not the physician the operations team is currently evaluating.

Mr. Carpenter stated they do have the ability to expand into the upper two floors in the event they need to add skilled nursing or another unit.

Mr. Carpenter stated this was not a trauma facility. Ambulance traffic is generally managed by the EMS Director to determine where the patient is taken. Most patients come via their own vehicle. They currently do not have surgery planned, but is a service they are evaluating. The helipad is a valuable transportation tool for the attending physician. The helipad will not have maintenance or fueling facilities.

Commissioner Joiner-Greene reiterated the services provided are specific to the community. Mr. Carpenter responded the services provided are according to specific regulations.

Commissioner Joiner-Greene asked what research had been done to determine the needs for the citizens of North Las Vegas. Mr. Carpenter responded although he could not provide the formula for this determination, the proposed site was a \$20-\$25 million investment. He assured the Commission this investment would not be made unless there was a serious need.

ACTION: APPROVED AS AMENDED. CONDITION NO. 3 ADDED, WITH REMAINING CONDITIONS RENUMBERED.

CONDITION NO. 3 TO READ AS FOLLOWS:

3. If ZN-03-15 is not approved by City Council, UN-16-15 is null and void.

MOTION: Commissioner Acevedo

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

NAYS: None

ABSTAIN: None

8. **UN-20-15 (51319) CREATIVE KIDS ALIANTE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DAPPER DEVELOPMENT, ON BEHALF OF TEN 15 ALIANTE, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN MPC/C-1, MASTER PLANNED COMMUNITY/ NEIGHBORHOOD COMMERCIAL DISTRICT, TO ALLOW A CHILD CARE CENTER. THE PROPERTY IS LOCATED AT 2335 WEST DEER SPRINGS WAY. THE ASSESSOR'S PARCEL NUMBER IS 124-20-714-004. (FOR POSSIBLE ACTION)**

This item was presented by Robert Eastman, Principal Planner.

Mr. Eastman advised this was a developing five acre site which contains a Firestone, 7-11, a car wash and also approved on this site would be a Dairy Queen and a smog check.

Mr. Eastman advised the applicant is in compliance with parking standards. The proposed day care would be located in the corner of the site and is in similar size and location to a previously approved use permit that was approved by the Planning Commission on April 14, 2004 for a child care center. That center was 10,200 square feet and this child care center is 11,500 square feet. They have similar play yard facilities.

The building is generally in compliance architecturally with other buildings in the site. To fully comply with other buildings in the site, they would need to apply additional wainscoting along the bottom to blend in with the other buildings.

Staff recommended approval of the proposed use subject to conditions.

The original conditions per Staff Report dated May 13, 2015 are as follows:

Planning & Zoning:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. The site plan and building elevations shall be amended to comply with the Aliante Design Guidelines and Development Standards, including but not limited to providing stone wainscoting around all sides of every commercial building on site.
3. Landscaping along the south and east property lines shall contain evergreen trees and shrubs with a height greater than four feet.
4. All scuppers and downspouts shall be incorporated into the buildings, and shall not be exposed to the neighboring properties.

Public Works:

5. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
6. A drainage study for the project is required, however, due to the size of the site, this development may be eligible for a drainage study waiver. Please complete and submit the waiver application to Public Works Development & Flood Control

Division (Dan Le @ 702-633-1932). Applications may be found on the City of North Las Vegas website <http://www.cityofnorthlasvegas.com/About/Forms.shtm>

7. A traffic study or traffic study waiver may be required prior to submittal of the civil improvement plans.

Bob Gronauer, 8345 W. Sunset Rd., Las Vegas, represented Jay Dapper (property owner) and Creative Kids (applicant). Mr. Gronauer reviewed the site map and advised Creative Kids and Dairy Queen would be built concurrently as they go through the building permit process. Mr. Dapper held a neighborhood meeting on Monday, May 11 regarding the application, although a meeting is not required for a special use permit. Approximately four attended who were in support of the application. Mr. Gronauer advised they accepted all added conditions that were proposed by staff.

Chairman Stone opened the public hearing.

Kenyatta Robinson, 2917 Tropic Bird, North Las Vegas, spoke in favor of this item. Ms. Robinson stated it brings value to the neighborhood. Ms. Robinson expressed concern regarding the colors and wanted to ensure they would blend with the neighborhood.

Marisa Kagen, 7108 Manzanares Dr., North Las Vegas, spoke in favor of this item. Ms. Kagen stated Mr. Dapper followed through on his promise to listen to residents. Ms. Kagan thanked Mr. Dapper and Carol (Creative Kids), and stated she posted this on social media and had not heard anything negative concerning this item.

Ms. Kagen advised that Aliante Cares is now a 501c3, and they are in the process of getting the federal designation for that. They are hoping to partner with the City and developers to do positive things to help the community thrive.

Chairman Stone closed the public hearing.

Commissioner Kraft stated in discussing this development his wife, she asked how this product would succeed when the Giggle Box closed (located in the Aliante Marketplace Shopping Center).

Mr. Gronauer responded this is a child care provider that is nationally known and is a brand name. The demographics support there is a need in the community.

Commissioner Perkins added this use was more compatible than Dotty's and she appreciated Mr. Dapper's attempt to blend in with the neighborhood, and keep the neighbors happy.

Vice-Chairman Ewing requested that Mr. Gronauer display a picture of the building, which is in keeping with the commercial guidelines in Aliante.

ACTION: APPROVED

MOTION: Commissioner Kraft

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

NAYS: None

ABSTAIN: None

9. UN-17-15 (51311) WESTLAND CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DIGIWORLD ENTERTAINMENT LLC, ON BEHALF OF WESTLAND ENTERPRISES LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT, TO ALLOW AN "ON-SALE" LIQUOR LICENSE (BEER & WINE) IN CONJUNCTION WITH A TELEVISION PRODUCTION FACILITY. THE PROPERTY IS LOCATED AT 4351 CORPORATE CENTER DRIVE, SUITE 309. THE ASSESSOR'S PARCEL NUMBER IS 139-01-703-006. (FOR POSSIBLE ACTION)

This item was presented by Marc Jordan, Planning Manager.

Mr. Jordan advised the applicant has a business license to operate television production studio which specializes in filming live productions, animation, graphics and audio recordings. In part of their facility, they have seating for approximately 100 people before a live audience. The applicant is requesting to be able to sell beer and wine to their audience. The revenues would help to support filming and employee wages at this location.

Mr. Jordan advised the applicant complies with the requirements and there is sufficient parking. Most of the filming where the audience would be is at night, and would not interfere with other businesses within the center.

Staff added a condition that should their business for production facility or television cease, so would their ability to sell beer and wine.

Staff recommended approval.

The original conditions per Staff Report dated May 13, 2015 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 "on sale" of beer, wine, and spirit based products shall only be allowed in combination with the television and production facility. Should the television and production facility cease business or not renew the business license, then the "on sale" of beer, wine, and spirit based products shall become null and void.

Darry Lighten, 3827 Blue Gull St., North Las Vegas, is an active board member and co-owner of Digiworld Entertainment. Mr. Lighten advised if filming were to go away, everything would go away. Mr. Lighten stated they had been operating at this location for one year, and there were no residences within one half mile. Customers are asking for beverages, and he wants to offer them during filming events.

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

Commissioner Acevedo requested an example of a type of show that they film. Mr. Lighten responded they recently filmed a comedy show, and are working on another comedy show called Pastor Such and Such. They also had artists singing for a scoring for a film.

ACTION: APPROVED

MOTION: Commissioner Joiner-Greene

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

NAYS: None

ABSTAIN: None

10. **UN-18-15 (51312) AUTO TITLE LOANS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DAVID GALYEN FOR DOLLAR LOAN CENTER, ON BEHALF OF DEER SPRINGS CROSSING LP, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT, TO ALLOW AN AUTO TITLE LOAN ESTABLISHMENT. THE PROPERTY IS GENERALLY LOCATED AT THE NORTHEAST CORNER OF ROME BOULEVARD AND NORTH 5TH STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-23-316-007. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

Mr. Jordan requested Item Nos. 10, UN-18-15 and 11, UN-19-15 be briefed together since they were related.

Both applications were submitted by Dollar Loan Center. Item No. 10 is a special use permit for an auto title loan establishment and associated Item No. 11 is a use permit for a deferred loan or short term loan establishment.

The applicant proposed to construct a new building. The building would house their proposed use and a future use. The portion of the building they would occupy is 2,500 square feet, which exceeds the 1,500 square feet minimum requirement. The remaining portion of the building would be used for either retail or a future restaurant.

The applicant indicated that once approved by City Council they should be completed by October 2015. Their hours of operation would be Monday through Friday, from 9:00 a.m. to 7:00 p.m., with reduced hours on Saturday. The building will match the design that exists within the Deer Springs Crossing Center. They submitted a survey to staff that shows they have met the separation requirements from like uses and residential.

Staff noticed on the site plan that foundational landscaping was missing and landscape islands at the end of each parking row. Staff deemed this to be minor and could be reviewed when the building permit is sought. The pad has minimal parking but because it is part of an overall commercial shopping center, overall parking needs would have been satisfied with a major site plan review of the Deer Springs Crossing Center.

Mr. Jordan advised the applicant indicated they held a neighborhood meeting and sent out 490 notices; no one attended.

Staff recommended approval of both items subject to amended Condition No. 2 on both UN-18-15 and UN-19-15 to read:

2. 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.

The original conditions per Staff Report dated May 13, 2015 are as follows:

Planning & Zoning:

That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.

Public Works:

Prior to issuance of the business license/certificate of occupancy, a traffic study must be submitted to Public Works for review and approval. The applicant may apply for a traffic study waiver. Please contact Traffic Engineering at 633-2676 to request a scope.

Dave Galyen, 8860 W. Sunset Rd., appeared on behalf of Dollar Loan Center. Mr. Galyen agreed with staff recommended and amended conditions.

Chairman Stone opened the public hearing.

Steve Shoaff, 5622 Midnight Breeze, North Las Vegas, spoke in opposition to this item. Mr. Shoaff stated on November 7, 2006, there were six ballot questions put forth to the voters of North Las Vegas. One of which was about Dollar Loan Centers. North Las Vegas residents voted 82% (21,000) "no" that they did not want this type of business in our City. It is considered a predatory type of business. They charge exorbitant rates to use their service, which takes away money from other businesses. There are three [similar] businesses on Craig Road and are one mile from each other. Mr. Shoaff stated the City needed to slow down on these types of businesses. Mr. Shoaff provided a copy of the ballot question for the record.

Chairman Stone closed the public hearing.

Chairman Stone stated in the late 1990's and early 2000's there was a resistance to this type of application. Chairman Stone asked staff to provide an overview as to why there has been a change.

Mr. Jordan stated when this type of lending institution came into the valley there was a lot of controversy. As a result, the valley looked at ordinances that addressed land use regulations that dealt with pay day lending institutions. As a result, the City came up with a 2,500 foot separation requirement from like uses and 500 foot separation from residential. Approximately one and one half years ago, Dollar Loan Center approached the City and asked them to consider an ordinance amendment to lessen the requirements. Staff looked at the other entities in the valley, and the City of North Las Vegas was the most restrictive. Other entities had a 1,000 foot separation from like uses, and a 200 foot separation from residential. Staff conducted additional research on pay day lending and the impacts it had on communities and they still have a negative impression.

Mr. Jordan stated staff concluded from a land use perspective it was difficult to deal with issues regarding interest rates. If there is a separation of 2,500 or 1,000 feet, it does not prevent someone from walking from one facility to another. If a community wanted to address pay day lending, it needed to be done through the legislative process.

Staff was charged to address this issue through a land use perspective. Staff supported the amendments to the zoning ordinance since they were consistent with the other entities in the valley.

ACTION: APPROVED AS AMENDED PER REVISED PUBLIC WORKS MEMORANDUM DATED MAY 13, 2015. FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION.

CONDITION NO. 2 TO READ AS FOLLOWS:

2. 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.

MOTION: Vice-Chairman Ewing

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

NAYS: None

ABSTAIN: None

11. **UN-19-15 (51313) SHORT TERM LOAN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DAVID GALYEN FOR DOLLAR LOAN CENTER, ON BEHALF OF DEER SPRINGS CROSSING LP, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT, TO ALLOW A DEFERRED DEPOSIT LOAN OR SHORT TERM LOAN ESTABLISHMENT. THE PROPERTY IS GENERALLY LOCATED AT THE NORTHEAST CORNER OF ROME BOULEVARD AND NORTH 5TH STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-23-316-007. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

Staff recommended approval of both items subject to amended Condition No. 2 on both UN-18-15 and UN-19-15 to read:

2. 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.

Dave Galyen, 8860 W. Sunset Rd., appeared on behalf of Dollar Loan Center. Mr. Galyen agreed with staff recommended and amended conditions.

Chairman Stone opened the public hearing.

Steve Shoaff, 5622 Midnight Breeze, North Las Vegas, asked what interest rate Dollar Loan Centers charged.

Chairman Stone closed the public hearing.

Mr. Galyen 8860 W. Sunset Rd., stated the interest rate varies. Interest on a \$100 loan for a week is on average \$3.23. They are a true short term loan with a one year contract, and a set payment plan. You are paying interest and principal at the same

time. You can pay the loan off at any time. If you borrow for two days, you pay two days' interest.

Mr. Galyen said the typical pay day loan in Nevada is a set fee and charges between 391% and 542% in annual interest. If you borrow for two days, you pay a flat fee for a two week period. You have to pay off the loan within the third roll over.

Dollar Loan Centers help people get a loan, pay it off and establish credit.

Chairman Stone requested the comments below be forwarded from Item No.10, UN-18-15.

Steve Shoaff, 5622 Midnight Breeze, North Las Vegas, spoke in opposition to this item. Mr. Shoaff stated on November 7, 2006, there were six ballot questions put forth to the voters of North Las Vegas. One of which was about Dollar Loan Centers. North Las Vegas residents voted 82% (21,000) "no" that they did not want this type of business in our City. It is considered a predatory type of business. They charge exorbitant rates to use their service, which takes away money from other businesses. There are three [similar] businesses on Craig Road and are one mile from each other. Mr. Shoaff stated the City needed to slow down on these types of businesses. Mr. Shoaff provided a copy of the ballot question for the record.

Chairman Stone stated in the late 1990's and early 2000's there was a resistance to this type of application. Chairman Stone asked staff to provide an overview as to why there has been a change.

Mr. Jordan stated when this type of lending institution came into the valley there was a lot of controversy. As a result, the valley looked at ordinances that addressed land use regulations that dealt with pay day lending institutions. As a result, the City came up with a 2,500 foot separation requirement from like uses and 500 foot separation from residential. Approximately one and one half years ago, Dollar Loan Center approached the City and asked them to consider an ordinance amendment to lessen the requirements. Staff looked at the other entities in the valley, and the City of North Las Vegas was the most restrictive. Other entities had a 1,000 foot separation from like uses, and a 200 foot separation from residential. Staff conducted additional research on pay day lending and the impacts it had on communities and they still have a negative impression.

Mr. Jordan stated staff concluded from a land use perspective it was difficult to deal with issues regarding interest rates. If there is a separation of 2,500 or 1,000 feet, it does not prevent someone from walking from one facility to another. If a community wanted to address pay day lending, it needed to be done through the legislative process.

Staff was charged to address this issue through a land use perspective. Staff supported the amendments to the zoning ordinance since they were consistent with the other entities in the valley.

ACTION: APPROVED AS AMENDED PER REVISED PUBLIC WORKS MEMORANDUM DATED MAY 13, 2015. FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION.

CONDITION NO. 2 TO READ AS FOLLOWS:

2. 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.

MOTION: Commissioner Perkins

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

NAYS: None

ABSTAIN: None

- 12. UN-24-10 (51160) 1601 N MAIN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY IVAN B. AND HELEN C. CANNON FAMILY TRUST, PROPERTY OWNERS, FOR A SPECIAL USE PERMIT IN AN RA/DC, REDEVELOPMENT AREA/DOWNTOWN CORE SUBDISTRICT, FOR AN EXTENSION OF TIME TO A PREVIOUSLY APPROVED INTERIM USE ALLOWING AN AUTOMOTIVE REPAIR FACILITY. THE PROPERTY IS LOCATED AT 1601 NORTH MAIN STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-22-811-030. THE ASSESSOR'S PARCEL NUMBER IS 139-22-811-030. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

This item was approved five years ago. The overall site is approximately 2.2 acres. The use permit is specific to the corner building at Owens and Main. The property area is approximately 15,600 square feet. There is one building on the property.

According to Business License there are three businesses operating on this site, and all three are subject to the conditions of approval for the interim use permit.

Since 1993 the site has had a history of auto repair facilities through an interim use permit that have been continued several times. The original use permit expired and nobody knew about it, and then a new tenant realized it and the property owner came in and filed for the use permit.

The original requirement indicated there would be 12 parking spaces required for customers. Staff looked at the site and noticed areas of concern, but they did not warrant denial. Most of the parking spaces that should be used for customer parking are being used for vehicle storage. The original conditions required the applicant to bring signage on the building into compliance with our sign criteria. Staff noticed there is signage on the block wall and in the form of flags that are surrounding the property. They were required to bring the landscaping into compliance by providing 60% ground coverage, which has not been done. Tires are being stored outside and are used in an advertising manner. The tenants have not been complying with the conditions of approval. Staff will work with Code Enforcement, who will work with property owners to bring the site into compliance. This item was reviewed with Redevelopment staff who indicated that rather than supporting 10 years for an extension of time, they were only supporting a three year extension of time. The City was recently awarded the Choice Neighborhood Planning Grant through the Department of Housing and Urban Development. That grant will take approximately two years to develop and prepare a study. They will look at the strategic planning for the rose garden and surrounding areas. Since the study will be completed in two years, the City does not want to approve any interim uses for automobile repair that would not be compatible with the downtown area or the findings in the grant.

Staff recommended approval of the interim use for three years.

The original conditions per Staff Report dated May 13, 2015 are as follows:

Planning & Zoning:

2. The interim use shall expire on April 14, 2018, unless it is renewed by the Redevelopment Agency through an extension of time.

Matthew Callister, Callister & Associates, appeared on behalf of the applicant, and approved staff recommendations with the three year limitation.

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

ACTION: APPROVED; FORWARDED TO REDEVELOPMENT AGENCY FOR FINAL CONSIDERATION.

MOTION: Commissioner Kraft

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

NAYS: None

ABSTAIN: None

13. **VAC-03-15 (51206) DESERT AIRE ESTATES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE CITY OF NORTH LAS VEGAS.**

PROPERTY OWNER, TO VACATE THE PUBLIC RIGHTS-OF-WAY TO RE-ALIGN TWO STREET KNUCKLES LOCATED AT THE INTERSECTION OF SAN DIEGO STREET AND SAN JUAN AVENUE AND THE INTERSECTION OF SAN DIEGO STREET AND SANTA MONICA AVENUE. (FOR POSSIBLE ACTION)

This item was presented by Marc Jordan, Planning Manager.

The City was informed by one of the property owners that a portion of their front yard is actually located in the street. When the City went to the site they found the knuckle for the two intersections was larger than it needs to be. The City is proposing to vacate portions of that right-of-way to bring the streets into alignment and allow several residents that front that knuckle at those two intersections to regain most of their front yard as part of their property.

Staff recommended approval, and the item will be forwarded City Council for final consideration.

Chairman Stone opened the public hearing.

David Hart, 4625 Santa Monica, North Las Vegas, stated he did not really oppose this item but did not have enough information regarding what the City was trying to do. His water meter was six feet from the edge of the current street. He was concerned the City wanted to make it wider and not smaller.

Mr. Jordan responded the vacation would vacate the outer portion of the knuckle that is next to the resident's property and gives it back to them. This would narrow the street, rather than make it wider.

Rob McLaughlin, Development Flood Control Manager, confirmed the vacation would narrow the street. Mr. McLaughlin reviewed the site map and stated at this time he did not know if the meter would stay within the right-of-way or would be on private property.

Chairman Stone confirmed with Mr. McLaughlin the water meters were owned by the City, and the City would address any issues.

Dan Hawley, 4049 San Diego St., North Las Vegas, spoke in favor of this item, and stated he wanted his front yard back. He was concerned about the fire hydrant and did not want it in his front yard. He added it is behind his water meter.

John Phillipenas, 4041 San Diego St., North Las Vegas, spoke in favor of this item, but was concerned about the fire hydrant. He requested additional information regarding the water meters, fire hydrant and marking where it would end on his property.

Chairman Stone closed the public hearing.

Chairman Stone asked the City Attorney's office whether we needed to indicate that North Las Vegas public utilities shall be relocated from future private property to public right-of-way. Ms. Rudd Sanchez stated we maintain our fire hydrants to our standards and would not want a private property owner to do so.

Ms. Rudd Sanchez stated if the meter is behind and on private property, unless we have an easement to go in and access the meter, technically we would be trespassing when going onto their property. Depending upon where the lines are, we will either have to move the hydrant or the meters or work with the residents to obtain easements.

Mr. Jordan added that in the vacation exhibit that was submitted by Public Works, it indicates that easements are not specific to all properties. Staff will address the issue with Public Works regarding water meters and fire hydrants to ensure they adequately cover all of them.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Acevedo

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

NAYS: None

ABSTAIN: None

14. **ZOA-03-15 (51165) CITY OF NORTH LAS VEGAS (PUBLIC HEARING). AN ORDINANCE AMENDMENT INITIATED BY THE CITY OF NORTH LAS VEGAS TO AMEND TITLE 17 (ZONING ORDINANCE), SECTION 17.12.030, TABLE 17.12-1 (TABLE OF PROCEDURES); SECTION 17.12.070. J.2.A (CITY COUNCIL HEARING REQUIRED); AND SECTION 17.16.050.I (GAMING ENTERPRISE OVERLAY DISTRICT); AND ADD SECTION 17.12.070.M (GAMING ENTERPRISE DISTRICT) OF THE NORTH LAS VEGAS MUNICIPAL CODE, AMENDING AND ADDING NEW PROVISIONS REGARDING CASINOS AND THE ESTABLISHMENT OF GAMING ENTERPRISE DISTRICTS. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

Mr. Jordan stated approximately five months ago the City received requests for extensions of time for two gaming locations at the intersection of Losee Road and I-215. One group of applications is pending City Council consideration, and another group is pending Planning Commission consideration, and as a result, applicants have requested several extensions of time.

Currently, staff has no procedures in Title 17 that addresses Gaming Enterprise Districts (GED). Staff looked at what other entities in the valley were doing, and staff is proposing an ordinance amendment that would amend four sections in Title 17. The first would amend Table 17.12-1 regarding steps and procedures for various land uses and added Gaming Enterprise District; the second would address special types of uses that would go forward to City Council for final consideration, and staff proposed to add casinos; the third would add a new section under procedures that would outline the steps for GED's. A lot of the steps were mirrored from the zoning ordinance steps that deal with procedures for rezoning a property. The fourth would amend an existing section regarding the purpose statements for Gaming Enterprise Districts.

Another amendment would add an expiration date on GED's that will be tied to use permits. If the use permit is extended, their GED will be extended. Any existing GED's will disappear should the existing special use permit also expire. This ordinance amendment is in concert with a Joint Land Use Study (JLUS) that the City performed with the State and National Guard years ago. One of the recommendations was that the City considers adopting such requirements. Staff proposed that map be monitored and updated every four months.

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 Kiel Ranch groundbreaking ceremony was held today. Commissioner Kraft appeared on behalf of the Parks and Recreation Advisory Board. Director Blackburn acknowledged Johanna Murphy for her efforts in assisting with this important event.

Director Blackburn advised an amendment to Title 17 regarding mobile food vending (business license and land use) would be brought forward to the Planning Commission in the future.

Director Blackburn advised the City had received 12 Medical Marijuana Special Use Applications during Round Two; 11 applications are scheduled for the June 3 City Council meeting and one (1) will be scheduled on the July 1 City Council meeting agenda.

CHAIRMAN'S BUSINESS

There was no business to report.

ADJOURNMENT

The meeting adjourned at 7:36 p.m.

APPROVED: June 10, 2015

/s/ Nelson Stone
Nelson Stone, Chairman

/s/ Julie Shields
Julie Shields, Recording Secretary