

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

July 8, 2015

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

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

WELCOME: Chairman Nelson Stone

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

STAFF PRESENT: Marc Jordan, Planning Manager
Robert Eastman, Principal Planner
Bethany Rudd Sanchez, Chief Deputy City Attorney
Jennifer Doody, PW, Deputy Director/Public Works
Curt Kroeker, Public Works/Engineering Associate
Alyssa Rodriguez, Public Works/Traffic
Leonard Taylor, Police Department
Diana Tsouras, Executive Secretary/Recording Secretary

VERIFICATION Diana Tsouras, Recording Secretary

PLEDGE OF ALLEGIANCE

Commissioner Sylvia Joiner-Greene

ELECTION OF PLANNING COMMISSION OFFICERS
(For possible action)

ACTION: ELECTION HELD. WILLARD EWING ELECTED CHAIRMAN AND
KENNETH KRAFT ELECTED VICE-CHAIRMAN

PUBLIC FORUM

Richard Cherchio, 417 Horse Pointe Avenue, North Las Vegas, congratulated newly elected Chairman Ewing and Vice-Chairman Kraft, and also thanked Commissioner Stone for his service. Councilman Cherchio conveyed his desire to be of service to the Planning Commission over the next four years and stated he has full confidence in his appointee, Willard Ewing.

Jeff Alpert, 3828 Fuselier Drive, North Las Vegas, asked when the Planning Commission meetings would be available through live web streaming (SIRE) on the City's website. Mr. Alpert stated he is looking forward to the new website and that he will not have to drive six miles to attend a short meeting and can watch it from home.

Sr. Deputy City Attorney Bethany Sanchez advised staff is working toward making all advisory board meetings available online. Planning Commission will be the first advisory board that will be available in SIRE. She stated there are a number of IT and system issues that need to be addressed, including training for staff and the Planning Commissioners.

AGENDA

1. **APPROVAL OF THE PLANNING COMMISSION MEETING AGENDA OF JULY 8, 2015 (FOR POSSIBLE ACTION)**

ACTION: APPROVED

MOTION: Commissioner Perkins

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

NAYS: None

ABSTAIN: None

MINUTES

2. **APPROVAL OF THE PLANNING COMMISSION MEETING MINUTES OF JUNE 10, 2015 (FOR POSSIBLE ACTION)**

ACTION: APPROVED

MOTION: Commissioner Perkins

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

NAYS: None

ABSTAIN: Commissioner Stone

NEW BUSINESS

3. **UN-39-15 (51677) VCA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY VEGAS CHEER AUTHORITY, ON BEHALF OF GSC INDUSTRIES LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT, TO ALLOW AN INDOOR RECREATION FACILITY (CHEER ACADEMY). THE PROPERTY IS LOCATED AT 4700 MITCHELL STREET. THE ASSESSOR'S PARCEL NUMBER IS 140-06-110-009. (FOR POSSIBLE ACTION)**

This item was presented by Robert Eastman, Principal Planner.

The applicant operates a cheer academy on North Fifth Street and occupies four suites totaling approximately 18,000 square feet. The applicant proposed to move their location to 4700 Mitchell Street and expand their business to the entire building which is approximately 30,000 square feet.

Staff previously recommended approval at their current location for a special use permit (UN-50-11), and also when they expanded.

Mr. Eastman stated the site has adequate parking, although it is not properly striped. There is an outdoor storage area which would need to be converted so the site could support the use. Staff did not support the indoor recreational facility use as appropriate.

The current location on North 5th Street is on the edge of an M-2 designation and there are other less intense uses relatively close by such as commercial and residential. There are other indoor recreation facilities and their use blends in well with the existing neighborhood.

The neighborhood on Mitchell Street has heavy industrial. Nellis Industrial Park is located in the middle and there are heavy trucks in that area, and the park has warehousing and manufacturing distribution centers. Staff does not feel this site is appropriate for the use. The heavy industrial use area has, and could have, some dangerous, hazardous materials and chemicals.

Staff does not feel that a facility with children should be in a building within proximity to these kinds of uses. Also, if this were to be approved, once the Vegas Cheer Academy establishes itself this new location, the reverse situation could occur years down the road when the occupants (other businesses) would begin asking how to curtail the industrial uses nearby. Under normal circumstances, when an applicant applies for a special use permit for hazardous materials, that location would no longer be an appropriate use because of the neighboring cheer academy. The Vegas Cheer Academy would restrict the industrial development in that area; therefore, staff recommended this item be denied.

Lisa Golden, 5870 Auckland Dr., Las Vegas, applicant, appeared and concurred with staff's recommendation. The applicant advised they recently discovered that one of the

uses (a business), approved by Planning Commission just last month, was going to be located in the building next to them. The applicant advised the use (business) is something that would not be conducive to their business and would not want to be located next to.

Chairman Ewing confirmed with the applicant that she is withdrawing the application.

ACTION: WITHDRAWN BY APPLICANT

4. **UN-40-15 (51747) 100 FOOT SIGN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RLT CORPORATION, ON BEHALF OF CAMP-OUT, INC., PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW A 311 SQUARE FOOT SIGN WITH A HEIGHT OF 100 FEET. THE PROPERTY IS LOCATED APPROXIMATELY 200 FEET WEST OF LOSEE ROAD AND SOUTH OF CHEYENNE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-14-101-020. (FOR POSSIBLE ACTION)**

This item was presented by Robert Eastman, Principal Planner.

This item is for a special use permit to allow a 100-foot tall sign for a developing McDonald's restaurant, approximately 300 feet west of the Losee Road and Cheyenne Avenue intersection, on the south side of the street.

The existing McDonald's is on the north side of the street. The applicant will close this restaurant when the new one is completed. The applicant has requested to move the existing sign from the north to the south side of Cheyenne Avenue. The sign is approximately 240 square feet in area and is a 100-foot tall pole sign. A 100-foot pole sign is not permitted at the new McDonald's location as the zoning code allows for only 60-foot tall signs within 1,500 linear feet of the Cheyenne Avenue and I-15 interchange. The applicant is requesting a 100-foot sign instead of the required 60-foot sign to attract travelers on Interstate 15 (I-15).

Mr. Eastman said the square footage of the sign is needed if trying to attract travelers at the highway speed of 55 mph. The area of the sign may be appropriate, however, because of the configuration of Losee Road and Cheyenne Avenue, those coming off the highway do not have easy access to the developing McDonald's. Cheyenne Avenue has a barrier that prevents left turns across Cheyenne to the south and the new McDonald's is on the south side of Cheyenne Avenue; therefore, traffic would have to travel west on Cheyenne Avenue and make a u-turn. Another option would be for drivers to make a left turn onto Losee Road, take an immediate right, and drive through the convenience store parking lot to get to the McDonalds, neither of which is desired and may create traffic problems. Because the applicant did not display any compelling reasons to support a 100-foot sign and because of the potential traffic problems, staff recommends this item be denied.

The original conditions per Staff Report dated July 8, 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 maximum allowed height shall be 100 feet.
3. The sign shall be constructed to comply with the design guidelines.
4. That the proposed sign or base shall not replace, required perimeter landscaping.

Bob Gronauer, 1980 Festival Plaza, Las Vegas, represented McDonald's.

Mr. Gronauer reviewed an aerial map and discussed the current and proposed McDonald's locations.

Mr. Gronauer noted the Valero gas station and Denny's sign were approximately 60-feet tall, and the current McDonald's sign is 100-foot high. He conveyed the applicant is asking to move the existing 100-foot sign to the new location and will not be adding any more new signs. Mr. Gronauer added when traveling on the I-15, McDonald's would be adjacent to the 7-11 that is on the corner of Cheyenne Avenue and Losee Road, which also has a 100-foot high sign. Approximately 40% of its business comes from travelers on the I-15 south.

Mr. Gronauer stated Cracker Barrel was recently approved for a 100-foot sign by staff and the Planning Commission. He said next to the proposed Cracker Barrel site, off Craig Road near the I-15 interchange, is an In-and-Out Burger sign and another sign advertising future retail pad space. Mr. Gronauer stated if the City had such a concern regarding 100-foot signs three months ago, then Cracker Barrel and In-and-Out Burger should not have been approved.

Mr. Gronauer said anyone with kids knows they love McDonald's. The signs are identifiers and children can spot their signs from the freeway.

Mr. Gronauer said it was not difficult coming off the interchange. McDonald's would not be put in a location where they would fail.

Chairman Ewing opened public hearing.

Jeff Alpert, 3828 Fuselier Drive, North Las Vegas, stated he is neutral on his recommendation. He said if the sign is denied by the Planning Commission, he suggested McDonald's consider lowering the sign or work with NDOT to put advertising

on the freeway signs that notify travelers of upcoming eateries/gas stations at the next exit.

Mr. Alpert said he was concerned about the access of the 7-11, the in and out traffic on Cheyenne Avenue, and the speed of the vehicles traveling east in the two right hand lanes. Mr. Alpert noted that although the speed limit on Cheyenne Avenue was reduced from 50 mph to 45 mph, the majority of cars still travel to speeds closer to 50-65 mph. Mr. Alpert wanted to know if traffic studies were done.

Chairman Ewing closed public hearing.

Commissioner Stone asked Mr. Gronauer if the item is approved, if he agreed with the conditions put forth by Planning and Zoning, which includes complying with design guidelines, and Mr. Gronauer replied yes.

Commissioner Stone asked staff to comment on the difference between the sign as presented, and the sign as presented using the design guidelines.

Mr. Eastman said the proposed sign is a large pole sign and the design standard requires it to be a pylon sign, and the sign to have two masts or one much larger mast on the base up to the sign. Additionally, the legs and any box or decorative element would need to take on the architectural look in the use of colors of the building. It would need to incorporate the design elements of the McDonald's under construction rather than a large metal pole.

Commissioner Stone confirmed with Mr. Eastman the design standards require the sign to match the architectural design (in terms of material and color) set by McDonald's.

Commissioner Stone said the new McDonald's was already permitted and approved for a Conditional Use Permit in February 2014, conditioned with the traffic studies and other studies were required. Commissioner Stone said the access and issues related to traffic are moot since this item before him is regarding the height of a sign. He said access is not an issue for him. The issue is moving a 100-foot sign and making it a more attractive sign. Commissioner Stone said he did not see this as a health or safety issue, or cause for alarm, and will support a motion for approval.

Commissioner Perkins asked how much of the business is generated from the freeway versus the normal traffic coming off Cheyenne Avenue and Losee Road. Mr. Gronauer replied 40% came from the freeway.

Commissioner Perkins asked if it would be more useful in generating traffic if they advertised on the freeway using freeway signage instead of relying on a sign on a pylon.

Mr. Gronauer agreed there may be other means of signage, but it came down to competing with other businesses.

Chairman Ewing asked if there will be access to the McDonald's through the convenience store off Losee Road, and Mr. Gronauer replied yes.

ACTION: APPROVED PER STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Joiner-Greene

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

NAYS: None

ABSTAIN: None

5. **T-1372 (51754) ELDORADO RCL #26. AN APPLICATION SUBMITTED BY PARDEE HOMES OF NEVADA, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN OL/DA OPEN LAND/DEVELOPMENT AGREEMENT DISTRICT TO ALLOW 86 SINGLE-FAMILY DWELLING LOTS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF ANN ROAD AND EMERALD BASIN STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-33-517-062. (FOR POSSIBLE ACTION)**

This item was presented by Robert Eastman, Principal Planner.

Mr. Eastman said the tentative map shows development is approximately 10.5 acres; density is 8.12 dwelling units to the acre. The minimum lot size would be 3,478 square feet; however, more than 50% of the lots would exceed the minimum 3,500 square foot lot size. The proposed tentative map is in compliance with the Eldorado Development Agreement and with Title 19, the guiding document for Eldorado. Staff supports the tentative map and recommends approval. The associated item the applicant is proposing (Item No. 6) is a variance to reduce setbacks, and staff will address that with the next item.

The original conditions per Staff Report dated July 8, 2015 are as follows:

Planning & Zoning:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinance.
2. That all lands, areas, and open spaces are to be developed and maintained per the Development Agreement between the City of North Las Vegas and Pardee Homes of Nevada (formally Pardee Construction Company) dated December 10, 1988, or as amended.
3. Pedestrian access shall be provided between Nature Loop Avenue and Street "A" via Common Lot "A."

Public Works:

4. All known geologic hazards shall be shown on the preliminary development plan, tentative map and the civil improvement plans. Geological hazards such as fault lines or fissures affecting residential structures may substantially alter the tentative map layout and require the submission of a revised tentative map which must be approved by the City prior to final approval of the civil improvement plans. The footprint of proposed structures shall be plotted on all lots impacted by faults and/or fissures and a minimum width of five (5) feet shall be provided from the edge of any proposed structure to the nearest fault and/or fissure.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. Any preliminary street section(s) shown on the plans shall be used for planning purposes only; the thickness of the pavement sections will be determined by the Department of Public Works.
7. All common elements shall be labeled and are to be maintained by the Home Owners Association.
8. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
9. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
10. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element when that sidewalk is providing public access adjacent to the right-of-way.
11. All residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222.
12. Proposed residential driveway slopes shall not exceed twelve percent (12%).
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.

Bob Gronauer, 1980 Festival Plaza, Las Vegas, appeared on behalf of Jennifer Lazovich (partner), and the applicant, Pardee Homes. Mr. Gronauer suggested since

this item is for the tentative map and the subsequent agenda item (Item No. 6) is for the variances related to this map, he would do the presentation for both items together.

Mr. Gronauer stated this type of application is no different than what was previously approved in the past by the Planning Commission for the Eldorado Master Plan Community. He said most of the property is built out with Pardee Homes as the main builder. Mr. Gronauer displayed a subdivision map and said the applicant is asking for a couple of variances, and that this subdivision is no different than the adjacent subdivision that exists today. He showed pictures of two story homes that will be constructed with a price range of \$225,000 to \$250,000.

Mr. Gronauer said one of the variances requested is for the corner yard/side yard setbacks to go from 15 feet to 10 feet. Staff approved a setback of 10 feet for a previous project, and staff is recommending approval for this variance tonight.

Mr. Gronauer said the two variances that staff is not recommending approval is for front yard setbacks. The code requires a front yard setback of 15 feet and Pardee is requesting 12 feet. The code requires a garage setback of 20 feet and Pardee is requesting 18 feet. Mr. Gronauer said the main reason for these variances is to create more space in the backyard. He stated most residents utilize their backyard instead of the front yard. He noted only the hammerhead areas would have the 15 feet rear yard setback. Mr. Gronauer displayed photos showing vehicles parked in the driveway of an adjacent subdivision that has 18-foot setbacks for garages. He said the issue of cars parked in the driveway that extends over the sidewalk or into the road are not issues that currently exist in Eldorado.

ACTION: APPROVED PER STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Stone

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

NAYS: None

ABSTAIN: None

6. **VN-03-15 (51755) ELDORADO RCL #26 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PARDEE HOMES OF NEVADA, PROPERTY OWNER, FOR A VARIANCE IN AN OL/DA OPEN LAND/DEVELOPMENT AGREEMENT DISTRICT TO ALLOW AN 18 FOOT GARAGE SETBACK WHERE 20 FEET IS REQUIRED, A 12 FOOT FRONT HOUSE SETBACK WHERE 15 FEET IS REQUIRED AND A 10 FOOT CORNER SIDE SETBACK WHERE 15 FEET IS REQUIRED. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF ANN ROAD AND EMERALD BASIN STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-33-517-062. (FOR POSSIBLE ACTION)**

This item was presented by Robert Eastman, Principal Planner.

Mr. Eastman said this is the accompanying item to the tentative map (T-1372, Item No. 5) and Pardee Homes is the applicant. The applicant is requesting variances specifically to allow a 10-foot corner side yard setback where 15 feet is required; to allow an 18-foot setback where 20 feet is required for the garage; and to allow a 12-foot setback where a 15-foot setback is required for the main dwelling. Staff supports the variance in part, specifically the corner side yard setback.

Title 17 allows a 10-foot corner side yard setback, and therefore, staff feels it would be appropriate to allow the developer to use that setback, as well. Staff is supporting the 10-foot corner side yard setback. However, staff is not in support of the front setbacks for both the house and the garage for a number of reasons. It was staff's opinion the smaller setback in the front, especially in regard to the garage, will allow or may require vehicles to park in the driveway and then overhang into either the sidewalk or street, which could create a hazard to both pedestrians or vehicles using or driving along the street. Additionally, as this development is still in the design phase, the requested variances are a self-imposed variance. The applicant could just as easily design lots that are in compliance that can meet the setbacks. The requested variance does give Pardee homes an unfair advantage against other developers that do not get variances and cannot apply variances as Pardee has done in this case.

Staff is recommending denial of those two portions, and approval only of the corner side yard setbacks.

The original conditions per Staff Report dated July 8, 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. That all lands, areas, and open spaces are to be developed and maintained per the Development Agreement between the City of North Las Vegas and Pardee Homes of Nevada (formally Pardee Construction Company) dated December 10, 1988, or as amended.
3. A minimum 10-foot corner side yard setback to the house shall be maintained for all corner lots.

However, should the Planning Commission determine that approval to allow a reduced setback to the garage and dwelling unit are also warranted, then staff recommends the following additional conditions:

4. A minimum 18-foot setback shall be maintained to the garage.
5. A minimum 12-foot front setback shall be maintained to the dwelling unit.

Bob Gronauer, 1980 Festival Plaza, Las Vegas, offered to answer any questions the Commission had.

Chairman Ewing opened the public hearing. Chairman Ewing closed the public hearing.

Commissioner Aston asked if this is a continuation of an existing product, and Mr. Gronauer responded yes.

Commissioner Aston noted the issue of 12 feet was previously approved in a neighboring subdivision. He added while this is not the same parcel, it is in the same community.

Commissioner Perkins stated it was a fair trade off to have a shorter driveway if it will allow more space in the backyard. She said this is a continuation of a previously approved product which will make the neighborhood congeal and look contiguous as opposed to a split development. She added she would be in favor of this project.

ACTION: APPROVED PER STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Aston

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

NAYS: None

ABSTAIN: None

7. **UN-36-03 (51714) COAST HOTEL & CASINO (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LEWIS INVESTMENT COMPANY OF NEVADA, LLC, PROPERTY OWNER, FOR AN EXTENSION OF TIME TO A PREVIOUSLY APPROVED SPECIAL USE PERMIT ALLOWING A HOTEL AND CASINO WITH A HEIGHT OF 190 FEET IN A C-2, GENERAL COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND LAMB BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 123-30-501-008. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

Mr. Jordan reported this is an application submitted by Lewis Investment Company of Nevada for a two-year extension of time for a hotel-casino which also includes a building height of 190 feet. The property is zoned C-2 and located at the southwest corner of Centennial Parkway and Lamb Boulevard. The original use permit for this

property was approved by the Planning Commission on June 25, 2003. This is the fifth request for a two-year extension of time.

Approved for this site is a 15-story hotel-casino with 432 rooms, a bowling alley, meeting rooms, movie theaters, restaurants, bingo hall and other aspects as related to a casino. The site plan that the applicant submitted is the same site plan staff had brought before the Planning Commission for the past few years. The only change is this Planning Commission had recently been involved with, along with the City Council, was the adoption of an ordinance that ties the Gaming Enterprise District (GED) to the use permit, and this would apply to casino sites with a GED on it that have not yet developed. Should the use permit for the casino expire, the GED associated with that would also expire and go away. If the applicant ever wanted to re-establish another casino there, they would have to go through the formal procedures to petition the city for a new GED on that site. Since nothing has changed in this area since the last time it was considered, staff has no objections.

Staff recommends approval subject to the original conditions, with only Condition No. 20 being amended to reflect the new expiration date.

The original conditions per Staff Report dated July 8, 2015 are as follows:

(Note: Conditions 1-26 have carried over from the previous approval of an extension of time with the exception that Condition No. 20 now reflects expiration on June 28, 2017.)

1. That approval of a traffic study is required prior to submittal of the civil improvement plans; and
2. That approval of a drainage study is required prior to submittal of the civil improvement plans; and
3. That 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; and
4. That driveway number and location 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 17.24.130. Conformance may require modifications to the site; and
5. That a water network analysis must be submitted with the civil improvement plans; and
6. That all local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' North Neighborhood Flood Control Master Plan; and

7. That the following right of way dedications are required, unless deemed otherwise by the City's Traffic Engineer:
 - a. Sixty feet (60.0') for Lamb Boulevard;
 - b. Thirty feet (30.00') for Azure Avenue;
 - c. Additional right of way for the flared intersection at Centennial Parkway and Lamb Boulevard per the Uniform Standard Drawings for Public Works' Construction Off-Site Improvements Drawing Number 201.1;
 - d. Bus turn out on Lamb Boulevard near Centennial Parkway; and
8. That the development of this site be in compliance with the Commercial Development Standards and Design Guidelines, with the exception of the building orientation/placement, whereby the principal structure may be located as identified on the site plan; and
9. That the development of this site be in compliance with the Commercial Development Standards and Design Guidelines, including but not limited to the following:
 - a. A minimum twenty feet (20.00') of landscaping shall be provided between all on-site parking areas and/or drive aisles, and the rights-of-way for Centennial Parkway, Lamb Boulevard and Azure Avenue, except where there is a required dedication for a bus turn-out; and
 - b. A berm or two-sided decorative wall measuring three feet (3.00') in height, as measured from the on-site parking lot / drive aisle grade, shall be provided between all on-site parking lot / drive aisles and the abutting rights-of-way for Centennial Parkway, Lamb Boulevard and Azure Avenue; and
10. That the hotel / tower structure(s) be designed and constructed to support wireless communications facilities; and
11. That the most direct route as is reasonable shall be provided from outside to the movie theaters; and
12. That signage be permitted in accordance with the following:
 - a. That one 60-foot (maximum) sign be permitted along Centennial Parkway in the immediate vicinity of the second (i.e., main) entrance, as identified on the site plan; and
 - b. That one 60-foot (maximum) sign be permitted along Lamb Boulevard in the immediate vicinity of the southern (i.e., main) entrance, as identified on

- the site plan; and
- c. That all other free-standing signage be limited to monument signs not taller than eight feet (8.00'); and
13. That the parking structure be constructed as part of the first phase of development; and
 14. That the west side of the parking structure shall include, but not be limited to, Conditions A through C:
 - a. One continuous landscape planter along the exterior side(s) of the ramp(s) shall be provided; and
 - b. The landscape planters shall be a minimum four feet (4.00') in width (inside-to-inside); and
 - c. The planting materials within the planters shall provide 100% coverage and are encouraged to spill-over the exterior sides; and
 15. That a minimum thirty feet (30.00') of landscaping be provided along the western property line. The landscape area shall include two rows of 36-inch box trees spaced not greater than 25 feet on-center. The rows shall be staggered with centers equally offset and one of the rows shall be planted upon a berm. The berm shall be a minimum four feet (4.00') in height, as measured from the adjacent drive aisle. The trees shall be of an evergreen variety/species that provides for maximum screening. The required trees shall be in addition to other required landscape materials; and
 16. That all structures shall recognize a minimum 90-foot (90.00') setback from the southern and western property lines; and
 17. That a minimum 16-plex theater be provided as part of the first phase of development; and
 18. That a minimum 64-lane bowling alley be provided as part of the first phase of development; and
 19. That the height of the principal structure shall not exceed 190 feet; and
 20. That UN-36-03 shall expire on June 28, 2017; and
 21. That a recessed loading dock, as depicted on the elevations, shall be included; and

22. That 30,000 square feet of independent meeting rooms and/or convention space be provided similar to those facilities provided at the Sun Coast Hotel and Casino; and
23. That a minimum two (2) palm trees per section shall be planted adjacent to the north side of the parking structure. A "section" shall be generally defined by the support columns, which are approximately 39 feet apart (on-centers.) Said palm trees shall be a minimum 22 feet tall, from the top of the root ball to the bottom of the fronds. The north side of the parking structure currently has four "sections" identified on the plans; and
24. That a minimum one (1) palm tree for every two (2) sections shall be planted adjacent to the west side of the parking structure. A "section" shall be generally defined by the support columns (minus the ramp,) which are approximately 18 feet apart (on-centers.) Said palm trees shall be a minimum 22 feet tall, from the top of the root ball to the bottom of the fronds. The west side of the parking structure currently has 31 "sections" identified on the plans; and
25. That a minimum three (3) additional decorative panels, "A" or "B", be added to the north side of the parking structure. The panels may be located at the owner's discretion. Currently, there are 10 decorative panels identified on the plans; and
26. That a minimum six (6) additional decorative panels, "A" or "B", be added to the west side of the parking structure. The panels may be located at the owner's discretion. Currently, there are 13 decorative panels identified on the plans.

Bob Gronauer, 1980 Festival Plaza, Las Vegas, represented Lewis Investments and the Lewis family. The applicant recently purchased this property from the Boyd Gaming Group and is requesting an extension of time.

Chairman Ewing opened public hearing. Chairman Ewing closed the public hearing.

Vice-Chairman Kraft asked if work would begin on this project within the next two years. He added that it appears this is being recycled from the site plans from 2006.

Mr. Gronauer reported the Lewis family is talking with different operators for the property itself. He could not say with certainty when this would be built. He opined that since the area itself, along with the Tule Springs Master Plan Community, will need to have more homes in the area in order to generate the commercial gaming use. He believed with a different operator there may be different plans. If that were to happen,

the applicant would come in with a design review and even a special use permit. He stated the owners want to go through due diligence and continue speaking with various operators.

ACTION: APPROVED PER STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Aston

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

NAYS: None

ABSTAIN: None

8. **ZN-05-15 (51750) NORTHGATE INDUSTRIAL 1 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TRACY HAMMER ON BEHALF OF CAPITAL XI, LLC, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM THE CURRENT DESIGNATION OF MUD, MIXED-USE DEVELOPMENT DISTRICT TO M-2, GENERAL INDUSTRIAL DISTRICT. THE PROPERTIES ARE LOCATED AT THE SOUTHEAST CORNER OF TROPICAL PARKWAY AND DONOVAN WAY. THE ASSESSOR'S PARCEL NUMBERS ARE 123-29-301-002 AND 123-29-301-003; 123-29-401-004 THROUGH 123-29-401-007; 123-29-401-012 AND 123-29-401-013; AND 123-29-401-015. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

Mr. Jordan stated the applicant wants to develop this site with large warehouse industrial type buildings. The Comprehensive Plan for this property is heavy industrial. The proposed rezoning is consistent with the heavy industrial designation. There was a Mixed Use Development (MUD) on this property and nothing has ever developed under this MUD that would prevent this item from moving forward. It is consistent with surrounding industrial areas. The applicant held a neighborhood meeting on June 4, 2015, in which three people attended the meeting, and no one expressed opposition.

Staff recommended approval.

Tracy Hammer, VanTrust Real Estate, 28850 Camelback Road, Phoenix, AZ, stated he is submitting two parcel reclassifications from an MUD to M-2, which are consistent with the previous zoning and the City's current Comprehensive Plan.

Chairman Ewing opened the public hearing. Chairman Ewing closed the public hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

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

9. **ZN-06-15 (51753) NORTHGATE INDUSTRIAL 2 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TRACY HAMMER ON BEHALF OF CAPITAL XI, LLC, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM THE CURRENT DESIGNATION OF MUD, MIXED-USE DEVELOPMENT DISTRICT TO M-2, GENERAL INDUSTRIAL DISTRICT. THE PROPERTY IS LOCATED APPROXIMATELY 300 FEET EAST OF PUEBLA STREET AND SOUTH OF TROPICAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 123-29-701-008. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

Mr. Jordan stated this was an additional application submitted by Tracy Hammer. The land use for this area is heavy industrial. The applicant proposes changing it to M-2 which is consistent with the land use of heavy industrial. The previous designation was Mixed Use Development. No development has occurred since the original rezoning. Mr. Jordan stated it is consistent with surrounding area and land uses.

Staff had no objections and recommended approval.

Tracy Hammer, VanTrust Real Estate, representing Capital XI, LLC, 28850 Camelback Road, Phoenix, AZ, agreed this request is consistent with the land use.

Chairman Ewing opened the public hearing. Chairman Ewing closed the public hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

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

OLD BUSINESS

10. **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) (CONTINUED MAY 13 AND JUNE 10, 2015)

This item was presented by Robert Eastman, Principal Planner.

This item was previously continued and the applicant submitted a revised site plan and Letter of Intent. The Amendment to the Master Plan (AMP) is to amend the Comprehensive Land Use Plan from heavy industrial to mixed use employment on this site, which is approximately 35.5 acres.

The Comprehensive Plan designated the area as heavy industrial which is for more industrial uses that predominantly surround the site. Specifically, across the street are Republic Services, Silver State, and a rock crushing operation. To the north are office warehouse type buildings that are also industrial in nature. The applicant is requesting to amend the Comprehensive Plan to Mixed Use Employment to allow a mixed use development on this site. The Mixed Use Employment Land Use category is to allow the development of a mix of employment-type uses, including predominantly commercial and industrial uses with some residential in an integrated neighborhood.

Primary uses within a Mixed Use Employment would include light industrial, professional office, professional commercial, retail and secondary uses including the residential components of the development.

The Cheyenne Technology Corridor Study and Plan, which is a component of our Comprehensive Plan, envisions the Cheyenne corridor as a mix of higher intensity employment uses, both industrial and commercial, with a mix of uses and encourages more business incubator type space.

The North 5th Street Plan encourages a mix of uses. North 5th Street is within one half mile of this location, and encourages mixed use development at their nodes, which are at Cheyenne and North Fifth Street. Based upon the other studies and components of the Comprehensive Plan, staff is recommending this item be approved and forwarded to City Council for final action.

Matthew Callister, Callister & Associates, 823 Las Vegas Boulevard South, Las Vegas, appeared on behalf of applicant James Liu, and accepted staff recommended conditions.

Chairman Ewing opened the public hearing. Chairman Ewing noted all public comments cards received were for both Item Nos. 10 and 11 and confirmed with Mr. Callister that he wished to address these items together.

Jeff Alpert, 3828 Fusilier Drive, North Las Vegas, spoke regarding Item Nos. 10 and 11, and inquired if studies had been done previously regarding soil conditions, and the possibility of a quake fault running through the property. Mr. Alpert also asked about the condition of the water table. Mr. Alpert was interested in the history of the property and if it was ever used a dump site.

Mr. Alpert stated Republic Services was located on the other three corners of the intersection, and was opposed to any food establishments, lodging or homes being built in that area.

Mr. Alpert conveyed his biggest concern was that a project this big did not have city-wide input, and encouraged the Planning Commission to hold a public meeting for large-scale projects such as this for any resident to attend.

Christopher McCullough, 601 S. Rancho Drive, Las Vegas, spoke regarding Item Nos. 10 and 11. Mr. McCullough appeared on behalf of Cheyenne North 5th LLC, the property owner directly to the east of the site. Accompanying him was Jason Jensen, who has worked closely with the Boulder Sand and Gravel, a rock crushing business, which is located adjacent to the property.

Mr. McCullough stated the public hearing had been continued twice and one neighborhood meeting had been held. The applicant stated the plan would be revised and another neighborhood meeting would be held, and neither occurred.

Mr. McCullough advised the plan is incomplete and is conceptual. Details such as traffic (including parking spaces) pedestrian and priority areas, plazas, and geological studies were never done. Mr. McCullough conveyed there was a fault line in the property and there may be hazardous materials buried on the property. He stated the proposal is incompatible with the neighborhood and is not the right use for this neighborhood. Mr. McCullough advised this was a heavy industrial area in the City of North Las Vegas. There are 10 heavy equipment yards, 10 truck storage yards, and 6 rock crushing operations.

Bob Coyle, 770 E. Sahara Avenue, Las Vegas, represented Republic Services and stated his company operated in this area for 30 years. They objected to any sense of residential uses, and he stated placing a hotel there did not make sense.

Mr. Coyle advised 4,500 tons of trash a day would be moved through the kitty-corner lot; 1,000 to 1,200 tons of recyclables would be moved through the adjacent property on the west side of corner. At least 850 truck trips and 900 employee commuter trips would occur daily, and they operate 24/7 with maintenance shifts that run over night.

Mr. Coyle stated this was a totally incompatible use for what has been 30 years of heavy industrial use.

Bob Gronauer, 1980 Festival Plaza Drive, Las Vegas, represented Republic Services, and appeared on behalf of Bob Coyle.

Mr. Gronauer expressed concern that if this item were approved for mixed use it would allow residential for the property and could become an example of spot zoning.

Mr. Gronauer added this is an industrial area with smell, noise, heavy truck traffic, trash and recyclables, and is not conducive to anyone living there.

Mr. Gronauer stated if the amendment to the master plan is approved, it gives the ability to do some form of residential at some point in time. Even if the project fails, it would give someone the ability to conform to the land use plan for residential.

Mr. Gronauer stated industrial and commercial uses were more compatible in this area than residential. Mr. Gronauer stated that residential would be detrimental to the public health and safety in this area.

Mr. Callister stated this was an opportunity for change and to embrace the thousands of new jobs that will come to North Las Vegas.

Mr. Callister explained this is a one of a kind, international trade showcase. Two hundred sixty-eight (268) Chinese manufacturers, to own in fee simple, a premise that will be able to show their wares in North Las Vegas instead of requiring their customers to take a 30 hour flight to China.

Mr. Callister stated the Trademark in Los Angeles has 20-30 manufacturers compared to 268 manufacturers who want to showcase their wares in 10 themed blocks of showcase facilities in North Las Vegas.

Mr. Callister stated he respected the neighbors and all the good Republic Services and the Mendenhall family had done. He stated they were a compliant, good neighbor to their existing uses.

Mr. Callister added the residential component they speak of that staff has addressed properly is a component of 800 square feet of the total facility that allows the manufacturer who owns that facility to stay there for a week or two per year.

The cost of entry to the EB-5 Program that finances the entire project is going to go up to \$750,000 in October of this year. There will be an additional \$200,000 investment for an investigation process (similar to gaming license), the I.N.S. has to scrutinize the sources of funds -- that process takes about one year.

Prior to Mr. Callister representing the developer, they allowed him to visit their 75-acre facility in Imperial Valley, CA, where they are building an identical type of plant for 300+ Chinese manufacturers, all of which were pre-sold when he received local approval from planning and then a year later, received approval from I.N.S.

Mr. Callister extended an invitation to the Planning Commission to go to Heber, CA and visit the 75-acre facility to see what is happening. Mr. Callister added there are hundreds of millions of dollars in infrastructure, design and grading that has already occurred. Mr. Callister reviewed the site map which provided examples of facilities that had been built. Mr. Callister added EB-5 financing was used to build the Sahara Hotel and the last component of the MGM City Centre.

Chairman Ewing closed the public hearing.

Commissioner Perkins stated this is a land use issue and whether this is an appropriate use at this particular corner. Commissioner Perkins stated it was heavy industrial (M-2) and she could not see putting residential in the middle of an industrial use.

Commissioner Perkins stated because of the scope of the project it may be more conducive to apply for a land use agreement directly with the City Council since there are many things the Planning Commission cannot review as they are a land use body.

Mr. Callister stated multi-family existed one half mile west of the site; and hotels, motels and fast food restaurants existed one half mile to the east. Mr. Callister disagreed the site was out of sync with the neighborhood.

Mr. Callister stated the residential use that is being opposed is 268, 800-foot condominiums on a 35-acre parcel. This project will bring thousands of people to the area that presently travel to China, and will create thousands of jobs.

Commissioner Aston believed the fundamental objection to some of the neighbors is that a property owner (sometime down the road) could get together and decide in some type of movement or protest that the existing neighbors have outgrown their use along this corridor. He asked what steps or assurances will be done to overcome the objection of residential use coming into an industrial area.

Commissioner Aston referenced the Cheyenne Technology Corridor and stated it was meant to be used for employment, retail, offices, and services. The Strategic Plan of 2012 stated the City would actively pursue mixed use and bring residential into employment, retail offices and services. The Planning Commission takes into consideration how the neighborhood feels about it and how the use will apply not only today but in the future. Commissioner Aston asked what assurances could be forthcoming from the applicant on how the [residential] stumbling block could be overcome.

Mr. Callister replied in the Letter of Intent, they referenced the objections received during the meetings with Republic and members of Council. The final paragraph states "additionally, we welcome any and all conditions, constraints upon further use of land by subsequent purchasers, owners of the parcel site that the City may seek to impose upon us. We do not anticipate that at any time will this premise be essentially a residential snare. It is self evident that a 35-acre parcel that was intended [inaudible] residential use would clearly exceed more than 268 condominiums."

Mr. Callister referenced staff's recommended Condition No. 7 and stated the prospective property owner shall sign a written notice declaring knowledge of the existence of Republic Services, Silver State recycling and neighboring rock crushing operation, wherein the development may be subject to dust, noise and or odors created by the neighboring uses. The notice shall also state the existing neighboring uses pre-date this development and are permitted uses under the existing codes and ordinances.

Commissioner Stone reviewed the Comprehensive Plan map on the overhead, along with Mr. Gronauer's aerial map. Commissioner Stone advised the Republic site on the northwest corner (recycling site) and southwest corner (transfer station), and directly south is mixed use. Commissioner Stone asked if they were all mixed use employment comp plan designations and Mr. Eastman responded to the south was mixed use employment and to the north was employment; i.e., lighter industrial.

Commissioner Stone stated the mixed use employment designated was more appropriate. Commissioner Stone referred to Mr. Gronauer's map and referred to heavy industrial. He said these types of uses would impact the neighborhoods with the smell, dirt, noise, etc. Commissioner Stone had issues with the zoning and struggled with the Amendment to the Master Plan. He asked staff if these items, regardless if they pass or fail tonight, will be forwarded to the City Council.

Robert Eastman, Principal Planner, replied the AMP-01-15 will go forward to City Council with Planning Commission's recommendation to approve or deny. If the rezoning (Item 11, ZN-04-15) is denied, it would end at Planning Commission unless appealed. If approved, it would be forwarded to City Council for final action.

Commissioner Acevedo said this was a nice project, but he did not think it was in the right location. Commissioner Acevedo discussed the homes that were sold around the pig farm and the numerous complaints the City receives to this day. He added it is also the same issue with the airstrip for remote controlled planes and the numerous complaints received from homeowners in the area. Commissioner Acevedo stated this project is not in the best interest of the citizens, and the City will have complaints about dirt and noise years down the road.

Mr. Callister responded there would be 250 to 268 purchasers who would have an 800-foot condominium on top of a 2,000 square foot showcase where they would show their wares. It is not retail that will be open to the public; it will be for wholesalers to come

from around the country who will not stay on site. He added that anyone with \$2-\$4 million to invest in this project will be not staying in a place other than the Las Vegas Strip. He acknowledged the residential component is part of the marketing strategy. He said this is not remotely the same as the pig farm issue.

Vice-Chairman Kraft said he has a problem with separating the Amendment to the Master Plan (AMP-01-15) from Item No.11 (ZN-04-15) which is a zoning change. Vice-Chairman Kraft confirmed with Mr. Eastman that an approval of this item (AMP-01-15) would mean the Master Plan would move from heavy industrial to mixed use employment.

Mr. Eastman stated a change in land use category would change what the land owner could request in the future. Mixed Use Employment does allow more commercial than what would be allowed in Heavy Industrial. Mixed Use Employment has a residential component and would add in a residential component and much more commercial than what is permitted in Heavy Industrial land use.

Vice-Chairman Kraft discussed possible scenarios in the event the project was approved tonight, but was not successful over the next 5-10 years and the impact it would have on future land use.

Mr. Eastman advised since it was mixed use employment it would have to have certain elements to create a mix of uses, connectivity with adjacent uses that would be appropriate for residences.

Mr. Callister said the 100 room hotel is only intended to service those visitors who come as business persons to transact business here instead of China.

Vice-Chairman Kraft confirmed with City Attorney Sanchez that a super-majority is required on an Amendment to the Master Plan.

Commissioner Perkins asked if the Amendment to the Master Plan (AMP) is approved, could the previous item mentioned curtail uses surrounding it, and if so, will this AMP change also curtail the uses in the M-2 surrounding it?

Mr. Eastman responded yes, although not necessarily with the AMP, but with the Planned Unit Development residential component. Mr. Eastman advised that was part of the reason for the disclaimer requirement. He explained if the AMP is approved and the site does not get developed, and someone wants to build a mixed use development, and there are not any disclaimers, it could ultimately impact the neighbors.

Chairman Ewing re-opened the public hearing.

Gene Collins, 1411 Virginia City Avenue, Las Vegas, former state assemblyman, and former NAACP president. Mr. Collins stated the laws on the books regarding

development were put there 40 years ago. Mr. Collins spoke in favor of the project and said the community needs jobs. He said the unemployment rate in our community is three times higher than other areas in the Valley for those in the African-American community. He emphasized the need for this project because it will bring jobs to the community and stated there was no other place for the project to go.

Commissioner Joiner-Greene stated her issue with the project is the location and asked why it had to be at that location.

Mr. Callister opined the property was bought in 1991 for \$0.77 an acre and today the same land goes for over \$4.50 an acre. The facility would cost \$450 million to build. He added like any other development, the location is driven by the budget and ultimately by land acquisition.

Commissioner Joiner-Greene asked if job opportunities are available to all in the community or to specific individuals.

Mr. Callister responded there were two types of jobs. There would be a massive amount of construction jobs, involving thousands of man hours that could go to local contractors. There is a \$2.1 million dollar bid to do the grading that would also go to local contractors. Ten, full-time jobs will be created for each of the 268 separate showcases, and should go to local employees. Mr. Callister stated these employees would be skilled labor.

Vice-Chairman Kraft confirmed with Mr. Callister that ten jobs would be created per every half million dollar investment.

Chairman Ewing closed the first public hearing.

Chairman Ewing opened the second public hearing.

Lydia Garrett, 1921 W. McDonald Avenue, North Las Vegas, president of the North Valley Leadership Team and represented 1,200 houses in the North Las Vegas area. Ms. Garrett stated this project is a block from her home. She attended two neighborhood meetings with the applicant and believed this project to be a positive contribution to the community, and could bring jobs into the community.

Ms. Garrett asked if this project was not built, what will be built there. She added she liked the global and international aspect this project would bring to the City and hoped this would bring about change and increase property values.

Ms. Garrett asked why the project could not be at this location. She added this project could bring between 2,000 – 5,000 jobs to the community, and asked the Planning Commission to weigh both sides of the issue.

Willie Jacobs, 401 Beth Circle, North Las Vegas, spoke in favor of the project. He stated he has been a resident of North Las Vegas for 45 years. He said there are commercial businesses across the street from residential homes on Commerce Street. He had no objection to the project if it will bring jobs.

Chairman Ewing closed the second public hearing.

ACTION: MOTION TO APPROVE FAILED

MOTION 1: Commissioner Aston

AYES: Commissioner Aston

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

ABSTAIN: None

ACTION: MOTION TO DENY PASSED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION 2: Vice-Chairman Kraft

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

NAYS: Commissioner Aston

ABSTAIN: None

- 11. 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) (CONTINUED MAY 13 AND JUNE 10, 2015)**

This item was presented by Robert Eastman, Principal Planner.

Mr. Eastman stated since previously related Item No. 10, AMP-01-15, was denied this item cannot be approved at present.

Staff advised the Planning Commission could vote to deny the application because the underlying land use does not support the proposed Planned Unit Development, or the

item could be indefinitely continued to allow the Amendment to the Master Plan to move forward to City Council.

Chairman Ewing asked the applicant if he wished to have the two matters heard together and the applicant replied yes.

Chairman Ewing requested the comments from Item No. 10, AMP-01-15, be brought forward, and are as follows:

Matthew Callister, Callister & Associates, 823 Las Vegas Boulevard South, Las Vegas, appeared on behalf of applicant James Liu, and accepted staff recommended conditions.

Chairman Ewing opened the public hearing. Chairman Ewing noted all public comments cards received were for both Item Nos. 10 and 11 and confirmed with Mr. Callister that he wished to address these items together.

Jeff Alpert, 3828 Fusilier Drive, North Las Vegas, spoke regarding Item Nos. 10 and 11, and inquired if studies had been done previously regarding soil conditions, and the possibility of a quake fault running through the property. Mr. Alpert also asked about the condition of the water table. Mr. Alpert was interested in the history of the property and if it was ever used a dump site.

Mr. Alpert stated Republic Services was located on the other three corners of the intersection, and was opposed to any food establishments, lodging or homes being built in that area.

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Chairman Ewing closed the public hearing.

Commissioner Perkins stated this is a land use issue and whether this is an appropriate use at this particular corner. Commissioner Perkins stated it was heavy industrial (M-2) and she could not see putting residential in the middle of an industrial use.

Commissioner Perkins stated because of the scope of the project it may be more conducive to apply for a land use agreement directly with the City Council since there are many things the Planning Commission cannot review as they are a land use body. Mr. Callister stated multi-family existed one half mile west of the site; and hotels, motels and fast food restaurants existed one half mile to the east. Mr. Callister disagreed the site was out of sync with the neighborhood.

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this corridor. He asked what steps or assurances will be done to overcome the objection of residential use coming into an industrial area.

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Commissioner Stone stated the mixed use employment designated was more appropriate. Commissioner Stone referred to Mr. Gronauer's map and referred to heavy industrial. He said these types of uses would impact the neighborhoods with the smell, dirt, noise, etc. Commissioner Stone had issues with the zoning and struggled with the Amendment to the Master Plan. He asked staff if these items, regardless if they pass or fail tonight, will be forwarded to the City Council.

Robert Eastman, Principal Planner, replied the AMP-01-15 will go forward to City Council with Planning Commission's recommendation to approve or deny. If the rezoning (Item 11, ZN-04-15) is denied, it would end at Planning Commission unless appealed. If approved, it would be forwarded to City Council for final action.

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Vice-Chairman Kraft said he has a problem with separating the Amendment to the Master Plan (AMP-01-15) from Item No.11 (ZN-04-15) which is a zoning change. Vice-Chairman Kraft confirmed with Mr. Eastman that an approval of this item (AMP-01-15) would mean the Master Plan would move from heavy industrial to mixed use employment.

Mr. Eastman stated a change in land use category would change what the land owner could request in the future. Mixed Use Employment does allow more commercial than what would be allowed in Heavy Industrial. Mixed Use Employment has a residential component and would add in a residential component and much more commercial than what is permitted in Heavy Industrial land use.

Vice-Chairman Kraft discussed possible scenarios in the event the project was approved tonight, but was not successful over the next 5-10 years and the impact it would have on future land use.

Mr. Eastman advised since it was mixed use employment it would have to have certain elements to create a mix of uses, connectivity with adjacent uses that would be appropriate for residences.

Mr. Callister said the 100 room hotel is only intended to service those visitors who come as business persons to transact business here instead of China.

Vice-Chairman Kraft confirmed with City Attorney Sanchez that a super-majority is required on an Amendment to the Master Plan.

Commissioner Perkins asked if the Amendment to the Master Plan (AMP) is approved, could the previous item mentioned curtail uses surrounding it, and if so, will this AMP change also curtail the uses in the M-2 surrounding it?

Mr. Eastman responded yes, although not necessarily with the AMP, but with the Planned Unit Development residential component. Mr. Eastman advised that was part of the reason for the disclaimer requirement. He explained if the AMP is approved and the site does not get developed, and someone wants to build a mixed use development, and there are not any disclaimers, it could ultimately impact the neighbors.

Chairman Ewing re-opened the public hearing.

Gene Collins, 1411 Virginia City Avenue, Las Vegas, former state assemblyman, and former NAACP president. Mr. Collins stated the laws on the books regarding development were put there 40 years ago. Mr. Collins spoke in favor of the project and said the community needs jobs. He said the unemployment rate in our community is three times higher than other areas in the Valley for those in the African-American community. He emphasized the need for this project because it will bring jobs to the community and stated there was no other place for the project to go.

Commissioner Joiner-Greene stated her issue with the project is the location and asked why it had to be at that location.

Mr. Callister opined the property was bought in 1991 for \$0.77 an acre and today the same land goes for over \$4.50 an acre. The facility would cost \$450 million to build. He added like any other development, the location is driven by the budget and ultimately by land acquisition.

Commissioner Joiner-Greene asked if job opportunities are available to all in the community or to specific individuals.

Mr. Callister responded there were two types of jobs. There would be a massive amount of construction jobs, involving thousands of man hours that could go to local contractors. There is a \$2.1 million dollar bid to do the grading that would also go to local contractors. Ten, full-time jobs will be created for each of the 268 separate showcases, and should go to local employees. Mr. Callister stated these employees would be skilled labor.

Vice-Chairman Kraft confirmed with Mr. Callister that ten jobs would be created per every half million dollar investment.

Chairman Ewing closed the first public hearing.

Chairman Ewing opened the second public hearing.

Lydia Garrett, 1921 W. McDonald Avenue, North Las Vegas, president of the North Valley Leadership Team and represented 1,200 houses in the North Las Vegas area. Ms. Garrett stated this project is a block from her home. She attended two

neighborhood meetings with the applicant and believed this project to be a positive contribution to the community, and could bring jobs into the community.

Ms. Garrett asked if this project was not built, what will be built there. She added she liked the global and international aspect this project would bring to the City and hoped this would bring about change and increase property values.

Ms. Garrett asked why the project could not be at this location. She added this project could bring between 2,000 – 5,000 jobs to the community, and asked the Planning Commission to weigh both sides of the issue.

Willie Jacobs, 401 Beth Circle, North Las Vegas, spoke in favor of the project. He stated he has been a resident of North Las Vegas for 45 years. He said there are commercial businesses across the street from residential homes on Commerce Street. He had no objection to the project if it will bring jobs.

Chairman Ewing closed the second public hearing.

ACTION: DENIED

MOTION: Commissioner Stone

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

NAYS: None

ABSTAIN: None

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

Planning Manager Marc Jordan congratulated newly elected Chairman Ewing and Vice-Chairman Kraft, and thanked former Chairman Stone for his service over the past year.

Mr. Jordan announced the appointment of Pamela Goynes-Brown as Mayor Pro Tempore on the City Council.

Mr. Jordan advised there will be another open period to accept applications for medical marijuana establishments use permits from July 20, 2015 through August 4, 2015.

Mr. Jordan thanked Commissioner Aston for his many years of service on the Planning Commission and stated he will be missed. Mr. Aston's appointment to the Planning Commission ended at the conclusion of this meeting.

Commissioner Aston thanked former Chairman Stone for his work and service to the community, the Planning Commission, and also thanked the North Las Vegas employees.

CHAIRMAN'S BUSINESS

There was no new business to report.

ADJOURNMENT

The meeting adjourned at 8:12 p.m.

APPROVED: August 12, 2015

/s/ Willard Ewing
Willard Ewing, Chairman

/s/ Diana Tsouras
Diana Tsouras, Recording Secretary