

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

September 9, 2015

- BRIEFING:** 5:30 P.M.
Caucus Room, 2250 Las Vegas Boulevard, North
North Las Vegas, Nevada
- CALL TO ORDER:** 6:07 P.M.
Council Chambers, 2250 Las Vegas Boulevard, North
North Las Vegas, Nevada
- WELCOME:** Vice-Chairman Kenneth Kraft
- ROLL CALL:** Chairman Willard Ewing – Present
Vice-Chairman Kenneth Kraft – Present
Commissioner Laura Perkins – Present
Commissioner Nelson Stone– Present
Commissioner Felix Acevedo – Present
Commissioner Randy Robison – Present
- STAFF PRESENT:** Gregory Blackburn, Director
Marc Jordan, Planning Manager
Robert Eastman, Principal Planner
Sandra Douglass Morgan, City Attorney
Jose Valenzuela, Deputy City Attorney
Rob McLaughlin, Public Works/Manager
Curt Kroeker, Public Works/Engineering Associate
Diana Tsouras, Executive Secretary/Recording
Secretary
- VERIFICATION:** Diana Tsouras, Recording Secretary
- PLEDGE OF ALLEGIANCE:** Chairman Willard Ewing

PUBLIC FORUM

There was no public participation.

AGENDA

1. APPROVAL OF THE PLANNING COMMISSION MEETING AGENDA OF SEPTEMBER 9, 2015 (FOR POSSIBLE ACTION)

ACTION: APPROVED AS AMENDED; ITEM NO. 19, AMP-03-15; ITEM NO. 20, ZN-07-15; ITEM NO. 21, WAV-04-15; AND ITEM NO. 22, ZOA-04-15; WERE CONTINUED TO OCTOBER 14, 2015, PER THE APPLICANT'S REQUEST

MOTION: Commissioner Perkins

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

NAYS: None

ABSTAIN: None

MINUTES

2. APPROVAL OF THE PLANNING COMMISSION MEETING MINUTES OF AUGUST 12, 2015 (FOR POSSIBLE ACTION)

ACTION: APPROVED

MOTION: Commissioner Stone

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

NAYS: None

ABSTAIN: None

NEW BUSINESS

3. **UN-50-15 (52222) FIESTA PLAZA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TPRF III/CIVIC PLAZA NV LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN RA/DC, REDEVELOPMENT AREA/DOWNTOWN CORE SUBDISTRICT TO ALLOW A SECOND DIRECTORY SIGN AT A HEIGHT OF 30 FEET. THE PROPERTY IS LOCATED AT 2300 EAST LAKE MEAD BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-23-610-001. (FOR POSSIBLE ACTION)**

This item was presented by Robert Eastman, Principal Planner.

The applicant is requesting a special use permit in a RA/DC, Redevelopment Area/Downtown Core Subdistrict, to allow a second directory sign at a height of 30 feet and 240 feet in area. The proposed sign would remove an existing sign for the Tortas Del Rey restaurant and replace it with a directory sign which would reflect the restaurant on one of the panels and allow additional advertisement for the shopping center. Under normal circumstances, a development is allowed one sign per arterial. Staff supports this use permit because it will remove the existing non-compliant sign (in size and design standards) and replace it with a compliant one. The sign will also provide additional signage for an existing shopping center that staff deemed as a critical need for the downtown area.

Staff recommended approval and forwarded this item to the Redevelopment Agency for final consideration.

The condition is 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.

Cary Lefton, 15206 Ventura Blvd, Suite 306, Sherman Oaks, CA, appeared on behalf of the applicant, TPRF III / Civic Plaza NV LLC, and offered to answer any questions.

Vice-Chairman Kraft opened the public hearing. Vice-Chairman Kraft closed the public hearing.

Commissioner Perkins stated her support of the item since this would be a step toward sign compliance in the downtown area.

ACTION: APPROVED; FORWARDED TO REDEVELOPMENT AGENCY FOR FINAL CONSIDERATION

MOTION: Commissioner Perkins

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

NAYS: None

ABSTAIN: None

4. **UN-51-15 (52231) CRITTER CARE PYLON SIGN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SHARON GORMAN ON BEHALF OF DOCGORM LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW A 35-FOOT HIGH PYLON SIGN. THE PROPERTY IS LOCATED AT 3250 NORTH DECATUR BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-07-410-009. (FOR POSSIBLE ACTION)**

This item was presented by Robert Eastman, Principal Planner.

Mr. Eastman stated the proposed sign is for an existing veterinary clinic that was built in 2000. Under the existing code, an 18-foot tall sign (125 square feet in area) would be permitted. The proposed sign is 120 square feet in area and is in compliance; however, the applicant is requesting 35 feet in height which is 17 feet above the permitted sign height.

Mr. Eastman advised neighboring business signs to the south are taller than 18 feet, and are originally approved under an older code that allowed taller signs. Since that time, the zoning code changed to limit the proliferation of taller signs.

Mr. Eastman advised a 35-foot sign is more appropriate for a larger retail center or small shopping center.

Staff recommended the item be denied.

The conditions 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 sign shall be constructed using the same colors of the principal building.

Sharon Gorman, 5720 Turkey Lane, Las Vegas, applicant, stated she wanted their sign to be visible. Surrounding signs were 35-foot tall and they did not want their sign to be lost among them. People did not realize a veterinary clinic was there, when the business had been at that location for 15 years.

Vice-Chairman Kraft opened the public hearing. Vice-Chairman Kraft closed the public hearing.

Commissioner Robison asked why the applicant requested a 35-foot tall sign and stated it seemed tall. Ms. Gorman responded she wanted a sign that would be visible. The applicant stated the Magoo and Sinclair signs and the trees in the area block visibility at 20 feet.

Commissioner Perkins advised she drove along the Decatur/Cheyenne area frequently and said a 35-foot sign would be in competition with the trees. She was not comfortable creating a precedent with a higher sign and stated a lower sign would be preferred.

Vice-Chairman Kraft stated the Planning Commission was in receipt of a memorandum from the Clark County Department of Aviation which opposed this sign request because of its close proximity to the North Las Vegas airport, and advised the applicant is required to submit FAA 7460-1 form to the Department of Aviation.

Commissioner Robison asked if the applicant considered placing a sign beneath the trees as suggested by Commissioner Perkins. Ms. Gorman stated the sign would be sitting in bushes and would not be visible.

Mr. Eastman stated a pylon sign setback is two (2) feet from the property line; whereas, the proposed pylon sign would require a ten (10) foot setback from the property line, and would be closer to the street. As long as the applicant is in compliance with the landscaping requirement, they would have the ability to remove some of the intervening shrubs. Based upon staff's review and driving down the site there is an abundance of landscaping, and some of it could be removed to provide better site lines for the signage.

Vice-Chairman Kraft stated it may be more appropriate to table this item until the next meeting and for the applicant to work with staff. Mr. Eastman stated the applicant could work with staff on any sign design up to 18 feet in height. Staff could work with the applicant administratively on a monument sign (for example).

Vice-Chairman Kraft asked the applicant if she would be receptive to a continuance and working with staff to discuss possible options.

Ms. Gorman stated this business has been open for five months and their customers had difficulty locating it, and she would be willing to discuss this issue further with staff.

Commissioner Acevedo added it may be in her best interest to also address completion the FAA form during this time.

ACTION: CONTINUED TO OCTOBER 14, 2015

MOTION: Commissioner Stone

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

NAYS: None

ABSTAIN: None

5. **UN-52-15 (52234) LSV LEGACY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY VERIZON WIRELESS, ON BEHALF OF LAACO LTD., PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A MULTIPLE TELECOMMUNICATION TOWER FACILITY. THE PROPERTY IS LOCATED AT 7005 NORTH COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-22-101-014. (FOR POSSIBLE ACTION)**

This item was presented by Robert Eastman, Principal Planner.

Mr. Eastman advised the proposed tower would be a third tower within an existing multiple telecommunication facility. The proposed tower would be a 90-foot tall palm tree tower and includes a 90-foot and 100-foot tower designed to resemble palm trees.

The site is in compliance with most of the design standards from a construction standpoint. The proposed tower does not comply with the setback requirements; however, the existing two towers are in compliance. The proposed tower is slightly closer and needs to be moved back 20 feet to comply with the 200-foot setback requirements. The existing tower setbacks are proposed at approximately 177 feet.

Staff does not anticipate the addition of the third tower would have negative impacts on the neighborhood and recommends approval subject to conditions listed.

The conditions 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. All antenna arrays shall be flush mounted and comply with the stealth design requirements.

3. The equipment sheds shall be constructed of decorative block, stone or stucco because they exceed the height of the enclosed wall.

Trina Lines (phonetic), 4041 S. McClintock Dr., Suite 302, Tempe, AZ, spoke with their RF Engineer who advised they will be able to shift the location in order to comply with the setback requirements.

Vice-Chairman Kraft opened the public hearing. Vice-Chairman Kraft closed the public hearing.

Commissioner Acevedo asked why the additional tower was needed so close to the existing two towers. Ms. Lines stated the existing towers were for other carriers providing different services. The proposed tower was specifically for Verizon Wireless customers.

Commissioner Robison disclosed he is employed by Century Link who partners with Verizon Wireless and a number of other communication companies. Commissioner Robison advised he did not believe the independence of judgment of a reasonable person in his situation would be materially affected. Because this is not a clear case of a disqualifying conflict of interest, he will be voting on this item.

ACTION: APPROVED

MOTION: Commissioner Acevedo

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

NAYS: None

ABSTAIN: None

6. **ZN-09-15 (52276) CENTENNIAL AND VALLEY NORTH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREYSTONE NEVADA LLC, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM ITS CURRENT DESIGNATION OF R-2, SINGLE FAMILY MEDIUM DENSITY DISTRICT TO AN R-CL, SINGLE-FAMILY COMPACT LOT RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF CENTENNIAL PARKWAY AND VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-30-510-004. (FOR POSSIBLE ACTION)**

This item was presented by Robert Eastman, Principal Planner.

Mr. Eastman requested Item Nos. 6 (ZN-09-15), 7 (VAC-05-15) and 8 (T-1375) be heard concurrently since these are related. These items were voted upon separately.

Item No. 6 (ZN-09-15)

The applicant is proposing to develop a single-family residential subdivision containing 153 lots, and requesting a rezoning from R-2, Single-Family Medium Density District to the R-CL, Single-Family Compact Lot Residential District. Originally, when this item was approved two years ago, R-2 was the appropriate zoning classification because R-2 allowed single-family developments with 4,000 square foot lots. However, since that time, the City has amended the zoning code and reactivated the R-CL Residential Compact Lot District which allowed single-family homes on 3,600 square foot lots. Additionally, with the amendment, the R-2 District was changed back to require an attached product, such as duplexes, fourplexes, etc.; therefore, the R-2 District is no longer the most appropriate zoning classification for a single-family development. This zoning change brings the proposed tentative map and proposed subdivision into compliance with our current zoning code.

Staff recommended approval of ZN-09-15 and requested the item be forwarded to City Council for final action.

Item No. 7 (VAC-05-15)

The applicant is requesting to vacate a portion of Valley Drive from Mineral Waters Drive to the Clark County 215. Mineral Waters Drive is the cul-de-sac built by KB Home at the end of Valley Drive and the vacation would be extended to the north. This is the same vacation approved with the KB Home development to the west. The applicant would complete the vacation at Valley. Mr. Eastman advised he wanted to vacate the right turn bus lane on Centennial Parkway and a bus turn-out lane on Valley Drive; and a utility easement along Centennial Parkway and Valley Drive.

The proposed vacation allows the subdivision to be resubdivided and developed using the R-CL District. The applicant has filed a request (ZN-09-15) to reclassify the surrounding parcel from the R-2, Single-Family Medium Density District to the R-CL, Single-Family Compact Lot Residential District and a Tentative Map (T-1375).

Staff noted that along the Valley Drive alignment there is a very large SNWA water line, and as a result there will be a large utility easement on top of the vacated right-of-way. With the accompanying tentative map, the applicant will construct the City's trail connection to the CC-215 trail within the vacated Valley Drive right-of-way. While staff has no objections to the vacation, it should be noted the utility easement will limit future landscaping opportunities with large trees (roots would damage the water line) and landscape will be limited shrubs and ground cover plants.

Staff recommended approval of VAC-05-15 and requested the item be forwarded to City Council for final action.

Item No. 8 (T-1375)

The applicant is requesting approval of a 153-lot tentative map on approximately twenty-five (25) acres at a density of 6.06 dwelling units per acre. This tentative map and associated rezoning (ZN-09-15) are to conform with the amendments to the zoning ordinance.

In general, the subdivision is in compliance with the design standards and zoning code. There are two (2) lots currently under the proposed tentative map that are not in compliance with minimum lot width. Upon review, it was determined there is adequate space to slightly change some of the lot lines and still meet the required 40-foot minimum lot width.

All lots meet the landscape requirements and open space requirements. Most of the open space is located in the park in the entryway of the development. There is also a large walkway along the north side that is adjacent to another large landscaped area (the Southside of the Aliante Master Plan Community). Being adjacent to this will create a 100-foot wide landscape paseo. Staff requested the developer create a recreation node in a similar fashion to Aliante's trails.

Staff recommended approval of the tentative map with Condition No. Three (3) deleted.

Bob Gronauer, 1980 Festival Plaza Dr., Las Vegas, appeared on behalf the applicant, Lennar Homes, and stated he concurred with all of staff's recommendations on the zone change, vacation and tentative map, including the changes to the conditions to the tentative map.

Vice-Chairman Kraft opened the public hearing for Item Nos. 6 (ZN-09-15) and 7 (VAC-05-15). He noted two cards were received from the same person and confirmed with that person he wished to speak on both items.

Ken Klosterman, 6127 Sage Hills Pl., North Las Vegas, stated after attending a neighborhood meeting, he no longer opposes these items.

Vice-Chairman Kraft closed the public hearing on ZN-09-15.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Stone

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

NAYS: None

ABSTAIN: None

7. **VAC-05-15 (52279) CENTENNIAL AND VALLEY NORTH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREYSTONE NEVADA LLC, PROPERTY OWNER, TO VACATE A PORTION OF A FIVE (5) FOOT UTILITY EASEMENT EAST OF VALLEY DRIVE; VALLEY DRIVE FROM MINERAL WATERS DRIVE TO CLARK COUNTY 215; A BUS TURN OUT ON VALLEY DRIVE NORTH OF CENTENNIAL PARKWAY; AND A RIGHT TURN LANE ON CENTENNIAL PARKWAY EAST OF VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-30-510-004. (FOR POSSIBLE ACTION)**

This item was presented by Robert Eastman, Principal Planner.

Mr. Eastman requested Item Nos. 6 (ZN-09-15), 7 (VAC-05-15) and 8 (T-1375) be heard concurrently since these are related. These items were voted upon separately.

Item No. 6 (ZN-09-15)

The applicant is proposing to develop a single-family residential subdivision containing 153 lots, and requesting a rezoning from R-2, Single-Family Medium Density District to the R-CL, Single-Family Compact Lot Residential District. Originally, when this item was approved two years ago, R-2 was the appropriate zoning classification because R-2 allowed single-family developments with 4,000 square foot lots. However, since that time, the City has amended the zoning code and reactivated the R-CL Residential Compact Lot District which allowed single-family homes on 3,600 square foot lots. Additionally, with the amendment, the R-2 District was changed back to require an attached product, such as duplexes, fourplexes, etc.; therefore, the R-2 District is no longer the most appropriate zoning classification for a single-family development. This zoning change brings the proposed tentative map and proposed subdivision into compliance with our current zoning code.

Staff recommended approval of ZN-09-15 and requested the item be forwarded to City Council for final action.

Item No. 7 (VAC-05-15)

The applicant is requesting to vacate a portion of Valley Drive from Mineral Waters Drive to the Clark County 215. Mineral Waters Drive is the cul-de-sac built by KB Home at the end of Valley Drive and the vacation would be extended to the north. This is the same vacation approved with the KB Home development to the west. The applicant would complete the vacation at Valley. Mr. Eastman advised he wanted to vacate the right turn bus lane on Centennial Parkway and a bus turn-out lane on Valley Drive; and a utility easement along Centennial Parkway and Valley Drive.

The proposed vacation allows the subdivision to be resubdivided and developed using the R-CL District. The applicant has filed a request (ZN-09-15) to reclassify the surrounding parcel from the R-2, Single-Family Medium Density District to the R-CL, Single-Family Compact Lot Residential District and a Tentative Map (T-1375).

Staff noted that along the Valley Drive alignment there is a very large SNWA water line, and as a result there will be a large utility easement on top of the vacated right-of-way. With the accompanying tentative map, the applicant will construct the City's trail connection to the CC-215 trail within the vacated Valley Drive right-of-way. While staff has no objections to the vacation, it should be noted the utility easement will limit future landscaping opportunities with large trees (roots would damage the water line) and landscape will be limited shrubs and ground cover plants.

Staff recommended approval of VAC-05-15 and requested the item be forwarded to City Council for final action.

The conditions for VAC-05-15 are as follows:

Planning & Zoning:

1. A public utility easement shall be granted to the Southern Nevada Water Authority, for the entire 40-foot width from Mineral Waters Drive to CC-215.
2. Deep rooting trees and shrubs and large boulders shall not be permitted within the entire 40-foot width from Mineral Waters Drive to CC-215.

Public Works:

3. The vacation must record concurrently with the final map and upon completion of the civil improvement plan review. Should the Order of Vacation not record within two years from the approval date, the vacation shall be deemed null and void.
4. A pedestrian access easement shall be granted on the associated final map for the sidewalk within the area of Valley Drive being vacated.
5. A Public Utility Easement shall be reserved over the area of Valley Drive north of the cul-de-sac.

Item No. 8 (T-1375)

The applicant is requesting approval of a 153-lot tentative map on approximately twenty-five (25) acres at a density of 6.06 dwelling units per acre. This tentative map and associated rezoning (ZN-09-15) are to conform with the amendments to the zoning ordinance.

In general, the subdivision is in compliance with the design standards and zoning code. There are two (2) lots currently under the proposed tentative map that are not in compliance with minimum lot width. Upon review, it was determined there is adequate space to slightly change some of the lot lines and still meet the required 40-foot

minimum lot width.

All lots meet the landscape requirements and open space requirements. Most of the open space is located in the park in the entryway of the development. There is also a large walkway along the north side that is adjacent to another large landscaped area (the Southside of the Aliante Master Plan Community). Being adjacent to this will create a 100-foot wide landscape paseo. Staff requested the developer create a recreation node in a similar fashion to Aliante's trails.

Staff recommended approval of the tentative map with Condition No. Three (3) deleted.

Bob Gronauer, 1980 Festival Plaza Dr., Las Vegas, appeared on behalf the applicant, Lennar Homes, and stated he concurred with all of staff's recommendations on the zone change, vacation and tentative map, including the changes to the conditions to the tentative map.

Vice-Chairman Kraft opened the public hearing for Item Nos. 6 (ZN-09-15) and 7 (VAC-05-15). He noted two cards were received from the same person and confirmed with that person he wished to speak on both items.

Ken Klosterman, 6127 Sage Hills Pl., North Las Vegas, stated after attending a neighborhood meeting, he no longer opposes these items.

Vice-Chairman Kraft closed the public hearing on VAC-05-15.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Acevedo

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

NAYS: None

ABSTAIN: None

8. **T-1375 (52278) CENTENNIAL AND VALLEY NORTH. AN APPLICATION SUBMITTED BY GREYSTONE NEVADA LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-2, SINGLE-FAMILY MEDIUM DENSITY DISTRICT (PROPOSED PROPERTY RECLASSIFICATION TO AN R-CL, SINGLE-FAMILY COMPACT LOT RESIDENTIAL DISTRICT) TO ALLOW 153 SINGLE-FAMILY LOTS. THE PROPERTY IS LOCATED AT NORTHEAST CORNER OF CENTENNIAL PARKWAY AND VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-30-510-004. (FOR POSSIBLE ACTION)**

This item was presented by Robert Eastman, Principal Planner.

Mr. Eastman requested Item Nos. 6 (ZN-09-15), 7 (VAC-05-15) and 8 (T-1375) be heard concurrently since these are related. These items were voted upon separately.

Item No. 6 (ZN-09-15)

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Staff recommended approval of the item and requested ZN-09-15 be forwarded to City Council for final action.

Item No. 7 (VAC-05-15)

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The proposed vacation allows the subdivision to be resubdivided and developed using the R-CL District. The applicant has filed a request (ZN-09-15) to reclassify the surrounding parcel from the R-2, Single-Family Medium Density District to the R-CL, Single-Family Compact Lot Residential District and a Tentative Map (T-1375).

Staff noted that along the Valley Drive alignment there is a very large SNWA water line, and as a result there will be a large utility easement on top of the vacated right-of-way. With the accompanying tentative map, the applicant will construct the city's trail connection to the CC-215 trail within the vacated Valley Drive right-of-way. While staff has no objections to the vacation, it should be noted the utility easement will limit future landscaping opportunities with large trees (roots would damage the water line) and landscape will be limited shrubs and ground cover plants.

Staff recommended approval of VAC-05-15 and requested the item be forwarded to City

Council for final action.

Item No. 8 (T-1375)

The applicant is requesting approval of a 153-lot tentative map on approximately twenty-five (25) acres at a density of 6.06 dwelling units per acre. This tentative map and associated rezoning (ZN-09-15) are to conform with the amendments to the zoning ordinance.

In general, the subdivision is in compliance with the design standards and zoning code. There are two (2) lots currently under the proposed tentative map that are not in compliance with minimum lot width. Upon review, it was determined there is adequate space to slightly change some of the lot lines and still meet the required 40-foot minimum lot width.

All lots meet the landscape requirements and open space requirements. Most of the open space is located in the park in the entryway of the development. There is also a large walkway along the north side that is adjacent to another large landscaped area (the Southside of the Aliante Master Plan Community). Being adjacent to this will create a 100-foot wide landscape paseo. Staff requested the developer create a recreation node in a similar fashion to Aliante's trails.

Staff recommended approval of the tentative map with Condition No. Three (3) deleted.

The conditions for T-1375 are as follows:

Planning & Zoning:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. The Valley Drive right-of way shall be converted into a regional trail. The trail shall extend from the existing cul-de-sac north to CC-215, and shall be paved with either concrete or asphalt and be a minimum of 12 feet in width.
3. ~~Two (2) 20-foot wide linear pedestrian connections shall be provided from the subdivision to the City's planned trail in the Valley Drive / CC-215 right of way. The connections shall be provided in the vicinity of lots 70 and 71 and in the vicinity of lots 50 and 51.~~
4. The following open space and recreational amenities shall be provided within Common Element "N:"
 - a. One Picnic table
 - b. Park Benches
 - c. One BBQ grille

- d. One Shade structure (20' X 20')
 - e. Trash receptacles
 - f. Pet Stations
 - g. Turf play area
5. If a wall is provided around the development, a break in wall plane must be provided a minimum of every 500 feet and be achieved as outlined in Section 17.24.070(B)(1)(b)(A)(1-5) of the Municipal Code, (Title 17).
6. The tentative map shall become null and void should the accompanying rezoning request (ZN-09-14) be denied by the City Council.

Public Works:

7. 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.
8. Approval of a drainage study is required prior to submittal of the civil improvement plans.
9. Due to the proximity of CC 215, Clark County Public Works concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
10. 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*, or as otherwise approved by the Director of Public Works or his designee.
11. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
12. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100:
- a. Centennial Parkway (100')
 - b. Valley Drive (80')
13. 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.

14. The subdivision entrance street (Road "D") along Centennial Parkway shall be relocated to the east to align with the entrance street for Centennial and Valley South subdivision.
15. The developer is required to construct a raised, landscaped median within Centennial Parkway. The median shall be constructed per *Clark County Area Uniform Standard Drawing* numbers 218 PCC and 219 "A" type island curb.
16. The property owner is required to grant roadway easements where public and private streets intersect.
17. All common elements shall be labeled and are to be maintained by the Home Owners Association.
18. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
19. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
20. 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.
21. A revocable encroachment permit for landscaping within the public right of way is required.
22. A construction phasing plan, depicting onsite development and supporting offsite improvements, as well as construction access routes, shall be provided by the developer. Approval by the Department of Public Works is required prior to the issuance of any permits.
23. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e., telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.
24. All residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222.
25. Proposed residential driveway slopes shall not exceed twelve percent (12%).
26. 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.

27. The applicant shall coordinate with Kern River Gas Transmission Company to provide access to their existing gas line.
28. This application shall comply with the conditions of approval for VAC-05-15.

Bob Gronauer, 1980 Festival Plaza Dr., Las Vegas, appeared on behalf the applicant, Lennar Homes, and stated he concurred with all of staff's recommendations on the zone change, vacation and tentative map, including the changes to the conditions to the tentative map.

Vice-Chairman Kraft opened the public hearing for Item Nos. 6 (ZN-09-15) and 7 (VAC-05-15). He noted two cards were received from the same person and confirmed with that person he wished to speak on both items.

Ken Klosterman, 6127 Sage Hills Pl., North Las Vegas, stated after attending a neighborhood meeting, he no longer opposes these items.

ACTION: APPROVED AS AMENDED; CONDITION NO. 3 DELETED

MOTION: Commissioner Perkins

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

NAYS: None

ABSTAIN: None

9. **ZN-10-15 (52280) CENTENNIAL AND VALLEY SOUTH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREYSTONE NEVADA LLC, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM ITS CURRENT DESIGNATION OF R-2, SINGLE FAMILY MEDIUM DENSITY DISTRICT TO AN R-CL, SINGLE-FAMILY COMPACT LOT RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-30-510-003 AND 124-30-610-004. (FOR POSSIBLE ACTION)**

This item was presented by Robert Eastman, Principal Planner.

Mr. Eastman requested Item Nos. 9 (ZN-10-15), 10 (VAC-06-15) and 11 (T-1376) be heard concurrently since they are all related. These are for a similar subdivision located just south of the previously heard item heard. Each item would be voted upon separately.

Item No. 9 (ZN-10-15)

The applicant is requesting to change the zoning classification from an R-2, Single-Family Medium Density District to an R-CL, Single-Family Compact Lot Residential District. The rezoning is similar in all respects to the one located to the north. The subdivision was originally developed under the R-2 classification and the applicant is now requesting an R-CL development zoning classification to comply with the existing zoning classification.

Staff recommended approval of the item and requested the item be forwarded to City Council for final action.

Item No. 10 (VAC-06-15)

The applicant is requesting to vacate a three (3) foot utility easement around the perimeter of the two parcels and a 15-foot utility easement that runs through the middle of the existing development. This vacation will allow the applicant to develop the site as proposed.

Staff recommended approval of the item subject to the conditions listed in the Staff Report dated September 9, 2015, and requested the item be forwarded to City Council for final action.

Item No. 11 (T-1376)

The applicant is requesting approval of a tentative map in an R-2, Single-Family Medium Density District with a proposed property reclassification to an R-CL, Single-Family Compact Lot Residential District. The tentative map is for a 137-lot subdivision with a density of approximately five (5) units to the acre. The lots are larger than the ones in the previous development. In general, the lots are 50 feet by 105 feet (slightly over 5,000 square feet). All meet the minimum lot size; the smallest lot is 5,000 square feet and the largest is 9,400 square feet. The subdivision meets the open space requirement and has two (2) small pocket parks located in the development.

Bob Gronauer, 1980 Festival Plaza Dr., Las Vegas, appeared on behalf of the applicant, Lennar Homes, and stated he concurred with all of staff's recommendations on the zone change, vacation and tentative map.

Vice-Chairman Kraft opened the public hearing on Item Nos. 9 (ZN-10-15) and 10 (ZN-10-15).

Ken Klosterman, 6127 Sage Hills Place, North Las Vegas, announced he wished to pass on this item.

Vice-Chairman Kraft closed the public hearing on ZN-10-15.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Stone

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

NAYS: None

ABSTAIN: None

10. VAC-06-15 (52282) CENTENNIAL AND VALLEY SOUTH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREYSTONE NEVADA LLC, PROPERTY OWNER, TO VACATE A THREE (3) FOOT UTILITY EASEMENT ALONG THE PERIMETER OF THE PARCEL AND THROUGH THE EXISTING DEVELOPMENT. THE ASSESSOR'S PARCEL NUMBERS ARE 124-30-510-003 AND 124-30-610-004. (FOR POSSIBLE ACTION)

This item was presented by Robert Eastman, Principal Planner.

Mr. Eastman requested Item Nos. 9 (ZN-10-15), 10 (VAC-06-15) and 11 (T-1376) be heard concurrently since they are all related. These are for a similar subdivision located just south of the previously heard item heard.

Item No. 9 (ZN-10-15)

The applicant is requesting to change the zoning classification from an R-2, Single-Family Medium Density District to an R-CL, Single-Family Compact Lot Residential District. The rezoning is similar in all respects to the one located to the north. The subdivision was originally developed under the R-2 classification and the applicant is now requesting an R-CL development zoning classification to comply with the existing zoning classification.

Staff recommended approval of the item and requested the item be forwarded to City Council for final action.

Item No. 10 (VAC-06-15)

The applicant is requesting to vacate a three (3) foot utility easement around the perimeter of the parcel and a 15 foot utility easement that runs through the middle of the existing development. This vacation will allow the applicant to develop the site as proposed.

Staff recommended approval of the item subject to the condition listed in the Staff Report dated September 9, 2015, and requested the item be forwarded to City Council for final action:

Public Works:

1. The vacation must record concurrently with the final map and upon completion of the civil improvement plan review. Should the Order of Vacation not record within two years from the approval date, the vacation shall be deemed null and void.

Item No. 11 (T-1375)

The applicant is requesting approval of a tentative map in an R-2, Single-Family Medium Density District with a proposed property reclassification to an R-CL, Single-Family Compact Lot Residential District. The tentative map is for a 137-lot subdivision with a density just around 5 units to the acre. The lots are larger than the ones in the previous development. In general the lots are 50 feet by 105 feet (a little over 5,000 square feet). All meet the minimum lot size; the smallest lot is 5,000 square feet and the largest is 9,400 square feet. The subdivision meets the open space requirement and has two (2) small parks located in the development.

Staff recommended approval of the tentative map subject to the conditions listed in the Staff Report dated September 9, 2015.

Bob Gronauer, 1980 Festival Plaza Dr., Las Vegas, appeared on behalf of the applicant, Lennar Homes, and stated he concurred with all of staff's recommendations on the zone change, vacation and tentative map.

Vice-Chairman Kraft opened the public hearing.

Ken Klosterman, 6127 Sage Hills Place, North Las Vegas, announced he wished to pass on this item.

Vice-Chairman Kraft closed the public hearing for VAC-06-15.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Acevedo

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

NAYS: None

ABSTAIN: None

11. **T-1376 (52281) CENTENNIAL AND VALLEY SOUTH. AN APPLICATION SUBMITTED BY GREYSTONE NEVADA LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-2, SINGLE-FAMILY MEDIUM DENSITY DISTRICT (PROPOSED PROPERTY RECLASSIFICATION TO AN R-CL, SINGLE-FAMILY COMPACT LOT RESIDENTIAL DISTRICT) TO ALLOW 137 SINGLE-FAMILY LOTS. THE PROPERTY IS LOCATED AT SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-30-510-003 AND 124-30-610-004. (FOR POSSIBLE ACTION)**

This item was presented by Robert Eastman, Principal Planner.

Mr. Eastman requested item no's 9 (ZN-10-15), 10 (VAC-06-15) and 11 (T-1376) be heard concurrently since they are all related. These are for a similar subdivision located just south of the previously heard item heard.

Item No. 9 (ZN-10-15)

The applicant is requesting to change the zoning classification from an R-2, Single-Family Medium Density District to an R-CL, Single-Family Compact Lot Residential District. The rezoning is similar in all respects to the one located to the north. The subdivision was originally developed under the R-2 classification and the applicant is now requesting an R-CL development zoning classification to comply with the existing zoning classification.

Staff recommended approval of the item and requested the item be forwarded to City Council for final action.

Item No. 10 (VAC-06-15)

The applicant is requesting to vacate a three (3) foot utility easement around the perimeter of the parcel and a 15-foot utility easement that runs through the middle of the existing development. This vacation will allow the applicant to develop the site as proposed.

Staff recommended approval of the item subject to the conditions listed in the Staff Report dated September 9, 2015, and requested the item be forwarded to City Council for final action.

Item No. 11 (T-1375)

The applicant is requesting approval of a tentative map in an R-2, Single-Family Medium Density District with a proposed property reclassification to an R-CL, Single-Family Compact Lot Residential District. The tentative map is for a 137-lot subdivision with a density just around 5 units to the acre. The lots are larger than the ones in the

previous development. In general the lots are 50 feet by 105 feet (a little over 5,000 square feet). All meet the minimum lot size; the smallest lot is 5,000 square feet and the largest is 9,400 square feet. The subdivision meets the open space requirement and has two (2) small parks located in the development.

Staff recommended approval of the tentative map subject to the conditions listed in the Staff Report dated September 9, 2015:

Planning & Zoning:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. If a wall is provided around the development, a break in wall plane must be provided a minimum of every 500 feet and be achieved as outlined in Section 17.24.070(B)(1)(b)(A)(1-5) of the Municipal Code, (Title 17).
3. The tentative map shall become null and void should the accompanying rezoning request (ZN-10-14) not be approved by the City Council.

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. 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*, or as otherwise approved by the Director of Public Works or his designee.
7. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.

8. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100:
 - a. Centennial Parkway (100')
 - b. Valley Drive (80')
9. 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.
10. The developer is required to construct a raised, landscaped median within Centennial Parkway. The median shall be constructed per *Clark County Area Uniform Standard Drawing* numbers 218 PCC and 219 "A" type island curb.
11. The property owner is required to grant roadway easements where public and private streets intersect.
12. All common elements shall be labeled and are to be maintained by the Home Owners Association.
13. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
14. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
15. 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.
16. A revocable encroachment permit for landscaping within the public right of way is required.
17. A construction phasing plan, depicting onsite development and supporting offsite improvements, as well as construction access routes, shall be provided by the developer. Approval by the Department of Public Works is required prior to the issuance of any permits.
18. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e., telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.
19. All residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222.

20. Proposed residential driveway slopes shall not exceed twelve percent (12%).
21. 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.
22. This application shall comply with the conditions of approval for VAC-06-15.

Bob Gronauer, 1980 Festival Plaza Dr., Las Vegas, appeared on behalf of the applicant, Lennar Homes, and stated he concurred with all of staff's recommendations on the zone change, vacation and tentative map including the conditions for the tentative map.

Ken Klosterman, 6127 Sage Hills Place, North Las Vegas, announced he wished to pass on this item.

ACTION: APPROVED

MOTION: Commissioner Acevedo

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

NAYS: None

ABSTAIN: None

12. **UN-48-15 (52051) SERENITY FUNERAL HOME (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RAYMOND GIDDENS ON BEHALF OF BKM CHEYENNE 104 LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW A FUNERAL HOME AND MORTUARY. THE PROPERTY IS LOCATED AT 3435 WEST CHEYENNE AVENUE, SUITE 105. THE ASSESSOR'S PARCEL NUMBER IS 139-17-101-006. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

The applicant is requesting a special use permit for a funeral home and mortuary. The property is zoned M-2, General Industrial District. The suite the applicant is proposing to occupy is approximately 7,500 square feet in size. This particular site was originally developed an office, warehouse and business park. The applicant is proposing to go into the western part of the building that fronts Cheyenne Avenue. The applicant has indicated in their letter of intent that no cremations will take place on site. Typically for funeral homes parking is based on the maximum occupancy allowed in the building. Based upon the size of the building, staff anticipates the maximum occupancy will be

approximately 499 people; however, the applicant has not given staff a floor plan that shows how they will arrange that building to do tenant improvements. Staff anticipates occupancy will be less than that number. Based on the occupancy of 499 people, 125 parking spaces will be required for that suite.

When the site was originally constructed, the required parking spaces at that time were 85-100 spaces. However, the site was developed with approximately 289 parking spaces and resulted in more spaces than required. Staff does not expect the occupancy to be as high as proposed, and there should be adequate parking available on the site.

Staff recommended approval of the item subject to the condition listed 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.

Raymond Gibbons, Jr., 111 Rancho Cir., Las Vegas, applicant, appeared before the Planning Commission to answer any questions.

Vice-Chairman Kraft opened the public hearing.

Jeff Alpert, 3828 Fuselier Dr., North Las Vegas, stated his support of the item. Mr. Alpert believed this item would not cause a problem because there are not many residential homes in the area. Mr. Alpert stated he was pleased to read the applicant's letter of intent that stated they want to be community minded and found this to be commendable.

Vice-Chairman Kraft closed the public hearing.

ACTION: APPROVED

MOTION: Commissioner Perkins

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

NAYS: None

ABSTAIN: None

13. **UN-49-15 (52218) FIT 2 YOUR CORE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY FIT 2 YOUR CORE INC. ON BEHALF OF BKM CHEYENNE 104 LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW AN INDOOR RECREATION CENTER (FITNESS CENTER). THE PROPERTY IS LOCATED AT 3575 WEST CHEYENNE AVENUE, SUITE 111. THE ASSESSOR'S PARCEL NUMBER IS 139-17-101-005. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

Mr. Jordan advised the applicant proposed to occupy a suite approximately 5,200 square feet in size. Peak business operations are from 5:00 a.m. to 7:00 a.m., Monday through Friday, and 9:00 a.m. to 10:00 a.m. on Saturday. Mr. Jordan stated there could be 20 people on site at any given time.

When the site was built, originally 70-80 parking spaces were required; currently, 258 spaces are provided. The site was originally designed as an office/warehouse type park.

Staff had no objections and recommended approval.

The conditions 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 associated activities take place within the building.

Richard Serfas, 2129 Stone Croft St., Las Vegas, represented the applicant and concurred with staff's conditions. Mr. Serfas stated Fit 2 Your Core had been in business for approximately six years in North Las Vegas, and was located on West Ann Road. The Grace Point Church took ownership of the property. Mr. Serfas expressed appreciation to City staff for their assistance.

Vice-Chairman Kraft opened the public hearing.

Jeff Alpert, 3828 Fuselier Dr., North Las Vegas, spoke in support of this item. Mr. Alpert encouraged the company to get involved in the community and to encourage children to get involved in exercise.

Vice-Chairman Kraft closed the public hearing.

ACTION: APPROVED

MOTION: Commissioner Acevedo

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

NAYS: None

ABSTAIN: None

14. **UN-53-15 (52251) AFFORDABLE COLLISION (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ROBERT BERLINGER, ON BEHALF OF PICO VEGAS LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW A VEHICLE REPAIR FACILITY. THE PROPERTY IS LOCATED AT 4220 EAST CRAIG ROAD, SUITES 1,2,3, AND 8. THE ASSESSOR'S PARCEL NUMBER IS 140-06-610-019. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

Mr. Jordan stated Affordable Collision is currently in business and is proposing to move their location to 4220 E. Craig Road. The building on site is approximately 24,000 square feet in size. Mr. Jordan advised there were uses that had already been approved in the building and pending consideration. Within two suites there is a medical marijuana cultivation facility that has been approved and also in another suite, a medical marijuana dispensary was approved, but has not received a provisional from the state. A request for medical marijuana production within another suite in this building is pending. Mr. Jordan stated there are other tenants in the north and south sides of the building. The applicant's suites are primarily on the south side of the building. The site has approximately 41 parking spaces and the applicant is required to have 18 parking spaces on the site. One requirement for auto repair is all vehicles awaiting repair must be stored and properly screened by a block wall or landscaping. Mr. Jordan stated because the building is in the center of the site, surrounded by parking, it may be difficult for the applicant to provide screened storage on the outside of the lot, as they need to maintain access to the north side of the building for the other tenants and to ensure access to that side of the building for the Fire Department.

Staff had no objections, but Mr. Jordan stated the applicant needed to be aware all vehicles stored on site must be screened or stored inside the building.

The conditions 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. All vehicles awaiting repair or pickup by the owner shall be stored in a screened storage area, or within the building.

Robert Berlinger, 11789 Lillie Rubin Ave., Las Vegas, applicant, appeared to answer any questions.

Vice-Chairman Kraft opened the public hearing. Vice-Chairman Kraft closed the public hearing.

Commissioner Robison confirmed with the applicant there were no issues with vehicle storage requirements.

Commissioner Acevedo confirmed with the applicant that hazardous materials would be properly handled and disposed of.

ACTION: APPROVED

MOTION: Commissioner Perkins

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

NAYS: None

ABSTAIN: None

15. **UN-57-15 (52277) SUNRISE CHILDREN'S FOUNDATION EARLY HEAD START (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SUNRISE CHILDREN'S FOUNDATION ON BEHALF OF TEXAS GAMBLING HALL & HOTEL INC., PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW A CHILD CARE CENTER. THE PROPERTY IS LOCATED AT 3755 WEST LAKE MEAD BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-19-602-001. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

Mr. Jordan stated the business hours of operation are between 6:00 a.m. and 6:00 p.m., Monday through Friday. The applicant proposed to occupy approximately four rooms within the building to care for approximately 32 infants and toddlers.

Previously, a child care center was located in the area which was part of the Texas Gambling Hall and Casino, and was for their employees. That business ceased operation more than six months ago, and as a result a new special use permit is needed to open another child care center.

There is another applicant within the building, Southern Nevada Children's First, which is a non-profit that provides services to children. The proposed child care center will operate in combination with that service. The site has not been changed.

Staff had no objections and recommended approval.

The condition is 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.

Dave Sanberg, Executive Director of Sunrise Children's Foundation, 8670 Cote Road, Las Vegas, appeared to answer questions.

Vice-Chairman Kraft opened the public hearing. Vice-Chairman Kraft closed the public hearing.

Commissioner Acevedo asked if this child care center was affiliated with the existing child care business. Mr. Sandberg stated there is a Memorandum of Understanding that they would take care of children ages zero to three to assist homeless mothers looking for work and education. They receive preferential treatment because of the nature of their income and homelessness. They score high on a qualification rating scale. At this time they are enrolled 50% and with their staff would be enrolled 75%.

ACTION: APPROVED

MOTION: Commissioner Robison

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

NAYS: None

ABSTAIN: None

16. **UN-54-15 (52256) MURPHY OIL USA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MURPHY OIL USA, INC. ON BEHALF OF FNBN PROPERTIES NEVADA LLC, C/O D. WALLACE, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE STORE WITH GAS PUMPS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND ALLEN LANE. THE ASSESSOR'S PARCEL NUMBER IS 124-30-813-033. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

Mr. Jordan requested Item Nos. 16 (UN-54-15) and 17 (UN-55-15) be heard concurrently since they are both related. Each would be voted upon separately.

Item 16 (UN-54-15)

The applicant is requesting a special use permit for a convenience store with gas pumps. The proposed site is located at 3742 Ann Road and is zoned C-2. The subject site is part of the Ann/Allen Development Agreement which was amended several times and was originally approved back in August 2000. According to the original development plan, the site is to be developed as C-2 with general commercial type uses. The applicant is proposing two structures on the site. The convenience store will be approximately 1,400 square feet in size and will have a canopy that stretches over the store with six fueling islands located on each side of the store. All of the underground fuel tanks will be located to the north where the proposed trash enclosure will be located. The pads for the ice, vacuum, air units, and propane tanks are shown behind the landscaping next to Ann Road. Staff had no objections to the design of the site with the following exceptions:

1. The elevation for the trash enclosure does not match the building. The trash enclosure needs to have the same type of design, materials and veneer, and it must have a roof over the trash enclosure.
2. The applicant indicated the gates of the trash enclosure are made of Fibertech composite which is a combination of man-made polymers and plastics, something that is not normally seen in this valley. Therefore, the applicant will have to ensure the type of gate can withstand the temperature and climate here; otherwise, they will have to put in a metal gate.
3. The applicant has indicated the ice pad, vacuum, air unit and propane tanks are located behind the landscaping along Ann Road. Staff requests these be moved to the north of the building, closer to the property line, and away from the street frontage.

The conditions 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. Pads for ice units and propane tanks shall be relocated north of the building and away from the street frontages.
3. The trash enclosure shall be designed to match the building in materials and colors, and contain a roof.
4. The area between the parking spaces and the northerly property line shall be landscaped in accordance with Title 17 requirements.

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. Approval of a drainage study is required prior to submittal of the civil improvement plans.
7. 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.

Item 17 (UN-55-15)

The applicant is requesting a special use permit to allow the “off-sale” of beer and wine in conjunction with the convenience store and gas pumps. This type of use is typically done through a Conditional Use, meaning it is an administrative process and if the applicant can demonstrate to staff they can comply with all the requirements in the zoning ordinance, the City can administratively approve it. For the “off-sale” of beer and wine, the applicant is required to meet a 400-foot separation from churches, schools, day care centers and parks. In this particular case, the applicant cannot demonstrate they meet the separation requirement from a church. As mentioned earlier, Grace Point is occupying two buildings to the north of this site and shares a common property line. Grace Point Church has already received their Special Use Permit and has already filed tenant improvements. As heard earlier in agenda, the fitness center that used to be located there had to be relocated because of the Grace Point Church. Therefore, the applicant has an option to come forward to the Planning Commission to request an approval of a Special Use permit because they cannot meet the separation requirements.

The Development Agreement that was approved in August 2000 showed this site as a commercial center and as part of a larger area that included office buildings, some future multi-family residential, and a fire station. The fire station was part of the Development Agreement when originally approved. That original development plan indicated there would be a convenience store with gas pumps and associated car wash. Even though it was not an approved use, it was an anticipated use. With the church moving into the commercial center, that use came to the center. It was designed as a commercial center. When it came to the separation requirements and the applicant was not able to meet the separation requirements, staff did not object to it because it was originally designed as a commercial center. Staff spoke with the church representatives and they indicated the church had no objections to that use.

Staff recommended approval of the item per the conditions listed in the Staff Report dated September 9, 2015.

Jennifer Lazovich, 1980 Festival Plaza Drive, Las Vegas, appeared on behalf of the applicant, Murphy Express, and introduced Edward Allen, consultant from GreenbergFarrow Architecture, to address traffic concerns, and Wayne Gibson, a representative and employee for Murphy Express. Ms. Lazovich stated Murphy Express is new to the southern Nevada area. They are popular in the south and east, and have 1,200 convenience stores with gas pumps across the nation. The North Las Vegas site will be the first project of the company's westward expansion. Murphy Express has applications for proposed sites in Clark County and Las Vegas. Ms. Lazovich stated the zoning map for the area is subject to the Development Agreement, is hard zoned C-2, and had been that way for some time. Ms. Lazovich stated a number of commercial buildings were there before but when the economy turned a few tenants moved in, one of which was Grace Point Church.

Ms. Lazovich reported the applicant held a volunteer neighborhood meeting on August 10, 2015, with four attendees present; three from Grace Point Church and one from the neighborhood. Attendees from Grace Point Church indicated they had no objections and subsequently sent correspondence indicating the same. Ms. Lazovich gave the examples of other commercial uses permitted for this area such as fast food restaurants and 24-hour type businesses. Ms. Lazovich stated this area is hard zoned C-2 with a Development Agreement that at one time showed plans for a convenience store with gas station and car wash. She stated for the record that a car wash is not going in with this project. Ms. Lazovich said City staff stated this item complies with the Ann/Allen Development Agreement and staff recommended approval of both items.

Vice-Chairman Kraft opened the public hearing asked the citizens if they wished to speak on both items and if they wanted their comments to carry from one item to the next.

Iris Gross, P.O. Box 336314, North Las Vegas, spoke in opposition to the two related items. Ms. Gross stated this corner did not reflect the rest of the development, which included nice office buildings -- medical and attorney's offices. She did not see how a Development Agreement that was 15 years old could be amended at this point. She was not notified of the neighborhood meeting until the night before.

Ms. Gross stated there are three residential corners at Ann and Allen. The commercial is only in one development. She is concerned this will decrease the property values for the homes located at the three corners of Ann Road and Allen Lane. She felt there will be an increase in traffic problems, noise, crime, noise, and the canopy that covers the building was huge and will be an eyesore. Ms. Gross was concerned about the operating hours and crime. She also stated she was concerned that if the church wanted to put a day care there they would not be able due to the alcohol sales.

David Baron, Esq., 3890 W. Ann Rd., North Las Vegas, spoke in opposition to the items. Mr. Baron stated his business is in the professional center immediately to the west of the proposed site. He stated this project is incompatible to the professional businesses in that area. He was concerned about numerous traffic problems that occurred over the past three months, crime, security, vandalism and illegal dumping. He stated he has issues with the liquor license per Title 17, NRS 5.26.270, Land Use and Location Requirements. Vice-Chairman Kraft asked that he address the beer/wine issues when Item No. 17 is heard.

Joseph Meservy, 3890 W. Ann Rd., North Las Vegas, spoke in opposition of both related items. Mr. Merservy is an associate of Mr. Baron and works at his office. He has been to the corner of Ann Road and Allen Lane and saw the graffiti tagged on the Grace Point Church billboard. He mentioned the City of Las Vegas is going through its second moratorium of "off-sale" liquor establishments because there are too many of these kinds of businesses already and they are not good for the community.

Jeff Alpert, 3828 Fuselier Dr., North Las Vegas, spoke in favor of the applicant. Mr. Alpert stated he did not attend the neighborhood meeting held on August 10, 2015 (Item Nos. 16 & 17), but did attend the community meeting held on August 3, 2015 (Item No. 18), for the Tropical Parkway/Losee Road location. He stated he was impressed with the company and commented the company's representatives were professional and responsive to the crowd. He felt this company appeared to be interested in North Las Vegas and will do well for the City.

Sean Till, 3612 Rio Paloma Ct., North Las Vegas, spoke in opposition to the item. Mr. Till lives two lots away from the proposed site. He is concerned about the continuity of planning and mentioned there are no other areas (intersections) that have a 24-hr gas station/convention store with three corners of residential. The only one he could think of was Clayton. He stated his concerns regarding access to the parking lot from the street and traffic flow. Mr. Till stated this is not a good location for this item.

Beatrice Brown, 3617 Rio Paloma Ct., North Las Vegas, spoke in opposition to the item. Ms. Brown lives directly across the street on the northeast corner. Ms. Brown purchased her home 10 years ago and lost a lot of property value due to the economic downturn. Ms. Brown's biggest concerns were the noise it would create, the bright lights, and overall decrease in property values. Ms. Brown said the elevation of the property is higher than the residential homes and is concerned that people will look down into the backyards. Ms. Brown stated this item will be an eyesore and bring the property values down even more.

Vice-Chairman Kraft closed the public hearing.

Ms. Lazovich responded to some of the questions and comments made during the public hearing. She stated the hours of operation will be 24-hours and the lighting would be facing downward under the canopy and there will be no light below or above the

parcel. With respect to the question about a future day care coming in, Ms. Lazovich said she will defer this to staff, and said should a day care want to come in, after this item was approved, it would be up to the day care to apply. Ms. Lazovich felt that “off-sale” beer and wine would not preclude them from applying.

With respect to the question regarding traffic ingress and egress, Ms. Lazovich stated there will be direct access once they put in a driveway off of Allen Lane. Currently, there is a common driveway that is shared by all, and access to this site can be obtained from north of Allen Lane. With respect to the questions regarding security, vandalism, and illegal dumping, Ms. Lazovich said developments with lighted areas deter these types of acts. Ms. Lazovich stated her opinion that vacant property is what attracts these types of activities. Ms. Lazovich said this project would provide 11 to 14 full-time jobs. With respect to the comments about noise, she stated the building would not play outdoor music and the noise level would not be any louder than the vehicles that presently travel the road.

Wayne Gibson, 422 N. Washington St., El Dorado, AK, a representative from Murphy Express, requested to speak on behalf of the site selection. Mr. Gibson felt this project is conducive to development. Mr. Gibson explained some of factors his company looks for when selecting a site, such as current zoning, growth area, if there are new schools, hospitals being built, household incomes, traffic, what their competitors are doing in area; what other retailers (ex: big box stores) exist; and lastly the potential land and development costs, including what infrastructure is already in place or what else might be needed in order to come to that site. Mr. Gibson explained this is one reason similar businesses locate across the street from each other. Mr. Gibson stated he did not believe saturation would be an issue with them coming into this location.

With respect to jobs created, Mr. Gibson said there would be a district manager based in El Dorado, Arkansas, who would oversee operations, and they expect to create 11-14 full-time jobs locally. Mr. Gibson said Murphy Express owns and operates its individual stores and does not franchise their stores. With technology in place, the district manager can zoom in on site and see what is happening in real-time. With respect to the question regarding traffic, Mr. Gibson replied stores do not create traffic; they just capture what is out there already. Mr. Gibson explained their type of store is not a destination per se; a consumer will not go across the city to get gasoline, but will most likely get gasoline within their immediate area. Mr. Gibson stated according to the Nevada Department of Transportation (NDOT), there are approximately 22,500 cars on Ann Road per day, and 4,000 to 5,000 cars on Allen Lane, so the noise coming from traffic is the noise that already exists. Mr. Gibson added there are no “squawk” boxes at their stores.

Commissioner Stone asked how this site sits in proximity to public safety facilities. Ms. Lazovich responded by mentioning north of drainage channel there is a fire station, which was built as part of the Development Agreement, and further down Allen Lane is a police substation.

Commissioner Stone asked Mr. Jordan if drinking wine or beer on site at a convenience store is illegal. Mr. Jordan clarified it is illegal to consume “off-sale” beer and wine on the premises.

Commissioner Robison asked Mr. Gibson why this particular site was selected instead of a more compatible site (ex: a vacant corner across the street from a Chevron). Mr. Gibson stated going west (on Ann Road) there is a Smith’s and going east there is a Terrible’s and it is an equal distance between the two. Mr. Gibson said his company looked at the metrics of the site, such as the going home site, the work site, the near corner, the far corner, and they looked at the high volume corners. Mr. Gibson explained there is a reason retailers want to sit there. Mr. Gibson said while there were other sites, the zoning may not have been at a cost they would be willing and able to pay.

Commissioner Robison asked if there is a median for the proposed entrance off of Allen Lane, and if there is a central median or will drivers will have to make a u-turn.

Edward Allen, GreenbergFarrow Architecture, 1430 W. Peachtree St., Suite 200, Atlanta, GA 30309, representing the applicant, stated in regard to access there is an existing median on both Allen Lane and Ann Road; however, they are not proposing a median break. Mr. Allen stated as you travel north on Allen Lane there is a further median break to the north of their site that one could turn in to; otherwise, as one heads west on Ann Road one can turn right into the shared access road directly to their site. With respect to the traffic study, Mr. Allen stated he believed the traffic study was submitted and expects it to be approved. Mr. Allen added if there were any negative traffic impacts they would mitigate those right away. Mr. Allen added they are paying towards a signal contribution for that intersection to address timing issues.

Commissioner Perkins asked Mr. Gibson if he knew the average distance a person would be willing to travel to get gas. Mr. Gibson stated it is generally a two-mile radius unless there is an unusual circumstance.

Commissioner Perkins commented on the graffiti concerns by stating as development occurs, the number of cameras and increased activity in the area will decrease graffiti in the area. Commissioner Perkins addressed property values and responded by saying when corners are undeveloped it does nothing for the property values; it is only when something of value is placed in a neighborhood it increases the property values.

Chairman Ewing stated he appreciated Mr. Alpert coming to the meeting and giving the Planning Commission information about the business, and said he found his comments helpful. Chairman Ewing asked Ms. Lazovich to advise, for the benefit of those concerned citizens, what the other types of businesses that could have gone on that site without having to appear before the Planning Commission.

Ms. Lazovich read from the North Las Vegas Zoning Code the C-2 uses that could have gone there and gave the following examples: residential facility for groups, halfway house for recovering alcohol and drug abusers, museum or library, automobile parking lot or parking garage, a veterinary or animal clinic, restaurants and fast food restaurants.

Commissioner Robison referred to the NDOT statistic of 22,500 vehicles traveling on Ann Road daily. He asked how many vehicles the applicant anticipated capturing through their facility.

Mr. Gibson said since this is a new area he really does not know at this point. Mr. Allen came forward and said based on traffic studies previously done for Murphy Express, new trips account for only about 10-15 percent. Once the site is established, 85 percent is captured from traffic that is already on the road. Mr. Gibson said most of the trips are convenience trips and the amount of new traffic generated is a very small percentage of traffic going to their site.

Commissioner Perkins added Grace Point church could outgrow their current facility and move to another site. Twenty (20) years from now Grace Point Church might not be there due to growth, but the gas station will.

ACTION: APPROVED

MOTION: Chairman Ewing

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

NAYS: Commissioner Robison

ABSTAIN: None

17. **UN-55-15 (52257) MURPHY OIL USA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MURPHY OIL USA, INC. ON BEHALF OF FBNB PROPERTIES NEVADA LLC, C/O D. WALLACE, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT TO REDUCE THE SEPARATION REQUIREMENTS FOR THE "OFF-SALE" OF BEER AND WIN IN CONJUNCTION WITH A CONVENIENCE STORE. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND ALLEN LANE. THE ASSESSOR'S PARCEL NUMBER IS 124-30-813-033. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

Mr. Jordan requested Item Nos. 16 (UN-54-15) and 17 (UN-55-15) be heard concurrently since they are both related.

Item 16 (UN-54-15)

The applicant is requesting a special use permit for a convenience store with gas pumps. The proposed site is located at 3742 Ann Road and is zoned C-2. The subject site is part of the Ann/Allen Development Agreement which was amended several times and was originally approved back in August 2000. According to the original development plan, the site is to be developed as C-2 with general commercial type uses. The applicant is proposing two structures on the site. The convenience store will be approximately 1,400 square feet in size and will have a canopy that stretches over the store with six gas pump islands located on each side of the store. All of the underground fuel tanks will be located to the north. The proposed trash enclosure is also proposed to be located to the north. The pads for the ice, vacuum, air units, and propane tanks are shown behind the landscaping next to Ann Road. Staff had no objections to the design of the site with the following exceptions:

1. The elevation for the trash enclosure does not match the building. The trash enclosure needs to have the same type of design, materials and veneer, and it must have a roof cover.
2. The applicant indicated the gates of the trash enclosure are made of Fibertech composite which is a combination of man-made polymers and plastics, something that is not normally seen in this valley. Therefore, the applicant will have to ensure the type of gate can withstand the temperature and climate here; otherwise, they will have to put in a metal gate.
3. The applicant has indicated the ice pad, vacuum, air unit and propane tanks are located behind the landscaping. Staff requests these be moved to the north of the building, closer to the property line, and away from the street frontage.

The original conditions as listed in the Staff Report dated September 9, 2015, are:

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. Pads for ice units and propane tanks shall be relocated north of the building and away from the street frontages.
3. The trash enclosure shall be designed to match the building in materials and colors, and contain a roof.
4. The area between the parking spaces and the northerly property line shall be landscaped in accordance with Title 17 requirements.

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. Approval of a drainage study is required prior to submittal of the civil improvement plans.
7. 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.

Jennifer Lazovich, 1980 Festival Plaza Drive, Las Vegas, NV 89135, appeared on behalf of the applicant, Murphy Express, and introduced Edward Allen, consultant from GreenbergFarrow Architecture, to address traffic concerns, and Wayne Gibson, a representative and employee for Murphy Express. Ms. Lazovich stated Murphy Express is new to the southern Nevada area. They are popular in the south and east, and have 1,200 convenience stores with gas pumps across the nation. The North Las Vegas site will be the first project of the company's westward expansion. Murphy Express has applications for proposed sites in Clark County and Las Vegas. Ms. Lazovich stated the zoning map for the area is subject to the Development Agreement, is hard zoned C-2, and had been that way for some time. Ms. Lazovich stated a number of commercial buildings were there before but when the economy turned a few tenants moved in, one of which was Grace Point Church.

Ms. Lazovich reported the applicant held a volunteer neighborhood meeting on August 10, 2015, with four attendees present; three from Grace Point Church and one from the neighborhood. Attendees from Grace Point Church indicated they had no objections and subsequently sent correspondence indicating the same. Ms. Lazovich gave the examples of other commercial uses permitted for this area such as fast food restaurants and 24-hour type businesses. Ms. Lazovich stated this area is hard zoned C-2 with a development agreement that at one time showed plans for a convenience store with gas station and car wash. She stated for the record that a car wash is not going in with this project. Ms. Lazovich said city staff stated this item complies with the Ann/Allen Development Agreement and they are recommending approval of both items.

Vice-Chairman Kraft opened the public hearing asked the citizens if they wished to speak on both items and if they wanted their comments to carry from one item to the next.

Iris Gross, P.O. Box 336314, North Las Vegas, spoke in opposition to the two items. Ms. Gross stated she was not notified of the neighborhood meeting until the night before. She asked what the hours of operation will be. She is concerned this will

decrease the property values for the homes located at the three corners of Ann Road and Allen Lane. She felt there will be an increase in traffic problems, noise, crime, noise, and the canopy that covers the building will be an eyesore. She also stated she was concerned that if the church wanted to put a day care there they would not be able due to the alcohol sales.

David Baron, Esq., 3890 W. Ann Rd., North Las Vegas, spoke in opposition to the items. Mr. Baron stated his business is in the professional center immediately to the west of the proposed site. He stated this project is incompatible to the professional businesses in that area. He was concerned about traffic problems, crime, security, vandalism and illegal dumping. He stated he has issues with the liquor license. Vice-Chairman Kraft asked that he address the beer/wine issues when item 17 is heard.

Joseph Meservy, 3890 W. Ann Rd., North Las Vegas, spoke in opposition of the items. Mr. Merservy said he is an associate of Mr. Baron and works at his office. He stated he has been to the corner of Ann Road and Allen Lane and saw the graffiti tagged on the Grace Point Church billboard. He mentioned the City of Las Vegas is going through its second moratorium of "off-sale" liquor establishments because there are too many of these kinds of businesses already and these are not good for the community.

Jeff Alpert, 3828 Fuselier Dr., North Las Vegas, spoke in favor of the applicant. Mr. Alpert stated he did not attend the neighborhood meeting held on August 10, 2015, but did attend the community meeting held on August 3, 2015, for the Tropical Parkway/Losee Road location. He stated he was impressed with company and commented the company's representatives were professional and responsive to the crowd. He felt this company appeared to be interested in North Las Vegas and will do well for the City.

Sean Till, 3612 Rio Paloma Ct., North Las Vegas, spoke in opposition of the item. Mr. Till lives two lots away from the proposed site. He is concerned about the continuity of planning and mentioned there are no other areas (intersections) that have a 24-hr gas station/convenience store with three corners of residential. The only one he could think of was Clayton. He stated his concerns regarding access to the parking lot from the street and traffic flow. Mr. Till stated this is not a good location for this item.

Beatrice Brown, 3617 Rio Paloma Ct., North Las Vegas, spoke in opposition to the item. Ms. Brown lives directly across the street on the northeast corner. Ms. Brown purchased her home 10 years ago and lost a lot property value due to the economic downturn. Ms. Brown's biggest concerns were the noise it would create, the bright lights, and overall decrease in property values. Ms. Brown said the elevation of the property is higher than the residential homes and is concerned that people will look down into the backyards. Ms. Brown stated this item will be an eyesore and bring the property values down even more.

Vice-Chairman Kraft closed the public hearing.

Ms. Lazovich responded to some of the questions and comments made during the public hearing. She stated the hours of operation will be 24-hours and the lighting would be facing downward under the canopy and there will be no light below or above the parcel. With respect to the question about a future day care coming in, Ms. Lazovich said she will defer this to staff, and said should a day care want to come in, after this item was approved, it would be up to the day care to apply. Ms. Lazovich felt that "off-sale" beer and wine would not preclude them from applying. With respect to the question regarding traffic ingress and egress, Ms. Lazovich stated there will be direct access once they put in a driveway off of Allen Lane. Currently there is a common driveway that is shared by all, and access to this site can be obtained from north of Allen Lane. With respect to the questions regarding security, vandalism, and illegal dumping, Ms. Lazovich said developments with lighted areas deter these types of acts. Ms. Lazovich stated her opinion that vacant property is what attracts these types of activities. Ms. Lazovich said this project would provide 11 to 14 full-time jobs. With respect to the comments about noise, she stated the building would not play outdoor music and the noise level would not be any louder than the vehicles that presently travel the road.

Wayne Gibson, 422 N. Washington St., El Dorado, AK 71730, a representative from Murphy Express, requested to speak on behalf of the site selection. Mr. Gibson felt this project is conducive to development. Mr. Gibson explained some of things his company looks for when selecting a site, such as current zoning, growth area, if there are new schools, hospitals being built, household incomes, traffic, what their competitors are doing in area; what other retailers (ex: big box stores) are out there; and lastly the potential land and development costs, including what infrastructure is already in place or what else might be needed in order to come to that site. Mr. Gibson explained this is one reason similar businesses locate across the street from each other. Mr. Gibson stated he did not believe saturation would be an issue with them coming into this location. In terms of jobs created, Mr. Gibson said there would be a district manager based in El Dorado, Arkansas, who would oversee operations, and they expect to create 11-14 full-time jobs locally. Mr. Gibson said Murphy Express owns and operates its individual stores and does not franchise their stores. With technology in place, the district manager can zoom in on site and see what is happening in real-time. With respect to the question regarding traffic, Mr. Gibson replied stores do not create traffic; they just capture what is out there already. Mr. Gibson explained their type of store is not a destination per se; a consumer will not go across the city to get gasoline but will most likely get gasoline within their immediate area. Mr. Gibson stated according to the Nevada Department of Transportation (NDOT), there are approximately 22,500 cars on Ann Road per day, and 4,000 to 5,000 cars on Allen Lane, so the noise coming from traffic is the noise that already exists. Mr. Gibson added there are no "squawk" boxes at their stores.

Commissioner Stone asked how this site sits in proximity to public safety facilities. Ms. Lazovich responded by mentioning north of drainage channel there is a fire station, which was built as part of the development agreement, and further down Allen Lane is a police substation.

Commissioner Stone asked Mr. Jordan if drinking wine or beer on site at a convenience store is illegal. Mr. Jordan clarified it is illegal to consume "off-sale" beer and wine on the premises.

Commissioner Robison asked Mr. Gibson why this particular site was selected instead of a more compatible site (ex: a vacant corner across the street from a Chevron). Mr. Gibson stated going west (on Ann Road) there is a Smith's and going east there is a Terrible's and it is an equal distance between the two. Mr. Gibson said his company looked at the metrics of the site, such as the going home site, the work site, the near corner, the far corner, and they looked at the high volume corners. Mr. Gibson explained there is a reason retailers want to sit there. Mr. Gibson said while there were other sites, the zoning may not have been at a cost they would be willing and able to pay.

Commissioner Robison asked if there is a median for the proposed entrance off of Allen Lane, and if there is a central median or will drivers will have to make a u-turn.

Edward Allen, GreenbergFarrow Architecture, 1430 W. Peachtree St., Suite 200, Atlanta, GA 30309, representing the applicant, stated in regard to access there is an existing median on both Allen Lane and Ann Road; however, they are not proposing a median break. Mr. Allen stated as you travel north on Allen Lane there is a further median break to the north of their site that one could turn in to; otherwise, as one heads west on Ann Road one can turn right into the shared access road directly to their site. With respect to the traffic study, Mr. Allen stated he believed the traffic study was submitted and expects it to be approved. Mr. Allen added if there were any negative traffic impacts they would mitigate those right away. Mr. Allen added they are paying towards a signal contribution for that intersection to address timing issues.

Commissioner Perkins asked Mr. Gibson if he knew the average distance a person would be willing to travel to get gas. Mr. Gibson stated it is generally a two-mile radius unless there is an unusual circumstance.

Commissioner Perkins commented on the graffiti concerns by stating as development comes up, with number of cameras, people constantly coming in and out, and with more eyes looking around, these will deter that kind of activity. In terms of property values, Commissioner Perkins responded by saying when corners are undeveloped it does nothing for the property values; it is only when something of value is placed in a neighborhood it increases the property values.

Chairman Ewing stated he appreciated Mr. Alpert coming to the meeting and giving the Planning Commission information about the business, and said he found his comments helpful. Chairman Ewing asked Ms. Lazovich to advise, for the benefit of those concerned citizens, what the other types of businesses that could have gone on that site without having to appear before the Planning Commission.

Ms. Lazovich read from the North Las Vegas Zoning Code the C-2 uses that could have gone there and gave the following examples: residential facility for groups, halfway house for recovering alcohol and drug users, museum or library, automobile parking lot or parking garage, a veterinary or animal clinic, restaurants and fast food restaurants.

Commissioner Robison referred to the NDOT statistic of 22,500 vehicles traveling on Ann Road daily. He asked how many vehicles the applicant anticipated capturing through their facility.

Mr. Gibson said since this is a new area he really does not know at this point. Mr. Allen came forward and said based on traffic studies previously done for Murphy Express, new trips account for only about 10-15 percent. Once the site is established, 85 percent is captured from traffic that is already on the road. Mr. Gibson said most of the trips are convenience trips and the amount of new traffic generated is a very small percentage of traffic going to their site.

Item 17 (UN-55-15)

This item was presented by Marc Jordan, Planning Manager.

Mr. Jordan requested Item Nos. 16 (UN-54-15) and 17 (UN-55-15) be heard concurrently since they are both related.

The applicant is requesting a special use permit to allow the “off-sale” of beer and wine in conjunction with the convenience store and gas pumps. This type of use is typically done through a Conditional Use, meaning it is an administrative process and if the applicant can demonstrate to staff they can comply with all the requirements in the zoning ordinance, the City can administratively approve it. For the “off-sale” of beer and wine, the applicant is required to meet a 400-foot separation from churches, schools, day care centers and parks. In this particular case, the applicant cannot demonstrate they meet the separation requirement from a church. As mentioned earlier, Grace Point is occupying two buildings to the north of this site and shares a common property line. Grace Point Church has already received their Special Use Permit and has already filed tenant improvements. As heard earlier in agenda, the fitness center that used to be located there had to be relocated because of the Grace Point Church. Therefore, the applicant has an option to come forward to the Planning Commission to request an approval of a Special Use permit because they cannot meet the separation requirements.

The Development Agreement that was approved in August 2000 showed this site as a commercial center and as part of a larger area that included office buildings, some future multi-family residential, and a fire station. The fire station was part of the development agreement when originally approved. That original development plan indicated there would be a convenience store with gas pumps and associated car wash. Even though it was not an approved use, it was an anticipated use. With the church moving into the commercial center, that use came to the center. It was designed as a commercial center. When it came to the separation requirement and the applicant was not able to meet the separation requirement, staff did not object to it because it was originally designed as a commercial center. Staff had spoken with the church representatives and they indicated the church had no objections to that use.

Staff recommended approval of the item per the conditions listed in the Staff Report dated September 9, 2015.

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 applicant shall comply with all conditions of approval for the associated special use permit (UN-54-15) for a convenience store with gas pumps. However, should the special use permit for UN-54-15 not be approved, then this special use permit shall become null and void.

Commissioner Kraft asked Ms. Lazovich if she wished to speak on this item.

Jennifer Lazovich, 1980 Festival Plaza Drive, Las Vegas, appeared on behalf of the applicant, Murphy Express. Ms. Lazovich replied she wanted her comments from the last item be carried over to this item.

Ms. Lazovich stated Murphy Express is new to the southern Nevada area. They are popular in the south and east, and have 1,200 convenience stores with gas pumps across the nation. The North Las Vegas site will be the first project of the company's westward expansion. Murphy Express has applications for proposed sites in Clark County and Las Vegas. Ms. Lazovich stated the zoning map for the area is subject to the Development Agreement, is hard zoned C-2, and had been that way for some time. Ms. Lazovich stated a number of commercial buildings were there before but when the economy turned a few tenants moved in, one of which was Grace Point Church.

Ms. Lazovich reported the applicant held a volunteer neighborhood meeting on August 10, 2015, with four attendees present; three from Grace Point Church and one from the neighborhood. Attendees from Grace Point Church indicated they had no objections and subsequently sent correspondence indicating the same. Ms. Lazovich gave the

examples of other commercial uses permitted for this area such as fast food restaurants and 24-hour type businesses. Ms. Lazovich stated this area is hard zoned C-2 with a development agreement that at one time showed plans for a convenience store with gas station and car wash. She stated for the record that a car wash is not going in with this project. Ms. Lazovich said city staff stated this item complies with the Ann/Allen Development Agreement and they are recommending approval of both items.

Vice-Chairman Kraft opened the public hearing and asked if anyone wished to speak on this item.

Beatrice Brown, 3617 Rio Paloma Ct., North Las Vegas, spoke in opposition of this item. Ms. Brown disagreed with Ms. Lazovich's comment regarding the noise and said she can hear people talking from across the street. Ms. Brown said in the past she heard people talking and arguing late at night from Allen Lane. Ms. Brown expects that once the store goes in she will hear car doors slamming. She invited the Planning Commission and Ms. Lazovich to her home to test the issue before making a decision.

Sean Till, 3612 Rio Paloma Ct., North Las Vegas, spoke in opposition of the item. Mr. Till stated the lighting from the store will go through the neighborhood and create a nuisance. Mr. Till felt there should have been other uses for that area and he suggested the church expand its buildings. Mr. Till restated his concern about people drinking in the parking lot. Mr. Till felt that because of the higher elevation of the store property, people would be able to look into the backyard of the homes and was concerned for the safety of the neighborhood.

Iris Gross, P.O. Box 336314, North Las Vegas, spoke in opposition to this item. Ms. Gross stated she lives off of that intersection, noticed an increase in traffic in that area, and can hear the noise from cars. Ms. Gross named the various stores along Ann Road, between Decatur Boulevard and Simmons Street that also sell alcohol and felt the City does not need another establishment that sells alcohol. Ms. Gross was concerned about the canopy cover and felt it would allow people to slip away and drink. Ms. Gross was concerned about the unfinished driveway access where she felt it would be dangerous when drivers make a u-turn to get to the store.

David Baron, Esq., 3890 W. Ann Rd., North Las Vegas, spoke in opposition to the item. Mr. Baron continued where he left off regarding the NLV Municipal Code liquor licenses and pointed out the 400-foot requirement of separation of churches for establishments with "off-sale" beer and wine. Mr. Baron identified himself as a lawyer of 30 years and questioned the authority of the Planning Commission to make exceptions to the Code. Mr. Baron said the distance from the door of the church to the corner is 263 feet.

Joseph Meservy, 3890 W. Ann Rd., North Las Vegas, spoke in opposition to the item. Mr. Merservy said with older gas stations in Las Vegas, people who want to drink will take their beverage around the corner and go into the nearest neighborhood. Mr.

Meservy stated this business is not the best choice to put on a quiet corner. He stated the law is plain and clear, and asked what the purpose was for overriding that? He felt the Planning Commission did not have a reason.

Vice-Chairman Kraft closed the public hearing.

Commissioner Stone said with respect to the issue of the 400-foot separation requirement, he stated the Planning Commission is a board and for the record they are not lawyers. Chairman Stone stated the Planning Commission takes applications at face value; they vote to approve or deny, withhold or continue, and any legal remedies are outside the scope of this board. When in doubt, the Planning Commission looks to staff and City's attorneys for guidance on legal issues.

Jose Valenzuela, Deputy City Attorney for North Las Vegas, stated he did not see a problem with tabling this item in order to take a more specific look.

Sandra Morgan, City Attorney for North Las Vegas, referred to the background information in the staff report and stated it provides good guidance. City Attorney Morgan said the Conditional Use permit is what would be allowed if there was a 400-foot distance separation requirement; however, this parcel is different because it had C-2 zoning and also subject to a Development Agreement between the City and the Ann Crossing Commercial Center. That Development Agreement was recently updated and approved by the City Council within the last couple of months. City Attorney Morgan acknowledged the distance separation based on the fact that those were the approved uses at that time, and one reason staff considered it in this particular circumstance. City Attorney Morgan stated the reason this item is being heard before the Planning Commission tonight is to request approval for Special Use permit since it would not qualify for a Conditional Use permit. City Attorney Morgan said other factors taken into consideration were the histories of the parcel and Development Agreement, and the fact the parcel was initially zoned to allow those kinds of commercial uses. She added the church came after.

Commissioner Stone said due to the uniqueness of the project and the underlying Development Agreement, he opinioned the Planning Commission is proper in voting on this application.

City Attorney Morgan commented that Attorney Valenzuela was correct when he told the Planning Commission they can decide what to do with the item in terms of tabling or continuing the item, but in respect to the concern regarding the distance separation, she felt it was adequately addressed in the Staff Report. City Attorney Morgan felt all concerns were properly addressed in the Staff Report.

Chairman Ewing asked what percentage of business came from the sale of alcohol versus food and gas.

Wayne Gibson, 422 N. Washington St., El Dorado, Arkansas, representative from Murphy Express, stated about eight (8) to ten (10) percent are from alcohol sales of beer and wine (inaudible).

Chairman Ewing asked if the store employees took an active role to ensure people would not drink alcohol on the premises. Mr. Gibson replied they do, and the company will make friends with the local police department (inaudible) have them come in and out of the stores without taking a risk on themselves.

ACTION: APPROVED

MOTION: Commissioner Stone

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

NAYS: None

ABSTAIN: None

18. ZN-34-97 (52258) MURPHY OIL USA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MURPHY OIL USA INC., ON BEHALF OF TROPICAL AND LOSEE LLC, PROPERTY OWNER, FOR AN AMENDMENT TO AN EXISTING PUD, PLANNED UNIT DEVELOPMENT DISTRICT, TO AMEND THE PRELIMINARY DEVELOPMENT PLAN TO ALLOW A CONVENIENCE STORE WITH GAS PUMPS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF TROPICAL PARKWAY AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-26-605-009. (FOR POSSIBLE ACTION)

This item was presented by Marc Jordan, Planning Manager.

The applicant is requesting to amend an existing PUD, Planned Unit Development District, that was already approved for a hospital, medical office buildings, senior apartments, hotel suites and a bank. Specifically, the applicant is requesting consideration to allow a convenience store with gas pumps where the bank was originally approved at the northwest corner of Losee Road and Tropical Parkway. This PUD was originally approved in 1997 and had been amended several times since the original approval. Again, very similar to the previous application with the applicant proposing a convenience store that is approximately 1,400 square feet in size with a canopy that will stretch over the store and cover the fueling islands. In this particular case, staff had no objections to the site plan with some minor exceptions:

1. The proposed sidewalk needs to be centered within the landscape strip along the street frontages. Staff is asking that the trash enclosure be designed to match the building, in materials and color, and contain a roof.

2. The type of gate for the trash enclosure would need to be able to withstand the temperatures and climate of the valley.

The applicant indicated they held their neighborhood meeting with five residents in attendance and none addressed any concerns. This item is more unique than the previous item in that the preliminary development plan the applicant gave staff showed the bank being removed and a convenience store on approximately two-thirds of that parcel. With regard to the western portion of that parcel, the applicant did not indicate what type of developments would occur. This proposal is only amending the parcel where the bank was at. The remaining uses that have already been approved will still remain place. Therefore, it was necessary that staff amend Condition No. 1, which is one of the recommended amendments to this PUD so that it referred to both preliminary development plans so that they are the latest plans on file with the City so the hospital and related issues are still appropriate for this and the convenience store is part of this. Staff also amended Condition No. 4 because the western portion of the parcel does not show the type of development and staff does not know what is proposed at this time. Likewise, in reviewing the overall picture the parcel directly north of the subject site, even though the PUD shows it to be parking lot, there is a good chance that the owner will want to develop something other than a parking lot. Therefore, staff amended Condition No. 4 to address future development on those parcels, and any future development must be compatible to the overall theme of this particular PUD, and those uses would be reviewed through the future final development plans for this particular PUD. On a side note, the applicant will still be required to come back with a final development plan for the convenience store before it can be constructed.

Staff recommended this item be approved and forwarded to the City Council for final action with amendments to Condition No. 1 and Condition No. 4 that are already written in the staff report, and asked the following two amendments be read into the record:

Staff recommended Condition No. 23 be amended to read:

“For each and every phase of development, the applicant shall provide an off-site construction phasing plan for the supporting off-site improvements. Approval of the off-site improvements phasing plan by the department of public works is required prior to submitting any final development plan to the city for review.”

Staff recommended Condition No. 30 be deleted.

Mr. Jordan requested whoever makes the motion to include those amendments in their motion.

The conditions are as follows:

Planning & Zoning:

1. That approval of the site plan submitted is not intended, nor implied. The development shall conform to the approved uses and to the preliminary development plan submitted for the Hospital, Medical Offices, Senior Apartments and Hotel dated March 2008, and the preliminary development plan for the convenience store with gas pumps dated June 10, 2015.
2. That the development of this site be subject to all adopted Codes and Ordinances in effect at such time that development plans are submitted.
3. That the Final Development Plan for the site shall be subject to Planning Commission review.
4. Future development on parcels where development has not been indicated on either preliminary development plan must be consistent with the overall theme of the entire development. Future uses on these parcels will be subject to Planning Commission review and approval with the required final development plan. In addition, commercial uses shall be prohibited within the professional medical office.
5. Elevations for the garage and medical offices must be submitted for Commission review and approval with the hospital final development plan.
6. The setback of buildings from the northern property line must be equal to the height of the buildings.
7. The development shall comply with the Commercial Development Standards and Design Guidelines including but not limited to the following;
 - a. A minimum six (6) foot landscape island shall be provided at the end of every parking row and within each parking row for every 15 parking spaces.
 - b. A minimum 10-foot landscape buffer shall be provided between the parking stalls along each side of the drainage channel.
 - c. A view fence shall be provided on both each sides of the drainage channel.
 - d. Bollards and/or Large planters shall be placed at the main entrances of the buildings along Tropical Parkway, Losee Road, and Lawrence Street.
8. The senior housing open space must be completed prior to occupancy.
9. The parking garage must not have openings on the north side.

10. The air conditioning units on the hotel must be roof mounted.
11. Any future heliport must be reviewed by the Planning Commission as a special use permit.
12. That landscaping shall be provided in accordance with ordinance requirements.
13. A 10-foot landscaped setback must be provided adjacent to the east side of the hospital building.

Public Works:

14. The following right of way must be dedicated:
 1. Forty feet (40.00') for Tropical Parkway, fifty feet (50.00') for Losee Road, and thirty feet (30.00') for Lawrence Street.
 2. Bus turn out on Tropical Parkway west of Losee Road.
 3. Flared intersection at Losee Road and Tropical Parkway per Uniform Standard Drawings for Public Works' Construction Off-Site Improvements Drawing Number 201.1.
 4. Drainage easement for the Las Vegas Wash Channel, width to be determined by an approved drainage study
 5. Drainage easement for the Tropical Parkway Channel East, width to be determined by an approved drainage study.
15. That the driveway location and parking plan shall be subject to review and approval by the North Las Vegas Traffic Engineer.
16. The development shall comply with all applicable requirements of Title 16 and N.R.S. 278.
17. Approval of the final development plan will require the following modifications to the site layout:
 1. Revisions to the driveway number and locations to conform to North Las Vegas Municipal Code 17.24.130 and the Uniform Standard Drawings for Public Works' Construction Off-Site Improvements Drawing Number 225.
 2. Revise and relocate median openings as required by the North Las Vegas Traffic Engineer.
 3. Delineate the flared intersection and bus turn out at Losee Road and Tropical Parkway.
 4. Delineate the drainage easements for the Las Vegas Wash Channel and the Tropical Parkway Channel East.
 5. Relocation of any building within the Nevada Power Transmission line

- easement.
6. Removal of any parking from the Tropical Parkway right of way.
 18. That technical design comments will be made at the time development plans are submitted.
 19. Approval of a drainage study is required prior to submittal of the civil improvement plans.
 20. The intersection of Losee and Azure is required to be constructed so that vehicles traveling west on Azure towards Losee will be able to turn right to merge on Losee heading north and left to merge on Losee heading south. The intersection must be signalized and equipped with an Opticom system to facilitate emergency response vehicles in turning left from Azure heading west to Losee heading south.
 21. 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.
 22. 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, or as otherwise approved by the Director of Public Works or his designee.
 23. ~~All offsite improvements must be designed and constructed with the first phase of development. Except that construction of the off-site sanitary sewer extension south of Tropical in Lawrence be waived with this phase of construction. When the westerly portion of the site is developed (west of the drainage channel), the line in Lawrence south of Tropical shall be required.~~ For each and every phase of development, the applicant shall provide an off-site construction phasing plan for the supporting off-site improvements. Approval of the off-site improvements phasing plan by the department of public works is required prior to submitting any final development plan to the city for review.
 24. The applicant shall submit a traffic study update for review and approval.
 25. 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.
 26. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.

27. All Nevada Power Company 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.
28. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.

Utilities:

29. That a water network analysis must be provided prior to development.
30. ~~The developer is required to oversize the existing eight (8) inch sanitary sewer main to 36 inch from manhole to manhole along front footage of Losee Road. The work needs to be completed prior to the completion of Losee Road Improvement Project.~~
31. That approval of this application does not imply a commitment by the City for utility service to the subject property. A utility commitment will only be issued upon compliance with the requirements and conditions set forth in the Utility Service Commitment Policy Guidelines available from the Department of Public Works.

Fire Prevention:

32. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.
33. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

Jennifer Lazovich, 1980 Festival Plaza Dr., Las Vegas, representing the applicant, appeared before the Planning Commission and stated (inaudible).

Vice-Chairman Kraft opened the public hearing.

Jeff Alpert, 3828 Fuselier Dr., North Las Vegas, stated his support and complimented Mr. Gibson and Ms. Lazovich for giving an excellent presentation at the August 3, 2015, neighborhood meeting. Mr. Alpert said he was pleased to hear Mr. Gibson advise their company intends to be community partners. Mr. Alpert said he looked forward to attending the next community meeting for the company's next location which is near his house.

Vice-Chairman Kraft closed the public hearing.

Commissioner Stone disclosed he formerly worked for the property owner of Tropical/Losee, LLC, over two years ago, and said he will not be financially enhanced based on the outcome of this the zoning application. He stated he did not believe the independence of judgment of a reasonable person in his situation would be materially affected, and because this is not a clear case of a disqualifying conflict of interest, he stated he will be voting on this application.

ACTION: APPROVED AS AMENDED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

CONDITION NO. 23 AMENDED AS FOLLOWS: FOR EACH AND EVERY PHASE OF DEVELOPMENT, THE APPLICANT SHALL PROVIDE AN OFF-SITE CONSTRUCTION PHASING PLAN FOR THE SUPPORTING OFF-SITE IMPROVEMENTS. APPROVAL OF THE OFF-SITE IMPROVEMENTS PHASING PLAN BY THE DEPARTMENT OF PUBLIC WORKS IS REQUIRED PRIOR TO SUBMITTING ANY FINAL DEVELOPMENT PLAN TO THE CITY FOR REVIEW

CONDITION NO. 30 DELETED

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

19. **AMP-03-15 (52283) COLEMAN AIR PARK II & III (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DND HOLDING LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MIXED USE EMPLOYMENT TO HEAVY INDUSTRIAL. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF COLEMAN STREET AND EVANS AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-17-611-005. (FOR POSSIBLE ACTION)**

ACTION: CONTINUED TO OCTOBER 14, 2015

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

20. **ZN-07-15 (52262) COLEMAN AIR PARK II & III (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DND HOLDING LLC, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM ITS CURRENT DESIGNATION OF M-1, BUSINESS PARK INDUSTRIAL DISTRICT TO AN M-2, GENERAL INDUSTRIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF COLEMAN STREET AND EVANS AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-17-611-005. (FOR POSSIBLE ACTION)**

ACTION: CONTINUED TO OCTOBER 14, 2015

MOTION: Commissioner Perkins

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

NAYS: None

ABSTAIN: None

21. **WAV-04-15 (52263) COLEMAN AIR PARK II & III (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DND HOLDING LLC, PROPERTY OWNER, FOR A WAIVER IN AN M-1, BUSINESS PARK INDUSTRIAL DISTRICT (PROPOSED PROPERTY RECLASSIFICATION TO AN M-2, GENERAL INDUSTRIAL DISTRICT) TO WAIVE A PORTION OF THE PARKING AND LANDSCAPE REQUIREMENTS. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF COLEMAN STREET AND EVANS AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-17-611-005. (FOR POSSIBLE ACTION)**

ACTION: CONTINUED TO OCTOBER 14, 2015

MOTION: Commissioner Perkins

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

NAYS: None

ABSTAIN: None

OLD BUSINESS

22. **ZOA-04-15 (51959) TITLE 17 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY BATTLEFIELD VEGAS ON BEHALF OF APEX HOLDING COMPANY, PROPERTY OWNER, TO AMEND TITLE 17 (ZONING ORDINANCE) SPECIFICALLY SECTIONS, 17.16.050.F.3.E TABLE 17.16-3, (I-A OVERLAY DISTRICT PERMITTED USES) AND 17.32.030, (DEFINITION OF TERMS), TO DEFINE AND ALLOW "OUTDOOR INSTRUCTION/**

ENTERTAINMENT“ WITHIN THE APEX OVERLAY DISTRICT AS A SPECIAL USE. (FOR POSSIBLE ACTION) (CONTINUED AUGUST 12, 2015)

ACTION: CONTINUED TO OCTOBER 14, 2015

MOTION: Commissioner Perkins

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

NAYS: None

ABSTAIN: None

23. UN-42-15 (51992) BUTANE BLENDING ADDITION (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RICK PARTIN, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT, TO ALLOW THE STORAGE OF HAZARDOUS MATERIALS (90,000 GALLONS OF BUTANE). THE PROPERTY IS LOCATED AT 13420 GRAND VALLEY PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 103-15-000-005. (FOR POSSIBLE ACTION) (CONTINUED AUGUST 12, 2015)

This item was presented by Robert Eastman, Principal Planner.

Originally, the applicant was approved in 2008 for 315,000 barrels of gasoline, diesel and ethanol, and using nine different tanks of varying sizes. Since that time they have expanded with a use permit in 2013 to allow 110,000 barrels of unleaded fuel and 30,000 barrels of ethanol. With the current expansion, the applicant proposed to add 90,000 gallons of butane, which is used as a fuel additive to create winter fuel. Presently, the facility is not able to mix for winter fuel and with the proposed use permit they will be able to make winter fuel and expand their market in the valley.

The site is located in the Apex Industrial District, which was developed for these types of uses. The site and use is appropriate in the area. The applicant proposed one large tank which is located over 100 feet from any existing tanks or facilities.

Staff recommended approval submitted to conditions

Elizabeth Troesper, 2275 Corporate Circle, Henderson, represented the applicant, UNEV Terminal, LLC, and concurred with staff's recommendations. In addition, Sunoco Logistics and Rick Partain were also present to answer questions.

Vice-Chairman Kraft opened the public hearing. Vice-Chairman Kraft closed the public hearing.

Commissioner Stone asked the applicant to explain the firefighting/safety system in the event there is an incident at the site.

Ms. Trospen responded when they first started the project, they flew some members of City Council and the City's Fire Department to a similar plant to address their concerns regarding how they fight fires.

Rick Partain, 8980 Hillsboro Creek Ct., Las Vegas, stated it was a fully automated terminal, and everything reacts to the thermal sensors. The foam will automatically dump into the areas needed. Mr. Partain stated the foam was made to handle ethanol and products other than jet fuel. He added there are water cannons in the area with totes that point to wherever the foam is needed.

Commissioner Stone asked him to describe the 90,000 gallon butane tanks. Mr. Partain responded they were 10 feet in diameter. Commissioner Stone confirmed with Mr. Partain they were 140 feet by 10 feet, and would have a foam suppression system around the tanks.

Ms. Trospen offered a tour to a similar plant to any Planning Commission member.

Commissioner Perkins asked if employees would be added, and Ms. Trospen responded two would be added.

Commissioner Robison asked about the thermal sensors, and Ms. Trospen stated they were placed on top of the barrels. Ms. Trospen referred the Planning Commission to TrospenCommunications.com for additional information.

Commissioner Acevedo stated he toured the facility and acknowledged its cleanliness and how protected the site was. He contacted Richard Brenner, HazMat expert, regarding additional information. Commissioner Acevedo stated everything was automated and the operation was impressive.

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.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Acevedo

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

NAYS: None

ABSTAIN: None

24. **UN-43-15 (52009) TATTOO ESTABLISHMENT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DAVID LATORA, ON BEHALF OF WEST CRAIG PLAZA LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT, TO ALLOW A TATTOO ESTABLISHMENT. THE PROPERTY IS LOCATED AT 4444 WEST CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-06-201-010. (FOR POSSIBLE ACTION) (CONTINUED AUGUST 12, 2015)**

This item was presented by Robert Eastman, Principal Planner.

This is an existing retail center, and the site previously had approval for a tattoo studio in an adjacent suite. That use was never started. The proposed use is appropriate for the center and should not generate any additional negative impact on the neighborhood.

Staff recommended approval subject to the condition 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.

Dave Latora, 15909 75th Ave., North, West Palm Beach, FL, appeared to answer questions.

Jeff Alpert, 3828 Fuselier Dr., North Las Vegas. Comments were inaudible – technical difficulties. Request to Speak card indicated Mr. Alpert was in favor of this item.

ACTION: APPROVED

MOTION: Commissioner Perkins

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

NAYS: None

ABSTAIN: None

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

There was no Director's business to report.

CHAIRMAN'S BUSINESS

Chairman Ewing thanked Vice-Chairman Kraft for facilitating the meeting on his behalf.

ADJOURNMENT

The meeting was adjourned at 8:42 p.m.

APPROVED: October 14, 2015

/s/ Willard Ewing
Willard Ewing, Chairman

/s/ Diana Tsouras
Diana Tsouras, Recording Secretary