

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

March 9, 2016

BRIEFING:

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

CALL TO ORDER:

6:10 P.M.
Council Chambers, 2250 Las Vegas Boulevard, North
North Las Vegas, Nevada

WELCOME:

Acting Chairman Kenneth Kraft

ROLL CALL:

Chairman Willard Ewing – Absent
Acting Chairman Kenneth Kraft – Present
Commissioner Laura Perkins – Present
Commissioner Nelson Stone - Present
Commissioner Felix Acevedo – Present
Commissioner Randy Robison – Present via Telephone
Commissioner Al Greer – Present

STAFF PRESENT:

Gregory W Blackburn, Director
Marc Jordan, Planning Manager
Robert Eastman, Principal Planner
Bethany Rudd Sanchez, Sr. Deputy City Attorney
Robert McLaughlin, Public Works/Manager
Curt Kroeker, Public Works/Engineering Associate
Julie Shields, Executive Secretary/Recording
Secretary

VERIFICATION:

Julie Shields, Recording Secretary

PLEDGE OF ALLEGIANCE:

Acting Chairman Kenneth Kraft

PUBLIC FORUM

There was no public participation.

AGENDA

1. **APPROVAL OF THE PLANNING COMMISSION MEETING AGENDA OF MARCH 9, 2016 (FOR POSSIBLE ACTION)**

ACTION: APPROVED AS AMENDED; ITEM NO. 9 (VAC-02-16) WAS MOVED TO BE HEARD FIRST UNDER NEW BUSINESS. ITEM NOS. 10 (UN-05-16) AND 11 (UN-08-16) WERE CONTINUED TO APRIL 13, 2016

MOTION: Commissioner Perkins

AYES: Acting Chairman Kraft, Commissioners Perkins, Stone, Robison, Acevedo and Greer

NAYS: None

ABSTAIN: None

ABSENT: Chairman Ewing

MINUTES

2. **APPROVAL OF THE PLANNING COMMISSION MEETING MINUTES OF FEBRUARY 10, 2016 (FOR POSSIBLE ACTION)**

ACTION: APPROVED

MOTION: Commissioner Perkins

AYES: Acting Chairman Kraft, Commissioners Perkins, Stone, Robison and Greer

NAYS: None

ABSTAIN: Commissioner Acevedo

ABSENT: Chairman Ewing

NEW BUSINESS

9. **VAC-02-16 (53851) MADISON PALMS SENIOR APARTMENTS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GEORGE GEKAKIS, INC. ON BEHALF OF MADISON PALMS LIMITED PARTNERSHIP, PROPERTY OWNER, TO VACATE AN EXISTING DRIVEWAY EASEMENT AND SERVICE**

ACCESS EASEMENT. THE PROPERTY IS LOCATED NORTH OF ANN ROAD AND EAST OF FERRELL STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-29-412-002. (FOR POSSIBLE ACTION)

This item was presented by Marc Jordan, Planning Manager.

Mr. Jordan advised the Planning Commission previously approved the apartment complex, as well as rezoning, an amendment to the land use, site plan review and waiver. Items that were required to move forward to City Council were also approved.

Mr. Jordan stated the applicant advised the existing easements are part of a previously approved commercial subdivision and are no longer required for the Senior Apartment complex. The proposed request is consistent with entitlements already in place.

Public Works indicated the driveway easement is necessary; however, the service access easement is not, and is a private easement.

Staff had no objections and recommended approval.

Mark Bangan, L.R. Nelson Consulting Engineers, 6765 W. Russell Rd., #200, Las Vegas, appeared on behalf of George Gekakis, and concurred with staff's recommendations.

Acting Chairman Kraft opened the public hearing.

James Shoughro, 5660 N. Ferrell St., North Las Vegas, stated he owned the car wash and if the service area is eliminated it would eliminate his stacking area and as a result, his business would become illegal. He would have no access to the street, with the exception of the service areas. Mr. Shoughro advised he has to have a stacking area of 10 vehicles.

Mr. Gekakis stated they were not vacating the area next to the mini storage facility and the easement next to Mr. Shoughro's car wash would remain in place; nothing would be done to it.

Acting Chairman Kraft closed the public hearing.

Commissioner Robison disclosed for the record he is employed by CenturyLink, who has a letter on file regarding this item related to facilities within the area proposed for vacations. Commissioner Robison disclosed he intends to vote on this item unless counsel directs otherwise.

Sr. Deputy City Attorney Rudd Sanchez stated their (CenturyLink) letter advised they have no facilities in the area, but if facilities were to be discovered then they would

reserve their right. Ms. Rudd Sanchez supported Commissioner Robison's intention to vote.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Greer

AYES: Acting Chairman Kraft, Commissioners Perkins, Stone, Robison, Acevedo and Greer

NAYS: None

ABSTAIN: None

ABSENT: Chairman Ewing

3. T-1380 (53810) GILES COMMERCIAL SUBDIVISION. APPLICATION SUBMITTED BY GILES PROPERTIES, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A C-2, GENERAL COMMERCIAL DISTRICT, TO ALLOW A SINGLE LOT COMMERCIAL SUBDIVISION. THE PROPERTY IS LOCATED AT 2816 WEST CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-05-601-028. (FOR POSSIBLE ACTION)

This item was presented by Robert Eastman, Principal Planner.

The applicant requests to subdivide the property and a single lot tentative map is required to do so. Mr. Eastman advised the site is in compliance with the existing zoning code and land use designation.

Staff recommended approval.

The conditions are:

Planning & Zoning:

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

Public Works:

2. The following note shall be added to the Final Map:

INGRESS, EGRESS AND CROSS ACCESS NOTE

Easements for emergency access and vehicular ingress/egress and cross access on all driveways and drive aisles are hereby reserved and granted for all parcels subsequently created within this map.

Joseph DeBlanco, 2251 N. Rampart Blvd., Las Vegas, applicant, appeared to answer questions.

ACTION: APPROVED

MOTION: Commissioner Stone

AYES: Acting Chairman Kraft, Commissioners Perkins, Stone, Robison, Acevedo and Greer

NAYS: None

ABSTAIN: None

ABSENT: Chairman Ewing

4. **UN-18-16 (53741) LINTON DETACHED GARAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JASON A. LINTON, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN R-E, RANCH ESTATES DISTRICT, TO ALLOW A 1,600 SQUARE FOOT ACCESSORY BUILDING (DETACHED GARAGE) WHERE A 1,200 SQUARE FOOT BUILDING IS THE MAXIMUM ALLOWED. THE PROPERTY IS LOCATED AT 4333 SAN MATEO STREET. ASSESSOR'S PARCEL NUMBER IS 139-06-310-054. (FOR POSSIBLE ACTION)**

This item was presented by Robert Eastman, Principal Planner.

Mr. Eastman advised the proposed accessory building is secondary to the principal building. The applicant proposed to develop the garage in compliance with residential design standards and will use similar materials and colors as the existing home. There are a large number of accessory buildings in the ranch estate area that exceed the 1,200 square foot size area. Mr. Eastman said this building would not be a detriment to the neighborhood.

The conditions 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. The proposed driveway shall be constructed of asphaltic concrete to provide a suitable dust-free driving and parking surface.

Jason Linton, 4333 San Mateo St., North Las Vegas, applicant, appeared to answer questions regarding this item.

Acting Chairman Kraft opened the public hearing. Acting Chairman Kraft closed the public hearing.

ACTION: APPROVED

MOTION: Commissioner Acevedo

AYES: Acting Chairman Kraft, Commissioners Perkins, Stone, Robison, Acevedo and Greer

NAYS: None

ABSTAIN: None

ABSENT: Chairman Ewing

5. **UN-20-16 (53848) GREENLEAF FARMS HOLDINGS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREENLEAF FARMS HOLDINGS, ON BEHALF OF ALEXANDER & BELMONT LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT, TO ALLOW A CULTIVATION FACILITY FOR MEDICAL MARIJUANA. THE PROPERTY IS LOCATED AT 3939 BELMONT STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-12-103-005. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

Mr. Jordan briefed item Nos. 5 (UN-20-16) and 6 (UN-19-16) together. Each item would be voted upon separately.

The applicant would use the entire building, 26,000 square feet in size -- 22,000 square feet would be utilized for cultivation; 2,200 square feet for production and 1,800 square feet for common areas; i.e. offices.

The applicant complies with the parking requirements. They are aware if the state requires two entrances they would be required to make modifications to the floor plan as appropriate.

Mr. Jordan advised this is a change in location. Originally, the applicant was approved in the Apex area and changed to their location on Mayflower Street. They are changing the location to the proposed site. The applicant has a provisional certificate from the state for both cultivation and production.

Staff recommended approval for both Item Nos. 5 (UN-20-16) and 6 (UN-19-16).

The conditions 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. That a single entrance shall be provided for the cultivation facility apart from the proposed production of edible marijuana products or marijuana-infused products facility , except for additional exits that may be required to comply with life safety requirements, or as otherwise allowed by the Nevada Division of Public and Behavioral Health and Nevada Revised Statutes Requirements.
3. The floor plan shall be revised to remove all interconnecting doors throughout the building in order to provide a separation from the cultivation facility to the production of edible marijuana products or marijuana-infused products facility, or as otherwise allowed by the Nevada Division of Public and Behavioral Health and Nevada Revised Statutes Requirements.

Police:

4. Suitable back up power to allow keypads and cameras/DVR to function during power outage.
5. Off-site remote access to surveillance cameras.
6. Secure doors and alarm auxiliary doors for emergency exit only.
7. Appropriate lighting on exterior of building which does not glare cameras.
8. Repair or replace fencing and gates to appropriate security levels.

Public Works:

9. The entry gate shall remain open during business hours.

Mark Bradley, 5243 Sunny Beach Ln., CEO GreenLeaf Farms, stated the building is beautiful and would set standards for the State of Nevada.

Acting Chairman Kraft opened the public hearing on Item No. 5, UN-20-16. Acting Chairman Kraft closed the public hearing.

ACTION: APPROVED

MOTION: Commissioner Perkins
AYES: Acting Chairman Kraft, Commissioners Perkins, Stone, Robison, Acevedo and Greer
NAYS: None
ABSTAIN: None
ABSENT: Chairman Ewing

6. **UN-19-16 (53847) GREENLEAF FARMS HOLDINGS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREENLEAF FARMS HOLDINGS, ON BEHALF OF ALEXANDER & BELMONT LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT, TO ALLOW THE PRODUCTION OF EDIBLE MARIJUANA PRODUCTS OR MARIJUANA-INFUSED PRODUCTS. THE PROPERTY IS LOCATED AT 3939 BELMONT STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-12-103-005. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

Mr. Jordan briefed item Nos. 5 (UN-20-16) and 6 (UN-19-16) together. Each item would be voted upon separately.

The applicant would use the entire building, 26,000 square feet in size -- 22,000 square feet would be utilized for cultivation; 2,200 square feet for production and 1,800 square feet for common areas; i.e. offices.

The applicant complies with the parking requirements. They are aware if the state requires two entrances they would be required to make modifications to the floor plan as appropriate.

Mr. Jordan advised this is a change in location. Originally, the applicant was approved in the Apex area and changed to their location on Mayflower Street. They are changing the location to the proposed site. The applicant has a provisional certificate from the state for both cultivation and production.

Staff recommended approval for both Item Nos. 5 (UN-20-16) and 6 (UN-19-16).

The conditions 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. That a single entrance shall be provided for the production facility apart from the proposed cultivation facility, except for additional exits that may be required to comply with life safety requirements, or as otherwise allowed by the Nevada Division of Public and Behavioral Health and Nevada Revised Statutes Requirements.
3. The floor plan shall be revised to remove all interconnecting doors throughout the building in order to provide a separation from the production facility to the cultivation facility, or as otherwise allowed by the Nevada Division of Public and Behavioral Health and Nevada Revised Statutes Requirements.

Police:

4. Suitable back up power to allow keypads and cameras/DVR to function during power outage.
5. Off-site remote access to surveillance cameras.
6. Secure doors and alarm auxiliary doors for emergency exit only.
7. Appropriate lighting on exterior of building which does not glare cameras.
8. Repair or replace fencing and gates to appropriate security levels.

Public Works:

9. The entry gate shall remain open during business hours.

Mark Bradley, 5243 Sunny Beach Ln., CEO GreenLeaf Farms, stated the building is beautiful and would set standards for the State of Nevada.

Acting Chairman Kraft opened the public hearing on Item No. 6, UN-19-16.

Brian Graham, 2750 Losee Rd., North Las Vegas, Cummins Rocky Mountain, is located adjacent to the property the applicant is purchasing. Mr. Graham requested a two week extension on this item, so they could meet with the property owner to discuss issues.

Acting Chairman Kraft closed the public hearing.

ACTION: APPROVED

MOTION: Commissioner Perkins

AYES: Acting Chairman Kraft, Commissioners Perkins, Stone, Robison, Acevedo and Greer

NAYS: None

ABSTAIN: None

ABSENT: Chairman Ewing

7. UN-22-16 (53863) NATURAL MEDICINE-CULTIVATION (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NATURAL MEDICINE-ELAD YERUSHALMI, ON BEHALF OF RICHARD & GLENDA FAILLA LIVING TRUST, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT, TO ALLOW A CULTIVATION FACILITY FOR MEDICAL MARIJUANA. THE PROPERTY IS LOCATED AT 2808 SYNERGY STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-15-614-013. (FOR POSSIBLE ACTION)

This item was presented by Marc Jordan, Planning Manager.

Item Nos. 7 (UN-22-16) and 8 (UN-21-16) were briefed together, and voted upon separately.

Mr. Jordan advised the building is 5,200 square feet in size. Approximately 4,500 square feet would be used for cultivation, and the remainder would be used for production.

The applicant complies with the parking requirements, and has indicated there is one primary entrance for both facilities. Should the state require separate entrances for each facility, the applicant would have to amend their floor plan accordingly.

This is a change of location. The applicant has conditional use permits in the Apex area, and is proposing to move to 2808 Synergy Street. The applicant has provisional certificates from the state.

Staff had no objections to either item, and recommended approval.

The original conditions 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. That a single entrance shall be provided for the cultivation facility apart from the proposed production of edible marijuana products or marijuana-infused products facility , except for additional exits that may be required to comply with life safety requirements, or as otherwise allowed by the Nevada Division of Public and Behavioral Health and Nevada Revised Statutes Requirements.
3. The floor plan shall be revised to remove all interconnecting doors throughout the building in order to provide a separation from the cultivation facility to the production of edible marijuana products or marijuana-infused products facility, or as otherwise allowed by the Nevada Division of Public and Behavioral Health and Nevada Revised Statutes Requirements.

Police:

4. Suitable back up power to allow keypads and cameras/DVR to function during power outage.
5. Off-site remote access to surveillance cameras.
6. Secure doors and alarm auxiliary doors for emergency exit only.
7. Appropriate lighting on exterior of building which does not glare cameras.
8. Repair or replace fencing and gates to appropriate security levels.

Lucy Stewart, 2500 W. Sahara Ave., Las Vegas, represented the applicant. Ms. Stewart advised this is a relocation from Apex due to NV Energy not having power at the original location. The applicant intends to be operational by May, and is showing good faith in doing so.

Acting Chairman Kraft opened the public hearing on Item No. 7, UN-22-16. Acting Chairman Kraft closed the public hearing.

ACTION: APPROVED

MOTION: Commissioner Perkins
AYES: Acting Chairman Kraft, Commissioners Perkins, Stone, Robison, Acevedo and Greer
NAYS: None
ABSTAIN: None
ABSENT: Chairman Ewing

8. **UN-21-16 (53860) NATURAL MEDICINE – PRODUCTION (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NATURAL MEDICINE-ELAD YERUSHALMI, ON BEHALF OF RICHARD & GLENDA FAILLA LIVING TRUST, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT, TO ALLOW THE PRODUCTION OF EDIBLE MARIJUANA PRODUCTS OR MARIJUANA-INFUSED PRODUCTS. THE PROPERTY IS LOCATED AT 2808 SYNERGY STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-15-614-013. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Planning Manager.

Item Nos. 7 (UN-22-16) and 8 (UN-2-16) were briefed together, and voted upon separately.

Mr. Jordan advised the building is 5,200 square feet in size. Approximately 4,500 square feet would be used for cultivation, and the remainder would be used for production.

The applicant complies with the parking requirements, and has indicated there is one primary entrance for both facilities. Should the state require separate entrances for each facility, the applicant would have to amend their floor plan accordingly.

This is a change of location. The applicant has conditional use permits in the Apex area, and is proposing to move to 2808 Synergy Street. The applicant has provisional certificates from the state.

Staff had no objections to either item, and recommended approval.

The conditions 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. That a single entrance shall be provided for the production facility apart from the proposed cultivation facility, except for additional exits that may be required to comply with life safety requirements, or as otherwise allowed by the Nevada Division of Public and Behavioral Health and Nevada Revised Statutes Requirements.
3. The floor plan shall be revised to remove all interconnecting doors throughout the building in order to provide a separation from the production facility to the cultivation facility, or as otherwise allowed by the Nevada Division of Public and Behavioral Health and Nevada Revised Statutes Requirements.

Police:

4. Suitable back up power to allow keypads and cameras/DVR to function during power outage.
5. Off-site remote access to surveillance cameras.
6. Secure doors and alarm auxiliary doors for emergency exit only.
7. Appropriate lighting on exterior of building which does not glare cameras.
8. Repair or replace fencing and gates to appropriate security levels.

Lucy Stewart, 2500 W. Sahara Ave., Las Vegas, represented the applicant. Ms. Stewart advised this is a relocation from Apex due to NV Energy not having power at the original location. The applicant intends to be operational by May, and is showing good faith in doing so.

Acting Chairman Kraft opened the public hearing on Item No. 8, UN-21-16. Acting Chairman Kraft closed the public hearing.

ACTION: APPROVED

MOTION: Commissioner Perkins
AYES: Acting Chairman Kraft, Commissioners Perkins, Stone, Robison, Acevedo and Greer
NAYS: None
ABSTAIN: None
ABSENT: Chairman Ewing

OLD BUSINESS

10. **UN-05-16 (53319) TERRIBLE HERBST (PUBLIC HEARING). AN APPLICATION SUBMITTED BY OSPREY REAL ESTATE CAPITAL ON BEHALF OF PHANTOM ZONE HOLDING LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT, TO ALLOW A CONVENIENCE STORE WITH GAS PUMPS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF LONE MOUNTAIN ROAD AND NORTH 5TH STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-02-101-001. (FOR POSSIBLE ACTION) (CONTINUED JANUARY 13 AND FEBRUARY 10, 2016)**

ACTION: CONTINUED TO APRIL 13, 2016

MOTION: Commissioner Perkins
AYES: Acting Chairman Kraft, Commissioners Perkins, Stone, Robison, Acevedo and Greer
NAYS: None
ABSTAIN: None
ABSENT: Chairman Ewing

11. **UN-08-16 (53364) TERRIBLE HERBST (PUBLIC HEARING). AN APPLICATION SUBMITTED BY OSPREY REAL ESTATE CAPITAL ON BEHALF OF PHANTOM ZONE HOLDING LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT, TO ALLOW A VEHICLE WASHING FACILITY. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF LONE MOUNTAIN ROAD AND NORTH 5TH STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-02-101-001. (FOR POSSIBLE ACTION) (CONTINUED JANUARY 13 AND FEBRUARY 10, 2016)**

ACTION: CONTINUED TO APRIL 13, 2016

MOTION: Commissioner Perkins
AYES: Acting Chairman Kraft, Commissioners Perkins, Stone, Robison, Acevedo
and Greer
NAYS: None
ABSTAIN: None
ABSENT: Chairman Ewing

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

Director Blackburn advised of the pending sale of R. C. Farms' 153 acres; however, it is anticipated its operation will continue at another location.

Director Blackburn stated industrial developers are pleased with the City's expedited land development and entitlement processes on industrial projects.

Director Blackburn thanked the Planning Commission for their continued support.

CHAIRMAN'S BUSINESS

There were no business items to report.

ADJOURNMENT

The meeting adjourned at 6:45 p.m.

APPROVED: April 13, 2016

/s/ Kenneth Kraft
Kenneth Kraft, Vice-Chairman

/s/ Julie Shields
Julie Shields, Recording Secretary