

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

August 10, 2016

- BRIEFING:** 5:30 P.M.
Caucus Room, 2250 Las Vegas Boulevard, North
North Las Vegas, Nevada
- CALL TO ORDER:** 6:02 P.M.
Council Chambers, 2250 Las Vegas Boulevard, North
North Las Vegas, Nevada
- WELCOME:** Chairman Kenneth Kraft
- ROLL CALL:** Chairman Kenneth Kraft – Present
Vice-Chairman Nelson Stone - Present
Commissioner Laura Perkins – Present
Commissioner Willard Ewing – Present
Commissioner Randy Robison – Present
Commissioner Al Greer – Present
Commissioner Rick Lemmon - Present
- STAFF PRESENT:** Marc Jordan, Acting Director
Robert Eastman, Principal Planner
Bethany Rudd Sanchez, Chief Deputy City Attorney
Jose Valenzuela, Deputy City Attorney
Robert McLaughlin, Public Works/Manager
Duane McNelly, Major Proj. Coordinator/Public Works
Curt Kroeker, Public Works/Engineering Associate
Julie Shields, Executive/Recording Secretary
- VERIFICATION:** Julie Shields, Recording Secretary
- PLEDGE OF ALLEGIANCE:** Commissioner Perkins

ELECTION OF PLANNING COMMISSION OFFICERS

(For possible action)

ACTION: NELSON STONE ELECTED AS VICE-CHAIRMAN

MOTION: Commissioner Ewing

AYES: Chairman Kraft, Commissioners Perkins, Ewing, Stone, Robison, Greer and Lemmon

NAYS: None

ABSTAIN: None

ABSENT: None

PUBLIC FORUM

There was no public participation.

AGENDA

1. APPROVAL OF THE PLANNING COMMISSION MEETING AGENDA OF AUGUST 10, 2016 (FOR POSSIBLE ACTION)

ACTION: APPROVED AS AMENDED, ITEM NOS. 4 (UN-52-16) and 15 (UN-40-16) WITHDRAWN PER THE APPLICANTS' REQUESTS.

MOTION: Commissioner Perkins

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

NAYS: None

ABSTAIN: None

ABSENT: None

CONSENT AGENDA

2. APPROVAL OF THE PLANNING COMMISSION MEETING MINUTES OF JULY 13, 2016 (FOR POSSIBLE ACTION)

ACTION: APPROVED

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

NEW BUSINESS

3. **UN-50-16 (55346) MAACO (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GSCP HOLDINGS NEVADA, ON BEHALF OF FORWARD TEE 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 4120 EAST CRAIG ROAD, SUITE G. THE ASSESSOR'S PARCEL NUMBER IS 140-06-610-017. (FOR POSSIBLE ACTION)**

This item was presented by Robert Eastman, Principal Planner.

Mr. Eastman stated the applicant is requesting approval of a use permit to allow a repair facility (Maaco paint/body shop). The original site was previously used as auto repair/body shop that ceased to operate for over six months and a new use permit was required. The building is currently partially occupied by Ridenow Power Sports, a motorcycle and sport vehicle sales facility. The current use does not have a use permit, but was permitted prior to the current code changes and is a legally non-confirming use. The proposed Maaco will occupy the remaining portion of the building. The applicant requested the use permit for the entire 30,728 square foot building.

Architecturally, the building is in compliance with the industrial design standards. Landscaping is provided around the perimeter of the building along Craig Road and Vandenberg Drive; however, some plants have died and need to be replaced.

Staff does not believe there to be detrimental effects on the surrounding properties and recommends approval.

The conditions are:

Planning and Zoning:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That all work shall be performed within the building.

3. All vehicles awaiting repairs shall be stored inside the facility.

Jason Ygar, 4120 E. Craig Road, North Las Vegas, appeared on behalf of the applicant and stated they wish to continue to use the building and were applying for a use a permit since the previous owners did not have one.

Jeff Mackey, Ridenow Power Sports, 4120 E. Craig Road, North Las Vegas, asked if the City had accepted their amendment which included his company for the use permit. Mr. Eastman confirmed the permit would cover the entire site which would include both suites.

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

ACTION: APPROVED

MOTION: Commissioner Perkins

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

NAYS: None

ABSTAIN: None

ABSENT: None

4. **UN-52-16 (55363) LEGACY TRADITIONAL SCHOOL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ANACOLE HOLDINGS, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT, TO ALLOW A PRIMARY AND SECONDARY SCHOOL. THE PROPERTY IS LOCATED AT 2150 WEST ANN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-29-802-004, 124-29-802-005, 124-29-802-006 AND 124-29-802-011. (FOR POSSIBLE ACTION)**

ACTION: WITHDRAWN PER THE APPLICANT'S REQUEST

MOTION: Commissioner Perkins

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

NAYS: None

ABSTAIN: None

ABSENT: None

5. **ZN-08-16 (55342) CRAIG/SIMMONS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CRAIG SIMMONS FF396, LLC, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM THE CURRENT DESIGNATION**

OF PUD, PLANNED UNIT DEVELOPMENT DISTRICT, TO C-1, NEIGHBORHOOD COMMERCIAL DISTRICT. THE PROPERTIES ARE LOCATED NORTH OF CRAIG ROAD AND EAST OF SIMMONS STREET. (FOR POSSIBLE ACTION)

This item was presented by Robert Eastman, Principal Planner.

Mr. Eastman stated the applicant has requested to reclassify a property from a PUD, Planning Unit Development District, to a C-1, Neighborhood Commercial District, to develop this site for commercial uses. This is currently part of an existing PUD; there is a commercial component and also a residential component to the north. Instead of remaining as part of the PUD, the applicant requests to have their approximately 3.5 acres pulled out of the PUD and be given straight commercial zoning.

The applicant held their required neighborhood meeting on June 23, 2016, at the Alexander Library. According to the applicant, one person attended the meeting and voiced support for the request.

The proposed rezoning contains the commercial component of an approved commercial and residential PUD. The PUD was originally approved on March 2, 2005 (ZN-126-04) and also contained 262 dwelling units, in addition to the commercial component. The commercial and residential component are under separate ownership and the commercial land owner is requesting the change to the C-1, Neighborhood Commercial District. The residential component is also on tonight's agenda with a Final Development Plan (FDP-02-16).

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

Bob Gronauer, 1980 Festival Plaza Drive, Las Vegas, appeared on behalf of the applicant, and stated he concurred with the recommendations in the staff report.

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

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Robison

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

NAYS: None

ABSTAIN: None

ABSENT: None

6. **FDP-02-16 (55357) PROVANCE EAST CONDOS AND SINGLE FAMILY. AN APPLICATION SUBMITTED BY GREYSTONE NEVADA, LLC, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD, PLANNED UNIT DEVELOPMENT DISTRICT, TO DEVELOP 250 SINGLE-FAMILY DWELLING UNITS. THE PROPERTIES ARE LOCATED EAST OF THE NORTHEAST CORNER OF CRAIG ROAD AND SIMMONS STREET. THE PARCEL NUMBERS ARE 139-05-618-000 THROUGH 139-05-618-186, 139-05-617-080 THROUGH 139-05-617-083, 139-05-617-087 AND 139-05-617-088. (FOR POSSIBLE ACTION)**

This item was presented by Robert Eastman, Principal Planner.

Mr. Eastman stated the applicant is requesting approval of a 20-lot tentative map on approximately 7.50 acres with a density of 10.7 dwelling units per acre north and west of North 5th Street and Azure Avenue. The proposed development would be a multi-family development in the PUD, Planning Unit Development District, to develop 250 single-family dwelling units using the same mapped lots that were already developed, and the site contains a mix of both duplexes along the northern section and mix of three-plexes and six-plexes in the southern portion. Additionally, there is adequate open space for the site. A few minor concerns are: the original PUD had 3.5 foot wide sidewalks, which are not in conformance with current Americans with Disabilities Act regulations. The applicant is willing to bring sidewalks into compliance and submitted a drawing reflecting such. This action would not impact the overall development, and could be done using the current site plan. The applicant may need additional trash enclosures for the multiple family units.

The proposed tentative map indicates that all lots would meet the minimum lot size requirement of 1,700 square feet per unit, with the smallest lot at 8,887 square feet (2,221 sq. ft. / unit) and the largest lot at 14,560 square feet (3,640 sq. ft. / unit) in size. All of the proposed lots exceed the minimum lot width requirement of 60 feet.

The applicant has submitted accompanying request (ZN-04-16) to amend the existing PUD to allow the changed multi-family format and open space. The request is on this agenda for Planning Commission consideration.

Staff recommended approval subject to the following conditions:

Planning and Zoning:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. The trash enclosure roof shall match the roof of the gas canopy and incorporate

a Terra Cotta Spanish tile roof.

3. The applicant shall comply with all applicable conditions of approval for ZN-126-04 (Ordinance 2105).
4. Maintenance of the dog park shall be the responsibility of the HOA.

Bob Gronauer, 1980 Festival Plaza Drive, Las Vegas, appeared on behalf of the applicant, Lennar Homes. He stated this project was approved about 11 years ago for a residential project. Lennar Homes has owned this property for many years and is excited about coming back to North Las Vegas and doing a development here. Mr. Gronauer stated these are duplexes, condos, and townhomes which are for sale products. All the lots are mapped, and follow the contours of the lots already approved in 2005.

Vice-Chairman Stone asked staff what is the current ADA standard for sidewalk width. Mr. Eastman stated it is 4 feet (or wider) with a turnaround every 200 feet to provide proper wheelchair turnaround.

Commissioner Robison asked if the applicant will be able to address the ADA issue and trash enclosure concerns. Mr. Gronauer confirmed that they will meet those requirements.

ACTION: APPROVED

MOTION: Commissioner Greer

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

NAYS: None

ABSTAIN: None

ABSENT: None

7. **ZN-09-16 (55358) 5TH AND AZURE TOWNHOME APTS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY FOREFRONT DEVELOPMENT ON BEHALF OF PATRICK HIGGINS, PROPERTY OWNER AMENDING AN EXISTING PUD, PLANNED UNIT DEVELOPMENT, ORIGINALLY APPROVED FOR 90 MULTI-FAMILY DWELLING UNITS TO ALLOW 80 MULTI-FAMILY DWELLING UNITS AND AMENDING THE PRELIMINARY AND THE OPEN SPACE PLANS. THE PROPERTY IS LOCATED ON EAST AZURE AVENUE AND NORTH 5TH STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-27-504-002, 124-27-504-004, 124-27-504-006. (FOR POSSIBLE ACTION)**

This item was presented by Robert Eastman, Principal Planner.

Mr. Eastman stated the applicant is requesting to modify an existing PUD, Planned Unit Development, to allow an 80-unit multi-family development on approximately 7.5 +/- acres. The previous PUD was approved for a 90-unit multi-family development. The Comprehensive Plan Land Use designation for the subject site is Mixed-Use Commercial. The applicant intends to develop the site with 20 lots, each proposed lot will contain a four-plex.

The principal difference between the proposed development and the currently approved development is that the proposed plan will create 20 individual lots, each containing one multi-family building. This requires a private street and changes to the mapping. The previously approved development contained 19 apartment buildings on one large parcel. Because access to individual lots was not needed, the developer created drive aisles instead of an internal street.

Mr. Eastman said the applicant does need to provide some additional buffered landscaping and said the applicant has provided that along with a modified site plan to show compliance with that buffering. Another concern is the trash containers, as the site plan does not have a centralized dumpster. It appears the applicant intends to use individual containers from Republic Services, which will add 160 trash and recycling containers to the street on trash day. The final development plan should depict a screened location for the storage of the trash and recycling containers for each unit. This is relatively minor, but should be addressed with the Final Development Plan. Some type of corral or trash enclosure would be needed or necessary to prevent the proliferation of cans on the other days of the week.

Staff recommended approval of this item subject to the conditions listed. Also on the agenda is the associated tentative map (T-1384).

Mr. Eastman stated they received a letter of concern/comment submitted by Southwest Gas (SWG) that needs to be added to the record. The applicant and SWG have submitted a condition that they would like added to the conditions if approved. Mr. Eastman asked the Planning Commission if they wanted this condition read into the record.

Staff recommended approval of this item and that it be forwarded to City Council for final consideration.

The conditions are:

Planning and Zoning:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. That the number of units shall not exceed 80 multi-family homes.

3. That the perimeter walls /fences be owned and maintained by the homeowner's association.
4. The central park shall contain at a minimum the following elements: swimming pool; restrooms; shade trees; shade structure with picnic table (1); benches (2); and trash receptacles (2).
5. That a 10 foot landscaped buffer area be provided on all sides of the property. The landscaping shall include 24-inch box trees planted 20 feet on center and shrubs that provide a 50% ground cover within 2 years of planting.

Public Works:

6. 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.
7. Approval of a drainage study is required prior to submittal of the civil improvement plans.
8. 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 her designee.
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. Emergency access driveways shall be constructed per *Clark County Area Uniform Standard Drawing No. 226.S1*.
11. Interior local residential streets shall be designed per *Clark County Area Uniform Standard Drawing No. 206.S1 Option A*.
12. The proposed driveway at the subdivision entrance shall be constructed in accordance with *Clark County Area Uniform Standard Drawing numbers 225 and 222.1*, including throat depths.

13. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
14. Sixty (60) foot minor residential collector streets shall be designed and constructed per the *City of North Las Vegas 60' Standard Street Section with Offset Sidewalk*.
15. 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. Regena Ave
 - b. Azure Ave
 - c. North 5th St
16. North 5th Street shall be designed in accordance with the *City of North Las Vegas Uniform Standard Drawings for North 5th Street Improvements*.
17. All development along North 5th Street shall provide a twenty foot landscape and pedestrian access easement/common element adjacent to the right-of-way. Conformance will require modifications to the site plan which may result in fewer lots.
18. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along North 5th Street.
19. The property owner is required to grant roadway easements where public and private streets intersect.
20. All common elements shall be labeled and are to be maintained by the Home Owners Association.
21. A revocable encroachment permit for landscaping within the public right of way is required.
22. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards and must be approved by the City of Las Vegas Central Fire Alarm Office.
23. Proposed residential driveway slopes shall not exceed twelve percent (12%).
24. All off-site improvements must be completed prior to final inspection of the first building.

25. Appropriate subdivision mapping is required to complete this project. All mapping shall be in compliance with NRS Chapter 278 and the *City of North Las Vegas Municipal Code* and associated Master Plans in effect at the time of subdivision and/or parcel map approval. Conformance may require modifications to the site.
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 must apply for a vacation of public right-of-way (APN 124-27-599-010). Should the subject vacation be denied, this application shall be null and void.

Chris Thompson, 4325 Dean Martin Drive, Las Vegas, appeared on behalf of the applicant, and explained the zone change is actually an amendment to a previously approved PUD that occurred in 2005, when it was the tradition of having a campus style apartment complex approved with site to 90 units. He said this proposal has reduced it from 90 to 80 units and changed the configuration of the site to one that is more centered around having a few simple lots each with central four-plex units. He stated one advantage is that they will be providing a City standard 47-foot wide street, with an attached sidewalk on both sides. He said this is different from the typical apartment complex configuration which has drive aisles, and felt this will provide something more substantial from an internal roadway standpoint. Mr. Thompson said they have the main central amenity, which is the pool open space, and the balance of which will be made up with passive recreational and passive use nodes. With the submittal of the Final Development Plan, those items will be programmed, and amenities such as benches and barbeques are anticipated.

In regard to the SWG issue, Mr. Thompson said SWG was wonderful to work with and they contacted them on Monday to advise they were late in getting the paperwork through their offices and they worked with SWG on the conditions. Mr. Thompson summarized what SWG is proposing: The applicant will provide coordination with them; conformance with three specific conditions identified in the letter; and when the applicant comes through with the Final Development Plan, the applicant will have to provide evidence of those achievements.

Chairman Kraft asked Chief Deputy City Attorney Bethany Rudd Sanchez for her opinion on the additional amendment. Ms. Rudd Sanchez replied that it is unusual to have the record include evidence of a private agreement and that normally conditions on the application for the entitlement are for conditions between the City and the applicant for conditions the City would require pursuant to our code or state law, and

that we could enforce if it did not happen. Ms. Rudd Sanchez said her concern is that City staff would not have any input, nor should they, on what conditions the applicants have worked out with the adjacent property owner. Further, should something happen between now and submittal of the Final Development Plan, and the applicant could not meet those conditions as part of the agreement with SWG, the City would not be able to accept the applicant's Final Development Plan. She gave the following example: Should this amendment be added, and the applicant did not come to an agreement with SWG and did not achieve the compliance required, the applicant would have to come back to the Planning Commission and amend the PUD again to strike that condition before moving forward with the Final Development Plan.

Mr. Thompson said they have sought and were successful in obtaining these kind of conditions from other public entities.

Chairman Kraft opened the public hearing.

KeSha Johnson, 316 Gemstone Hill Avenue, North Las Vegas, voiced her concern about the new modifications and requested clarification regarding the plans. She stated the backside of her home is along Azure Avenue, and asked what the height of the apartments will be and if the amended open space meant to include a park or just the area for the pool.

Chris Thompson, 4325 Dean Martin Drive, Las Vegas, appeared on behalf of the applicant and stated homes that have a rear exposure to the south side of their project, would have no roadway connection on Azure Avenue, adding the only roadway connection will be the divided median on Regena Avenue. He explained that along Azure Avenue there will be buildings that are side loaded, the building width will be 40 feet, with the tallest elevation of 31 feet, 4 inches, which is the same height of a standard two-story home. He said the other buildings that point toward Azure Avenue will have the front door toward Azure Avenue. With the final programming, there will be a view fence along Azure Avenue, in which a person can see through the view gate and will see landscaping and front doors. He added this will create a visual appearance more like that of a single family residential home instead of a big apartment building.

Mr. Thompson addressed staff's concerns in regard to trash storage and enclosure by stating they have programmed trash can storage within the garages so that tenants will have a place to store their cans.

Telma Lopez, 5241 Spring Mountain Road, Las Vegas, of Southwest Gas, stated they have outlined their concerns in the letter of intent, and they wish to help the applicant move forward. They recognized the fact the City does not want to have conditions they cannot enforce. Ms. Lopez said this condition would be a good agreement between parties so that they will work together, and they are going to satisfy their requirements so they can move forward with the applicant. She stated they are

looking toward the City and Planning Commission to make that determination, but as far as SWG is concerned, as long their requirements are satisfied, they are good.

Ms. Rudd Sanchez asked Ms. Lopez if SWG created the wording of the conditions so that the applicant would have to satisfy the requirements before moving forward or if this was an “agree to agree” type of condition. Ms. Rudd Sanchez wanted to get clarification before requesting direction from the Planning Commission.

Ms. Lopez replied SWG wanted to have their conditions/requirements met. They wanted the applicant to provide the additional landscaping, address the issues with noise, provide adequate protection of their facility, and stated they are agreeing to do that without having conditions the City cannot necessarily enforce. Ms. Lopez said the new condition would satisfy the need to have an agreement between the parties.

Ms. Rudd Sanchez stated that staff is looking for direction from the Commission members as to whether they want to entertain a condition.

Chairman Kraft closed the public hearing.

Commissioner Perkins asked if SWG had received noise and odor complaints from other developments in the area. Ms. Lopez replied she did not believe they did, unless the City had received complaints. If that were the case, she said the City would have notified them.

Vice-Chairman Stone explained for the benefit of the new Commission members, the past history and issues with the County pig farm and nearby residential area. Ms. Rudd Sanchez stated the conditions placed on the residential development near the pig farm (example: seller disclosing to buyer of potential smell) were different than placing a private agreement as part of the conditions for approval for the Final Development Plan.

Commissioner Greer stated he concurred with Ms. Rudd Sanchez in that there are already policies in place to deal with these types of issues. He stated the City should not take on issues in which the City has no control over, nor the ability to enforce, and should not be in the middle of private agreements. He added what is currently in place should address future incidents.

Commissioner Robison concluded by stating that without ill will or being dismissive or disrespectful to either side, this is not a City issue. He explained the homeowner moving in or potential renter has an obligation to do his or her due diligence to find out what is going on in their neighborhood. He said SWG has an obligation to fulfill any outstanding issues that may be there and remedy their problem. He said SWG and the applicant both have an obligation to work together and again stated this is really not a City issue.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Greer

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

NAYS: None

ABSTAIN: None

ABSENT: None

8. **T-1384 (55360) 5th AND AZURE TOWNHOME APARTMENTS. AN APPLICATION SUBMITTED BY FOREFRONT DEVELOPMENT, ON BEHALF OF PATRICK HIGGINS, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A PUD, PLANNED UNIT DEVELOPMENT DISTRICT, FOR THE DEVELOPMENT OF A 20-LOT MULTI-FAMILY RESIDENTIAL SUBDIVISION (80-UNITS). THE PROPERTY IS LOCATED NORTH AND WEST OF THE NORTHWEST CORNER OF NORTH 5TH STREET AND AZURE AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-27-504-002, 124-27-504-004, 124-27-504-006. (FOR POSSIBLE ACTION)**

This item was presented by Robert Eastman, Principal Planner.

Mr. Eastman stated tentative map T-1384 is the companion item that will allow the development of the 20-lot subdivision which was in conformance with the proposed PUD that was just approved. All lots comply with the equivalent of an R-2 zoning. The project meets the minimum area and lot width requirements.

Staff recommended approval.

The conditions are:

Planning and Zoning:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. The tentative map shall comply with all conditions of approval of ZN-09-16.
3. The tentative map shall become null and void should the accompanying rezoning request (ZN-09-16) 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 her designee.
7. 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.
8. Emergency access driveways shall be constructed per *Clark County Area Uniform Standard Drawing No. 226.S1*.
9. Interior local residential streets shall be designed per *Clark County Area Uniform Standard Drawing No. 206.S1 Option A*.
10. The proposed driveway at the subdivision entrance shall be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 225 and 222.1, including throat depths.
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. Sixty (60) foot minor residential collector streets shall be designed and constructed per the *City of North Las Vegas 60' Standard Street Section with Offset Sidewalk*.
13. 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. Regena Ave
 - b. Azure Ave
 - c. North 5th St

14. North 5th Street shall be designed in accordance with the *City of North Las Vegas Uniform Standard Drawings for North 5th Street Improvements*.
15. All development along North 5th Street shall provide a twenty foot landscape and pedestrian access easement/common element adjacent to the right-of-way. Conformance will require modifications to the site plan which may result in fewer lots.
16. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along North 5th Street.
17. The property owner is required to grant roadway easements where public and private streets intersect.
18. All common elements shall be labeled and are to be maintained by the Home Owners Association.
19. A revocable encroachment permit for landscaping within the public right of way is required.
20. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards and must be approved by the City of Las Vegas Central Fire Alarm Office.
21. Proposed residential driveway slopes shall not exceed twelve percent (12%).
22. All off-site improvements must be completed prior to final inspection of the first building.
23. All mapping shall be in compliance with NRS Chapter 278 and the *City of North Las Vegas Municipal Code* and associated Master Plans in effect at the time of subdivision and/or parcel map approval. Conformance may require modifications to the site resulting in fewer lots.
24. In the event ZN-09-16 is denied, this application shall become null and void.
25. 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.

26. The applicant must apply for a vacation of public right-of-way (APN 124-27-599-010). Should the subject vacation be denied, this application shall become null and void.
27. Three (3) copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review and approval to the Department of Public Works and the Department of Planning and Development prior to submittal of the final map and civil improvement plans.

Chris Thompson, 4325 Dean Martin Drive, Las Vegas, appeared on behalf of the applicant, and stated they are in agreement with staff's proposed conditions.

ACTION: APPROVED

MOTION: Commissioner Ewing

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

NAYS: None

ABSTAIN: None

ABSENT: None

9. **ZN-07-16 (55319) CAMINO AL NORTE AND CRAIG (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PRE CRAIG CAMINO LLC, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM ITS CURRENT DESIGNATION OF R-1, SINGLE-FAMILY LOW DENSITY DISTRICT, TO A C-2, GENERAL COMMERCIAL DISTRICT. THE PROPERTIES ARE GENERALLY LOCATED AT THE NORTHWEST CORNER OF CAMINO AL NORTE AND CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-04-601-001 AND 139-04-201-009. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Acting Director.

Mr. Jordan stated the applicant is requesting to reclassify the subject site from R-1, Single-Family Low Density District to C-2, General Commercial District. This particular property has two land uses on it: Mixed Use Neighborhood on the northerly side and Mixed use Commercial on the southerly side. Mr. Jordan explained that a Mixed Use Neighborhood is typically intended for self-supporting neighborhoods that contain a variety of residential, where as Mixed Use Commercial is typically commercial with some amount of residential. He said typically the Comprehensive Plan is not meant to be so specific in looking at the lines of it, and really should be considered more like a bubble map in that it can be flexible when needed to expand or contract as needed. The site has a drainage channel that lies at the northerly side. When staff looked at how this site was developed, staff believed the Mixed Use Neighborhood is more appropriate to everything that would be north of that drainage channel, and Mixed Use

Commercial would be appropriate for everything south of that drainage channel. This is also consistent with the way the property has been developing south of that channel and mentioned the hospital site was rezoned to C-2 Commercial, and another property to the west, Murphy Oil, was also rezoned to C-2 Commercial. Likewise, both Camino Al Norte and Craig Road are considered major arterial streets which are more conducive to commercial type development. As a result, staff believed that the proposed request, even though there are two different land uses, is consistent with the Comprehensive Plan.

Staff recommended approval of this item, and that it be forwarded to City Council for consideration.

Jennifer Lazovich, 1980 Festival Plaza Drive, Las Vegas, appeared on behalf of the applicant, and appreciated staff's recommendations.

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

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Perkins

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

NAYS: None

ABSTAIN: None

ABSENT: None

10. UN-47-16 (55311) RETAIL/RESTAURANT PAD SITE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ACTIVE-GW HOLDINGS, LLC, ON BEHALF OF CIVIC CAPITAL MANAGEMENT, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN R-A/DC REDEVELOPMENT AREA/DOWNTOWN CORE SUBDISTRICT, TO ALLOW A FAST FOOD RESTAURANT. THE PROPERTY IS LOCATED EAST OF CIVIC CENTER DRIVE, APPROXIMATELY 130 FEET SOUTH OF LAKE MEAD BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-24-301-004. (FOR POSSIBLE ACTION)

This item was presented by Marc Jordan, Acting Director.

Mr. Jordan stated the applicant is requesting a special use permit to allow a fast food restaurant with a drive-through in the general area located near the southeast corner of Lake Mead Boulevard and Civic Center Drive. This area is located within the Downtown Redevelopment Area, specifically the Downtown Core Subdistrict. The applicant proposed to construct a new Don Tortaco Restaurant, almost 2,000 square feet in size

with a serving area of approximately 875 square feet. There are approximately 22 parking spaces required for this development, where the site plan shows 12 parking spaces. This is part of a commercial center that already has some development on it; the two most recent developments are Popeye's and the Goodwill Center. As a result of the shared parking facility and the shared driveway aisles, there is sufficient parking for the proposed use when taking all of the uses into account.

The applicant has requested a waiver to the sidewalk requirement for the public entry. They have asked for a 6-foot sidewalk where 8 feet is normally required, and likewise asked for a waiver to allow a zero curb face for a sidewalk where typically sidewalks need to be raised about 6 inches above the parking lot or asphalt area. They have indicated this would help accommodate the handicapped ramp that they need. In reviewing the proposal, staff only had a few minor concerns. Fast food restaurants require 8 queuing spaces and on this particular site plan only 6 queuing spaces were shown. Staff believes 8 queuing spaces can be accomplished by the applicant moving the building to the east, which would provide additional queuing spaces. Additionally, it would also potentially remove any vehicle conflicts between the area where cars would queue for the drive-up window and he added there is a driveway on Civic Center Drive. This would add more spaces and remove any vehicle conflicts.

In regard to the waiver for the reduction in sidewalk width and for the sidewalk to be at the parking lot grade, the applicant asked for a 6-foot sidewalk where 8 feet is required; and have requested the sidewalk to be at a grade where it would normally be raised at 6 inches above. In both cases, staff did not have any objections to the waiver with some slight modification.

Staff recommended the applicant make the following modifications. The applicant provide a 5-foot sidewalk instead of a 6-foot sidewalk. The reason is a foundational landscape requirement that is normally about 6 feet. The site plan did not show anything; however, their drive aisle in front of the parking area is about 25 feet. They could take one foot away from that. They also have shown some landscaping on the northerly side that is not normally required. They could reduce the landscaping, provide minimal landscaping, and by reducing the sidewalk from 6 feet to 5 feet, they could take the extra distance and put in about 4 feet of landscaping next to their building which would help them comply with the design guidelines.

In regard to sidewalk at grade, staff had no objections provided that: (1) The applicant provide wheel stops to prevent cars from impeding on the sidewalk, and (2) That approval will be based upon the drainage study that would support the sidewalk being at grade. Otherwise, the applicant would have make some modifications to meet those requirements.

Mr. Jordan said normally design waivers are not allowed as part of Title 17; however, because this project is in the Downtown Redevelopment Area, NRS 279 contains provisions in which this Commission, and eventually the Redevelopment Agency, can

consider waivers to design guidelines in the spirit of redevelopment. Therefore, staff considered using that section of state law to support these waivers. Otherwise, staff had no objections to the proper use. The amendments required are minor and will be reviewed at the time of building permit.

Staff recommended approval of this item and that it be forwarded to the Redevelopment Agency for final consideration.

The conditions are:

Planning and Zoning:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. All landscaping, including but not limited to perimeter, parking lot, and foundational landscaping shall comply with the minimum landscaping standards as required by Title 17. Exception: The sidewalk next to Civic Center Drive is not required to be centered in the perimeter landscaping and only four feet of foundational landscaping is required next to the north side of the building.
3. The customer sidewalk next to the northerly side of the building must maintain a minimum width of five (5) feet. In addition, wheel stops shall be provided to prevent automobiles from encroaching onto the sidewalk.
4. A minimum eight (8) queuing spaces shall be provided from the pick-up window in accordance with Title 17 requirements.

Public Works:

5. All known geologic hazards shall be shown on 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 is required prior to submittal of the civil improvement plans. Please contact Traffic Engineering at 703-633-2676 to request a scope.
8. A queuing analysis is required.
9. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* number 222.1, with a minimum throat depth of

25 feet as measured from the curb return.

Abdus Asif, 6725 S. Eastern Avenue, #7, Las Vegas, appeared on behalf of the applicant and explained that this restaurant is not the typical large fast food restaurant and gave the following comparisons: the building they propose will have 1,985 square feet and 875 square feet of serving area as compared to other restaurants that have 3,000-5,000 square feet; the volume of sales they anticipate is between \$700,000 - \$900,000 when compared to other fast foods places that generate over \$1 million. He stated the buildings to the south and north arrive on the street. Mr. Asif said they cannot move their building further east and is concerned about the building's visibility. Mr. Asif stated they are requesting the 6-car stack because the building is small and he anticipates the volume of cars to be small since this is not the standard restaurant.

Chairman Kraft opened the public hearing.

Matthew Nelson, 7155 S. Rainbow Boulevard, Las Vegas, appeared in support of the 6-car stack. Mr. Nelson stated they are the neighbors to the east and have worked harmoniously to develop a site plan for that works for everyone. He explained his reasons for support and discussed the various configurations they considered. He concluded by stating he understood the need for the 8-car stack for large box types like McDonald's and Burger King, and said this restaurant will not be as large in size nor in sales volume.

Chairman Kraft closed the public hearing.

Commissioner Ewing asked staff to respond to the comments heard by the applicant and applicant's neighbors. Mr. Jordan stated staff understood the applicant's desire to be seen. He said there are signage requirements the applicant can use, and added that the applicant can have a sign out there to help with the visibility.

In regard to reducing the stacking from 6 to 8 cars, Mr. Jordan stated staff is still not supportive of that because one of the requirements of special use permits in Item No. 4 stated, "...any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent practical." He said staff also considered the safety and general welfare of those working and residing in the area. He said staff knows there are people that walk to this area. The reason for trying to get the applicant to meet the queuing requirement again is that staff is also trying to eliminate any potential vehicle conflicts. In this particular case, if there are 6 vehicles stacked, even the site plan in front of you only shows 1 vehicle that is very close in the drive isle. If someone were to make a right turn and there are 6 vehicles in the spot, that vehicle will most likely stop and run the risk of someone running into the car or that car blocking the site visibility when another driver is trying to pull out.

Mr. Jordan stated this concept goes back to discussion held earlier with Southwest Gas and how during the use permit process, we want to mitigate anything that can happen in

the long and short term; consider the health of shopping center; and consider the safety of those visiting. Mr. Jordan reminded everyone that staff is charged with reviewing the safety element. He concluded by stating it is staff's recommendation to require the applicant to move the building and provide the property queuing for that use.

Commissioner Robison asked what distance was proposed to move the building, and whether there is a plan for signage on the site plan. He expressed the same concern as staff when looking at the impacts of a 6-car stack. Mr. Jordan said the applicant will have to let the applicant address the issue of signage. In terms of how far to move the building, he said when looking at the queuing spaces, it is typically 20 feet, so the applicant would have to program another 2 queuing spaces, which could potentially be 40 feet. He explained he used the term "potentially" because he said he is not the architect, but once someone put down on paper and they could see how far to move it in and basically minimize the move as much as possible to maintain the 8 queuing spaces. He said that would be something the applicant would have to draw out to see how it would work.

Commissioner Robison asked applicant to discuss the signing issue.

Mr. Asif said he developed Taco Bell on Lake Mead Boulevard and Civic Center Drive, and that they were given the accommodation to not have the required car stack. He said if they had to move their building 40 feet further east, it will push the building farther back, they would not be able to have signage since the building has such a small linear footage, and they would not be able to have a big sign. He reported that he did not have the sign information but that he knows they don't have enough frontage to have a big sign.

ACTION: APPROVED; FORWARDED TO REDEVELOPMENT AGENCY FOR FINAL CONSIDERATION

MOTION: Commissioner Ewing

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

NAYS: None

ABSTAIN: None

ABSENT: None

11. **UN-48-16 (55312) LILAC MASSAGE (Public Hearing). AN APPLICATION SUBMITTED BY LU KAO, ON BEHALF OF METEJEMEI LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT, TO ALLOW A MASSAGE ESTABLISHMENT. THE PROPERTY IS LOCATED AT 5575 SIMMONS STREET, SUITE #11. THE**

ASSESSOR'S PARCEL NUMBER IS 124-32-113-002. (FOR POSSIBLE ACTION)

This item was presented by Marc Jordan, Acting Director.

Mr. Jordan stated the applicant is requesting a special use permit to allow a massage establishment in the property that is zoned C-1. This will be a new business as the previous business opened in July in 2010 and closed this year. In regard to the use, staff has no objections and staff is recommending approval.

The condition is as follows:

Planning and Zoning:

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

Lu Kao, 5575 Simmons Street, #11, North Las Vegas, applicant, appeared before the Commission to address any questions or concerns.

Chairman Kraft opened the public hearing.

Andrew Reed, 3213 Standing Bear Court, North Las Vegas, appeared in opposition to this request. He asked staff to clarify if the current zoning was C-2 or C-1, which staff confirmed was C-1. Mr. Reed felt this type of establishment is not in line with the other shopping centers and types of business that are located on both sides of the Ann Road. He mentioned when he and his 5-year old walk along the meandering sidewalk (and multi-use trail close their subdivision), they often see neighbors, friends, and parents walking their children and frequenting neighborhood and family businesses and establishments. Mr. Reed stated he is concerned about the problems that other local jurisdictions have had with similar establishments and mentioned staff should look at the way Henderson handled them. He felt these type of establishments should be located in the tourist areas and not in shopping centers that cater to families and neighborhoods. He showed a photograph of a massage establishment in another jurisdiction which showed signage all of the front windows. He asked that should the Commission members approve this item, they review Henderson's list of conditions. Copies of those were given to the Recording Secretary to distribute to City staff to review.

Chairman Kraft closed the public hearing.

Ms. Kuo stated she did not understand the concerns mentioned and the opposition to the application. She said that massage has a long tradition in China and is part of a person's life and health. She said unlike other establishments that have illegal activities,

her business includes parents who bring in their children and they also provide pregnancy massages. Ms. Kuo said her customers are families and children. She added that massages don't always mean bad things.

Vice-Chairman Stone asked staff how many massage establishments are in North Las Vegas. He added there are more of these establishments along Craig Road. Mr. Jordan said he was correct in seeing more special use permits come before this Commission; however, he stated he could not provide the number of businesses at this time.

Vice-Chairman Stone asked if staff was aware of any problems from this type of establishment, and Mr. Jordan replied no. He commented the item before the Commission was a land use issue. The applicant would still need to apply for a business license, go through a police background investigation, and the business license would go before the City Council for approval. Mr. Jordan addressed the signage issue and stated the City has a sign ordinance and should a sign violation occur, these will be addressed and corrected through the Code Enforcement Division.

Commissioner Lemmon commented that massage parlors have gotten a bad name in the valley and not all are bad, and said this seemed like a good place. He asked the applicant to state the business hours and Ms. Kao replied the hours of operation are from 10:00 a.m. to 9:00 p.m., with 8:00 p.m. as the last customer appointment accepted.

Commissioner Perkins commented they probably would not be having this conversation if they were discussing a Massage Envy establishment. She also mentioned there is a spa around the corner and that blends well with the shopping center. She also added there is another one on Centennial and Simmons that was recently approved and commented once again it blended in with the shopping center itself. Commissioner Perkins said they have had virtually no complaints (that she is aware of) from the massage establishments the Commission recently approved.

ACTION: APPROVED

MOTION: Commissioner Lemmon

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

NAYS: None

ABSTAIN: None

ABSENT: None

12. **UN-49-16 (55334) MARKER CRAIG LLC SITE (Public Hearing). AN APPLICATION SUBMITTED BY NICOLE AND STEVEN OLVERA, ON BEHALF OF MARKER CRAIG LLC, FOR A SPECIAL USE PERMIT IN A PUD, PLANNED UNIT DEVELOPMENT DISTRICT, TO ALLOW AN (INDOOR)**

RECREATION CENTER. THE PROPERTY IS LOCATED AT 4220 WEST CRAIG ROAD, SUITES 101 AND 102. THE ASSESSOR'S PARCEL NUMBER IS 139-06-613-005, (FOR POSSIBLE ACTION)

This item was presented by Marc Jordan, Acting Director.

Mr. Jordan stated the applicant is requesting a special use permit to allow an indoor recreation center. The applicant indicated the proposed facility would include inflatable devices for children to climb, slide, and/or jump upon. In addition, the applicant offers facilities for birthday parties, special events, and open play sessions. The hours of operation are proposed between 10:00 a.m. and 6:00 p.m. seven days a week, with extended hours for private events. The applicant has also indicated there will be two (2) to three (3) employees on site, and less than 30 occupants at any given time

Mr. Jordan reported the property is currently zoned as PUD. When this property was rezoned it was more of a commercial PUD, and under that particular PUD, the ordinance for this particular type of use does require approval of a special use permit. Mr. Jordan said one of the things the Building Division noted when reviewing this item that a change in occupancy will be required because it was probably more of an office type of use. He said it may be more of an assembly-type of use and that tenant improvements for the occupancy may change. Otherwise, staff has no objections and recommends approval of this item.

Nicole Vera, 4220 W. Craig Road, North Las Vegas, appeared before the Commission. She stated she is aware of all the conditions.

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

Commissioner Greer asked the applicant if customers would be allowed to bring in their own food. Ms. Vera replied only food that was catered or store bought can be brought in to the facility. She said due to the health codes no food from home can be allowed.

Staff recommended approval subject to the following conditions:

Planning and Zoning:

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

ACTION: APPROVED

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

13. **UN-51-16 (55355) BOURBON STREET (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NEVADA RESTAURANT SERVICES INC./KANNON SMITH, ON BEHALF OF CPM CHEYENNE LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT, TO ALLOW AN EXPANSION TO AN EXISTING CASINO. THE PROPERTY IS LOCATED AT 2414 AND 2428 EAST CHEYENNE AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-11-816-019 AND 139-11-816-020. (FOR POSSIBLE ACTION)**

This item was presented by Marc Jordan, Acting Director.

Mr. Jordan stated the applicant is requesting a special use permit to allow an expansion to an existing casino. The property is zoned as C-2 and is in the north Redevelopment Area. According to the floor and site plans, the applicant is proposing to expand an existing casino by approximately 13,500 square feet. Currently, it is the Dotty's and LaVilita, and the applicant is proposing to add two new themes – the first Cheyenne Lodge and the second Bourbon Street. The applicant would also be doing an exterior elevation to comply with those two new themes. The outside would show four themes for the casino area and still have the rest of the retail space available for retail use later down the road. It would look like four casinos, but it is important to mention it would still all fall under one license. There will be interconnectivity inside the building and this would be consistent with some of the new Dotty's Casinos being developed around town.

Mr. Jordan said in regard to expansion, this is normally a non-restrictive gaming establishment and would see expansion that would need to show compliance with a hotel. However, this special use is available as a result of a provision under Title 5 that allows existing casinos that do not meet the hotel requirement to be able to expand with approval of a special use. In this particular case, the business is in a commercial center, and they are in area that has a Gaming Enterprise District that encompasses part of the parking lot. The applicant is also required to provide approximately 330 parking spaces for the existing casinos and 347 parking spaces for the new casinos that are proposed. As a result, with the commercial center there is not adequate parking within the parking lot to encompass the new proposed uses and the rest of the commercial center. Although Title 17 does have a provision where existing establishments can convert to another use without complying with the full requirement

of parking lot requirements, provided that if they were to remove a building then they convert that to parking. In this particular case, staff had no objections to what the applicant is proposing even though they do not meeting the full parking requirements. Likewise, this does not operate as a traditional casino that has all the hotel and all amenities to it, and operates more like a restricted gaming establishment. In terms of parking, staff had no objections to the expansion to the use.

Staff had no objections of this item and recommended approval.

Staff recommended Condition No. 3 be deleted. The conditions are:

Planning and Zoning:

1. That, unless expressly authorized through a variance, waiver or another *approved method, this development shall comply with all applicable codes and ordinances.*
2. The casino expansion shall be limited to the area within the building as shown on the site plan and floor plan, and as delineated by the approved Gaming Enterprise District Overlay. Any expansion beyond this area shall require Planning Commission and Redevelopment Agency review and approval.

George Garcia, 1055 Whitney Ranch Drive, # 210, Henderson, appeared on behalf of the applicant. Mr. Garcia said this item is a continuation of the redevelopment of this shopping center. He said as staff indicated when the building was within the Gaming Enterprise District, it was anticipated that expansion would occur. He reported his client is doing well and looks forward to the next phase of expansion and hopes to encourage others to do likewise. Mr. Garcia stated they concur with staff recommendations.

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

ACTION: APPROVED AS AMENDED BY STAFF; CONDITION NO. 3 DELETED;
FORWARDED TO REDEVELOPMENT AGENCY FOR FINAL
CONSIDERATION

MOTION: Commissioner Perkins

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

NAYS: None

ABSTAIN: None

ABSENT: None

14. SNC-02-16 (55267) CITY OF NORTH LAS VEGAS DEER SPRINGS WAY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE CITY OF NORTH LAS VEGAS FOR A STREET NAME CHANGE, TO RENAME A PORTION OF DEER SPRINGS WAY TO SHELLEY BERKLEY WAY FROM PECOS ROAD, EXTENDING EAST TO NELLIS BOULEVARD WHICH IS THE TERMINUS OF THE CURRENT DEER SPRINGS WAY ALIGNMENT. (FOR POSSIBLE ACTION)

This item was presented by Marc Jordan, Acting Director.

Mr. Jordan stated the City is proposing to rename a portion of Deer Springs Way to Shelley Berkley Way. The portion of Deer Springs Way to be renamed commences at Pecos Road and extends east to Nellis Boulevard which is the terminus of the current Deer Springs Way alignment.

In reviewing this application, staff had received a letter from the City of Las Vegas Fire Communications Center indicating they have no objections to the proposed street name. The only business that is located on the street is the VA Hospital.

Staff recommended approval of this item. This item will be forwarded to City Council for final consideration.

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

Commissioner Ewing asked staff if former Congresswoman Shelly Berkley had a role in building the hospital. Mr. Jordan responded during the last City Council meeting they honored her with the street name.

Chairman Kraft said former Congresswoman Shelley Berkley had done a lot for the State of Nevada, served as an Assembly woman, a university regent, and in the United States Congress.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Perkins

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

NAYS: None

ABSTAIN: None

ABSENT: None

OLD BUSINESS

15. **UN-40-16 (54847) GREEN BLOSSOM CULTIVATION (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREEN BLOSSOM, INC. ON BEHALF OF APEX HOLDING COMPANY, 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 12215 APEX ISLAND COURT, LOT 7. THE ASSESSOR'S PARCEL NUMBER IS 103-14-010-018. (FOR POSSIBLE ACTION) (CONTINUED JULY 13, 2016)**

ACTION: WITHDRAWN PER THE APPLICANT'S REQUEST

MOTION: Commissioner Perkins

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

NAYS: None

ABSTAIN: None

ABSENT: None

PUBLIC FORUM

Steve Schoaff, 5622 Midnight Breeze Street, North Las Vegas, discussed the City's role in supporting and enforcing Homeowners Association requirements for home based businesses.

DIRECTOR'S BUSINESS

Acting Director Jordan congratulated Nelson Stone on his election to Vice-Chairman.

Mr. Jordan advised that City Attorney Sandra Douglass Morgan accepted a position and will be leaving the city. Chief Deputy City Attorney Bethany Rudd Sanchez will serve as Acting City Attorney until the position is filled.

Mr. Jordan also advised Valarie Evans was promoted to Building Official.

CHAIRMAN'S BUSINESS

There was no business to report.

ADJOURNMENT

The meeting adjourned at 7:40 p.m.

APPROVED: September 14, 2016.

/s/ Kenneth Kraft
Kenneth Kraft, Chairman

/s/ Julie Shields
Julie Shields, Recording Secretary