

MINUTES CITY OF NORTH LAS VEGAS PLANNING COMMISSION

Nelson Stone, Chairman
Marilyn Kirkpatrick
Dean Leavitt
Laura E. Perkins

2200 Civic Center Drive
North Las Vegas, NV 89030
(702) 633-1516
(702) 649-6091

Tom Langford, Vice Chairman
Anita Wood
Harry Shull

March 14, 2001

CALL TO ORDER:

Council Chambers, North Las Vegas City Hall
2200 Civic Center Drive, at 7:00 p.m.

ROLL CALL:

Dean Leavitt - Present
Anita Wood - Present
Tom Langford - Present
Nelson Stone - Present
Harry Shull - Present
Laura Perkins - Present
Marilyn Kirkpatrick - Present

STAFF PRESENT:

Steve Baxter, Planning Manager
Bob Hoyes, Associate Planner
Mary Aldava, Associate Planner
Lenny Badger, Public Works
Madeleine Jabbour, Transportation Services
Steven DiGiovanni, Fire Department
Jim Lewis, Deputy City Attorney
Ted Karant, Recording Secretary

PLEDGE OF ALLEGIANCE:

Commissioner Anita Wood

ANNOUNCEMENTS:

Verification of compliance with NRS 241, Open Meeting Law.

Recording Secretary Karant verified that the Open Meeting Law requirements (NRS 241) had been met.

The North Las Vegas Conference Room and Council Chambers are accessible to handicapped persons. A certified sign language interpreter is available upon advance request.

MINUTES

Approval of the MINUTES for the Planning Commission meeting of February 28, 2001.

Vice-Chairman Tom Langford MOVED and Commissioner Dean Leavitt SECONDED to APPROVE the minutes of the February 28, 2001 Planning Commission Meeting.

The motion carried by UNANIMOUS vote.

CONSENT AGENDA

A) PW-17-01 (3902) NORTH MEADOWS UNIT 4

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by North Meadows II, LLC and accept the Subdivision Bond in the amount of \$319,473.82.

B) PW-18-01 (3903) HOMETOWN WEST UNIT 2

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Greystone Nevada, LLC and accept the Subdivision Bond in the amount of \$304,411.09.

C) PW-19-01 (3904) SOMMERSET RIDGE III-I

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Richmond American Homes and accept the Subdivision Bond in the amount of \$356,131.60.

D) PW-20-01 (3905) APCO EQUIPMENT RENTAL

Accept the Commercial Developments Off-Site Improvements Agreement by Las Vegas Paving Corporation and accept the Offsite Bond in the amount of \$222,930.12.

E) PW-21-01 (3906) GOLF ADVISE, INC.

Accept the Commercial Developments Off-Site Improvements Agreement by Jupiter Golf Company Las Vegas Limited Partnership and accept the Performance Bond in the amount of \$125,082.76.

F) PW-22-01 (3907) COMMERCE BUSINESS PARK

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Developers Insurance Company to release the Performance Bond in the amount of \$101,342.45.

G) PW-23-01 (3908) NORTH MEADOWS UNIT 4

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Gulf Insurance Company to release the Subdivision Bond in the amount of \$319,473.82.

Consent Agenda Item G is CONTINUED to 3/28/01.

Commissioner Harry Shull abstained from Consent Agenda Item A due ownership of the property.

Vice-Chairman Tom Langford MOVED and Commissioner Dean Leavitt SECONDED to APPROVE Consent Agenda Item A.

The motion carried by MAJORITY vote with Commissioner Shull abstaining.

Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to APPROVE Consent Agenda Items B through F.

The motion carried by UNANIMOUS vote.

NEW BUSINESS

1) AMP-07-01 (3637) CITY OF NORTH LAS VEGAS (Public Hearing)

An application submitted by The City of North Las Vegas, property owner, for an Amendment to the Master Plan of Streets & Highways to add streets to the newly annexed area of the city. The property is generally located east of Lamb Boulevard between North Las Vegas Boulevard and Grand Teton Drive.

RECOMMENDATION:

The Development Services Department recommends that AMP-07-01 be approved and forwarded to the City Council for final consideration.

The application was presented by Mary Aldava, Associate Planner, on behalf of staff who indicated staff is recommending approval of this item. She stated that staff had received a letter of opposition from the National Guard and suggested that a continuance may be necessary to allow staff additional time to review this item.

Chairman Nelson Stone opened the Public Hearing. The following participants came forward:

- ▶ Dave Weir, of VTN Nevada, 2727 S. Rainbow Boulevard, Las Vegas, Nevada 89146

Mr. Weir stated that he would like to meet with staff prior to the 4/11/01 Planning Commission meeting.

- ▶ Bob Rourke, 7000 Speedway Boulevard, Las Vegas, Nevada 89037

Mr. Rourke stated that he supports a continuance.

- ▶ Scott Eaton, 300 S. 4th Street #1700, Las Vegas, Nevada 89101

Mr. Eaton stated he was retained this afternoon by a number of property owners who are impacted by this plan and have some opposition to the project and he does not oppose the continuance to allow him an opportunity to work with staff on some issues.

Chairman Stone stated that he will leave the Public Hearing open until the 4/11/01 Planning Commission meeting.

Vice-Chairman Tom Langford MOVED and Commissioner Harry Shull SECONDED to CONTINUE AMP-07-01 to 4/11/01.

The motion carried by UNANIMOUS vote.

The item is CONTINUED to 4/11/01.

2) AMP-08-01 (3698) CITY OF NORTH LAS VEGAS (Public Hearing)

An application submitted by The City of North Las Vegas, property owner, for an Amendment to the Master Plan of Streets & Highways to change the following street widths from 100' to 120' rights-of-way:

- Simmons Street from Centennial Parkway to Farm Road
- Revere Street from Dorrell Lane to Farm Road
- North Fifth Street from Deer Springs Way to the Beltway Interchange
- Losee Road from Deer Springs Way to Farm Road
- Pecos Road from Deer Springs Way to Farm Road
- Lamb Boulevard from Deer Springs Way to Farm Road

RECOMMENDATION:

The Development Services Department recommends that AMP-08-01 be approved and forwarded to the City Council for final consideration.

The application was presented by Mary Aldava, Associate Planner, on behalf of staff who indicated staff is recommending approval of this item.

Chairman Nelson Stone opened the Public Hearing. The following participant came forward:

- ▶ George Cromer, 612 S. Third Street, Las Vegas, Nevada 89101

Mr. Cromer stated that he and his father own property located at Elkhorn and Losee Road. He stated that he is currently in negotiations with Clark County regarding the interchange that will be located there and the offramp on to Losee Road as he owns the property located at that corner. He stated that he did not know that any of the roads were intended to be widened as the dedicated roadway presently existing is fifty (50) feet. He believes this should be placed in abeyance to allow him an opportunity to meet with staff to determine the impact concerning the beltway offramp and the beltway interchange.

Chairman Stone stated he will leave the Public Hearing open until the 4/11/01 Planning Commission meeting.

Commissioner Harry Shull **MOVED** and Vice-Chairman Tom Langford **SECONDED** to **CONTINUE** AMP-08-01 to 4/11/01.

The motion carried by **UNANIMOUS** vote.

The item is CONTINUED to 4/11/01.

3) ZOA-04-01 (3653) CITY OF NORTH LAS VEGAS (Public Hearing)

An ordinance amendment initiated by The City of North Las Vegas, to amend Section 17.24.020(B)(18)(d) and 17.28.050(C)(2)(c) of Title 17 of the North Las Vegas Municipal Code (Zoning Ordinance) to exclude restaurants and supper clubs as defined in Title 17 and Title 5 from the six-month requirement to meet the conditions, stipulations or limitations of a special use permit. The amendment will also amend Section 17.12.020 of Title 17 of the North Las Vegas Municipal Code (Zoning Ordinance) by adding definitions of a bar and a supper club and amending the definition of a restaurant.

Recommendation:

The Development Services Department recommends that ZOA-04-01 be approved and that Title 17 be amended as follows:

17.12.020 Definitions

“Tavern, Bar or Lounge” means an establishment that is not a restaurant or supper club, having a general on-sale or general on/off sale license.

“Restaurant” an establishment which serves meals. If such restaurant serves alcoholic drinks, it must comply with Title 5 requirements..

“Supper Club” means an establishment which serves meals and alcoholic drinks according to Title 5 requirements.

17.24.020 Conditions for Special Uses

B. General Conditions for Special Uses

18. Tavern Bar or Lounge

- d. All conditions, stipulations and limitations shall be fulfilled and construction begun within six months of the date of approval. During this time, similar applications within one thousand five hundred (1,500) feet of the approved application will be considered incompatible and shall be automatically continued until the first meeting after the six-month period has expired with regard to the earlier application. ***This six-month requirement does not apply to restaurants and supper clubs as defined in Title 17 and Title 5.***

17.28.050 Procedures for Special Use Permit

C. Planning Commission Hearing and Actions

2. Decision

c. Form of Decision

The planning commission in granting a special use permit may establish conditions under which a lot or parcel of land may be used, or a building constructed or altered, or make requirements as to the architecture, height of a building or structure, open spaces, parking areas, or vehicle storage and conditions of operation of any enterprise, or make any other conditions, requirements or safeguards that the commission may consider necessary to the public health, safety and welfare. The planning commission may require guarantees to insure compliance with the conditions prescribed in any special use permit granted. In the event conditions are attached by the planning commission, the motion shall set forth the conditions.

The conditions, stipulations or limitations shall be binding upon the applicant, heirs, successors and assigns. All conditions, stipulations and limitations shall be fulfilled within a two year period of time, except otherwise provided below. The conditions, stipulations and limitations required for a tavern, bar or lounge or any other use or establishment which includes the "on sale" of alcoholic beverages shall be fulfilled and construction begun within six months of the date of approval. Failure to complete the conditions, stipulations or limitations within the prescribed time limits shall render the special use permit null and void, unless an extension of time is granted by the planning commission. ***This six-month requirement does not apply to restaurants and supper clubs as defined in Title 17 and Title 5.***

A public utility company may be granted a special use permit requiring that all conditions, stipulations and limitations be fulfilled within a ten (10) year period of time. In doing so, however, the utility shall be subject to all applicable regulations of this title in effect at the time of commencement of construction of the utility.

The application was presented by Mary Aldava, Associate Planner, on behalf of staff who indicated staff is recommending approval of this item.

Chairman Nelson Stone opened the Public Hearing. No participants came forward. The Public Hearing was closed.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Anita Wood SECONDED to APPROVE ZOA-04-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

4) ZN-09-01 (3741) SYSCO FOOD SERVICES OF LAS VEGAS (Public Hearing)

An application submitted by Sysco Corporation on behalf of the Basle Centennial Parkway Trust, Kenneth R. Gragson, Trustee, property owner, for reclassification of property from an O-L Open Land District to an M-2 General Industrial District. The property is generally located at the southwest corner of Mt. Hood Street and Centennial Parkway. The Assessor's Parcel Numbers are 123-27-101-004 through 123-27-101-011 and 123-27-101-018 through 123-27-101-025.

RECOMMENDATION:

The Development Services Department recommends that ZN-09-01 be approved for permanent "hard zoning" to the M-2 General Industrial District by ordinance.

The application was presented by Bob Hoyes, Associate Planner, on behalf of staff who indicated staff is recommending that the Planning Commission provide a favorable recommendation to the City Council for permanent zoning to the M-2 zoning district.

Jack Madden, 2180 S. 1300 E. Suite 300, Salt Lake City, UT 84106 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Chairman Nelson Stone opened the Public Hearing. No participants came forward. The Public Hearing was closed.

Commissioner Anita Wood **MOVED** and Commissioner Marilyn Kirkpatrick **SECONDED** to **APPROVE** ZN-09-01 per staff's recommendations.

The motion carried by **UNANIMOUS** vote.

5) UN-16-01 (3736) SYSCO FOOD SERVICES OF LAS VEGAS (Public Hearing)

An application submitted by Sysco Corporation on behalf of the Basle Centennial Parkway Trust, Kenneth R. Gragson, Trustee, property owner, for a use permit in an O-L Open Land District (pending application to M-2 General Industrial District) to allow hazardous materials (approximately 9,800 lbs. Of anhydrous ammonia and 22,500 gallons of diesel fuel). The property is generally located at the southwest corner of Centennial Parkway and Mt. Hood Street. The Assessor's Parcel Numbers are 123-27-101-004 through 123-27-101-011 and 123-27-101-18 through 123-27-101-025.

RECOMMENDATION:

The Development Services Department recommends UN-16-01 be approved and forwarded to the City Council for final consideration subject to the following conditions:

1. Standard conditions number: 11, and 12.
2. Separate approval of ZN-09-01 to rezone the subject site from O-L Open Land to M-2 General Industrial shall be obtained by the applicant, otherwise the use permit shall be considered null and void.
3. Separate approval of SPR-05-01 shall be obtained by the applicant, and the applicant shall comply with all conditions of approval for SPR-05-01.

The application was presented by Bob Hoyes, Associate Planner, on behalf of staff who indicated staff is recommending approval with conditions.

Jack Madden, 2180 S. 1300 E. Suite 300, Salt Lake City, UT 84106 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Chairman Nelson Stone opened the Public Hearing. No participants came forward. The Public Hearing was closed.

Commissioner Anita Wood asked if the Fire Department has reviewed the site plan and if they find everything in order.

Steven DiGiovanni, of the Fire Department, stated that the Fire Department has no objections at this time to this application.

Chairman Stone asked what specifically is anhydrous ammonia.

Mr. Digiovanni stated that is used as a refrigerant.

Vice-Chairman Tom Langford MOVED and Commissioner Anita Wood SECONDED to APPROVE UN-16-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

6) VAC-06-01 (3739) SYSCO FOOD SERVICES OF LAS VEGAS (Public Hearing)

An application submitted by Sysco Corporation on behalf of Basle Centennial Parkway Trust, property owner, for a vacation of a portion of Regina Avenue commencing at Mt. Hood Street and proceeding west to Basle Street, approximately 1,250 feet, and a vacation of Fannin Way commencing at Centennial Parkway and proceeding south to Azure Avenue, approximately 1,250 feet. The Assessor's Parcel Numbers are 123-27-101-004 through 123-27-101-011 and 123-27-101-018 through 123-27-101-025.

RECOMMENDATION:

The Development Services Department recommends that VAC-06-01 be approved and forwarded to City Council for final consideration subject to the following condition:

1. The vacation shall be recorded at the same time as the reversionary map.

The application was presented by Bob Hoyes, Associate Planner, on behalf of staff who indicated staff is recommending approval subject to one condition.

Jack Madden, 2180 S. 1300 E. Suite 300, Salt Lake City, UT 84106 appeared on behalf of the applicant who stated he concurs with staff's recommendations, however he has a problem with a condition which he is not certain if it applies to this item or item #4. He stated that in the recommendation letter from staff, on page 7, item 14, it states that a merger of the subdivision actually take place and he is not sure if that is a requirement of state law and he would like to have that requirement taken out until which time it can be determined that is a requirement of state law to actually have a merger.

Mr. Hoyes stated that staff would require a consolidation map or a reversionary map for his buildings. He stated staff wants to allow the applicant to build across a property line.

Mr. Madden stated he has no problem with that, however he does not want to have to do something that the stated does not specifically require.

Kirk Anderson, with Martin & Martin, 2101 S. Jones Boulevard, Las Vegas, Nevada also appeared on behalf of the applicant who stated this is regarding land divisions, not parcel lands, no lots. He stated that per the surveyor by the state law you do not have to do a reversionary map or merger. He stated that he has no problem doing what is required, but does not want to have to do what is not required.

Mr. Hoyes suggested to add the following language: "the vacation shall be recorded at the same time as the reversionary map subject to review and approval by the Division of Property Management" and Mr. Anderson and Mr. Madden both agreed.

Chairman Nelson Stone opened the Public Hearing. No participants came forward. The Public Hearing was closed.

Commissioner Harry Shull **MOVED** and Commissioner Laura Perkins **SECONDED** to **APPROVE** VAC-06-01 per staff's recommendations subject to the following condition:

"The vacation shall be recorded at the same time as the reversionary map subject to review and approval by the Division of Property Management."

The motion carried by UNANIMOUS vote.

7) SPR-05-01 (3737) SYSCO FOOD SERVICES OF LAS VEGAS

An application submitted by Sysco Corporation on behalf of the Basle Centennial Parkway Trust, Kenneth R. Gragson, Trustee, property owner, for a site plan review in an Open Land District (pending property reclassification to M-2 General Industrial District) to allow a food distribution center and warehouse. The property is generally located at the southwest corner of Centennial Parkway and Mt. Hood Road. The Assessor's Parcel Numbers are 123-27-101-004 through 123-27-101-011 and 123-27-101-018 through 123-27-101-025.

RECOMMENDATION:

The Development Services Department and the Public Works Department recommends that SPR-05-01 be continued indefinitely to allow the applicant time to submit a revised site plan that is in compliance with the site plan review requirements in Municipal Code 17.28.040.

If however, the Planning Commission were to determine that approval is warranted at this time, then the Development Services Department recommends the following conditions:

1. Standard conditions number: 1, 2, 3, 4, 6, 7, 8, 10, 11, 15, 26 and 27.
2. The applicant shall comply with the industrial design standards with the exception of the following items:
 - a. Bicycle or pedestrian paths on-site are not required.
 - b. Bicycle parking facilities are not required.
 - c. The employee parking lot location as shown on the site plan may be allowed.
3. The applicant shall comply with the parking requirements.
4. The building shall not exceed the maximum height allowed in the M-2 General Industrial District unless approved by a separate special use for an increase in building height.
5. The applicant shall receive separate approval for UN-16-01 to allow hazardous materials (approximately 9,800 lbs. of anhydrous ammonia and 22,500 gallons of diesel fuel) in conjunction with the facility and its operations.
6. Regina Avenue and Fannin Way shall be provided unless vacated.
7. Separate approval of ZN-09-01 to rezone the subject site from O-L Open Land to M-2 General Industrial shall be obtained by the applicant, otherwise the site plan review shall be considered null and void.
8. A second means of access shall be provided to the northeast parking lot adjacent to the ammonia refrigeration controls and fire pump room, subject to review and approval by the Fire Department.
9. Access shall be provided to the north side of the freezer in accordance with the UFC, subject to review and approval by the Fire Department.
10. All access gates shall be electric with AVI loop.

11. All Fire Department codes and ordinances in effect at the issuance of building plans shall apply.
12. Parking, backing or maneuvering is not permitted on public streets.
13. All requirements of Municipal Code 17.28.040 C must be met.
14. A merger and resubdivision map is required to combine all lots.
15. If the box culvert shown on the site plan is to be public , a drainage easement must be provided.
16. The radius spandrel at the intersection of Mt. Hood Street and Centennial Parkway must be increased to 54 feet.

The application was presented by Bob Hoyes, Associate Planner, on behalf of staff who indicated the applicant had requested 14 waivers to the design standards. He stated that staff supports three (3) of the requests and recommends approval subject to conditions.

Jack Madden, 2180 S. 1300 E. Suite 300, Salt Lake City, UT 84106 appeared on behalf of the applicant.

Chairman Nelson Stone asked the applicant if he concurs with staff's recommendations regarding the waivers.

Mr. Madden stated that he does not concur with staff and would like to discuss some different possibilities.

Chairman Stone advised the applicant that no designing is to take place at the Planning Commission meeting and suggested perhaps a continuance for two weeks would allow the applicant to meet with staff.

Commissioner Anita Wood MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE SPR-05-01 to 3/28/01.

The motion carried by UNANIMOUS vote.

The item is CONTINUED to 3/28/01.

8) UN-12-01 (3696) STEVE COSINE ELEMENTARY SCHOOL (Public Hearing)

An application submitted by the Clark County School District, property owner, for a use permit in an R-E Ranch Estates District to allow an elementary school. The property is generally located southeast of the corner of Simmons Street and Hammer Lane. The Assessor's Parcel Numbers are 124-32-601-001 and 124-32-601-002.

RECOMMENDATION:

The Development Services Department recommends UN-12-01 be approved subject to the following conditions:

1. Standard condition numbers: 1, 4, 5, 8, 10, 11, 12, and 15
2. Screening of roof mounted equipment shall be architecturally compatible with the building in both design and materials.
3. Fiber optic conduit is required on Simmons Street.
4. The driveway number and location are subject to review and approval by the City Traffic Engineer.
5. Dedication of the following streets is required:
 1. Simmons Street
 2. Hammer Lane
 3. Coleman Street
6. Area for a spandrel must be dedicated at the intersection of Simmons Street and Hammer Lane.
7. An approved drainage study is required.
8. Twenty-five (25) feet of right-of-way shall be dedicated along the drainage channel on the north side of the site in order to facilitate the bicycle path.

The application was presented by Mary Aldava, Associate Planner, on behalf of staff who indicated staff is recommending approval subject to conditions.

Commissioners Marilyn Kirkpatrick and Dean Leavitt stated she would be abstaining from voting on this item as she works for the School District.

Matt LaCroix, of the Clark County School District, 4212 Eucalyptus Annex, Las Vegas, Nevada 89121 appeared on behalf of the applicant along with John Lopeman of JMA Architects, the architects involved with this project. He stated this is a 1998 prototype elementary school which is due to open August of 2002 which will relieve two elementary schools; Wolf and Guy to the southwest which have a maximum capacity of 1,671 students. He stated that as of September 15, 2000, the students had reached 2,095 and to date has climbed to 2,143 students. Mr. La Croix stated he agrees will staff's recommendations, but requests clarification on condition #8.

John Lopeman of JMA Architects, 10150 Covington Cross Drive, Las Vegas, Nevada 89144 appeared on behalf of the applicant who stated condition #8 states that a 25 foot right-of-way shall be dedicated along the drainage channel on the north side of the site in order to facilitate the bicycle path.

Chairman Nelson Stone opened the Public Hearing. The following participant came forward:

- ▶ Carl Black, 2510 Roaring Lion Avenue, Las Vegas, Nevada 89031

Mr. Black asked if the baseball fields will be lit up at night for children.

The Public Hearing was closed.

Matt LaCroix stated that has not been decided yet.

Chairman Stone stated he is concerned about children crossing the drainage channel, if there will be a fence in place.

Mr. LaCroix stated there will be a chain link fence in place.

Vice-Chairman Tom Langford asked the applicant what the capacity will be of the new school.

Mr. LaCroix replied this school will have a 9-month capacity of 720 and a year-round capacity of 920 students.

Commissioner Harry Shull asked the applicant if there are approximately 10 acres the applicant is not currently developing that abuts on to Simmons.

Mr. LaCroix replied that there are approximately 3 to 3 ½ acres.

Commissioners Marilyn Kirkpatrick and Dean Leavitt stated they would be abstaining from voting on this item as they work for the School District.

Vice-Chairman Tom Langford MOVED and Commissioner Anita Wood SECONDED to APPROVE UN-12-01 per staff's recommendations.

The motion carried by MAJORITY vote with Commissioners Kirkpatrick and Leavitt abstaining.

9) UN-13-01 (3699) SANFORD, M.E. (Public Hearing)

An application submitted by Better Built Home Improvement on behalf of Miguel (Antonio) Martinez, property owner, for a use permit in an R-3 Multi-Family Residential District to allow a single-family dwelling unit. The property is generally located at the northeast corner of Daley Street and Judson Street. The Assessor's Parcel Number is 139-24-110-311.

RECOMMENDATION:

The Development Services Department recommends that the Planning Commission provide a favorable recommendation to the Redevelopment Agency for UN-13-01 subject to the following conditions:

1. That Standard Conditions 6, 7, 8, 11, 12 and 27 apply; and
2. That all air-conditioning units be ground-mounted; and
3. That this single-family home face and access onto Daley Street; and
4. That the single-family home comply with the Single Family Design Standards (Section 17.24.210 of the Zoning Ordinance); and
5. That the minimum dimensions on the interior of the garage be 20 feet by 20 feet, inside wall to inside wall; and
6. That the minimum interior living floor area be 1,200 square feet; and
7. That two copies of the revised site plan be provided to the Planning Division prior to the issuance of any construction permits.

The application was presented by Bob Hoyes, Associate Planner, on behalf of staff who indicated staff is recommending approval with conditions. He stated that the primary condition for the applicant is the house would need to be oriented toward Daley Street and not Jetson Street as it is depicted on the site plan as property management requires property such as this to have the front on the short side and the address would be located on Daley Street so for emergency services and mail delivery the property would be addressed on Daley Street.

Greg Herlitz, 4220 S. Maryland Parkway Suite 311, Las Vegas, Nevada 89119 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Chairman Nelson Stone opened the Public Hearing. No participants came forward. The Public Hearing was closed.

Commissioner Laura Perkins MOVED and Commissioner Dean Leavitt SECONDED to APPROVE UN-13-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

Mr. Hoyes informed the applicant this item is required to be forwarded to the Redevelopment Agency for final consideration.

10) UN-13-94 (3705) SUNRISE PARK (Public Hearing)

An application submitted by American Care Group, Inc., property owner, for an extension of time on a use permit in an R-E Ranch Estates District to allow a cemetery and funeral home. The property is generally located at the southwest corner of Tropical Parkway and Losee Road. The Assessor's Parcel Numbers are 124-26-701-005 and 124-26-701-006.

RECOMMENDATION:

The Development Services Department recommends UN-13-94 be granted a two-year extension to March 24, 2003, subject to the following conditions:

1. The applicant shall comply with all previously approved conditions of approval. Should there be a conflict in conditions, the most restrictive shall apply.
2. A final development plan shall be submitted for Planning Commission review and approval prior to the issuance of a building permit.
3. The applicant must obtain a building permit and start construction of the funeral home, the Jewish Temple/Mausoleum, the Non-Sectarian Chapel/Mausoleum and other improvements required for the ten-acre initial phase before March 24, 2003. Otherwise, the use permit shall be considered null and void.
4. The applicant shall file an amended Parcel Map to change the parcel configuration to allow a minimum of ten acres for the initial phase of development.
5. The applicant shall comply with the Commercial Design Standards.
6. Should perimeter fencing be desired, perimeter fencing materials shall consist of wrought iron with decorative masonry pilasters. The fence shall be set back a minimum of 15 feet from the right-of-way.
7. A decorative solid masonry wall shall be required on property lines not abutting a street.
8. Fiber optic conduit is required in Losee Road.
9. Driveway number and location are subject to review and approval by the City of North Las Vegas Traffic Engineer.

The application was presented by Mary Aldava, Associate Planner, on behalf of staff. She stated that originally the use permit was approved by the Planning Commission on April 27, 1994. Since then the applicant has requested three (3) additional extensions of time with the last one expiring March 24, 2001. She stated the applicant is requesting an additional two (2) years extension of time to allow the Clark County Regional Flood Control District to construct a flood control facility. Mrs. Aldava stated the Development Services Department is recommending approval of this extension of time to March 24, 2003 subject to nine (9) conditions.

Jay Brown, 520 S. 4th Street, Las Vegas, Nevada 89101 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Chairman Nelson Stone asked Lenny Badger, of the Public Works Department, if the regional facility that goes through that is on the ten (10) year master plan for the Clark County Regional Flood Control.

Lenny Badger, of Public Works, replied that it is. He stated that the construction of this is approximately five (5) years away.

Commissioner Anita Wood asked the applicant if there is anything that would prohibit him from developing the 10 acres next to Losee Road and east of the channel.

Mr. Brown replied that he just recently received staff's recommendations and perhaps he can get it done within the two year time frame.

Vice-Chairman Tom Langford stated that there is no mention of a crematorium and if the applicant's client planned to have a crematorium at the location.

Mr. Brown replied that he believes it would be very foolish not to have a crematorium on this property.

Commissioner Anita Wood MOVED and Commissioner Tom Langford SECONDED to APPROVE UN-13-94 per staff's recommendations.

The motion carried by UNANIMOUS vote.

11) UN-14-01 (3734) JACK IN THE BOX (Public Hearing)

An application submitted by Apple Investments, Inc. on behalf of Mary Bartsas, property owner, for a use permit in an M-2 General Industrial District to allow a convenience food restaurant in conjunction with a previously approved convenience store with gas pumps. The property is located at 3260 Losee Road. The Assessor's Parcel Number is 139-11-404-001.

RECOMMENDATION:

The Development Services Department recommends approval of UN-14-01 subject to the following conditions:

1. Standard conditions numbers 1, 2, 3, 4, 6, 7, 8, 11, 15, 26, 27 and 29.
2. That fiber optic conduit is required on Losee Road.
3. Turning radii for fire access lanes shall be in conformance with Ordinance 1283
4. That all Fire Department Codes and Ordinances in effect at the time of the application for a building permit shall apply.
5. That the site plan shall be redesigned so that the drive-through vehicle stacking lane will be located along the northern portion of the site, and the east parking lot be relocated with better proximity to the building.
4. That the site plan and building elevations will comply with the Commercial Design Guidelines, including but not limited to the use of an acceptable roofing material, and color scheme.

The application was presented by Bob Hoyes, Associate Planner, on behalf of staff who indicated staff is recommending approval subject to conditions. He stated he would like to read into the record a change to condition #5:

"The applicant shall provide a pedestrian linkage between the east parking lot and the building. Such a linkage shall be consistent with the Commercial Design Standards and include the use of special pavers. The design and location of such a linkage shall be subject to review and approval by staff. Consideration should be given to interconnection with future developments in the general vicinity."

Jeff Looker, 1270 E. Broadway, Suite 210, Tempe, Arizona 85252 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Chairman Nelson Stone opened the Public Hearing. No participants came forward. The Public Hearing was closed.

Commissioner Laura Perkins stated this is an area that is heavily used by trucks and she noticed that the parking lot design does not allow for the usage by the majority of the people who will be passing by the Jack-In-The-Box.

Mr. Looker stated that the picture the Commissioner is looking at is deceptive and does not properly depict the space available (pointing to a picture of the property on the overhead monitor).

Commissioner Anita Wood **MOVED** and Commissioner Tom Langford **SECONDED** to **APPROVE** UN-14-01 per staff's recommendations.

The motion carried by **UNANIMOUS** vote.

12) UN-17-01 (3740) AUTO RETAIL SERVICE CENTER (Public Hearing)

An application submitted by Meir Moas on behalf of Gal Mike Brisman, property owner, for a use permit in a C-2 General Commercial District to allow an expansion of a use permit for an automobile service facility. The property is located at 2403 N. Las Vegas Boulevard. The Assessor's Parcel Number is 139-14-812-161.

RECOMMENDATION:

The Development Services Department recommends that UN-17-01 be approved subject to the following conditions:

1. That Standard Conditions 6, 8, 10, 11 and 12 apply; and
2. That all applicable conditions of UN-18-00 shall apply.
3. That the auto service bays shall be limited in depth to 26-feet, as measured from the rear exterior wall of the building, and in no instance shall such a bay accommodate more than one (1) vehicle simultaneously.
4. That the driveway number and location are subject to the approval of the City Traffic Engineer.
5. That an encroachment permit is required for work done within North Las Vegas Boulevard.
6. That parking, backing or maneuvering is not permitted on public streets.
7. That a reversionary map or a merger and re-subdivision parcel map is required to combine lots
8. That, if the applicant chooses to build on the rectangular parcel adjacent to Small Street on the southwest corner of the property, the property must be purchased from the City.
9. That the existing sliver of land located along the property line at North Las Vegas Boulevard be dedicated, and appropriately shown on the site plan.
10. That in accordance with Fire Code and Ordinance 1283, the proposed/existing buildings, must be provided with sprinkler protection.
11. That all Fire Department codes and ordinances in effect at the issuance of building plans shall apply.

The application was presented by Bob Hoyes, Associate Planner, on behalf of staff who indicated this application was before the Planning Commission September 27, 2000. He stated that approval was for seven (7) auto service bays. The building plan subsequently came in with ten (10) auto bays identified, which is why the applicant is before the Planning Commission as this is an expansion to a previously approved special use permit. Mr. Hoyes stated there were some concerns with the parking and the option that the applicant may have at a later time to come in with some retail space and parking for retail space is one parking space for every 250 square feet of retail space. He stated the applicant does not have any parking identified for any retail space, but the bays identified as sixty (60) feet in length. The possibility exists that some of those 60 foot bays may be converted to retail space, thus resulting in a shortage of parking. Mr. Hoyes stated staff is recommending approval subject to conditions and some of those conditions specifically address the parking concerns.

Meir Moas, 3501 Leo Cove, Las Vegas, Nevada 89121 appeared on behalf of the applicant. He stated that he is having a hard time dealing with the City of North Las Vegas on this project. He stated he has done everything to comply with requirements and he feels he is not being treated fairly.

Chairman Nelson Stone stated that he believes the City of North Las Vegas treats all applicants with respect and does not discriminate in any way.

Mr. Moas stated he needs the additional space to operate his business.

Chairman Stone asked the applicant to specify which conditions he has a problem with so that they may discuss them.

Mr. Moas stated all he is really interested in is getting the 60 foot bays approved and suggested to Chairman Stone to disallow retail if the Commission so chooses.

Mr. Hoyes stated that the City can not prohibit retail as this is a retail district. He stated the special use permit is related to the auto service. Mr. Hoyes stated if the applicant came in for a business license for retail at that location, the zoning is approved and is a permitted use, therefore the City has no safeguards to prohibit or restrict the use of retail at that location, which is the concern of staff regarding this project. He stated the reason staff came up with 26 feet is the east side of this building, those bays state-of-the-art design, brand new building, vacant parcel are 26 feet in depth, therefore based on what they showed the first time this came through with the 26 foot depth of the bays, staff decided if that seems to be the appropriate length for an auto service bay staff would recommend that to be the maximum depth. Mr. Hoyes stated if the applicant wants to go to 30 feet, it's discretionary for the Planning Commission to consider something like that. He stated that when the issue of 60 feet arises, the possibility exists for that space to be converted at a later time. Mr. Hoyes stated that he is not suggesting that the applicant would actually do that, however the possibility exists and if that were to happen then there would be a parking problem as well as a potential problem on Las Vegas Boulevard, which is what the City is concerned about.

Chairman Nelson Stone stated that the Commission put much time into the Commercial Design Guidelines and new landscape standards and he believes that "business as usual" in the City of North Las Vegas has been changed. He believes that the Commission needs to adhere to the policy of the City Council.

Commissioner Laura Perkins asked staff if this is the same plan that was previously approved.

Mr. Hoyes replied it is similar, but the differences are that the three bays on the west side of building are now identified as the three linear sections there. He stated that previously those were identified as retail and they were 1,000 square feet for each one with six (6) parking spaces at the rear of that building.

Commissioner Perkins asked the applicant why does he need an additional 34 feet.

Mr. Moas stated that he needs additional space to allow for office space, storage space, waiting room, and restroom space.

Steve Baxter, Planning Manager, stated that when the building permit came in for this project it was not identical to what the Planning Commission had approved. He stated it had an extra 600 square feet of retail which impacted the parking and resulted in a parking deficit of seven (7) spaces, compared with what was approved by the Planning Commission last year. Mr. Baxter stated the main issue is there is a parking shortage.

Commissioner Harry Shull stated he is confused as he understood this project to be something like a “quickie lube” or one operator and now the applicant is stating he may have three (3) different types of businesses or three (3) operators in his 60-foot stalls.

Mr. Moas stated he has Perfect Auto, lube and tune. He stated that he may open an upholstery shop, radio shop, auto parts, etc.

Commissioner Shull asked of staff or the Deputy City Attorney if the Commission could approve this plan as drawn and place a stipulation in it that it could not be used for retail.

Jim Lewis, Deputy City Attorney, stated that retail is permitted per the zoning, therefore no restriction on retail can be made.

Commissioner Anita Wood asked staff if the applicant’s proposed use of the additional space as office space is considered retail space.

Mr. Hoyes stated in most cases staff would not consider office space as part of the bay, but if that is the case, then the building plans would need to reflect that as office space and they do not. He also stated that office space is one parking space per 300 square feet and again parking becomes an issue for this project.

Mr. Moas asked the Commission if he put up a wall or a divider would it satisfy the Commission?

Commissioner Wood replied that he would still have office space which would require the appropriate parking which he does not. She feels this project is too aggressive for the small space the applicant has.

Mr. Moas asked the Commission why was this previously approved.

Mr. Hoyes stated this item was appealed to the Redevelopment Agency and that agency approved it subject to the Planning Commission reviewing the site plan which is what came back before the Planning Commission.

Commissioner Marilyn Kirkpatrick stated she does not understand the need for the extenuating bays. She personally has a workshop that has a bathroom and additional things in it and she believes there is sufficient amount of space and therefore she will be supporting staff’s recommendations.

Chairman Nelson Stone stated that staff recommends 26 foot depth and the applicant wants 60 feet. He would be willing to split the difference with the applicant.

Mr. Hoyes stated staff had received a letter of opposition which he read into the record:

Commissioner Laura Perkins MOVED and Commissioner Anita Wood SECONDED to APPROVE UN-17-01 per staff’s recommendations.

The motion carried by MAJORITY vote with Vice-Chairman Tom Langford voting against the item.

**There was a break in the proceedings at 8:19 p.m.
The meeting reconvened at 8:33 p.m.**

13) UN-15-01 (3735) LA ESPIGA DE ORO (Public Hearing)

An application submitted by La Espiga De Oro Bakery, Inc. on behalf of Elizabeth Evans, property owner, for a use permit in the R-A/FA Redevelopment Area Focus Area Subdistrict to allow a specialty food store and financial institution (check cashing establishment). The property is located at 1618 N. Las Vegas Boulevard. The Assessor's Parcel Numbers are 139-23-402-003 and 139-23-402-004.

RECOMMENDATION:

The Development Services Department recommends that UN-15-01 be approved with the following conditions and that this item be forwarded to the Redevelopment Agency for final consideration.

1. Standard conditions number 10, 11 and 12.
2. The driveway number and location are subject to the review and approval of the City Traffic Engineer.
3. All driveways must meet City standards.
4. A traffic study is required.
5. The applicant must dedicate five feet adjacent to Las Vegas Boulevard. The site plan must be revised to show this area.
6. That a minimum 10 feet of landscaping shall be provided between the parking lot and sidewalk along Las Vegas Boulevard and Owens Avenue.
7. That the 10 feet of landscaping shall incorporate 24 inch box trees to be planted at intervals of 10 feet, plants and shrubs to achieve a minimum ground coverage of 60% (not including trees). The landscaping plan shall be subject to staff review and approval
8. All signage shall be in compliance with the Redevelopment Area design standards.
9. No bands of color, or other type of color combinations shall be permitted on the building face. The color must be in compliance with the Redevelopment Area design standards.
10. All conditions shall be met and approved for compliance by the Redevelopment staff and Development Services staff prior to applying for a business license.

Commissioner Laura Perkins MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE UN-15-01 to 3/28/01.

The motion carried by UNANIMOUS vote.

The item is CONTINUED to 3/28/01.

14) VAC-05-01 (3707) FREDRIC W. WATSON E.S. #1455 (Public Hearing)

An application submitted by PBS & J on behalf of the Clark County School District, property owner, for a vacation of portions of Crestmont Drive, Forest View Drive, Stonehurst Drive, Gray Pine Circle and Amber Meadow Street, totaling approximately 2.09 acres, and a vacation of public utility easements surrounding lots #11 and #21 through #60. The property is located at 5845 N. Commerce Street. The Assessor's Parcel Numbers are 124-27-312-001 through 124-27-312-044.

RECOMMENDATION:

The Development Services Department recommends that VAC-05-01 be approved and that this item be forwarded to City Council for final consideration subject to the following condition:

1. That a cul-de-sac be constructed for Stonehurst Drive

The application was presented by Mary Aldava, Associate Planner, on behalf of staff who indicated staff is recommending approval of this item subject to one condition.

Matt LaCroix, of the Clark County School District, 4212 Eucalyptus Annex, Las Vegas, Nevada 89121 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

Chairman Nelson Stone opened the Public Hearing. No participants came forward. The Public Hearing was closed.

Commissioners Marilyn Kirkpatrick and Dean Leavitt stated they would be abstaining from voting on this item as they work for the School District.

Commissioner Harry Shull **MOVED** and Commissioner Anita Wood **SECONDED** to **APPROVE** VAC-05-01 per staff's recommendations.

The motion carried by **MAJORITY** vote with Commissioners Kirkpatrick and Leavitt abstaining.

15) ZN-08-01 (3629) RAVCO COMMERCIAL CENTER (Public Hearing)

An application submitted by Anthony Giannone on behalf of Ravco Corporation, property owner, for reclassification of property from an R-1 Single-Family Residential District to an C-2 General Commercial District. The property is generally located north of Craig Road approximately 819 feet west of Allen Lane. The Assessor's Parcel Numbers are 139-06-601-002 and 139-06-601-003.

RECOMMENDATION:

The Development Services Department recommends that the Planning Commission provide a favorable recommendation to the City Council for ZN-08-01 to be permanently zoned to C-2, General Commercial, by ordinance.

The application was presented by Bob Hoyes, Associate Planner, on behalf of staff who indicated staff is recommending this item be forwarded with a favorable recommendation to City Council for permanent zoning to C-2 Zoning District.

William Childs, 2001 S. Rainbow Boulevard, Suite K, Las Vegas, Nevada 89146 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Chairman Nelson Stone opened the Public Hearing. The following participants came forward:

- ▶ Velma Garrett, 3718 Dauntless Drive, North Las Vegas, Nevada 89031

Ms. Garrett stated she wants to know the exact location of the project in relation to Allen Lane.

Mr. Childs replied to Ms. Garrett by referring to a map at the podium.

Chairman Stone informed Ms. Garrett this is for a zone change and he does not know what the building will look like at this time.

Ms. Garrett stated she is concerned that it is not a tall building that would be contrary to the community.

- ▶ Lillie Moran, 3808 Fortress Drive, North Las Vegas, Nevada 89031

Ms. Moran stated she represents twenty-two (22) of the homes in phase 2 of the Reflection Track and none of them want this zone changed to C-2. She stated everything around this area is C-1 and she believes there is too much of that already.

The Public Hearing was closed.

Commissioner Anita Wood stated the property to the east shows undeveloped R-1 and she believes that is not correct. She asked staff if there is a resolution of intent on that property to change it to commercial.

Mr. Hoyes replied that the zoning map indicates it is existing C-2 zoning.

Commissioner Wood asked the applicant what exactly is he planning for the property that requires the C-2 zoning as opposed to C-1 zoning.

Mr. Childs stated he is unable to answer Commissioner Wood's question at this time as he does not have tenants for the property yet.

Steve Baxter, Planning Manager, stated the Comprehensive Plan shows that as Community Commercial which equates to a C-2 zoning.

Commissioner Marilyn Kirkpatrick asked staff to clarify if C-2 has a better chance of staying open as opposed to C-1.

Mr. Hoyes replied that sustainability is more reliant upon the tenants rather than the zoning.

Commissioner Kirkpatrick asked the applicant was is his time frame for having this developed.

Mr. Childs replied he has been working with the City and plan to proceed immediately.

Commissioner Harry Shull **MOVED** and Vice-Chairman Tom Langford **SECONDED** to **APPROVE** ZN-08-01 per staff's recommendations.

The motion carried by **MAJORITY** vote with Commissioner Marilyn Kirkpatrick voting against the item.

16) ZN-29-98 (3732) SAN MATEO BREEZE (TROPICAL BREEZE) (Public Hearing)

An application submitted by Spectrum Development, Ltd., property owner, for an extension of time on a reclassification of property from an R-1 Single-Family Residential District to an R-3 Multi-Family Residential District. The property is generally located at the southeast corner of El Campo Grande Avenue and San Mateo Street. The Assessor's Parcel Number is 124-30-303-002.

RECOMMENDATION:

The Development Services Department recommends that the Planning Commission provide a favorable recommendation to the City Council to permanently zone (ZN-29-98) the subject site to the R-3, Multi-Family Residential District, hereby eliminating the previously approved resolution of intent (# 2046).

The application was presented by Bob Hoyes, Associate Planner, on behalf of staff who indicated staff is recommending approval.

Bill Curran, of Curran & Perry, 601 S. Rancho Drive, Las Vegas, Nevada 89106 appeared on behalf of the applicant who indicated he has one issue to discuss regarding the recommendation of the Fire Department. He stated the Fire Department indicated they would like to have the choice at sometime in the future to determine whether they would require sprinklers or not. He believes that if sprinklers are going to be required on multi-family units it should be done by ordinance so that it applies to all. He stated it adds greatly to the cost of construction, as well as it does not set any standards. He stated that sprinklers may be appropriate, but he believes it should be specified by ordinance.

Chairman Nelson Stone asked Jim Lewis, Deputy City Attorney, if this is a legal issue or a Fire Department issue.

Steve DiGiovanni of the City's Fire Department replied that there is currently an ordinance that requires any building 5,000 square feet or greater to have sprinklers.

Mr. Hoyes stated if it is multi-family it would need to come in through the Planning Commission with site plan review which is when site specific concerns are addressed, open space, fire protection, etc.

Mr. Curran stated he agrees with staff's opinion.

Kevin Keith, of Spectrum Development, 8687 W. Sahara Avenue Suite 179, Las Vegas, Nevada 89117 also appeared on behalf of the applicant.

Chairman Nelson Stone opened the Public Hearing. No participants came forward. The Public Hearing was closed.

Commissioner Anita Wood stated the Planning Commission has approved an application that includes a fire station that is not too far from this property. She stated depending on whether that station is in place when the applicant comes through with the site plan will also affect the decision as far as the sprinklers.

Steve Digiovanni replied yes.

Chairman Stone stated his experience in the past 20 years has shown that all of the buildings he has been involved in have had fire sprinklers.

Jim Lewis, Deputy City Attorney, stated that existing ordinance requires sprinklers in excess of 5,000 square feet.

Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to APPROVE ZN-29-98 per staff's recommendations.

The motion carried by UNANIMOUS vote.

17) ZN-30-00 (2471) BIGELOW AEROSPACE CAMPUS (Public Hearing)

An application submitted by Bigelow Development Aerospace Division, LLC on behalf of US Mortgage Corporation, property owner, for a review of conditions on a previously approved reclassification of property from an R-1 Single-Family Residential District to a Planned Unit Development District (PUD) consisting of an aerospace campus. The property is generally located at the southeast corner of Brooks Avenue and Clayton Street. The Assessor's Parcel Number is 139-16-201-001.

RECOMMENDATION:

The Development Services Department recommends that the Planning Commission deny the applicant's request to amend Conditions 12, 13, 14 and 15 of Ordinance 1459 because the requested amendments compromise the intent of the Zoning Ordinance; appropriate justification has not been presented; no compelling reasons to deviate from the Zoning Ordinance requirements have been demonstrated; the requested modifications jeopardize quality of life, health, safety and welfare of the residential property owners to the south. The requested amendments do not take into account the best interests of the North Las Vegas community south of this site.

The application was presented by Bob Hoyes, Associate Planner, on behalf of staff who indicated staff does not recommend approval of the requested action.

John DiMilte, of Bigelow Development, 4640 S. Eastern Avenue, Las Vegas, Nevada 89119 appeared on behalf of the applicant. Mr. DiMilte stated two of the conditions (12 & 13) he does not want to change, but condition #14 and 15 had previously been approved at the Planning Commission meeting of October 11, 2000. He stated this has to do with the southern most portion of the property whereby he stated the ordinance requires a CMU block wall. He stated that he received permission from the Planning Commission to change from CMU wall to an eight-foot high wrought iron fence. He stated that Marc Jordan, Senior Planner, stated at that previous meeting that wrought iron would be used in lieu of a CMU block wall. He stated that the changes approved by the Planning Commission were not adopted by City Council.

Bill Roberts, of Bigelow Development, 4640 S. Eastern Avenue, Las Vegas, Nevada 89119 appeared on behalf of the applicant. Mr. Roberts stated he appeared before the Planning Commission approximately one month ago regarding ZN-02-01 regarding the adjacent 9 acres which was approved to amend the conditions that were approved in ZN-30-00 pertaining to the perimeter fencing adjacent to residential to replace block wall with an eight-foot high wrought iron fence directly adjacent to the property. The landscaping was to be trees at 20-foot on center with 1 ½ inch caliper. He stated they were also approved to put in honeysuckle, 5 foot on center on the wrought iron in lieu of the shrubs and states that was also approved. He stated that tonight's appearance is to amend ZN-30-00 that was originally approved by City Council back in December, 2000 to mirror what he is talking about tonight in relationship to the nine (9) acres that was approved a month ago.

Vice-Chairman Tom Langford stated he believes this issue of the wrought iron fence on the south end of the property has been before the Commission previously, was approved and he supports the applicant's request.

Mr. DiMilte stated that he wants to clarify that on ZN-30-00 he originally had Vista Street. He came back with the ZN-02-01 with an amendment and a vacation to vacate Vista Street. He stated what that did is take what was originally proposed for the wrought iron fencing on Vista Street he got approved on ZN-02-01 to put cyclone fence directly adjacent to existing block wall and he is asking the same thing along the east portion to mirror what got approved on the north portion adjacent to the existing block wall with cyclone fencing, which would result in wrought iron fence along Brooks, along Clayton, along the south and along the east. And along the north

Chairman Nelson Stone opened the Public Hearing. No participants came forward. The Public Hearing was closed.

Mr. DiMilte asked the Commission if the details of the approval may be read into the record so that it is clear what is being approved.

Mr. Roberts stated that the CMU wall along the south property line was noted on the approved stipulations in error. All perimeter fencing shall consist of an eight (8) foot high wrought iron fence. The proposed eight (8) foot wrought iron fence will be located directly adjacent along the south property line in lieu of a 10 foot setback would be actually on the property line itself (which he states reflects condition #15). He further added that condition #15 states that the proposed landscaping consist of trees 20-foot on center within the property with ivy or honeysuckle along the wrought iron fence in lieu of shrubs (per condition #15). The proposed eight foot high cyclone fence be located directly adjacent to the east property line existing block wall in lieu of an eight foot high wrought iron fence with a ten (10) foot setback so it's right on the property line on the east portion (pointing to a map on the overhead monitor) which he states was approved previously.

Jim Lewis, Deputy City Attorney asked the applicant if he wishes to replace the language in condition #15 with the three paragraphs on a January 26, 2001 letter, the first, second and third dotted paragraphs

Mr. Roberts replied that is correct.

Mr. Lewis stated that since the applicant wishes for clarity, the applicant wants to replace all of the language that is a part of condition #15 with these three, the first starting with the proposed eight (8) foot high, the second one starting with the proposed ten (10) foot landscape and the third starting with the proposed eight foot high.

Mr. Roberts replied that is correct and stated the letter affects conditions #14 and #15.

Mr. Hoyes stated that he wants to address the fence along the east property line on the north part of the property. He stated that vacation is scheduled before the City Council for a public hearing on 3/21/01 and that street has not been vacated yet. He stated that when or if that street is vacated they would be entitled to construct their chain link fence adjacent to that wall provided it's on site so they are entitled to do that. He stated the issue with the honeysuckle if the applicant comes across a plant species that is more desirable and it is not honeysuckle, then the applicant would have to come back to the Planning Commission and City Council to change that plant. He stated he addressed the plant issue with ZN-02-01 and staff stated that honeysuckle and ivy would be counted towards the landscape requirements and fulfilling the landscape requirements, but to specifically address a plant species and type may restrict or limit the applicant.

Mr. Roberts stated what he is trying to do is create continuity between both ZN-02-01 and ZN-30-00.

Mr. Hoyes stated that with ZN-02-01 staff did not specify that the applicant had to have honeysuckle, but stated that honeysuckle would be counted towards fulfilling the landscape requirements.

Chairman Nelson Stone stated that they are still in the middle of a motion and they are trying to achieve clarity and he feels he is more confused now.

Mr. Roberts stated that he wants to clarify that on the letter he sent to Bob Hoyes the conditions that were noted in the letter were incorrect because the conditions were taken off staff's report which did not reflect the conditions that were signed by Mayor Montandon. He stated that conditions 12 and 13 in staff's report tonight are acceptable to him, and it is conditions 14 and 15 he is talking about here.

Chairman Stone stated he wants to know what language is in condition #14 and #15 is to be replaced.

Mr. Hoyes stated if it is the Commission's desire that a wrought iron fence be constructed in lieu of a block wall, perhaps staff can eliminate condition #14 as that addresses just a block wall and that condition #15 be amended to read: "that the perimeter fence along the southern property line may be wrought iron. In addition a minimum twenty (20) feet of landscaping shall be provided on the inside of the fence. This area shall include 24-inch box trees planted twenty (20) feet on center. Honeysuckle and/or ivy may be counted toward the landscaping requirements."

Mr. Roberts stated for clarification on the wrought iron directly adjacent to the south property line, as it is noted as 10-foot.

Mr. Hoyes stated that condition #15 shall read: "that the perimeter fence directly adjacent to southern property line may be wrought iron. In addition a minimum twenty (20) feet of landscaping shall be provided on the inside of the fence. This area shall include 24-inch box trees planted 20 feet on center. Honeysuckle and/or ivy may be counted toward the landscaping requirements."

Commissioner Harry Shull asked should the condition read ALL THE PERIMETER FENCING or just the southern boundary.

Mr. Hoyes stated that condition #13 addresses that permanent perimeter fencing material shall be wrought iron.

Vice-Chairman Tom Langford MOVED and Commissioner Harry Shull SECONDED to APPROVE ZN-30-00 per staff's conditions subject to the following changes:

Condition #14 Deleted.

Condition #15 Changed to Read: "That the perimeter fence directly adjacent to the southern property line may be wrought iron. In addition, a minimum twenty (20) feet of landscaping shall be provided on the inside of the fence. This area shall include 24-inch box trees planted 20 feet on-center. Honeysuckle and/or ivy may be counted toward the landscaping requirements."

The motion carried by UNANIMOUS vote.

18) UN-11-01 (3628) CHEYENNE PEAKING DETENTION BASIN (Public Hearing)

An application submitted by The City of North Las Vegas, property owner, for a use permit in an R-1 Single Family Residential District, and R-3 Multi-Family Residential District to allow a flood water detention basin. The property is generally located at the northwest corner of Berg Street and Cheyenne Avenue. The Assessor's Parcel Numbers are 139-12-302-009, 139-12-304-002, 139-12-304-003, 139-12-401-001, 139-12-401-002, 139-12-401-004, 139-12-402-001, 139-12-402-002, 139-12-402-003 and 139-12-402-004.

RECOMMENDATION:

The Development Services Department recommends that UN-11-01 be approved and forwarded to the Redevelopment Agency for final consideration subject to the following conditions:

1. Standard conditions 4, 6, 8, 10, 11 and 12.
2. A minimum six-foot high masonry wall shall be provided adjacent to any existing, developed residential properties.
3. Landscaping shall be provided as shown on the site plan and shall be subject to review and approval by the Parks and Recreation Department.
4. Security lighting shall be provided and shall be subject to review and approval by the Police Department and the Parks and Recreation Department. Such lighting shall not exceed 0.5 foot candles ten feet outside of the property lines. Light poles shall not exceed 20 feet in height.

The application was presented by Mary Aldava, Associate Planner, on behalf of staff who indicated staff is recommending approval of this item.

Chairman Nelson Stone opened the Public Hearing. No participants came forward. The Public Hearing was closed.

Commissioner Anita Wood stated that staff talked about a six (6) foot high wall is proposed to separate the existing developed residential areas from the detention basin, but no wall is being required to separate the existing school from the detention basin and she is concerned whether or not some type of barrier is going up. She also asked what are the amenities of the soccer field, are they along or inside of the detention basin.

Brian Martin, of the City's Engineering Division, 2288 Civic Center Drive, North Las Vegas, Nevada 89030 appeared on behalf of the applicant who stated with regard to the soccer fields there are potential park amenities. He stated that currently there is no funding in place for those, but the way the basin is laid out these facilities can be put inside the basin in the future. With regard to the block walls, Mr. Martin stated the stipulation was to put along all the residential areas and school district a chain link fence at this time.

Commissioner Harry Shull **MOVED** and Commissioner Dean Leavitt **SECONDED** to **APPROVE** UN-11-01 per staff's recommendations.

The motion carried by **UNANIMOUS** vote.

19) SPR-03-01 (3612) WEBCO SWEEPING (Public Hearing)

An application submitted by Webco Sweeping on behalf of Walsh Bentley, property owner, for a site plan review in an M-2 General Industrial District to allow alternative screening. The property is located at 2218 Losee Road. The Assessor's Parcel Numbers are 139-22-510-016 and 139-22-510-017.

RECOMMENDATION:

The Development Services Department recommends that SPR-03-01 be denied and that an eight-foot high masonry block wall be erected along the property line where said storage items are viewed from neighboring properties and rights-of-way.

The application was presented by Mary Aldava, Associate Planner, on behalf of staff who indicated the Development Services Department recommends this item be denied.

Walsh Bentley, 2218 Losee Road, North Las Vegas, Nevada 89030 appeared on behalf of the applicant.

Chairman Nelson Stone advised the applicant staff has recommended denial and asked him if he had any compelling reasons to argue their position.

Mr. Bentley stated that the property is facing out into an alleyway that is only used by him and his renters. He stated there is no other exposure from Losee Road. He stated a six (6) foot wall in the front hides any iron that is in the yard.

Chairman Stone asked the applicant what will be stored in the yard.

Mr. Bentley replied that heavy iron will be stored in the yard.

Commissioner Laura Perkins stated she is completely opposed to slats, but she would not be opposed since there is an existing chain link fence there to place some type of landscaping that would have the same intent of the code to shield back from view of the public.

Mr. Bentley stated he has owned this property since October.

Commissioner Harry Shull **MOVED** and Commissioner Laura Perkins **SECONDED** to **APPROVE** SPR-03-01 per staff's recommendations subject to the following change:

**“15 gallons oleanders 5-feet on center to a minimum
midway point subject to review and approval by staff.”**

The motion carried by UNANIMOUS vote.

20) T-866 (3715) CRAIG ROAD 95

An application submitted by Orion Engineering & Surveying, Inc. on behalf of Plaster Development Company, Inc., property owner, for a tentative map review in an R-1 Single Family Residential District. The property is generally located south of Red Coach Avenue approximately 795 feet east of Valley Drive. The Assessor's Parcel Numbers are 139-06-601-002 and 139-06-601-003.

RECOMMENDATION:

The Development Services Department recommends that T-866 be approved subject to the following conditions:

1. Standard conditions 1, 2, 6, 7, 8, 11, 15, 26, 27 and 29.
2. The driveway number and location are subject to review and approval by the City Traffic Engineer.
3. Street names must be approved by the Fire Alarm Office.
4. One each pedestrian access shall be provided across the southern property line at the locations of the stub streets.
5. Installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative prior to the recording of the final map. Such alternatives shall be subject to approval by the Fire Department.
6. All Fire Department codes and ordinances in effect at the time of the application for a building permit shall apply.
7. The tentative map shall be revised in order to demonstrate compliance with the Single Family Design Guidelines, including but not limited to the provision of Ordinance 1435.
8. Two copies of a corrected Tentative Map incorporating the conditions of approval shall be submitted for review by the Public Works Department and the Planning Division prior to submittal of the Final Map.

The application was presented by Bob Hoyes, Associate Planner, on behalf of staff who indicated staff is recommending approval subject to eight conditions.

Dean Rasmussen, 3068 E. Sunset Road, Las Vegas, Nevada 89120 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

Chairman Nelson Stone stated the applicant has linear streets, has tried to put in some curves in it, but can not define what exactly it is. He further stated that he like what he sees with this project.

Steve Baxter, Planning Manager, stated that the offset from the centerline is approximately 18-20 feet so that is what can be used.

Chairman Stone congratulated the engineer on a job well done.

Commissioner Laura Perkins MOVED and Vice-Chairman Tom Langford SECONDED to APPROVE T-866 per staff's recommendations.

The motion carried by UNANIMOUS vote.

21) SPR-06-01 (3798) THE DRESCHER CORPORATION

An application submitted by the Drescher Corporation, property owner, for a site plan review in an M-2 General Industrial District to allow light poles exceeding the maximum allowed height. The property is located at 6350 Tropical Parkway. The Assessor's Parcel Number is 123-27-601-001.

RECOMMENDATION:

The Development Services Department recommends SPR-06-01 be approved subject to the following condition:

1. That the waiver for the maximum height of light-poles shall not apply to any automobile parking areas located on the subject site at the corner of Mount Hood Street and Tropical Parkway.

The application was presented by Mary Aldava, Associate Planner, on behalf of staff who indicated staff recommends this item be approved subject to one condition.

Karen Richardson, with The Richardson Partnership, 6372 McCleod Suite 3, Las Vegas, Nevada 89120 appeared on behalf of the applicant who stated she does not agree with the condition to limit the 40-foot poles to only the truck delivery area primarily because this operation is a 24 hour/7 day operation with employees on sight and deliveries occurring all the time and the primary concern is for safety of those employees and deliveries.

Chairman Nelson Stone opened the Public Hearing. No participants came forward. The Public Hearing was closed.

Vice-Chairman Tom Langford **MOVED** and Commissioner Anita Wood **SECONDED** to **APPROVE** SPR-06-01 per staff's recommendations.

The motion carried by **MAJORITY** vote with Chairman Nelson Stone voting against the item.

22) FWD-02-01 (3633) JOHN GONCE

An application submitted by John Gonce, property owner, for a fence wall deviation in an R-1 Single-Family Residential District to allow a six (6) foot high fence in the front setback area where three (3) feet is the maximum height allowed. The property is located at 2401 W. Cartier Avenue. The Assessor's Parcel Number is 139-17-810-011.

RECOMMENDATION:

The Development Services Department recommends that FWD-02-01 be denied and that the 6-foot fence be reduced to thirty-six (36) inches within the front yard.

The application was presented by Mary Aldava, Associate Planner, on behalf of staff who indicated staff is recommending denial of this item and that the six (6) foot fence be reduced to thirty-six (36) inches within the front yard.

John Gonce, 4451 S. Walcott Court, Denver, Colorado 80236 appeared on behalf of the applicant who stated he does not agree with staff's recommendations. Mr. Gonce displayed (on the overhead monitor) some photographs illustrating his position that a larger fence is necessary in order to hold back surface water which may flood his property.

Commissioner Anita Wood asked the applicant to clarify his need for a larger fence.

Mr. Gonce replied that his property is at jeopardy from surface waters if there is a flood.

Vice-Chairman Tom Langford stated that he does not believe such a large fence is necessary to meet the applicant's needs.

Commissioner Harry Shull agreed with Vice-Chairman Langford.

Chairman Nelson Stone MOVED and Commissioner Harry Shull SECONDED to DENY FWD-02-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

PUBLIC FORUM

This is the portion of the meeting devoted to the public. After completing and submitting a blue card, the public is invited to come forward upon recognition by the Chairman and speak upon any topic. Usually items received under this heading are referred to the appropriate City staff for action at a later date.

No members of the public came forward.

DIRECTOR'S BUSINESS: None

CHAIRMAN'S BUSINESS: None

ADJOURNMENT: 9:50 PM

A motion to ADJOURN the March 14, 2001 meeting of the Planning Commission of the City of North Las Vegas was made by Chairman Nelson Stone. Commissioner Anita Wood SECONDED the motion.

Nelson Stone, Chairman

ATTEST:

Ted Karant, Recording Secretary