

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

June 13, 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:

Tom Bell, Development Services Director
Steve Baxter, Planning Manager
Marc Jordan, Senior Planner
Chris Melendrez, Associate Planner
Steve Casmus, Public Works
Madeleine Jabbour, Transportation Services
Steven DiGiovanni, Fire Department
Jim Lewis, Deputy City Attorney
Ted Karant, Recording Secretary

PLEDGE OF ALLEGIANCE

Commissioner Laura Perkins

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 May 23, 2001.

Commissioner Harry Shull MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE the minutes of the May 23, 2001 Planning Commission Meeting.

The motion carried by UNANIMOUS vote.

CONSENT AGENDA

A) PW-53-01 (4486) McDONALD'S AT ANN/SIMMONS

Accept the Commercial Developments Off-Site Improvements Agreement by The McDonald's Corporation and accept the Performance Bond in the amount of \$103,317.01.

B) PW-54-01 (4487) BIGELOW AEROSPACE FACILITY

Accept the Commercial Developments Off-Site Improvements Agreement by Bigelow Development Aerospace Division, LLC, and accept the Subdivision Bond in the amount of \$168,456.70.

C) PW-55-01 (4488) HIDDEN CANYON APARTMENTS

Accept the off-site improvements for maintenance and advise the Director of Public Works to release the First Deed of Trust in the amount of \$165,013.48.

D) PW-56-01 (4489) GRAVES MINI STORAGE

Accept the Commercial Developments Off-Site Improvements Agreement by Madison B. Graves and accept the Subdivision Bond in the amount of \$223,304.00.

E) PW-57-01 (44900 THE PARKS UNIT 5

Approve the Amended Final Map by Centex Homes.

F) PW-58-01 (4491) CHEYENNE GARDENS UNIT 2

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Inspiration Homes, LLC and accept the Offsite Improvement Bond in the amount of \$112,249.00.

Commissioner Anita Wood MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE Consent Agenda Items A through F.

The motion carried by UNANIMOUS vote.

NEW BUSINESS

Items #1 AMP-14-01 and #2 ZN-19-01 are related and were presented together.

1) AMP-14-01 (4176) CENTENNIAL CROSSING (Public Hearing)

An application submitted by Centennial-Commerce, LLC, property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of Low Density Residential to Community Commercial. The property is generally located at the southwest corner of Centennial Parkway and Commerce Street. The Assessor's Parcel Numbers are 124-27-102-001 and 124-27-102-002.

RECOMMENDATION:

The Development Services Department recommends that AMP-14-01 be denied as the proposed change does not comply with the guidelines established in the Comprehensive Plan and there is no compelling reason to amend the Comprehensive Plan land use element.

The Development Services Department recommends that ZN-19-01 be denied as the rezoning is not justified by changed or changing conditions since the adoption of the Comprehensive Plan in June of 1999.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated that according to the Comprehensive Plan there are a number of guidelines which should be met for property to be amended for a commercial designation and one of those requirements is that the applicant needs to submit a completed market analysis which supports the request. Mr. Jordan stated the applicant has submitted the market analysis, however in reviewing the analysis staff believes it does not support commercial zoning at this intersection. He stated that according to the property within a two-mile radius of this site, there is approximately 492 acres of land which portions can be developed as commercial and portions of it are currently supported for commercial zoning in the Comprehensive Plan. He further stated that a huge amount of population would be necessary to support that amount of commercial, which is not currently in place, therefore staff is recommending denial of the Amendment to the Comprehensive Plan, as well as denial of the zone change request which is Item #2 ZN-19-01 of this Planning Commission meeting.

Chairman Nelson Stone asked staff if the applicant was present as there was some discussion in briefing that these two items (#1 AMP-14-01 and Item #2 ZN-19-01) may be continued.

Mr. Jordan stated the applicant met with staff earlier in the week and at that time the applicant indicated he may request to have these items continued for 30 days as well as the applicant would be requesting to amend these items, however staff has not received any such request to date, therefore staff is proceeding forward with its recommendations.

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

- Sue Morton, 332 Montessa Avenue, North Las Vegas, Nevada 89031

Ms. Morton stated she recently attended a meeting with the proposed developers of these two items where she indicated her disapproval of this project. She opposes this project as she feels it will disrupt the quiet neighborhood she currently lives in.

The Public Hearing was closed.

Chairman Stone stated the Planning Commission could approve, deny or continue this item and asked Jim Lewis, Deputy City Attorney if the applicant's approval would be necessary to continue the item.

Jim Lewis, Deputy City Attorney stated he would not advise a continuation as the Planning Commission and the City Council has a certain time limit in which to act upon Amendments to the Master Plan or else they are approved with the passage of time. He stated if these items were denied the applicant would have the opportunity to appeal to the City Council.

Vice-Chairman Tom Langford stated since the applicant is not present and the market analysis was not adequate he feels this item should be denied.

Vice-Chairman Tom Langford MOVED and Commissioner Dean Leavitt SECONDED to DENY AMP-14-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

Items #1 AMP-14-01 and #2 ZN-19-01 are related and were presented together.

2) ZN-19-01 (4175) CENTENNIAL CROSSING (Public Hearing)

An application submitted by Centennial-Commerce, LLC, property owner, for reclassification of property from an R-E Ranch Estates District to a C-2 General Commercial District. The property is generally located at the southwest corner of Centennial Parkway and Commerce Street. The Assessor's Parcel Numbers are 124-27-102-001 and 124-27-102-002.

RECOMMENDATION:

The Development Services Department recommends that AMP-14-01 be denied as the proposed change does not comply with the guidelines established in the Comprehensive Plan and there is no compelling reason to amend the Comprehensive Plan land use element.

The Development Services Department recommends that ZN-19-01 be denied as the rezoning is not justified by changed or changing conditions since the adoption of the Comprehensive Plan in June of 1999.

(See item #1 AMP-14-01 for discussion involving both Items #1 and 2 as they are related.)

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

Commissioner Anita Wood MOVED and Commissioner Laura Perkins SECONDED to DENY ZN-19-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

3) UN-20-00 (4439) SPURS BAR & GRILL (Public Hearing)

An application submitted by WJR Partnership, property owner, for an extension of time for a use permit in an M-2 General Industrial District to allow the "on sale" of alcoholic beverages in conjunction with a tavern and restaurant. The property is generally located on Craig Road, approximately 177 feet west of Lamb Boulevard. The Assessor's Parcel Number is 140-06-610-030.

Recommendation:

The Development Services Department recommends that a six month extension of time for UN-20-00 be approved subject to the following conditions:

1. That all applicable conditions of the previous approvals shall apply.
2. That UN-20-00 shall expire on December 12, 2001.

The application was presented by Chris Melendrez, Associate Planner, on behalf of staff who indicated a use permit was originally approved by the Planning Commission on April 4, 2000 and a six-month extension of time was granted on December 13, 2000 which expired on June 12, 2001 and this application is for an additional extension of time for this use permit which staff is recommending approval subject to two conditions.

Harold Foster, 3230 Polaris Avenue, Suite 23, Las Vegas, Nevada 89102 appeared on behalf of the applicant would stated he agrees with staff's recommendation.

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

Commissioner Anita Wood asked the applicant if the building plans have been submitted.

Mr. Foster replied the building plans will be submitted by June 29, 2001.

Commissioner Wood stated there were some issues in the past regarding relocating the bathrooms and the percentage of bar to restaurant and asked the applicant if he has a revised interior floor plan for the Planning Commission to view at this meeting.

Mr. Foster replied that he does not have that available with him for the Planning Commission to view at this meeting.

Commissioner Wood asked the applicant if the issues of the relocation of the bathrooms and the percentage of bar-to restaurant have been addressed.

Mr. Foster stated the bathrooms have been relocated and the issue of the percentage of bar-to-restaurant has been taken care of.

Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to APPROVE UN-20-00 per staff's recommendations.

The motion carried by MAJORITY vote with Vice-Chairman Tom Langford and Commissioner Laura Perkins voting against the motion.

4) UN-48-01 (4215) KAVANAUGHS (Public Hearing)

An application submitted by Gerald Garapich, AIA, LLC on behalf of Madison Graves II, property owner, for a use permit in a C-1 Neighborhood Commercial District to allow the “on sale” of alcoholic beverages in conjunction with a pub and grill. The property is generally located at the northeast corner of Ann Road and Ferrell Street. The Assessor’s Parcel Number is 124-29-402-011.

RECOMMENDATION:

The Development Services Department recommends that UN-48-01 be approved subject to the following conditions:

1. Standard condition numbers 1, 2, 6, 7, 8, 10, 11, 12, 15 and 27.
2. UN-48-01 shall be initiated and construction begun within six months of the date of this approval.
3. The applicant shall comply with all setback requirements of the zoning district in which the site is located in.
4. The applicant shall comply with all parking requirements.
5. The applicant shall comply with the commercial design guidelines including but not limited to the following:
 1. A minimum 20 feet of landscaping shall be provided next to Ann Road and Ferrell Street.
 2. A minimum six feet of landscaping shall be provided next to the building, between any pedestrian sidewalk and parking areas.
6. A barrier shall be provided between the developed and undeveloped portion of the site to prevent vehicles from driving or parking on the undeveloped area. Such barrier shall be subject to staff review and approval.
7. Fiber optic conduit is required on the Ann Road frontage.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated that six months ago a use permit was approved for this site, however the use permit was inadvertently allowed to expire therefore the applicant has filed for a new use permit. He stated according to the site plan everything is the same as was originally submitted, however the applicant has incorporated conditions approval from the previous use permit as well as the applicant has filed for a building permit for this site, therefore staff is recommending approval subject to the conditions listed.

Gerald Garapich, architect for this project, 10 Commerce Center Drive, Henderson, Nevada 89014 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.

Vice-Chairman Tom Langford complimented the applicant on this project.

Vice-Chairman Tom Langford MOVED and Commissioner Anita Wood SECONDED to APPROVE UN-48-01 per staff’s recommendations.

The motion carried by UNANIMOUS vote.

5) UN-49-01 (4273) ST. CHRISTOPHER'S CHURCH (Public Hearing)

An application submitted by J.W.Sligar, Inc. on behalf of the Church Roman Catholic LV, property owner, for a use permit in an R-A/R-2 Redevelopment Area/Medium High Density Residential Subdistrict to allow a parking lot for an existing church. The property is located at 1805 N. Bruce Street. The Assessor's Parcel Number is 139-23-311-179.

RECOMMENDATION:

The Development Services Department recommends that UN-49-01 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. That a split face block wall, a minimum six (6) feet in height, shall be constructed on the property line(s) between the parking area and the residential properties to the north and west.
3. Evergreen trees be planted twenty (20) feet on center along the north and west property lines.
4. All parking spaces shall meet the minimum five (5) foot setback requirement for parking lots.

The application was presented by Chris Melendrez, Associate Planner, on behalf of staff who indicated the subject site is located in the Redevelopment Area. He stated the applicant had a previous use permit at this location, however it expired on December 11, 1998. Mr. Melendrez stated in order continue the use of this parking lot an additional use permit is required, and staff is recommending approval of this item subject to four conditions.

Jerry Sligar, 4485 N. Rainbow Boulevard, Las Vegas, Nevada 89108 appeared on behalf of the applicant who stated this was approved previously and since then the requirements have changed and he stated he would like to build this project according to the way it was originally approved. He stated the previous use permit allowed him to replace the block wall with a cyclone fence along the alley on the west side and he would like to be allowed to do that again. He also asked for clarification of a letter sent to him by Steve Baxter regarding requirements with regard to the driveways.

Steve Baxter, Planning Manager, stated that Cecil Sanchez with the Public Works Department stated "the driveway on Tonopa Avenue should be removed, the driveway on Bruce Street should be moved to align with the on-side drive aisle and two other conditions were listed.

Mr. Sligar stated his preference would be to not incur the cost of removing the driveway.

Chairman Nelson Stone stated a condition may be added to state: "or as approved by the City's Traffic Engineer."

Mr. Sligar stated the other concern he has is regarding the fence on the west side.

Father Greg Gordon, Pastor of Saint Christopher Church, 1840 N. Bruce Street, North Las Vegas, Nevada 89030 appeared on behalf of the applicant who stated he believes having an open fence, a cyclone fence would be better for security purposes.

Chairman Stone asked Mr. Sligar to clarify that he referring to condition #2.

Mr. Sligar replied that is correct.

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

Commissioner Harry Shull asked if the fence could be made to be a wrought iron fence instead of chain link.

Mr. Melendrez stated wrought iron would be more consistent with the Commercial Design Standards and since staff is requiring landscaping in that area, wrought iron may be considered appropriate screening against that residential area therefore that would be acceptable to staff.

Commissioner Dean Leavitt stated the fence around the church and school area was recently upgraded and recommends the same design be pursued in this case.

Commissioner Wood stated she believes wrought iron would be a good solution.

Commissioner Harry Shull MOVED and Commissioner Laura Perkins SECONDED to APPROVE UN-49-01 per staff's recommendations subject to the following changes:

Condition #2 Changed to Read: "That a split face block wall, a minimum six (6) feet in height, shall be constructed on the property line between the parking area and the residential property to the north and a six (6) foot high wrought iron fence, similar to the existing fence used by the church, shall be required on the west property line."

Condition #3 Changed to Read: "evergreen trees be planted ten (10) feet on center along the north and west property lines."

The motion carried by UNANIMOUS vote.

6) UN-50-01 (4304) MARIA’S MEXICAN RESTAURANT (Public Hearing)

An application submitted by Miguel and Maria Esparza, property owner, for a use permit in the R-A/CR Redevelopment Area / Commercial/Retail Subdistrict to allow the “on sale” of beer/wine in conjunction with a restaurant. The property is located at 1108 E. Lake Mead Boulevard. The Assessor’s Parcel Number is 139-23-203-007.

RECOMMENDATION:

The Development Services Department recommends that UN-50-01 be approved and forwarded to the Redevelopment Agency for final consideration subject to the following conditions:

1. Standard conditions 4, 8, 10, 11 and 12.
2. The dining area shall seat a minimum of forty-five (45) people at any one time.
3. The trash enclosure shall follow the same design of the main structure and shall have solid metal gates.

The application was presented by Chris Melendrez, Associate Planner, on behalf of staff who indicated this is in the Redevelopment Area. He stated in order to approve this type of use permit staff included a condition that is required by Title 5 of the Municipal Code that states “the dining area would need to seat a minimum of 45 people at any one time.” Mr. Melendrez stated staff is recommending approval of this item subject to that condition as well as two additional conditions for a total of three (3) conditions.

Maria Esparza, 3404 Kidd Street, North Las Vegas, Nevada 89032 appeared on behalf of the applicant who stated she concurs with staff’s recommendation.

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

Commissioner Anita Wood MOVED and Commissioner Dean Leavitt SECONDED to APPROVE UN-50-01 per staff’s recommendations.

The motion carried by UNANIMOUS vote.

7) UN-51-01 (4305) PETE KING CORPORATION (Public Hearing)

An application submitted by Pete King Corporation on behalf of Bruce King, property owner, for a use permit in an M-2 General Industrial District to allow a temporary office trailer. The property is located 3785 Losee Road. The Assessor's Parcel Number is 139-11-601-003.

RECOMMENDATION:

The Development Services Department recommends that UN-51-01 be approved subject to the following conditions:

1. Standard Conditions: 4, 11 and 12.
2. That paved Fire Department access lanes and adequate water supply be provided in accordance with all applicable codes and ordinances prior to the issuance of a Certificate of Occupancy.
3. That UN-51-01 shall expire on June 12, 2002.

The application was presented by Chris Melendrez, Associate Planner, on behalf of staff who indicated staff is recommending approval of this item subject to three (3) conditions.

Manuel Garcia, 10664 Sapphire Vista Avenue, Las Vegas, Nevada 89144 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 Harry Shull MOVED and Commissioner Anita Wood SECONDED to APPROVE UN-51-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

8) UN-94-97 (2415) FORT LAS VEGAS (Public Hearing)

An application submitted by Boyd & Patricia Bulloch, property owners, for an amendment to allow an expansion to the existing Fort Las Vegas casino for a 27,797 square foot special events facility in a C-2 General Commercial District. The property is located at 2428 E. Cheyenne Avenue. The Assessor's Parcel Number is 139-11-816-020.

RECOMMENDATION:

The Development Services Department recommends conditional approval of UN-94-97 as follows:

A. Conditions Precedent to Effectiveness of Special Use Permit

Based upon the Planning Commission's power to "establish conditions under which a parcel of land may be used, or a building constructed or altered . . . or make requirements as to the . . . conditions 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 should establish certain conditions precedent to the effectiveness to the requested special use permit that act to safeguard the public's health, safety and welfare while the public is present at the applicant's location, more particularly as follows.

This Special Use Permit is not effective until such time as the following conditions are completed to the satisfaction of the City:

- 1 The parking lot shall be paved and striped in accordance with Code requirements.
1. The Applicant shall hire an independent engineer/architect licensed by the State of Nevada, as approved by the Building Official, to provide the City a written report stamped by the engineer/architect, verifying that the structure housing the special use has a Uniform Building Code occupancy rating of A2.1 and the structure is constructed with a minimum of "V(type 5)/one hour construction" as delineated by the Uniform Building Code.
2. The land area immediately around the entire exterior of the building and the parking lot shall be lighted to provide reasonable visibility in order to enhance personnel/patron safety. A detailed photometric plan, prepared and stamped by a electrical engineer licensed by the State of Nevada shall be submitted to the City for approval before installation of such lighting.
3. Security cameras and monitoring/recording equipment shall be installed and operate to view and record the structure's exterior points of ingress and egress and the parking lot. A detailed surveillance plan shall be submitted to the City for approval before installation of such surveillance equipment.
4. The fire alarm system shall comply with UFC 1007.2.2. The installation of such fire alarm system shall be performed by a state-certified fire alarm contractor, and such installation shall be inspected by the North Las Vegas Fire Department prior to and after the completion of such system for approval.
5. The applicant shall complete each and every outstanding correction item issued to the applicant by the North Las Vegas Department of Building Safety for the structure at 2414 and 2428 E. Cheyenne Avenue, as delineated by the North Las Vegas Address control book as of May 31, 2001.

6. Additional landscaped islands shall be provided at the end of all parking rows as shown on the amended site plan. Landscaping and irrigation plans for the islands shall be subject to staff review and approval.
7. The existing planter areas shall be replanted with live plant materials and shall be subject to staff review and approval.

B. General Conditions for Special Use Permit

1. Standard Conditions 4, 6, 10, 11 and 12.
2. Special events activities, days of events and hours of operations shall be limited as follows:

Concerts	After-hours & weekends	7 p.m. - 11 p.m.
Boxing	After-hours & weekends	6 p.m. - 11 p.m.
Weddings & Quincinieras	After-hours & weekends	5 p.m. - 11 p.m.
Birthdays	Normal hours & weekdays	8 a.m. - 11 p.m.
Trade Shows	Normal hours & weekdays	8 a.m. - 11 p.m.
General Conventions	Normal hours & weekdays/ends	8 a.m. - 11 p.m.

Events may be extended past 11:00 p.m. provided approval is granted by the North Las Vegas Police Department prior to the event.

3. All special event activities shall be limited to the 27,797 square foot area as shown on the attached site plan ("Special Event Center").
4. The maximum occupancy for the Special Event Center shall be determined by the Building and Fire Departments in accordance with the Uniform Building Code and Uniform Fire Code, as amended from time to time.
5. Gambling games of any and every kind (as defined by NLVMC § 5.20.010) are prohibited within the Special Event Center.
6. The sprinkler system shall be serviced in accordance with NAC 477.335. Such service shall be performed by a state-certified sprinkler contractor. A copy of the maintenance contract shall be submitted to the North Las Vegas Fire Department.
7. Four weeks prior to holding a special event activity within the Special Event Center, the applicant must apply for and obtain an assembly permit from the North Las Vegas Fire Department in accordance with UFC Section 105.8 for such event. The permit application must include a scaled plan indicating the seating arrangements, location and width of exit ways and aisles, and calculations determining the maximum proposed occupant load, in accordance with UFC Section 2501.14. Such permit must be obtained prior to utilizing the Special Event Center for any special event activity. Any use of this building that occurs without the appropriate Fire Department permit may result in an immediate cease and desist order and a possible fine of up to \$1,000.00 pursuant to the Uniform Fire Code, as adopted by the City.
8. Those signs required by law shall be posted in English and Spanish, and shall be subject to review and approval by the Police Department.
9. All fire lanes must be kept free from non-emergency vehicles, including the entire alley way at the rear of the Special Event Center.

10. The applicant shall maintain adequate integrity of interior offices by means of structural design, locks, cameras, etc. for employee protection and safety, particularly in cash flow areas. The design or types of security methods shall be subject to review and approval by the Police Department.
11. Four weeks prior to holding a special event activity within the Special Event Center, the applicant must apply for and obtain a permit from the North Las Vegas Police Department ("NLVPD") for such event. The applicant shall comply with each and every NLVPD condition of approval for each special event activity. Failure to comply will be cause for the immediate revocation of the specific event permit and immediate cancellation of the special event activity.

Such conditions may include, but are not limited to the following: events with an anticipated attendance in excess of 1,000 may require an NLVPD presence with the cost for such police presence to be incurred by the applicant -- representatives from the NLVPD and the applicant will determine the need for such NLVPD presence prior to permit approval; events with an anticipated attendance in excess of 500 may require a private security presence to monitor surveillance equipment and maintain a presence throughout the interior and exterior of the building before, during and after the event, and assist with traffic control if necessary. The need for such personnel or required number of personnel shall be determined by representatives of the NLVPD and the applicant.
12. The applicant shall comply with all provisions of the North Las Vegas Municipal Code prior to obtaining a certificate of occupancy for the Special Event Center.
13. The applicant shall comply with each and every condition of approval within subparagraph "A" under the recommendation prior to receiving a special event business license. The applicant must obtain a business license and thereafter maintain a valid un-expired business license for the special events center.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated this is an application for an amendment to a previously approved use permit to allow an expansion to an existing casino for 27, 797 square foot special events facility. Mr. Jordan stated the applicant is requesting to convert a portion of the old grocery store located at the site into the special events facility. He stated various different events will be held in the new facility such as concerts, boxing, weddings, trade shows and general conventions. He stated the applicant has indicated the hours, days, and approximate number of customers to this facility in the staff report. Mr. Jordan stated in reviewing this proposal the parking lot the applicant is proposing to use has a portion of it which is currently undeveloped and is a gravel surface. He stated that as part of this approval the applicant would be required to pave those areas as well as stripe the parking lot. He further stated the applicant would have to propose some amount of landscaping that would need to be done at the end of the parking rows which would be acceptable to staff and some of the existing landscaping would need to be replanted as some of the plant materials have died. He stated in analyzing this item there have been a number of concerns raised by the Fire Department, Building Department and the Police Department regarding the use, therefore when reading the conditions attached to this item there are a number of conditions dealing with those concerns, many of the concerns being issues of life safety by all three (3) departments. Mr. Jordan stated he wishes to remind the Planning Commission this is a request for a use permit and all of these items are dealt with through the uniform building code and the uniform fire code and will be reviewed by staff if this item is approved and when they submit building permits. He stated when the Planning Commission looks at the recommendation, which staff is recommending approval of, he stated there are two subcategories of recommendations: Paragraph A which lists conditions of approval and that basically indicates that this special use permit is not effective until such time the following conditions are completed to the satisfaction of the City, of which there are eight (8) conditions listed which the applicant would need to complete.

Paragraph B listed additional conditions (13 in number) which indicates conditions that are on-going on this site which would need to continuously be complied with. Mr. Jordan stated as part of the condition of approval staff did not hold the applicant to the number of customers predicted here as the number could vary and increase, therefore staff is recommending that item be reviewed and approved by the Building and Fire Department based upon the occupancy that the building would be able to hold, therefore staff is recommending approval of this item subject to the conditions listed.

Boyd and Patricia Bulloch, 821 E. Lone Mountain Road, North Las Vegas, Nevada 89031 and Troy Bulloch, 6348 Citrine Avenue, Las Vegas, Nevada 89130 appeared on behalf of the applicant. Troy Bulloch stated he has reviewed the conditions very closely, both sections A and B, and does not have any problem with any of the conditions. He asked for clarification on the permit process. He stated the Fire Department and Building Department would like an event permit for every single event and he would like some clarification on the criteria (i.e., 200-person event vs. a 2,000-person event) for obtaining a permit. Troy Bulloch stated once again that they have reviewed the conditions in section A and B and they have no problem with conditions as submitted.

Steve DiGiovanni, of the Fire Department, stated the Uniform Fire Code requires that a permit be approved by the Fire Department for each Assembly Use which he stated Assembly Use is defined as 50 or more persons. He stated that any use of this particular site for 50 or more people would have to go through the Fire Department for approval.

Jim Lewis, Deputy City Attorney, stated he wanted to clarify, for the record, the exact condition language contained in this use permit so as to eliminate any confusion in the future. Mr. Lewis stated if this application is approved tonight, it will be conditionally approved. He stated the applicant will need to receive its business license to conduct business operations in the special events center and such license cannot be issued until such time as all of the listed conditions are met.

Troy Bulloch stated many of these conditions are structural and life safety issues and he has no problem with any of the conditions.

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

- ▶ Mike Winne, 3005 Emmons, North Las Vegas, Nevada 89030

Mr. Winne stated he has been a resident of North Las Vegas for 16 years and he feels this is a facility the City of North Las Vegas has needed for a long time. He stated he does not see anyone else coming forward to create a facility such as this one. He wants to see this applicant receive fair treatment in trying to create this facility. He asked the Planning Commission to approve this project as he feels this is necessary for the City. Mr. Winne stated whenever he needs a facility to hold an event such as a computer show, dances, etc. he ends up leaving the City of North Las Vegas as no adequate facility currently exists for such events.

- ▶ Rosel Seastrand, 2121 Reynolds, North Las Vegas, Nevada 89030

Ms. Seastrand stated she feels this is a necessary facility and recommends the Planning Commission approve this item for the benefit of the citizens of the City of North Las Vegas.

The Public Hearing was closed.

Commissioner Anita Wood stated she agrees with the comments made by the residents as she, too, believes this is a necessary facility for the City. She stated, however, that she is concerned about approving this item over the opposition of the Fire Department and while there is an order not to use the space on that property because of the fire walls that have been breached. She stated the Planning Commission needs the assurance that these issues are going to be taken care of in a timely manner. Commissioner Wood stated she understands the applicant will not be able to open this facility in the next week as it will take some time to complete the requirements, but she feels there are some critical issues present that must be taken care of.

Boyd Bulloch stated he is more than satisfied with the conditions listed and his efforts are in place to comply with all of them.

Troy Bulloch stated the City has recommended that they bring in a third party engineer licensed by the state to go in and do a code analysis and work through the life-safety issues and make sure everything is in compliance.

Jim Lewis asked the applicant if they understand that they cannot hold events in the 25,000 square feet without complying with the conditions.

Commissioner Wood asked staff, with regards to the memo distributed to the Planning Commissioners during the briefing meeting, the Fire Department requests that conditions be placed and asked for clarification from the Fire Department if these are additional conditions.

Steve DiGiovanni replied that those conditions in the memo simply re-state the conditions.

Commissioner Laura Perkins stated she agrees this is very necessary in the City of North Las Vegas and would like to see it happen subject to the conditions listed.

Vice-Chairman Tom Langford MOVED and Commissioner Dean Leavitt SECONDED to APPROVE UN-94-97 per staff's recommendations.

The motion carried by UNANIMOUS vote.

9) UN-115-98 (3603) MENDENHALL FAMILY TRUST (Public Hearing)

An application submitted by the Mendenhall Family Trust, property owners, for a use permit in an M-2 General Industrial District (Resolution of Intent to C-3 General Service Commercial District) to allow a portion of a hotel/casino to be 200 feet high instead of the maximum height allowed in a C-3 District which is 35 feet. The property is generally located at the southwest corner of Losee Road and Craig Road. The Assessor's Parcel Numbers are 139-02-701-002 and 139-02-701-003.

RECOMMENDATION:

The Development Services Department recommends that UN-115-98 be approved subject to the following conditions:

1. That UN-115-98 be subject to all previously approved conditions for UN-48-96, ZN-20-96, and FDP-14-00. Where there is a conflict with the conditions, the more restrictive shall apply. Should any or all of the items listed herein expire, this request shall be considered null and void; and
2. That the height of the tallest "smoke stack" not exceed 120 feet from the finished floor elevation. The height of the shorter "smoke stack" shall not exceed 74 feet from the finished floor elevation. The principal building shall not exceed 44 feet from the finished floor elevation. All other aspects of this development shall be in conformance with the requirements in the Zoning Ordinance for a hotel casino.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated the Planning Commission has approved a use permit for this casino as well as a final development plan on this site, as well as the City Council approved an extension of time for the Resolution of Intent for this site which is due to expire in December, 2002. He stated staff is supporting this request and is recommending approval subject to the two (2) conditions listed.

Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas, Nevada 89109 appeared on behalf of Mendenhall Gaming, LLC, the applicant who concurs with staff's recommendations.

Vice-Chairman Tom Langford asked the applicant what the two towers are intended for.

Mr. Gronauer replied the two towers are part of the design of the facility which is an industrial, old-mill type of theme hotel/casino. He stated the smoke stacks (pointing to the overhead display) is the applicant's marque which will have the name of the casino on it. He also stated there will be no smoke coming out of the smoke stacks. They are strictly cosmetic.

Commissioner Anita Wood asked if there will be signage on the smaller smoke stack.

Mr. Gronauer replied there will be no signage on the smaller smoke stack.

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

Commissioner Harry Shull MOVED and Vice-Chairman Tom Langford SECONDED to APPROVE UN-115-98 per staff's recommendations.

The motion carried by UNANIMOUS vote.

10) VN-04-01 (4310) SCHELLING ESTATES (Public Hearing)

An application submitted by Heller Development on behalf of Heller-Bonita Vista, LLC, property owner, for a variance in an R-1 Single-Family Residential District to allow a 3.34 foot side yard setback where five (5) feet is the minimum required. The property is located at 5026 Hobog Court. The Assessor's Parcel Number is 124-32-316-029.

RECOMMENDATION:

The Development Services Department recommends that VN-04-01 be denied.

If however, the Planning Commission were to determine that approval of the proposed variance is warranted, then staff recommends the following as conditions of approval.

1. Standard Conditions 4 and 11.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated the property is currently developed complete with landscaping. He stated the house is not in compliance with the five (5) foot setback. He stated that apparently when the house was originally plotted the footprint was reversed, therefore it was pushed up next to the side property line and constructed and after they realized it was within the 5 feet. He stated according to the requirements within the state law and also the zoning ordinance, staff has no other choice, but to recommend denial of this request for a variance, however if the Planning Commission were to determine that an approval is warranted, staff has listed two conditions which are standard conditions of approval.

David Turner, 1210 Hinson Street, Las Vegas, Nevada 89102 appeared on behalf of the applicant. He stated that due to a construction layout error on this site the house was laid out reversed on the site. He stated (while pointing to the overhead display) that a tiny portion of the house encroaches into the five foot setback. He stated the majority of the side lot is well over the setback length there and the other side of the lot is also eleven (11) feet.

Chairman Nelson Stone asked the applicant who is at fault for this.

Mr. Turner stated he is not sure whether it is the surveyors' fault or those laying out the concrete. He did not notice the error until they were getting ready to do the drainage compliance.

Chairman Stone stated the applicant would have had an approved plot plan and believes this is very rare. He stated these things are usually discovered at the "slab" stage and he would like to know who is responsible for this.

Mr. Turner stated he believes this is the result of error by the surveyor.

Chairman Stone advised the applicant that this is a case where if this item does not gain approval potentially this is a case where he will need to destroy and tear down and entire house.

Mr. Turner stated he brought this to the attention of the City as it was not caught by anyone and he wishes to handle it appropriately.

Commissioner Anita Wood asked the applicant who asked for the house to get reversed.

Mr. Turner stated the original plot plan showed the house reversed. He stated the house was laid out incorrectly which is what is displayed to the Planning Commission.

Commissioner Wood then asked the applicant if this house is presently owned.

Mr. Turner stated it is under contract, but is not owned and the future prospective owners are aware of the problem. The Building Department is going to allow the occupants/prospective buyers to move into this house based on the fact that they were aware of the problem and a letter was submitted to the Building Department addressing that issue.

Commissioner Wood stated that due to the unusual circumstances involved with this, the fact that it is a result of either surveyor or engineer error, the fact that the house is currently built and does in fact meet fire code which does not pose any life safety risk, she does not see any good being served that would come from tearing down a perfectly good house, therefore she recommends this item be approved listing the surveyor or engineer error as the hardship for the exceptional circumstance.

Commissioner Marilyn Kirkpatrick stated she hopes that in the future this will not happen again.

Chairman Nelson Stone stated he appreciates the applicant's candor about the error and will support the approval of this item.

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

Jim Lewis, Assistant City Attorney, stated the hardship is the surveyor/engineer error on the developer of the site. The developer is put in grave hardship as is the potential owner of the house. A mere error by the engineer is probably not a hardship.

Commissioner Anita Wood MOVED and Vice-Chairman Tom Langford SECONDED to APPROVE VN-04-01 citing the error by the surveyor or engineer on this project as the exceptional circumstances surrounding this property that has already been built.

The motion carried by UNANIMOUS vote.

11) ZN-12-90 (4236) CRAIG SIMMONS LTD (Public Hearing)

An application submitted by Henry Kronberg, property owner, for an extension of time on a reclassification of property from an R-E Ranch Estates District to a C-1 Neighborhood Commercial District. The property is generally located at the southeast corner of Craig Road and Simmons Street. The Assessor's Parcel Number is 139-05-701-012.

RECOMMENDATION:

The Development Services Department recommends that ZN-12-90 receive a favorable recommendation and that this item be forwarded to the City Council for permanent "hard zoning" to the C-1 Neighbor Commercial District.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated this property has been under Resolution of Intent for several years and a portion of the property has been developed with a convenience store, and likewise at one of the last requests for extension of time by the City Council they excluded the south 330 feet of property which is displayed on the monitor. He stated the property is supported for commercial development by the Comprehensive Plan as it designates this area as community/commercial and therefore instead of extending this Resolution of Intent staff is recommending permanent approval for the C-1 District.

Henry Kronberg, 2121 Boundary Oak Drive, Las Vegas, Nevada 89134 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Commissioner Harry Shull MOVED and Commissioner Laura Perkins SECONDED to APPROVE ZN-12-90 per staff's recommendations.

The motion carried by UNANIMOUS vote.

12) ZN-21-01 (4302) ALL LAND CO. (Public Hearing)

An application submitted by Tim C. Ayala on behalf of J & J Capital Organization, property owner, for reclassification of property from an O-L Open Land District to a C-2 General Commercial District. The property is generally located at the southwest corner of Turkey Lane and Valley Drive. The Assessor's Parcel Numbers are 124-19-401-010 and 124-19-401-012.

RECOMMENDATION:

The Development Services Department recommends that ZN-21-01 receive a favorable recommendation and that this item be forwarded to the City Council for permanent "hard zoning" to the C-2, General Commercial District.

The application was presented by Chris Melendrez, Associate Planner, on behalf of staff who stated that since this is consistent with the Comprehensive Plan the Development Services Department is recommending approval of this item.

Tim Ayala, 4600 Sunset Road Suite 148, Henderson, Nevada 89014 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 Harry Shull MOVED and Commissioner Anita Wood SECONDED to APPROVE ZN-21-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

13) ZN-22-01 (4308) 5TH AND FARM (Public Hearing)

An application submitted by Phillip Nourafchar on behalf of Moonlight Limited, L.P., property owner, for reclassification of property from an R-E Ranch Estates District to an R-2 Two-Family Residential District. The property is generally located east of North 5th Street and approximately 650 feet north of Tropical Parkway. The Assessor's Parcel Number is 124-26-202-006.

RECOMMENDATION:

The Development Services Department recommends that ZN-22-01 receive a favorable recommendation and that this item be forwarded to the City Council for permanent "hard zoning" to the R-2 Two-Family Residential District by ordinance.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated the Comprehensive Plan designates this area as Medium/High Density Residential. He stated the proposed request would be appropriate for this subject site therefore staff is recommending approval of this item for permanent zoning to the R-2 District.

Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas, Nevada 89109 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 Harry Shull MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE ZN-22-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

14) ZN-23-01 (4309) 5TH AND FARM (Public Hearing)

An application submitted by Phillip Nourafchar on behalf of Moonlight Limited, L.P., property owner, for reclassification of property from an R-E Ranch Estates District to an R-2 Two-Family Residential District. The property is generally located at the northeast corner of North 5th Street and Tropical Parkway. The Assessor's Parcel Number is 124-26-202-008.

RECOMMENDATION:

The Development Services Department recommends that ZN-23-01 receive a favorable recommendation and that this item be forwarded to the City Council for permanent "hard zoning" to the R-2 Two-Family Residential District by ordinance.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated the Comprehensive Plan designates this area as Medium Density Residential which would support the R-2 Zoning therefore staff is recommending approval for permanent zoning to the R-2 District.

Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas, Nevada 89109 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 Vice-Chairman Tom Langford SECONDED to APPROVE ZN-23-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

15) SPR-39-00 (2816) FREHNER CONSTRUCTION CO. INC.

An application submitted by Garth Frehner, Trustee, on behalf of the Garth Frehner Family Trust, property owner, for a site plan review in an M-2 General Industrial District to allow a waiver of the landscaping and block wall requirements of the Industrial Design Guidelines. The property is located at 4200 Frehner Road. The Assessor's Parcel Number is 139-01-305-001.

This item was reviewed by the Commission on November 8, 2000. The applicant had requested a waiver of the landscaping and block wall requirements. At that meeting, the applicant agreed to provide landscaping in front of the block wall along Frehner Road.. The applicant also stated that he should not be required to provide a block wall along the rear property line because he had received previous Commission approval for a deviation from that requirement. This item was continued indefinitely, to allow staff and the applicant time to find evidence of the Commission action that might have relieved the applicant from providing the block wall. Staff discovered that in 1993, the Commission had reviewed this site and did not require the applicant to build a wall along the rear property line. Based on this previous action, only the landscaping in front needs to be provided. Although the applicant had originally requested a waiver of this requirement, at the November meeting he stated his agreement to provide the landscaping. Since the applicant no longer is asking for a waiver, the Commission does not need to make a decision on this item, and it will be considered closed.

Marc Jordan, Senior Planner, stated this is an application that was presented to the Planning Commission on November 8, 2000 as was continued indefinitely because there were questions regarding they probably did not require a block wall for this storage yard and as a result of the research that has been done on this that is, in fact, the case that they are not required to have a block wall. He stated they are required to have landscaping along Frehner Drive which they have installed and this item was placed on the Agenda tonight for an informational item and that everything has been completed on this item.

This item is for INFORMATION ONLY-NO ACTION.

16) T-877 (4311) REGAL ESTATES-1D PHASE NO. 2

An application submitted by Heller Development Co. on behalf of Sun Home Builders, Inc., property owner, for a tentative map review in an R-1 Single-Family Residential District to allow 67 units of single family homes. The property is located approximately 400 feet east of Revere Street and 350 feet north Carey Avenue. The Assessor's Parcel Number is 139-15-401-001.

RECOMMENDATION:

The Development Services Department recommends that T-877 be approved subject to the following conditions:

1. Standard conditions: 1, 2, 4, 11, 15, 17, 26, 27 and 31
2. The developer shall comply with the single family design standards, including, but not limited to providing ten feet of landscaping, which may include the sidewalk adjacent to the corner side of all corner lots within the subdivision. The landscaping may be shown as common elements or as an easement on the final map. Maintenance of the landscaping shall be the responsibility of the homeowner's association or another method as approved by the City.
3. Two copies of a revised tentative map incorporating the conditions of approval shall be submitted for review to the Public Works Department and the Planning Division prior to submittal of the final map.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated staff is supporting the proposed tentative map subject to three (3) conditions.

David Turner, 1210 Hinson Street, Las Vegas, Nevada 89102 appeared on behalf of the applicant who stated he concurs with staff's recommendations. He stated he lives on one of the corner parcels in his subdivision and does not particularly agree with the landscape requirement, but is willing to comply with it. He feels it is more of a nuisance for the property owner as he feels kids hang out on the side yard and drink beer and smoke cigarettes and is more of a maintenance problem, but if that is what the City would like he will comply with it.

Commissioner Laura Perkins MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE T-877 per staff's recommendations.

The motion carried by UNANIMOUS vote.

OLD BUSINESS

17) 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 the streets listed on the attached table due to the annexation of approximately 12 square miles. 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.

Vice-Chairman Tom Langford MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE INDEFINITELY AMP-07-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item is CONTINUED INDEFINITELY.

18) SPR-17-01 (4178) MERCADO DEL PUEBLO

An application submitted by Tim C. Ayala on behalf of Roberto Paredes, property owner, for a site plan review in a C-2 General Commercial District to allow an accessory structure, a grain silo, on the site. The property is located 2987 North Las Vegas Boulevard. The Assessor's Parcel Number is 139-13-506-002.

RECOMMENDATION:

The Development Services Department recommends that SPR-17-01 be denied, because off-site sales for bakeries is not a permitted use in the C-2 District.

If, however, the Planning Commission determines that approval is warranted at this time from the evidence presented by the applicant, then the Development Services Department recommends the following conditions:

1. Standard Conditions 4, 8 and 11.
2. This site is made of three separate parcel numbers. The applicant must file an Administrative Consolidation of Parcels with the Clark County Assessor's Office.
3. That the grain silo shall be painted to match the existing building.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated that according to the site plan the silo would be approximately 20 feet in height and approximately 10 feet in width and will be located to the side of the building. He stated the applicant has indicated it would be used for the tortilla factory and is basically to house additional grain for the manufacturing of tortillas. Mr. Jordan stated staff is concerned that this will lead to off-site sales, which is not a permitted use in a C-2 District, but is more of a permitted use in a M-2 District which would allow manufacturing and bakeries with outside sales, therefore staff is recommending denial of this item. He stated the applicant has submitted a letter to staff indicating that indeed this on-site sales only and would not be intended for off-site. He stated this item is at the discretion of the Planning Commission.

Tim Ayala, 4600 Sunset Road, Suite 148, Henderson, Nevada 89014 appeared on behalf of the applicant who stated the reason this silo is needed is to store grain in order to produce tortillas and there is no intent to have off-site sales.

Chairman Nelson Stone asked Steve DiGiovanni of the Fire Department about the risk of an explosion and whether it could happen with this type of application.

Steve DiGiovanni, of the Fire Department, stated that explosions could occur with just about any type of material.

Commissioner Anita Wood stated even though the applicant forwarded a letter to staff indicating they do not intend to have off-site sales, and even if the Planning Commission places a condition on this, how does it get enforced.

Mr. Jordan stated there is no need to place a condition on there as the ordinance does not allow it.

Commissioner Wood stated she is also concerned about the height of the silo and does not understand why it needs to be a 20-foot silo.

Mr. Ayala stated it is necessary for 20-foot tower to product tortillas.

Commissioner Harry Shull MOVED to have SPR-17-01 APPROVED per staff's recommendations with the deletion of condition #2. There was no SECOND.

2nd MOTION:

Chairman Nelson Stone MOVED and Commissioner Anita Wood SECONDED to DENY SPR-17-01 per staff's recommendations.

The motion carried by MAJORITY vote with Commissioner Harry Shull voting against the motion.

19) T-876 (4177) BELLA VISTA

An application submitted by Richmond American Homes on behalf of David Nelson Deroache, et. al., property owner, for a tentative map review in an R-1 Single-Family Residential District. The property is generally located at the northeast corner of Valley Drive and Washburn Road. The Assessor's Parcel Number is 124-31-601-001.

RECOMMENDATION:

The Development Services Department recommends that T-876 be approved subject to the following conditions:

1. That Standard Conditions 1, 2, 3, 4, 6, 11, 15, 17, 18, 19, 22, 24, 26, 27, 30, 31 and 33 apply; and
2. That the developer dedicate right-of-way for a bus turn-out on Valley Drive; and
3. That the entrance to Bella Terra Drive from Washburn Road be 60 feet in width; and
4. That the installation of sprinklers for fire suppression be required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City; and
5. That on-site and perimeter street fire hydrants be provided in accordance with Ordinance 1283; and
6. That no site plan approval by the Fire Department is implied; and
7. That pedestrian access paths be provided from Capri Canyon Court and San Rocco Court to Valley Drive; and
8. That the applicant provide two (2) copies of the revised map to the Planning Division prior to the recordation of the final map, or any phases thereof.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated this item was originally presented to the Planning Commission on May 23, 2001, but was continued to allow the applicant time to revise the tentative map and now incorporates curvilinear streets and also an additional entrance into the subdivision, therefore staff is recommending approval subject to the eight (8) conditions listed in the memo.

James Pierce, with Pentacore Engineering, 6763 W. Charleston Boulevard, Las Vegas, Nevada 89102 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Chairman Nelson Stone MOVED and Commissioner Anita Wood SECONDED to APPROVE T-876 per staff's recommendations.

The motion carried by UNANIMOUS vote.

20) FDP-04-01 (4079) CAREFREE VILLAS SENIOR APTS

An application submitted by Templeton Development Corp. on behalf of Carefree Alexander LLC, property owner, for a final development plan review in an R-1 Single Family Residential District (ROI to PUD) to modify a previously approved final development plan. The property is located at 3949 West Alexander Road. The Assessor's Parcel Number is 139-07-501-004.

(From the 5/9/01 Planning Commission meeting)

RECOMMENDATION:

The Development Services Department recommends that FDP-04-01 be continued indefinitely until such time that the applicant submits calculations providing the seven (7) percent of open space as required by condition #23 of Resolution of Intent #2113 and a revised site plan indicating where the 60 garages would be located.

(From the 5/23/01 Planning Commission meeting)

This application was continued from the Planning Commission meeting of May 23, 2001, to allow the applicant time to meet with the Department of Parks and Recreation and address any issues of concern regarding the 7.4 percent of open space for Carefree Villas.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated the applicant was originally approved for approximately 442 dwelling units on this site and has since asked that this item be amended to allow 472 units which is allowed by the Resolution of Intent or per the PUD (Planned Unit Development) for this site. It was originally presented to the Commission and was continued so that they could give staff the revised site plan that indicated where the garages would be, which they have done and also to indicate that open space do comply with the seven percent (7%) requirement, which it also does. Mr. Jordan stated it was continued also to allow the applicant time to meet with the Parks and Recreation Department to discuss amenities that would be within this development. The Parks and Recreation Department have given staff a memorandum indicating that they are agreeable to the design of the site with open space as it is and apparently they have come to an agreement on the amenities and it would be subject to the approval of the Parks and Recreation Director, therefore staff is recommending approval of this final development plan subject to the conditions that are listed in the memorandum that was distributed during the briefing.

Bill Quinn, 3311 S. Rainbow Boulevard, Las Vegas, Nevada 89146 appeared on behalf of the applicant who stated that, at the request of Commissioner Anita Wood, he met with the Parks Department. He stated he received the memorandum shortly before the Planning Commission meeting tonight and referred to a condition that called for "fire sprinklers unless the applicant provides a suitable alternative." Mr. Quinn stated that he previously had made an arrangement with the Fire Chief and wanted to make sure that agreement was still in effect.

Steve DiGiovanni, from the Fire Department, stated that was based on the applicant's original development (density) which has now increased, therefore the Chief is asking for the mitigation of the extra thirty (30) units.

Mr. Quinn stated the best way to deal with those 30 units is for him to sit down with Mr. DiGiovanni to work it out.

Commissioner Laura Perkins stated that she appreciates the applicant indulging the Planning Commission's wishes and concerns regarding the open space and meeting with the Parks and Recreation Department.

Commissioner Anita Wood stated she agrees with Commissioner Perkins' comments. She also asked the applicant when the first phase is scheduled to begin.

Mr. Quinn replied he is tentatively setting the grand opening for October 15, 2001 as the weather should be cooler at that time.

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

The motion carried by UNANIMOUS vote.

21) SPR-21-01 (4497) CHEYENNE AIR CENTER

An application submitted by Cheyenne Air Center on behalf of the Clark County Department of Aviation, property owner, for a site plan review in an M-2 General District to allow waivers to the Industrial Design Standards by allowing metal buildings, reducing the required perimeter landscaping and eliminating the required six (6) foot landscaped islands in the parking areas. The property is located at 4511 W. Cheyenne Avenue. The Assessor's Parcel Number is 139-18-101-004.

RECOMMENDATION:

The Development Services Department recommends that SPR-21-01 be approved subject to the following condition:

1. The applicant shall comply with the Industrial Development Standards with the exception that metal buildings as proposed are acceptable and that a minimum 18 feet of landscaping next to Cheyenne Avenue be provided.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated in the staff report it indicated that they are requesting a waiver of the design standards regarding metal buildings, however after further discussion, since it's not listed as one of the preferred building materials, they would be able to proceed forward with that, therefore the waiver request is only for the landscaping next to Cheyenne. The design standards require 20 feet and the applicant is proposing 18 feet, and likewise the design standards require a landscape island at the end of all parking rows and for every additional 15 parking spaces in a row. He stated staff is supporting this waiver request only for the 18 feet of landscaping next to Cheyenne Avenue as it is staff's opinion that the applicant can still provide the additional islands with this development without impacting the design or even the parking lot requirements, therefore staff is recommending approval of this item as listed in the staff report.

Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas, Nevada 89109 appeared on behalf of the applicant who stated the applicant has a 40-year term lease agreement and part of the agreement is an agreement where the applicant would construct in four (4) phases this Cheyenne Airspace Center consisting of airport hangers and also some offices. Mr. Gronauer stated he is before the Planning Commission as there are a couple of waivers and he wishes to proceed forward with phase 3 and phase 4, and would like to keep the same concept of what the applicant was approved in phase 1 and phase 2, and that is with the 18 feet of landscape that was originally approved for phase 1 and phase 2, and he would like to have the same for the rest of the phases. He also stated that the applicant would prefer not to put in the landscape islands at fifteen (15) parking stalls for two reasons: 1) because the continuity was already approved with Clark County with the idea before the industrial standards were put into place with the idea that they would have covered parking along with some open space parking. Mr. Gronauer asked that the Planning Commission approve the waiver request subject to the conditions placed upon phase 1 and phase 2 of what was already approved to continue for phase 3 and phase 4 for future construction.

Commissioner Harry Shull asked the applicant if the Planning Commission were to waive the landscaping requirements at the end could the applicant "beef" up the landscaping, instead of having the trees 20 foot on center to go to 10 foot on center.

Mr. Gronauer stated he spoke with the applicant about that and the problem with that is the applicant will be improving 800 feet on Cheyenne, which is where phase 3 and phase 4 will be. He stated that to do that would require quite a bit more trees that could become cost-prohibitive, as well as they would prefer not to have landscaping under covered parking spaces.

Commissioner Anita Wood stated she would like to see some landscaping islands as she believes they are needed to beef up the appearance, however she also believes the applicant has a valid point with

regards to landscaping under covered parking.

Mr. Jordan stated that perhaps the condition could require landscaping for every 15 uncovered parking spaces.

Mr. Gronauer stated that would be fine with him.

Commissioner Anita Wood MOVED and Vice-Chairman Tom Langford SECONDED to APPROVE SPR-21-01 per staff's recommendations subject to the following change:

Condition #1 Changed to Read: “ The applicant shall comply with the Industrial Development Standards with the exception that metal buildings as proposed are acceptable and that a minimum 18 feet of landscaping next to Cheyenne Avenue and for every 15 uncovered parking spaces be provided.”

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:

Tom Bell, Director of Development Services, stated there is a 4th of July celebration by the City at Seastrand Park and invited everyone to come out and enjoy the festivities.

CHAIRMAN'S BUSINESS:

Discussion of definition of "financial institutions."

ADJOURNMENT:

8:50 PM

A motion to ADJOURN the June 13, 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