

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

March 25, 2009

BRIEFING: 5:39 P.M., Conference Room, North Las Vegas City Hall, 2200 Civic Center Drive

CALL TO ORDER: 6:00 P.M., Council Chambers, North Las Vegas City Hall, 2200 Civic Center Drive

ROLL CALL: Chairman Angelo Carvalho - Present
Vice-Chairman Harry Shull - Present
Commissioner Steve Brown - Present
Commissioner Dean Leavitt - Present
Commissioner Jay Aston - Present
Commissioner Jo Cato - Present
Commissioner Dilip Trivedi - Present

STAFF PRESENT: Frank Fiori, Planning & Zoning Director
Marc Jordan, Planning Manager
Robert Eastman, Principal Planner
Nick Vaskov, Assistant City Attorney
Lorena Candelario, PW Real Property Mgmt.
Vidya Medisetty, Public Works
Mike Steele, Fire Department
Jose Rodriguez, Police Department
Carolyn Keller, Utilities Department
Jo Ann Lawrence, Recording Secretary

WELCOME: Chairman Angelo Carvalho

VERIFICATION: Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE: Commissioner Steve Brown

PUBLIC FORUM

There was no public participation.

MINUTES

- **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF FEBRUARY 25, 2009.**

ACTION: APPROVED

MOTION: Commissioner Trivedi

SECOND: Commissioner Leavitt

AYES: Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston, Brown, Cato and Trivedi

NAYS: None

ABSTAIN: None

NEW BUSINESS

1. **UN-22-09 (38336) DOTTY'S #46 AT LAKE MEAD (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DOTTY'S ON BEHALF OF CORNER SHOPPING CENTER, INC., PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN R-A/CR, REDEVELOPMENT AREA/COMMERCIAL RETAIL SUBDISTRICT TO ALLOW THE REMODEL/ALTERATION OF AN EXISTING NON-RESTRICTED GAMING ESTABLISHMENT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF LAKE MEAD BOULEVARD AND CIVIC CENTER DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-24-310-001 AND 139-24-310-002.**

It was requested by the applicant to continue UN-22-09 to April 8, 2009.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho indicated the Public Hearing would remain open.

ACTION: CONTINUED TO APRIL 8, 2009

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

AYES: Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston, Brown, Cato and Trivedi

NAYS: None

ABSTAIN: None

2. **UN-09-09 (37932) NORTHGATE FOURSQUARE CHURCH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MARK LEBSACK ON BEHALF OF INTERNATIONAL CHURCH OF THE FOURSQUARE GOSPEL, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN R-E, RANCH ESTATES DISTRICT TO ALLOW A CHURCH. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF WASHBURN ROAD AND DONNA STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-35-302-001 THROUGH 124-35-302-003.**

The applicant requested that UN-09-09 be continued to April 8, 2009.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho indicated the Public Hearing would remain open.

ACTION: CONTINUED TO APRIL 8, 2009

MOTION: Commissioner Cato

SECOND: Vice-Chairman Shull

AYES: Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston, Brown, Cato and Trivedi

NAYS: None

ABSTAIN: None

Item No. 4 was heard next.

3. UN-21-09 (38334) RECOVERY NETWORK OF NEVADA, INC. (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RECOVERY NETWORK OF NEVADA, INC. ON BEHALF OF LOSEE ROAD, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW AN AUTOMOBILE IMPOUND YARD. THE PROPERTY IS LOCATED AT 3109 LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-14-101-008.

The application was presented by Robert Eastman, Principal Planner who explained M-2 zoning was appropriate for an auto impound yard and the proposed impound yard, as a use, was compatible with the neighborhood. There were some requirements the applicant would need to show compliance with, which could be handled during the building permit process. Specifically, a screen wall was required around the storage of the vehicles and all vehicles must be stored on a paved surface. There were some other minor items involving some planters, trash dumpsters that needed to be relocated or plant material be incorporated into their areas. Staff was recommending approval of UN-21-09 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. All vehicles shall be screened from view of all streets within 100 feet of the site by a solid, decorative wall at least eight (8) feet in height. The height of vehicles, and/or equipment shall not exceed the height of the screening wall per Ordinance No. 2377.
3. The dismantling and servicing of any vehicle and/or parts of a vehicle within an automobile impound yard is prohibited per Ordinance No. 2377.
4. All vehicles stored shall remain mechanically operable and licensed at all times per Ordinance No. 2377.
5. All areas for vehicular circulation and storage shall be paved with drainage controls to control and prevent excess runoff and standing water per Ordinance No. 2377.
6. As depicted on the site plan, perimeter planter areas along Losee Road shall be landscaped with approved plant materials to provide a minimum ground coverage of 60% (not including trees).
7. Refuse collection areas and dumpsters shall be located away from the street front and screened from view of rights-of-way, sidewalks and abutting properties through the use of landscaping and screening. The refuse collection areas and dumpsters shall be enclosed by masonry walls finished in the same manner as the principal structure on the site and shall have solid metal gates with roofs or other type of approved screening device which covers the top of the enclosure.

8. The gate at the point of ingress/egress for the impound yard shall incorporate an opaque screening material into the gate's design to provide adequate screening from Losee Road and the sidewalk.
9. A drainage study for the project is required; however, due to the size of the site, this development may be eligible for a drainage study waiver. Please complete and submit waiver application to Public Works Development and Flood Control Division (Mark Escobedo @ 633-1912 or Kent Chang @ 633-2771).
10. The two existing driveways shall be removed and replaced with one commercial driveway constructed in accordance with *Clark County Area Uniform Standard Drawing* number 226. The location of the new driveway is subject to review and approval of the City Traffic Engineer; modifications to the parking area may be required.
11. The wall and/or fence along the West side of the property shall be equipped with outriggers to help restrict unwanted access, or an appropriate alternative to outriggers subject to the review and approval of the North Las Vegas Police Department.

Glenn Madden, 232 Abundance Ridge Street, Henderson, NV 89012 asked if Condition No. 2 meant he had to build a wall completely surrounding the perimeter of the property or just from the view of the streets within 100 feet.

Mr. Eastman explained one section of the Code stated the applicant would need a decorative wall along the frontage, but, also, all storage areas needed a screen wall between it and adjacent properties; so, the applicant would need a screen wall around the perimeter of the property.

Mr. Madden explained the property was leased and the cost of a wall would probably exceed \$100,000 and it was not economically feasible. There was heavy industrial on both sides of his property and also on the property to the rear.

Chairman Harry Shull asked how many linear feet the wall would be.

Commissioner Jo Cato asked if a screen wall was being requested along with a block wall.

Mr. Eastman responded the block wall was a screen wall.

Commissioner Cato pointed out there was a repo yard on Mayflower Street with a black screen wall and asked if that property had been grand fathered.

Marc Jordan, Planning Manager indicated he did not know which location Commissioner Cato was referring to, but it was possible the screen wall she was referring to was not legal. The ordinance being quoted by Mr. Eastman was a fairly recent ordinance that came before the Commission and City Council within the last year, which addressed impound yards. He explained not long ago, off of Alexander Avenue and Losee Road, just north of the proposed site, there was another impound yard approved with very similar circumstances and was required to put up a wall all the way around the site.

Mr. Madden indicated the site Mr. Jordan was referring to was surrounded by a street.

Mr. Jordan indicated it was not and showed an aerial view of the site.

Chairman Carvalho was in support of Staff recommendation, as the ordinance was created to help beautify the City and hide the contents from view.

Mr. Madden explained was currently a chain link fence around the property and he was willing to make the fencing opaque but felt a block wall was not feasible, as he did not own the property.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho closed the Public Hearing.

Commissioner Jay Aston asked Staff if the ordinance for a decorative wall that screened from view of all streets, applied for the walls that faced the street only and asked if the side walls that were not visible from the street were included.

Mr. Eastman responded the decorative wall portion would only be the portion that faced the street.

Commissioner Aston explained the desire was when you were driving down the street, you would see decorative block wall, but from the back side of the property, the contents of the site could not be visible from the street.

Mr. Eastman agreed, the front would require decorative block wall, but the other problem was the requirement for any storage yard to have a block wall.

Commissioner Aston asked if the ordinance specified a block wall.

Mr. Jordan responded the ordinance specified opaque screening, but did not allow chainlink with slats and showed the site off of Alexander, which had metal corrugated fencing.

Commissioner Aston asked if the language could be amended to allow the metal fencing.

Mr. Jordan stated the current language would allow the applicant to propose that type of fencing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Aston

SECOND: Commissioner Cato

AYES: Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston, Brown, Cato and Trivedi

NAYS: None

ABSTAIN: None

Item No. 5 was heard next.

OLD BUSINESS

4. **SPR-25-08 (36344) INDIGO APARTMENTS. AN APPLICATION SUBMITTED BY ANN ALLEN COMMONS LLC, PROPERTY OWNER FOR A SITE PLAN REVIEW IN AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT CONSISTING OF A 166 UNIT MULTI-FAMILY DEVELOPMENT. THE PROPERTY IS LOCATED EAST OF WILLIS STREET AND APPROXIMATELY 370 FEET NORTH OF ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-30-802-022. (CONTINUED AUGUST 27, SEPTEMBER 24, OCTOBER 22, AND DECEMBER 10, 2008 AND JANUARY 14 AND FEBRUARY 25, 2009)**

The applicant requested to continue SPR-25-08 to April 22, 2009.

ACTION: CONTINUED TO APRIL 22, 2009

MOTION: Commissioner Cato

SECOND: Vice-Chairman Shull

AYES: Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston, Brown, Cato and Trivedi

NAYS: None

ABSTAIN: None

Item No. 3 was heard next.

5. **SPR-02-09 (38210) CROSSROADS TOWNE CENTER SOUTH. AN APPLICATION SUBMITTED BY WIP-CD, LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW AN ADDITIONAL 45-FOOT HIGH DIRECTORY SIGN ALONG THE 215 BELTWAY. THE PROPERTY IS LOCATED AT 6393 SAN MATEO STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-30-112-001. (CONTINUED MARCH 11, 2009)**

The application was presented by Robert Eastman, Principal Planner who explained the applicant was given direction to submit a smaller sign, which he had done. The proposed sign was a 40 foot tall directory sign instead of 45 feet that was previously submitted. From a Staff perspective, the concern was not the size of the sign, but the fact there would be a third directory sign that other commercial developments were not allowed in North Las Vegas. Staff was recommending denial of SPR-02-09. However, should the Commission determine approval was warranted, the following conditions were recommended:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. Sign shall be constructed in accordance with height and signage submitted on exhibit.

Darrell Shock, 6630 Arroyo Springs, Suite 600, Las Vegas, NV 89113 appeared on behalf of the applicant showing a comparison of the original sign as proposed and the smaller version requested by the Commission. He understood the thought process of reducing the size of the sign but due to the way the center was developed, it was critical that the applicant had a directory sign for his portion of the center.

Commissioner Dilip Trivedi asked the applicant if the sign was exclusively for pads K and L or if Walmart would also be advertised on the sign.

Mr. Shock responded he was not sure, but thought Walmart gave ingress/egress for the site with the stipulation that they be allowed to advertise on the sign.

Commissioner Trivedi felt the sign could be scaled down if it was used only for pad K and L.

Mr. Shock pointed out the building was 27 feet tall, so the sign could not be scaled down any further, as it would not be visible.

Vice-Chairman Harry Shull was in support of the location of the sign with the reduced height.

Chairman Angelo Carvalho was in support of the 45 foot sign.

Commissioner Steve Brown asked the direction the sign would be facing.

Mr. Shock responded it was perpendicular to the freeway.

Commissioner Brown was in support of the sign at the 45 foot height.

Commissioner Jo Cato preferred the sign originally proposed and was in support of the application.

Mr. Shock indicated the applicant would prefer the sign as originally proposed.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
SIGN AS PROPOSED IN ORIGINAL APPLICATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

AYES: Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston,
Brown, Cato and Trivedi

NAYS: None

ABSTAIN: None

WORK SESSION

- **PRESENTATION REGARDING THE NEED AND DEMAND FOR PEDESTRIAN BIKEWAYS AND TRAILS IN THE LAS VEGAS VALLEY.**

Johanna Murphy, Planning Manager explained several months ago the City began a master planning process for bike facilities and trails within North Las Vegas and introduced Jerry Duke, Planning Manager from the Regional Transportation Commission and Alan O'Neill, Executive Director from The Outside Las Vegas Foundation who gave a brief update on what was happening Regionally with bike facilities and trails.

Jerry Duke, Planning Manager with the Regional Transportation Commission (RTC) was a resident of North Las Vegas since 1991 and explained many people no longer walked or cycled and he was promoting bicycling for health and wellness. Bicycling was a viable form of transportation and bicycling and bicycling facilities enhanced the sense of community. Since the 1970's 22 percent of children either walked or biked to school and today the number had dropped to approximately 5 percent. Since 1977 the total of all trips made for shopping, school, recreation, work, etc., was approximately 10 percent and was now diminished to approximately 3.5 percent and the obesity rate had doubled in the past 10 years. He pointed out that across the nation, those in the health care field believe this is the first generation who would not outlive their parents due to obesity and the consequences associated with it. In order to make some changes, the easiest and cheapest way would be to walk or bicycle, but in order to that, facilities must be in place.

Cycling was a viable mode of transportation. In the past 30 years every time a facility was built, it was filled with vehicle miles traveled faster than they could be built and, in fact, for 30 years we have been growing in vehicle miles traveled on the freeway much faster than the actual population. Bicycling was environmentally friendly and some 35 percent of all emissions in the United States, coal fired plants included, come from the tailpipes of automobiles and it was sustainable and all great cities emphasize complete streets as a way for mobility and mobility for RTC is just the movement of persons and goods, be it walking, cycling, transit, car pooling, van pooling or getting in your car and driving. RTC feels the focus needed to be changed. Cycling might be valuable to North Las Vegas as 50 percent of all trips made were less than three miles and on a bicycle that would take between 12 to 15 minutes and 25 percent of all trips were less than one mile, which meant it was walkable and very much cyclable to do that. Cycling was a legitimate mode of transportation and helped to reduce single occupant travel and reduce tailpipe emissions. The US CDC states that 70,000 deaths each year are directly attributable to tailpipe related emissions.

It has been said the desert climate was not favorable for biking and walking, but Mr. Duke disagreed with that, explaining that some of the barriers to walking and bicycling were extreme cold, rain, ice, snow and heat, but you could ride or walk when the conditions were right and if accommodations were made early in the development process, it was possible to bike and walk safely. There were 320 days per year of sunshine in Southern Nevada, with four inches of rain per year and low humidity. He pointed out areas with extreme wet and cold weather conditions where there was a large amount of bicycling being done. In 2002 Question No. 10 was passed and \$50 million was set aside for building on-street facilities, or bicycle routes and lanes. It was found the voters did not want to fund the development of trails. \$57 million was kicked in over a 25 year period to maintain the trails and 390 center lane miles of bicycle routes have been adopted. RTC was involved in the development of the "Share the Road" sign, which was now part of the annual traffic control devices because it was tested and reported to the Federal Government that individual vehicle drivers were aware of what to do when they saw the sign and there were approximately 82 miles of those, there have been approximately 194 miles of bicycle lanes in Southern Nevada; 716 linear miles of shared use paths. RTC developed a plan for bike facilities and routes.

Complete streets are access oriented streets that provide safe access from facilities for all users, cyclists, pedestrians and vehicles. They were looking to have a well maintained safe network. Bicycle facilities help to improve the pedestrian realm through separations, so the tires of the automobile are further away from the walking public, and slower speeds help prevent crashes and save lives. Bicycle facilities create friction on the road, which was the feeling you had to slow down because you might get in an accident. Las Vegas is number one in planning bicycle facilities in the nation and number 5 in building facilities for bicycles and number one for bikes on buses. Last year we carried approximately 700,000 bikes on the buses across Nevada.

Commissioner Dilip Trivedi asked if there were places in the Valley that were car free zones.

Mr. Duke responded there were no conversions of streets into car free zones, but, the District in Henderson had some.

Commissioner Trivedi pointed out there were some towns and cities where you could borrow bikes.

Mr. Duke responded the RTC would be breaking ground on a facility where there would be a free bike share program, where you put in a credit card and get a green bike to use.

Alan O'Neill, Executive Director of The Outside Las Vegas Foundation explained he had been in the area since 1987. The residents were interested in how the natural open space would be preserved to complement adjacent public lands and what would be done about trails. He found it interesting that when you looked at communities that had done a good job in integrating their trail system, pointing out Henderson had put a lot of effort into trails because the citizens of the community had asked for it. Summerlin and the Howard Hughes Corporation did a survey of thousands of residents and 89 percent of the people said trails were the most important amenity provided within the master planned community and 69 percent of the people use the trails at least once every two weeks and 78 percent used them once a month, which was more than the use of the recreational facilities, which was 41 percent. The Outside Las Vegas Foundation called an open summit in October 2007 and they had 15 governmental co-sponsors to the summit and included all local units of government including North Las Vegas, Mesquite, and the four Federal agencies. It also included the Southern Nevada Health District, Regional Transportation Commission, the Flood Control District and the School District. From that Summit, a letter of intent was signed by 15 governmental agencies, which was that they would work collaboratively toward developing a world class interconnected and integrated open space and trails system. It also asked that the signatories provide staff that would work on an open space and trails work group to see that the vision of the open space and trails system actually carried forward, so Southern Nevada Regional Planning Coalition supported the facilitation of that. Johanna Murphy was the Chair of that coalition and doing an outstanding job and his foundation was helping to facilitate the group. Trails were not just recreation, there were ways of integrating the community in ways that had not been thought about. They were a safe route to school and it was about getting the minimum daily exercise and improving health and wellness and making exercise more fun and easily accessible. They were moving to brand the whole exercise and would be rolling the concept out soon with a motto of "From Neon to Nature". The vision was to connect the multi-use trails to the adjacent public land and it was critical that all players be tied into the process and be supportive so the major barrier could be breached. The system was only as good as the ability to get over some of the barriers so there would be access across jurisdictions.

ACTION: PRESENTATION GIVEN

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

There was no report given.

CHAIRMAN'S BUSINESS

There was no report given.

ADJOURNMENT

The meeting adjourned at 6:55 p.m.

APPROVED: April 22, 2009

/s/ Harry Shull
for Angelo Carvalho, Chairman

/s/ Jo Ann Lawrence
Jo Ann Lawrence, Recording Secretary