

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

January 9, 2008

*All Staff Reports and attachments are available on the City's
Website - [http:// www.cityofnorthlasvegas.com](http://www.cityofnorthlasvegas.com)*

BRIEFING: 5:30 P.M., Conference Room, North Las Vegas City Hall, 2200 Civic Center Drive

CALL TO ORDER: 6:05 P.M., Council Chambers, North Las Vegas City Hall, 2200 Civic Center Drive

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

STAFF PRESENT: Jory Stewart, Planning & Zoning Director
Marc Jordan, Planning Manager
Frank Fiori, Planning Manager
Robert Eastman, Principal Planner
Naveen Potti, Planner
Nick Vaskov, Deputy City Attorney II
Randy Cagle, PW, Real Property Services Manager
Eric Hawkins, Public Works
Mike Steele, Fire Department
Jose Rodriguez, Police Department
Louise Steeps, Utilities Department
Jo Ann Lawrence, Recording Secretary

VERIFICATION: Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE: Commissioner Dilip Trivedi

MINUTES

- **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF NOVEMBER 28, 2007.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: None

- **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF DECEMBER 12, 2007.**

ACTION: CONTINUED TO JANUARY 23, 2008

Item No. 9 was heard next.

NEW BUSINESS

1. **AMP-01-08 (33145) ANN/CLAYTON (PUBLIC HEARING). AN APPLICATION SUBMITTED BY HIGHPOINT SPRINGS REALTY ON BEHALF OF ANN COLEMAN, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF SINGLE-FAMILY LOW (UP TO 6 DU/AC) AND COMMUNITY COMMERCIAL TO MULTI-FAMILY (UP TO 25 DU/AC). THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF ANN ROAD AND COLEMAN STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-29-802-005, 124-29-802-006 AND 124-29-802-011.**

Item Nos. 1 and 2 were presented together.

The application was presented by Marc Jordan, Planning Manager who explained AMP-01-08 was a request to amend the Comprehensive Plan from Single-Family Low and Community Commercial to Multi-Family which would allow up to 25 units per acre and ZN-01-08 was a request to rezone the property from C-1 Neighborhood Commercial to R-3 Multi-Family. The property was approximately 14 acres and in reviewing the Comprehensive Plan, multi-family developments should be located along major roadways and even though Ann Road was considered a major roadway, there was only limited access along Clayton and Coleman Streets. Also, when looking at the surrounding areas, specifically the properties to the north and south, which were zoned R-1, and to the east, which was part of Eldorado, was all being developed as single-family detached with approximately 4.5 dwelling units per acre; therefore, Staff had concerns with the abrupt change in density going from 4.5 units for the surrounding land uses up to 25 units per acre and felt there was not an appropriate transition. Off of Coleman Street there was a portion of property that was not a part of the development and was currently zoned commercial, which created a commercial node at that intersection. With the current request, that piece of commercial property would be isolated and if the application were approved, there would be a small property zoned commercial that would be surrounded on three sides by residential, which Staff did not support, as it would be difficult to develop when the residential set-backs were factored in; therefore, Staff was recommending that AMP-01-08 be denied.

Lora Dreja, Jay H. Brown, Ltd., 520 South Fourth Street, Las Vegas, NV 89101 appeared on behalf of the applicant and explained Ann Road and Clayton Street were both 100 foot roadways; therefore, they met the intent of the Code, which was not to divert traffic through a residential area. Although they were not at the intersection of the two major roadways, they did meet the intent of the Code, in that they were close the major arterials and would not disrupt the neighboring residential area. There was approximately 30 acres

of commercial that was adjacent to them, which would be well suited for the multi-family residents to walk to their place of employment or shopping. Ms. Dreja explained in the past eight months, the property owners of the two parcels had been communicating with each other and mailers were sent out for a community meeting and there was one inquiry from the owner of the out parcel and in the past two days, they indicated they were amenable to a property swap and that for the right price the owner of the out parcel would be willing to sell to the applicant, as he did not see any value in being spot zoned commercial. She indicated Goal 1.2 of the Comprehensive Plan reads that a housing variety is needed and attainable housing through density. There was approximately four square miles of single-family homes, so they were not getting the balance of housing mix that was desirable through the Comprehensive Plan.

Chairman Steve Brown opened the Public Hearing. The following participants came forward:

- **Jason Manwaring, 1914 Barrel Oak Avenue, North Las Vegas, NV 89031** expressed his concern regarding the multi-family homes decreasing property values in the area. He felt condos or townhomes would be better than apartments.
- **Darrell Causey, 5732 Kona Mt., North Las Vegas, NV 89031** wanted to see development on the property, as at the current time, the day laborers hung out there, but felt multi-family would decrease the value of his home and was opposed to the application.

Ms. Dreja indicated Urban Land Institute,(ULI) published a brochure called “Fact and Myth on Multi-family Housing” which showed single-family property values did not normally decrease due to multi-family in the area. She stated they would provide a transition as required by Code, that they would build anything over one story within 50 feet of a residential neighborhood, so it would not cast a shadow over the surrounding homes. She explained the site was zoned for commercial and the master plan stated they would need some low density residential, so they were transitioning from commercial to residential, which was a lower intense use. The product was for-sale units; however, they could not control how many units a single purchaser could buy and then lease out.

Commissioner Dean Leavitt supported much of the project; however, was concerned about the out-parcel and recommended the application be continued to allow the applicant and the owner of the out-parcel to come to an agreement on what would be done with the parcel. He was not okay with a verbal agreement and wanted to see something in writing indicating all efforts had been made to come to a resolution.

Commissioner Ned Thomas asked Staff if the site was large enough to come back before the Commission for a site plan review.

Mr. Jordan responded it probably would, but, without having seen the development proposals; typically, developments that were 14 acres would come back as a major site plan review.

Commissioner Thomas asked if that would be a public hearing item. Mr. Jordan responded it was not a public hearing item and would not be publicly noticed.

Commissioner Thomas agreed with comments made by Commissioner Leavitt and felt higher densities may not necessarily mean the property value would be lowered and the commercial zoning could have a greater impact on the residential next to it; but, most of that would depend on the design of the multi-family that was put there. He agreed something needed to be settled regarding the out-parcel and the application should be continued.

Commissioner Harry Shull agreed with comments made by Commissioners Leavitt and Thomas. He felt it was an excellent project that would enhance the community if it was built the way it was depicted; but, it would be advisable to have a site plan to be approved concurrent with the AMP, if that could be done and also agreed that the out-parcel should be consolidated into the project.

Ms. Dreja agreed to continue the application to February 13, 2008.

Chairman Brown indicated the Public Hearing would remain open.

ACTION: CONTINUED TO FEBRUARY 13, 2008

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

2. **ZN-01-08 (33237) ANN/CLAYTON (PUBLIC HEARING). AN APPLICATION SUBMITTED BY HIGHPOINT SPRINGS REALTY ON BEHALF OF ANN COLEMAN LLC, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF ANN ROAD AND COLEMAN STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-29-802-005, 124-29-802-006 AND 124-29-802-011.**

Item Nos. 1 and 2 were presented together. (The following was carried forward from Item No. 1):

The application was presented by Marc Jordan, Planning Manager who explained AMP-01-08 was a request to amend the Comprehensive Plan from Single-Family Low and Community Commercial to Multi-Family which would allow up to 25 units per acre and ZN-01-08 was a request to rezone the property from C-1 Neighborhood Commercial to R-3 Multi-Family. The property was approximately 14 acres and in reviewing the Comprehensive Plan, multi-family developments should be located along major roadways and even though Ann Road was considered a major roadway, there was only limited access along Clayton and Coleman Streets. Also, when looking at the surrounding areas, specifically the properties to the north and south, which were zoned R-1, and to the east, which was part of Eldorado, was all being developed as single-family detached with approximately 4.5 dwelling units per acre; therefore, Staff had concerns with the abrupt change in density going from 4.5 units for the surrounding land uses up to 25 units per acre and felt there was not an appropriate transition. Off of Coleman Street there was a portion of property that was not a part of the development and was currently zoned commercial, which created a commercial node at that intersection. With the current request, that piece of commercial property would be isolated and if the application were approved, there would be a small property zoned commercial that would be surrounded on three sides by residential, which Staff did not support, as it would be difficult to develop when the residential set-backs were factored in; therefore, Staff was recommending that AMP-01-08 be denied.

Lora Dreja, Jay H. Brown, Ltd., 520 South Fourth Street, Las Vegas, NV 89101 appeared on behalf of the applicant and explained Ann Road and Clayton Street were both 100 foot roadways; therefore, they met the intent of the Code, which was not to divert traffic through a residential area. Although they were not at the intersection of the two major roadways, they did meet the intent of the Code, in that they were close the major arterials and would not disrupt the neighboring residential area. There was approximately 30 acres of commercial that was adjacent to them, which would be well suited for the multi-family residents to walk to their place of employment or shopping. Ms. Dreja explained in the past eight months, the property owners of the two parcels had been communicating with each

other and mailers were sent out for a community meeting and there was one inquiry from the owner of the out parcel and in the past two days, they indicated they were amenable to a property swap and that for the right price the owner of the out parcel would be willing to sell to the applicant, as he did not see any value in being spot zoned commercial. She indicated Goal 1.2 of the Comprehensive Plan reads that a housing variety is needed and attainable housing through density. There was approximately four square miles of single-family homes, so they were not getting the balance of housing mix that was desirable through the Comprehensive Plan.

Chairman Steve Brown opened the Public Hearing. The following participants came forward:

- ***Jason Manwaring, 1914 Barrel Oak Avenue, North Las Vegas, NV 89031** expressed his concern regarding the multi-family homes decreasing property values in the area. He felt condos or townhomes would be better than apartments.*
- ***Darrell Causey, 5732 Kona Mt., North Las Vegas, NV 89031** wanted to see development on the property, as at the current time, the day laborers hung out there, but felt multi-family would decrease the value of his home and was opposed to the application.*

Ms. Dreja indicated Urban Land Institute,(ULI) published a brochure called “Fact and Myth on Multi-family Housing” which showed single-family property values did not normally decrease due to multi-family in the area. She stated they would provide a transition as required by Code, that they would build anything over one story within 50 feet of a residential neighborhood, so it would not cast a shadow over the surrounding homes. She explained the site was zoned for commercial and the master plan stated they would need some low density residential, so they were transitioning from commercial to residential, which was a lower intense use. The product was for-sale units; however, they could not control how many units a single purchaser could buy and then lease out.

Commissioner Dean Leavitt supported much of the project; however, was concerned about the out-parcel and recommended the application be continued to allow the applicant and the owner of the out-parcel to come to an agreement on what would be done with the parcel. He was not okay with a verbal agreement and wanted to see something in writing indicating all efforts had been made to come to a resolution.

Commissioner Ned Thomas asked Staff if the site was large enough to come back before the Commission for a site plan review.

Mr. Jordan responded it probably would, but, without having seen the development proposals; typically, developments that were 14 acres would come back as a major site plan review.

Commissioner Thomas asked if that would be a public hearing item. Mr. Jordan responded it was not a public hearing item and would not be publicly noticed.

Commissioner Thomas agreed with comments made by Commissioner Leavitt and felt higher densities may not necessarily mean the property value would be lowered and the commercial zoning could have a greater impact on the residential next to it; but, most of that would depend on the design of the multi-family that was put there. He agreed something needed to be settled regarding the out-parcel and the application should be continued.

Commissioner Harry Shull agreed with comments made by Commissioners Leavitt and Thomas. He felt it was an excellent project that would enhance the community if it was built the way it was depicted; but, it would be advisable to have a site plan to be approved concurrent with the AMP, if that could be done and also agreed that the out-parcel should be consolidated into the project.

Ms. Dreja agreed to continue the application to February 13, 2008.

Chairman Brown indicated the Public Hearing would remain open.

ACTION: CONTINUED TO FEBRUARY 13, 2008

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

3. **UN-03-08 (33303) THE HOME DEPOT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE HOME DEPOT ON BEHALF OF DISTRIBUTION FUNDING II LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW RETAIL SALES. THE PROPERTY IS LOCATED AT 3010 E. ALEXANDER ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-01-810-003.**

The application was presented by Marc Jordan, Planning Manager who explained the applicant was proposing to use approximately 5000 square feet of an existing warehouse for retail sales of damaged appliances. The plan complied with the parking requirements when the retail was added and Staff was recommending that UN-03-08 be approved subject to the following condition:

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

William Chairsell, The Home Depot, 3010 East Alexander Road, North Las Vegas, NV 89030 appeared on behalf of the applicant indicating he concurred with Staff recommendation and added the sales would be done periodically throughout the year.

Chairman Steve Brown opened the Public Hearing. There was no public participation.

Chairman Brown closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

4. UN-02-08 (33082) MONEY TREE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MONEYTREE, INC. ON BEHALF OF AV NEVADA 2, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A DEFERRED DEPOSIT LOAN ESTABLISHMENT. THE PROPERTY IS LOCATED AT 6315 NORTH LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-26-501-004.

The application was presented by Marc Jordan, Planning Manager who explained the application was submitted prior to the City's adoption of the new standards for payday loan facilities and, therefore, was considered under the old requirements, which required a thousand foot separation from like uses and the applicant supplied that information and had demonstrated the requirement was met. They also met the requirement of being more than 200 feet away from a developed residential district and also exceeded the square footage requirement of 1500 square feet for the facility itself; therefore, because the use complied with the standards that were in place at the time, Staff was recommending that UN-02-08 be approved and forwarded to City Council for final consideration with the following conditions:

1. Unless expressly, authorized through a variance, waiver or another method, this development shall comply with all applicable codes and ordinances.
2. This use permit is site-specific and non-transferrable.
3. The property shall have extra security cameras, subject to review and approval by the Police Department.
4. A poly-carbonate glazed partition shall separate the employees from the customers.
5. Exterior doors shall be pre-wired with contact plates for an alarm system.
6. There shall be a robbery alarm installed that can be inconspicuously triggered by any employee.
7. The tenant improvement plans shall be routed to the Police Department for review and approval prior to the issuance of any building permit.

Jennifer Roberts and Trevor Hayes of Lionel, Sawyer, Collins, 300 South Fourth Street #1700, Las Vegas, NV 89101 appeared on behalf of the applicant indicating they concurred with Staff recommendation.

Chairman Steve Brown opened the Public Hearing. There was no public participation.

Chairman Brown closed the Public Hearing.

Commissioner Ned Thomas indicated there was a pawn shop and a payday advance shop located in a building that fell within the radius and was not sure if a payday advance or pawn shop fell in the category of a like use, but he was not in support of the application and could not see saturating the area with those types of uses.

Ms. Roberts added that Money Tree was an established national company and had been in business since 1983 and in Las Vegas since 1999 and had been proactive in curbing the so called predatory loan institutions and supported legislation to curb some of those practices. Money Tree had adopted a policy, that for the exterior signage they did not announce payday loans or check cashing, but simply had its logo and name brand. She also understood the business referred to by Commissioner Thomas was approved as a pawnbroker, second hand dealer business, not as another deferred deposit business and that approval for a license was just after their application was submitted.

Mr. Jordan explained the pawn shop had a separate special use permit and the ordinance only required a separation from payday loans, deferred deposit loans, or auto title loans; it did not spell out pawn shops as part of the requirement.

Commissioner Thomas clarified there were two other Money Tree locations in North Las Vegas, on Craig Road and on the corner of Ann Road and Simmons Street. Ms. Roberts indicated that was correct. Commissioner Thomas did not want the community saturated with those type of businesses and did not feel it was good for the community.

Commissioner Dean Leavitt asked Staff if this was the last application pending prior to the change of the requirements for payday loan establishments.

Mr. Jordan responded he believed it was the last one.

Commissioner Leavitt asked that it be researched and brought back to the Commission.

Trevor Hayes explained this was the third Money Tree location and he understood the industry had a bit of a black eye; however, as a use in a retail facility, when you look at Money Tree or some of the other good operators, they were no different than any other retail facility and would blend in with the area.

Commissioner Dilip Trivedi agreed with Commissioner Thomas and was not in support of the application.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Shull
SECOND: Commissioner Cato
AYES: Commissioners Shull, Leavitt and Cato
NAYS: Chairman Brown, Vice-Chairman Thomas and Commissioner Thomas
ABSTAIN: None

The motion failed.

ACTION: FORWARDED TO CITY COUNCIL WITH NO RECOMMENDATION

MOTION: Commissioner Shull
SECOND: Commissioner Thomas
AYES: Chairman Brown, Vice-Chairman Trivedi, Commissioners Shull, Leavitt, Cato
and Thomas
NAYS: None
ABSTAIN: None

5. UN-08-08 (33500) DUNKIN DONUTS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DUNKIN DONUTS ON BEHALF OF ANN LOSEE PAD, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-26-802-009.

The application was presented by Marc Jordan, Planning Manager who explained the applicant was proposing a drive-thru lane for the facility that would come around to the back of the building and then circle around to the front. The Staff Report originally recommended continuance of the application due to concerns the Traffic Department had with the one-way drive aisle that was proposed in the back of the building and wanted to ensure that it would remain as a one-way drive isle. The applicant submitted a revised plan that showed how they can incorporate that; therefore, Staff was satisfied the one-way drive isle could be maintained to the south and was recommending that UN-08-08 be approved subject to the following conditions:

1. Unless expressly, authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. Must comply with all conditions of approval for ZN-35-03.
3. All speakers shall be located on the south elevation of the building.
4. The drive aisle on the west side of the building adjacent to the drive-through shall only allow for one-way, southbound through movements of vehicles only. Signage and striping shall be provided.
5. The developer will be required to construct a raised median that will prohibit northbound through movements into the one way drive aisle adjacent to the drive-through. Signage and striping shall be provided at the exit of the southbound drive aisle to further prohibit the northbound through movements. The design of the improvements will be subject to review and approval of the City Traffic Engineer.
6. The installation of security lighting and cameras shall be provided due to the alley type drive-thru.

Don DeMichael, with Kainos Partners, 7860 West Sahara Avenue, Las Vegas, NV appeared on behalf of the applicant indicating he concurred with Staff recommendation.

Chairman Steve Brown opened the Public Hearing. There was no public participation.

Chairman Brown closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

6. **VN-01-08 (33316) DEER SPRINGS TOWN CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DEER SPRINGS TOWN CENTER, PROPERTY OWNER, FOR A VARIANCE IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW AN EIGHT (8) FOOT HIGH RETAINING WALL WHERE A SIX (6) FOOT HIGH RETAINING WALL IS THE MAXIMUM ALLOWED. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF DEER SPRINGS WAY AND NORTH 5TH STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-23-101-003, 124-23-101-004, 124-23-201-001 AND 124-23-201-002.**

The application was presented by Marc Jordan, Planning Manager who explained the retaining walls were proposed behind where the The Home Depot center was proposed to be built. Due to the grading of the site, the applicant would need several retaining walls, or at least three retaining walls, if they were held to the six foot height, two that would be six foot high and one four foot high, which would make it more difficult to plant landscaping within the narrow areas between the wall. Staff was recommending that VN-01-08 be approved with Condition No. 3 amended to read: "That all retaining walls shall contain a minimum of three decorative elements." The original recommended conditions are as follows:

1. That the maximum height of the retaining walls along the eastern property line shall not exceed eight feet (8.00').
2. Unless otherwise approved herein, the development of this site shall be in compliance with all applicable codes and ordinances.
3. That all retaining walls shall comply with the definition provided in Title 17 for "decorative walls."

Jennifer Lazovich of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant indicating she concurred with Staff recommendation.

Chairman Steve Brown opened the Public Hearing. There was no public participation.

Chairman Brown closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
CONDITION NO. 3 AMENDED TO READ:

3. THAT ALL RETAINING WALLS SHALL CONTAIN A MINIMUM OF THREE DECORATIVE ELEMENTS.

MOTION: Commissioner Leavitt
SECOND: Commissioner Shull
AYES: Chairman Brown, Vice-Chairman Trivedi, Commissioners Shull, Leavitt, Cato
and Thomas
NAYS: None
ABSTAIN: None

7. **SPR-41-06 (33313) DEER SPRINGS TOWN CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DEER SPRINGS TOWN CENTER, LLC, PROPERTY OWNER, FOR A REVIEW OF CONDITIONS OF A PREVIOUSLY APPROVED SITE PLAN REVIEW IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW LANDSCAPING ALONG THE EAST PROPERTY LINE WHERE A SCREEN WALL IS REQUIRED. THE PROPERTY IS LOCATED ON AT THE NORTHEAST CORNER OF DEER SPRINGS WAY AND NORTH 5TH STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-23-101-003, 124-23-101-004, 124-23-201-001 AND 124-23-201-002.**

The application was presented by Marc Jordan, Planning Manager who explained Condition No. 50 required an eight foot screen wall with landscaping to be located along the eastern property line behind the Home Depot center. Because of the retaining walls, the applicant was requesting to amend Condition No. 50 and Staff was supportive of the amendment and it read that the only area they do not have to have the screen wall for the loading area behind the building, was the area where there was two retaining walls, but the area where there was one retaining wall, they would still have to have the screen wall and they would still be providing all of the landscaping required along that area, which would help serve as the buffer for the back of the building. Staff was recommending approval of SPR-41-06 with the addition of a sentence at the end to read: "Pilasters are not required with the proposed retaining walls. All walls shall contain a minimum of three decorative elements." The original amended Condition No. 50 is as follows:

50. A decorative eight-foot screen wall shall be provided on the east property line behind the location of the Home Depot (including the garden center), Major H and the truck turn-around area behind Retail 3, except in the areas where more than one eight-foot retaining wall is deemed necessary. Furthermore, the decorative wall shall continue along Deer Springs Way to screen the truck turn-around area behind Retail 3. The decorative screen wall shall not encroach into the perimeter landscaping along Deer Springs Way and Dorrell Lane.

Jennifer Lazovich of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant indicating she concurred with Staff recommendation and also agreed to the additional sentence read into the record by Staff.

ACTION: APPROVED WITH CONDITION NO. 50 AMENDED TO READ:

50. A DECORATIVE EIGHT-FOOT SCREEN WALL SHALL BE PROVIDED ON THE EAST PROPERTY LINE BEHIND THE LOCATION OF THE HOME DEPOT (INCLUDING THE GARDEN CENTER), MAJOR H AND THE TRUCK TURN-AROUND AREA

BEHIND RETAIL 3, EXCEPT IN THE AREAS WHERE MORE THAN ONE EIGHT-FOOT RETAINING WALL IS DEEMED NECESSARY. FURTHERMORE, THE DECORATIVE WALL SHALL CONTINUE ALONG DEER SPRINGS WAY TO SCREEN THE TRUCK TURN-AROUND AREA BEHIND RETAIL 3. THE DECORATIVE SCREEN WALL SHALL NOT ENCROACH INTO THE PERIMETER LANDSCAPING ALONG DEER SPRINGS WAY AND DORRELL LANE. PILASTERS ARE NOT REQUIRED WITH THE PROPOSED RETAINING WALLS. ALL WALLS SHALL CONTAIN A MINIMUM OF THREE DECORATIVE ELEMENTS.

MOTION: Commissioner Shull
SECOND: Commissioner Leavitt
AYES: Chairman Brown, Vice-Chairman Trivedi, Commissioners Shull, Leavitt, Cato and Thomas
NAYS: None
ABSTAIN: None

The applicant requested that SPR-41-06 be reopened to clarify some issues.

ACTION: SPR-41-06 REOPENED

MOTION: Chairman Brown
SECOND: Commissioner Leavitt
AYES: Chairman Brown, Vice-Chairman Trivedi, Commissioners Shull, Leavitt, Cato and Thomas
NAYS: None
ABSTAIN: None

Marc Jordan, Planning Manager explained it was the intent of Staff to require one wall, or in some instances, two walls, because of the retaining issues; therefore, Staff was recommending an additional amendment to Condition No. 50, amending the first sentence to read: "A decorative eight-foot screen wall, retaining wall or combination thereof, shall be provided on the east property line behind the location of The Home Depot (including the garden center) Major H and the truck turn-around area behind Retail 3." The remainder of the condition would remain, as well as the previous amendment previously read into the record.

Jennifer Lazovich of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 concurred with Staff recommendation and asked for the Commission's approval.

Chairman Steve Brown opened the Public Hearing. There was no public participation.

Chairman Brown closed the Public Hearing.

ACTION: APPROVED WITH CONDITION NO. 50 AMENDED TO READ:

50. A DECORATIVE EIGHT-FOOT SCREEN WALL, RETAINING WALL OR COMBINATION THEREOF, SHALL BE PROVIDED ON THE EAST PROPERTY LINE BEHIND THE LOCATION OF THE HOME DEPOT (INCLUDING THE GARDEN CENTER) MAJOR H AND THE TRUCK TURN-AROUND AREA BEHIND RETAIL 3. FURTHERMORE, THE DECORATIVE WALL SHALL CONTINUE ALONG DEER SPRINGS WAY TO SCREEN THE TRUCK TURN-AROUND AREA BEHIND RETAIL 3. THE DECORATIVE SCREEN WALL SHALL NOT ENCROACH INTO THE PERIMETER LANDSCAPING ALONG DEER SPRINGS WAY AND DORRELL LANE. PILASTERS ARE NOT REQUIRED WITH THE PROPOSED RETAINING WALLS; ALL WALLS SHALL CONTAIN A MINIMUM OF THREE DECORATIVE ELEMENTS.

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

The Public Forum was heard next.

8. **ZN-03-08 (33464) OPUS CONDOMINIUMS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GSL PROPERTIES ON BEHALF OF ROUTE 215 INVESTORS, LLC, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM A PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CENTENNIAL PARKWAY AND VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-30-101-007.**

The application was presented by Marc Jordan, Planning Manager who explained the PUD was approved for 431 condominium units and there was a tentative map and final development plan also approved for the site and at the time the condominium map was approved for approximately 18 units per acre; however, that was all under the old 1990 Comprehensive Plan and now the 2006 Comprehensive Plan was in place, which supported multi-family for the site and allowed up to 25 units per acre. Because the request was consistent with the 2006 Comprehensive Plan, Staff was recommending that ZN-03-08 be approved.

Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89169 appeared on behalf of the applicant explaining the history of the property. It was previously approved for high density residential and they were now requesting an R-3 zone change, which was still compatible with the land use plan.

Chairman Steve Brown opened the Public Hearing. The following participants came forward:

- **Joe Cano, 3910 Champagne Wood Drive, North Las Vegas 89031** was concerned with the area being over-saturated with multi-family housing and the problems it would bring to the neighborhood.
- **Rod Carnes, 3731 Caribbean Blue Avenue, North Las Vegas, NV 89031** was opposed to higher density and felt it would increase the crime rate and the schools were already overcrowded.
- **Tina Carnes, 3731 Caribbean Blue Avneue, North Las Vegas, NV 89031** had major concerns with multi-family units so close to single-family homes in the area and the schools were already overcrowded and the crime rate would increase. She also felt the increase would cause a drain on current services and facilities.

- **Steven Lauber, 5855 Valley Drive #1068, North Las Vegas, NV 89031** indicated he was the president of the condo association and was opposed to the application. He felt a change to 25 units per acre would allow over 600 units on the site and realized that was not the plan, but it could change in the future and there were already too many high density developments in the area. There was already a high rate of crime, which the police could not handle, and that would only be increased by more high density development.
- **Bret Shugart, 3714 Caribbean Blue Avenue, North Las Vegas, NV 89031** felt the schools would be impacted and they were already overcrowded. The area already had a high crime rate which would be increased.
- **Bob Mersereau, 4836 Crystal Sword, North Las Vegas, NV 89031** agreed with all previous comments and added it would also put a drain on the sewer and water supply.
- **Michelle Gey, 6037 Harvest Dance Street, North Las Vegas, NV 89031** was opposed to the application and indicated she was concerned about her property be devalued.
- **Alicia Gey, 6037 Harvest Dance Street, North Las Vegas, NV 89031** questioned why so many people should be crammed in a small area and indicated it was inhumane. She suggested keeping the area single family to prevent the overcrowding and keep the crime rate down.
- **Ken Klosterman, 6127 Sage Hills Place, North Las Vegas, NV 89031** was opposed to the application due to the overcrowding of schools and increased crime.
- **Jonathan Parrish, 3730 Caribbean Blue, North Las Vegas, NV 89031** agreed with previous comments and was opposed to the application.
- **Gene Rose, 6027 Orca Lilly Street, North Las Vegas, NV 89031** was opposed to the application. He was concerned the current utilities could not handle the volume of people, the schools were overcrowded and the property values would decrease.
- **Marline Dobbins, 3917 Ricebird Way, North Las Vegas, NV 89084** agreed with previous comments and felt the crime rate would increase.

Commissioner Jo Cato asked the applicant if a neighborhood meeting had been held to get input from the residents.

Mr. Gronauer responded a neighborhood meeting was not held and was not required. The property was already zoned for multi-family. He explained the property was approximately 25 acres and was currently master planned for multi-family, up to 25 dwelling units per acre, which meant they could request an R-3 zone change which was conforming to the land use plan and that was the reason for the recommendation of approval by Staff. He gave some history of the developments in the area and explained, since the approval of the zoning of the property, there have been subsequent changes to the land use plan and the zoning in the area and all along, the residents have been a part of the process through notification or through the land use process itself. Mr. Gronauer explained the project meets and exceeds the open space and access requirements as those requirements were stipulated in the PUD approval. Mr. Gronauer explained they were requesting an R-3 zone change, which conforms to the land use plan that was adopted by the City and there was a tentative map already approved for over 300 units of attached multi-family and nothing would be changing with respect to a multi-family development on the parcel. He pointed out the reason for the change was that Valley Drive was originally planned to have an overpass at the 215 Beltway, but with the development of Aliante and the other developments in the area, the overpass was removed. When the overpass was planned, it made it suitable for the property to be community commercial because there was north/south access but that has now changed and the property was no longer suitable for commercial.

Commissioner Ned Thomas clarified if the application was approved, the PUD would be eliminated and the PUD conditions would be eliminated.

Mr. Jordan responded that was correct.

Commissioner Thomas indicated the neighbors' concerns were that the PUD limited the project to 18 units per acre and the current proposal allowed up to 25 units per acre, which was a difference of approximately 169 units and the removal of the conditions in the PUD would allow apartments to be built on the site.

Commissioner Harry Shull stated a number of the single family projects had been inundated with investors who were purchasing homes as rentals and felt one advantage of an apartment project was that it was owned by a corporation who was more apt to take care of the project than a single investor who purchased a home as a rental. Commissioner Shull felt it would be difficult to get a density of 25 units per acre, but realized it would probably be higher than 18 units per acre.

Mr. Gronauer indicated since the tentative map was still valid, if they were to make a change, they would have to come back through the system with a site plan review.

Chairman Brown asked Staff if the approved tentative map was part of the PUD.

Mr. Jordan responded it was part of the PUD. They were approved for 431 condominium units and, as a result, they must provide a tentative map to be able to do that and it was approved and was still valid. They were changing the zoning from PUD to R-3, but the tentative map was still in place. The applicant could still follow through with the tentative map and develop the site as already approved, but it would have a different zoning designation on it or they could come back through the process with a new site plan review and propose something that would be higher in density.

Commissioner Jo Cato stated she supported the application for the PUD in 2005 because it was a for-sale product and was concerned about it being changed so that it might be a rental project.

Chairman Brown asked Staff why they were recommending approval and if the density was taken into account.

Mr. Jordan explained when the Comprehensive Plan was updated, the property in North Las Vegas was analyzed and through that update, it was decided to consolidate some of the residential designations versus having several that were under the 1999 Comprehensive Plan, which would range anywhere from two up to 50 when high density was considered. The proposed area was thought out as part of the Comprehensive Plan update, which supported 25 units per acre, so when a rezoning application was submitted, the Comprehensive Plan was used to determine what use was allowed.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Shull

SECOND: Vice-Chairman Trivedi

AYES: Chairman Brown, Vice-Chairman Trivedi, Commissioners Shull and Thomas

NAYS: Commissioners Leavitt and Cato

ABSTAIN: None

There was a break in proceedings at 7:38 p.m.

The meeting reconvened at 7:52 p.m.

Item No. 10 was heard next

9. **ZN-76-04 (33311) THE ALHAMBRA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RUNVEE INC, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW MULTIPLE "ON-SALE" ESTABLISHMENTS WITHIN THE PROPOSED MIXED-USE DEVELOPMENT. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF ANN ROAD AND INTERSTATE 15. THE ASSESSOR'S PARCEL NUMBERS ARE 123-30-801-003, 123-30-801-004, 123-31-502-001, 123-31-602-003 AND 123-32-101-001.**

Dave Clapsaddle of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant requesting to continue ZN-76-04 to January 23, 2008 to allow time to work with Staff to resolve some issues.

Chairman Steve Brown opened the Public Hearing. There was no public participation.

Chairman Brown indicated the Public Hearing would remain open.

ACTION: CONTINUED TO JANUARY 23, 2008

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 11 was heard next.

10. **UN-06-08 (33377) NEVADA FEDERAL CREDIT UNION (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NEVADA FEDERAL CREDIT UNION ON BEHALF OF CRAIG & FERRELL, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW A FINANCIAL INSTITUTION (CREDIT UNION) WITH A DETACHED DRIVE UP ATM. THE PROPERTY IS LOCATED AT 3117 WEST CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS139-05-302-009.**

The application was presented by Naveen Potti, Planner who explained the proposed bank was approximately 2,157 square feet with an overall building height of 28 feet and met all requirements of the ordinance and Staff was recommending that UN-06-08 be approved subject to the following conditions:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. This use permit is site specific and non transferrable.
3. Submit a detailed landscape plan showing the size, type and location of the plants for review and approval of the Planning & Zoning Department.
4. The applicant shall submit a traffic study update for review and approval of the City Traffic Engineer.

Gary Riley, 2645 South Mojave Road, Las Vegas, NV 89121 appeared on behalf of the applicant indicating he concurred with Staff recommendation.

Commissioner Steve Brown opened the Public Hearing. There was no public participation.

Commissioner Brown closed the Public Hearing.

Chairman Steve Brown asked the applicant if the branch at Craig Road and Clayton Street would be closed.

Mr. Riley responded the branch at Craig and Clayton was being relocated as a larger facility was needed due to the growth in North Las Vegas.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Shull
SECOND: Commissioner Leavitt
AYES: Chairman Brown, Vice-Chairman Trivedi, Commissioners Shull, Leavitt, Cato
and Thomas
NAYS: None
ABSTAIN: None

Item No. 12 was heard next.

11. **UN-07-08 (33477) CAPITAL CABINETS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CAPITAL CABINETS, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A RECYCLING CENTER WITH OUTDOOR STORAGE. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF LOSEE ROAD AND GOWAN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-11-601-007, 139-11-601-008, 139-11-601-009 AND 139-11-601-010.**

Steve Alvarez, Capital Cabinets 3645 Losee Road, North Las Vegas, NV 89030 requested to continue UN-07-08 indefinitely to allow time to address Staff concerns.

Chairman Steve Brown opened the Public Hearing. There was no public participation.

Chairman Brown indicated the Public Hearing would remain open.

ACTION: CONTINUED INDEFINITELY

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 22 was heard next.

12. UN-04-08 (33304) BEST SELLER BOOKS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY BEST SELLER BOOKS ON BEHALF OF DIABLO PROPERTY MANAGEMENT LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A PUD, PLANNED UNIT DEVELOPMENT DISTRICT, TO ALLOW A BOOK STORE. THE PROPERTY IS LOCATED AT 4260 W. CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-06-613-004.

The application was presented by Naveen Potti, Planner who explained the application was for a used book store in an area of a PUD where non-office uses were not allowed without a special use permit. The applicant met the requirements and criteria of the zoning ordinance; therefore, Staff was recommending that UN-04-08 be approved with Condition No. 3 amended to read: "That the hours of operation be limited to 8:00 a.m. to 9:00 p.m." and Condition No. 5 amended to read: "That retail sales shall only include the sale of books, audio tapes, CDs and digital media." The original recommended conditions are as follows:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. That UN-04-08 is site specific and non transferrable.
3. That the hours of operation be limited to: 8:00 am to 6:00 pm (Sunday through Friday) and 8:00 am to 9:00 pm (Saturday).
4. That further expansion (into an adjacent office/business suite) shall be prohibited and the used book store will be limited to a maximum of 1,100 square feet of gross floor area.
5. That retail sales shall only include the sale of books, audio tapes, cds, and digital media related to literary work.

Jennifer Lazovich of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant indicating she concurred with Staff recommendation.

Chairman Steve Brown opened the Public Hearing. There was no public participation.

Chairman Brown closed the Public Hearing.

Chairman Brown asked the applicant to explain why the proposed use would not become an adult book store.

Ms. Lazovich responded she believed an adult book store would require a different type of permit and did not think it was allowed in that area and deferred to Staff.

Marc Jordan, Planning Manager explained an adult book store was not allowed in a C-1 District and were only allowed in M-2 districts and there were certain provisions and requirements that would have to be met to establish it. Mr. Jordan indicated the application was required to be forwarded to City Council for final consideration because of the conditions of the PUD.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
CONDITION NOS. 3 AND 5 AMENDED TO READ:

3. THAT THE HOURS OF OPERATION BE LIMITED TO: 8:00 A.M. TO
9:00 P.M.
5. THAT RETAIL SALES SHALL ONLY INCLUDE THE SALE OF
BOOKS, AUDIO TAPES, CDS, AND DIGITAL MEDIA.

FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION.

MOTION: Commissioner Shull
SECOND: Commissioner Leavitt
AYES: Chairman Brown, Vice-Chairman Trivedi, Commissioners Shull, Leavitt,
Cato and Thomas
NAYS: None
ABSTAIN: None

13. **ZN-02-08 (33251) PARKWILL PROPERTIES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PARKWILL PROPERTIES/LEVI PARKER ON BEHALF OF FURLANO-PAMPY TRUST, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM AN R-E, RANCH ESTATES DISTRICT TO C-1, NEIGHBORHOOD COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT 590 EAST REGENA AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 124-26-101-006.**

The application was presented by Robert Eastman, Principal Planner who explained the adjacent property was zoned C-1 and was previously before the Commission for some use permits for commercial development. The Comprehensive Plan for the area was for Mixed Use Commercial; therefore, the C-1 Neighborhood Commercial was appropriate and would increase the size of the adjacent commercial and possibly a better commercial use could be developed on that property that would be supportive of the neighboring residential on the south side of Regena; therefore, Staff was recommending that ZN-02-08 be approved.

Tony Celeste of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89169 appeared on behalf of the applicant indicating he concurred with Staff recommendation.

Chairman Steve Brown opened the Public Hearing. There was no public participation.

Chairman Brown closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Thomas

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

NAYS: None

ABSTAIN: None

14. T-1310 (33160) SPEEDWAY INDUSTRIAL. AN APPLICATION SUBMITTED BY TROPICAL INDUSTRIAL PARTNERS, LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW AN INDUSTRIAL SUBDIVISION. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF EL CAMPO GRANDE AVENUE AND LINN LANE. THE ASSESSOR'S PARCEL NUMBER IS 123-28-701-007.

The application was presented by Robert Eastman, Principal Planner who explained the site was master planned for heavy industrial and zoned M-2 and was in compliance with the zoning and the plan for the area; therefore, Staff was recommending that T-1310 be approved subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method; the development shall comply with all applicable codes and ordinances.
2. T-1310 must comply with the conditions of approval for SPR-40-07.
3. Applicant shall agree to sign agreement with the City to participate in the Sewer SID Cost Sharing prior to the City processing an interlocal agreement with Clark County (or prior to mylar approval).
4. Provide a minimum of 30' public utilities easement for the proposed 12" water main along the westerly portion of the property per Uniform Design and Construction Standards (UDACS) for potable water systems. This easement width allows for water only. If additional facilities are to be placed within the easement, the easement width shall be increased as approved by the Director of Utilities.

The applicant was not present for comment.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

15. **SPR-43-06 (33306) ROME & PALMER APARTMENTS. AN APPLICATION SUBMITTED BY COLONIAL PROPERTIES C/O JONATHAN CORNELIUS ON BEHALF OF COLONIAL PROPERTIES SERVICES INC, PROPERTY OWNER, FOR AN EXTENSION OF TIME FOR A PREVIOUSLY APPROVED SITE PLAN REVIEW IN AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF ROME BOULEVARD AND PALMER STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-24-801-001, 124-24-801-002, 124-24-801-003, 124-24-801-004 AND 124-24-801-005.**

The application was presented by Naveen Potti, Planner who explained the property was zoned R-3 Multi-Family Residential and at the present time the applicant was not proposing any changes to the approved site plan, so the request was only for an extension of time; therefore, Staff was recommending that SPR-43-06 be approved with the following conditions:

1. Unless expressly, authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. The development shall comply with all the conditions of SPR-43-06, which was approved on November 21, 2006.
3. Fire access lanes shall be designed in accordance with the Fire Code.
4. Fire access lanes shall be marked to prohibit parking in accordance with Fire Code.
5. Adequate lighting shall be provided in the breeze ways.
6. Directory and way finding signs shall be posted at the entrances and throughout the property.
7. All addresses shall be prominently displayed and illuminated from the above.
8. The trash enclosure gates shall be hung 8-inches from the ground and be constructed of a steel mesh material.

Commissioner Harry Shull disclosed that he previously owned the subject property and had sold it to the current applicant . He had no financial interest in the property, so his ability to vote on the application would not be impaired.

Dave Clapsaddle of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant and indicated he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

16. T-1312 (33473) COMMERCE COMMONS. AN APPLICATION SUBMITTED BY TERRITORY INC. ON BEHALF OF COMMERCE COMMONS, LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A ONE (1) LOT COMMERCIAL SUBDIVISION. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-502-007.

The application was presented by Robert Eastman, Principal Planner who explained the lot area was approximately 17 1/4 acres and the site was previously approved with SPR-64-05 and one of the conditions of approval for that site plan was to submit a commercial tentative map and this application was satisfying that condition of approval and Staff was recommending that T-1312 be approved subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this site shall comply with all applicable codes and ordinances.
2. T-1312 shall comply with all conditions of approval for SPR-64-05 as approved by the City Council on January 04, 2006.
3. Signs restricting parking shall be provided per the fire code.
4. Fire Department access roads shall be designed per the fire code.

Gina Guitan, Territory Inc., 5785 Centennial Center Boulevard, Las Vegas, NV appeared on behalf of the applicant indicating she concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 18 was heard next.

OLD BUSINESS

17. **ZN-110-07 (32161) ALEXANDER AND MLK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GHASSAN SHAMOUN ON BEHALF OF GHASSAN SHAMOUN AND ZUHAIR ZORA, PROPERTY OWNERS, FOR A RECLASSIFICATION OF PROPERTY FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF AN APPROXIMATE 11,012-SQUARE-FOOT TWO-STORY OFFICE BUILDING. THE PROPERTY IS LOCATED APPROXIMATELY 153 FEET NORTH OF ALEXANDER ROAD AND APPROXIMATELY 170 FEET WEST OF MARTIN LUTHER KING BOULEVARD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-04-410-012 AND 139-04-410-013. (CONTINUED SEPTEMBER 26 AND OCTOBER 24, 2007)**

ACTION: WITHDRAWN WITHOUT PREJUDICE

18. **SPR-24-06 (32868) CENTENNIAL & PECOS. AN APPLICATION SUBMITTED BY JADE ENTERPRISES C/O ALBERT TABAN ON BEHALF OF SUNRISE ADVISORS LLC, PROPERTY OWNER, FOR AN EXTENSION OF TIME FOR A PREVIOUSLY APPROVED SITE PLAN REVIEW IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT FOR AN APPROXIMATE TEN (10) ACRE COMMERCIAL RETAIL CENTER. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CENTENNIAL PARKWAY AND PECOS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-24-801-008. (CONTINUED NOVEMBER 28, 2007)**

The application was presented by Robert Eastman, Principal Planner who explained the applicant met with the neighboring property owner and Staff and, based upon the requirements, the City was removing their previous condition that required a shared access with the property to the north. Therefore, the submitted site plan was now generally in compliance with all conditions and Staff was recommending that SPR-24-06 be approved with the deletion of Condition No. 23. The original recommended conditions are as follows:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. Should SPR-24-06 be approved as submitted than UN-47-02 shall become null and void.
3. The proposed site shall be in compliance with the Commercial Development Standards and Design Guidelines including but not limited to the following:
 - a. A minimum 20 feet of landscaping not including sidewalks must be provided along all streets.
 - b. A minimum 20 feet of landscaping between all property lines and any abutting parking stalls or drive aisles, with the exception of where a bus turn-out would be located;
 - c. Foundation landscaping must be provided along the building facades.
 - d. Six (6) foot landscape islands shall be provided between the parking rows of every other double row of parking, at the end of all parking rows, and within each parking row of 15 parking spaces contained within the row.
 - e. Pedestrian linkage shall be provided within the parking lot.
 - f. Ample number of trash enclosures areas shall be provided for the commercial development subject to staff review and approval.
 - g. Building elevations shall be coherently designed and treated.

4. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter. Driveways may be designed in an alternative manner that must be approved by the City of North Las Vegas Traffic Engineer.
5. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
6. Approval of a traffic study is required prior to submittal of the civil improvement plans.
7. Approval of a drainage study is required prior to submittal of the civil improvement plans.
8. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
9. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*, or as otherwise approved by the Director of Public Works or his designee.
10. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
11. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code*:
 1. Pecos Road
 2. Centennial Parkway
12. Should VAC-21-06 be denied, Quantas Street and Dennis Wolfe Street shall be incorporated into this site plan.
13. Right of way dedication and construction of a CAT bus turn-out on Centennial Parkway near Pecos Road is required per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.3.

14. Dedication and construction of additional right of way is required for a flared intersection at Centennial Parkway and Pecos Road per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1.
15. The property owner is required to grant a roadway easement for commercial driveway(s).
16. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element when that sidewalk is providing public access adjacent to the right-of-way.
17. The property owner is required to sign a restrictive covenant for utilities.
18. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
19. A revocable encroachment permit for landscaping within the public right of way is required.
20. All off-site improvements must be completed prior to final inspection of the first building.
21. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.
22. This application shall comply with the *City of North Las Vegas Municipal Code* and NRS 278. Conformance may require modifications to the site.
23. The developer must provide documentation of the shared access agreement with APN 124-24-801-006 prior to submittal of the civil improvement plans; otherwise the driveway will not be permitted.
24. Turning radii along fire access lanes shall be designed in accordance with the Fire Code.
25. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

Dave Clapsaddle of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant indicating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NO. 23

MOTION: Commissioner Leavitt

SECOND: Commissioner Thomas

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

NAYS: None

ABSTAIN: None

19. **AMP-14-07 (32684) CASA MESA/DESERT MESA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DESERT MESA I, LLC AND SAMMIE ARMSTRONG, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF SINGLE-FAMILY LOW (UP TO 6 DU/AC) AND EMPLOYMENT TO SINGLE-FAMILY MEDIUM (UP TO 13 DU/AC). THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF REVERE STREET AND CAREY AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-15-417-001 THROUGH 139-15-417-124 AND 139-15-497-004 THROUGH 139-15-497-019 AND 139-15-401-006. (CONTINUED NOVEMBER 14 AND 28, 2007)**

The application was presented by Robert Eastman, Principal Planner who explained the application was for an approximate 30 acre parcel stretching along Carey Avenue between Revere Street and Commerce Street. There was currently an approved tentative map for a 127 lot single-family residential development and the applicant was proposing to take a small portion to create a 93 unit single-family development and 308 senior housing apartments in seven buildings. Generally, with the amendment to the master plan, Staff would look at the compatibility that the proposed land use had on the surrounding neighborhood and the 93 single-family homes were compatible with the surrounding neighborhood to the north and south; but, Staff was concerned with the 6 ½ acres which contained the 308 senior apartments and, typically, higher density multi-family developments would need supporting commercial land uses and there were very few commercial developments in the area and there also was not adequate commercial land use to support the proposed commercial. Additionally, apartment complexes should be developed at the intersection of two arterials. Carey Avenue was an arterial but Revere Street was a collector street. Since it did not appear that the density, 50 units per acre, was appropriate for the neighborhood, it was felt a lower density product would be more appropriate and compatible with the surrounding single family homes, Staff was recommending denial of AMP-14-07.

Michael McDonald, Alpha Omega Strategies, 4908 Carmen Boulevard, Las Vegas, NV appeared along with Byron Goynes, BG & G; Richard Henry, Alpha Omega Strategies; and Arnold Stalk, Metro Development.

Byron Goynes, BG & G Consulting, 8728 Talo Street, Las Vegas, NV indicated he canvassed the streets to the north, Nelson, Count Avenue, Englestead Street and Princess Avenue and to the south, Miller Avenue and to the west, Angel Field Street, Yankee Avenue, Ram Street and Red Sox and to the east was commercial property. They canvassed a total of 189 homes over a period of three weeks. When canvassing the area, the neighbors conveyed they wanted the property developed and to be attractive and compatible with the area and felt the proposed product met that. He explained the project

would be gated with a home owners association and pointed out there was a new shopping center to the west that could serve the area and to the north at Martin Luther King Boulevard there was a grocery store and both were within two miles of the proposed project. He pointed out the area was serviced through a transit mode for those requiring transportation for shopping. There would also be a shuttle service provided within the development and another option was to utilize the church to the north, which also had a shuttle service. They held four neighborhood meetings and at the last two meetings, petitions were presented for signature and there were only four people who signed in opposition to the project. Mr. Goynes submitted petitions for the record.

Mr. McDonald explained the project currently on the site was started in 2002/2003 by the North Las Vegas Housing Authority, which went bankrupt and the property had been sitting unfinished since that time. He indicated there was also another grocery store proposed to be built at Martin Luther King and Lake Mead Boulevards. The church at the west end of the site was expanding and would complement the proposed development. They were currently in the process of completing the 14 homes on the site that were under construction and they would be completed in February, 2008 and then they would start construction on the next 11 homes, which would be the second phase. Mr. McDonald stated they had commitments from the owner of the property to the south who was in favor of their project. The west corner of the property was zoned C-2 previously and the neighbors to the west of the development were concerned there would be a mini-mart or convenience store at that location, and he indicated they had a purchase contract and were working with the owner of the property and had included the corner property with the senior development. He felt they had designed a high quality project, which would be affordable.

Chairman Steve Brown opened the Public Hearing. The following participants came forward:

- **Rosetta Logan, 2709 Royal, North Las Vegas, NV 89030** was opposed to the project and did not think seniors would sell their current homes to live in an apartment. She was in favor of having homes on the property but was opposed to apartments.
- **Barbara Winslow, 604 Veronica Avenue, North Las Vegas, NV 89030** stated most people in the area had upgraded their homes and was opposed to apartments. She agreed the area needed to be improved but felt apartments would bring more crime to the area and even through the apartments were for seniors, there would be children living in them. She indicated most of the people who were in favor of the project did not live in the neighborhood, but attended the nearby church.

- **William Parker 2208 Matheson, North Las Vegas, NV 89030** was opposed to the project and suggested the people who were present and were in favor of the project, prove that they lived in the area.
- **Jacqueline Ellis, 3122 Anchorman Way, North Las Vegas, NV 89031** stated she did not live in the area but attended a church in the area. She did not feel apartments increased the value of a home and a home owners association was only as good as the people who ran it. She did not feel the area was a good location for senior apartments, as seniors were more vulnerable than others and asked the Commission to follow Staff's recommendation and deny the application.
- **Alex Porter, 616 Gilday Court, North Las Vegas, NV 89030** was opposed to the application and had seen low income projects around the City bring down property values. He felt kids would be living in the senior apartments with their grandparents, who would not be able to control them.
- **Carrie B. Thomas, 305 Rossoyne Avenue, North Las Vegas, NV 89030** was opposed to the apartments and asked the Commission to listen to the residents and deny the application.
- **Pat Harris, 328 Duke Avenue, North Las Vegas, NV 89030** was opposed to the application and stated there was already a traffic problem, a problem with density, a high crime rate, and lack of a recreational facility and asked that the application be denied.
- **Mary Harris 2625 Royal Street, North Las Vegas, NV 89030** was in favor of the proposed project and indicated she was a resident in the area and felt seniors should be housed in a safe place and the project was presented as a safe haven for seniors and was to be gated. She felt the project would be an asset to the community.
- **Teri Key-Wesley, 824 Yankee Avenue, North Las Vegas, NV 89030** was in favor of the project, as the area had been vacant and the existing homes were being destroyed. She felt there should be some senior housing located in the area.
- **Reverend Ralph E. Williamson, 2450 Revere Street, North Las Vegas, NV 89030** was in favor of the project and felt it was an asset to the community.
- **Namoi Goynes, 704 Veronica Avenue, North Las Vegas, NV 89030** was in favor of the application and felt the development would be good for the community.

- **Theron Goynes, 704 Veronica Avenue, North Las Vegas, NV 89030** was in favor of the application and felt people should stop dwelling on the negatives of the project and move forward with it as it would be an asset to the community.

Mr. Goynes explained through the neighborhood meetings, they realized many of the issues the neighbors had were things the developer was not responsible for. One of the issues was that the project would bring crime, which was not true. It was felt most seniors had their own homes and the apartments were not necessary, but there were many seniors who did not and were on fixed incomes. There was concern about homes being devalued by the apartments and he explained the development would have a home owners association which would mitigate much of the blight that was seen in the existing neighborhoods. There was interest from homeowners in the Regal Estates neighborhood about becoming part of the homeowners association. He felt the merits of the project were compatible with the area and the concerns about commercial uses and grocery stores in the area had been met.

Arnold Stalk, Metro Development Group, 8100 West Sahara Avenue, Las Vegas, NV 89117 explained he was an out-of-the box developer and was heavily involved in the community. He had been following Desert Mesa for some time and believed in the development and the neighborhood. The community would be gated and the seniors living in the apartments, if approved, would be renters and would have an active say in the homeowners association. His biggest concern was the convenience store on Carey Avenue next to the project. The senior development was designed to mirror the Carefree development on Charleston Avenue and Hualapai Way. Mr. Stalk indicated they were not flipping the property; they would manage the property themselves.

Mr. McDonald explained lenders did not like to lend money on in-fill projects, so it took some time to find one who was willing to lend money on a project that had previously failed. He stated the homes would be completed and would be a nice community and would not devalue the surrounding neighborhoods.

Commissioner Dean Leavitt had mixed feelings on the project and appreciated the citizens comments. He was concerned with the multi-story senior apartments. He had seen them work in other areas and cities but it got to the point where you had to have a little faith that things would turn out the way they were intended and that if the project was approved, he encouraged those for and against it to take the opportunity to visit the site regularly and if they felt things were not being done right, address it at that time.

Commissioner Jo Cato also had mixed feelings about the project. She understood what it was to have a senior development close to your children and realized there needed to be changes in that community. She commended the developer for meeting with the community and explaining the project. If the application was approved, it was up to the

residents to hold the developer accountable. She also had concerns about the multi-story senior apartments.

Commissioner Harry Shull commended the developer, as he too was one of the developers who had looked at the project and could not make sense of it and in order to make the project work, the density was necessary. He was not concerned about the senior apartments being multi-story as there would be elevators and was in favor of the project.

Commissioner Ned Thomas appreciated all of the comments that were made. If the proposed project was not approved, he did not feel anything else would go on the site and also felt you needed to have faith in the developer and it was also up to the residents to hold the developer to their commitment.

Commissioner Leavitt asked the applicant if both non-assisted and assisted living would be provided in the senior housing. Mr. McDonald responded the senior housing was non-assisted. He explained the market research showed there was a need for senior housing. In 2004 there were 10,000 seniors with no place to live and as the valley has grown, so has the senior population.

Chairman Brown asked Staff their concerns on the AMP issue.

Mr. Eastman explained Staff's concern was the compatibility that the apartment buildings would have with the surrounding predominantly single-family neighborhood and also as the applicant had addressed, Staff had concerns that there should be more supporting commercial closer to the development and from a land use perspective, those were the two largest concerns. A secondary concern was the fact that an apartment development should be located at the intersection of two arterials and Carey Avenue was the only arterial.

Mr. McDonald explained many of the seniors did not have vehicles and they were willing to make Revere Street an exit or entrance only. It abutted the First AME Church and their main entrance was on Revere Street. He indicated the apartments were buffered by First AME Church and single-family homes in the proposed development. To the south, there was vacant property and the owner had sent a letter supporting the project and to the south was the mobile home park.

Chairman Brown was concerned about the density. The AMP was a request to go from 6 units to 13 units per acre and the zone change was for a PUD, which would allow a higher density.

Mr. McDonald explained the density was spread over the entire property. The application being heard was just for the senior apartments.

Commissioner Thomas asked what would control grandchildren not living in the senior apartments.

Mr. McDonald explained there would be no overnight visitors, which could be controlled through management and the CC & R's. He stressed the property was not being flipped and would be a managed senior development and the property was being deed restricted as senior apartments, 55 and older with no children.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Shull

SECOND: Chairman Brown

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

NAYS: None

ABSTAIN: None

20. **ZN-115-07 (32683) CASA MESA/DESERT MESA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DESERT MESA I, LLC AND SAMMIE ARMSTRONG, PROPERTY OWNERS, FOR A RECLASSIFICATION OF PROPERTY FROM AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 93 SINGLE-FAMILY DWELLINGS AND 308 SENIOR APARTMENTS. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF REVERE STREET AND CAREY AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-15-417-001 THROUGH 139-15-471-124 AND 139-15-497-004 THROUGH 139-15-497-019 AND 139-15-401-006. (CONTINUED NOVEMBER 14 AND 28, 2007)**

The application was presented by Robert Eastman, Principal Planner who explained a number of units were taken away and they purchased the property at the corner of Revere Street and Carey Avenue to develop 308 senior apartments. There was a total of seven buildings, five of which were three story buildings and two that were two story. Staff's concern with the proposed PUD was not with any of the single-family residences. The concern was with the multi-family and the density being proposed with the PUD. Specifically, the density of the PUD as proposed was approximately 13.4 units per acre. To comply with the medium density residential that was approved, the applicant needed to remove eight units from the apartments to meet the density that was proposed with AMP-14-07. Also, with the site, since it was a PUD, there was open space requirements and the PUD would require approximately slightly less than 6 ½ acres of open space. With the proposed development the applicant was proposing approximately 1.6 acres of open space. Additionally, there were some design considerations for the fact that the buildings proposed were long common hallway buildings, with apartment branching off, which was not in compliance with the design standards and the applicant had not shown they were in compliance with the balcony requirements in the Design Standards. As mentioned previously, the applicant indicated that this would be a gated community and was concerned about the location of the gate and if it was for the apartment complex only or for the entire site, including the single family homes. If that was the case, traffic might want to be able to review it for queuing purposes and also there was concern about where the gate would be located along Desert Senna to ensure there was still adequate access for the First AME Church located to the north of the site. Staff was also concerned with the perimeter landscaping located along Carey Avenue and Revere Street, as the applicant was proposing 10 feet of landscaping and a five foot sidewalk, which was not in compliance with the Design Standards. Staff asked that the application be continued to allow the applicant time to meet with Parks and Recreation, Public Works, and Planning Staff to work out some of the concerns to make the development more in compliance with

the current standards. Should the Commission determine approval was warranted, the following conditions were recommended:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. That the single family homes shall comply with the following;
 - a. Single Family Development Standards.
 - b. The 75% of the single family homes shall be constructed and completed before the issuance of a building certificate of occupancy for the senior apartments.
3. That the senior apartments shall comply with the following;
 - a. Multifamily Development Standards, including but not limited to the following;
 - i. Provide a minimum of 25 feet of perimeter landscaping along Carey Avenue which may include a sidewalk adjacent to the senior housing development.
 - ii. Provide a minimum of 15 feet of perimeter landscaping along Revere Street which may include a sidewalk.
 - iii. The exterior facade shall include pop-outs and or window features in the design to eliminate the box-like element of the structure
 - iv. Six (6) feet landscape islands are required at the end of every parking row and within every row for every 15 parking spaces.
 - b. The senior apartment shall not exceed 300 units.
 - c. No more than four dwelling units may be entered from a single hall, landing or walkway.
 - d. The maximum height of all buildings shall not exceed 35.0 feet.
 - e. The senior apartments shall comply with the current parking requirements.
 - f. Each unit shall have either a minimum 80 square foot patio or 40 square foot balcony.
4. A minimum of 282,268 square feet of open space shall be provided in which 75% of the area shall be usable and centrally located for usage by every resident within the PUD.
5. Circuitous lighted paths.
6. A minimum of twenty 24-inch box trees per acre.

7. A minimum of two swimming pools (no less than 1,769 square feet of total swimming pool area) with accompanying decking, barbecue areas, drinking fountains, and shade structures at each location.
8. At least 2 differing, age-appropriate, covered play structures for children with EPDM resilient fall protection over a non-porous surface (2 play structures total) or comparable facilities as approved by staff. Shaded seating areas should also be provided adjacent to play structure locations for supervision purposes.
9. Shaded group picnic areas at a minimum of four different locations (including designated pool areas), which are generally to include picnic table(s), barbecue grill(s), and trash receptacle(s). At least one of these picnic areas shall include 30' diameter, lighted shade structure that can accommodate a large group gathering.
10. At least one large open space area for group/organized play.
11. Two sport courts (i.e. basketball, sand volleyball, tennis, etc.) and/or other amenities such as a pet park or putting green course.
12. Benches spaced along pathways.
13. Bicycle racks at 1-2 different locations.
14. Dog stations at grassy areas along pathways.
15. ADA accessibility.
16. Details of amenities to be provided.
17. The developer is required to construct a raised median within Carey Avenue. The median shall be constructed per *Clark County Area Uniform Standard Drawing* numbers 218 and 219 "A" type island curb.
18. Median landscape and irrigation plans must be submitted to the Parks Department. Final approval of the civil improvement plans will not be acquired prior to Parks approval of the landscaping plans.
19. The turn around area at the western end of Sand Sage Avenue must terminate in a mini cul-de-sac.

20. Construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100:
 - a. Carey Avenue
 - b. Commerce Street
 - c. Revere Street
21. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
22. All known geologic hazards shall be shown on the preliminary development plan, tentative map and the civil improvement plans. Geological hazards such as fault lines or fissures affecting residential structures may substantially alter the tentative map layout and require the submission of a revised tentative map which must be approved by the City prior to final approval of the civil improvement plans. The footprint of proposed structures shall be plotted on all lots impacted by faults and/or fissures and a minimum width of five (5) feet shall be provided from the edge of any proposed structure to the nearest fault and/or fissure.
23. Approval of a drainage study is required prior to submittal of the civil improvement plans.
24. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
25. Approval of a traffic study is required prior to submittal of the civil improvement plans.
26. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Carey Avenue.
27. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
28. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.

29. All residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222.
30. Proposed residential driveway slopes shall not exceed twelve percent (12%).
31. Appropriate subdivision and/or parcel mapping is required to complete this project. All mapping shall be in compliance with NRS Chapter 278 and the *City of North Las Vegas Municipal Code*, and associated Master Plans in effect at the time of subdivision and/or parcel map approval. Conformance may require modifications to the site.
32. The property owner is required to grant a public pedestrian access easement for sidewalk located within a common element, or on private property, when that sidewalk is providing public access adjacent to the right-of-way.
33. A revocable encroachment permit for landscaping within the public right of way is required.
34. All common elements shall be labeled and are to be maintained by the Home Owners Association.
35. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
36. Property owner must submit an application to vacate right of way for a portion of Sand Sage Avenue and all right of way for Evening Snow Court.
37. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.
38. All off-site improvements must be completed prior to final inspection of the first building.
39. Design Fire access roads, including slope, and turning radii per the Fire Code.
40. Provide signs to prohibit parking per the Fire Code.

Michael McDonald, Alpha Omega Strategies, 4908 Carmen Boulevard, Las Vegas, NV appeared on behalf of the applicant and explained they had not had an opportunity to

meet with Staff due to the holidays and they felt it was more important to have neighborhood meetings. They met with Staff early in the process on the first design that was presented and from Mr. Goynes review of the neighborhood and Staff's comments, they made some changes to the site, so it would resemble the Carefree senior development in Summerlin. He felt all of the issues could be resolved before the application was heard by City Council and asked for approval.

Arnold Stalk, Metro Development Group, 8100 West Sahara Avenue, Las Vegas, NV 89117 indicated he did not have any concerns with the modification recommended by Staff regarding the number of units, open space, and aesthetic details and felt they could work with Staff.

All comments were carried forward from Item No. 20 as follows:

Michael McDonald, Alpha Omega Strategies, 4908 Carmen Boulevard, Las Vegas, NV appeared along with Byron Goynes, BG & G; Richard Henry, Alpha Omega Strategies; and Arnold Stalk, Metro Development.

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construction on the next 11 homes, which would be the second phase. Mr. McDonald stated they had commitments from the owner of the property to the south who was in favor of their project. The west corner of the property was zoned C-2 previously and the neighbors to the west of the development were concerned there would be a mini-mart or convenience store at that location, and he indicated they had a purchase contract and were working with the owner of the property and had included the corner property with the senior development. He felt they had designed a high quality project, which would be affordable.

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homeowners association. His biggest concern was the convenience store on Carey Avenue next to the project. The senior development was designed to mirror the Carefree development on Charleston Avenue and Hualapai Way. Mr. Stalk indicated they were not flipping the property; they would manage the property themselves.

Mr. McDonald explained lenders did not like to lend money on in-fill projects, so it took some time to find one who was willing to lend money on a project that had previously failed. He stated the homes would be completed and would be a nice community and would not devalue the surrounding neighborhoods.

Commissioner Dean Leavitt had mixed feelings on the project and appreciated the citizens comments. He was concerned with the multi-story senior apartments. He had seen them work in other areas and cities but it got to the point where you had to have a little faith that things would turn out the way they were intended and that if the project was approved, he encouraged those for and against it to take the opportunity to visit the site regularly and if they felt things were not being done right, address it at that time.

Commissioner Jo Cato also had mixed feelings about the project. She understood what it was to have a senior development close to your children and realized there needed to be changes in that community. She commended the developer for meeting with the community and explaining the project. If the application was approved, it was up to the residents to hold the developer accountable. She also had concerns about the multi-story senior apartments.

Commissioner Harry Shull commended the developer, as he too was one of the developers who had looked at the project and could not make sense of it and in order to make the project work, the density was necessary. He was not concerned about the senior apartments being multi-story as there would be elevators and was in favor of the project.

Commissioner Ned Thomas appreciated all of the comments that were made. If the proposed project was not approved, he did not feel anything else would go on the site and also felt you needed to have faith in the developer and it was also up to the residents to hold the developer to their commitment.

Commissioner Leavitt asked the applicant if both non-assisted and assisted living would be provided in the senior housing. Mr. McDonald responded the senior housing was non-assisted. He explained the market research showed there was a need for senior housing. In 2004 there were 10,000 seniors with no place to live and as the valley has grown, so has the senior population.

Chairman Brown asked Staff their concerns on the AMP issue.

Mr. Eastman explained Staff's concern was the compatibility that the apartment buildings would have with the surrounding predominantly single-family neighborhood and also as the applicant had addressed, Staff had concerns that there should be more supporting commercial closer to the development and from a land use perspective, those were the two largest concerns. A secondary concern was the fact that an apartment development should be located at the intersection of two arterials and Carey Avenue was the only arterial.

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Commissioner Thomas asked what would control grandchildren not living in the senior apartments.

Mr. McDonald explained there would be no overnight visitors, which could be controlled through management and the CC & R's. He stressed the property was not being flipped and would be a managed senior development and the property was being deed restricted as senior apartments, 55 and older with no children.

Chairman Steve Brown asked Staff if they had a sufficient site plan for the project.

Mr. Eastman responded the site plan that was submitted showed the greatest detail in the multi-family senior housing aspect. The combined site plan was somewhat lacking but the biggest concern from the Parks and Rec Department was they were having trouble confirming the number of recreation amenities and recreation space. Staff's calculations were that they were providing 69,000 square feet, approximately a little more than 1.5 acres and the Parks Department does not feel the site plan submitted has enough dimensioning to confirm the numbers that were calculated.

Mr. Stalk explained they had a meeting on the site plan with all of the Departments and he felt comfortable that they could satisfy Staff's concerns.

Chairman Brown was anxious to see the project come together, but could not support a project that Staff was uncomfortable with and recommended the application be continued unless Staff felt their concerns could be worked out between now and when the application was heard by City Council.

Mr. Eastman indicated, if the applicant could agree to the recommended conditions, there was one additional condition he felt the applicant would support. Mr. Eastman added Condition No. 3.g to read: "Occupancy of the dwelling units shall be restricted to senior citizens as defined in the Federal Fair Housing Act."

Mr. Stalk stated they were willing to work with Staff.

Mr. McDonald also indicated they were willing to work with Staff.

Commissioner Dilip Trivedi indicated it would be nice to see the revised site plan after the changes suggested by Staff were made and suggested the application be continued. Also, the density was being averaged by taking into consideration the neighboring property, yet there was no cross access and there were questions regarding communal facilities that were being provided.

Mr. McDonald explained holding the extra neighborhood meetings had put them in a bind with their finances and asked for the application to be approved and they be allowed to work with Staff.

Mr. Eastman reiterated that since it was a PUD, the Commission would get to review the site plan again during the final development plans that must be approved by the Board.

Commissioner Dean Leavitt asked if the main gated entrance was going to be located on Desert Senna.

Mr. McDonald responded that was correct.

Commissioner Harry Shull asked the applicant if the Commission were to move forward with the approval, if they could comply with the 41 conditions recommended by Staff.

Mr. McDonald and Mr. Stalk responded they could.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE ADDITION OF CONDITION NO. 3.G TO READ:

3.G. OCCUPANCY OF THE DWELLING UNITS SHALL BE RESTRICTED TO SENIOR CITIZENS, AS DEFINED IN THE FEDERAL FAIR HOUSING ACT.

FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Leavitt
SECOND: Chairman Brown
AYES: Chairman Brown, Vice-Chairman Trivedi, Commissioners Shull, Leavitt,
Cato and Thomas
NAYS: None
ABSTAIN: None

There was a break in proceedings at 9:52 p.m.

The meeting reconvened at 10:04 p.m.

21. UN-117-07 (33048) MC DONALD'S AT SPRINGS CROSSING (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DEER SPRINGS CROSSING LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT IN PAD 3A. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF NORTH 5TH STREET AND DEER SPRINGS WAY. THE ASSESSOR'S PARCEL NUMBER IS 124-23-316-002. (CONTINUED DECEMBER 12, 2007)

The application was presented by Robert Eastman, Principal Planner who explained the use permit was for a proposed McDonalds. The convenience food store located within the shopping center, in Staff's opinion, was an appropriate use for the site; therefore, Staff was recommending approval of UN-117-07. There was some concern with the proposed drive-thru, as it was somewhat unique, as they used a split two lane drive-thru and they requested a reduction in the landscaping. Since meeting with the applicant, they were still requesting a reduction in the landscape, but the area was smaller; therefore, Staff was amending Condition 2.a to read: "A minimum five foot landscape buffer shall be provided in conjunction with the sidewalk between the access drive and drive-thru lane" and Condition No. 3 would be deleted. The original recommended conditions are as follows:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances;
2. Development of the site shall comply with the Commercial Development Standards and Design Guidelines, including but no limited to the following:
 - a. A minimum six (6) foot landscape buffer shall be provided in conjunction with the sidewalk between the access drive and the drive thru lanes.
 - b. Building elevations shall be relieved by variations in massing or articulation of facades.
3. The second drive thru shall be removed to accommodate a landscape buffer along the ingress egress drive aisles.
4. Approval of a drainage study update is required prior to submittal of the civil improvement plans.
5. The applicant shall submit a traffic study update for review and approval.
6. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

7. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.

Barbara Baird, 2260 Corporate Circle, Henderson, NV 89074 appeared on behalf of the applicant and indicated she concurred with Staff recommendation.

Chairman Steve Brown opened the Public Hearing. There was no public participation.

Chairman Brown closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NO. 3 AND CONDITION NO. 2.A AMENDED TO READ:

2.A. A MINIMUM FIVE (5) FOOT LANDSCAPING BUFFER SHALL BE PROVIDED IN CONJUNCTION WITH THE SIDEWALK BETWEEN THE ACCESS DRIVE AND THE DRIVE THRU LANES.

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 27 was heard next.

22. **UN-92-06 (33157) PROJECT #1552 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CLARK COUNTY SCHOOL DISTRICT, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED SPECIAL USE PERMIT IN AN R-E, RANCH ESTATES DISTRICT TO DELETE CONDITION #25, REGARDING STREET IMPROVEMENTS ON BRUCE STREET. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF EL CAMPO GRANDE AVENUE AND BRUCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-26-801-001 AND 124-26-801-003. (CONTINUED DECEMBER 12, 2007)**

It was requested by the applicant to continue UN-92-06 to January 23, 2008

Chairman Steve Brown opened the Public Hearing. The following participants submitted cards but did not speak:

- **Gary S. Shoaff, 5622 Midnight Breeze Street, North Las Vegas, NV**
- **Scott Sauer** (no address stated)

Chairman Brown indicated the Public Hearing would remain open.

ACTION: CONTINUED TO JANUARY 23, 2008

MOTION: Vice-Chairman Trivedi

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 24 was heard next.

23. **SPR-57-07 (33049) R & S TROPICAL LLC. AN APPLICATION SUBMITTED BY RELO DEVELOPMENT ON BEHALF OF R&S TROPICAL, LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-E, RANCH ESTATES DISTRICT (PROPOSED C-1, NEIGHBORHOOD COMMERCIAL DISTRICT) TO ALLOW AN APPROXIMATELY 112,769-SQUARE-FOOT COMMERCIAL CENTER. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF LOSEE ROAD AND TROPICAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-26-701-009. (CONTINUED DECEMBER 12, 2007)**

ACTION: WITHDRAWN WITHOUT PREJUDICE

24. **FDP-05-07 (31589) CENTENNIAL & LOSEE PROJECT. AN APPLICATION SUBMITTED BY JACK BINION AND PHYLLIS COPE PROPERTY OWNERS, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF NINE (9) RETAIL PADS, THREE (3) OFFICE BUILDINGS AND TWO (2) PARKING GARAGES. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-25-101-001. (CONTINUED AUGUST 8, OCTOBER 24, AND DECEMBER 12, 2007)**

It was requested by the applicant to continue FDP-05-07 to January 23, 2008.

ACTION: CONTINUED TO JANUARY 23, 2008

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

25. **UN-78-07 (31592) CENTENNIAL & LOSEE PROJECT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JACK BINION AND PHYLLIS COPE, PROPERTY OWNERS, FOR A USE PERMIT IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A FINANCIAL INSTITUTION (BANK) WITH A DRIVE-THROUGH. THE PROPERTY LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-25-101-001. (CONTINUED AUGUST 8, OCTOBER 24, AND DECEMBER 12, 2007)**

Item Nos. 25 and 26 were heard together.

It was requested by the applicant to continue UN-78-07 to January 23, 2008.

Chairman Steve Brown asked the applicant to show good cause for the request to continue.

Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89169 explained the zone change was scheduled to be heard by City Council on January 16, 2008 and felt they could move forward with the use permit if that item was approved.

Chairman Steve Brown opened the Public Hearing. There was no public participation.

Chairman Brown indicated the Public Hearing would remain open.

ACTION: CONTINUED TO JANUARY 23, 2008

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

26. **UN-79-07 (31593) CENTENNIAL & LOSEE PROJECT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JACK BINION AND PHYLLIS COPE PROPERTY OWNERS, FOR A USE PERMIT IN AN PUD PLANNED UNIT DEVELOPMENT DISTRICT FOR A CONVENIENCE FOOD RESTAURANT WITH A DRIVE THROUGH. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-25-101-001. (CONTINUED AUGUST 8, OCTOBER 24, AND DECEMBER 12, 2007)**

Item Nos. 25 and 26 were heard together.

It was requested by the applicant to continue UN-79-07 to January 23, 2008.

Chairman Steve Brown asked the applicant to show good cause for the request to continue.

Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89169 explained the zone change was scheduled to be heard by City Council on January 16, 2008 and felt they could move forward with the use permit if that item was approved.

Chairman Steve Brown opened the Public Hearing. There was no public participation.

Chairman Brown indicated the Public Hearing would remain open.

ACTION: CONTINUED TO JANUARY 23, 2008

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 1 was heard next.

27. T-1308 (32494) NORTHERN BELTWAY INDUSTRIAL CENTER. AN APPLICATION SUBMITTED BY THOMAS AND MACK DEVELOPMENT ON BEHALF OF NORTHERN BELTWAY INDUSTRIAL CENTER LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW AN INDUSTRIAL SUBDIVISION. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF RANGE ROAD AND EL CAMPO GRANDE AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 123-28-301-011 AND 123-28-701-001. (CONTINUED OCTOBER 24, NOVEMBER 14, AND DECEMBER 12, 2007)

The application was presented by Naveen Potti, Planner who explained the proposal was in compliance with the zoning ordinance; therefore, Staff was recommending approval of T-1308 subject to the conditions listed in the revised memorandum dated January 9, 2008 as follows:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. Approval of a drainage study is required prior to submittal of the civil improvement plans.
3. Remove the street section thickness from the typical sections. The pavement sections will be determined by the Department of Public Works.
4. The size and location of any drainage facilities and/or easements shown are contingent upon review and approval of a Technical Drainage Study.
5. The applicant shall submit a traffic study update for review and approval.
6. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along El Campo Grande and Tropical Parkway.
7. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
8. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and *City of North Las Vegas Municipal Code* section 16.24.100.B:
 - a. 10' on El Campo Grande
 - b. 50' on Tropical Parkway
 - c. associated spandrels

9. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
10. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
11. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
12. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.
13. All off-site improvements must be completed prior to final inspection of the first building.
14. The property owner is required to grant a roadway easement for commercial driveway(s).
15. The property owner is required to sign a restrictive covenant for utilities.

Jerry Slater, 5740 South Arville, Las Vegas, NV appeared on behalf of the applicant explaining the application was to increase the size of the commercial subdivision map to add 20 acres of property into the overall development and concurred with Staff recommendations.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS IN REVISED MEMORANDUM DATED JANUARY 9, 2008

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

28. SPR-52-07 (32696) SCOPE PLAZA. AN APPLICATION SUBMITTED BY SCOPE DEVELOPMENT, LLC, ON BEHALF OF CAMINO OFFICE CONDOS, LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-P, PROFESSIONAL OFFICE COMMERCIAL DISTRICT (PROPOSED C-1, NEIGHBORHOOD COMMERCIAL DISTRICT) TO ALLOW A WAIVER FROM REQUIRING BUILDINGS ON CORNER LOTS TO BE ORIENTED TO THE CORNER AND TO THE STREET FRONT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CAMINO AL NORTE AND WASHBURN ROAD. THE ASSESSOR'S PARCEL NUMBER IS124-33-601-011. (CONTINUED NOVEMBER 14, 2007)

The application was presented by Naveen Potti, Planner who explained the application was continued from the November 14, 2007 Planning Commission meeting because the applicant had appealed the Commission's decision on AMP-15-07 and ZN-116-07, and were heard and approved by City Council on December 19, 2007. The submitted site plan indicated the applicant proposed two commercial retail buildings with 70,200 square feet and 13,550 square feet and a 4800 square foot bank with a drive-thru ATM. The requested waiver for the building orientation to be located away from the street corner was also supported by Staff. Staff was recommending approval of SPR-52-07 subject to the following conditions:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. The development shall comply with the Commercial Design Guidelines and Development Standards, including but not limited to the following:
 - a. Provide a detailed landscape plan showing twenty (20) feet of perimeter landscaping from the property line, along Washburn Road & Camino Al Norte.
 - b. Provide four (4) bicycle parking spaces within 100 feet from the building entrance. A typical bicycle parking space shall be at least 6 feet long by 2 feet wide. Covered bicycle parking facilities may be located within a building or structure, under a building eave, stairway, entrance, or similar area, or under a special structure to cover the parking.
 - c. Building surfaces over 50 feet in length must be relieved with a change of wall plane that provides strong shadow and visual interest. Features such as windows, awnings and arcades must total at least 60% of the length of any facade that abuts a public street.

- d. Provide a detail color scheme for all the proposed buildings consistent with the colors to the Las Vegas Valley and its surroundings.
 - e. Provide a six (6) foot wide foundation landscaping around the proposed new buildings. If the foundation landscaping is determined to be impractical because of soil conditions either landscaping may be transposed with the sidewalk or above ground planters shall be provided.
3. Approval of a drainage study is required prior to submittal of the civil improvement plans.
 4. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
 5. The applicant shall submit a traffic study update for review and approval.
 6. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Camino Al Norte.
 7. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
 8. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
 9. The property owner is required to grant a roadway easement for commercial driveway(s).
 10. The property owner is required to grant a public pedestrian access easement for sidewalk located within a common element, or on private property, when that sidewalk is providing public access adjacent to the right-of-way.
 11. A revocable encroachment permit for landscaping within the public right of way is required.
 12. The property owner is required to sign a restrictive covenant for utilities.
 13. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.

14. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
15. All off-site improvements must be completed prior to final inspection of the first building.
16. Fire access roads shall be marked to prohibit parking in accordance with the Fire Code.
17. A looped water system may be required for fire protection, subject to review and approval of the Utilities Department.
18. The developer shall provide a meter and backflow prevention per building per City of North Las Vegas Municipal Water Services District service rules and regulations.

Gary Leobold, 2592 Canadian Goose Circle, Henderson, NV 89052 appeared on behalf of the applicant indicating he concurred with Staff recommendation and explained the waiver was for building placement for the bank and Pad A, which, according to Code, should be closer to the property line; but, they feel for circulation reasons, fire safety, and the grade on the site, the solution was acceptable.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

29. UN-111-07 (32729) SCOPE PLAZA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SCOPE DEVELOPMENT, LLC, ON BEHALF OF CAMINO OFFICE CONDOS, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-P, PROFESSIONAL OFFICE COMMERCIAL DISTRICT (PROPOSED C-1, NEIGHBORHOOD COMMERCIAL DISTRICT) TO ALLOW A FINANCIAL INSTITUTION (BANK). THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CAMINO AL NORTE AND WASHBURN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-33-601-011. (CONTINUED NOVEMBER 14, 2007)

The application was presented by Naveen Potti, Planner who explained the application was in conjunction with Item No. 28, SPR-52-07 for a bank with a drive-thru and Staff was recommending approval of UN-111-07 subject to the following conditions:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. This use permit is site specific and non transferrable.
3. Submit a detailed landscape plan showing the size, type and location of the plants for review and approval of the Planning & Zoning Department.
4. At the time building permits, submit revised building elevations that comply with the commercial architectural design guidelines for review and approval of the Planning & Zoning Department. Provide a detail color scheme for all the proposed buildings consistent with the colors to the Las Vegas Valley and its surroundings.
5. Provide a six (6) foot wide foundation landscaping around the proposed new buildings. If the foundation landscaping is determined to be impractical because of soil conditions either landscaping may be transposed with the sidewalk or above ground planters shall be provided.
6. The proposed development shall comply with the requirements of SPR-52-07.
7. The developer shall provide a meter and backflow prevention per building as per City of North Las Vegas Municipal Water Services District rules and regulations.
8. A looped water system may be required for fire protection, subject to review and approval of the Utilities Department.

Gary Leobold, 2592 Canadian Goose Circle, Henderson, NV 89052 appeared on behalf of the applicant indicating he concurred with Staff recommendation.

Chairman Steve Brown opened the Public Hearing. There was no public participation.

Chairman Brown closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No 7 was reopened.

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

There was no report given.

CHAIRMAN'S BUSINESS

Chairman Steve Brown informed the City Attorney he had neglected to call participants forward during a public hearing on a continued application.

Commissioner Dean Leavitt indicated at the last City Council meeting a resolution was approved which allowed appointed individuals to serve completely co-terminus with their appointer, which would allow the Planning Commissioners to serve three terms if they desired. A by-law change would be required. In the past, when by-laws were amended, a committee was formed or the City Attorney's office could prepare the appropriate language for approval by the Commission.

Deputy City Attorney Nick Vaskov indicated he would prepare the amended language to the by-laws.

ADJOURNMENT

The meeting adjourned at 10:17 p.m.

APPROVED: February 13, 2008

/s/ Steve Brown
Steve Brown, Chairman

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