

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

August 13, 2008

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

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

WELCOME: Chairman Angelo Carvalho

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

STAFF PRESENT: Frank Fiori, Planning & Zoning Director
Marc Jordan, Planning Manager
Robert Eastman, Principal Planner
Mary Aldava, Senior Planner
Nick Vaskov, Assistant City Attorney
Sandra Morgan, Deputy City Attorney II
Jennifer Doody, Development & Flood Control
Vidya Medisetty, Public Works
Mike Steele, Fire Department
Jose Rodriguez, Police Department
Ernie Buo, Utilities Department
Jo Ann Lawrence, Recording Secretary

VERIFICATION: Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE: Commissioner Dilip Trivedi

PUBLIC FORUM

There was no public participation.

MINUTES

• **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING
OF JULY 9, 2008**

ACTION: APPROVED

MOTION: Vice-Chairman Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: Commissioner Cato

Item No. 2 was heard next.

NEW BUSINESS

1. **UN-77-08 (36187) AMERIGAS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DAVID VANCE ON BEHALF OF AMERIGAS LP, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW THE STORAGE OF HAZARDOUS MATERIALS (30,000 GALLON PROPANE STORAGE TANK) IN CONJUNCTION WITH A PROPANE STORAGE AND REFUELING FACILITY. THE PROPERTY IS LOCATED AT 4430 MCGUIRE STREET. THE ASSESSOR'S PARCEL NUMBER IS 140-06-210-015.**

The application was presented by Marc Jordan, Planning Manager who explained the applicant indicated the proposed storage tank was to replace the one previously damaged by fire and making some improvements to the property. They would be constructing a new perimeter fence and installing landscaping and also building a new wet/dry fire suppression system for the storage tank area. Staff was required to send notices to at least a 1,000 foot radius and 122 notices were sent to surrounding property owners. One letter of opposition was received from Gerald Butler, who owned property at 3853 and 3873 East Craig Road. Notice was also sent to various state agencies as required and no comments were received. The Fire Department indicated they were not opposed to the application; therefore, Staff was recommending approval of UN-77-08 and that it be forwarded to City Council for final consideration with the following recommended conditions:

1. Unless expressly, authorized through a variance, waiver or another method, 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 not limited to the following:
 - a. A minimum 20 foot landscape buffer measured from the property line provided along McGuire Street.
 - b. A decorative wall and or fence for screening shall be provided along McGuire Street.
 - c. All refuse collection areas shall be screened from view of rights-of-way and integrated into the site.
3. A Hazardous Materials Inventory Statement is required. In the inventory, please indicate the expected maximum quantity of propane to be stored or used. Also, please indicate how it will be stored. Further, please provide supporting MSDS.
4. An automatic fire extinguishing system, in accordance with the applicable National Fire Protection Association standards and the operational needs of the Fire Department as specified by the Fire Chief, shall be provided for all propane tanks exceeding 4,000 gallon capacity.

5. A fire safety analysis in accordance with sound engineering principles is to approved by the North Las Vegas Fire Department prior to placing the propane tank on site. The analysis is to be prepared by a third party Nevada licensed fire protection engineer, selected by the applicant and approved by the Fire Department. The analysis shall ensure compliance with NFPA 58, the Uniform Fire Code, and shall consider additional safety measures including projectile protection of the tank from other propane cylinders and tanks (mounted or stationary) on site or on neighboring parcels. The applicant must incorporate all recommendations enumerated in the approved fire safety analysis into the site layout of the proposed project.

David Vance of Amerigas, 3422 Blue Heather Drive, Las Vegas, NV 89129 indicated he concurred with Staff recommendation.

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

Chairman Carvalho closed the Public Hearing.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS;
FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION**

MOTION: Vice-Chairman Shull

SECOND: Commissioner Aston

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

NAYS: Commissioner Cato

ABSTAIN: None

Item No. 6 was heard next.

2. **UN-80-08 (36200) GALAXY 7 PROPERTIES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GALAXY 7 PROPERTIES ON BEHALF OF EAGLE 7 PROPERTIES AND PARKWILL ENTERPRISES, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE STORE WITH GAS PUMPS. THE PROPERTY IS LOCATED AT 6215 NORTH 5TH STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-504-008.**

It was requested by the applicant to continue UN-80-08 to August 27, 2008.

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

Chairman Carvalho indicated the Public Hearing would remain open.

ACTION: CONTINUED TO AUGUST 27, 2008

MOTION: Vice-Chairman Shull

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

3. **UN-81-08 (36201) GALAXY 7 PROPERTIES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GALAXY 7 PROPERTIES ON BEHALF OF EAGLE 7 PROPERTIES AND PARKWILL ENTERPRISES LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW AN AUTOMOBILE WASHING ESTABLISHMENT. THE PROPERTY IS LOCATED AT 6215 NORTH 5TH STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-504-008.**

It was requested by the applicant to continue UN-81-08 to August 27, 2008.

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

Chairman Carvalho indicated the Public Hearing would remain open.

ACTION: CONTINUED TO AUGUST 27, 2008

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

4. **VN-10-08 (36203) GALAXY 7 PROPERTIES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GALAXY 7 PROPERTIES ON BEHALF OF EAGLE 7 PROPERTIES AND PARKWILL ENTERPRISE, PROPERTY OWNER, FOR A VARIANCE IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A FIVE (5) FOOT RESIDENTIAL ZONE BOUNDARY BUILDING SETBACK WHERE 30 FEET IS THE MINIMUM REQUIRED. THE PROPERTY IS LOCATED AT 6215 NORTH 5TH STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-504-008.**

It was requested by the applicant to continue VN-10-08 to August 27, 2008.

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

Chairman Carvalho indicated the Public Hearing would remain open.

ACTION: CONTINUED TO AUGUST 27, 2008

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

5. **VAC-10-08 (36136) ARCHITECTURAL PRECAST, INC. (PUBLIC HEARING). AN APPLICATION SUBMITTED BY KIRK ERICKSON ON BEHALF OF ARCHITECTURAL PRECAST INC, PROPERTY OWNER, TO VACATE A PORTION OF ANN ROAD BETWEEN AUTO STREET AND PUEBLA STREET AND A PORTION OF PUEBLA STREET COMMENCING AT ANN ROAD AND PROCEEDING NORTH APPROXIMATELY 131 FEET. THE ASSESSOR'S PARCEL NUMBER IS 123-29-401-014.**

It was requested by the applicant to continue VAC-10-08 to August 27, 2008.

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

Chairman Carvalho indicated the Public Hearing would remain open.

ACTION: CONTINUED TO AUGUST 27, 2008

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 10 was heard next.

6. UN-115-05 (35993) NORTH 5TH AND REGENA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NORTH 5TH RETAIL LLC, PROPERTY OWNER, FOR AN EXTENSION OF TIME FOR A PREVIOUSLY APPROVED SPECIAL USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW THE "ON-SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A SUPPER CLUB. THE PROPERTY IS LOCATED AT 520 EAST REGENA AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 124-26-101-005.

The application was presented by Mary Aldava, Senior Planner who explained Staff was in support of a two year extension of time; however, it was anticipated the site may be redesigned to include the adjacent parcel to the east, as the applicant received approval of a one lot commercial tentative map in July, 2008. Staff was recommending approval with Condition No. 9 amended to read: "As North 5th Street is a planned limited access corridor, this development shall utilize a shared driveway with the parcel to the north. Access to Regena Avenue will not be permitted", and Condition Nos. 22 and 23 were being added to read: "22. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code. 23. Turning radii along the fire access lane shall be designed in accordance with the Fire Code." The original recommended conditions are as follows:

1. Unless expressly authorized through a variance, waiver or another approved method, the development of this site shall comply with all applicable codes and ordinances.
2. That the development shall be in compliance with Chapter 5.26 (Liquor Control Ordinance) of the North Las Vegas Municipal Code.
3. The development of this site shall be in compliance with the Commercial Development Standards and Design Guidelines.
4. That UN-115-05 for a supper club is site-specific and non-transferable.
5. The site plan submitted herein is not considered approved. Changes to the site plan shall be provided that include the adjacent parcel to the east (APN 124-26-101-006) and that incorporate all conditions approved herein. Six copies of said revised site plan shall be provided to the Planning & Zoning Department prior to submittal of Civil Improvement Plans, Building Plans, or Final Map, whichever is first.
6. The development of this site shall be in compliance with all conditions of T-1319.
7. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100:
 - a. North 5th Street
 - b. Regena Avenue

8. North 5th Street shall be designed in accordance with the *City of North Las Vegas Uniform Standard Drawings for North 5th Street Improvements*.
9. As North 5th Street is a planned, limited access corridor, this development shall utilize the proposed driveway along the Regena Avenue frontage; access to North 5th Street will not be permitted.
10. All development along North 5th Street shall provide a twenty foot landscape easement/ common element adjacent to the right-of-way.
11. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along North 5th Street.
12. The property owner is required to grant a pedestrian access easement for sidewalk within any common element.
13. A revocable encroachment permit for landscaping within the public right of way is required.
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. 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.
16. The property owner is required to grant a roadway easement for commercial driveway(s).
17. The property owner is required to sign a restrictive covenant for utilities.
18. Approval of a traffic study is required prior to submittal of the civil improvement plans.
19. The 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.
20. Approval of a drainage study is required prior to submittal of the civil improvement plans.

21. 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.

George Garcia 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.

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

Chairman Carvalho closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NO. 9 AMENDED AND THE ADDITION OF CONDITION NOS. 22 AND 23 TO READ:

9. AS NORTH 5TH STREET IS A PLANNED LIMITED ACCESS CORRIDOR, THIS DEVELOPMENT SHALL UTILIZE A SHARED DRIVEWAY WITH THE PARCEL TO THE NORTH. ACCESS TO REGENA AVENUE WILL NOT BE PERMITTED.
22. FIRE ACCESS LANES SHALL BE MARKED TO PROHIBIT PARKING IN ACCORDANCE WITH THE FIRE CODE.
23. TURNING RADII ALONG THE FIRE ACCESS LANE SHALL BE DESIGNED IN ACCORDANCE WITH THE FIRE CODE.

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

7. **UN-75-08 (36172) REGENCY SIGNS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ULTRA SIGNS ON BEHALF OF DEER SPRINGS TOWN CENTER LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW ONE (1) 65-FOOT-HIGH DIRECTORY SIGN AND ONE (1) 75-FOOT-HIGH DIRECTORY SIGN WHERE 45 FEET IS THE MAXIMUM SIGN HEIGHT ALLOWED. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF NORTH 5TH STREET AND THE 215 BELTWAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-23-110-002, 124-23-220-003, 124-23-110-004 AND 124-23-210-001.**

The application was presented by Mary Aldava, Senior Planner who explained the site was currently under construction and was the proposed location of Super Target and Home Depot. The applicant indicated the site sits below grade of the Beltway by approximately 20 to 30 feet. Staff visited the site and verified there was significant elevation differences. The applicant was proposing that the 75 foot sign be located at the northwest corner of the site and the 65 foot sign be located at the northeast corner of the site. Staff was in support of an increase in height; however, would recommend the directory sign, A-1, located at the northwest corner, not exceed 74 feet in height from the finished grade of the parking lot and the sign proposed at the northeast corner of the site, Sign A-2, not exceed 51 feet in height from the finished grade of the parking lot. Staff was recommending approval of UN-75-08 with Condition No. 4 amended to read: "Directory Sign A-1 shall not exceed 74' (seventy-four feet) in height from the finished grade of the parking lot." Condition No. 5 would be added to read: "Directory Sign A-2 shall not exceed 51' (fifty-one feet) in height from the finished grade of the parking lot. 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. The use permit is site-specific and non-transferrable.
3. Unless otherwise approved herein, the construction and locations of the two subject directory signs, "A1" and "A2," shall be in compliance with the conditions set forth in USP-11-07.
4. Directory "Sign A1" and Directory "Sign A2" may be increased in height, as long as the following stipulations are satisfied:
 - a. Clear and concise graphic illustrations / documentation shall be submitted to the Planning & Zoning Department prior to the issuance of any building permit(s) for the subject two directory signs. The evidence may be in the form of approved civil plans, approved off-site improvement plans and/or a survey stamped by a Nevada-licensed professional.

- b. The evidence shall indicate the final elevation of the nearest travel lane within the public right-of-way perpendicularly to the nearest point of the applicable sign. The evidence shall also indicate that the height of each sign shall not exceed 45 feet above those final elevations.

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

Chairman Carvalho closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NO. 4 AMENDED AND CONDITION NO. 5 ADDED TO READ:

4. DIRECTORY "SIGN A-1" SHALL NOT EXCEED 74' (SEVENTY-FOUR FEET) IN HEIGHT FROM THE FINISHED GRADE OF THE PARKING LOT.
5. DIRECTORY "SIGN A-2" SHALL NOT EXCEED 51' (FIFTY-ONE FEET) IN HEIGHT FROM THE FINISHED GRADE OF THE PARKING LOT.

MOTION: Vice-Chairman Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

8. UN-76-08 (36175) AAEQ RECYCLING CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY AAEQ MANUFACTURERS AND RECYCLERS ON BEHALF OF BBMR INVESTMENTS LLC, PROPERTY OWNER, TO AMEND A PREVIOUSLY APPROVED SPECIAL USE PERMIT FOR A SALVAGE CENTER IN AN M-2, GENERAL INDUSTRIAL DISTRICT. THE PROPERTY IS LOCATED AT 2580 NORTH COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 139-15-801-001 AND 139-15-701-003.

The application was presented by Mary Aldava, Senior Planner who explained it had come to the applicant's attention that the existing eight foot screen wall was not sufficiently screening outside storage and was not adequately mitigating the noise associated with the use and the traffic movements associated with the site interfere with traffic on Commerce Street. The applicant had been working closely with the residents in the area and was trying to resolve issues. The applicant was proposing to move the existing truck scale from the inside to the outside of the block area within the drive isle adjacent to the row of parking facing Commerce Street and was also proposing to construct a new 16 foot metal structure adjacent to the block wall opposite the relocated scale, which would match the design of the existing metal building on the site and would have decorative metal panels placed approximately 20 feet on center. The applicant and neighbors expect the new metal structure to adequately reduce the noise generated by the recycling operation. The applicant's representative also indicated the operations pertaining to the primary cause of the noise had been modified. Staff was recommending that UN-76-08 be approved with the deletion of Condition No. 9 and that Condition Nos. 10, 11 and 12 be replaced with the following conditions: "10. In order for the applicant's civil improvement plans to be accepted by the City, the applicant agrees that it shall provide a minimum of forty (40) parking spaces, at least twenty (20) of which shall be on-site. The remaining spaces may be satisfied by an off-site parking agreement. It is understood that the applicant is negotiating with the City of North Las Vegas for an off-site joint-use parking agreement, that among its provisions would require an alternate parking location to be confirmed within one-hundred twenty (120) days of its receipt of a written notice of termination; 11. Driveway design is subject to approval by the City Traffic Engineer; 12. Upon the execution of the joint parking agreement or identification of the alternative off-site parking described in Condition #1 above, "no parking" signs may be installed on Commerce Street along the property's frontage." 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. That UN-76-08 is site-specific and non-transferable.
3. The proposed roof canopy must be flush-mounted to the 16-foot wall with no gap between the two elements.

4. The decorative “metal color panels with aluminum trim” (identified on the submitted elevations) shall be provided along the entire 16-foot wall at 20 feet on-centers.
5. The existing CMU block wall shall be painted to match the new metal structure.
6. The design of the new 16-foot structure is allowed to match the existing metal building on the site, with the exceptions listed herein.
7. Shrubs shall be added to the existing landscape areas along Commerce Street such that the overall plant types, sizes and quantities shall provide a minimum 80% coverage within two years of final inspection. Landscape and irrigation plans shall be included as part of the building permit application packet for the new structure and/or the re-location of the scales.
8. The Building Safety Division’s final inspection of the new structure shall not take place until after the Planning & Zoning Department has reviewed and approved the installation of all required landscaping and irrigation.
9. Existing masonry screen wall might not be sufficient to support proposed canopy. Complete structural analysis and design to check adequacy of the existing block screen wall due to additional lateral and vertical loads from canopy need to be submitted during permit submittal process at the Building Safety Division.
10. A parking study must be submitted for review/approval.
11. An auto turn analysis must be submitted which demonstrates that a WB-50 vehicle can maneuver into the proposed driveway.
12. Drive aisle between scale and parking must be a minimum of 20' wide.

Mindy Wadkins, 3062 Via Del Corso Court, Henderson, NV 89052 appeared on behalf of the applicant indicating she concurred with Staff recommendation.

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

- **Carrie Thomas, 305 Rossmoyne Avenue, North Las Vegas, NV 89030** indicated she had worked with the applicant and appreciated his efforts in working with the community. She also was concerned about what was going on with Kyle Ranch.

Chairman Carvalho closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NO. 9 AND CONDITION NOS. 10, 11 AND 12 REPLACED WITH THE FOLLOWING CONDITIONS:

10. IN ORDER FOR THE APPLICANT'S CIVIL IMPROVEMENT PLANS TO BE ACCEPTED BY THE CITY, THE APPLICANT AGREES THAT IT SHALL PROVIDE A MINIMUM OF FORTY (40) PARKING SPACES, AT LEAST TWENTY (20) OF WHICH SHALL BE ON-SITE. THE REMAINING SPACES MAY BE SATISFIED BY AN OFF-SITE PARKING AGREEMENT. IT IS UNDERSTOOD THAT THE APPLICANT IS NEGOTIATING WITH THE CITY OF NORTH LAS VEGAS FOR AN OFF-SITE JOINT-USE PARKING AGREEMENT, THAT AMONG ITS PROVISIONS WOULD REQUIRE AN ALTERNATE PARKING LOCATION TO BE CONFIRMED WITHIN ONE-HUNDRED TWENTY (120) DAYS OF ITS RECEIPT OF A WRITTEN NOTICE OF TERMINATION.
11. DRIVEWAY DESIGN IS SUBJECT TO APPROVAL BY THE CITY TRAFFIC ENGINEER
12. UPON THE EXECUTION OF THE JOINT PARKING AGREEMENT OR IDENTIFICATION OF THE ALTERNATIVE OFF-SITE PARKING DESCRIBED IN CONDITION #1 ABOVE, "NO PARKING" SIGNS MAY BE INSTALLED ON COMMERCE STREET ALONG THE PROPERTY'S FRONTAGE.

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: None

9. UN-78-08 (36189) ESTES ROOM ADDITION (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SAINT LOUIS ESTES VI, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT TO ALLOW A SINGLE-FAMILY DWELLING. THE PROPERTY IS LOCATED AT 2516 STATZ STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-13-410-199.

The application was presented by Mary Aldava, Senior Planner who explained the applicant was proposing a 592 square foot expansion to an existing home which was 576 square feet. The home was constructed in 1957. Staff was not recommending the applicant comply with all current code requirements; however, Staff was recommending, to lessen the non-comformity status of the home, that all parking areas be paved with asphalt or concrete, the existing home and expansion be stuccoed, and drought tolerant landscaping be provided in the front yard in compliance with the Single-family Design Standards. Staff was recommending approval of UN-78-08 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. The proposed porch and the entire facade of the existing and proposed building must be made of stucco.
3. A minimum of one 24 inch box (minimum 1 ½ inch caliper) tree must be planted between the sidewalk and front of each house at the time of installation. Front yard landscaping of desert or xeriscape type with a minimum of one, five gallon, bush for every 50 square feet of non-turf front yard area must be provided.
4. All parking and driving surfaces must be paved in asphalt or concrete.
5. Lot must maintain FHA type A drainage.

Skip Kerr, RP Construction Services LLC, 2881 South Valley View #16, Las Vegas, NV 89102 appeared on behalf of the applicant asking for Public Works recommendation on Condition No. 5.

Chairman Angelo Carvalho opened the Public Hearing. There was one card submitted in error from **Victoria Varsolona, 6104 Ozark Hike Street, North Las Vegas, NV 89031.**

Chairman Carvalho closed the Public Hearing.

Commissioner Jay Aston asked the applicant if he was looking for information on Condition No. 5.

Mr. Kerr responded, he thought Public Works would be commenting on Condition No. 5.

Jennifer Doody of Public Works stated, due to the plan they had, they could not tell what was built and how the lot drained, and suggested the wording, "or as otherwise approved by the Director of Public Works" be added to the end of Condition No. 5, to give the applicant an opportunity to supply more detail about the drainage on the lot.

Mr. Kerr agreed to the amendment to Condition No. 5.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
CONDITION NO. 5 AMENDED TO READ:

5. LOT MUST MAINTAIN FHA TYPE A DRAINAGE, OR AS OTHERWISE APPROVED BY THE DIRECTOR OF PUBLIC WORKS.

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 12 was heard next.

10. **UN-74-08 (36048) PROJECT #1554 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CLARK COUNTY SCHOOL DISTRICT ON BEHALF OF NOVEMBER 2005 LAND INVESTORS LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN MPC-PSP, MASTER PLANNED COMMUNITY-PUBLIC/SEMI-PUBLIC DISTRICT TO ALLOW A SCHOOL. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF AVIARY WAY AND VIRAGE PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-18-610-001.**

It was requested by the applicant to continue UN-74-08 to September 24, 2008.

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

Chairman Carvalho indicated the Public Hearing would remain open.

ACTION: CONTINUED TO SEPTEMBER 24, 2008

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

11. **ZN-23-08 (36191) CRAIG SELF STORAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CRAIG SELF STORAGE LLC, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM A PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED SOUTH OF CRAIG ROAD AND APPROXIMATELY 1,000 FEET WEST OF ALLEN LANE. THE ASSESSOR'S PARCEL NUMBER IS 139-06-701-006.**

It was requested by the applicant to continue ZN-23-08 to August 27, 2008.

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

Chairman Carvalho indicated the Public Hearing would remain open.

ACTION: CONTINUED TO AUGUST 27, 2008

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Shull

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

NAYS: None

ABSTAIN: None

Item No. 16 was heard next.

12. **ZOA-09-08 (36029) CENTENNIAL CONDOMINIUMS (PUBLIC HEARING). AN ORDINANCE AMENDMENT INITIATED BY OVATION-AGT JV LLC, TO AMEND TITLE 17 (ZONING ORDINANCE), SECTIONS 17.20.060 (R-2, TWO-FAMILY RESIDENTIAL DISTRICT), 17.20.070 (R-3, MULTI-FAMILY RESIDENTIAL DISTRICT), 17.20.080 (R-4, HIGH DENSITY RESIDENTIAL DISTRICT) AND 17.20.160 (PUD, PLANNED UNIT DEVELOPMENT DISTRICT), TO ADD "ACCESSORY CONVENIENCE USE" AS A SPECIAL USE; AND TO PROVIDE FOR OTHER MATTERS PROPERLY RELATED THERETO.**

The application was presented by Robert Eastman, Principal Planner who explained the uses would allow convenience commercial items and accessory convenience services for the residents of multi-family developments. The applicant used language that was currently in existence in Clark County's Title 30 and adapted it to the City of North Las Vegas. From Staff perspective, the City of North Las Vegas uses Planned Unit Developments different than the County and felt that allowing accessory uses automatically by right in a PUD was not appropriate and should be negotiated during the PUD process as was currently done; however, Staff does not have a problem allowing accessory commercial activity into the multi-family residential areas. Staff was also requesting that certain conditions for the special use be added to the Code, therefore, was recommending approval of ZOA-09-08 and that it be forwarded to City Council with the following recommended amendments:

Text to be added to Section:

17.12.020 Definitions.

"Use, Accessory Convenience" means commercial uses which are established specifically for the convenience of and exclusive access by residents living within an approved recreational vehicle park, multi-family development, or multi-family portion of an overall larger development. Accessory convenience uses may include, but are not limited to, food and miscellaneous household product sales, sundries, barber shop, beauty parlor, snack bars, video rental, and daycare centers, but do not include the sale of beer, wine, liquor, or tobacco, nor any type of gaming or massage establishment (even when incidental to a beauty parlor). In those instances where a requested use is not listed above, the Planning and Zoning Director, or his / her designee, shall determine whether the requested use meets the purpose and intent of an accessory convenience use and is similar to other uses mentioned above.

Text to be added:

Accessory Convenience Uses, subject to Section 17.24.020.C.24

to Sections:

- 17.20.060.C (Two-Family Residential District, R-2),
- 17.20.070.C (Multi-Family Residential District, R-3),
- 17.20.080.C (High Density Residential District, R-4)

Text to be added to Section:

17.24.020 Conditions for Special Uses

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:

C. Conditions for Specific Special Uses.

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24. Accessory Convenience Uses.

- a. The use shall be designed to be accessory to and integrated into the development. The use shall be generally located within the center of the development with convenient access by all residents. It is intended that the site be designed and that the use be located to accommodate pedestrians only. The use shall not be exposed to or visible from surrounding properties or rights-of-way.
- b. A maximum 600 square feet may be allocated for the use within a development approved for up to 200 dwelling units. An additional 600 square feet is allowed for each additional 200 units. Under no circumstance shall the use exceed 1,800 square feet per development.
- c. Signs of any type advertising the use, products and/or services shall be prohibited.
- d. Outdoor display of any products or services shall be prohibited.
- e. All activities associated with the use shall take place within the building.
- f. The use may not occupy any area that is necessary for the development to comply with the open space requirements. The applicant shall provide graphic illustrations, as deemed necessary by staff, to demonstrate compliance.

- g. The use shall be managed and operated by the Homeowners' Association or the management company overseeing the property.
- h. Additional exterior lighting shall be prohibited.
- l. The hours of operation and deliveries shall be between 6:00 am and 10:00 pm.
- j. The approved parking plan and site design shall not be disrupted by the use. No parking spaces shall be specifically allocated to the use.
- k. A business license shall only be issued after a minimum 100 units have been occupied. The applicant shall provide necessary documentation to verify such at the time of business license application.
- l. When the use is identified as a daycare center, it shall only provide services to residents and employees of the development and shall not be open to the general public.
- m. The sales of beer, wine, liquor, tobacco, spray or liquid paint, auto supplies or accessories, pets or animals, and appliances shall be prohibited. Any uses that include preparing food items, puncturing of the skin, and emitting noise or odors shall be prohibited. Any type of gaming or massage establishment shall be prohibited.

Stephanie Allen 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 Angelo Carvalho opened the Public Hearing. The following participant came forward:

- **Tom Pennington, 1929 Camino Mirada, North Las Vegas, NV 9031** was opposed to the proposed amendment to Title 17, as the wording was too broad and could be interpreted to mean and apply to different uses. It was a dangerous application and could be used to destroy the neighborhoods and should be narrowed for its intended purpose. It should be on the record that it was to be used for a specific purpose and not to be interpreted or expanded, or used for any other purposes in the future. He noticed that PUD's were not part of the amendments and asked if it did not apply to PUD's

Mr. Eastman explained Staff's recommendation was to not allow them in PUD's and that a PUD would have to be negotiated separately.

Chairman Carvalho closed the Public Hearing.

Ms. Allen explained the proposed language and purpose of the ordinance was solely for the convenience of residents and multi-family developments. She was agreeable to making those type of requests separately and individually with PUD developments. The language and conditions imposed by Staff very narrowly tailors it to specific uses, specific hours of operation and was for the purpose of the convenience of the residents that live within the communities.

Chairman Carvalho asked if alcohol or tobacco would be allowed. Ms. Allen responded there would be no alcohol or tobacco allowed.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL
CONSIDERATION

MOTION: Vice-Chairman Shull

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: None

13. **T-1257 (36019) ANN-LOSEE 45 #4. AN APPLICATION SUBMITTED BY PARDEE HOMES OF NEVADA, PROPERTY OWNER, FOR APPROVAL OF AN EXTENSION OF TIME FOR A PREVIOUSLY APPROVED TENTATIVE MAP IN A PUD, PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 57 SINGLE-FAMILY LOTS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF HAMMER LANE AND LAWRENCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-35-501-011.**

The application was presented by Robert Eastman, Principal Planner who explained the tentative map was originally approved in 2006. The applicant was in compliance with the current zoning ordinance and the tentative map had not changed; therefore, Staff was recommending a one year extension of time for T-1257 subject to the following conditions:

1. The extension of time shall expire on June 14, 2009.
2. Shall comply with Ordinance 2290 (ZN-35-06).

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.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

14. **T-1258 (36020) ANN-LOSEE 45 #3. AN APPLICATION SUBMITTED BY PARDEE HOMES OF NEVADA, PROPERTY OWNER, FOR AN EXTENSION OF TIME FOR A PREVIOUSLY APPROVED TENTATIVE MAP IN A PUD, PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 37 SINGLE-FAMILY LOTS. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF ANN ROAD AND LAWRENCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-35-501-002.**

The application was presented by Robert Eastman, Principal Planner who explained the tentative map was originally approved in June, 2006 and the applicant was in compliance with the zoning ordinance; therefore, Staff was recommending approval for a one year extension of time for T-1258 subject to the following conditions:

1. The extension of time shall expire on June 14, 2009.
2. Shall comply with Ordinance 2291 (ZN-36-06).

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.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

15. FDP-04-07 (36192) COLONIAL GRAND AZURE. AN APPLICATION SUBMITTED BY COLONIAL REALTY LP, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED FINAL DEVELOPMENT PLAN IN A PUD, PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF A 188-UNIT MULTI-FAMILY DEVELOPMENT. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF LAMB BOULEVARD AND AZURE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 123-30-601-013.

The application was presented by Robert Eastman, Principal Planner who explained the application was for 188 multi-family units, specifically, in this instance, apartments, and was a reduction from 206 units and was consistent with the previously approved PUD. The Fire Department had some concerns regarding access, since the commercial section had not yet been developed; however, they have amended their conditions and Staff was recommending approval of FDP-04-07 with Condition No. 6 amended to read: "An ingress/egress easement for emergency access from Lamb Boulevard shall be provided to the satisfaction of the Fire Department. The easement shall be recorded prior to the submittal of civil improvement plans. 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. The development shall comply with all applicable conditions of approval for ZN-05-06.
3. Fire access lanes are to be located within 150 feet of all ground floor exterior walls in accordance with the Fire Code.
4. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.
5. Fire access lanes shall be marked to prohibit parking in accordance with the fire code.
6. A second point of access into the residential development from Azure Drive is required. An ingress/egress easement for emergency access from Lamb Boulevard shall be provided to the satisfaction of the Fire Department. The easement shall be recorded prior to the submittal of civil improvement plans.

George Garcia 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 except for Condition No. 6, which stated the easement must be in before the civil improvement plans were submitted, and pointed out the plans had already been submitted.

Mike Steele of the Fire Department indicated the wording could be changed to read: “before approval of the civil improvement plans”.

Mr. Eastman suggested the last sentence of Condition No. 6 be amended to read: “The easement shall be recorded prior to the approval of the civil improvement plans”.

Mr. Garcia agreed to the amendment to Condition No. 6.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
CONDITIONS NO. 6 AMENDED TO READ:

6. AN INGRESS/EGRESS EASEMENT FOR EMERGENCY ACCESS FROM LAMB BOULEVARD SHALL BE PROVIDED TO THE SATISFACTION OF THE FIRE DEPARTMENT. THE EASEMENT SHALL BE RECORDED PRIOR TO THE APPROVAL OF THE CIVIL IMPROVEMENT PLANS.

MOTION: Vice-Chairman Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 22 was heard next.

OLD BUSINESS

16. **AMP-08-08 (35792) LOSEE STATION RESORT & CASINO (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LOSEE ELKHORN PROPERTIES LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS TO INCREASE SEVERENCE LANE BETWEEN LOSEE ROAD AND STATZ STREET FROM A 60-FOOT RIGHT-OF-WAY TO AN 80-FOOT RIGHT-OF-WAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-13-401-001, 124-13-401-002, 124-13-401-005, 124-13-401-006, 124-13-401-007 AND 124-13-401-008. (CONTINUED JULY 9, 2008)**

It was requested by the applicant to continue AMP-08-08 to December 10, 2008.

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

Chairman Carvalho indicated the Public Hearing would remain open.

ACTION: CONTINUED TO DECEMBER 10, 2008

MOTION: Commissioner Aston

SECOND: Vice-Chairman Shull

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

NAYS: None

ABSTAIN: None

17. **VAC-07-08 (35796) LOSEE STATION RESORT & CASINO (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LOSEE ELKHORN PROPERTIES LLC, PROPERTY OWNER, TO VACATE ELKHORN ROAD BETWEEN LOSEE ROAD AND STATZ STREET; AND TO VACATE BERG STREET BETWEEN SEVERENCE LANE AND ELKHORN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-13-401-001, 124-13-401-002, 124-13-401-005, 124-13-401-006, 124-13-401-007 AND 124-13-401-008. (CONTINUED JULY 9, 2008)**

It was requested by the applicant to continue VAC-07-08 to December 10, 2008.

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

Chairman Carvalho indicated the Public Hearing would remain open.

ACTION: CONTINUED TO DECEMBER 10, 2008

MOTION: Commissioner Aston

SECOND: Vice-Chairman Shull

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

NAYS: None

ABSTAIN: None

18. **AMP-07-08 (35791) LOSEE STATION RESORT & CASINO (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LOSEE ELKHORN PROPERTIES LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MIXED-USE NEIGHBORHOOD TO RESORT COMMERCIAL. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF STATZ STREET AND SEVERENCE LANE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-13-401-001, 124-13-401-002, 124-13-401-005 THROUGH 124-13-401-008. (CONTINUED JULY 9, 2008)**

It was requested by the applicant to continue AMP-07-08 to December 10, 2008.

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

Chairman Carvalho indicated the Public Hearing would remain open.

ACTION: CONTINUED TO DECEMBER 10, 2008

MOTION: Commissioner Aston

SECOND: Vice-Chairman Shull

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

NAYS: None

ABSTAIN: None

19. **ZN-20-08 (35795) LOSEE STATION RESORT & CASINO (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LOSEE ELKHORN PROPERTIES LLC, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM AN R-E, RANCH ESTATES DISTRICT TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF A CASINO/HOTEL. THIS PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF STATZ STREET AND SEVERENCE LANE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-13-401-001, 124-13-401-002, 124-13-401-005 THROUGH 124-13-401-008. (CONTINUED JULY 9, 2008)**

It was requested by the applicant to continue ZN-20-08 to December 10, 2008.

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

Chairman Carvalho indicated the Public Hearing would remain open.

ACTION: CONTINUED TO DECEMBER 10, 2008

MOTION: Commissioner Aston

SECOND: Vice-Chairman Shull

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

NAYS: None

ABSTAIN: None

20. **GED-03-08 (35793) LOSEE STATION RESORT & CASINO (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LOSEE ELKHORN PROPERTIES LLC, PROPERTY OWNER, FOR A PETITION TO ESTABLISH A GAMING ENTERPRISE DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF STATZ STREET AND SEVERENCE LANE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-13-401-001, 124-13-401-002, 124-13-401-005 THROUGH 124-13-401-008. (CONTINUED JULY 9, 2008)**

It was requested by the applicant to continue GED-03-08 to December 10, 2008.

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

Chairman Carvalho indicated the Public Hearing would remain open.

ACTION: CONTINUED TO DECEMBER 10, 2008

MOTION: Commissioner Aston

SECOND: Vice-Chairman Shull

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

NAYS: None

ABSTAIN: None

21. **UN-64-08 (35794) LOSEE STATION RESORT & CASINO (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LOSEE ELKHORN PROPERTIES LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN R-E, RANCH ESTATES DISTRICT (PROPOSED PUD, PLANNED UNIT DEVELOPMENT DISTRICT) TO ALLOW A CASINO/HOTEL. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF STATZ STREET AND SEVERENCE LANE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-13-401-001, 124-13-401-002, 124-13-401-005 THROUGH 124-13-401-008. (CONTINUED JULY 9, 2008)**

It was requested by the applicant to continue UN-64-08 to December 10, 2008.

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

Chairman Carvalho indicated the Public Hearing would remain open.

ACTION: CONTINUED TO DECEMBER 10, 2008

MOTION: Commissioner Aston

SECOND: Vice-Chairman Shull

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

NAYS: None

ABSTAIN: None

Item No. 28 was heard next.

22. **UN-59-08 (35489) TURN-KEY TELECOM, LLC (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TURN-KEY TELECOM, LLC, ON BEHALF OF INTERNATIONAL SMELTING COMPANY, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN R-E, RANCH ESTATES DISTRICT TO ALLOW A 100-FOOT TOWER AND TELECOMMUNICATION FACILITY; AND TO ALLOW THE TOWER TO BE LOCATED 48 FEET NORTH AND 51 FEET EAST FROM A RESIDENTIAL ZONED PROPERTY WHERE 200 FEET IS THE MINIMUM REQUIRED. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF ELAINE STREET AND WITTIG AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 124-22-101-009. (CONTINUED JULY 23, 2008)**

The application was presented by Mary Aldava, Senior Planner who explained the property was undeveloped and zoned R-E, Ranch Estates. Staff was concerned with the location of the tower and the facility within a residential district. Staff believed the location of the tower was more suitable to parcels in the vicinity zoned C-1, Neighborhood Commercial or C-3, General Service Commercial and was recommending the applicant research other areas to locate the telecommunication tower, such as the northwest corner of Dorrell Lane and Commerce Street, as a use permit had previously been approved for a cell tower at that location, but had since expired. Staff was recommending that UN-59-08 be denied.

Tracy Kline, 8432 Justine Court, Las Vegas, NV 89128 appeared on behalf of the applicant indicating there had been several cell tower applications in the past four or five years in the vicinity of the proposed application and two prior applications were approved. He explained a previously approved tower was approved on the C-1 parcel to the south. It was proposed to be located on a parcel that would also have a storage facility and with market conditions being what they were, the storage facility was not built, so it was not feasible to go ahead with that tower and the use permit expired and the owners of that parcel were not interested in having a tower on the site. Another tower approved several years ago, was on a C-3 parcel and one of the conditions was to put in the off-sites, so it also was not built and that use permit expired. The owner of that property was approached and they were not interested in having a cell tower on their site. The applicant also sent letters to owners of property in the area but were unable to secure anything. Mr. Kline did not feel there were any set-back issues with the proposed parcel.

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

- **Tyrone Thompson, 117 Fox Crossing Avenue, North Las Vegas, NV 89084** did not think a cell tower was a good fit for the area and was opposed to the application.

Vice-Chairman Harry Shull asked Mr. Thompson to point out the location of his home and asked if it backed onto Dorrell Lane.

Mr. Thompson indicated his home was located one street north of Dorrell Lane.

Vice-Chairman Shull indicated Mr. Thompson's property appeared to be several hundred feet from the proposed tower.

Mr. Thompson pointed out his home was, but his development was not and he was speaking for the development and felt a cell tower would be a deterrent for new home buyers.

Vice-Chairman Shull asked the distance of the proposed tower to Commerce Street.

Marc Jordan, Planning Manager responded the tower would be located over 500 feet from the boundaries of the development where Mr. Thompson's home was located and explained the set-backs being referred to was to the property line.

Commissioner Jay Aston asked if cell towers had previously been allowed in a Ranch Estates District.

Mr. Jordan responded he was not sure.

Commissioner Aston asked if the most fundamental reason denial was being recommended, was due to the fact the proposed tower was in a Ranch Estates District.

Mr. Jordan explained part of the concerns were that it would be better located in commercial areas, where there would be commercial development that would wrap around it.

Commissioner Aston asked if there was a City ordinance against having cell towers in Ranch Estates Districts.

Mr. Jordan responded there was not; a special use permit would allow them to put the tower in a Ranch Estates District. He explained because it was Ranch Estates and there was a cell tower, it might dictate what could happen in a Ranch Estates area and that was taken into account.

Commissioner Aston stated it seemed like everything went into a Ranch Estates District, except ranch estates and was not in support of the application unless the zoning was changed.

Mr. Kline explained the tower at the Speedway exit was in an O-L zone and the rationale for approving it was because it was not in a residential area, but along I-215, so it was not unprecedented that cell towers had been considered.

Commissioner Jo Cato agreed with Commissioner Aston and also was not in support of the application and wanted to preserve the Ranch Estates District.

Chairman Carvalho understood the applicant's position but agreed with Staff that there were more suitable locations for a cell tower.

ACTION: DENIED

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

AYES: Chairman Carvalho, Commissioners Aston, Cato and Trivedi

NAYS: Vice-Chairman Shull and Commissioner Leavitt

ABSTAIN: None

23. **ZN-21-08 (35924) PROJECT HOTEL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LASER DEVELOPMENT ON BEHALF OF CASINO HOLDING GROUP LLC, ET AL, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN O-L, OPEN LAND DISTRICT TO A C-2, GENERAL COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND LINN LANE. THE ASSESSOR'S PARCEL NUMBERS ARE 123-28-501-005, 123-28-501-006, 123-28-501-007 AND 123-28-501-008. (CONTINUED JULY 23, 2008)**

Item Nos. 23, 24, and 25 were presented together.

The application was presented by Mary Aldava, Senior Planner who explained the applicant was proposing a hotel on the site and was requesting a vacation. Staff was in support of the reclassification. The vacation of Linn Lane, VAC-09-08, which the applicant has submitted a revision to the original application, which included Castleberry Lane; therefore, Staff was supporting the vacation. The applicant submitted a revised site plan for the use permit, UN-67-08, and addressed all of the Planning and Zoning Department's major concerns and issues. The applicant was proposing ten detached hotel structures with 544 guest rooms. Some of the buildings would be four stories in height, with a maximum building height of 52 feet. The applicant was proposing approximately 666 parking spaces which was in compliance with the parking standards. The applicant was also in compliance with the landscaping requirements and the materials and colors for the proposed buildings. The applicant also indicated they were not proposing any on-sale or off-sale of alcoholic beverages at the location. Staff would be recommending that UN-67-08 be continued as the Public Works Department was recommending that the applicant submit revised plans for the special use permit to incorporate changes to the throat depth requirements and the location of the driveway on Centennial Parkway.

Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89169 appeared on behalf of the applicant indicating he was in concurrence with Staff on ZN-21-08. He explained on VAC-09-08, they were initially requesting to vacate Castleberry Lane and Linn Lane and have removed the request to vacate Castleberry Lane. Regarding the special use permit, UN-67-08, they have worked with Staff to address issues. One issue was the throat depth and location of the driveway, which was located off of Centennial Parkway. He explained they had revised the plan, and moved the driveway and have the required throat depth, according to Clark County Standard Drawing 222. He stated there had not been a substantial change to the plan. The buildings have been moved down slightly to accommodate the change. The use permit goes to City Council for final consideration, so they asked to be allowed to move forward and the changes would be submitted before the application goes to City Council. Mr. Gronauer explained they worked with the National Guard and agreed to some conditions with them and had also been working with the Speedway and Auto Auction and both were in support of having more rooms in the general vicinity. He read the following conditions to be added: "38. The buildings facing Centennial Parkway shall not exceed

three (3) stories or forty-six (46) feet in building height. 39. There shall be 36" box trees planted at least twenty (20) feet on center along Centennial Parkway to provide a screen to neighboring properties. 40. The applicant shall sign a written notice declaring knowledge of the existence of the Nevada National Guard and its training activities, wherein the development may be subject to, but not limited to, noise, light, dust, laser emissions and odors created by military training and related activities. The notice shall be recorded against the property on a form approved by the Director of Planning and Zoning."

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

- **Major Clayton Chappell, Nevada National Guard, 2460 Fairview Drive, Carson City, NV 89701** indicated he had met with the developer and appreciate their willingness to work with them and acknowledge that they exist and know there may be potential impacts to their operation. He pointed out the National Guard has concerns with the proposed development being located adjacent to their property.

Chairman Carvalho closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Aston

SECOND: Vice-Chairman Shull

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

NAYS: None

ABSTAIN: None

24. **VAC-09-08 (35950) PROJECT HOTEL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LASER DEVELOPMENT ON BEHALF OF CASINO HOLDING GROUP LLC, ET AL, PROPERTY OWNER, TO VACATE A PORTION OF CASTLEBERRY LANE BETWEEN CENTENNIAL PARKWAY AND I-15; AND A PORTION OF LINN LANE BETWEEN CENTENNIAL PARKWAY AND I-15. THE ASSESSOR'S PARCEL NUMBERS ARE 123-28-501-005, 123-28-501-006, 123-28-501-007 AND 123-28-501-008. (CONTINUED JULY 23, 2008)**

Item Nos. 23, 24, and 25 were presented together.

The following was is carried forward from Item No. 23:

The application was presented by Mary Aldava, Senior Planner who explained the applicant was proposing a hotel on the site and was requesting a vacation. Staff was in support of the reclassification. The vacation of Linn Lane, VAC-09-08, which the applicant has submitted a revision to the original application, which included Castleberry Lane; therefore, Staff was supporting the vacation. The applicant submitted a revised site plan for the use permit, UN-67-08, and addressed all of the Planning and Zoning Department's major concerns and issues. The applicant was proposing ten detached hotel structures with 544 guest rooms. Some of the buildings would be four stories in height, with a maximum building height of 52 feet. The applicant was proposing approximately 666 parking spaces which was in compliance with the parking standards. The applicant was also in compliance with the landscaping requirements and the materials and colors for the proposed buildings. The applicant also indicated they were not proposing any on-sale or off-sale of alcoholic beverages at the location. Staff would be recommending that UN-67-08 be continued as the Public Works Department was recommending that the applicant submit revised plans for the special use permit to incorporate changes to the throat depth requirements and the location of the driveway on Centennial Parkway.

Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89169 appeared on behalf of the applicant indicating he was in concurrence with Staff on ZN-21-08. He explained on VAC-09-08, they were initially requesting to vacate Castleberry Lane and Linn Lane and have removed the request to vacate Castleberry Lane. Regarding the special use permit, UN-67-08, they have worked with Staff to address issues. One issue was the throat depth and location of the driveway, which was located off of Centennial Parkway. He explained they had revised the plan, and moved the driveway and have the required throat depth, according to Clark County Standard Drawing 222. He stated there had not been a substantial change to the plan. The buildings have been moved down slightly to accommodate the change. The use permit goes to City Council for final consideration, so they asked to be allowed to move forward and the changes would be submitted before the application goes to City Council. Mr. Gronauer explained they worked with the National Guard and agreed to some conditions with them and had also been working with the Speedway and Auto Auction and

both were in support of having more rooms in the general vicinity. He read the following conditions to be added: "38. The buildings facing Centennial Parkway shall not exceed three (3) stories or forty-six (46) feet in building height. 39. There shall be 36" box trees planted at least twenty (20) feet on center along Centennial Parkway to provide a screen to neighboring properties. 40. The applicant shall sign a written notice declaring knowledge of the existence of the Nevada National Guard and its training activities, wherein the development may be subject to, but not limited to, noise, light, dust, laser emissions and odors created by military training and related activities. The notice shall be recorded against the property on a form approved by the Director of Planning and Zoning."

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

- ***Major Clayton Chappell, Nevada National Guard, 2460 Fairview Drive, Carson City, NV 89701*** indicated he had met with the developer and appreciate their willingness to work with them and acknowledge that they exist and know there may be potential impacts to their operation. He pointed out the National Guard has concerns with the proposed development being located adjacent to their property.

Chairman Carvalho closed the Public Hearing.

Staff was recommending approval of VAC-09-08 subject to the following conditions:

1. An emergency access easement, designed to the satisfaction of the Fire Department, shall record concurrently with the vacation.
2. Developer shall provide a thirty (30) foot utility easement for water and/or sewer in Linn Lane.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS;
FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

25. **UN-67-08 (35947) PROJECT HOTEL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LASER DEVELOPMENT ON BEHALF OF CASINO HOLDING GROUP LLC, ET AL, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN O-L, OPEN LAND DISTRICT (PROPOSED C-2, GENERAL COMMERCIAL DISTRICT) TO ALLOW A HOTEL. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND LINN LANE. THE ASSESSOR'S PARCEL NUMBERS ARE 123-28-501-005, 123-28-501-006, 123-28-501-007 AND 123-28-501-008. (CONTINUED JULY 23, 2008)**

Item Nos. 23, 24, and 25 were presented together.

The following was carried forward from Item No. 23:

The application was presented by Mary Aldava, Senior Planner who explained the applicant was proposing a hotel on the site and was requesting a vacation. Staff was in support of the reclassification. The vacation of Linn Lane, VAC-09-08, which the applicant has submitted a revision to the original application, which included Castleberry Lane; therefore, Staff was supporting the vacation. The applicant submitted a revised site plan for the use permit, UN-67-08, and addressed all of the Planning and Zoning Department's major concerns and issues. The applicant was proposing ten detached hotel structures with 544 guest rooms. Some of the buildings would be four stories in height, with a maximum building height of 52 feet. The applicant was proposing approximately 666 parking spaces which was in compliance with the parking standards. The applicant was also in compliance with the landscaping requirements and the materials and colors for the proposed buildings. The applicant also indicated they were not proposing any on-sale or off-sale of alcoholic beverages at the location. Staff would be recommending that UN-67-08 be continued as the Public Works Department was recommending that the applicant submit revised plans for the special use permit to incorporate changes to the throat depth requirements and the location of the driveway on Centennial Parkway.

Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89169 appeared on behalf of the applicant indicating he was in concurrence with Staff on ZN-21-08. He explained on VAC-09-08, they were initially requesting to vacate Castleberry Lane and Linn Lane and have removed the request to vacate Castleberry Lane. Regarding the special use permit, UN-67-08, they have worked with Staff to address issues. One issue was the throat depth and location of the driveway, which was located off of Centennial Parkway. He explained they had revised the plan, and moved the driveway and have the required throat depth, according to Clark County Standard Drawing 222. He stated there had not been a substantial change to the plan. The buildings have been moved down slightly to accommodate the change. The use permit goes to City Council for final consideration, so they asked to be allowed to move forward and the changes would be submitted before the application goes to City Council. Mr. Gronauer explained they worked with the National Guard and agreed to some

conditions with them and had also been working with the Speedway and Auto Auction and both were in support of having more rooms in the general vicinity. He read the following conditions to be added: "38. The buildings facing Centennial Parkway shall not exceed three (3) stories or forty-six (46) feet in building height. 39. There shall be 36" box trees planted at least twenty (20) feet on center along Centennial Parkway to provide a screen to neighboring properties. 40. The applicant shall sign a written notice declaring knowledge of the existence of the Nevada National Guard and its training activities, wherein the development may be subject to, but not limited to, noise, light, dust, laser emissions and odors created by military training and related activities. The notice shall be recorded against the property on a form approved by the Director of Planning and Zoning."

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

- **Major Clayton Chappell, Nevada National Guard, 2460 Fairview Drive, Carson City, NV 89701** *indicated he had met with the developer and appreciate their willingness to work with them and acknowledge that they exist and know there may be potential impacts to their operation. He pointed out the National Guard has concerns with the proposed development being located adjacent to their property.*

Chairman Carvalho closed the Public Hearing.

Staff was recommending UN-67-08 be continued. Should the Commission determine approval was warranted, the following conditions were recommended:

1. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. That UN-67-08 is site specific and non transferrable.
3. That UN-67-08 shall be null and void if ZN-21-08 and VAC-09-08 are not approved by the City Council.
4. That the proposed development shall comply with all Commercial Design Standards and Guidelines contained within Title 17.24.200.
5. That extended stay accommodations and rates shall be prohibited.
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. Nevada Department of Transportation (NDOT) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
9. North Belt Road shall be changed to Centennial Parkway.
10. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Centennial Parkway.
11. Centennial Parkway (North Belt Road on the site plan) is an offset alignment that will require an additional ten-foot (10.0') dedication along the northerly property line.
12. The property owner is required to acquire roadway easements or right-of-way dedications to provide 32' of paved access from this site to two existing public paved roads.
13. 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. 100' on Centennial Parkway
 - b. Castleberry Lane
 - c. associated spandrels
14. Public streets shall be constructed to terminate in a circle or other turning pattern (cul-de-sac) which provides for an adequate turning area for vehicular traffic at its terminus, in accordance with the Clark County Area Standard Drawings.
15. The property owner shall construct full street improvements for Centennial Parkway along the frontage of the site.
16. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
17. Castleberry Lane shall be constructed with a nine foot (9') overpave.
18. The developer is required to construct a raised median within Centennial Parkway. The median shall be constructed per *Clark County Area Uniform Standard Drawing* numbers 218 and 219 "A" type island curb.
19. Median landscape and irrigation plans must be submitted to the Parks Department for the landscaping required within the Centennial Parkway median. The developer's landscape architect should contact John Jones, Landscape Architect with the Parks and recreation Department at 633-1611, for landscaping requirements prior to designing the landscape plan(s) for the median. Final approval of the civil improvement plans will not be acquired prior to Parks approval of the landscaping plans.

20. 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.
21. 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.
22. 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.
23. The property owner is required to grant a roadway easement for commercial driveway(s).
24. The property owner is required to sign a restrictive covenant for utilities.
25. 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.
26. A revocable encroachment permit for landscaping within the public right of way is required.
27. 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.
28. 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.
29. 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.
30. All off-site improvements must be completed prior to final inspection of the first building.
31. Fire access lanes shall be designed per the Fire Code.

32. Fire access lanes shall be marked to prohibit parking per the Fire Code.
33. The sanitary sewer for the subject project shall be routed south on Sloan Lane and connect into the existing Clark County sanitary sewer, unless otherwise directed by the Director of Utilities.
34. 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.
35. The trash enclosure gate shall be hung approximately 8" from the ground to allow for visibility into the enclosure area.
36. There shall be a directory sign posted at the entrance, and way finding signs throughout the property.
37. Due to the fact that there are multiple buildings spread throughout the property, security lighting and cameras shall be required.

Commissioner Jay Aston asked if the application was approved, if the Commission would still have an opportunity to review the site plan through a site plan review.

Marc Jordan, Planning Manager explained the site plan was being reviewed with the use permit. The applicant would not be required to come back for a site plan review.

Commissioner Aston asked if that was the reason Staff was recommending continuance.

Jennifer Doody of Public Works explained the continuance was to ensure the site would meet the criteria for the driveway and throat depth, and it appeared doing that would modify the site design. There were conditions of approval the applicant would have to meet when the site was developed.

Commissioner Aston clarified if the application was approved, there were conditions in place to address Public Works concerns.

Mr. Gronauer explained the change to the site moved the driveway further to the west and the throat depth was added, which caused buildings to be shifted around but the perimeter landscaping was met.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITION IN REVISED MEMORANDUM DATED AUGUST 13, 2008 AND THE ADDITION OF CONDITION NOS. 38, 39, AND 40 TO READ:

38. THE BUILDINGS FACING CENTENNIAL PARKWAY SHALL NOT EXCEED THREE (3) STORIES OR FORTY-SIX (46) FEET IN BUILDING HEIGHT.
39. THERE SHALL BE 36" BOX TREES PLANTED AT LEAST TWENTY (20) FEET ON CENTER ALONG CENTENNIAL PARKWAY TO PROVIDE A SCREEN TO NEIGHBORING PROPERTIES.
40. THE APPLICANT SHALL SIGN A WRITTEN NOTICE DECLARING KNOWLEDGE OF THE EXISTENCE OF THE NEVADA NATIONAL GUARD AND ITS TRAINING ACTIVITIES, WHEREIN THE DEVELOPMENT MAY BE SUBJECT TO, BUT NOT LIMITED TO, NOISE, LIGHT, DUST LASER EMISSIONS AND ODORS CREATED BY MILITARY TRAINING AND RELATED ACTIVITIES. THE NOTICE SHALL BE RECORDED AGAINST THE PROPERTY ON A FORM APPROVED BY THE DIRECTOR OF PLANNING AND ZONING.

FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

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

26. **T-1324 (35949) 107 COMMERCE CENTER. AN APPLICATION SUBMITTED BY TANEY ENGINEERING ON BEHALF OF FLAMINGO PARADISE PARTNERS, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN M-2, GENERAL INDUSTRIAL DISTRICT FOR A ONE (1) LOT INDUSTRIAL SUBDIVISION CONSISTING OF APPROXIMATELY 110.79 ACRES. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF ANN ROAD AND SLOAN LANE. THE ASSESSOR'S PARCEL NUMBER IS 123-33-501-002. (CONTINUED JULY 23, 2008)**

The application was presented by Robert Eastman, Principal Planner who explained the property was newly annexed and was in conformance with the Comprehensive Plan and zoning ordinance; therefore, Staff was recommending approval of T-1324 subject to the conditions listed in the revised memorandum dated August 13, 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. That the development of this site be in compliance with the Industrial Development Standards.
3. A master transportation plan with modeling containing 20-year projections will be required prior to submittal of the civil improvement plans. At the request of the project engineer, the deferment of the traffic study is granted. It is noted that the deferment of the traffic study submittal may delay the start of construction for this project.
4. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Ann Road and Sloan Lane.
5. 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. Ann Road
 - b. Sloan Lane
6. Right-of-way **dedication and construction** of a **flared intersection**, including a right turn lane, is required at Ann Road and Sloan Lane per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1.
7. Right-of-way **dedication and construction** of a **CAT bus** turn-out is required on Sloan Lane south of Ann Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.

8. 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.
9. 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.
10. The property owner is required to grant a roadway easement for commercial driveways.
11. Approval of a drainage study is required prior to submittal of the civil improvement plans.
12. Size and location of all proposed drainage facilities and easements are to be determined in the Technical Drainage Study.
13. 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.
14. If during the course of the drainage study review, it is determined that the quantity, velocity or nature of flows entering Nellis Air Force Base property is altered due to the development of this parcel, concurrence from Nellis Air Force Base will be required prior to final approval of the associated civil improvement plans.
15. Dedication of 40-foot Ann Road ROW, south of the 50' of existing dedication.
16. 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.
17. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
18. 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.
19. 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.

20. All off-site improvements must be completed prior to final inspection of the first building.
21. All mapping shall be in compliance with Codes and Ordinances in effect at the time of building permit issuance.
22. The property owner is required to sign a restrictive covenant for utilities.
23. Two (2) means of 32' wide paved public access from the nearest paved public right-of-way to the site is required.
24. Provide a copy of the easement document for the roadway easement between the dedicated portion of Sloan Lane and Las Vegas Boulevard.
25. This application shall comply with the *City of North Las Vegas Municipal Code* and NRS 278. Conformance may require modifications to the site.
26. At the present time there are not any existing sewer utilities in the nearby area for this project. The construction of additional main line sewer connecting to existing accepted public sewer having capacity to serve this project will be required. Oversizing of the sewer main will be required in Sloan Lane.
27. The developer shall sign an 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).

Edgar Leon of Taney Engineering, 6030 South Jones Boulevard #100, Las Vegas, NV 89118 appeared on behalf of the applicant indicating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS IN REVISED MEMORANDUM DATED AUGUST 13, 2008

MOTION: Vice-Chairman Shull

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

27. T-1325 (35951) SLOAN AND ANN. AN APPLICATION SUBMITTED BY TANEY ENGINEERING ON BEHALF OF FLAMINGO PARADISE PARTNERS, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN M-2, GENERAL INDUSTRIAL DISTRICT FOR A ONE (1) LOT INDUSTRIAL SUBDIVISION CONSISTING OF APPROXIMATELY 35.17 ACRES. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND SLOAN LANE. THE ASSESSOR'S PARCEL NUMBER IS 123-28-801-002. (CONTINUED JULY 23, 2008)

The application was presented by Robert Eastman, Principal Planner who explained the site was located within the newly annexed property and was in conformance with the zoning ordinance and Comprehensive Plan. Staff was recommending approval of T-1325 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. That the development of this site be in compliance with the Industrial Development Standards.
3. Approval of a traffic study is required prior to submittal of the civil improvement plans. At the request of the project engineer, the deferment of the traffic study is granted. It is noted that the deferment of the traffic study submittal may delay the start of construction for this project.
4. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Ann Road, Sloan Lane and El Campo Grande Avenue.
5. 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. Ann Road
 - b. Sloan Lane
 - c. El Campo Grande
 - d. Linn Lane
6. Right-of-way **dedication and construction** of a **flared intersection**, including a right turn lane, is required at El Campo Grande Avenue & Sloan Lane and Sloan Lane & Ann Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1.

7. Right-of-way **dedication and construction** of a **CAT bus** turn-out is required on Sloan Lane near El Campo Grande Avenue per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
8. 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.
9. 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.
10. Approval of a drainage study is required prior to submittal of the civil improvement plans.
11. Size and location of all proposed drainage facilities and easements are to be determined in the Technical Drainage Study.
12. 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.
13. The existing 50-feet of dedicated ROW for Ann Road is north of the centerline. Therefore, vacation of the northerly 10-feet would be required.
14. The minimum width of overpave for a 60-foot ROW street is 9 feet.
15. Remove the street section thickness from the typical sections. The pavement sections will be determined by the Department of Public Works.
16. 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.
17. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
18. 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.
19. 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.

20. All off-site improvements must be completed prior to final inspection of the first building.
21. The property owner is required to grant a roadway easement for commercial driveways.
22. The property owner is required to sign a restrictive covenant for utilities.
23. All mapping shall be in compliance with Codes and Ordinances in effect at the time of building permit issuance.
24. Two (2) means of 32' wide paved public access from the nearest paved public right-of-way to the site is required.
25. This application shall comply with the City of North Las Vegas Municipal Code and NRS 278. Conformance may require modifications to the site.
26. At the present time there are not any existing sewer utilities in the nearby area for this project. The construction of additional main line sewer connecting to existing accepted public sewer having capacity to serve this project will be required. Oversizing of the sewer main at Las Vegas Boulevard will be required in Sloan Lane.
27. The developer shall sign an 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).

Edgar Leon of Taney Engineering, 6030 South Jones Boulevard #100, Las Vegas, NV 89118 appeared on behalf of the applicant indicating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Vice-Chairman Shull

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

Public Forum was heard next.

28. **SPR-14-08 (35635) ARCHITECTURAL PRECAST INC. AN APPLICATION SUBMITTED BY ARCHITECTURAL PRECAST INC., PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW 80,000 SQUARE FEET OF EXTERIOR STORAGE WITH WAIVERS FROM THE INDUSTRIAL DEVELOPMENT STANDARDS: 1) TO ELIMINATE THE REQUIRED 20-FOOT PERIMETER LANDSCAPE AREA ALONG INTERSTATE 15; 2) TO REDUCE THE REQUIRED 20-FOOT PERIMETER LANDSCAPE AREA ALONG ANN ROAD AND PUEBLA STREET TO A TEN (10) FOOT EARTH STRIP; 3) TO ELIMINATE REQUIRED LANDSCAPING IN PARKING ISLANDS. THE PROPERTY IS LOCATED AT 4630 EAST ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 123-29-401-014. (CONTINUED JUNE 25 AND JULY 23, 2008)**

It was requested by the applicant to continue SPR-14-08 to August 27, 2008.

ACTION: CONTINUED TO AUGUST 27, 2008

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

29. **WAV-02-08 (35633) ARCHITECTURAL PRECAST INC. AN APPLICATION SUBMITTED BY ARCHITECTURAL PRECAST INC., PROPERTY OWNER, FOR A WAIVER FROM TITLE 16 IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO WAIVE HALF STREET IMPROVEMENTS (CURB, GUTTER AND FIVE (5) FOOT SIDEWALK). THE PROPERTY IS LOCATED AT 4630 EAST ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 123-29-401-014. (CONTINUED JUNE 25 AND JULY 23, 2008)**

It was requested by the applicant to continue WAV-02-08 to August 27, 2008.

ACTION: CONTINUED TO AUGUST 27, 2008

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

Item No. 1 was heard next.

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

Planning and Zoning Director Frank Fiori stated the Commissioner would be contacted by a representative from Clarion & Associates, who was currently working on developing the overlay zone and the newly acquired Apex area. He encouraged the Commissioners to take the opportunity to provide their input as the development of the overlay district moved forward.

CHAIRMAN'S BUSINESS

Chairman Angelo Carvalho asked Staff to make sure someone contacted Ms. Thomas regarding Kyle Ranch.

Deputy City Attorney Nick Vaskov indicated he would contact Mike Henley, Parks & Rec Director to take care of contacting Ms. Thomas.

ADJOURNMENT

The meeting adjourned at 7:15 p.m.

APPROVED: September 10, 2008

/s/ Angelo Carvalho
Angelo Carvalho, Chairman

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