

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

September 24, 2008

BRIEFING: 5:35 P.M., Conference Room, North Las Vegas City Hall, 2200 Civic Center Drive

CALL TO ORDER: 6:01 P.M., Council Chambers, North Las Vegas City Hall, 2200 Civic Center Drive

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

STAFF PRESENT: Frank Fiori, Planning & Zoning Director
Marc Jordan, Planning Manager
Terence Capers, Planner
Sandra Morgan, Deputy City Attorney
Jennifer Doody, Development & Flood Control
Clete Kus, PW, Transportation Planner
Mike Steele, Fire Department
Jose Rodriguez, Police Department
Gina Luongo, Police Department
Carolyn Keller, Utilities Department
Jo Ann Lawrence, Recording Secretary

WELCOME: Chairman Angelo Carvalho

VERIFICATION: Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE: Vice-Chairman Harry Shull

PUBLIC FORUM

There was no public participation.

MINUTES

• **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING
OF AUGUST 27, 2008**

ACTION: APPROVED

MOTION: Vice-Chairman Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 8 was heard next.

Chairman Angelo Carvalho presented Commissioner Steve Brown with a plaque in appreciation of his service as Chairman of the Planning Commission for the period January 24, 2007 to June 25, 2008.

Item No. 1 was heard next.

NEW BUSINESS

1. **UN-88-08 (36652) KFC (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JEFF LOOKER ARCHITECT ON BEHALF OF PARK CENTRAL PLAZA 32 LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF ANN ROAD AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-25-312-003.**

The application was presented by Terence Capers, Planner who explained the proposed use was in a developing commercial center and the plan appeared to be appropriate and compatible with the Commercial Design Standards and should not create any negative impact on the proposed commercial center. Staff was recommending approval of UN-88-08 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 development of this site shall be in compliance with the Commercial Development Standards and Design Guidelines.
3. The site shall conform to the current parking requirements.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. 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.
6. Ann Road and Losee Road are no cut.
7. The driveway entrance on Losee Road shall conform to *Uniform Standard Drawings for Public Works Construction Off-Site Improvements* Drawing Number 222A for Throat Depth requirement.
8. Right-of-way **dedication and construction** of a Commercial driveway is required on Losee Road near Ann Road per the *Uniform Standard Drawings for Public Works Construction Off-Site Improvements* Drawing Numbers 234.3, 222A and 235.
9. The property owners are required to grand a roadway easement for commercial driveway(s).

10. A minimum of five stacking spaces shall be provided behind the "ordering box".
11. Comply with the previously approved conditions of SPR-50-05.
12. 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.
13. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
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 if they are relocated or adjusted.
15. 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.
16. All off-site improvements must be completed prior to final inspection of the first building.

Theresa Wolf, 5765 South Rainbow Boulevard, Las Vegas, NV 89118 appeared on behalf of the applicant indicating she concurred with staff recommendation and advised that the architect would resolve any site conditions with Staff.

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

MOTION: Vice-Chairman Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

2. **UN-98-08 (36710) CFT PYLON (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ULTRASIGNS ELECTRICAL ADVERTISING INC., ON BEHALF OF CFT DEVELOPMENTS LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW A 45-FOOT-HIGH FREESTANDING SIGN WHERE 18 FEET IS THE MAXIMUM HEIGHT ALLOWED. THE PROPERTY IS LOCATED AT 2220 EAST CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-02-613-021.**

The application was presented by Terence Capers who explained according to the site plan, the sign would be located at the most southeast portion of the site and have a 12 foot set-back from the front property line. The sign appeared to have a vacant space for a future tenant on the remaining undeveloped portion of the parcel. Due to the square footage of the business being less than 25 square feet, the subject site was only allowed an 18 foot high sign, which was based on the sign ordinance established in 2002. The sign was allowed 125 square feet of sign face and the proposed sign was 124 square feet. There was an existing monument sign located to the east of the site for Enterprise Rent a Car and two other businesses in the area share a monument sign that does not exceed the height of 18 feet. Staff believed that 45 feet in height exceeded the 18 foot maximum height allowed by the sign ordinance and that a monument sign would be sufficient for the site; therefore, was recommending denial of UN-98-08.

The applicant was not present for comment.

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

Chairman Carvalho closed the Public Hearing.

ACTION: DENIED

MOTION: Vice-Chairman Shull

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

3. **UN-94-06 (36707) L346 MLK & CAREY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY AT & T WIRELESS ON BEHALF OF CLARK COUNTY, PROPERTY OWNER, FOR AN EXTENSION OF TIME FOR A PREVIOUSLY APPROVED SPECIAL USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW AN 80-FOOT TELECOMMUNICATION TOWER AND FACILITY. THE PROPERTY IS LOCATED APPROXIMATELY 167 FEET EAST OF MARTIN LUTHER KING BOULEVARD AND SOUTH OF PONTIAC AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-16-801-005.**

The application was presented by Terence Capers, Planner who explained the telecommunications tower was previously approved on September 13, 2006. A few minor changes had been made, but the proposed site remained in compliance with the original conditions of approval. A waiver to reduce the minimum set-back from the property line with the residential zoning districts from 200 feet to 188 feet was approved in the previous use permit application. The site remains in the same location; therefore, Staff supports the waiver for the reduced set-back and staff was recommending approval of UN-94-06 subject to the following conditions with Condition No. 9 amended to read: "Improvement plans depicting the meter and backflow must be submitted and approved by the Utilities Department for the irrigation of the conditioned landscaping, unless otherwise not required by the Director of the Utilities Department." The original recommended conditions in the Staff Report 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 this special use permit is site-specific and non-transferable.
3. That the tower shall be a stealth monopalm design.
4. That the tower shall not exceed 80' in height.
5. That two (2) additional palm trees, minimum 20 feet in height, be planted in close proximity to the monopalm to camouflage the tower.
6. The enclosure shall be constructed with a block wall, decorative in nature. Enclosure shall have solid metal gates that slide rather than swinging gates.
7. The tower shall have a minimum 188 foot separation from residentially zoned property
8. The extension of time for this use permit shall expire on September 13, 2010.

9. Improvement plans, depicting the meter and backflow, must be submitted and approved by the Utilities Department for the irrigation of the conditioned landscaping.

Cheryl Thatcher appeared along with Jessica Wolf of King Communications, 771 Middlegate Road, Henderson, NV 89011 appeared on behalf of the applicant, indicating they concurred with Staff recommendation.

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

Chairman Carvalho closed the Public Hearing.

Commissioner Jo Cato asked the applicant what had transpired during the two years since the original approval of the use permit.

Ms. Thatcher explained the budget had been cut for the proposed site, but had since been re-budgeted and they were scheduled to begin construction in approximately two months and were currently coordinating with Clark County on the improvements being done to the parking lot in the area of the tower.

Commissioner Cato indicated she was opposed to the application.

Chairman Angelo Carvalho agreed with Commissioner Cato and was opposed to the application, as he felt it was located too close to residential property.

Ms Thatcher explained the tower would be a mono-palm and would agree to some restrictions on further extensions of time, as she was confident the tower would be built at this time.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
CONDITION NO. 9 AMENDED TO READ:**

9. IMPROVEMENT PLANS DEPICTING THE METER AND BACKFLOW MUST BE SUBMITTED AND APPROVED BY THE UTILITIES DEPARTMENT FOR THE IRRIGATION OF THE CONDITIONED LANDSCAPING, UNLESS OTHERWISE NOT REQUIRED BY THE DIRECTOR OF THE UTILITIES DEPARTMENT.

MOTION: Vice-Chairman Shull

SECOND: Commissioner Leavitt

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

NAYS: Chairman Carvalho, Commissioners Cato and Trivedi

ABSTAIN: None

4. **ZN-24-08 (36721) NEW CITY HALL & CIVIC PLAZA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE CITY OF NORTH LAS VEGAS, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM AN R-A/CHE, REDEVELOPMENT AREA CASINO/HOTEL/ENTERTAINMENT SUBDISTRICT TO AN R-A/PSP, REDEVELOPMENT AREA PUBLIC/SEMI-PUBLIC SUBDISTRICT. THIS PROPERTY IS LOCATED SOUTH OF NORTH LAS VEGAS BOULEVARD AND APPROXIMATELY 190 FEET WEST OF CIVIC CENTER DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-23-504-005.**

The application was presented by Marc Jordan, Planning Manager who explained the rezoning request was in compliance with the Downtown Master Plan and the Comprehensive Plan and Staff was recommending approval of ZN-24-08.

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

Chairman Carvalho closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Vice-Chairman Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

5. UN-89-08 (36679) PROJECT #1560 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE CLARK COUNTY SCHOOL DISTRICT ON BEHALF OF THE BUREAU OF LAND MANAGEMENT, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A PSP, PUBLIC/SEMI-PUBLIC DISTRICT TO ALLOW AN ELEMENTARY SCHOOL. THE PROPERTY IS LOCATED ON THE NORTH SIDE OF ROME BOULEVARD APPROXIMATELY 200 FEET EAST OF COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-22-701-001.

The application was presented by Marc Jordan, Planning Manager who explained Staff had a few concerns, one being that the perimeter landscaping would need to be increased by five feet along Rome Boulevard and there was a trash enclosure in a mechanical yard that was located approximately 30 feet from the westerly property line and Staff was recommending that it be relocated to the north or east to pull it away from the residential to the west so it would not be intrusive. The applicant met with Staff and indicated they had no objections. Staff asked that the bus loading area be relocated to the east but the applicant met with Staff and indicated they did not want to move it to the east side of the site because the bus area would be in conflict with the private passenger vehicles that were dropping kids off and some of the pedestrian access routes for the children and that was why it was located on the west side but indicated it could be moved over to meet a minimum setback of 60 feet, which Staff was supporting. Staff was recommending approval of UN-89-08 subject to the following conditions with Condition No. 5 amended to read: "That the bus parking/loading area shall maintain a minimum 60 foot setback from the western property line:"

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. The development shall comply with all of the Commercial Design Standards and Design Guidelines, including, but not limited to the following:
 - a. That a landscape buffer of 20 feet (minimum) shall be provided along the western property line.
 - b. That a landscape buffer of 25 feet (which may include a sidewalk) shall be provided along the outside of the fence adjacent to the southern property line.
 - c. That a landscape buffer consisting of 24" box trees 20 feet on center shall be provided along the western and southern property lines.
 - d. That a meandering sidewalk shall be provided along Rome Boulevard and shall maintain a minimum five-foot separation from the back-of-curb.
 - e. That a minimum 100 parking spaces shall be provided.
 - f. That landscaped islands, six (6) feet in width, shall be required at each end of all rows of parking and within each row for every 15 parking spaces contained within the row.

3. That this special use permit is site-specific and non-transferable.
4. If the baseball field is constructed in the location and configuration shown on the site plan, some form of physical barrier shall be constructed adjacent to the western and southern property lines to prevent baseballs, softballs and/or kickballs from leaving the school yard and encroaching into the adjacent residential development and/or public right-of-way.
5. That the bus parking/loading area be located east of the 100-space main parking lot.
6. The trash enclosure and mechanical yard shall be located to the east or north of the primary school building and shall maintain a minimum 100-foot setback from the residential zone boundary. Each structure shall have solid metal gates or doors, and roofs, and each structure shall match the primary structure in design, colors and materials.
7. No more than five portable classrooms shall be allowed without the approval of a new special use permit or re-consideration of this special use permit. The locations of the allowable five portable classrooms shall be in substantial compliance with the locations shown on the approved site plan.
8. Approval of a drainage study is required prior to submittal 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. Approval of a traffic study is required prior to submittal of the civil improvement plans.
11. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Deer Springs Way.
12. 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.
13. 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.

14. A secondary means of access to the site will be required. Temporary pavement shall be provided on Deer Springs Way or Rome Boulevard to the east up to North 5th Street per *Clark County Area Uniform Standard Drawing* number 209.
15. 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.
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. 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 if they are relocated or adjusted.
18. 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.
19. All off-site improvements must be completed prior to final inspection of the first building.
20. Fire access lanes shall be designed and located per the fire code.
21. Signs restricting parking shall be provided per the fire code.

Linda Perri, Clark County School District, 4212 Eucalyptus Avenue, Las Vegas, NV 89121 appeared along with Mark McGinty, architect. Ms. Perri indicated they had held a couple of neighborhood meetings, one of them being on August 8, 2008, with four people in attendance. They also met with the North Las Vegas Alliance and Homeowners Association Council and worked with them and City Staff regarding their concerns. She also pointed out Mr. McGinty had been working to alleviate some of Staff concerns and felt they had come to a good compromise and concurred with Staff recommendation.

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

- **Scott Sauer, 770 West Lone Mountain Road #2026, North Las Vegas, NV 89031** indicated he was not opposed to the school but suggested a condition stating none of the speakers for the bell system shall be on the western side pointing toward the

residential properties and the security cameras should be positioned so they did not view the adjacent residential yards. He also had concerns with the hurricane fencing, and felt they should meet the development guidelines and be required to use some other type of fencing, where it was visible to the public.

- **Richard Cherchio, 417 Horse Pointe, North Las Vegas, NV 89084**, president of The Parks Homeowners Association and the North Las Vegas Alliance of Homeowners, indicated he had met with two representatives of the School District on the 18th to go over questions and concerns. He agreed with Mr. Sauers' concerns regarding the speakers and security cameras and had concerns with traffic congestion.

Chairman Carvalho closed the Public Hearing.

Ms. Perri indicated they would work with the school on the speaker system and as far as the security camera, as long as it was not a safety concern for the children, they could check into situating the cameras so they did not overlook the residential properties.

Mr. McGinty added, in areas where the cameras were pointing at residential areas, if the residents had a problem, they asked the School District to borrow their cameras, so they were becoming a plus for the neighborhoods.

Commissioner Dilip Trivedi asked the applicant to point out the pick-up area for parents to pick up their children.

Mr. McGinty explained the Staff and School District were working together to identify parking issues. They had developed an interior private drive system where the School District could work with the parents, and had created areas where, instead of having the parents park on the public streets, there was parallel parking and directional streets on the inside of the site, going in a clockwise motion, so the parents could enter from Deer Springs, then park on the private drive, and then right only turn-out. The School District was addressing the concerns of the neighbors and Staff and had come up with a solution. When parents drop off their children on site, the school line was the 40 foot driveway and there would be a queuing line for approximately 25 vehicles at the front door to the school, which was due to the kindergarten classes being in that area. He explained, the bus out area was segregated so there would be no conflict between buses and children.

Commissioner Trivedi asked the width of the interior streets with the parallel parking.

Mr. McGinty responded the streets were 60 foot wide.

Vice-Chairman Harry Shull asked if a condition could be added to address the speaker system.

Mr. Jordan explained it would be difficult to add a condition regarding the speaker system and suggested the School District should work with the neighbors to position the speakers to be conducive to the residential properties.

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

5. THAT THE BUS PARKING/LOADING AREA SHALL MAINTAIN A
MINIMUM 60 FOOT SET-BACK FROM THE WESTERN PROPERTY
LINE.

FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Vice-Chairman Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

6. UN-96-05 (36706) CRAIG ROAD HOSPITALITY CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CAROL WALTERS ON BEHALF OF CRAIG PAD PARTNERS LLC, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO AMEND THE PERIMETER LANDSCAPE REQUIREMENT ALONG CRAIG ROAD FOR THE HOSPITALITY CENTER (HOTEL). THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF FREHNER ROAD AND CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-01-211-004.

The application was presented by Marc Jordan, Planning Manager who explained the applicant was requesting to allow five feet of perimeter landscaping next to Craig Road where 20 feet was normally required. The use permit was originally approved to allow two hotels on the site and construction had begun on one of them. Staff was recommending approval of UN-96-05 because at this time the overpass was being constructed on Craig Road and where the overpass touched down, would be more on the westerly side of the property on Craig Road and would be approximately three feet high. The retaining wall was for the overpass that would be three feet at the shortest point and there would be approximately 15 feet of dirt area that would be part of the right-of-way so the applicant was proposing five feet of landscaping on their property and had agreed that on the other 15 feet, they would obtain an encroachment permit from the City and landscape that area, so the City would still see approximately 20 feet of landscaping within that area. Condition No. 2.e was amended to read: "Five feet of landscaping shall be provided adjacent to Craig Road. Furthermore, an encroachment permit shall be obtained from the appropriate jurisdiction to landscape the area within the right-of-way between the property line and retaining wall for the Craig Road overpass. Landscaping shall be subject to Staff review and approval." 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 be in compliance with the Commercial Development Standards and Design Guidelines, including but not limited to following:
 - a. Six (6) foot wide landscaped islands within each parking row for every fifteen (15) parking spaces contained within the row; and
 - b. Twenty-five (25) feet of perimeter landscaping along Frehner Road; and
 - c. Additional architectural embellishments be provided to reduce the perceived mass and add visual interest; and
 - d. Architectural screening over each heating and cooling unit would need to be provided, subject to staff review and approval.

- e. Provide a five (5) foot perimeter landscape area within the property and obtain an encroachment permit from NDOT to replace the reduced fifteen (15) foot perimeter landscape area within the NDOT's right-of-way along Craig Road.
3. If a wall is proposed to be provided along Craig Road, the wall shall be located between the perimeter landscaping and the parking area.
4. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
5. 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.
6. Approval of a drainage study is required prior to submittal of the civil improvement plans.
7. 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.
8. Approval of a traffic study is required prior to submittal of the civil improvement plans.
9. The property owner is required to grant a roadway easement for commercial driveway(s).
10. The property owner is required to sign a restrictive covenant for utilities.
11. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
12. Any future development plans must show the twenty (20) feet of right-of-way along Craig Road, east of the existing commercial driveway, that the City is acquiring to complete Phase III of the Craig Road street improvement project.

13. The final development plan for the site shall be subject to staff review and approval.
14. As the onsite utilities and easements are not shown on the plan, the applicant/ property owner may be required to relocate said utilities and easements at his own expense.

Carol Walters, 2575 Montessori, Las Vegas, NV appeared on behalf of the applicant indicating she concurred with Staff recommendation and asked if they could transfer all of the landscaping onto the 20 foot right-of-way as it would be a cleaner way of landscaping and would also provide some extra room on the front pads.

Mr. Jordan explained there were set-backs for parking lots, so transferring the landscaping would not relieve the applicant from the set-back and would also require a variance application, therefore, Staff could not support the request at the present time.

Ms. Walters indicated she agreed with Staff recommendation and did not want to apply for a variance.

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. 2.E AMENDED TO READ:**

**2.E. FIVE (5) FEET OF LANDSCAPING SHALL BE PROVIDED
ADJACENT TO CRAIG ROAD. FURTHERMORE, AN
ENCROACHMENT PERMIT SHALL BE OBTAINED FROM THE
APPROPRIATE JURISDICTION TO LANDSCAPE THE AREA
WITHIN THE RIGHT-OF-WAY BETWEEN THE PROPERTY LINE
AND RETAINING WALL FOR THE CRAIG ROAD OVERPASS.
LANDSCAPING SHALL BE SUBJECT TO STAFF REVIEW AND
APPROVAL.**

FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Vice-Chairman Shull

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

7. SPR-02-05 (36705) RESERVE APARTMENTS. AN APPLICATION SUBMITTED BY GSL PROPERTIES ON BEHALF OF LOSEE CONDOMINIUMS LLC, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED SITE PLAN REVIEW IN AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT TO ALLOW A MULTI-FAMILY RESIDENTIAL DEVELOPMENT. THE PROPERTY IS LOCATED AT 5005 LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-35-704-001.

The application was presented by Marc Jordan, Planning Manager who explained the applicant was proposing to eliminate a basketball and volleyball court and replace it with a pool, spa and restroom and shower facilities, which would allow two pools, one at the northerly end and one at the southerly end of the property. The request did not change any of the open space requirements or the open space areas where the amendments were proposed. Staff was recommending approval of SPR-02-05 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 development shall be in full compliance with the Multi-Family Residential Development Standards and Design Guidelines and the R-3 zoning district regulations.
3. The development of this site shall substantially conform to the revised site plan (dated 9-24-08).
4. The development shall not exceed 432 dwelling units and 720 total bedrooms, as long as the minimum amount of open space and parking is provided.
5. The installation of sprinklers for fire suppression is required in each structure with a central monitor.
6. Turning radii along Fire access lane shall be designed in accordance with Fire Code.
7. Fire access lanes shall be designed in accordance with Fire Code requirements.
8. At minimum, the following list of amenities should be provided:
 - a. Circuitous lighted paths
 - b. A minimum of 20 24-inch box trees per acre
 - c. 2 differing age-appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada with picnic tables

- d. Open spaces for group / organized play
 - e. Three group shade areas / BBQ area at swimming pool
 - f. 6 picnic sites with tables and barbecue grills, including 1 16' x 32' shade shelter
 - g. Benches spaced along park pathways
 - h. One swimming pool and spa, with recreation building (located south of Buildings 18 and 19)
 - i. One swimming pool and spa, with pool house and changing rooms/restrooms (located between Buildings 11 and 13)
 - j. 3 dog walk areas with doggie stations
 - k. Putting green
 - l. Hard surface area for hopscotch and pavement games
9. Measures to achieve a noise level reduction, outdoor-to-indoor, of 65 decibels must be incorporated into the design and construction of each residential unit.
10. The prospective tenants shall sign a written notice declaring knowledge of the following statement: "This residential property is located within DNL 65-70dB noise contours delineated by Nellis Air Force Base, wherein the housing development may be subject to daytime and nighttime flyovers by U.S. military aircraft, which may cause intermittent noise of approximately 65 - 70 decibels."
11. That the following language be included in any legal contract conveying ownership or leasing of the land or units: "This residential property is located within DNL 65-70dB noise contours delineated by Nellis Air Force Base. The U.S. Air Force discourages residential development within DNL 65-70dB noise contours."
12. The prospective tenants shall sign a written notice declaring knowledge of the existence of R.C. Farms, wherein the housing development may be subject to odors created by the pig farm.
13. All items mentioned herein shall be satisfied prior to submittal of the Civil Improvement Plans or the recordation of any maps.
14. Approval of a traffic study update is required prior to submittal of the civil improvement plans.
15. The civil improvements shall include schedule 40 PVC fiber optic conduit along the project's Losee Road and Washburn Road frontages.
16. Access locations are subject to review and approval of the City Traffic Engineer.

17. Right-of-way dedication and construction of a CAT bus turn-out is required on Losee Road near Washburn Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
18. The property owner is required to grant a pedestrian access easement for sidewalk within any common element.
19. A revocable encroachment permit for landscaping within the public right of way is required.
20. All Nevada Power Company easements and poles must be shown. The poles shall be fully located within the landscape area and if the relocation of any poles is required it will be at the expense of the developer.
21. The property owner is required to grant roadway easements where public and private streets intersect.
22. Building numbering shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
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. 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.
26. Show the limits of the Federal Emergency Management Agency Special Flood Hazard Area Zone A on the tentative map.
27. The City of North Las Vegas does not permit the construction of any buildings within a Federal Emergency Management Agency (FEMA) designated Special Flood Hazard Area (SFHA), unless specifically authorized through a variance, waiver or other appropriate method. Under this policy, the applicant must meet the following requirements prior to issuance of permits and certificates of occupancy:
 1. Grading and off-site construction permits may be issued once a copy of the Conditional Letter of Map Review (CLOMR) application has been submitted to FEMA for processing.

2. Building permits may be issued once a CLOMR has been obtained from FEMA.
3. Certificates of Occupancy can be issued once a Letter of Map Revision (LOMR) has been obtained from FEMA.

Scott Ruedy, WRG Design, 3011 Horizon Ridge Parkway, Henderson, NV 89052 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 Brown

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

NAYS: None

ABSTAIN: None

Public Forum was heard next.

OLD BUSINESS

8. **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. (CONTINUED AUGUST 13, 2008)**

It was requested by the applicant to continue UN-74-08 to October 22, 2008.

Chairman Angelo Carvalho opened the Public Hearing. The following participant indicated he would hold comments until the item was heard:

- **Scott Sauer, 770 West Lone Mountain #2025, North Las Vegas, NV 89031**

Chairman Carvalho indicated the Public Hearing would be left open.

ACTION: CONTINUED TO OCTOBER 22, 2008

MOTION: Vice-Chairman Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 9 was heard next.

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

It was requested by the applicant to continue SPR-26-08 to October 22, 2008.

ACTION: CONTINUED TO OCTOBER 22, 2008

MOTION: Vice-Chairman Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 10 was heard next.

10. **T-1322 (35946) KAPEX INDUSTRIAL PARK PHASE II. AN APPLICATION SUBMITTED BY INDUSTRIAL PROPERTIES DEVELOPMENT INC, ON BEHALF OF KAPEX LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN M-2, GENERAL INDUSTRIAL DISTRICT AND O-L, OPEN LAND DISTRICT (PROPOSED M-2, GENERAL INDUSTRIAL DISTRICT) FOR A ONE (1) LOT INDUSTRIAL SUBDIVISION CONSISTING OF APPROXIMATELY 2,800 ACRES. THE PROPERTY IS LOCATED WEST OF GRAND VALLEY AND APPROXIMATELY 1,300-FEET SOUTH OF US HIGHWAY 93. THE ASSESSOR'S PARCEL NUMBERS ARE 103-16-000-004 AND 103-21-000-004. (CONTINUED JULY 23 AND AUGUST 27, 2008)**

It was requested by the applicant to continue T-1322 to October 22, 2008.

ACTION: CONTINUED TO OCTOBER 22, 2008

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Shull

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

NAYS: None

ABSTAIN: None

Presentation was made

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

Marc Jordan, Planning Manager explained the Planning Department was in the process of preparing the meeting schedule for 2009 and the November 11, 2009 meeting fell on Veteran's Day and asked the Commission if they would like to reschedule or cancel the meeting. It was decided by the Commission to schedule the meeting to Tuesday, November 10, 2009.

CHAIRMAN'S BUSINESS

Commissioner Dean Leavitt thanked Commissioner Brown for his time served as Chairman and commended him for a job well done.

ADJOURNMENT

The meeting adjourned at 6:42 p.m.

APPROVED: October 22, 2008

/s/ Angelo Carvalho
Angelo Carvalho, Chairman

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