

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

November 28, 2007

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

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

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

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

STAFF PRESENT: Robert Eastman, Principal Planner
Mary Aldava, Senior Planner
Toni Ellis, Planner
Nick Vaskov, Deputy City Attorney II
Jennifer Doody, Development & Flood Control
Eric Hawkins, Public Works
Mike Steele, Fire Department
Michelle Menart, Parks Planner
Jose Rodriguez, Police Department
Bob Locher, Utilities Department
Jo Ann Lawrence, Recording Secretary

WELCOME: Chairman Steve Brown

VERIFICATION: Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE: Commissioner Jay Aston

MINUTES

- **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF OCTOBER 24, 2007.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Thomas

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

NAYS: None

ABSTAIN: Commissioner Shull

Item No. 2 was heard next.

NEW BUSINESS

1. **ZN-105-02 (32876) ALIANTE STATION (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ALIANTE GAMING LLC, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED PUD, PLANNED UNIT DEVELOPMENT TO ALLOW AN 80-FOOT HIGH SIGN WHERE A 50- FOOT HIGH SIGN IS ALLOWED; A 50-FOOT HIGH AND A 25-FOOT HIGH SIGN WHERE TEN (10) FOOT HIGH MONUMENT SIGNS ARE THE MAXIMUM ALLOWED; AND FOR (2) TWO SIGNS TO BE LOCATED ALONG THE CLARK COUNTY 215 BELTWAY WHEN ONLY (1) ONE SIGN IS PERMITTED. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF ALIANTE PARKWAY AND THE CLARK COUNTY 215 BELTWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-17-811-001.**

The application was presented by Robert Eastman, Principal Planner who explained the applicant was requesting a number of changes to their allowed signage for the site. With the PUD, the applicant originally was approved a 125 foot sign along the 215 Beltway, a 50 foot sign along Aliante Parkway and 10 foot monument signs along Elkhorn Road. The applicant was proposing a 106 foot sign along the 215 Beltway and a second 50 foot sign along 215, an 80 foot sign along Aliante Parkway, a 50 foot sign along Elkhorn Road, a small 25 foot sign at the corner of Aliante Parkway and Elkhorn and a number of nine and 10 foot monument signs along the perimeter of the site. Staff does not have any objection to the proposed monument signs or the large 106 foot sign along the 215 Beltway, as they are in conformance with the approved PUD, but were opposed to the second smaller 50 foot sign along 215 and the 80 foot sign along Aliante Parkway and the two signs along Elkhorn and would recommend that they not be approved. Across Elkhorn to the north from the proposed casino is Sun City Aliante, which is a mix of both a large number of single-family homes and the golf course and Staff feels the large 50 foot sign along Elkhorn Road was not needed or necessary. The casino has a large 150 foot tower with "Aliante Station" showing across the top and Staff feels the height of the tower more than makes up for the lack of any 50 foot sign that would be located on Elkhorn Road, so did not feel the sign was necessary or needed. The casino site was located higher up in elevation than properties to the south, so, to that extent, Staff does not agree that the additional signage height was needed. While Aliante Parkway does have a large crown as it goes over the 215 and the 50 foot tall sign currently allowed on Aliante Parkway, would be difficult to see from the south, the hotel tower would not be as difficult, nor is the 106 foot sign on the 215; therefore, Staff does not feel the additional height along Aliante Parkway was necessary. Staff was recommending that the original conditions for ZN-105-02 remain and that the Planning Commission forward a recommendation of denial to City Council. Should the

Commission determine approval was warranted, the following conditions are recommended:

1. That the final development plan for the site shall be subject to Planning Commission review and approval.
2. That the development shall comply with all applicable codes and ordinances.
3. That the uses in this PUD district shall be restricted to the principally permitted, special or accessory uses in the C-2-MPC zoning district.
4. That the setbacks and height restrictions be the same as those for the C-2-MPC zoning district with the following exception:
 1. That the maximum height of a structure shall be one-hundred fifty (150) feet.
5. That a maximum of two signs be located along the Beltway one shall not exceed 125 feet in height; and the second shall not exceed 50 feet in height.
6. That only monument signs, not exceeding 10 feet in height, shall be permitted along Elkhorn Road. The proposed pylon sign along Aliante Parkway shall not exceed fifty (50) feet in height.
7. All signage shall have a common architectural design that is compatible with the hotel / casino through the use of colors and architectural elements.
8. That a special use permit for a casino shall be valid for a period of eight (8) years and that extensions of time may be granted for a periods of not more than two (2) years each.
9. No signage will be permitted within the drainage easement parallel to Elkhorn Road.

Bill Curran and Shane Young of Ballard, Spahr, Andrews & Ingersoll, 300 South 4th Street, Las Vegas, NV 89101 appeared on behalf of the applicant.

Ms. Young explained in 2002 the City Council approved a PUD that permitted the development of a substantial hotel/casino subject to several conditions which were previously mentioned by Mr. Eastman. At the time, the plan was to build the project to the same standard as Green Valley Ranch Hotel/Casino. Since that time, the applicant decided to move the project up-market and build it to a higher standard, similar to that of Redrock Casino; therefore, the construction budget increased substantially and the roadway elevations had changed, and the applicant reconfigured the placement of

structures on the site, including placement of casino parking, and there have been market studies done regarding signage. Appropriate signage is key, because it needed to be complementary and commensurate with the higher quality product being produced. Ms. Young indicated Mr. Curran would describe the requested changes and had some proposed changes to the, if-approved, conditions.

Mr. Curran explained, since the PUD was approved, half of the beltway was completed, the drainage channel along the side of the beltway was designed and was under construction, the roadways for Aliante were redesigned and would be elevated and come up over the top and the change in elevation would change some circumstances and visibility of the sign, so the requested changes were appropriate. The changes were fact based and need based. He explained the height of the building had been reduced to 127 feet and the premier sign along the beltway was being lowered to 106 feet. He explained the proposed signs were being placed to be visible to traffic from the Beltway, Aliante Parkway and Elkhorn Road. As shown on the site plan, there was a 50 foot sign approved at the east end of the property along the Beltway and they were requesting to put a second face on the sign in a v-shaped configuration so the sign would be visible to east and west bound traffic; there is an approved sign on the Beltway in the area of the hotel tower that will be 106 feet instead of the approved 125 feet; a sign is being requested on Aliante Parkway that was previously approved at 50 feet and they were asking that the height be increased to 80 feet; they were requesting that the sign at the corner of Aliante Parkway and Elkhorn Road be increased from 10 feet to 25 feet; and at the driveway to the west of the parking garage, they were asking that the sign be 50 feet. He explained immediately across the street from that sign, was the driveway to the golf course and there were homes, but they were substantially further to the north across the full expanse of the golf course. The nearest homes were further to the west on Elkhorn Road, nowhere close to the proposed location of the sign. He pointed out there were other 10 foot monument signs that were previously approved and they would be building those at nine feet. He explained the 50 foot sign along Elkhorn was important, as it would be a key to directing traffic and identifying the features in the casino. The project was pushed back slightly because it facilitated internal circulation for the project. The parking spaces were 9 1/2 feet wide and 20 feet long to accommodate full-size vehicles.

Chairman Steve Brown asked Mr. Callejo to comment on the road changes for the project.

Danny Callejo, Aliante Gaming, LLC, 1505 Pavilion Center Drive, Las Vegas, NV 89135 explained Station Casinos made a substantial commitment with Clark County to bring in the Aliante Parkway Interchange as part of the project with hopes that it could be completed on the same time line as the casino. Along with that, the project included things like a bridge overpass and off ramps to provide a full off ramp system. With that, it has changed the topographic conditions set within the area and has a high bridge point, which separates approximately 30 feet, the high bridge point, from the grade elevation at nature Park Drive and drops down in grade to where the main casino entrance was, which was

south of Elkhorn Road, approximately 12 ½ feet. Through the analysis and design determinations for signage on the project, there were several drivers in the signage, one of them trying to drive business and the other was to provide adequate identification of the site in order to properly allow the necessary time for traffic flow to get to the right entrance and exit points. In doing so, with the grade differences, what happened was there was an obstruction of view of the sign, as it was originally allowed to a height of 50 feet of about 60% and they wanted to be able to provide a sign that could actually rise above the high point of the bridge and for people that were driving northbound to be able to identify the site with sufficient time, so they could get on the right side of the street and be able to access the site.

Chairman Brown clarified the 215 Beltway was not going to be below grade as originally planned and was now going to be built as an overpass.

Mr. Callejo explained, as part of the interchange, a bridge overpass was being built, so the existing configuration shown in the freeway at the present time would be changed to provide for the off-ramps and would stay at that elevation, but the bridge comes into play and lifts above that. When that is done, it obstructs the sight-line view to the signage that was placed on Aliante Parkway and that was why they were requesting a taller sign.

- **Donald Baltz, 2732 Cuckoo Shrike Avenue, North Las Vegas, NV 89084** stated the residences were situated across from the proposed 50 foot sign and would be completely visible by the residents of the community and was opposed and felt the Commission should follow Staff recommendation.
- **Robert Walters, 2705 Cuckoo Shrike, North Las Vegas, NV 89084** pointed out the signage along Elkhorn Road would light-up his back yard. The only customers that would be attracted from the sign on Elkhorn would be the residents, who already knew the casino was there.
- **Janet Gordon, 2713 Cuckoo Shrike Avenue, North Las Vegas, NV 89084** indicated the 50 foot sign would face her home and as she sat in her backyard, the skyline was filled with the parking garage and did not want the sign shining in her yard.
- **Kenneth Barber, 2728 Cuckoo Shrike Avenue, North Las Vegas, NV 89084** indicated his front yard would be lit up from the 50 foot sign and did not feel the sign was necessary; but, could understand the reasoning for the 80 foot sign.
- **Julie Walters, 2705 Cuckoo Shrike, North Las Vegas, NV 89084** understood the sign was necessary for parking, but there was very little traffic that would come down Elkhorn Road and did not feel a 50 foot sign was necessary to direct traffic to the parking garage.

- **John DeSalvo, 2713 Crested Ibis, North Las Vegas, NV 89084** indicated his home was the only one behind the maintenance building from the golf course and the 50 foot sign would illuminate his home and he was opposed and did not feel it was necessary as the parking garage was five stories high and very visible.
- **Jeremy Shields, 2312 Nature Park Drive, North Las Vegas, NV 89084** was concerned about the sign proposed on the Beltway, as his home was located between the two signs proposed on the opposite side of the Beltway and felt they would shine on his home. He attended a Clark County Public Hearing and was under the impression that the roadway would be dropped 40 to 60 feet as it approached where his home was located on Nature Park Drive, not raised to a crest of 30 feet.

Mr. Curran showed pictures taken from different locations around the site where the requested signs were proposed and explained as you drove along Elkhorn, you would see the parking garage, which was 83 feet tall, but without proper signage, the normal assumption would be to go to the parking garage, but that was not the case. The garage entrance was before the structure and if the entrance was passed, the traffic would end up in the residential neighborhood.

Mr. Callejo clarified and explained there were different types of systems within the market, and Station Casinos had adopted one of the most expensive LED display types available. The signs came with automatic dimming control systems and Station Casinos utilized the sign boards at 30% capacity, due to the fact that the boards were built with their LED conduits with spacings of 25 millimeter, different than what was usually seen on the strip, which was a separation of 40 to 50 millimeters, which lost resolution and required a need for higher brightness. The sign proposed along Elkhorn Road was tucked back 14 feet from the right-of-way lines, so it was pushed further against the face of the parking garage. The biggest concern heard from the neighbors was regarding traffic flow coming down to the end of Elkhorn Road adjacent to one of the entrances to the neighborhood and they were asked if they could provide traffic signals at that location. Unfortunately, due to the fact that the road did not connect to Clayton Street, they could not warrant, by way of traffic flows, the traffic signals that were required; but, were making an effort to install the underground work for the future. They would like to direct traffic to the entrance to the garage and not have the traffic flow back to the end of Elkhorn Road.

Mr. Curran distributed proposed language to amend Condition Nos. 5 and 6, as in Staff's if approved, conditions they took the conditions in the original approval from 2002 and copied them and the effect of adopting what was in the report, the conditions would need to read as follows:

5. That a maximum of two signs be located along the Beltway; one shall not exceed 125 feet in height and the second shall not exceed 50 feet in height but shall be permitted to have 2 faces in a V-shaped configuration.

6. Only monument signs, not exceeding 10 feet in height, shall be permitted along Elkhorn Road with the exception of one 25 foot high sign to the west of the parking garage, and one 25 feet in height sign at the corner of Aliante Parkway and Elkhorn Road. The pylon sign along Aliante Parkway shall not exceed eighty (80) feet in height.

Chairman Brown clarified on the garage entrance on Elkhorn Road, that the requirement for M-2 and M-2 was being dropped, because if a 50 foot sign was approved they would not need the 10 foot monument signs.

Mr. Callejo explained they were proposing all three signs. The M-2's and M-3's were directional signs going into the access point. They could consider that, if there was a need for it, or Staff believed there was a need to remove them. The 50 foot pylon sign was the biggest concern, to be able to identify the parking garage.

Commissioner Dilip Trivedi asked the applicant if there had been a meeting with the neighborhood after the design of the signage package.

Matt Heinhold of Station Casinos, Vice-President and Associate General Counsel responded they had a meeting with the Aliante Homeowners Association Board and presented the proposed sign plan to them.

Commissioner Trivedi inquired, if the homeowners association had seen all of the signs and were aware of all of the sign heights being requested.

Mr. Heinhold responded they had seen the proposed signs.

Commissioner Trivedi stated it might be helpful to show photo renderings with the proposed signs super-imposed to alleviate the neighbors fears and asked Staff if they had distance requirements for the signs from the centerline of the street and asked if the signs could be pushed back toward the casino.

Mr. Eastman responded the Code requirements had set-backs, which were very modest. The only other legal requirement they had would be staying out of the site visibility triangles for traffic. The Commission had the authority to push the sign back with a condition where the current Code did not, beyond the minor set-back that was in the zoning ordinance.

Commissioner Jay Aston asked Mr. Curran if the original signs were on the Beltway and if one was previously approved and asked the height. Mr. Curran responded there was a 50 foot sign previously approved on the Beltway. Commissioner Aston asked if they were just adding another sign due to the curvature of the Beltway. Mr. Curran responded one would read to the traffic going toward Aliante Parkway. Commissioner Aston clarified they were taking the currently approved sign and splitting it. Mr. Curran responded that was correct.

Commissioner Aston asked if it would be feasible to consider a sign height between 50 and 80 feet along Aliante Parkway where the 50 foot sign was previously approved.

Mr. Callejo explained a study was done and showed a picture of the 50 foot sign view versus the 80 foot sign view and a sign between 60 to 70 feet did not bring up the height of the sign so it could be fully identified and that was why they were proposing 80 feet. The sign company requested 100 feet and they were sensitive to that and did further investigation and reduced the height to 80 feet.

Commissioner Aston felt the sign on Elkhorn Road seemed to cause the most concern from the residents and asked if the sign at the corner could be left at 10 foot and the 50 foot sign proposed at the garage entrance on Elkhorn Road could be minimized.

Mr. Callejo responded he did not want to commit to anything, but wanted time to do an analysis and provide some images to see what they looked like.

Chairman Brown asked if the sign shown as P-3 was a change or an added sign.

Mr. Callejo responded it was an existing sign and explained they were proposing a double-faced billboard with a split face and angled so the oncoming traffic had a better view.

Mr. Eastman explained the one sign that was permitted, was the 106 foot sign that was currently proposed by the hotel tower and was not aware of an existing billboard already located on the site along the 215 Beltway. Chairman Brown asked where the P-3 sign was located. Mr. Eastman responded that was an additional sign. Chairman Brown clarified with the applicant that they thought it was already approved and wanted to split it.

Mr. Heinhold clarified part of the Master Plan for Aliante, before the gaming site was approved, included four billboard sites on the corners of Aliante Parkway, one of them being on the casino site and they were requesting, instead of having a billboard with two sides, that it be split so it was a better read for the traffic from both directions.

Chairman Brown did not have any concerns with the face being split, but thought, based on Staff's information, there was only one sign approved on 215 and Aliante Parkway.

Mr. Heinhold explained part of the approval for the casino site was the 125 foot pylon sign and the billboard was part of the entire master plan approval.

Mr. Eastman explained billboards were allowed in the Development Agreement for the Aliante community and this parcel was allowed in the Development Agreement to have a billboard. The applicant was proposing to use a billboard as part of their on-site signage.

Under normal circumstances, the definition of a billboard was that it was to advertise a business that was off-site, so they were trying to use a billboard that would be allowed on their site to advertise their business, which did not meet the definition of a billboard.

Commissioner Harry Shull did not feel the split faced 50 foot sign was a problem, was happy to see the 126 foot sign was dropped to 106 feet, and did not have a problem with the 80 foot sign on Aliante Parkway, or the 25 foot sign at the corner, but it seemed most of the concern was regarding the 50 foot sign on Elkhorn Road and he questioned if the light on the sign was controllable, if they were typically run at 30%, if the brightness could be lowered on the back side, west face, that faced the residences. It seemed most of the traffic would be from the 215 Beltway and Aliante Parkway.

Mr. Heinhold agreed with Commissioner Shull that there would not be much traffic on Elkhorn until the road continued further. They were sensitive to the neighbors concerns and would take another look at the area to see if the lighting could be reduced further to minimize the residents concerns of light shining in their yards.

Commissioner Shull asked if any opposition had been received from other subdivisions in Aliante.

Mr. Heinhold indicated they did not have a letter from the Board of the homeowners association, as they did not have unanimous consent.

Commissioner Dean Leavitt asked the applicant if they could produce a computerized rendering of a glare comparison and possibly continue the application to show the residents the glare could be reduced, so they would have a greater degree of comfort with the proposal.

Mr. Heinhold explained the technology was the same as what currently existed at Redrock Station and they could produce examples, but advised going to the site to get a visual of the brightness that could be expected. He did not want to continue the application, and if the sign on Elkhorn Road was the issue, he asked that the Commission approve what they felt comfortable with and if the sign on Elkhorn Road was not approved, they would spend the time before the application was heard by City Council, to work with the neighbors to come up with a solution.

Commissioner Leavitt clarified the applicant would continue working with the residents on a solution.

Chairman Brown asked Mr. Heinhold to explain the lighting on the split billboard sign located on the Beltway.

Mr. Callejo explained it was a billboard sign with up-light and usually when they were installed, they had special equipment that took the brightness and reflection of the signs and they were calibrated to stay within a certain grade of contrast and the light dimmer was automatically adjusted from that point. When the cut-off time and the sensors kicked in, the light gradually came on and at the darkest point of the night, was when they reached their peak and then started dimming as daylight came. The LED displays worked the same. They had sensors that automatically calibrated the signs.

Chairman Brown asked the applicant if they were willing to not illuminate the back side (east facing) of the 50 foot sign on Elkhorn Road.

Mr. Callejo stated that was possible, but in the future when Elkhorn Road was continued, they would study it again.

Commissioner Ned Thomas explained the residents wanted Station Casinos to be a good neighbor and Station Casinos indicated they wanted to be good neighbors and he felt part of being a good neighbor meant following the rules, which were made by City Council. The rules could be bent in some instances, but along Elkhorn Road, he did not feel a 50 foot sign was appropriate and felt a 10 foot sign at that location was sufficient. He explained the larger the sign was, the brighter it would be and would shine into the residents' yards. He was agreeable to the other requested changes.

Chairman Brown was not in favor of the 50 foot sign on Elkhorn Road and did not feel the increase from a 10 foot sign to a 25 foot sign was necessary and felt it detracted from the community and felt a 50 to 80 foot sign on Aliante Parkway was reasonable and was in concurrence with the split billboard sign on the Beltway.

Commissioner Shull proposed to approve the 50 foot v-sign on the 215 Beltway, the 106 foot sign was a mute point, the 80 foot sign on Aliante Parkway, the 25 foot sign on the corner of Aliante Parkway and Elkhorn Road and he would leave the sign at the corner at 10 foot and let the applicant work with the residents and City Council and the other nine foot signs would be approved. The applicant could work with Council and the residents before the application was heard by Council.

Mr. Eastman addressed Commissioner Shull's motion and explained the proposed amendment to Condition No. 5 was acceptable to Staff and the proposed amendment to Condition No. 6, as submitted by the applicant, should be amended to read:

6. That only monument signs, not exceeding 10 feet in height, shall be permitted along Elkhorn Road with the exception of one 25 foot high sign at the corner of Aliante Parkway and Elkhorn Road. The pylon sign along Aliante Parkway shall not exceed eighty (80) feet in height.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS;
FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION WITH
CONDITION NOS. 5 AND 6 AMENDED TO READ:

5. THAT A MAXIMUM OF TWO SIGNS BE LOCATED ALONG THE BELTWAY; ONE SHALL NOT EXCEED 125 FEET IN HEIGHT AND THE SECOND SHALL NOT EXCEED 50 FEET IN HEIGHT BUT SHALL BE PERMITTED TO HAVE TWO FACES IN A V-SHAPED CONFIGURATION.
6. THAT ONLY MONUMENT SIGNS, NOT EXCEEDING 10 FEET IN HEIGHT, SHALL BE PERMITTED ALONG ELKHORN ROAD WITH THE EXCEPTION OF ONE 25 FOOT HIGH SIGN AT THE CORNER OF ALIANTE PARKWAY AND ELKHORN ROAD. THE PYLON SIGN ALONG ALIANTE PARKWAY SHALL NOT EXCEED EIGHTY (80) FEET IN HEIGHT.

MOTION: Commissioner Shull

SECOND: Chairman Brown

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

NAYS: None

ABSTAIN: None

2. **UN-24-07 (32865) GREEN VALLEY GROCERY 33 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREEN VALLEY GROCERY ON BEHALF OF SMITH-CHRISTENSEN ENTERPRISES, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW A 25 FOOT HIGH FREESTANDING SIGN WHERE 18 FEET HIGH IS THE MAXIMUM AND A 216 SQUARE-FOOT SIGN WHERE 125 SQUARE-FEET IS THE MAXIMUM ALLOWED. THE PROPERTY IS LOCATED AT 5180 LAMB BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 123-32-301-018.**

ACTION: WITHDRAWN

Item No. 8 was heard next.

3. **ZN-120-07 (32860) AZURE I (PUBLIC HEARING). AN APPLICATION SUBMITTED BY AZURE I, LLC, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM AN O-L, OPEN LAND DISTRICT TO AN M-2, GENERAL INDUSTRIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF AZURE AVENUE AND SLOAN LANE. THE ASSESSOR'S PARCEL NUMBERS ARE 123-27-101-014, 123-27-101-015, 123-27-101-027 AND 123-27-101-028.**

The application was presented by Toni Ellis, Planner who explained a zoning of M-2 was consistent with the Comprehensive Plan designation of Heavy Industrial. Staff was recommending approval of ZN-120-07.

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

Chairman Brown closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Trivedi

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

NAYS: None

ABSTAIN: None

4. **ZN-121-07 (32864) SLOAN RE-ZONING (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SLOAN 10, LLC, PROPERTY OWNER FOR A RECLASSIFICATION OF PROPERTY FROM AN O-L, OPEN LAND DISTRICT TO AN M-2, GENERAL INDUSTRIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF AZURE AVENUE AND SLOAN LANE. THE ASSESSOR'S PARCEL NUMBER IS 123-28-601-009.**

The application was presented by Toni Ellis, Planner who explained a zoning of M-2 would be consistent with the Comprehensive Plan designation of Heavy Industrial. Staff was recommending approval of ZN-121-07.

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

Chairman Brown closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Trivedi

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

NAYS: None

ABSTAIN: None

5. **ZN-35-03 (32828) ANN ROAD CHEVRON (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ANN ROAD CHEVRON ON BEHALF OF ANN LOSEE PAD, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED PUD, PLANNED UNIT DEVELOPMENT TO ALLOW THREE (3) FEET OF FOUNDATION LANDSCAPING WHERE SIX (6) FEET IS REQUIRED. THE PROPERTY IS LOCATED AT 5685 LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-26-802-009.**

The application was presented by Toni Ellis, Planner who explained Staff was recommending that ZN-35-03 be denied because ample space was available to meet the foundation landscaping requirements, leaving approximately 33 feet for the navigation of traffic, which exceeds the requirement of 24 feet. Should the Commission determine approval was warranted, the following conditions were recommended:

1. That site plan approval is for the conceptual design only. Specific site and building design will be reviewed with a final development plan, and shall be in conformance with all applicable requirements of the Municipal Code except as otherwise approved herein.
2. Development of the Commercial component shall comply with the following:
 - a. That the commercial uses within the proposed 7.0± acre neighborhood center shall only be those allowed in the C-1 Neighborhood Commercial District as principally permitted uses, or as special uses subject to Title 17 § 24.020.
 - b. That all commercial development shall conform to the C-1, Neighborhood Commercial requirements including but not limited to setbacks and building heights.
 - c. That all commercial development shall be in compliance with the Commercial Design Standards except three (3) feet of foundation landscaping with five (5) feet of sidewalk shall be permitted at the convenience food store located at 5685 Losee Road.
3. Development of the residential component shall comply with the following:
 - a. That the maximum number of dwelling units shall not exceed 501, of which a minimum 99 must be single-family detached.
 - b. That a minimum 12.5 acres of open space shall be provided as shown on the preliminary development plan.
 - c. That at least 25% of the required open space be installed prior to the issuance of a building permit for the 125th residential unit; and that 50% be installed prior to the issuance of a building permit for the 250th residential unit; and that 100% be installed prior to the issuance of a building permit for the 375th residential unit.

- d. The minimum lot size for a single family home shall be 4,500 square feet.
 - e. The single family detached developments shall comply with the R-1, Single Family Residential setbacks and the Single Family Design Standards.
 - f. That Development of the attached multifamily component (triplexes) shall comply with multifamily design standards with the following exceptions:
 - 1) That the minimum building separation shall be 15 feet.
 - 2) That the minimum building setback from any single-family residential property line shall be 20 feet.
4. Ann Road access shall be allowed. Signage shall be posted on Losee Road for southbound traffic north of Ann Road for "No Right Turn on Red." Bus turn-out on the north side of Ann Road shall be located 300 feet west of Ann/losee intersection and subject to City adopted design standards and condition #25 of these conditions.
 5. Right-of-way dedication and construction of a flared intersection, including a right turn lane, is required at Losee Road and Ann Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1.
 6. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Ann Road and Losee Road.
 7. All off-site improvements must be completed prior to final inspection of the first building.
 8. That the minimum paseo width accessing open space or commercial shall be 15 feet with a five-foot sidewalk.
 9. That the sidewalks along Losee Road and Ann Road shall be separated from the back of curb by a minimum of five feet.
 10. Approval of a traffic study with queuing analysis is required prior to submittal of the civil improvement plans.
 11. Approval of a drainage study is required prior to the submittal of the civil improvement plans.
 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. A water network analysis must be submitted with the civil improvement plans.
 14. Entrance streets must be revised to a minimum of sixty-foot (60.0') right-of-way width.

15. The limits of the Federal Emergency Management Agency Special Flood Hazard Area Zone A must be shown on all site plans, civil improvement plans, etc. submitted to the City.
 - a. 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). Under this policy, the applicant must meet the following requirements prior to issuance of permits and certificates of occupancy:
 - b. 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.
 - c. Building permits may be issued once a CLOMR has been obtained from FEMA.
 - d. Certificates of Occupancy can be issued once a Letter of Map Revision (LOMR) has been obtained from FEMA.
16. 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.
17. The following right-of-way dedication are required:
 - a. Fifty feet (50.00') for Losee Road;
 - b. Thirty feet (30.00') for Lawrence Street;
 - c. One hundred feet (100.00') for Ann Road;
 - d. Flared Intersection at Ann Road and Losee Road;
 - e. Upper Las Vegas Wash Channel, width to be determined..
18. A parcel map will need to be filed to create the parcels for the different land uses.
19. 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. Losee Road
 - b. Ann Road
 - c. Hammer
20. The installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.
21. The prospective homeowners 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.

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.
24. Fire access lanes shall be designed in accordance with Fire Code requirements.
25. A written agreement or approval from the property owner to the west for location of the bus turnout on the adjoining property to the west of the subject site shall be provided to the City prior to issuance of building permits.

Chet Cox, 3222 Chatsworth Court, Henderson, NV 89074 appeared on behalf of the applicant indicating there was a safety issue and explained the intent was to make the parking spaces deeper and enlarge the traffic lane. The intent was not to do away with the landscaping, but make the parking lot and gas pump area safer.

Commissioner Jay Aston asked if the soils on the site were expansive.

Mr. Cox responded he was not sure, as the site was over-excavated 16 feet and fill was brought in.

Commissioner Aston was not opposed to the application.

Commissioner Dilip Trivedi asked the applicant how much space there was from the back of the parking spaces to the canopy.

Mr. Cox responded it was 33 feet and if they put in six feet of landscaping, three feet would be lost.

Commissioner Trivedi indicated 33 feet was ideal and asked the applicant if planters could be substituted for the foundation landscaping and still have room for the handicapped entrance.

Mr. Cox responded they could put in planters or pots, but did not have a problem putting in shrubs, because it would be low-lying groundcover. The foundation was poured with an 18 inch turn-down foundation to allow for water in the planter, so he was not concerned with the water going under the foundation and indicated they could put in pots or whatever was requested; but felt it was intrusive to be asked to put in six feet of landscaping.

Commissioner Ned Thomas asked the applicant, if they had three feet of landscaping, if there would be three feet of sidewalk.

Mr. Cox responded there would be five feet of sidewalk.

Commissioner Thomas was in favor of the three feet of landscaping.

Commissioner Dean Leavitt was agreeable to the three feet of landscaping and felt the applicant had proven he would put in the landscaping and maintain it.

Commissioner Trivedi commented that pots would work better than a three foot strip of landscaping, as it would collect debris.

Mr. Cox responded he liked the idea of pots, but the problem with the pots was that if a water line was not run to them, they would have to be watered by hand daily, which would be a safety hazard. He explained, at his other facilities, the planters were maintained daily to take care of the debris problem.

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

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

6. **UN-113-07 (32862) AMIGO AUTO (PUBLIC HEARING). AN APPLICATION SUBMITTED BY AMIGO AUTO ON BEHALF OF ROYAL AUTO CENTER LP, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW A TEMPORARY BUILDING. THE PROPERTY IS LOCATED AT 2610 NORTH LAS VEGAS BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-13-304-008.**

The application was presented by Toni Ellis, Planner who explained the modular building had already been installed on the site to accommodate the need for a temporary office during the reconstruction of the office that was burned in a fire. Staff was recommending approval of UN-113-07 with the addition of Condition No. 10 to read:

10. A twenty four foot wide (24') drive isle shall be maintained at all times.

The original recommended conditions are as follows:

1. That, unless expressly authorized through the variance, waiver or another method, this development shall comply with all applicable codes and ordinances.
2. That the temporary trailer shall be generally located as indicated on the site plan, unless otherwise required to be moved.
3. That the temporary trailer shall not be larger than eight feet by twenty feet (8' x 20'.)
4. That the trailer shall be ADA-compliant.
5. That UN-113-07 shall expire on November 28, 2008.
6. That a minimum 16 parking spaces shall be provided that are accessible and available to the employees and customers.
7. That the right-of-way shall not be used for parking, unless the applicant provides appropriate documentation allowing such.
8. That the applicant apply for and obtain a building permit prior to installation of the temporary trailer. Occupancy shall not occur prior to all appropriate inspections.
9. Locate the trailer such that it is in accordance with the fire code.

The applicant was not present for comment.

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

Chairman Brown closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
CONDITION NO. 10 ADDED TO READ:

10. A TWENTY FOUR FOOT WIDE (24') DRIVE AISLE SHALL BE
MAINTAINED AT ALL TIMES.

MOTION: Commissioner Aston

SECOND: Commissioner Thomas

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

NAYS: None

ABSTAIN: None

7. **VAC-24-07 (32767) AZURE VACATION (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JAMES B. ALDERMAN ON BEHALF OF BMC REALTY INC, PROPERTY OWNER, TO VACATE APPROXIMATELY 664 LINEAR FEET OF THE SOUTHERN PORTION OF AZURE AVENUE AND APPROXIMATELY 340 LINEAR FEET OF THE EASTERN PORTION OF RINGE LANE. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF REGENA AVENUE AND RANGE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 123-28-101-008.**

The application was presented by Toni Ellis, Planner who explained Staff was changing their recommendation on VAC-24-07 to approval with Condition No. 2 amended to read: "A minimum of a 30 foot utility easement is required and will be reserved."

The original recommended conditions are as follows:

1. If the Order of Vacation is not recorded within two years of the approval date, the vacation shall be deemed null and void.
2. A minimum of thirty (30) foot utility easement is required along the limits of the proposed vacation.

Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89169 appeared on behalf of the applicant explaining his client had assembled some properties and recently a vacation was approved for Nellis Boulevard without any reservations for utility easements. The present application shows Azure Avenue being located in the 215 Right-of-Way and then Ringe Lane runs north and south. He appreciated Staff's recognition that street access for Azure Avenue and Ringe Lane was not needed because all of the parcels would be consolidated and the road ran nowhere. However, Staff was now recommending approval with respect to Azure Avenue, which was logical as it was in the right-of-way. He asked why Staff would require a utility easement on private property, because if you ran a sewer or water line easement from the other side of 215, you would not come into the public right-of-way, then come out of the public right-of-way onto private property and then come back down into the public right-of-way along I-15. If the application were approved with Staff's recommendation, when they came in with the map to combine the parcels, they would have to do another vacation of the utility easements in that area and asked that Condition No. 2 be deleted.

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

Chairman Brown closed the Public Hearing.

Chairman Steve Brown asked the applicant if an easement was left on the property, how it affected the developer.

Mr. Gronauer responded the easement could not be built on. There could be limited planting, but that was it. There was no street and he indicated he did not have the authority to accept Condition No. 2 and could come back at a later date to vacate the public utility easement.

Chairman Brown asked the applicant if he did not accept the change to Condition No. 2, what he could accept.

Mr. Gronauer responded he would accept the public utility easement in Azure Avenue and not for Ringe Lane.

Chairman Brown indicated he would be in support of that request.

Commissioner Dean Leavitt asked the representative for the Utilities Department to explain the thought process on Condition No. 2.

Bob Locher of the Utilities Department explained at the present time, it was not known what would be built on the property, so they did not want to lose an easement that might be needed in the future to better complete the system depending on what was being built, for fire protection, they did not have to have a looped system, the two sources of water; so, they feel when the property was developed and it was known what was going in, they could vacate the easement at that time if it was not needed and apply for an easement in a different location.

Nick Vaskov, Deputy City Attorney explained his understanding from the Utility Department was that they probably would not use the Ringe Lane easement, and he knew Mr. Gronauer and his client were trying to consolidate some parcels, and Utilities position was that they wanted to retain the easement until the plan further developed and the easement could be moved to a different location or continue to work with Clark County to try to move that portion of the easement into the Clark County Right-of-Way but had not gotten to that point yet.

Commissioner Dilip Trivedi asked if it shouldn't be finished once it was brought to the property.

Mr. Gronauer agreed and felt the best plan was to keep the easement in the public right-of-way.

Commissioner Ned Thomas supported approving the vacation without any reservations, as it seemed clear that the right-of-way were remnant pieces that were dedicated before the Beltway was conceived and he could not foresee any reason why they would be used.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NO. 2; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Thomas

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 9 was heard next.

8. **SPR-24-06 (32868) CENTENNIAL & PECOS. AN APPLICATION SUBMITTED BY JADE ENTERPRISES ON BEHALF OF SUNRISE ADVISORS, LLC, PROPERTY OWNER, FOR AN EXTENSION OF TIME FOR A PREVIOUSLY APPROVED SITE PLAN REVIEW IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT FOR A TEN (10) ACRE RETAIL CENTER. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CENTENNIAL PARKWAY AND PECOS STREET. THE ASSESSOR'S PARCEL NUMBER IS124-24-801-008.**

It was requested by the applicant to continue SPR-24-06 to January 9, 2008.

ACTION: CONTINUED TO JANUARY 9, 2008

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

Item No. 11 was heard next.

9. SPR-54-07 (32847) ELDORADO. AN APPLICATION SUBMITTED BY WP SOUTH ACQUISITIONS, LLC, ON BEHALF OF PARDEE HOMES OF NEVADA, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN O-L/DA, OPEN LAND DEVELOPMENT AGREEMENT DISTRICT FOR A 364-UNIT MULTI-FAMILY DEVELOPMENT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF REVERE STREET AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS124-21-801-009.

The application was presented by Mary Aldava, Senior Planner who explained the proposed site was in compliance with the Eldorado Development Agreement as approved. The only deficiency with the site was the required parking. Based on the current unit bedroom count, the site was required to provide 722 parking spaces and only 716 have been provided, leaving the site short by 16 parking spaces. Staff does not see that as a major problem, as the applicant could provide them at the time of building permit. Further, the Public Works Department indicated that median landscaping and irrigation plans would need to be submitted to the Parks Department prior to the civil plans being approved. Staff was recommending approval of SPR-54-07 with the deletion of Condition Nos. 7 and 12 and the Condition Nos. 4, 6, 21, 28.c, 28.g and 28.h amended as follows:

4. Clearly marked walkways connecting all residences to recreation areas and perimeter rights-of-ways shall be provided.
6. The site plan currently shows an incorrect location for the Centennial Parkway street improvements. The additional right-of-way previously dedicated is for the construction of the Clark County Regional Flood Control District (CCRFCD) Centennial Parkway Channel east facility.
21. All off-site improvements must be substantially completed prior to final inspection of the first building.
- 28.c. At least 2 differing, age-appropriate, covered play structures for children with EPDM resilient fall protection over a non-porous surface (2 play structures total). Shade structures shall also be provided adjacent to play structure locations for supervision purposes and may also include picnic/barbecue facilities (as described in #g, below).
- 28.d A minimum of 1,600 square feet of total swimming pool area, with accompanying decking, restrooms, drinking fountains, and shaded picnic/barbecue facilities (as described in #g, below).
- 28.h One grass volleyball court or other comparable court facility, as approved by Parks and Recreation Department Staff.

The original recommended conditions are as follows:

1. That, unless otherwise approved through a variance, waiver or other approved method, this development shall comply with all applicable codes and ordinances.
2. Provide a minimum 25 foot perimeter landscape buffer along all right-of-way.
3. A minimum of 80 square feet of Patio and 40 square feet of Balcony area shall be provided.
4. Pedestrian linkage shall be provided within the parking lot areas.
5. The outside-facing elevations of the single-story garage buildings and accessory structures shall include architectural details such that they match the elevations of the club house including, but not limited to, pop-outs and false or real windows.
6. The site plan currently shows an incorrect location for the Centennial Parkway street improvements. Curb, gutter, and sidewalk must be constructed per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 202, with detached sidewalk and the construction of a median island per Drawing Number 218. The additional right of way previously dedicated is for the construction of the Clark County Regional Flood Control District (CCRFCD) Centennial Parkway Channel East facility.
7. The required median islands within Centennial Parkway and Revere Street shall be landscaped by the developer.
8. The developer and his engineer must coordinate with CNLV Engineering Services the proposed driveway crossing of the Centennial Parkway Channel East. Contact Dan Le, Senior Engineer at 633-1932.
9. Approval of a drainage study is required prior to submittal of the civil improvement plans.
10. CCRFCD concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
11. 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.

12. Approval of a traffic study is required prior to submittal of the civil improvement plans.
13. A queuing analysis is required.
14. The driveway on Black Oaks Street is limited to emergency access and egress only.
15. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Centennial Parkway and Revere Street.
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. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
19. 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.
20. A revocable encroachment permit for landscaping within the public right of way is required.
21. All off-site improvements must be completed prior to final inspection of the first building.
22. 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.
23. Building numbering shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
24. The property owner is required to grant a Temporary Construction Easement for the construction of the Centennial Parkway East Channel within 30 days of approval of this item.
25. 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.

26. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
27. 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.
28. That the following list of minimum amenities shall be provided:
 - a. Circuitous lighted paths and fitness course;
 - b. A minimum of twenty 24-inch box trees per acre;
 - c. At least 2 differing, age-appropriate, covered play structures for children with EPDM resilient fall protection over a non-porous surface (2 play structures total). Shade structures shall also be provided adjacent to play structure locations for supervision purposes and may also include picnic/barbecue facilities (as described in #7, below);
 - d. A minimum of 1,600 square feet of total swimming pool area, with accompanying decking, restrooms, drinking fountains, and shaded picnic/barbecue facilities (as described in #7, below);
 - e. A minimum of one fitness facility;
 - f. A minimum of one clubhouse/recreation building with no more than 25% of the floor area (included in the open space calculation) dedicated for uses other than common recreation and incidental support facilities;
 - g. Shaded group picnic areas at a minimum of seven different locations (including those at designated pool areas and adjacent to children's play areas), which include lighting, picnic table(s), barbecue grills, and trash receptacle(s);
 - h. One sport court;
 - i. At least one large open space area for group/organized play;
 - j. Benches spaced along pathways;
 - k. Bicycle racks at a minimum of 1 location;
 - l. All open space areas and amenities shall be ADA accessible and developed in compliance with the CNLV 2004 Park Design Standards; and
 - m. Details of amenities to be provided.
29. Fire department access roads shall be marked to prohibit parking in accordance with the Fire Code.

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. She pointed out for the record that they turned in a revised plan which complied with the parking requirements and pointed out the landscaping in the medians was no longer required as Condition No. 7 was deleted.

Commissioner Jo Cato commented for the record that when she purchased her home, she was told by the realtor that the same type of home she purchase would be built on the proposed site. Pardee did not disclose that apartments were planned for the site.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NOS. 7 AND 12 AND CONDITIONS NOS. 4, 6, 21, 28.C, 28.D, AND 28.H AMENDED TO READ:

4. CLEARLY MARKED WALKWAYS CONNECTING ALL RESIDENCES TO RECREATION AREAS AND PERIMETER RIGHTS-OF-WAYS SHALL BE PROVIDED.
6. THE SITE PLAN CURRENTLY SHOWS AN INCORRECT LOCATION FOR THE CENTENNIAL PARKWAY STREET IMPROVEMENTS. THE ADDITIONAL RIGHT-OF-WAY PREVIOUSLY DEDICATED IS FOR THE CONSTRUCTION OF THE CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICT (CCRFCD) CENTENNIAL PARKWAY CHANNEL EAST FACILITY.
21. ALL OFF-SITE IMPROVEMENTS MUST BE SUBSTANTIALLY COMPLETED PRIOR TO FINAL INSPECTION OF THE FIRST BUILDING.
- 28.C. AT LEAST 2 DIFFERING, AGE-APPROPRIATE, COVERED PLAY STRUCTURES FOR CHILDREN WITH EPDM RESILIENT FALL PROTECTION OVER A NON-POROUS SURFACE (2 PLAY STRUCTURES TOTAL). SHADE STRUCTURES SHALL ALSO BE PROVIDED ADJACENT TO PLAY STRUCTURE LOCATIONS FOR SUPERVISION PURPOSES AND MAY ALSO INCLUDE PICNIC/BARBECUE FACILITIES (AS DESCRIBED IN #G, BELOW).
- 28.D. A MINIMUM OF 1,600 SQUARE FEET OF TOTAL SWIMMING POOL AREA, WITH ACCOMPANYING DECKING, RESTROOMS, DRINKING FOUNTAINS, AND SHADED PICNIC/BARBECUE FACILITIES (AS DESCRIBED IN #G, BELOW).
- 28.H ONE GRASS VOLLEYBALL COURT OR OTHER COMPARABLE COURT FACILITY, AS APPROVED BY PARKS AND RECREATION DEPARTMENT STAFF.

MOTION: Commissioner Leavitt
SECOND: Commissioner Thomas

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

10. SPR-53-07 (32825) PLAZA MEXICO CENTER. AN APPLICATION SUBMITTED BY JESS F. PEREZ ON BEHALF OF GUILLERMO SATARAY, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A R-A/CR REDEVELOPMENT AREA COMMERCIAL/RETAIL SUBDISTRICT FOR WAIVERS FROM THE COMMERCIAL DEVELOPMENT STANDARDS TO ALLOW A TEN (10) FOOT PERIMETER LANDSCAPE AREA WHERE 25 FEET IS REQUIRED; AND FIVE (5) FOOT TREE WELLS (DIAMONDS) WHERE (6) SIX-FOOT WIDE LANDSCAPE ISLANDS ARE REQUIRED. THE PROPERTY IS LOCATED AT 2630 - 2638 EAST LAKE MEAD BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-24-201-001.

The application was presented by Mary Aldava, Senior Planner who explained the applicant was requesting an addition consisting of retail shops, restaurants and a bakery on the existing commercial located on Lake Mead Boulevard. The proposed expansion to the existing commercial was consistent with the intent of the Comprehensive Plan. The applicant exceeds the parking requirements and was requesting waivers from the 25 foot wide perimeter landscape area along Lake Mead Boulevard, McCarran and Daley Street. He was proposing five to ten feet and was requesting that six foot wide landscape diamonds be provided for every four parking spaces in a row. The property was constructed in 1956 and based on the existing conditions of the site, Staff was recommending approval of the waivers; however, were requesting that the landscape diamonds be provided every three parking spaces in lieu of the four in a row that the applicant was requesting. Staff was recommending approval of SPR-53-07 subject to the following conditions:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. The development shall comply with the Commercial Design Guidelines and Development Standards, including but not limited to the following:
 - a. Provide a detailed landscape plan showing the detailed perimeter, foundation, parking lot landscaping for the development at the time of building permits.
 - b. Provide two (2) bicycle parking spaces within 100 feet from the building entrance. A typical bicycle parking space shall be at least 6 feet long by 2 feet wide. Covered bicycle parking facilities may be located within a building or structure, under a building eave, stairway, entrance, or similar area, or under a special structure to cover the parking.
 - c. The proposed new addition along the frontage of McCarran Street must feature windows, awnings and arcades for at least 60% of the length of the facade.

- d. Provide a detail color scheme for all the proposed buildings consistent with the colors to the Las Vegas Valley and its surroundings.
 - e. Submit a revised site plan showing a six (6) foot wide landscape diamonds for every three parking spaces in a row.
3. Approval of a drainage study is required prior to submittal of the civil improvement plans.
 4. Nevada Department of Transportation (NDOT) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
 5. The applicant shall submit a traffic study update for review and approval.
 6. All redevelopment projects, including existing structures with proposed tenant improvements, must comply with current ADA requirements for public access, as required of the City by the Department of Justice. As a result, all commercial driveways shall be constructed in accordance with Clark County Area Uniform Standard Drawing number 226, or 225 with sidewalk ramps per drawing number 235. Existing driveways not in compliance with the current standards shall be removed and replaced with a driveway per the stated standard drawings, subject to review of the City Traffic Engineer.
 7. The property owner is required to grant a roadway easement for commercial driveway(s).
 8. 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.
 9. The property owner is required to sign a restrictive covenant for utilities.
 10. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
 11. Fire Department access roads shall be marked to prohibit parking in accordance with the Fire Code.
 12. A looped water system may be required for fire protection, subject to review and approval of the Utilities Department.
 13. 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.

14. All drains, sinks, with the exception of restrooms shall be routed through a grease interceptor and sample manhole.
15. Grease interceptor and sample manhole shall be pursuant to North Las Vegas standard drawings ENV-1 and ENV-2.
16. The sample manhole shall be located to provide twenty-four (24) access to the City.
17. An enclosure shall be required for the bulk commodities container.

Terry Montgomery of Redrock Engineering, 2001 South Rainbow Boulevard appeared on behalf of the applicant indicating the architect and owners concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 13 was heard next.

OLD BUSINESS

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

It was requested by the applicant to continue AMP-14-07 to January 9, 2008.

Chairman Brown opened the Public Hearing. The following persons declined to comment at this time:

- **William Parker, 2208 Matheson, North Las Vegas, NV 89030**
- **Alex Porter, 616 Gilday Court, North Las Vegas, NV 89030**

Chairman Brown indicated the Public Hearing would remain open.

ACTION: CONTINUED TO JANUARY 9, 2008

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

12. **ZN-115-07 (32683) CASA MESA/DESERT MESA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DESERT MESA I, LLC, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 93 SINGLE-FAMILY DWELLINGS AND 300 SENIOR APARTMENTS. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF REVERE STREET AND CAREY AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-15-417-001 THROUGH 139-15-471-124 AND 139-15-497-004 THROUGH 139-15-497-019. (CONTINUED NOVEMBER 14, 2007)**

It was requested by the applicant to continue ZN-115-07 to January 9, 2008.

Chairman Brown opened the Public Hearing. The following persons declined to comment at this time:

- **William Parker, 2208 Matheson, North Las Vegas, NV 89030**
- **Alex Porter, 616 Gilday Court, North Las Vegas, NV 89030**

Chairman Brown indicated the Public Hearing would remain open.

ACTION: CONTINUED TO JANUARY 9, 2008

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 15 was heard next.

13. **AMP-16-07 (32699) NORTH 5TH DEER SPRINGS ZONE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NORTH 5TH STREET PARTNERSHIP, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MULTI-FAMILY (UP TO 25 DU/AC) TO COMMUNITY COMMERCIAL. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF DEER SPRINGS WAY AND NORTH 5TH STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-22-701-007. (CONTINUED NOVEMBER 14, 2007)**

Item Nos. 13 and 14 were presented together.

The application was presented by Robert Eastman, Principal Planner who explained the application was in compliance with the intent of the Comprehensive Plan and the North 5th Street corridor; therefore, Staff was recommending approval of AMP-16-07.

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

Chairman Brown closed the Public Hearing.

Commissioner Ned Thomas stated he normally would vote against plan amendments, as the plan was new and he felt it was a bad policy to amend a new plan; however, he felt this change was warranted and made sense with other plans the City had in place along the North 5th Street corridor and was in support of the application.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

14. **ZN-117-07 (32700) NORTH 5TH DEER SPRINGS ZONE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NORTH 5TH STREET PARTNERSHIP, LLC, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM AN R-E, RANCH ESTATES DISTRICT TO A C-2, GENERAL COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF DEER SPRINGS WAY AND NORTH 5TH STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-22-701-007. (CONTINUED NOVEMBER 14, 2007)**

Item Nos. 13 and 14 were presented together.

The application was presented by Robert Eastman, Principal Planner who explained the application was in compliance with the intent of the Comprehensive Plan and the North 5th Street corridor; therefore, Staff was recommending approval of ZN-117-07.

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

Chairman Brown closed the Public Hearing.

Commissioner Ned Thomas stated he normally would vote against plan amendments, as the plan was new and he felt it was a bad policy to amend a new plan; however, he felt this change was warranted and made sense with other plans the City had in place along the North 5th Street corridor and was in support of the application.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 18 was heard next.

15. **GED-02-07 (32692) NORTHGATE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DIAMOND LAMB, LLC, PROPERTY OWNER, FOR A PETITION TO ALLOW A GAMING ENTERPRISE DISTRICT IN AN MUD/MX-3, MIXED USE DEVELOPMENT DISTRICT/REGIONAL CENTER MIXED USE. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF TROPICAL PARKWAY AND MARION DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 123-29-301-002, 123-29-301-003 AND 123-29-401-007. (CONTINUED NOVEMBER 14, 2007)**

It was requested by the applicant to continue GED-02-07 to December 12, 2007.

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

Chairman Brown indicated the Public Hearing would remain open.

ACTION: CONTINUED TO DECEMBER 12, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

16. **ZN-23-07 (32690) NORTHGATE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DIAMOND LAMB, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO AN EXISTING MUD/MX-3, MIXED USE DEVELOPMENT DISTRICT/REGIONAL CENTER MIXED USE TO INCLUDE A CASINO AS PART OF THE PROPOSED DEVELOPMENT. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF TROPICAL PARKWAY AND MARION DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 123-29-301-002, 123-29-301-003, 123-29-401-004, 123-29-401-005, 123-29-401-006, 123-29-401-007, 123-29-401-012, 123-29-401-013 AND 123-29-401-015. (CONTINUED NOVEMBER 14, 2007)**

It was requested by the applicant to continue ZN-23-07 to December 12, 2007.

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

Chairman Brown indicated the Public Hearing would remain open.

ACTION: CONTINUED TO DECEMBER 12, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

17. **UN-107-07 (32695) NORTHGATE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DIAMOND LAMB, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN MUD/MX-3, MIXED USE DEVELOPMENT DISTRICT/REGIONAL CENTER MIXED USE TO ALLOW A CASINO. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF TROPICAL PARKWAY AND MARION DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 123-29-301-002, 123-29-301-003 AND 123-29-401-007. (CONTINUED NOVEMBER 14, 2007)**

It was requested by the applicant to continue UN-107-07 to December 12, 2007.

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

Chairman Brown indicated the Public Hearing would remain open.

ACTION: CONTINUED TO DECEMBER 12, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

Item No. 1 was heard next.

18. ZN-107-07 (31910) CENTENNIAL & LOSEE PROJECT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JACK BINION AND PHYLLIS COPE, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM A PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF BUSINESS/OFFICE USES WITH ASSOCIATED RETAIL AND RESTAURANTS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-25-101-001. (CONTINUED SEPTEMBER 12 AND 26, OCTOBER 24, AND NOVEMBER 14, 2007)

The application was presented by Robert Eastman, Principal Planner who explained the application was continued numerous times and the applicant had submitted numerous revisions. The latest revision was in general compliance with all other Departments' concerns and have now met Public Works and Fire Department concerns. The current issue with the site was a mixed commercial office and retail development which Staff felt was appropriate to the site for commercial to be located. Staff's concern was the proposed parking garage the applicant proposed on the southern end of the site adjacent to the single-family homes. With the latest revision, the applicant proposed some additional landscaping and treatments to the facade of the parking garage to help mitigate the impact it would have on the neighboring residential. While, to some extent, that provides some relief to the residential, Staff felt the size of the parking structure, both the height and the length of the building, located so close to the single-family homes, was a negative impact that those residences should not be required to have; therefore, Staff felt the application should be continued to allow the applicant additional time to redesign the site to place the parking structure more to the internal portion of the site away from the homes. The applicant had submitted revised conditions, some of which Staff had reviewed and were in agreement with, but were not in support of Condition No. 2, which was the condition the applicant was the most concerned with. The original conditions recommended by Staff 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. A 30 foot wide setback shall be required along the south property line must be landscaped. The landscaped area shall be planted with palm trees spaced at 20 feet on center and with a minimum ten (10) brown trunk feet in height, in addition to other required landscape material as set forth in the Commercial Design Guidelines. The landscape buffer must achieve eighty (80%) percent of ground coverage within two (2) years.

3. The development shall comply with the Commercial Development Standards and Design Guidelines including but not limited to the following.
 - a. A continuous internal pedestrian walkway must be provided from the perimeter public sidewalk to the principal customer entrance. The walkway must be distinguished from driving surfaces through the use of special pavers, bricks or patterned concrete.
 - b. Submit revised elevations that comply with the commercial design guidelines. Stone, stucco, colored or exposed aggregate or textured finish concrete, decorative block and brick are the preferred materials for the building exteriors.
 - c. Redesign the facade of the proposed parking garages adjoining the single family residential to resemble the facade of the main office buildings or depict the mural as shown on the revised elevation.
 - d. Six (6) feet of foundation landscaping shall be provided on all sides of the buildings including the parking garages or provide other alternatives listed in the ordinance.
 - e. Provide a twenty five (25) foot perimeter landscape area measured from the back of curb along the drive thru lane fronting Pad 'D'.
4. A final development plan shall be required for Planning Commission review and approval.
5. The commercial / office portion of the development shall not exceed 62 feet to the top of the parapet and 60 feet to the center of the parapet.
6. The commercial square footage shown on the preliminary development plan is considered conceptual and shall be reduced if it is found that there is insufficient parking, buffer area or plaza area, upon submittal of the final development plan.
7. Approval of a drainage study is required prior to submittal of the civil improvement plans.
8. 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.
9. The required median island within Centennial Parkway shall be constructed per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 218 and must be landscaped by the developer.

10. The applicant shall submit a traffic study update for review and approval.
11. The applicant must abide by all conditions of the approved traffic study.
12. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Centennial Parkway and Losee Road.
13. Right-of-way dedication and construction of half street improvements for a flared intersection adjacent to the property, including a right turn lane, is required at Losee Road and Centennial Parkway per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1, modified to accommodate the existing Nevada Power Company transmission line pole.
14. Right-of-way dedication and construction of a CAT bus turn-out is required on Centennial Parkway south of Losee Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1, modified to accommodate the existing Nevada Power Company transmission line pole.
15. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer through approval of the Losee Road/ Centennial Parkway S.I.D. improvements and/or the project traffic study and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
16. 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.
17. 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.
18. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
19. All Nevada Power Company easements, appurtenances, lines and poles must be shown on future civil improvement plans and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed for the project, shall be placed underground.
20. 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.

21. Off-site improvements must be substantially completed prior to final inspection of the first building.
22. The property owner is required to grant a roadway easement for commercial driveway(s).
23. The property owner is required to sign a restrictive covenant for utilities.
24. 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.
25. A revocable encroachment permit for landscaping within the public right of way is required.
26. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
27. Off-site improvements required of this application, as set forth in these conditions stipulated by City of North Las Vegas Municipal Code Section 16.24.100, shall be constructed with the Losee Road S.I.D.; however, in the event the Losee Road S.I.D. does not proceed to construction or is delayed, the developer will be required to construct the improvements if the S.I.D. construction has not commenced prior to final inspection of the first building.
28. The sewer main in Losee Road is at capacity. The City is currently designing a 36-inch sewer in Losee Road from Centennial Parkway to Craig Road, should the subject project be ahead of the City's project, the developer will be required to oversize the existing 8-inch sanitary sewer main to 36-inch from manhole to manhole along the frontage of Losee Road, unless otherwise approved by the Director of Utilities. The project needs to be completed prior to the completion of Losee Road Improvements Project.
29. Fire lanes shall be located per the fire code or an approved alternate materials and method shall be submitted and approved by the Fire Department.
30. Fire lanes shall be designed per the fire code.
31. Fire lanes shall be marked to prohibit parking per the fire code.

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 the biggest concern was with respect to the southern property line; the garages in that area were about 33 ½ feet in height, so from the back yard or from the side of the garage, you would not be able to see the 48 feet, because the width of the garage would not allow somebody to see the 48 foot height of the building, which was explained to the neighbors and they understood it. Some of the neighbors inquired about moving the garage around, but one of the key issues with the neighbors was that they did not want access to the rear of the garage. The elevation asked for by the neighbors showed a mural and the revised elevation was submitted to Staff. They also discussed additional landscaping and Staff had a condition that required palm trees to be spaced 20 feet on center along the back of the building, which would be between the garage and the residential homes. The Binion Family expressed they would prefer to have an evergreen tree in that area and suggested 36" box trees in the back at 10 feet on center; however, the neighbors wanted that broken up with a mix of palm trees with the evergreen trees. The landscaping in the rear would be an evergreen tree and a palm tree alternated every ten feet on center across the whole back wall. The neighbors also asked that pedestrian access not be allowed in the rear of the building; so, there was a condition that talked about a seven foot wrought iron fence with a bend at the top so it could not be climbed and could only be opened with a gate code or key by the maintenance crew. They were required to install a fire wall because there was no access, so on the fire wall, there would be a mural, which was requested by the residents. He asked to amend Condition No. 2 to read: "A 20 foot wide setback shall be required along the south property line must be landscaped. The landscaped area shall be planted with thirty-six (36) inch box evergreen trees and palm trees spaced at 10 feet on center that will be alternated, in addition to the required landscape material as set forth in the Commercial Design guidelines. The landscape buffer must achieve eighty (80%) percent of ground coverage within two (2) years" and that Condition No. 3.f, be added to read: "The south elevation of the garage structures shall be constructed as depicted on the revised elevations;" Condition No. 3.g added to read: "Wrought iron fencing to be constructed at seven (7) feet in height (bent at the top) to prevent pedestrian access in the landscaped area between the garage structures and south property line;" and Condition No. 3.h added to read: "The lighting on the south elevation of the garage shall be shielded with shoebox lighting." He explained they had two neighborhood meetings and he had been in contact with the residents, and they understand the applicant would continue to work on issues they had been now and when the application was heard by City Council.

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

Chairman Brown closed the Public Hearing.

Chairman Brown indicated he was in support of the application.

Mr. Eastman stated he had some proposed amendments to Condition No. 2, which he felt the applicant would agree with. Condition No. 2 would be amended to read: "A landscaped 20 foot wide setback shall be required along the south property line. The landscaped area shall be planted with alternating thirty-six (36) inch box evergreen trees and 20 foot tall palm trees spaced 10 foot on center, in addition to other required landscape material as set forth in the Commercial Design Guidelines.

Mr. Eastman explained the ground cover was not necessary as the trees being planted ten feet on center would provide a greater mitigating factor than the 80% ground coverage.

Mr. Gronauer concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION WITH CONDITION NO. 2 AMENDED AND CONDITION NOS. 3.F, 3.G AND 3.H ADDED TO READ:

2. A LANDSCAPED 20 FOOT WIDE SETBACK SHALL BE REQUIRED ALONG THE SOUTH PROPERTY LINE. THE LANDSCAPED AREA SHALL BE PLANTED WITH ALTERNATING THIRTY-SIX (36) INCH BOX EVERGREEN TREES AND 20' TALL PALM TREES SPACED 10 FOOT ON CENTER, IN ADDITION TO OTHER REQUIRED LANDSCAPE MATERIAL AS SET FORTH IN THE COMMERCIAL DESIGN GUIDELINES.
- 3.F. THE SOUTH ELEVATION OF THE GARAGE STRUCTURES SHALL BE CONSTRUCTED AS DEPICTED ON THE REVISED ELEVATIONS.
- 3.G. WROUGHT IRON FENCING TO BE CONSTRUCTED AT SEVEN (7) FEET IN HEIGHT (BENT AT THE TOP) TO PREVENT PEDESTRIAN ACCESS IN THE LANDSCAPED AREA BETWEEN THE GARAGE STRUCTURES AND SOUTH PROPERTY LINE.
- 3.H. THE LIGHTING ON THE SOUTH ELEVATION OF THE GARAGE SHALL BE SHIELDED WITH SHOEBOX LIGHTING.

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

Robert Eastman, Principal Planner indicated Staff was working on putting together some training for Commissioners and asked the Commission for input on days and times that would be convenient for them to meet for training sessions.

Chairman Brown asked that more specific information regarding the training be sent to the Commissioners so it could be discussed at the next Planning Commission meeting.

CHAIRMAN'S BUSINESS

There was no report given.

ADJOURNMENT

The meeting adjourned at 8:22 p.m.

APPROVED: January 9, 2008

Steve Brown, Chairman

Jo Ann Lawrence, Recording Secretary