

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

December 12, 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: 6:06 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: Jory Stewart, Planning & Zoning Director
Marc Jordan, Planning Manager
Robert Eastman, Principal Planner
Mary Aldava, Senior Planner
Paul Yadro, Planner
Bethany Sanchez, Deputy City Attorney II
Jennifer Doody, Development & Flood Control
Eric Hawkins, Public Works
Janice Carr, Fire Department
Xiaohui Yu, Utilities Department
Amy Farmer, Office Assistant

WELCOME: Chairman Steve Brown

VERIFICATION: Amy Farmer, Office Assistant

PLEDGE OF ALLEGIANCE: Chairman Steve Brown

MINUTES

• **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION WORKSHOP OF NOVEMBER 1, 2007**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: Commissioners Shull and Cato

• **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF NOVEMBER 14, 2007.**

ACTION: APPROVED

MOTION: Vice-Chairman Trivedi

SECOND: Commissioner Thomas

AYES: Chairman Brown, Commissioners Leavitt, Aston and Cato

NAYS: None

ABSTAIN: Commissioners Shull

Item No. 5 was heard next.

NEW BUSINESS

1. **GED-03-07 (33043) SPEEDWAY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SPEEDWAY HOSPITALITY DEVELOPMENT, LLC, ON BEHALF OF SPEEDWAY HOSPITALITY DEVELOPMENT II, LLC, AND SPEEDWAY HOSPITALITY DEVELOPMENT, LLC, PROPERTY OWNERS, FOR A PETITION TO ALLOW A GAMING ENTERPRISE DISTRICT IN A PUD, PLANNED UNIT DEVELOPMENT DISTRICT. THE PROPERTY IS LOCATED EAST OF SHATZ STREET AND APPROXIMATELY 700 FEET NORTH OF CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBERS ARE 123-22-701-009, 123-22-801-020 AND 123-22-801-021.**

The application was presented by Marc Jordan, Planning Manager who explained the property was part of a PUD that was approved in 1998. When the PUD was originally approved, a casino was shown on the site and a condition that was written as part of the PUD that a GED must be approved prior to construction of a casino. Since that time, there have been several amendments to the property. A casino was proposed within the area that was known as Phases 4, 5, and 6. In each of those phases, there would be a casino, which was originally proposed, a motel and a tavern. Since that time, the motel has been removed and the use permit for the tavern has expired; therefore, the casino was being proposed over the entire area of Phases 4, 5, and 6. In the future, the applicant would need to come back to amend the PUD because the casino was approved as part of the PUD. They would not need to come back with a special use permit but would need to amend the PUD and eventually submit a final development plan. Staff reviewed the application and had no objection to the establishment of a Gaming Enterprise District for the area and was recommending that GED-03-07 be approved.

Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89169 appeared on behalf of the applicant along with **George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014**. Mr. Gronauer explained several exhibits had been distributed addressing requirements of Nevada Revised Statutes (NRS). Page 1 of the exhibits showed an aerial of where the proposed gaming establishment would be located. The proposed location was approved in 1998 within a larger PUD of approximately 50 acres, which came in several phases. He indicated before they came in with the zoning on the property, it was master planned for Community Commercial and was currently master planned for industrial uses. One of the key requirements of SB-208 was that the proposed establishment was located in an area zoned or planned for that purpose. The property was approved for zoning purposes of hotel/casino, among other uses in 1998. Condition No. 29 of Ordinance No. 2115 lists the phases in zoning. Phase 1 was identified as a Nevada Power Company substation, Phase 2 was a Truck Stop with gas pumps and service facility,

Convenience Store with gas pumps, Restaurant, and two convenience food restaurants; Phase 3 was identified as a Truck Wash; Phase 4 was identified as the hotel and casino and overflow parking area, which showed they met SB-208 as the property had been zoned since 1998. Exhibit No. 5 showed a radius survey done by Baughman & Turner, Inc. showing that on the date the petition was filed to expand the Gaming Enterprise District, the property line for the proposed casino was not less than 500 feet from the property line of a developed residential district. Exhibit No. 6 was a radius requirement that showed on the date of the petition, for the proposed gaming establishment, that the property line for the proposed casino was not less than 1500 feet from a property line of a public or private school or structure used primarily for religious services of worship. Exhibit No. 7 showed that the proposed property would not adversely affect a public or private school, a structure used primarily for religious services or a developed residential district whose property line was within 2500 feet. They also must show that a proposed gaming establishment would not be detrimental to the health, safety or general welfare of the community or incompatible with the surrounding area. He explained there would not be a negative impact on residential development as shown by the maps. The North Las Vegas City Council, in 1998, said a hotel casino was appropriate at the proposed location. The proposed location was no different than other neighborhood types of casinos approved in the City of North Las Vegas and the Las Vegas Valley. The proposed gaming enterprise district would not unduly impact public services, consumption of natural resources and the quality of life enjoyed by the residents in the surrounding neighborhoods, which was not being done, as there was no residential within 2500 feet. He felt neighborhood casinos enhanced the quality of life with respect to amenities provided, such as bowling alleys, movie theaters, restaurants, and meetings rooms. Exhibit No. 8 showed there would not be undue impact on the public services for fire. They have worked with the Fire Department and had other casino sites approved in the general vicinity, which was also known as the Runvee site off of Lamb Boulevard and I-15 and also the Focus Property Group off of I-15 and the 215 Beltway. They would address all issues with the Fire Department. Exhibit No. 9 was a letter from Charles H. Barry and Associates LLC regarding the impact casinos had on the environment. Exhibit No. 10 was an Impact Statement showing the roads, water, sanitation, utilities and related services to the location were adequate. Page 3 of Exhibit No. 10 showed those studies were addressed by a professional engineer, showing services were adequate. Exhibit No. 11 was a re-cap on the traffic, showing when the traffic study was completed, there would be some mitigation measures that would have to be dealt with to help improve the area, but the roads were adequate to the proposed gaming establishment. Exhibit No. 12 was a report prepared by Applied Analysis showing the economic impact the gaming establishment would have in the City of North Las Vegas. Page 4 of Exhibit No. 12, the first bullet point says: "That the project will have a positive economic and fiscal impact on both the state and local government, adding to the employment base, increasing the productivity of under-utilized property, expanding the regions' core industry and generating in excess of one million dollars in state and local tax revenues." Point No. 2 says, "The Project's acquisition, design, development and construction are anticipated to cost \$44.5 million (inclusive of land). While the investment

associated with this development is substantial, it is important to note that the scope associated with newly-constructed projects has escalated in recent years; the Project is no different.” The third bullet reads: “The Project’s development and construction phase will require an estimated 200 person-years of employment, disbursing approximately \$9 million in wages and salaries to Clark County workers.” The report also shows the amount of employees and revenues in taxes the City would collect with respect to the gaming establishment. By clear and convincing evidence you could see the proposed establishment would enhance, expand and stabilize employment and the local economy, because this was one of the economic engines that helped provide the services as it trickled down from the taxes paid into the local government. It helped pay for police, fire, parks and other services.

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 Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 23 was heard next.

2. **AMP-18-07 (33132) PARK HIGHLANDS WEST PARCEL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NOVEMBER 2005, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE CITY OF NORTH LAS VEGAS COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION FROM SINGLE FAMILY LOW (UP TO 6 DU/AC), SINGLE FAMILY MEDIUM (UP TO 13 DU/AC), MULTI-FAMILY (UP TO 25 DU/AC), OPEN SPACE, NEIGHBORHOOD COMMERCIAL, PUBLIC SEMI-PUBLIC AND MIXED-USE NEIGHBORHOOD TO MASTER PLANNED COMMUNITY. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF DECATUR BOULEVARD AND GRAND TETON DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-19-110-001 AND 124-19-110-004, 124-18-110-001 THROUGH 007, 124-18-210-001 THROUGH 005, 124-18-310-001 THROUGH 007, 124-18-410-001 THROUGH 007, 124-18-510-001 THROUGH 010, 124-18-610-007 THROUGH 009, 124-18-710-001 THROUGH 003 AND 124-18-810-001 THROUGH 004.**

The application was presented by Marc Jordan, Planning Manager who explained the application was for the west side of the development, the 600 acre portion. When the development agreement was being considered, the 1999 Comprehensive Plan was in place and the 2006 Comprehensive Plan was in the process of going through the system; but, in the Development Agreement, at the time it was approved, stated that the 1999 Comprehensive Plan governed how Park Highlands was developed. There was also a land use plan that governed the densities and how the property would be developed and broken up and was approved as part of the development agreement. The present application was a housekeeping item and was bringing the existing Park Highlands in compliance with the current 2006 Comprehensive Plan, so there would not be confusion of two different Comprehensive Plans operating within the City and would not change the densities or land use approvals within the development. Staff was recommending that AMP-18-07 be approved.

Jennifer Lazovich of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of Park Highlands and indicated she concurred with Staff recommendation. She explained she spoke with Lori Ortiz and Patrick Wiggins, who had submitted Request to Speak Cards, and explained the purpose of the application and they indicated to her they were in favor of approval and would be withdrawing their Card.

Chairman Steve Brown opened the Public Hearing. The following participants submitted a Card but withdrew it:

- **Lori Ortiz and Patrick Wiggins, 4417 Oasis Valley, North Las Vegas, NV**

Commissioner Ned Thomas disclosed his employer, Wood Rodgers, was currently doing work for the Park Highlands Development, which consisted of some backbone infrastructure design of roads, but did not affect this application, so he would be voting on the item.

Chairman Brown closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL
CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

3. **AMP-19-07 (33133) PARK HIGHLANDS EAST PARCEL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE NOVEMBER 2005, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE CITY OF NORTH LAS VEGAS COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION FROM SINGLE FAMILY LOW (UP TO 6 DU/AC), SINGLE FAMILY MEDIUM (UP TO 13 DU/AC), MULTI-FAMILY (UP TO 25 DU/AC), OPEN SPACE, COMMUNITY COMMERCIAL, EMPLOYMENT, PUBLIC SEMI-PUBLIC, MIXED-USE NEIGHBORHOOD, AND MIXED-USE COMMERCIAL TO MASTER PLANNED COMMUNITY. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF LOSEE ROAD AND GRAND TETON DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-16-501-001, 124-16-301-001, 124-15-000-003, 124-23-501-003, 124-21-501-002 AND 124-14-000-001.**

The application was presented by Marc Jordan, Planning Manager who explained this was the easterly portion of the Park Highlands Development and the application was a housekeeping item to bring Park Highlands into compliance with the current 2006 Comprehensive Plan so there would not be confusion of two different Comprehensive Plans operating within the City and would not change the densities or land use approvals within the development. Staff was recommending that AMP-19-07 be approved.

The following comments were carried forward from Item No. 2, AMP-18-07:

Jennifer Lazovich of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of Park Highlands and indicated she concurred with Staff recommendation. She explained she spoke with Lori Ortiz and Patrick Wiggins, who had submitted Request to Speak Cards, and explained the purpose of the application and they indicated to her they were in favor of approval and would be withdrawing their Card.

Chairman Steve Brown opened the Public Hearing. The following participants submitted a Card but withdrew it:

- **Lori Ortiz and Patrick Wiggins, 4417 Oasis Valley, North Las Vegas, NV**

Commissioner Ned Thomas disclosed his employer, Wood Rodgers, was current doing work for the Park Highlands Development, that consisted of some backbone infrastructure design of roads but did not affect this application, so he would be voting on the item.

Chairman Brown closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

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

4. UN-115-07 (33036) PANDA EXPRESS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CARTER AND BURGESS INC. ON BEHALF OF CFT DEVELOPMENTS LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT. THE PROPERTY IS LOCATED NORTH OF CRAIG ROAD AND APPROXIMATELY 460 FEET WEST OF LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-02-613-021.

The application was presented by Marc Jordan, Planning Manager who explained Staff had a few concerns regarding the applicant's proposal. In the elevations it was indicated the color purple was part of the building and the Commercial Design Standards did not list that type of color and the colors must be indigenous to the valley; therefore, Staff recommended that the color be removed. Purple could be used as a trim and accent color but could not be a primary color for the building. Public Works also indicated, in reviewing the site plan, that one of the drive-thru lanes, which was for the convenience food restaurant that was not being considered, had a conflict with the way the parking would be situated on the site; therefore, the parking would need to be removed. The applicant also showed they only had approximately 12 feet of landscaping next to Craig Road where 20 feet was required. They were slightly over-parked, so they could remove the parking and reconfigure. There would also be cross-access for the parcel to the west that would be shown on the plan. Staff felt the changes were minor and was recommending that UN-115-07 be approved 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 including but not limited to the following:
 - a. The proposed color (purple) should be reduced on the exterior building facade to be utilized as an accent in the building design.
3. Approval of a drainage study is required prior to submittal of the civil improvement plans.
4. 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.
5. Craig Road is a no cut street.

6. Approval of a traffic study is required prior to submittal of the civil improvement plans.
7. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Craig Road.
8. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
9. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
10. A minimum of five stacking spaces shall be provided behind the ordering box.
11. The cross access shall be utilized on the west side of this property.
12. The six (6) parking spaces on the southeast portion of the property should be removed to minimize conflicts at the drive-through operation.
13. Street lights must be located at least six (6) feet from driveway BCR. As shown in this plan, it may be necessary to re-locate the existing street light.
14. 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.
15. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
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. 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.
18. All off-site improvements must be completed prior to final inspection of the first building.

19. An application for the vacation of the existing roadway easement document #991027:00794 is required.
20. The property owner is required to grant a roadway easement for commercial driveway(s).
21. The property owner is required to sign a restrictive covenant for utilities.
22. This application shall comply with the *City of North Las Vegas Municipal Code* and NRS 278. Conformance may require modifications to the site.
23. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

Travis Johnson, Carter & Burgess, 6655 Bermuda Road, Las Vegas, NV 89119 appeared on behalf of the applicant explaining the parking would be changed and cross access would be provided to the adjacent property to the west and had no objections to the conditions, other than removing the color purple from the exterior finishes. He showed pictures of already existing Panda Express buildings and felt the purple incorporated in the exterior finish was an accent. The majority of the building was painted with earth tone colors. He stated the first elevations submitted showed a more vibrant purple color. He asked that they be allowed to incorporate purple into the exterior finish of the building.

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

Chairman Brown closed the Public Hearing.

Chairman Brown asked Staff if the Panda Express at Ann Road and Simmons Street had purple on their building. It was indicated that Panda was in a shopping center, not a stand-alone building.

Commissioner Jo Cato asked Staff if there was purple on the panda Express building at Cheyenne Avenue and Civic Center Drive. Mr. Jordan responded there was no purple on that building.

Mr. Travis explained the purple on the building was a signature exterior finish for Panda Express.

Commissioner Harry Shull indicated he did not have a problem with purple being on the building and felt it was being used as an accent color.

Commissioner Dean Leavitt suggested adding a condition allowing the color scheme to be the same as the location at Cheyenne Avenue and Civic Center Drive.

Mark Russell, Panda Express, 1015 West Desert hills Drive, Desert Hills, AZ explained the Panda Express building at Cheyenne Avenue and Civic Center Drive was in the Redevelopment area with the Montecito Companies and that they had certain criteria that had to be met for the entire center. All of the outbuildings, including the Panda, the two other buildings where Starbucks was located, had very strict regulations. They tried to get some corporate standing, but the Agency was very strict.

Commissioner Dilip Trivedi agreed with Commissioner Shull and felt purple was acceptable on the two towers.

Mr. Johnson explained there were four towers they were requesting to have purple.

Commissioner Trivedi felt four towers was too much.

Commissioner Ned Thomas felt the color was an accent if it was only on the four towers. He asked Staff if the parking applied on the left side of the entrance drive also, as the landscaping was reduced in that area also.

Mr. Jordan responded the parking would also apply to that area and he had spoken to the applicant regarding the parking. He explained there were currently 67 parking spaces on the site, where 58 spaces were required, so removing the spaces would not cause a problem. There could be some adjustments made to the site to make up the parking spaces they were short.

Commissioner Jay Aston suggested the main side of the pop-out be the accent color and the other sides be the same color as the body of the building.

Mr. Johnson requested to have the two main entrances with the purple towers.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
CONDITION NO. 2.A AMENDED AND CONDITION NO.2.B ADDED TO
READ:

2.A PROPOSED COLOR SCHEME SHALL BE AS SHOWN ON
SUBMITTED ELEVATIONS WITH THE MODIFICATION THAT ONLY
THE TWO PUBLIC ENTRANCES MAY USE THE COLOR PURPLE
AS DEPICTED.

2. B 20 FEET OF LANDSCAPING SHALL BE PROVIDED ADJACENT TO
CRAIG ROAD.

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 6 was heard next.

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

It was requested by the applicant to continue UN-117-07 to January 9, 2008.

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

Chairman Brown indicated the Public Hearing would remain open.

ACTION: CONTINUED TO JANUARY 9, 2008

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Trivedi

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

NAYS: None

ABSTAIN: None

Item No. 9 was heard next.

6. **UN-119-07 (33063) STORAGE ONE CENTENNIAL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY METRO PCS NEVADA LLC, ON BEHALF OF ALIANTE MINI STORAGE PARTNERS LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW AN 80-FOOT-HIGH TELECOMMUNICATION TOWER WITH A RESIDENTIAL SETBACK OF 180- FEET FROM RESIDENTIALLY ZONED PROPERTY WHERE A 200- FOOT-SETBACK IS THE MINIMUM REQUIRED. THE PROPERTY IS LOCATED AT 2555 WEST CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-29-513-003.**

The application was presented by Mary Aldava, Senior Planner who explained the 80 foot stealth monopole would consist of a design that would reflect a power pole and would be located within an existing mini-storage facility. In addition, the applicant was requesting that the setback from the residential property to the south and east of the site be reduced to 180 feet. Staff was in support of the tower and in the reduction of the setback to 180 feet from the residential; therefore, was recommending that UN-119-07 be approved subject to the following conditions:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. That UN-119-07 is site specific and non transferrable.
3. That the tower shall be a Stealth monopole design.
4. That the tower shall not exceed 80 feet in height.
5. The tower shall have a minimum 180 foot separation from property zoned residential.

Ken Stockero, Metro PCS, 2121 East Warm Springs Road #1142, Las Vegas, NV 89119 appeared on behalf of the applicant indicating he concurred with Staff recommendation.

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

Chairman Brown closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

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

7. UN-116-07 (33042) LAKE MEAD AND SIMMONS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SIMMONS ASSOCIATES, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A 28- FOOT-HIGH DIRECTORY SIGN WHERE AN EIGHT (8) FOOT HIGH MONUMENT SIGN IS THE MAXIMUM ALLOWED. THIS PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF LAKE MEAD BOULEVARD AND SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-20-614-001.

The application was presented by Mary Aldava, Senior Planner who explained Staff was originally recommending denial of the application. Staff met with the applicant's representative, Michael Bradshaw, who was agreeable to Staff recommendation to allow one directory sign not to exceed 20 feet in height and not to exceed 250 square feet of signage and one eight foot high monument sign. Therefore, Staff was now recommending approval of UN-116-07 subject to the following conditions, with Condition No. 4 amended to read: "The signs shall be located as shown on the submitted site plan."

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 the development shall be allowed one (1) directory sign not to exceed 20-feet in height and not to exceed 250-square-feet of signage; and one (1) eight foot high monument sign;
3. The directory sign shall have a decorative cover and utilize materials, colors, textures or finishes that are complimentary or similar to the materials on the facade of the principal building;
4. The directory sign shall be located at the southeast corner of Lake Mead Boulevard and Simmons Street (designated as Sign B) as dictated by the traffic sight visibility zone;
5. All signs shall be located outside the sight visibility restriction zones, per the Uniform Standard Drawings for Public Works' Construction Off-Site Improvements Drawing Number 201.2.

Michael Bradshaw, 3753 Howard Hughes Parkway, Las Vegas, NV 89169 appeared on behalf of the applicant indicating he concurred with Staff's original recommendation in the Staff Report; but, did change Condition No. 4 as stated. They have placed the 20' directory sign to be located just west of the ingress point on Simmons Street and they would place the monument sign at the corner. He explained they had walked the

neighborhood and spoke to four of the residents, who agreed to a 28 foot sign, one of whom was not interested in what went in. He felt they would support a 28 foot sign and knew they would be agreeable to the 20 foot sign and asked for Commission's approval.

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

- **George Gekakis, 2655 South Rainbow Boulevard, Suite 461, Las Vegas, NV** stated he owned the senior apartment complex surrounding the property and was opposed to a 28 foot sign, but did concur with Staff's recommendation to reduce the height of the sign to 20 feet.

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

4. THE SIGNS SHALL BE LOCATED AS SHOWN ON THE
SUBMITTED SITE PLAN.

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

8. UN-118-07 (33053) WATERBROOK PLAZA PAD A (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LM CONSTRUCTION COMPANY ON BEHALF OF SIMMONS ASSOCIATES, 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 2795 WEST LAKE MEAD BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-20-614-001.

The application was presented by Mary Aldava, Senior Planner who explained Staff did not have any issues with the use, but had a couple of concerns. It appears that the site plan indicates there are four feet of foundation landscaping being provided with a 12 foot sidewalk, six feet of foundation landscaping was the minimum required. Also, there are a couple of landscape islands in the parking area that would need to be included in the site plan. In addition, the building elevations are not consistent in character, design or materials with the main structure that was currently under construction. The modifications are minor and could be dealt with at the building permit stage. Staff was recommending that UN-118-07 be approved subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method the development shall comply with all applicable codes and ordinances;
2. Must comply with the Commercial Development Standards and Design Guidelines, including but not limited to:
 - a. A landscaped island shall be provided adjacent to the south elevation at the end of the row of parking.
 - b. Landscaping shall be installed in the double row of parking to the south of this structure.
 - c. Landscaping shall be provided on the west side of this structure.
 - d. A landscaped island shall be provided on the south side of the trash enclosure.
 - e. All down spouts, scuppers and access ladders shall be incorporated into the interior of the building.
 - f. Architectural designs, materials and colors shall be consistent and cohesive with the existing buildings within this development.
3. The applicant shall submit a traffic study update for review and approval.

Brian Wolf, LM Construction, 6166 South Sandhill, Las Vegas, NV appeared on behalf of the applicant indicating he concurred with Staff regarding the landscaping issues on

Condition Nos. 2.a, 2.b, 2.c, 2.d and also the interior down spouts, scuppers and access ladder; however, there have been some modifications to the fast food area of the site since the design review and when construction was started. Originally, there was a generic fast food area with a drive-thru that was approved and they wanted to bring a tenant into the space, so they were modifying it. Dunkin Donuts was going to be occupying the space and he explained the franchisee had a specific branding. The multiple colors within the base were okay to stay the same as the shopping center; but they were requesting an orange awning. He admitted it appeared to be very noticeable, but explained it was a branding feature.

Don DeMichael, Dunkin Donuts Franchisee, 7860 West Sahara Avenue, Las Vegas, NV explained they had a national franchise and asked that part of the building retain the orange color, which was critical to their branding and indicated they were looking at four or five other sites in North Las Vegas.

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

- **George Gekakis, 2655 South Rainbow Boulevard, \$401, Las Vegas, NV** was in support of the application and asked that they work with Staff on the colors.

Chairman Brown closed the Public Hearing.

Commissioner Jay Aston asked if the application was part of a PUD.

Ms. Aldava responded it was not part of a PUD, but was a small commercial retail center.

Commissioner Aston asked if there were Design Guidelines other than those imposed by the City.

Ms. Aldava responded there were not, but as part of the Design Standards, Staff wanted a cohesive development and that it be consistent in design and color.

Commissioner Aston asked which condition address that.

Robert Eastman, Principal Planner explained it was stipulated in Condition No. 2.f.

Commissioner Aston made a motion to approve, but did not have a problem with the color.

Mr. Eastman explained the purpose of Condition No. 2.f was that the center, in their approved building permits, had a small stone wainscoting along the bottom, a cornice element across their roof and then there was a typical color for the stucco exterior. In

general, that coupled, if they used the same basic color for the majority of their building, using the wainscoting, the cornice element, they could still meet the intent of the ordinance and use the orange canopy and their glass front and still be in compliance with the Design Standards and Condition No. 2.f as written.

Commissioner Aston clarified the application could be approved as recommended and the applicant could work out the details with Staff.

Mr. Wolf responded they would agree to the wainscoting and the base color.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 10 was heard next.

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

It was requested by the applicant to continue UN-92-06 to January 9, 2008.

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

- **Gay Shoaff, 5622 Midnight Breeze Street, North Las Vegas, NV 89081** declined to comment at this time.
- **Gary Shoaff, 5622 Midnight Breeze, North Las Vegas, NV 89081** asked the Commission to take a look at the streets and traffic situation in the area of the site.
- **Scott Sauer, 770 West Lone Mountain Road #2026, North Las Vegas, NV 89031** asked that the application be heard and Staff recommendation be followed and allow the applicant to work with Staff before it was heard by City Council.
- **Barry Cohen, 5627 Tropic Breeze Street, North Las Vegas, NV 89081** was tired of the saw-tooth undeveloped bumpy roads, the school buses going through his neighborhood and dealing with the School District and felt the School District should abide by their original agreement.
- **Bob Combs, El Campo Grande Avenue, North Las Vegas, NV 89081** wanted the application heard and the Commission to deny the application as recommended by Staff
- **Bob Combs' Attorney, no name stated,** explained, if the purpose of the waiver was that there were no negotiations, that may be true on the part of the Clark County School District, but was not true on the part of his client. A detailed drawing was received from the Mayor as to what was being requested, so they could have some idea of what was being proposed. He stated if the school did not pave the road, it would not get done and there would be a one lane street and part of the conditions were that the School District pave the road.

Ryan Cooley of the Clark County School District indicated a continuance was being requested, as they were in the process of gathering more information.

Chairman Brown indicated the Public Hearing would remain open.

ACTION: CONTINUED TO JANUARY 9, 2008

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 11 was heard next.

10. UN-112-07 (32858) SHADOW CREEK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MH INC, PROPERTY OWNERS, FOR A SPECIAL USE PERMIT IN AN R-E, RANCH ESTATE DISTRICT TO ALLOW AN ACCESSORY STRUCTURE BEFORE THE PRIMARY STRUCTURE. THE PROPERTY IS LOCATED AT 3 SHADOW CREEK ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-36-510-003 AND 124-36-110-003.

The application was presented by Mary Aldava, Senior Planner who explained the proposed accessory structure would be a 21,600 square foot green house that would contain plants in support of the golf course and other Mirage affiliated properties. The operation would not be commercial and would not be open to the public. Staff was supporting the application and was recommending that UN-112-07 be approved subject to the following conditions with the deletion of Condition No. 9 and Condition No. 11 amended to read: "The property owner will grant a roadway easement for a CAT bus turn-out on Losee Road near Washburn Road per the Uniform Standard Drawings for Public Works' Construction Off-site Improvements Drawing Number 234.1:"

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 special use permit is site-specific and non-transferable.
3. That the greenhouse shall not be larger than 22,000 square feet and twenty-eight feet (28.00') in height.
4. The primary vehicular access to the greenhouse shall be from Washburn Road.
5. The greenhouse operation shall not include any retail or wholesale activities, and is not permitted to be open or accessible to the public.
6. The outside metal panels shall be painted with sand-textured paint. The color(s) shall be consistent with those allowed in the Single-Family Design Guidelines (§17.24.210 NLVMC) and shall be subject to review and approval by staff during the building permit application process.
7. That a minimum nine parking spaces shall be provided. All parking and driving of vehicles shall take place on paved surfaces. Some form of physical barrier (e.g., large boulders, tack-down curbing, bollards, telephone poles affixed horizontally to the ground, etc.) to prevent vehicles from leaving the paved surfaces shall be indicated on the construction documents.

8. Approval of a traffic study is required prior to submittal of the civil improvement plans.
9. The property owner is required to sign a restrictive covenant for utilities.
10. All Nevada Power Company lines, poles and appurtenances, 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.
11. Right-of-way **dedication** for 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.
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. 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.
15. All off-site improvements must be completed prior to final inspection of the first building.
16. 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.
17. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawings* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
18. The property owner is required to grant a roadway easement for commercial driveway(s).
19. This application shall comply with the *City of North Las Vegas Municipal Code* and NRS 278. Conformance may require modifications to the site.

20. Fire access lanes shall be designed and located in accordance with the Fire Code.
21. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
22. The construction of this facility shall comply with all the requirements set forth in the attached memorandum from the Building Safety Division (dated October 24, 2007.)

Mark Russell, 3400 Las Vegas Boulevard South, Las Vegas, NV appeared on behalf of the applicant along with **Melody Serong of City Center**. Mr. Russell gave some history on the approval of the PUD. He indicated the access for the green house would be moved to Washburn Road; but, they were going to control the access through a rolling gate that would be locked and access to the site would be through communication with people on site and they projected no more than one or two vehicles to the property per day, so they did not believe there would be a queuing problem on the roadway. He understood from the engineer that Staff would be holding Condition No. 18 until it was proven that it was not necessary and other than that condition, he was in concurrence with Staff recommendation.

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

Chairman Brown closed the Public Hearing.

Commissioner Jay Aston confirmed with Staff they were deleting Condition No. 9 and asked the recommendation for Condition No. 11.

Ms. Aldava confirmed Condition No. 9 was being deleted, Condition No. 11 would be amended and suggested Public Works comment on Condition No. 18.

Jennifer Doody of Public Works explained any time there was a commercial driveway, they required an easement for maintenance purposes and the queuing, so they would like the condition to remain. She suggested the wording, "or as otherwise determined by the Director of Public Works", be added to the end.

Melody Serong of City Center explained they had exotic plants that would be coming to City Center, which was part of the reason for the green house. They would have one to five trucks per week going to the site and Shadow Creek had always been a private and protected golf course with high end security beams with wires underground. The arrival of the trucks would be scheduled and there would never be queuing anywhere around Shadow Creek.

Ms. Doody explained the requirement was not just for the queuing, it was also for maintenance purposes because it was a public access off of a public street, so it was a requirement that was set forth.

Mr. Russell asked Ms. Doody if she could foresee requiring an easement inside the security fence.

Ms. Doody responded they would not and explained the easement would never encroach beyond the fence.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NO.9, AND CONDITION NOS. 11 AND 18 AMENDED TO READ:

11. THE PROPERTY OWNER WILL GRANT A ROADWAY EASEMENT FOR A CAT BUS TURN-OUT ON LOSEE ROAD NEAR WASHBURN ROAD PER THE UNIFORM STANDARD DRAWINGS FOR PUBLIC WORKS' CONSTRUCTION OFF-SITE IMPROVEMENTS DRAWING NUMBER 234.1.
18. PROPERTY OWNERS REQUIRED TO GRANT ROADWAY EASEMENT AT WASHBURN FOR THE COMMERCIAL DRIVEWAY OR AS DIRECTED BY THE PUBLIC WORKS DIRECTOR.

MOTION: Commissioner Aston

SECOND: Chairman Brown

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

NAYS: None

ABSTAIN: None

Item No. 12 was heard next.

11. **SPR-57-07 (33049) R & S TROPICAL LLC. AN APPLICATION SUBMITTED BY RELO DEVELOPMENT ON BEHALF OF R&S TROPICAL, LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-E, RANCH ESTATES DISTRICT (PROPOSED C-1, NEIGHBORHOOD COMMERCIAL DISTRICT) TO ALLOW AN APPROXIMATELY 112,769-SQUARE-FOOT COMMERCIAL CENTER. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF LOSEE ROAD AND TROPICAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS124-26-701-009.**

It was requested by the applicant to continue SPR-57-07 to January 9, 2008.

ACTION: CONTINUED TO JANUARY 9, 2008

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 15 was heard next.

12. T-1219 (33026) WASHBURN/BRUCE. AN APPLICATION SUBMITTED BY RICHMOND AMERICAN HOMES, PROPERTY OWNER, FOR AN EXTENSION OF TIME FOR A PREVIOUSLY APPROVED TENTATIVE MAP FOR 39 SINGLE-FAMILY LOTS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF WASHBURN ROAD AND BRUCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-35-701-002 THRU 124-35-701-006.

The application was presented by Mary Aldava, Senior Planner who explained Staff was in support of the application and was recommending that T-1219 be approved subject to the following conditions:

1. The extension of time shall expire on November 09, 2008, unless extended in accordance with NRS.
2. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
3. The development comply with the Single-Family Design Guidelines including that the sidewalks along Washburn Road and Bruce Street be meandering and a sidewalk be located on at least one side of every local street.
4. All required landscaping areas and open space areas shall be labeled as common elements and be maintained by the homeowners association.
5. Perimeter walls shall be owned and maintained by the homeowner's association.
6. The developer shall disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping.
7. 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. The notice shall also state the R.C. Farms, in part, is protected by state statutes as an agricultural use.
8. The property line between Lot 33 and Common Lot "C" shall be relocated to approximately 85 feet east of the western property line for Lot 33.
9. The setback requirements noted on the tentative map title page shall be deleted prior to filing the final map.

10. The developer, or property owner, shall disclose that this property is located in a 65-70 decibel noise Air Installation Compatible Use Zone (AICUZ) as defined by Nellis Air Force Base in September 2004. The United States Air Force discourages residential development in 65-70 decibel AICUZ areas.
11. Measures to achieve a noise level reduction, outdoor to indoor, of 25 decibels must be incorporated into the design and construction.
12. Written verification must be submitted to the Clark County Health District from the Division of Environmental Protection of the State Department of Conservation and Natural Resources that the map or plan has been approved with regard to water pollution and sewage disposal in accordance with the Nevada Water Pollution Control Law.
13. A letter from the appropriate sewer agency must be submitted to the Clark County Health District stating that service from the existing system of community sewerage will be extended to the subdivision and the community facility for treatment will not be caused to exceed its capacity and the discharge permit requirements by this added service or that the facility will be expanded to provide for the added service.
14. A letter must be submitted to the Clark County Health District from the appropriate water utility stating that it will supply water to meet the standards of the Water Supply Regulations Part I, and that the capacity is available to meet the demands upon the system.
15. Improvement plans must be submitted to the Clark County Health District for review and approval before the final map can be signed. Include "Finished Floor" elevations and "Sanitary Sewer Manhole" rim elevations on all utility plans to expedite review of the required sewer "Back Water Valves" on improvement plans.
16. In order to alleviate sawtooth pavement conditions and improve traffic movements at the intersection of Bruce Street and Washburn Road, the developer shall install pavement adjacent to APN 124-35-701-001 to complete the intersection.
17. 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. Washburn Road
 - b. Bruce Street
 - c. Harold Street

18. Sixty (60) foot minor residential collector streets shall be designed and constructed per the *City of North Las Vegas 60' Standard Street Section with Offset Sidewalk*.
19. 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.
20. Approval of a drainage study is required prior to submittal of the civil improvement plans.
21. Clark County concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
22. 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.
23. The preliminary street section(s) shown on the plans shall be used for planning purposes only; the geometrics and thickness of the pavement sections will be determined by the Department of Public Works.
24. Approval of a traffic study is required prior to submittal of the civil improvement plans.
25. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Washburn Road and Bruce Street.
26. The property owner is required to grant roadway easements where public and private streets intersect.
27. All common elements shall be labeled and are to be maintained by the Home Owners Association.
28. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
29. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.

30. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element when that sidewalk is providing public access adjacent to the right-of-way.
31. A revocable encroachment permit for landscaping within the public right of way is required.
32. A construction phasing plan, depicting onsite development and supporting offsite improvements, as well as construction access routes, shall be provided by the developer. Approval by the Department of Public Works is required prior to the issuance of any permits.
33. All residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222.
34. Proposed residential driveway slopes shall not exceed a slope of twelve percent (12%).
35. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
36. Proposed interior, private streets must meet the minimum standards for the City of North Las Vegas set forth in *Clark County Area Uniform Standard Drawing* No. 210. The use of roll curb will require an additional one foot of right of way.
37. Sidewalk is required on a minimum of one side of all interior, private streets.
38. Sidewalks shall be mapped as part of the private street or located within a common element and not part of the lot.
39. VAC-06-05 shall record concurrently with the final map.

Kris Givant, Triton Engineering, 6757 West Charleston, Las Vegas, NV 89146 appeared on behalf of the applicant indicating she concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Shull
SECOND: Commissioner Leavitt

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

13. **SPR-58-07 (33014) NORTH MESA PLAZA EXPANSION. AN APPLICATION SUBMITTED BY RETAIL CENTER PARTNERS LTD, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW A SECOND DIRECTORY SIGN WHERE ONE (1) DIRECTORY SIGN IS THE MAXIMUM. THE PROPERTY IS LOCATED AT 1915 WEST CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-04-311-005 AND 139-04-311-006.**

The application was presented by Robert Eastman, Principal Planner who explained the applicant was asking for a second sign to be located between Scott Robinson Boulevard and Clayton Street along Craig Road to accommodate the additional signage of additional tenants located on the site with the expansion. Under normal circumstances a commercial center would only be allowed on large directory signs per arterial. As this site was relatively large, the applicant was requesting a second directory sign in lieu of what was normally allowed, which would be the two monument signs located along Craig Road. With that in mind and since Staff felt the trade-off was justified, Staff was recommending that SPR-58-07 be approved subject to the following conditions with Condition No. 3 amended to read: "A second directory sign with an area 210 square feet and a maximum height of 22 feet, may be used in lieu of the two monument signs normally allowed by the Sign Code:

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 second directory sign shall be provided with a decorative cover and utilize materials, colors, textures or finishes that are complimentary or similar to the materials on the facade of the principal building.
3. The second directory sign shall be limited to a maximum height of 22 feet.
4. The proposed sign shall be located outside the sight visibility restriction zones, per the *Uniform Standard Drawings for Public Works' Construction Off-site Improvements* Drawing Number 201.2.

Bob Shields, 1021 Glenhaven Drive, Pacific Palisades, CA 90272 appeared on behalf of the applicant indicating he concurred with Staff recommendation.

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

3. THE SECOND DIRECTORY SIGN WITH AN AREA OF 210 SQUARE FEET AND A MAXIMUM HEIGHT OF 22 FEET MAY BE USED IN LEU OF THE TWO MONUMENT SIGNS NORMALLY ALLOWED BY THE SIGN CODE.

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

14. **SPR-60-05 (33051) DEER SPRINGS CROSSING. AN APPLICATION SUBMITTED BY DEER SPRINGS CROSSING, LLC, PROPERTY OWNER, FOR A REVIEW OF CONDITIONS OF A PREVIOUSLY APPROVED SITE PLAN REVIEW TO ALLOW A REDUCTION OF THE LANDSCAPE BUFFER ADJACENT TO RESIDENTIAL ALONG ENGLE AVENUE TO EIGHT (8) FEET WHERE 20 FEET IS REQUIRED. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF NORTH 5TH STREET AND DEER SPRINGS WAY. THE ASSESSOR'S PARCEL NUMBER IS 124-23-316-002.**

The application was presented by Robert Eastman, Principal Planner who explained there was a section of the site plan which required additional landscaping and an inadvertent mistake had occurred; therefore, the site does not have the required space. There is less area than what was previously assumed with the site plan. The applicant has worked with Staff and tried to provide as much landscaping as possible to meet the conditions, with the existing circumstances on the site; therefore, Staff was recommending that Condition No. 4 be amended to read as follows:

4. The development shall comply with all requirements of the Commercial Development Standards and Design Guidelines, except for:
- a. A tree diamond every three (3) parking spaces in every double row of parking in lieu of the requirement for a row of landscaping every other double row of parking shall be provided.
 - b. The landscape buffer along the north side of Engel Avenue west of Donna Street may be reduced to not less than 10 feet instead of the minimum 20 feet typically required. All landscape materials otherwise required within the now-voided 10 foot area shall be added to the linear park along the west side of Donna Street, subject to review and approval by Staff.

Diana Bossard, 2260 Corporate Circle, Henderson, NV 89074 appeared on behalf of the owner indicating she concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 18 was heard next.

OLD BUSINESS

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

It was requested by the applicant to continue FDP-05-07 to January 9, 2008.

ACTION: CONTINUED TO JANUARY 9, 2008

MOTION: Commissioner Cato

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 16 was heard next.

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

It was requested by the applicant to continue UN-78-07 to January 9, 2008.

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 continuance was necessary as the PUD application was approved by the Planning Commission two weeks ago and was moving forward to City Council, so the final development plan application and use permit applications could not be heard until there was final action on the PUD by City Council.

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

Chairman Brown indicated the Public Hearing would remain open.

ACTION: CONTINUED TO JANUARY 9, 2008

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

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

It was requested by the applicant to continue UN-79-07 to January 9, 2008.

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 continuance was necessary as the PUD application was approved by the Planning Commission two weeks ago and was moving forward to City Council, so the final development plan application and use permit applications could not be heard until there was final action on the PUD by City Council.

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

Chairman Brown indicated the Public Hearing would remain open.

ACTION: CONTINUED TO JANUARY 9, 2008

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 22 was heard next.

18. UN-89-07 (31881) CILANDRO FRESH MEX (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MARIA ENAMORADO, 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 2014 WEST ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-29-802-012. (CONTINUED SEPTEMBER 12, 2007)

The application was presented by Robert Eastman, Principal Planner who explained the applicant had submitted a revised site plan to include additional landscape area from the west; therefore, Staff was recommending that UN-89-07 be approved 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. That this special use permit is site-specific and non-transferable.
3. That a Boundary Line Adjustment be submitted to the Department of Public Works, Real Property Services Division, unless otherwise resolved by compliance with Condition #12 below.
4. Either a Boundary Line Adjustment or a shared access agreement shall be properly recorded prior to the issuance of any building permit for the proposed convenience restaurant.
5. No additional sign square footage shall be allowed. No modifications to the existing sign(s) shall occur until such time that a Unified Sign Program for the entire 20-acre commercial center (between Coleman to the west, Clayton to the east, Ann to the south and the existing residential to the north) is reviewed and approved by staff. (Note: the existing sign shall be replaced with a sign that is in compliance with the current Sign Code and Commercial Development Standards and Design Guidelines.)
6. That interconnected vehicular access easements be maintained with the parcels to the north and west.
7. That any modifications to the site or to the exterior of the building be made in such a manner so as to comply with the Commercial Development Standards and Design Guidelines.
8. Fire Department access shall be maintained per the fire code.

9. The applicant shall submit a traffic study update for review and approval.
10. The applicant must abide by all conditions of the approved traffic study.
11. A minimum of five (5) stacking spaces are required to be provided behind the ordering box at all drive-through operations.
12. A shared access agreement shall be recorded with the title of this property and the property to the west.

Ricardo Rivas, 1125 Riverglen appeared on behalf of the applicant indicating he concurred with Staff recommendation.

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

Chairman Brown closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Aston

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

19. UN-97-07 (32218) AAA DISCOUNT STORAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY BENJAMIN DONEL, ON BEHALF OF DONEL DEVELOPMENT LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW AN AUTOMOBILE SERVICE FACILITY. THE PROPERTY IS LOCATED AT 2647 NORTH LAS VEGAS BOULEVARD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-13-302-005 AND 139-13-301-002. (CONTINUED SEPTEMBER 26, 2007)

The application was presented by Robert Eastman, Principal Planner who explained there had been other use permits requested for the site. The current application was to modify a portion of the mini-storage facility behind the existing strip of commercial buildings to take the next set of mini-storage buildings and convert them to an auto service facility. Staff was concerned regarding the amount of parking required for commercial retail, which was also requested and for auto service, which was greater than normally required for a mini-storage facility. The site was currently under parked and additional conversions of the site from mini-storage to retail or auto service would create more parking problems with the site. Additionally, the modifications that would typically be required to change the site from mini-warehouse to a commercial activity would require extensive modifications to the buildings' architecture to come more into compliance with Commercial Design Standards. To date, the applicant has not expressed a willingness to modify his building's architecture or design to come into compliance with the Design Standards and to add features that would be typically seen more with modern commercial development along Las Vegas Boulevard; therefore, Staff feels the use, as requested, should not be approved. Should the Commission determine the use could be supported at that site, an indefinite continuance was recommended to allow the applicant to change his site plan to comply with the Design Standards and submit a plan that could be adequately reviewed.

David Downey, 4075 West Desert Inn Road, Suite A, Las Vegas, NV explained the proposed building would be secured and separated from the retail and storage area. There was no direct impact off of Las Vegas Boulevard as far as visual site lines.

Benjamin Donel, property owner, explained on the new site plan that was submitted the parking issue was resolved with the exception that a variance was needed for the landscaping. He indicated they were willing to add the landscaping back in and that the K-Mart had a 10 foot variance into the landscaping and once the landscaping was completed, there would be uniform landscaping. He explained they were using stucco on the metal building so it would look like a commercial building and it was sitting behind a commercial building and would be gated and also solved the parking issues. The City's concern was with the objectives of the Redevelopment area and he was trying to redevelop the property, which was difficult to work with.

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

Chairman Brown closed the Public Hearing.

Chairman Brown asked to see an aerial of the site.

Mr. Jordan showed the aerial and pointed out the building the applicant was proposing for the auto service facility, explaining the buildings in front were where there were already some commercial uses. The applicant was proposing to remove the landscaping on their property to accommodate parking. He explained K-Mart had landscaping in the NDOT right-of-way, but K-Mart was still proposing landscaping on their own property so that if, for any reason, ultimate build-out of NDOT were to come in, K-Mart would still have landscaping; whereas, with what the applicant was proposing, if they were to build out, there would be no landscaping.

Mr. Donel explained they were putting the landscaping in above NDOT and there would be parking and once the landscaping and parking was modified, there would be sufficient parking and the storage facility would be sealed off from the store front and the service bay.

Mr. Eastman explained the proposed landscaping was not on the applicant's property but was on NDOT right-of-way. The site plan does not correspond to what was actually shown and that was part of the problem and concern Staff had.

Mr. Donel responded based on their measurements, from the NDOT right-of-way to the property line, was 20 feet and they were not tapping into NDOT. They show from the NDOT right-of-way to the building was 59.4 feet.

Commissioner Dean Leavitt asked the applicant if he realized if the application were approved, he would have to bring his Building up to the current Building Code standards.

Mr. Donel responded that was what he intended to do, as he owned the property next to the proposed site and was also in the process of developing it and wanted to improve the appearance of the area.

Commissioner Leavitt asked Staff if the property was in the Redevelopment area.

Mr. Eastman responded it was located within the north Redevelopment Area so it would have to go to the Redevelopment Agency for final consideration.

Commissioner Jay Aston suggested the application be continued to work out details with Staff.

Commissioner Leavitt understood the biggest discrepancy between the applicant and Staff was on the footage for parking and landscaping and agreed the applicant should continue the application and work out the details with Staff.

Commissioner Ned Thomas clarified the encroachment of the parking was not into non-existent landscaping, as it was something that could be considered and the parking was encroaching into an NDOT right-of-way. He asked the applicant when the property was purchased and if it was purchased with the idea that he would have an auto repair facility at that location.

Mr. Donel responded he did not purchase the property with the intent to have an auto repair facility; but, the idea came about because the building was sitting empty.

Commissioner Thomas explained it would be expensive to upgrade a building that was built for storage to be used for the proposed use and agreed the application should be continued, but was not sure the problems could be resolved.

Commissioner Dilip Trivedi asked if a cross access easement could be worked out with the neighboring property so he could park on their property.

Mr. Donel responded that had been proposed with the property he owned, which was next to the proposed site, but was turned down.

Commissioner Trivedi advised the applicant to work that out with Staff and also suggested a continuance.

Mr. Donel indicated if cross access was an option, his problems would be resolved.

Jory Stewart, Planning and Zoning Director indicated a cross access easement was possible, but the applicant would need to show the entire area under his control and that he met the parking requirements on the site he would be sharing the parking with. If Mr. Donel provided that information to Staff, they could do a parking analysis to see if, overall, there was enough parking to accommodate all of the uses. The danger was that the one site was designed for storage, not as a commercial retail establishment, so the parking required for that particular use was less than what you would find in a commercial retail center. The client was not precluded because it was a separate parcel, from later selling that and possibly not having access to the site for additional parking, which would create a parking problem on the storage site.

Chairman Brown reopened the Public Hearing and indicated it would remain open.

ACTION: CONTINUED INDEFINITELY

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

20. **UN-96-07 (32215) AAA DISCOUNT STORAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY BENJAMIN DONEL ON BEHALF OF DONEL DEVELOPMENT, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT TO CONVERT A PORTION OF AN EXISTING MINI-STORAGE FACILITY INTO A RETAIL/AUTOMOBILE SERVICE FACILITY. THE PROPERTY IS LOCATED AT 2647 NORTH LAS VEGAS BOULEVARD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-13-302-005 AND 139-13-301-002. (CONTINUED SEPTEMBER 26, 2007)**

After discussion on Item No. 20, UN-97-07, the applicant agreed to continue UN-96-07 indefinitely.

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

Chairman Brown indicated the Public Hearing would remain open.

ACTION: CONTINUED INDEFINITELY

MOTION: Commissioner Thomas

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

21. **SPR-51-07 (32541) GOWAN & COMMERCE. AN APPLICATION SUBMITTED BY DEVELOPMENT FUNDING GROUP C/O GIDEON RICHARDSON ON BEHALF OF CELEBRATE PROPERTIES LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-2, TWO-FAMILY RESIDENTIAL DISTRICT (PROPOSED R-3, MULTI-FAMILY RESIDENTIAL DISTRICT) TO ALLOW A 216-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF GOWAN ROAD AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-10-201-009. (CONTINUED OCTOBER 24 AND NOVEMBER 14, 2007)**

Commissioner Harry Shull stated his company had an interest in the property associated with this application and would be abstaining.

The application was presented by Robert Eastman, Principal Planner who explained the applicant submitted a revised site plan that adequately showed all landscape buffering requirements, all open space requirements, and all required patios and balconies; therefore, Staff was recommending that SPR-51-07 be approved with the conditions listed in the revised memorandum dated December 12, 2007 as follows:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. This site plan shall be null and void if AMP-11-07 is denied.
3. This site plan shall be null and void if ZN-113-07 is denied.
4. The development shall comply with the Multifamily Development Standards, including but not limited to the following:
 - a. A twenty-five foot perimeter landscape area shall be provided along Commerce Street and Gowan Road;
 - b. A fifteen foot perimeter landscape area shall be provided along Shadow Tree Lane;
 - c. Meandering sidewalks shall be separated from back of curb with five (5) feet of landscaping;
 - d. All buildings shall be separated by a minimum of twenty (20) feet;
 - e. Along Gowan Road and Shadow Tree Lane, a decorative wall or berm with a minimum height of 3' shall be provided to screen the parking area;
 - f. A patio, minimum size 80 square feet, shall be provided for each ground level unit;
 - g. A minimum of 83,200 square feet of open space shall be provided with a minimum of 62,400 square feet being useable for recreation;

- h. All pedestrian crossings shall include pavers and stamped concrete;
 - i. Carports visible from the right-of-way shall follow the same design theme and use similar materials to those used in the main structure.
- 5. The trash enclosures shall have landscaped islands on both sides;
- 6. A barrier with a minimum height of 3 ½ feet and a maximum height of 5' shall be provided around the ground level patio areas to provide privacy.
- 7. Parking areas shall be designed to include traffic calming features subject to staff review and approval.
- 8. Approval of a drainage study is required prior to submittal of the civil improvement plans.
- 9. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
- 10. Approval of a traffic study is required prior to submittal of the civil improvement plans.
- 11. A queuing analysis is required.
- 12. Provide queuing per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222A.
- 13. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Gowan Road and Commerce Road.
- 14. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and *City of North Las Vegas Municipal Code* section 16.24.100.B:
 - A. Gowan Road
 - B. Commerce Road
- 15. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
- 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. 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.
18. All off-site improvements must be completed prior to final inspection of the first building.
19. The property owner is required to grant a roadway easement for commercial driveway(s).
20. 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.
21. A revocable encroachment permit for landscaping within the public right of way is required.
22. Building numbering shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
23. If units are intended to be sold individually, appropriate subdivision mapping is required to complete this project. All mapping shall be in conformance to NRS Chapter 278 and Title 16 of the *North Las Vegas Municipal Code*.
24. Provide fire access such that all ground floor walls are within 150' of a fire access lane to be measured as a fire hose would lay.
25. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
26. Open space amenities shall include provisions for shaded picnic areas, in addition to (or in lieu of) the shaded benches proposed.

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

ACTION: APPROVED SUBJECT TO STAFF RECOMMEND CONDITIONS IN REVISED MEMORANDUM DATED DECEMBER 12, 2007

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

The Public Forum was heard next.

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

It was requested by the applicant to continue T-1308 to January 9, 2008.

ACTION: CONTINUED TO JANUARY 9, 2008

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 1 was heard next.

23. **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 AND 28, 2007)**

The application was presented by Marc Jordan, Planning Manager who explained the application was part of an MUD, a Mixed Use Development District, that was already approved and the applicant was proposing to amend a portion of it that would be Phase I to add the proposed casino. The applicant must demonstrate that a Gaming Enterprise District, by clear and convincing evidence, was appropriate for the area. After reviewing the application, Staff was recommending approval of GED-02-07.

Ed Garcia, 3773 Howard Hughes Parkway, Las Vegas, NV 89169 appeared on behalf of the applicant and explained the proposed location was presented as a project when the zoning was changed to a Mixed Use Development. The gaming portion of the mixed use development was being presented for consideration. He explained the property was located east of Lamb Boulevard, south of Tropical Parkway and adjacent to I-15 along the I-15 corridor. NRS required that the site not be located within 500 feet from a residential district nor 1500 feet from a school or church and showed a radius map, which verified the requirement was met. NRS requires there not be an adverse impact on residential or schools within 2500 feet. There is not a school, but there is a developed residential district, unlike the previous application, within 2500 feet; but, also, unlike the previous application, it was simply the gaming component of the mixed use development. The project was already approved as part of a cohesive multiple use project; whereas, the gaming was a small slice of that component. The project must be planned and zoned for the purpose sought. He presented a picture of the master plan designation and explained there were some issues with the adoption of the master plan, which was changed and previously amended to reflect regional commercial. Subsequent to that, the property owner received zoning approval for the Mixed Use Development with three regional mixed uses and as part of that, gaming was entirely appropriate for that use in that zone. Mr. Garcia explained fire services were addressed and submitted a report with response times and indicated there were two stations that would service the site and there could potentially be two more stations which would increase the availability of fire services and those services would not be unduly impacted by the addition of the casino. A security expert performed an evaluation and indicated there would not be an undue impact on police services in the area. He noted the casino was part of a mixed use development and the reason there was a movement toward that type of development in North Las Vegas, from a planning

perspective, was precisely to ameliorate any effects on the consumption of natural resources. It was believed these were efficient uses, there were people on site, they were not getting in their cars as much and were not leaving for services and if they want to use some of the amenities at the site, a large portion of them already live within the project. There were numerous amenities, such as bowling alleys, theaters, meeting rooms and restaurants, which have been relied on and would enhance the quality of life for the citizens of North Las Vegas, as having more options was better. The employment and local economy would be expanded and stabilized and was identified under Exhibit No. 11. A report showing significant beneficial impact to the City of North Las Vegas by the proposed project was submitted showing over \$25 million per year annually in indirect and induced output impact to the City's economy from the gaming operation, over 160 indirect and direct jobs, simply to the City of North Las Vegas. He pointed out the detailed report indicating the sanitation, utilities, roads, water and related services were adequate to operate a project of this type. An approved traffic study was submitted and reviewed by Staff. Mr. Garcia explained an SID was recently approved and the applicant was bearing a very large portion of that commitment; although, the actual benefit to the property, as opposed to some of the properties lying north of the railroad, was arguable. The applicant has been a full participant and has always wanted to participate and felt it was good for the area and anything that happened to the area, that helps other property owners, was good for his development. The area of the proposed site, was one of the gateways into North Las Vegas and it was appropriate for casinos to be located within and along the I-15 corridor.

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

- **Bill Curran of Ballard, Spahr, Andrews and Ingersol, 300 South 4th Street #1201 Las Vegas, NV 89101** was appearing on behalf of his client, the owners of The Alhambra, which was a gaming project already approved and was adjacent to the proposed casino project. He indicated the application had been submitted in a series of baby steps over the last year or more and he had appeared each time pointing out they were steps toward the ultimate desire for a gaming application. It was the Commission's job to decide whether the use was appropriate at the proposed location, which was not isolated. There were already two casinos approved along Lamb Boulevard within approximately one mile and there was a lot of vacant property in that area. If the proposed casino was approved, he did not know who would come forward to say more should not be approved. He indicated it was too much for the community and was not in the right place and would have long-term negative consequences and the Commission's job was to plan the community and asked the Commission to deny the application.

Mr. Garcia felt the land uses were appropriate but agreed with Mr. Curran that it was the mission of the Commission to look at the land use and whether or not it was appropriate and asked the Commission for approval.

Chairman Steve Brown asked Staff to show an overhead of the area showing the previously approved casinos along with the proposed site.

Mr. Jordan showed an aerial of the site showing the casino sites.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL
CONSIDERATION

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 24 was heard next.

24. **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 AND 28, 2007)**

The application was presented by Marc Jordan, Planning Manager who explained the applicant indicated in the Letter of intent that there were three schemes that were approved as part of the original zoning request and clarified they were approved for one preliminary development plan but the conditions were written so that they could incorporate elements of all three schemes into it but they do not have the ability to pick and choose which one they want. The amendment to the MUD was minor and was very similar to what was originally approved and they were proposing 1,000 rooms, a 28,000 square foot entertainment venue, the casino itself was a little over 200,000 square feet and part of the amendment to the MUD was that they requested that the use permit for the casino be approved for eight years, so they would not have to come in for multiple extensions of time if they do not start construction within two years. That would be a similar or the same condition that was granted for The Alhambra to the south and also was granted for Aliante Casino when they came in with their PUD. Staff had no objection to that request and was recommending that ZN-23-07 be approved subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That this development shall comply with the Mixed Use Design Guidelines, including but not limited to the following:
 - a. A minimum 15-foot wide pedestrian priority area (which includes a six foot wide amenity zone and a nine foot wide sidewalk) shall be provide next to all buildings containing commercial uses. Furthermore, an additional 10 feet of landscaping, outdoor dining areas, courtyards, or pedestrian arcades shall be provided at the building entrances, not to exceed 50% of each building frontage.
 - b. Six (6) foot landscape islands shall be installed for every 12 spaces contained within a parking row, and at each end of all parking rows.

- c. The residential land use type shall not occupy less than twenty-five percent (25%) or more than seventy-five percent (75%) of the entire site.
 - d. Internal pedestrian priority areas shall be provided to connect the internal residential areas to the commercial areas of the development. Additional pedestrian priority areas shall be provided next to Tropical Parkway and the internal westerly extension of Tropical Parkway.
 - e. The Final Development Plan (FDP) shall contain a pedestrian connection or suitable alternative under/through the Lamb Boulevard overpass adjacent to the railroad tracks to connect the pedestrian priority area between Buildings "L" and "N" of this development with the development on the west side of Lamb Boulevard. Said pedestrian connection shall be treated in the same manner as all other pedestrian priority areas and shall be furnished with appropriate lighting and safety barrier(s).
 - f. A minimum one enhanced pedestrian crossing shall be provided on ½ street Marion Drive connecting now connecting this development with the Northgate Phase II development to the east. Said ½ street crossing shall be improved with decorative pavers, and stamped or colored concrete.
 - g. Pedestrian crossings of the primary internal drive aisle ("street") shall be minimized and designed to provide safe pedestrian connections. Priority shall be given to pedestrians crossing the internal "street." Curb extensions shall be provided at each internal location where pedestrians would be expected to cross vehicular travel lanes, except within defined sub-area parking lots.
 - h. A minimum 15 feet of landscaping shall be provided adjacent to all abutting rights-of-way.
 - i. "On-street" parking shall be provided along both sides of the primary internal drive aisle ("street.") Travel lanes shall be limited to one in each direction.
 - j. Sub-area parking lots are recommended to be provided with no more than 80 parking stalls each.
3. That the development comply with the appropriate Building Code requirements.
 4. The following minimum amenities shall be required as part of the usable open space:
 - a. Circuitous lighted paths and fitness course;

- b. A minimum of 20 24-inch box trees per acre;
 - c. At least two locations providing 2 differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada (4 play structures total);
 - d. A minimum of 4,680 square feet of swimming pool area with accompanying restrooms, decking, barbecue areas, and shade structures at each location and a minimum of one clubhouse/cabana;
 - e. A fitness facility which may be incorporated into the clubhouse;
 - f. Shaded picnic areas, including picnic table(s), barbecue grill(s), trash receptacle(s) and drinking fountain(s);
 - g. At least one large open space area for group/organized play with a drinking fountain;
 - h. One sport court (i.e. basketball, sand volleyball, tennis, etc.) or unique amenity such as a pet park;
 - i. One large lighted group shade area/gazebo (30' diameter);
 - j. Benches spaced along pathways;
 - k. Bicycle racks at 2-3 different locations;
 - l. Dog stations; and
 - m. Details of amenities to be provided.
5. A pedestrian priority area shall be extended from (between) Buildings A and P to the northeast corner of Lamb Boulevard and Ann Road.
 6. The sub-grade parking structure (PS4) shall be constructed prior to, or in conjunction with, the first of the following buildings: R, S, T, U, V, W, X or F. Said parking structure shall provide a minimum 1,800 parking spaces.
 7. Some form of physical barrier, acceptable to the Fire Department, shall be provided to prevent vehicles from invading the pedestrian priority areas between buildings A & P, B & C, E & U, and J & V. If desirable, the buildings may be slightly modified, but not enlarged, to comply with this requirement.
 8. Parking shall be provided according to the applicable building permit(s.)
 9. All perimeter landscaping shall be provided as part of the first building permit.
 10. If created, the applicant must participate in the Lamb Boulevard S.I.D.
 11. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100:
 - a. Tropical Parkway
 - b. Marion Drive
 - c. Ann Road
 - d. Donovan Way

- e. El Campo Grande Avenue
 - f. Lamb Boulevard (C.I.P.)
 - g. unnamed street adjacent to I-15 from Ann Road to Marion Drive
 - h. associated spandrels
12. Dedication of Lamb Boulevard and Ann Road must be granted within thirty (30) days of the formation of the S.I.D., otherwise, this entire application becomes null and void.
 13. Based upon the proposed site plan, the applicant must apply for a vacation of Novak Street.
 14. Based upon the proposed site plan, the applicant must apply for a vacation *and* an amendment to the *Master Plan of Streets and Highways* to vacate/remove El Campo Grande Avenue.
 15. A master transportation plan with modeling containing 20-year projections will be required prior to submittal of the civil improvement plans.
 16. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Ann Road and Lamb Boulevard.
 17. Right-of-way dedication and construction of a CAT bus turn-out is required on Lamb Boulevard north of Ann Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
 18. The applicant is required to submit a one-lot parcel map to combine the parcels.
 19. The property owner is required to grant a roadway easement for commercial driveway(s).
 20. The property owner is required to grant a 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.
 21. A revocable encroachment permit for landscaping within the public right of way is required.
 22. 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.

23. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
24. 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.
25. 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.
26. 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.
27. Approval of a drainage study is required prior to submittal of the civil improvement plans.
28. If required, 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.
29. If required, Nevada Department of Transportation (NDOT) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
30. If required, Union Pacific Railroad (UPRR) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
31. The uses permitted within this development, unless otherwise specified herein, shall be restricted to those uses allowed in the C-1, Neighborhood Commercial District, the C-2, General Commercial District, and the C-3, General Service Commercial District, and shall be subject to the appropriate Principally Permitted or Special Use procedures.
32. The following uses are prohibited: Convenience Stores with Gas Pumps, Convenience Food Restaurants with Drive-Through Service Windows, Pawn Shops, Pay Day Loan (or similar) uses, Mini-Storage Facilities, and all businesses related to Auto Service, Repair and/or Sales.
33. Four-sided architecture shall be provided on all buildings, including the parking structures and all accessory structures, and shall comply with the elevations approved herein.

34. The applicant is encouraged to construct LEED-certified "Green Buildings."
35. The Landscaping Plan is considered "conceptual" and is not binding.
36. The applicant is required to meet jointly with Parks and Recreation and Planning and Zoning to discuss the design of the open spaces and the amenities to be provided. Said meeting shall occur prior to submittal of a final development plan.
37. That a hotel casino be allowed as part of this development. The hotel casino shall be located within the area approved as a Gaming Enterprise Overlay District (GED.) If a GED is not approved, then the casino shall be considered null and void.
38. If approved, a casino shall be valid for a period not to exceed eight (8) years, unless otherwise extended.

Ed Garcia, 3773 Howard Hughes Parkway, Las Vegas, NV 89169 appeared on behalf of the applicant indicating he concurred with Staff recommendation.

Chairman Steve Brown opened the Public Hearing. The following comments were carried forward from Item No. 23:

- **Bill Curran of Ballard, Spahr, Andrews and Ingersol, 300 South 4th Street #1201 Las Vegas, NV 89101** was appearing on behalf of his client, the owners of The Alhambra, which was a gaming project already approved and was adjacent to the proposed casino project. He indicated the application had been submitted in a series of baby steps over the last year or more and he had appeared each time pointing out they were steps toward the ultimate desire for a gaming application. It was the Commission's job to decide whether the use was appropriate at the proposed location, which was not isolated. There were already two casinos approved along Lamb Boulevard within approximately one mile and there was a lot of vacant property in that area. If the proposed casino was approved, he did not know who would come forward to say more should not be approved. He indicated it was too much for the community and was not in the right place and would have long-term negative consequences and the Commission's job was to plan the community and asked the Commission to deny the application.

Chairman Brown closed the Public Hearing.

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

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

Item No. 25 was heard next.

25. 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 AND 28, 2007)

The application was presented by Marc Jordan, Planning Manager who explained as part of the use permit the applicant requested a building height of 150 feet, which Staff did not object to and was recommending that UN-107-07 be approved subject to the following conditions:

1. The special use permit is site-specific and non-transferable.
2. The development of this site shall be in compliance with the conditions listed in Ordinance Number 2344 (ZN-23-07), or other approved ordinance for the subject site.
3. Unless otherwise approved through a variance, waiver or other method, this development shall comply with all applicable codes and ordinances.
4. That the principal structure be designed and constructed to support wireless communications facilities; and
5. That all sides of the parking structures be designed and constructed with facades to match the principal structure; and
6. That the maximum height of the principal structure be 150 feet; and
7. That UN-107-07 shall expire in accordance with the requirements set forth in the Zoning Ordinance and the MUD, ZN-23-07, as approved by the City Council; and
8. That the project include an amenity(s) as required by NRS for resort hotel casino including, at a minimum, a pool or spa and one other recreation or entertainment amenity in conjunction with the retail or mixed-use phase of development. Such amenity(s) may be, but not limited to, movie theaters, ice rink and/or bowling alleys.
9. The special use permit shall be null and void if a gaming enterprise district is not approved for this site.

10. All off-site improvements must be completed prior to final inspection of the first building.

Ed Garcia, 3773 Howard Hughes Parkway, Las Vegas, NV 89169 appeared on behalf of the applicant indicating he concurred with Staff recommendation.

Chairman Steve Brown opened the Public Hearing. The following comments were carried forward from Item No. 23:

- **Bill Curran of Ballard, Spahr, Andrews and Ingersol, 300 South 4th Street #1201 Las Vegas, NV 89101** was appearing on behalf of his client, the owners of The Alhambra, which was a gaming project already approved and was adjacent to the proposed casino project. He indicated the application had been submitted in a series of baby steps over the last year or more and he had appeared each time pointing out they were steps toward the ultimate desire for a gaming application. It was the Commission's job to decide whether the use was appropriate at the proposed location, which was not isolated. There were already two casinos approved along Lamb Boulevard within approximately one mile and there was a lot of vacant property in that area. If the proposed casino was approved, he did not know who would come forward to say more should not be approved. He indicated it was too much for the community and was not in the right place and would have long-term negative consequences and the Commission's job was to plan the community and asked the Commission to deny the application.

Chairman Steve Brown closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 2 was heard next.

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

Planning and Zoning Director Jory Stewart wished the Commissioners a happy and safe holiday.

CHAIRMAN'S BUSINESS

There was no report given.

ADJOURNMENT

The meeting adjourned at 8:50 p.m.

APPROVED: January 23, 2007

/s/ Steve Brown
Steve Brown, Chairman

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