

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

July 12, 2006

*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: 6:02 P.M., Council Chambers, North Las Vegas City Hall,
2200 Civic Center Drive

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

STAFF PRESENT: Jory Stewart, Planning & Zoning Director
Marc Jordan, Planning Manager
Robert Eastman, Principal Planner
Mary Aldava, Senior Planner
Nick Vaskov, Deputy City Attorney II
Randy Cagle, PW, Real Property Services Manager
Carlton Urban, Public Works
Eric Hawkins, Public Works
Janice Carr, Fire Department
Jose Rodriguez, Police Department
Jo Ann Lawrence, Recording Secretary

VERIFICATION: Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE: Commissioner Dilip Trivedi

Election of Planning Commission Officers

ACTION: OPEN ELECTION PROCESS

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

ELECTION OF CHAIRMAN

ACTION: ANGELO CARVALHO ELECTED CHAIRMAN

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

ELECTION OF VICE-CHAIRMAN

ACTION: STEVE BROWN ELECTED VICE-CHAIRMAN

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

MINUTES

- **APPROVAL OF THE MINUTES FOR THE SPECIAL PLANNING COMMISSION MEETING OF MAY 31, 2006.**

ACTION: APPROVED

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

CONSENT AGENDA

- A. PW-130-06 (26659) SUNFLOWER: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY LEXON INSURANCE COMPANY TO RELEASE THE OFF-SITE IMPROVEMENT BOND IN THE AMOUNT OF \$863,503.19.**

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

- B. PW-131-06 (26660) RUNVEE HOBART EAST, UNIT 3A-1: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY STANDARD PACIFIC OF LAS VEGAS, INC. AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$3,523,375.30.**

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

- C. PW-132-06 (26661) GILMORE & FUSELIER 1 UNIT 3: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY CENTEX HOMES AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$400,092.62.**

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

D. PW-133-06 (26662) ELDORADO NO. 16 R1-60 TM 22 PH II: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY PARDEE HOMES OF NEVADA AND ACCEPT THE OFF-SITE IMPROVEMENT BOND IN THE AMOUNT OF \$676,296.13.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

E. PW-134-06 (26663) ALEXANDER & SIMMONS, UNIT 4: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY CENTEX HOMES AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$637,474.26.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

F. PW-135-06 (26664) STORAGE WEST CENTENNIAL & DONNA: APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY LAACO, LTD AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$332,569.06.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

G. PW-136-06 (26665) SIMMONS & GILMORE, UNIT 1: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY CENTEX HOMES AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$255,314.46.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

H. PW-137-06 (26666) COLEMAN & GILMORE, UNIT 2: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY CENTEX HOMES AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$1,089,244.00.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

NEW BUSINESS

1. **T-1271 (26365) FALCON RIDGE NORTH. AN APPLICATION SUBMITTED BY ENGLE HOMES, ON BEHALF OF GMAC MODEL HOME FINANCE, LLC., PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO ALLOW 50 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF WASHBURN ROAD AND LAWRENCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-35-712-001 THRU -078.**

It was requested by the applicant to continue T-1271 to July 26, 2006.

ACTION: CONTINUED TO JULY 26, 2006

MOTION: Commissioner Aston

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

2. **VAC-13-06 (26366) FALCON RIDGE NORTH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ENGLE HOMES, ON BEHALF OF GMAC MODEL HOME FINANCE, LLC, PROPERTY OWNER, TO VACATE PORTIONS OF GALENA GORGE AVENUE, GRANITE BASIN STREET AND SLATE RIDGE COURT. THE ASSESSOR'S PARCEL NUMBERS ARE 124-35-712-001 THRU - 078.**

It was requested by the applicant to continue VAC-13-06 to July 26, 2006.

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

Chairman Carvalho stated the Public Hearing would remain open.

ACTION: CONTINUED TO JULY 26, 2006

MOTION: Commissioner Aston

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 17 was heard next.

3. UN-67-06 (26309) HOLIDAY INN EXPANSION (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NORMAN WILSON, ARCHITECT, ON BEHALF OF DONOVAN HOSPITALITY, LLC, AND GOLDEN POINT PARTNERS I, LLC, PROPERTY OWNERS, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW THE EXPANSION OF AN EXISTING HOTEL / MOTEL. THE PROPERTY IS LOCATED AT 4540 DONOVAN WAY. THE ASSESSOR'S PARCEL NUMBERS ARE 139-01-611-006, 139-01-611-007 AND 139-01-611-008.

The application was presented by Marc Jordan, Planning Manager who stated the application was for a special use permit that would allow an expansion to an existing hotel. The expansion was approximately 6700 square feet and would include 48 new hotel rooms. The elevations for the addition would match the existing hotel. As part of the expansion, the applicant also requested a waiver for a reduction in the required landscaping along Donovan Way and the I-15 right-of-way. Staff had no objection. The waiver was from 20 feet to 10 feet, which would be consistent with what was already approved in that area. Staff was recommending approval of UN-67-06 and that it be forwarded to City Council for final consideration with the following recommended conditions:

1. Unless expressly authorized through a variance, waiver or another approved method 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:**
 - a. **A minimum of 10 feet** of perimeter landscaping from back of right-of-way be provided adjacent Donovan Way.
 - b. **A minimum of 10 feet** of perimeter landscaping from back of right-of-way be provided adjacent I-15 right-of-way.
3. Appropriate mapping is required to remove property line traversing the new building addition.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. The applicant shall submit a traffic study update for review and approval.
6. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Department.
7. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.

Norman Wilson, Architect, 609 15th Street, Modesto, CA 95354 appeared on behalf of the applicant stating he concurred with Staff recommendation.

Mr. Jordan added Condition No. 2.a should be amended to read: "A minimum of 10 feet of perimeter landscaping from back of right-of-way be provided adjacent to Donovan Way and Interstate 15 (I-15) right-of-way."

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

Chairman Carvalho closed the Public Hearing.

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

2.A. A MINIMUM OF 10 FEET OF PERIMETER LANDSCAPING FROM
BACK OF RIGHT-OF-WAY BE PROVIDED ADJACENT TO
DONOVAN WAY AND INTERSTATE 15 (I-15) RIGHT-OF-WAY.

FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

4. UN-68-06 (26358) BIODIESEL OF LV @ UPRR (PUBLIC HEARING). AN APPLICATION SUBMITTED BY BIODIESEL OF LAS VEGAS, ON BEHALF OF INDUSTRIAL DEVELOPMENT CORPORATION, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW HAZARDOUS MATERIALS: BIODIESEL FUEL PROCESSING. THE PROPERTY IS LOCATED AT 5225 EAST EL CAMP GRANDE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 123-28-401-001.

The application was presented by Marc Jordan, Planning Manager who stated the application was for a special use permit that would allow the storage of hazardous materials. The applicant was requesting a use permit that would allow approximately 605,000 gallons of bio-diesel fuel that would be stored in outdoor tanks. They were also including the storage of soybean oil, phosphorous, acid, methanol, and grease on the site which is located in an industrial area. There are rail spurs that would come into the site and they were proposing two new buildings, one would be a 14,000 square foot warehouse and the second building would be a 2300 square foot office building. On the site plan, the applicant indicated there would be landscaping next to El Campo Grande approximately five feet in width; however, the industrial design standards would require 20 feet of landscaping next to El Campo Grande Avenue, which would be a minor change to the site plan. Staff was recommending approval of UN-68-06 with condition No. 4.a amended to read: "A minimum of 20 feet of perimeter landscaping from back of right-of-way be provided adjacent to El Campo Grande Avenue" and be forwarded to City Council for final consideration. The original recommended conditions are as follows:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances;
2. That the special use permit is site specific and non-transferable;
3. That any expansions to the proposed use shall be subject to Planning Commission review and approval;
4. **The development of this site shall be in compliance with the Industrial Development Standards and Design Guidelines, including but not limited to:**
 - a. **A minimum of 20 feet** of perimeter landscaping which may include a sidewalk from back of right-of-way be provided adjacent El Campo Grande Avenue.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans;

6. Half street design and construction of El Campo Grande along the property frontage is required;
7. Approval of a traffic study is required prior to submittal of the civil improvement plans;
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. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
11. Fire access lanes shall be designed in accordance with Fire Code requirements.
12. Fire access lanes shall be located in accordance with Fire Code requirements.
13. Hazardous materials storage and use shall comply with Fire Code requirements.
14. In accordance with Section 103.1.1 of the Fire Code, a Hazardous Material Technical Report, addressing hazardous material fire code compliance of this facility, shall be prepared and sealed by a Nevada Licensed Fire Protection Engineer and submitted to the North Las Vegas Fire Department. The exterior storage/use section of the report shall be approved by the North Las Vegas Fire Department prior to approval of the Civil Improvement Plans. The interior storage/use section of the report shall be approved by the North Las Vegas Fire Department prior to approval of the Building Construction Plans.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant stating he concurred with Staff recommendation except for the landscaping. The railroad spurs that traverse the property continued to the west. The Union Pacific Railroad (UPRR) has regulations that were not flexible and they do not allow landscaping and block walls within 20 feet of their rail operations. Mr. Garcia stated they would landscape within the rules of the UPRR, which would be five foot of landscaping and the wall along the eastern half of the site up to where the railroad track pinches up against the road.

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

Chairman Carvalho closed the Public Hearing.

Commissioner Jay Aston asked the applicant which condition pertained to the fencing. Mr. Garcia responded it was Condition No. 4. Chairman Aston asked what change he was requesting. Mr. Garcia responded he was requesting that the landscaping be reduced to five feet instead of 20 feet indicating the railroad did not allow them and there was not room to accommodate 20 feet of landscaping. Chairman Aston asked Staff if there had been adequate time for the various State agencies mentioned in the Staff Report to comment on the application. Mr. Jordan responded there had been adequate time for the various State agencies to respond. Chairman Aston asked if the application were approved with the reduced landscaping, if that would create serious concerns for Staff. Mr. Jordan responded Staff had no objection to amending Condition No. 4.a to require a minimum of five feet of perimeter landscaping from the back of right-of-way next to El Campo Grande Avenue.

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

4.A. A MINIMUM OF 5 FEET OF PERIMETER LANDSCAPING FROM
BACK OF RIGHT-OF-WAY BE PROVIDED ADJACENT TO EL
CAMPO GRANDE AVENUE.

FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

5. **UN-64-06 (26215) 1608 E MCDONALD AVE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY OSCAR CHAVEZ, PROPERTY OWNER, FOR A USE PERMIT IN AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT TO ALLOW A SINGLE-FAMILY DWELLING. THE PROPERTY IS LOCATED AT 1608 EAST MCDONALD AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-14-811-016.**

The application was presented by Marc Jordan, Planning Manager who stated the existing home was approximately 1500 square feet and the applicant was proposing an expansion of approximately 143 square feet. The proposed expansion would consist of a stucco exterior with asphalt shingle roofing and because the surrounding homes in the area also had asphalt shingle roofing, Staff had no objection and was recommending approval of UN-64-06 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes, ordinances and the Single-Family Design Guidelines including but not limited to:
 - a. That the body and trim finish and roof materials of the dwelling unit shall be beige, tans, earth tones, warm pastels or neutral colors indigenous to the Las Vegas Valley and its surrounds, or from the southwest region.

Oscar Chavez, 1608 East McDonald Avenue, North Las Vegas, NV 89030 stated he concurred with Staff recommendation.

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

Chairman Carvalho closed the Public Hearing.

Commissioner Dean Leavitt was in support of the application and thanked the applicant for taking the necessary steps to apply for the use permit.

Commissioner Jay Aston asked the applicant if he had read Staff's recommended conditions. Mr. Chavez responded he agreed with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

6. UN-65-06 (26272) CLOUD COMMERCIAL CENTER 2000 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LUIS RODRIGUEZ, ON BEHALF OF CLOUD 2000 INSURANCE TRUST, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW AN AUTOMOBILE SERVICE FACILITY. THE PROPERTY IS LOCATED AT 3336 LOSEE ROAD, SUITES 1 AND 10. THE ASSESSOR'S PARCEL NUMBER IS 139-11-801-006.

The application was presented by Marc Jordan who stated the applicant was proposing the installation and repair of tires, which was a permitted use in an M-2 District. The special use is for an auto service facility consisting of the installation of brakes and shocks on automobiles. The area is newly developed and Staff had no objection and was recommending approval of UN-65-06 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 UN-65-06 is site-specific and non-transferable.
3. All work shall be performed within a building.
4. Any over-night parking of vehicles awaiting repairs shall be screened in accordance with the requirements in the Zoning Ordinance.
5. A minimum two parking stalls per bay, shall be identified for the subject automobile service use.
6. The subject special use permit is limited to the functions referred to in Title 17 as the definition of "automobile service facility."
7. Approval of a traffic study is required prior to submittal of the civil improvement plans.
8. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Losee Road.
9. 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.

10. 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.

Luis Rodriguez, Primo Tires, 80 South Gibson Road #516, Henderson, NV 89012 stated he concurred with Staff recommendation.

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

Chairman Carvalho closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

7. **VAC-11-06 (26210) RACEWAY BUSINESS PARK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CROSS CREEK DEVELOPMENT, LLC, PROPERTY OWNER, TO VACATE A 63-FOOT-WIDE PORTION OF SHATZ STREET COMMENCING AT ANN ROAD AND PROCEEDING NORTH APPROXIMATELY 1,257 FEET TO EL CAMPO GRANDE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 123-27-801-002.**

The application was presented by Marc Jordan, Planning Manager who stated there was a site plan review that had been approved for the area to the east. Staff was supporting the application and recommended approval of VAC-11-06 and that it be forwarded to City Council for final consideration.

Tim Moreno, 2480 East Tompkins Avenue, Las Vegas, NV 89121 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Carvalho closed the Public Hearing.

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

MOTION: Commissioner Shull

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

8. **VAC-12-06 (26212) G & M DEVELOPMENT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DELUNA INC., ON BEHALF OF G & M DEVELOPMENT INC., PROPERTY OWNER, TO VACATE APPROXIMATELY 111 FEET OF CARROLL STREET RIGHT-OF-WAY. THE VACATION COMMENCES APPROXIMATELY 120 FEET NORTH OF CAREY AVENUE AND PROCEEDS NORTH APPROXIMATELY 111 FEET. THE ASSESSOR'S PARCEL NUMBER IS 139-14-801-005.**

The application was presented by Marc Jordan, Planning Manager who stated the vacation request was in compliance with the conditions of approval for a variance on the property, which was approved a couple of years ago. Public Works had no objection; however, a letter was received from Southwest Gas Corporation that indicated they were opposed to the vacation, unless there was a final order of vacation to be recorded, which names Southwest Gas as having a permanent easement reservation. Staff was recommending approval of VAC-12-06 with the following conditions:

1. That the City shall retain a public utility easement for the entire area to be vacated.
2. No building, structures, fences or trees shall be placed upon or under said parcel of land to be vacated now or hereafter.
3. Southwest Gas Corporation shall not be liable for any damages to any of the improvements placed within said easement due to normal or necessary operation using reasonable care.

Leonardo DeLuna, 2675 South Jones, Las Vegas, NV 89146 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

- **Colleen Hansen** stated the property to the north of the proposed site was in her family estate and she had tried to find out what was planned for the property and how her property would be affected.

Mr. Jordan responded the property to the west was going to be redeveloped with commercial type retail stores. The variance reduced the setbacks for the buildings proposed on the site and was not sure how it would affect Ms. Hansen's property.

Chairman Carvalho closed the Public Hearing.

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

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

9. **SPR-29-06 (26368) CANNERY CORNER. AN APPLICATION SUBMITTED BY TERRITORY, INC., ON BEHALF OF SAM'S WEST, INC., PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW 149,940 SQUARE FEET OF COMMERCIAL / RETAIL SPACE. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF CRAIG ROAD AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-01-201-003, 139-01-201-027, 139-01-201-028, 139-01-201-029, 139-01-201-031, 139-01-201-032 AND 139-01-201-033.**

The application was presented by Robert Eastman, Principal Planner who stated the proposed site also included a Sam's Club. This was a major site plan review and it was providing an expansion including a Lowe's and a total of 203 square feet of additional retail space on the site. In general, the site plan was in compliance with the Commercial Design Standards. There were a number of items, including landscaping and some parking or access issues that were somewhat minor to the site and Staff felt the item could move forward with those being addressed in the conditions of approval. Staff was recommending that SPR-29-06 be approved with Condition No. 15 amended to read: "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 adjacent to the property, existing or proposed, shall be placed underground" and Condition No. 29 would be added to read: "The intersection of Mendenhall Drive and Losee Road shall contain a traffic signal," and Condition No. 30 would be added to read: "The northerly access along Losee Road shall not be allowed left exit movements." The original recommended conditions are as follows:

1. This development shall comply with all conditions of SPR-31-05 and T-1186.
2. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
3. The development of this site shall be in compliance with the Commercial Development Standards and Design Guidelines, including but not limited to:
 - a. providing a 6-foot (minimum) landscape island at each end of all rows of parking;
 - b. providing one 6-foot landscape island for every 15 parking spaces within a row of parking;
 - c. providing a minimum 1,650 square feet of pedestrian plaza area, which cannot be within, or in-lieu of, any required landscape areas. Said plaza areas shall be generally located as identified on the site plan, protected by

large (minimum four feet in diameter each) boulders, bollards, large-trunk trees (i.e., Washingtonia Palms, 10 feet [minimum] above the top of the root ball) and railings, etc. if the plaza areas are located adjacent to any parking spaces, drive aisles or rights-of-way. The plaza areas shall be separated from all parking spaces and drive aisles by a minimum 10 feet of landscaping;

- d. providing foundation landscaping, or a suitable alternative;
4. A minimum 943 parking spaces shall be provided.
5. The placement of the building containing “Shops D” and “Bank” is not required to be at the front minimum setback line, unless UN-71-06 is denied or a bank with a drive-through is not included, in which case the building shall be relocated to the front minimum setback of 20 feet.
6. All signage shall be provided in accordance with ordinance requirements. The signage identified on the submitted elevations is not approved.
7. Exterior downspouts are not permitted. All exterior downspouts identified on the submitted elevations shall be enclosed by columns with brick veneers, cornices and split-face CMU block wainscots.
8. Access to the roofs shall be from within the buildings. Exterior roof ladders are not permitted.
9. The landscape plans submitted herein are considered conceptual and are not binding. All landscaping shall be provided in accordance with ordinance requirements.
10. The property owner is required to grant a roadway easement for commercial driveway(s).
11. The property owner is required to sign a restrictive covenant for utilities.
12. 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.
13. A revocable encroachment permit for landscaping within the public right of way is required.

14. Appropriate commercial subdivision and/or parcel mapping is required to complete this project. All mapping shall be in compliance with NRS Chapter 278 and the *City of North Las Vegas Municipal Code*, and associated Master Plans in effect at the time of subdivision and/or parcel map approval. Conformance may require modifications to the site.
15. 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.
16. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
17. 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.
18. 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.
19. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.
20. Approval of a drainage study is required prior to submittal of the civil improvement plans.
21. 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.
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. Craig Road and Losee Road are no cut streets.
24. The applicant shall submit a traffic study update for review and approval.
25. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Losee Road and Craig Road.

26. Right-of-way dedication and construction of a CAT bus turn-out is required on Losee Road north of Craig Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
27. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
28. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.

Jennifer Lazovich of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant stating she agreed with the amendment to Condition No. 15. There was an additional amendment to Condition No. 23, which should read: "Craig Road is a no cut street." She agreed with the addition of Condition No. 29, but did not agree with Condition No. 30. They were proposing to have a median break north of Mendenhall Drive to allow full turning movements at that location, which was where all trucks would enter and leave from. When Sam's Club did their traffic study, which was approved by the City, it allowed for the median cut to be there. The plan was designed around that. They did not want to co-mingle the service trucks with the customers who were using the parking lot. She stated there were approximately 25 trucks per day delivering to Lowe's during business hours. If there was no access onto Losee Road going south, all truck traffic would be forced to go north on Losee where residential had been approved and to get onto I-15 the trucks would have to take Losee to the 215 Beltway. It was more expedient for the trucks to turn left onto Losee and go to I-15 via Craig Road. Additionally, if the light goes in at Mendenhall Drive, the traffic would be timed to allow the trucks to make the left turn. Ms. Lazovich asked for Condition No. 30 to be deleted.

Eric Hawkins of Public Works stated the way the site plan was drawn, it looked like they were not allowing the left turns out but it was an access management issue, which is why the median was to be closed and he felt the trucks would be okay going up Losee Road to the 215 Beltway to I-15. Public Works did not want the trucks making dangerous maneuvers and even with the signal at Mendenhall Drive and Losee Road, since trucks were much longer than typical passenger vehicles, it would be a dangerous maneuver.

Ms. Lazovich stated the turn movements were shown on the site plan.

Commissioner Jay Aston stated he was unaware of the traffic signal at Mendenhall Drive. There was a similar situation at Camino Al Norte and Craig Road and the trucks coming from the back of those stores were allowed to make a left turn onto Camino Al Norte and he would prefer to see the truck traffic go back to Craig Road rather than down Losee to the 215 Beltway and thought the left turn out would be okay.

Commissioner Dean Leavitt agreed with Commissioner Aston, that it made more sense to allow the trucks to turn left to Craig Road and stay out of the residential area.

Commissioner Dilip Trivedi stated he agreed with the applicant and asked to see an aerial view of the site to see what was to the north of the site.

Ms. Lazovich explained immediately to the north of the site was vacant land and closer to Lone Mountain Road there were some industrial buildings and to the north of that, there was more development. Commissioner Trivedi asked where the residential area was that Ms. Lazovich was referring to. Ms. Lazovich responded it was at Lone Mountain and Losee Road on the northwest corner.

Commissioner Aston asked if there was currently a traffic signal at Berg Street. Randy Cagle of Public Works stated a traffic signal would be going in at Berg Street as part of the Craig Road Phase III Project. Chairman Aston asked when that would be done. Mr. Cagle responded construction would start in Spring 2007.

Commissioner Steve Brown clarified a light was being installed at Mendenhall Drive and asked Ms. Lazovich if it was the intent that the light would allow a left turn onto Losee Road. Ms. Lazovich explained the light would give some spacing to allow the left turn.

Chairman Aston asked if Condition No. 30 could be amended to state something to the effect that if the traffic signal at Berg Street is installed before the project is complete, there would be no left turns.

Chairman Carvalho understood the applicant's argument regarding easier freeway access but agreed with Staff regarding the concerns of the trucks crossing Losee Road, as they were very slow moving and he had seen trucks not being able to make a green light and due to the spread between the proposed light at Mendenhall Drive and the left turn out of the parking lot.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NOS. 15 AND 23 AMENDED AND THE ADDITION OF CONDITION NOS. 29 AND 30 AS FOLLOWS:

15. 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 ADJACENT TO THE PROPERTY, EXISTING OR PROPOSED, SHALL BE PLACED UNDERGROUND.

23. CRAIG ROAD IS A NO CUT STREET.
29. THE INTERSECTION OF MENDENHALL DRIVE AND LOSEE ROAD SHALL CONTAIN A TRAFFIC SIGNAL.
30. THE NORTHERLY ACCESS ALONG LOSEE ROAD SHALL NOT BE ALLOWED LEFT EXIT MOVEMENTS.

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

10. **UN-69-06 (26369) CANNERY CORNER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TERRITORY, INC., ON BEHALF OF SAM'S WEST, INC., PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A 65-FOOT-HIGH DIRECTORY SIGN, WHERE 45-FOOT-HIGH IS THE MAXIMUM ALLOWED. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF CRAIG ROAD AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-01-201-003, 139-01-201-027, 139-01-201-028, 139-01-201-029, 139-01-201-031, 139-01-201-032 AND 139-01-201-033.**

The application was presented by Robert Eastman, Principal Planner who stated the applicant was proposing a sign that would tie the shopping center into the Cannery Casino on the southwest corner of the intersection. The proposed sign was designed to look like an old fashioned water tower structure. The overall signage was not greater than what was allowed but the height was greater. Staff had no objection to the proposed sign height and was recommending approval with 25 conditions with Condition No. 14 amended to read: "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 adjacent to the property, existing or proposed, shall be placed underground." The original recommended conditions are as follows:

1. This development shall comply with all applicable conditions of SPR-31-05, T-1186 and SPR-29-06.
2. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
3. The development of the water tower sign shall comply with all applicable setbacks and square footage requirements. The total area allowed for signage shall be 800 square feet, as measured on a flat surface. A graphic illustration shall be provided as part of the Master Sign Program and shall also be provided as part of the building permit application.
4. The special use permit is site-specific and non-transferable.
5. The height of the sign shall not exceed 65 feet above the finished floor elevation.
6. The elevations of the sign, with the exception of the square footage of the sign area, shall substantially comply with the elevation identified on sheet A 2.0.

7. Unless otherwise stipulated herein, all on-site signage shall be provided in accordance with ordinance requirements. The signage identified on the submitted elevations is not approved.
8. No exterior or visible access (e.g., ladder) to the water tank or signage shall be permitted.
9. The property owner is required to grant a roadway easement for commercial driveway(s).
10. The property owner is required to sign a restrictive covenant for utilities.
11. 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.
12. A revocable encroachment permit for landscaping within the public right of way is required.
13. Appropriate commercial subdivision and/or parcel mapping is required to complete this project. All mapping shall be in compliance with NRS Chapter 278 and the *City of North Las Vegas Municipal Code*, and associated Master Plans in effect at the time of subdivision and/or parcel map approval. Conformance may require modifications to the site.
14. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
15. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
16. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
17. 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. Approval of a drainage study is required prior to submittal of the civil improvement plans.

19. 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.
20. 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.
21. Craig Road and Losee Road are no cut streets.
22. The applicant shall submit a traffic study update for review and approval.
23. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Losee Road and Craig Road.
24. Right-of-way dedication and construction of a CAT bus turn-out is required on Losee Road north of Craig Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
25. 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.

Jennifer Lazovich of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant stating she concurred with Staff recommendation with the exception that she asked that Condition No. 21 be revised to read: "Craig Road is a no cut street" and agreed with the amendment to Condition No. 14.

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

Chairman Carvalho closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
CONDITION NOS. 14 AND 21 AMENDED TO READ:

14. ALL NEVADA POWER COMPANY EASEMENTS, APPURTENANCES, LINES AND POLES MUST BE SHOWN AND SHALL BE LOCATED ENTIRELY WITHIN THE PERIMETER

LANDSCAPE AREA OF THIS DEVELOPMENT. DISTRIBUTION LINES ADJACENT TO THE PROPERTY, EXISTING OR PROPOSED, SHALL BE PLACED UNDERGROUND.

21. CRAIG ROAD IS A NO CUT STREET.

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

11. **UN-70-06 (26373) CANNERY CORNER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TERRITORY, INC., ON BEHALF OF SAM'S WEST, INC., PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT WITH A DRIVE-THRU. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF CRAIG ROAD AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-01-201-003, 139-01-201-027, 139-01-201-028, 139-01-201-029, 139-01-201-031, 139-01-201-032 AND 139-01-201-033.**

The application was presented by Robert Eastman, Principal Planner who stated the design was similar to the rest of the center and was in compliance with the Design Standards. Staff was recommending that UN-70-06 be approved with Condition No. 12 amended to read: "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" and Condition No. 19 amended to read: "Craig Road is a no cut street." The original recommended conditions are as follows:

1. This development shall comply with all applicable conditions of SPR-31-05, T-1186 and SPR-29-06.
2. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
3. The special use permit is site-specific and non-transferable.
4. Pedestrian access from Craig Road shall be prohibited between the easternmost driveway on Craig and the proposed drive-through lane. This area shall instead be landscaped with a minimum width of six feet and shall include shrubs sufficient to provide a three-foot-tall opaque hedge within two years of planting. One twenty-four inch box tree shall be planted within the landscape area spaced not greater than 25 feet on-center.
5. Pedestrian access from Craig Road shall be provided and aligned with the western facade of Pad 1. The crossing of the queuing lane shall be 10-14 feet behind the menu/ordering board.
6. If Pad 1 is constructed prior to the construction of "Shops D" or any other portion of the shopping center, then a minimum 40 parking spaces shall be provided at that time. If Pad 1 is constructed with "Shops D" or the rest of the shopping center, then parking shall be provided in accordance with code requirements.

7. The property owner is required to grant a roadway easement for commercial driveway(s).
8. The property owner is required to sign a restrictive covenant for utilities.
9. 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.
10. A revocable encroachment permit for landscaping within the public right of way is required.
11. Appropriate commercial subdivision and/or parcel mapping is required to complete this project. All mapping shall be in compliance with NRS Chapter 278 and the *City of North Las Vegas Municipal Code*, and associated Master Plans in effect at the time of subdivision and/or parcel map approval. Conformance may require modifications to the site.
12. 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.
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. 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.
15. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.
16. Approval of a drainage study is required prior to submittal of the civil improvement plans.
17. 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.
18. 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.

19. Craig Road and Losee Road are no cut streets.
20. The applicant shall submit a traffic study update for review and approval.
21. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Losee Road and Craig Road.
22. Right-of-way dedication and construction of a CAT bus turn-out is required on Losee Road north of Craig Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
23. 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.

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

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

Chairman Carvalho closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
CONDITION NOS. 12 AND 19 AMENDED TO READ:

12. 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 ADJACENT TO THE PROPERTY, EXISTING OR PROPOSED, SHALL BE PLACED UNDERGROUND.

19. CRAIG ROAD IS A NO CUT STREET.

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

12. UN-71-06 (26374) CANNERY CORNER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TERRITORY, INC., ON BEHALF OF SAM'S WEST, INC., PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A FINANCIAL INSTITUTION (BANK) WITH A DRIVE-THRU. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF CRAIG ROAD AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-01-201-003, 139-01-201-027, 139-01-201-028, 139-01-201-029, 139-01-201-031, 139-01-201-032 AND 139-01-201-033.

The application was presented by Robert Eastman, Principal Planner who stated the application was in conformance with the Design Standards; therefore, Staff was recommending UN-71-06 be approved with Condition No. 13 amended to read: "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" and Condition No. 20 amended to read: "Craig Road is a no cut street." The original recommended conditions are as follows:

1. This development shall comply with all applicable conditions of SPR-31-05, T-1186 and SPR-29-06.
2. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
3. The special use permit is site-specific and non-transferable.
4. Pedestrian access from Craig Road shall be prohibited between the easternmost driveway on Craig and the proposed drive-through lane serving "Pad 1."
5. Pedestrian access from Craig Road shall be provided and aligned with the west-facing facade of Pad 1. The crossing of the drive aisle shall be clearly identified with stamped and textured concrete and/or pavers.
6. If the proposed bank is constructed prior to the construction of "Shops D" or any other portion of the shopping center, then a minimum 25 parking spaces shall be provided at that time. If the bank is constructed with "Shops D" and the rest of the shopping center, then parking shall be provided in accordance with code requirements.
7. Bicycle parking is required, but cannot be in-lieu of any required landscaping and cannot interfere with pedestrian access routes.
8. The property owner is required to grant a roadway easement for commercial driveway(s).

9. The property owner is required to sign a restrictive covenant for utilities.
10. 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.
11. A revocable encroachment permit for landscaping within the public right of way is required.
12. Appropriate commercial subdivision and/or parcel mapping is required to complete this project. All mapping shall be in compliance with NRS Chapter 278 and the *City of North Las Vegas Municipal Code*, and associated Master Plans in effect at the time of subdivision and/or parcel map approval. Conformance may require modifications to the site.
13. 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.
14. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
15. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
16. 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.
17. Approval of a drainage study is required prior to submittal of the civil improvement plans.
18. 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.
19. 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.
20. Craig Road and Losee Road are no cut streets.

21. The applicant shall submit a traffic study update for review and approval.
22. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Losee Road and Craig Road.
23. Right-of-way dedication and construction of a CAT bus turn-out is required on Losee Road north of Craig Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
24. 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.

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

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

Chairman Carvalho closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NOS. 12 AND 20 AMENDED TO READ:

13. 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 ADJACENT TO THE PROPERTY, EXISTING OR PROPOSED, SHALL BE PLACED UNDERGROUND.

20. CRAIG ROAD IS A NO CUT STREET.

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

13. **UN-57-05 (26361) MINI-STORAGE @ ROME & SAN MATEO (PUBLIC HEARING). AN APPLICATION SUBMITTED BY STORAGE ONE, ON BEHALF OF DECATUR 215 STORAGE, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO AN APPROVED USE PERMIT FOR A MINI-STORAGE IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A REDUCTION IN THE NUMBER OF PARKING STALLS REQUIRED (FROM 77 TO 49) AND TO INCREASE THE NUMBER OF STORAGE UNITS ALLOWED (FROM 700 TO 900). THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF ROME BOULEVARD AND SAN MATEO STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-19-401-002.**

The application was presented by Mary Aldava, Senior Planner who stated on June 23, 2005, the Planning Commission approved UN-57-05. The applicant was now requesting that Condition Nos. 6 and 7 be amended. Since the approval, the parking standards had been amended and now less parking was required. The amendment allows one parking stall for every 50 storage units, where it used to be one for every 10 storage units. Currently, 40 parking stalls were being provided where a minimum of 25 stalls were required. Condition No. 7 stated a maximum 700 storage units be allowed. The applicant was now requesting 900 units. The request does not increase the footprint of the building or the height of the building; therefore, Staff was recommending approval of UN-57-05 with the amendments to Condition Nos. 6 and 7. The conditions, including the amendments to Condition Nos. 6 and 7 are as follows:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
2. That UN-57-05 is site-specific and non-transferable; and
3. That the development of this site be in compliance with the Commercial Development Standards and Design Guidelines, with the exception of the following:
 - a. That a minimum ten feet (10.00') of landscaping be provided adjacent to any property line that abuts residential property, as it exists at the time of construction permit application. Within said 10-foot landscape area shall be a minimum one 24-inch box tree planted not greater than 10 feet on-center. In addition to the 24-inch box trees, the landscape area shall be provided with adequate materials (e.g., shrubs, irrigation, etc.) to be in compliance with the requirements set forth in the Zoning Ordinance.

4. That the development of this site be in compliance with the Commercial Development Standards and Design Guidelines, including but not limited to the following:
 - a. The sidewalks along San Mateo Street and Rome Boulevard shall be separated by a minimum five feet of landscaping from the backs-of-curb and shall be meandering; and
 - b. The screen wall shall be provided around the entire parcel except at required driveway and pedestrian access locations and shall not interfere with clear-sight-visibility zones. The screen wall shall maintain a minimum setback of 20 feet from abutting rights-of-way; and
 - c. One landscape island shall be provided at each end of all rows of parking.
5. That a minimum two enclosed parking stalls be provided for the caretaker(s); and
6. That on-site parking be provided in accordance with code requirements; and
7. That a maximum 900 storage units be allowed; and
8. That outdoor storage of vehicles shall not be permitted at this location; and
9. That the development of this site be in compliance with all standards set forth in Section 17.24.020.C.15 of the Zoning Ordinance; and
10. That wall signage shall be permitted on the north- and west-facing walls only. Free-standing signage will be permitted in accordance with ordinance requirements; and
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.B:
 - b. Rome Boulevard (including the area marked "NOT A PART")
 - c. San Mateo
12. Approval of a traffic study is required prior to submittal of the civil improvement plans.

13. 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.
14. 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.
15. The property owner is required to grant a roadway easement for commercial driveway(s).
16. The property owner is required to sign a restrictive covenant for utilities.
17. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
18. All off-site improvements must be completed prior to final inspection of the first building.
19. Appropriate subdivision and/or parcel mapping is required to create the parcel(s) as proposed. All mapping shall be in conformance to NRS Chapter 278 and Title 16 of the *North Las Vegas Municipal Code*.
20. Approval of a drainage study is required prior to submittal of the civil improvement plans.
21. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*, or as otherwise approved by the Director of Public Works or his designee.
22. Gates across fire access lanes shall have a minimum clear opening width of 24 feet.
23. That approval of this application, UN-57-05, shall render UN-144-04 and T-952 null and void.

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

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

Chairman Carvalho closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION WITH CONDITION NOS. 6 AND 7 AMENDED TO READ:

6. THAT ON-SITE PARKING BE PROVIDED IN ACCORDANCE WITH CODE REQUIREMENTS.
7. THAT A MAXIMUM 900 STORAGE UNITS BE ALLOWED.

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

14. **SPR-28-06 (26356) 3204/3414 BELLINGTON ROAD. AN APPLICATION SUBMITTED BY TIM C. AYALA, ON BEHALF OF A AND P 8 LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW 15 FEET OF LANDSCAPE WHERE 20 FEET IS REQUIRED. THE PROPERTY IS LOCATED AT 3404 AND 3414 BELLINGTON ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-12-510-032 AND 139-12-510-033.**

The application was presented by Mary Aldava, Senior Planner who stated Staff was not supporting the requested decrease in the landscape setback along Bay Lake Trail and did not support the reduction of landscape along Bellington Road because Building A was proposed to be utilized for auto auctions, which would require 26 spaces and Building B, which was for office space, would be required 10 spaces, which, overall, would be required 36 spaces for the development and the applicant was proposing 120 spaces. Also, the parking stalls shown on the plan were 19 feet in length where the minimum requirement is 18 feet. There are five rows of parking stalls between Bellington Road and the northern property line, so the applicant could reduce the amount of parking on the site and have more than enough room to provide the required setback area along Bay Lake Trail and Bellington Road; therefore Staff was recommending SPR-28-06 be denied. Should the Commission determine approval was warranted, the following conditions listed in the Memorandum dated July 12, 2006 are recommended:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes, ordinances
2. That the Industrial Development Standards shall be met with the exception that the setback area along Bellington Road may be reduced from twenty (20) feet to fifteen (15) feet.
3. The property owner is required to grant a roadway easement for commercial driveway(s).
4. The property owner is required to sign a restrictive covenant for utilities.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. Approval of a traffic study is required prior to submittal of the civil improvement plans.

7. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
8. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
9. The developer is required to place "No Parking" signs on all street light poles throughout the property frontage along Bellington Road and Bay Lake Trail.
10. The driveway on Bellington Road must be located a minimum of 50 feet from the adjacent property line measured from property line to nearest back-of-curb(BCR) radius. As an alternative, the developer may elect to make this driveway a shared access driveway.
11. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
12. Turning radii along the fire access lane shall be designed in accordance with the Fire Code

Tim Ayala, 4600 Sunset Road, Suite 148, Henderson, NV 89014 appeared on behalf of the applicant stating they would provide 20 feet of landscaping along Bay Lake Trail and were changing the entrance so they could concur with the recommendation by Public Works and were asking for a reduction of 15 feet of landscaping along Bellington Road because of the topography of the site, a retaining wall was needed on the north side of the property because there was a berm and five feet would be required for that area, so they would like to reduce the landscaping by that five feet. The other businesses in the industrial park have five to 10 feet of landscaping.

Commissioner Dean Leavitt asked Staff how old the developments were that were adjacent to the proposed development, if they were developed prior to the change in the design guidelines. Ms. Aldava responded they were approximately three years old; the Design Standards were already place when they were built.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS IN REVISED MEMO DATED JULY 12, 2006

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

15. T-1270 (26364) GOLDFIELD V. AN APPLICATION SUBMITTED BY WILLIAM LYON HOMES, ON BEHALF OF GEORGE L. AND MAVIS TAYLOR, PROPERTY OWNERS, FOR APPROVAL OF A TENTATIVE MAP IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO ALLOW 10 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF LA MADRE WAY AND EAGLE WAY. THE ASSESSOR'S PARCEL NUMBER IS 124-34-701-033.

The application was presented by Mary Aldava, Senior Planner who stated the proposed tentative map appeared to conform with the standards for an R-1 Single-Family Residential subdivision and Staff had no objection to the tentative map as proposed; therefore, Staff was recommending approval of T-1270 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. All common elements shall be labeled and are to be maintained by the Home Owners Association.
3. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
4. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
5. Any preliminary street section(s) shown on the plans shall be used for planning purposes only; the geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
6. 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.
7. 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.
8. All residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222.

9. Proposed residential driveway slopes shall not exceed twelve percent (12%).
10. 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.
11. Approval of a drainage study update is required prior to submittal of the civil improvement plans.
12. 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.
13. Approval of a traffic study is required prior to submittal of the civil improvement plans.

Robert Cunningham, 4445 South Jones Boulevard, Las Vegas, NV 89103 appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

16. **SPR-27-06 (26297) NORTH BELTWAY INDUSTRIAL CENTER. AN APPLICATION SUBMITTED BY THOMAS AND MACK DEVELOPMENT GROUP, LLC, ON BEHALF OF MKB COMPANY, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW TWO BUILDINGS CONSISTING OF 188,950 SQUARE FEET AND 234,836 SQUARE FEET. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF EL CAMPO GRANDE AVENUE AND RANGE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 123-28-301-011.**

The application was presented by Mary Aldava, Senior Planner who stated the overall site design was in general conformance with the Zoning Ordinance and with the Industrial Development Standards; therefore, Staff was recommending approval of SPR-27-06 with the deletion of Condition Nos. 7 and 18 and with Condition No. 17 amended to add "Tropical Parkway" to the list. The original recommended conditions are as follows:

1. That the development of this site shall be in compliance with the Industrial Development Standards unless expressly authorized through a variance, waiver of another method, development shall comply with all applicable codes and ordinances:
 - a. SPR-27-06 is site specific and non-transferable;
 - b. That all perimeter walls be decorative in nature;
 - c. That all ladders or scuppers shall be incorporated into the building;
2. The property owner is required to grant a roadway easement for commercial driveway(s).
3. The property owner is required to sign a restrictive covenant for utilities.
4. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
5. 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.
6. All off-site improvements must be completed prior to final inspection of the first building.
7. Execute a restrictive covenant agreeing to participate in any future Special Improvement District (SID) to fund the construction of the I-215 / I-15 Interchange and the extension of Tropical Parkway to Hollywood Boulevard.

8. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
9. 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.
10. 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.
11. 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.
12. Approval of a drainage study is required prior to submittal of the civil improvement plans.
13. Approval of all proposed drainage facilities are contingent on review and approval of technical drainage study.
14. Approval of a traffic study is required prior to submittal of the civil improvement plans.
15. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along El Campo Grande Avenue and Range Road.
16. Right-of-way dedication and construction of a CAT bus turn-out is required on Range Road north of El Campo Grande Avenue per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
17. 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:
 - Range Road
 - El Campo Grande Avenue
18. The sanitary sewer for the subject project shall tie into the existing 21" sanitary sewer main approximately located in the intersection of Washburn Road and Donovan Way.

19. A looped water system is required.
20. A sewer capacity analysis is required to be submitted prior to submittal of civil plans.
21. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

Gary Congdon, Lee & Sakahara Architects, 6280 South Valley View Boulevard, Suite 1165, Las Vegas, NV 89118 appeared on behalf of the applicant stating he concurred with most of Staff's recommendation but needed some clarification. The requirement for a headlight wall or berm created a problem when there was a meandering sidewalk and asked for cooperation from Staff as a series of berms and hedges was designed along the front edge along El Campo Grande Avenue, as it was a challenge to put in a berm and also have a 3 to 1 slope. He stated Condition No. 4 requested a commercial subdivision map be submitted; they have a parcel map in the middle at this time, as long as it was understood that the parcel map would serve the same purpose as a commercial subdivision map, they were agreeable to the condition.

Marc Jordan, Planning Manager stated regarding Mr. Congdon's first request, there was not a condition regarding a meandering sidewalk. Mr. Congdon stated it was one of the standard design. Mr. Jordan responded that did not apply in an industrial area. Mr. Congdon stated it was listed in the Staff Report. Mr. Jordan responded that was an error, as that was a Commercial Design Standard and under the Industrial Design Standards there was no requirement for a meandering sidewalk and was not a condition of approval in this case.

Randy Cagle of Public Works recommended Condition No. 4 be amended to read: "If the property is subdivided in the future, the applicant must submit appropriate mapping. Mr. Congdon agreed to the amendment.

Mr. Congdon referred to Condition No. 16 regarding the dedication and construction of a CAT bus turn-out and asked for flexibility with the exact location of where the bus turn-out went in order to get it away from the corner. Eric Hawkins of Public Works stated they would work with the applicant.

Mr. Congdon agreed to dedicate Range Road and El Campo Grande Avenue in front of the current proposed construction, keeping in mind the current project before the Commission, was for Buildings A and B. They do not intend to fully improve El Campo Grande all the way down to Castleberry at this time but it would be done in the next phase of development as they developed further down El Campo Grande. Also, they were willing to give the dedication of Tropical Parkway but North Las Vegas does not know where Tropical Parkway would be at this point, and would be installed in a further phase of the development. He was willing to dedicate Tropical Parkway, but had no intention of building it at this time. Randy Cagle of Public Works stated the applicant was correct, a parcel map

was submitted, and it showed they would be required to do all the dedication and would be required to execute a restrictive covenant guaranteeing the construction of those improvements in the future, so he was agreeable to leaving Condition No. 17 as is without adding Tropical Parkway.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NOS. 7 AND 18 AND CONDITION NO. 4 AMENDED TO READ:

4. IF THE PROPERTY IS SUBDIVIDED IN THE FUTURE, THE APPLICANT MUST SUBMIT APPROPRIATE MAPPING.

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 24 was heard next.

OLD BUSINESS

17. **AMP-31-06 (25862) LONE MOUNTAIN & SIMMONS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PHILIP J. COHEN, ON BEHALF OF THE COHEN 1969 TRUST, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR LOW DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF LONE MOUNTAIN ROAD AND SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-32-402-004. (CONTINUED JUNE 14, 2006)**

It was requested by the applicant to continue AMP-31-06 to August 23, 2006.

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

An unidentified person in the audience asked if the applicant must submit a new application if they were asking for a designation other than what was in the current application.

Marc Jordan, Planning Manager explained it was indicated the applicant had met with the neighbors and were looking at changing their request from the Neighborhood Commercial for the Comprehensive Plan to Office and changing the request from C-1 Neighborhood Commercial to C-P Professional Office District. The applicant could file a new application; however, because both requests were less intense than what was publicly notified, it could be considered by the Commission when the item came back before them on August 23, 2006.

- **Eric Young, 2531 Parasail Pt. Avenue, North Las Vegas, NV 89031** stated the original application for a grocery store was met with disapproval and the neighbors had met with the agent and the property owner and he explained they planned to change the application to Professional Commercial. He was opposed to commercial on the proposed site.
- **Larry Mazurk, 3211 Verde Way, North Las Vegas, NV 89031** declined to comment at this time.
- **Michael Cruz, 319 Verde Way, North Las Vegas, NV 89031** stated he was opposed to the application as there was no need for more commercial development in or around that area.

- **Sherry Duran, 3215 Lost Mesa Court, North Las Vegas, NV 89031** stated she was opposed to commercial in the area.
- **Jean Scott, 3001 Saddle hills Court, North Las Vegas, NV 89031** stated she was opposed to the application.
- **Greg Sladek, 2923 Saddle Hills Court, North Las Vegas, NV 89031** declined to comment at this time.
- **Ivette Erle, 4818 Lone Vista Way, North Las Vegas, NV 89031** decline to comment at this time.

Chairman Carvalho stated the Public Hearing would remain open.

ACTION: CONTINUED TO AUGUST 23, 2006

MOTION: Commissioner Aston

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

18. **ZN-40-06 (25863) LONE MOUNTAIN & SIMMONS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PHILIP J. COHEN, ON BEHALF OF THE COHEN 1969 TRUST, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF LONE MOUNTAIN ROAD AND SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-32-402-004. (CONTINUED JUNE 14, 2006)**

It was requested by the applicant to continue ZN-40-06 to August 23, 2006.

Chairman Angelo Carvalho opened the Public Hearing. The following comments were carried forward from Item No. 17, AMP-31-06.

- **Eric Young, 2531 Parasail Pt. Avenue, North Las Vegas, NV 89031** stated the original application for a grocery store was met with disapproval and the neighbors had met with the agent and the property owner and he explained they planned to change the application to Professional Commercial. He was opposed to commercial on the proposed site.
- **Larry Mazurk, 3211 Verde Way, North Las Vegas, NV 89031** declined to comment at this time.
- **Michael Cruz, 319 Verde Way, North Las Vegas, NV 89031** stated he was opposed to the application as there was no need for more commercial development in or around that area.
- **Sherry Duran, 3215 Lost Mesa Court, North Las Vegas, NV 89031** stated she was opposed to commercial in the area.
- **Jean Scott, 3001 Saddle hills Court, North Las Vegas, NV 89031** stated she was opposed to the application.
- **Greg Sladek, 2923 Saddle Hills Court, North Las Vegas, NV 89031** declined to comment at this time.
- **Ivette Erle, 4818 Lone Vista Way, North Las Vegas, NV 89031** decline to comment at this time.

Chairman Carvalho stated the Public Hearing would remain open.

ACTION: CONTINUED TO AUGUST 23, 2006

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

19. **AMP-21-06 (25356) NORTH 5TH & DEER SPRINGS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ACACIA PROPERTIES, LLC AND NGA #2, LLC ET AL, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF COMMUNITY COMMERCIAL AND MDR MEDIUM DENSITY RESIDENTIAL TO REGIONAL COMMERCIAL. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF DEER SPRINGS WAY AND NORTH FIFTH STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-23-101-001, 124-23-201-001 AND 124-23-201-002. (CONTINUED JUNE 14, 2006)**

It was requested by the applicant to continue AMP-21-06 to August 23, 2006.

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

Chairman Carvalho stated the Public Hearing would remain open.

ACTION: CONTINUED TO AUGUST 23, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

20. **AMP-22-06 (25360) NORTH 5TH & DEER SPRINGS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ACACIA PROPERTIES, LLC AND NGA #2, LLC ET AL, PROPERTY OWNERS, FOR AN AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS, TO REMOVE DORRELL LANE BETWEEN NORTH FIFTH STREET AND DONNA STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-23-101-001, 124-23-201-001 AND 124-23-201-002. (CONTINUED JUNE 14, 2006)**

It was requested by the applicant to continue AMP-22-06 to August 23, 2006.

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

Chairman Carvalho stated the Public Hearing would remain open.

ACTION: CONTINUED TO AUGUST 23, 2006

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

21. **ZN-33-06 (25357) NORTH 5TH & DEER SPRINGS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ACACIA PROPERTIES, LLC AND NGA #2, LLC ET AL, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT, A C-2 GENERAL COMMERCIAL DISTRICT, AND AN O-L OPEN LAND DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF 339,818 SQUARE FEET OF COMMERCIAL RETAIL AND 1,204 UNITS OF MULTI-FAMILY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF DEER SPRINGS WAY AND NORTH FIFTH STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-23-101-001, 124-23-201-001 AND 124-23-201-002. (CONTINUED JUNE 14, 2006)**

It was requested by the applicant to continue ZN-33-06 to August 23, 2006.

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

Chairman Carvalho stated the Public Hearing would remain open.

ACTION: CONTINUED TO AUGUST 23, 2006

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

22. **SPR-24-06 (25657) CENTENNIAL & PECOS. AN APPLICATION SUBMITTED BY JADE ENTERPRISES ON BEHALF OF SUNRISE ADVISORS, LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW THREE (3) RETAIL BUILDINGS, TOTALING 78,508 SQUARE FEET. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF PECOS ROAD AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-24-801-008. (CONTINUED MAY 24 AND JUNE 14, 2006)**

It was requested by the applicant to continue SPR-24-06 to August 23, 2006.

ACTION: CONTINUED TO AUGUST 23, 2006

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

23. **SPR-10-06 (24698) DECATUR & TROPICAL. AN APPLICATION SUBMITTED BY WORLDMARK INC. ON BEHALF OF DECATUR TROPICS LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-2 GENERAL COMMERCIAL DISTRICT TO WAIVE THE REQUIREMENT OF THE BUILDING ORIENTATION. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF DECATUR BOULEVARD AND RICE AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-30-204-001, 124-30-204-002 AND A PORTION OF 124-30-204-005. (CONTINUED MARCH 22, APRIL 12, MAY 10 AND 24, AND JUNE 14, 2006)**

It was requested by the applicant to continue SPR-10-06 to August 9, 2006.

ACTION: CONTINUED TO AUGUST 9, 2006

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 25 was heard next.

24. **SPR-26-06 (26127) CENTENNIAL PLAZA AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL, ON BEHALF OF SIMMONS 15, LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT (PROPOSED C-1 NEIGHBORHOOD COMMERCIAL DISTRICT). THE PROPERTY IS GENERALLY LOCATED APPROXIMATELY 200 FEET SOUTH OF CENTENNIAL PARKWAY AND 175 FEET EAST OF SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-29-513-002. (CONTINUED JUNE 28, 2006)**

The application was presented by Marc Jordan, Planning Manager who stated when Staff originally reviewed the application, they had recommended continuance as the primary concern was the day care center did not meet the property setbacks from a residential district. The applicant submitted a revised site plan that now shows the day care center to be in compliance with the minimum setbacks required for the district; therefore, Staff was recommending approval of SPR-26-06. In the center of the parking lot, there is a plaza area, which Staff does not object to, but would like to see the parking spaces around the area removed and that the plaza area be expanded, as it would provide a safer area for cars backing out into that area. He also stated Condition No. 11 should be deleted. The original conditions listed in the memorandum dated July 12, 2006 are as follows:

1. That, unless expressly authorized through a variance, waiver or another approved method, the use shall comply with all applicable codes and ordinances.
2. The overall design of the site and buildings shall comply with the Commercial Development Standards and Design Guidelines.
3. Carports, if provided, shall have a cornice element and use a simulated stucco finish, at a minimum.
4. Approval of a traffic study update is required prior to submittal of the civil improvement plans.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. 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.

7. 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.
8. All off-site improvements must be completed prior to final inspection of the first building.
9. 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.
10. Appropriate subdivision and/or parcel mapping is required to create the parcel(s) as proposed. All mapping shall be in conformance to NRS Chapter 278 and Title 16 of the *North Las Vegas Municipal Code*.
11. The perimeter wall, installed within the twenty (20) foot landscape buffer area along the eastern perimeter of the site by the developer, shall be painted with graffiti-resistant paint. The wall shall be repainted after every five (5) washings.
12. The following pathways, utilizing special pavers, bricks or patterned concrete, shall be provided, at minimum:
 - a. One crosswalk from the restaurant area located in "Retail 1" to the landscaped area behind "Retail B."
 - b. One crosswalk from "Retail 1" to the parking island directly north and one crosswalk from the same parking island to the sidewalk/arcade along the north side of "Retail B."
 - c. One crosswalk from "Retail 3" to "Pad 3."
 - d. One crosswalk from "Retail 3" to the parking island directly west and one crosswalk from this same parking island to the central pedestrian plaza.
 - e. One crosswalk from "Retail 2" to the entrance of the day care facility.

- f. Crosswalks from the sidewalk adjacent to the east side of "Pad 1," to the central roundabout / pedestrian plaza area.
13. The 29 parking spaces around the central pedestrian plaza / roundabout area shall be removed and replaced with landscaping.
14. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
15. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.
16. The developer shall provide a three (3) to four (4) foot solid masonry wall within the twenty (20) foot landscape buffer area along the southern perimeter of the site. The masonry wall may also include wrought iron for a total wall height not to exceed six (6) feet.
17. The perimeter wall, installed within the twenty (20) foot landscape buffer area along the southern perimeter of the site by the developer, shall be painted with graffiti-resistant paint. The wall shall be repainted after every five (5) washings.
18. The developer shall provide 24-inch box trees, spaced at 15 feet on center, staggered front and back within the 20 foot landscape buffer area along the southern perimeter of the site. All other landscaping requirements shall be met in compliance with the Commercial Development Standards.

Jennifer Lazovich of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant asking for Condition No. 3 to be deleted as it was a holdover from when the application was considered as a PUD and residential units were being provided with carports. Condition No. 13 had to do with parking spaces around the plaza area and since the project was being developed entirely as a commercial project, parking was critical to retail spaces and she asked for the deletion of Condition No. 13. Other than the requested deletions, she concurred with Staff recommendation.

Commissioner Jay Aston asked if the current plan met all landscaping requirements. Ms. Lazovich responded it did. Commissioner Aston asked what comment was made on Condition No. 11. Mr. Jordan responded Staff was deleting Condition No. 11. Commissioner Aston asked if Staff had any issues with the deletion of Condition No. 3. Mr. Jordan responded Condition No. 3 stated, "carports, if provided;" therefore, if they were not providing carports, then the condition did not apply. He agreed with Ms. Lazovich that it was a carryover from the original application, but it was left as a condition because sometimes a commercial business would install carports and under the Commercial Design Guidelines, a different type of standard was required other than a regular steel metal

carport. So, the condition was applicable if a carport was wanted in a commercial development. If there was a desire to delete the condition because it was a carryover from the mixed use development, Staff would state on record that, removing Condition No. 3 would not constitute a waiver. Ms. Lazovich stated she understood the deletion of Condition No. 3 was not a waiver and that if they provided carports in the future, they would have to comply with the Commercial Design Guidelines.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
THE DELETION OF CONDITION NOS. 3, 11 AND 13

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 27 was heard next.

25. **AMP-36-06 (26061) DEL NORTE HOMES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL, ON BEHALF OF RIO PLAZA, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR LOW DENSITY RESIDENTIAL, MDR MEDIUM DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL TO MDR MEDIUM DENSITY RESIDENTIAL. THE PROPERTY IS GENERALLY LOCATED APPROXIMATELY 90 FEET EAST OF CAMINO AL NORTE AND SOUTH OF RANCHO DEL NORTE DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-34-330-001, 124-34-330-002, 124-34-330-003, 124-34-330-004, 124-34-330-005, 124-34-330-006, 124-34-330-007 AND 124-34-330-008. (CONTINUED JUNE 28, 2006)**

It was requested by the applicant to continue AMP-36-06 to July 26, 2006.

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

Chairman Carvalho stated the Public Hearing would remain open.

ACTION: CONTINUED TO JULY 26, 2006

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

26. **ZN-46-06 (25551) DEL NORTE HOMES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL, ON BEHALF OF RIO PLAZA, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A PUD PLANNED UNIT DEVELOPMENT DISTRICT, APPROVED FOR PROFESSIONAL OFFICES, TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF ELEVEN (11) SINGLE FAMILY DWELLINGS. THE PROPERTY IS GENERALLY LOCATED APPROXIMATELY 90 FEET EAST OF CAMINO AL NORTE AND SOUTH OF RANCHO DEL NORTE DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-34-330-001, 124-34-330-002, 124-34-330-003, 124-34-330-004, 124-34-330-005, 124-34-330-006, 124-34-330-007 AND 124-34-330-008. (CONTINUED JUNE 28, 2006)**

It was requested by the applicant to continue ZN-46-06 to July 26, 2006.

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

Chairman Carvalho stated the Public Hearing would remain open

ACTION: CONTINUED TO JULY 26, 2006

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 31 was heard next.

27. UN-55-06 (26036) RICO'S SMOG CHECK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LUIS RICO, 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 NUMBER IS 139-13-302-005. (CONTINUED JUNE 28, 2006)

The application was presented by Mary Aldava, Senior Planner who stated there was some confusion on the location of the actual suite. Staff photographed the property, which showed the applicant would be conducting business outside the office and would be running a cable from the building to the vehicle being smogged. Staff was recommending denial of UN-55-06 as there was a sidewalk running in front of the building and there was pedestrian traffic on the sidewalk to get to the barbershop next door, which could cause a safety issue. The applicant does not meet the parking requirements and the development as a whole was short one parking space and the applicant was required to provide four parking spaces. Redevelopment Staff was also recommending denial of the application.

Luis Rico, 1918 King Hill Street, Las Vegas, NV 89106 showed some pictures of other smog huts in the Valley and asked for the Commission's approval.

Chairman Angelo Carvalho asked Mr. Rico if the pictures he took, were of locations within North Las Vegas. Mr. Rico responded some of them were in North Las Vegas.

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

Chairman Carvalho closed the Public Hearing.

Commissioner Dean Leavitt asked if there was a curb separating the site from the K-Mart parking lot. Robert Eastman, Principal Planner responded there was no longer a curb. Commissioner Leavitt stated he had a lot of concerns regarding the application and he could not support the application with the safety concerns.

Chairman Carvalho explained to the applicant that he must understand the legalities of safety. He would be running a cable across a sidewalk where a pedestrian would be walking, which would cause a safety issue.

Commissioner Harry Shull concurred with Commissioner Leavitt stating this was not the right place for this type of business and explained to the applicant that even if the Commissioner were to approve the application it was likely that it would be denied by the Redevelopment Agency as they were recommending denial.

ACTION: DENIED; FORWARDED TO REDEVELOPMENT AGENCY FOR FINAL CONSIDERATION

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

- 28. AMP-35-06 (26104) CHEYENNE POINTE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE MONTECITO COMPANIES, ON BEHALF OF OTG CIVIC, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF PSP PUBLIC / SEMI-PUBLIC TO COMMUNITY COMMERCIAL. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CHEYENNE AVENUE AND CIVIC CENTER DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-14-502-001. (CONTINUED JUNE 28, 2006)**

Item Nos. 28 and 29 were presented together.

The application was presented by Marc Jordan, Planning Manager who stated the property would be incorporated into the developing commercial center at the southeast corner of Cheyenne Avenue and Civic Center Drive. It was approximately .6 acres in size but when developed in conjunction with the current property, it would be over 13 acres. The requirement is consistent with the Comprehensive Plan; therefore, Staff is recommending approval of AMP-35-06 and ZN-44-06.

Jennifer Lazovich of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant stating she concurred with Staff recommendation. She also stated the application had been held for two weeks in order to hold the neighborhood meeting which complied with Nevada Law and the affidavit had been turned in.

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

Chairman Carvalho closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

29. **ZN-44-06 (26113) CHEYENNE POINTE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE MONTECITO COMPANIES, ON BEHALF OF OTG CIVIC, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO A C-2 GENERAL COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CHEYENNE AVENUE AND CIVIC CENTER DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-14-502-001. (CONTINUED JUNE 28, 2006)**

Item Nos. 28 and 29 were presented together.

The application was presented by Marc Jordan, Planning Manager who stated the property would be incorporated into the developing commercial center at the southeast corner of Cheyenne Avenue and Civic Center Drive. It was approximately .6 acres in size but when developed in conjunction with the current property, it would be over 13 acres. The requirement is consistent with the Comprehensive Plan; therefore, Staff is recommending approval of AMP-35-06 and ZN-44-06.

Jennifer Lazovich of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant stating she concurred with Staff recommendation. She also stated the application had been held for two weeks in order to hold the neighborhood meeting which complied with Nevada Law and the affidavit had been turned in.

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

Chairman Carvalho closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

30. UN-57-06 (26114) CHEYENNE POINTE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE MONTECITO COMPANIES, ON BEHALF OF OTG CIVIC, LLC, PROPERTY OWNER, FOR A USE PERMIT IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT (PROPOSED C-2 GENERAL COMMERCIAL DISTRICT) TO ALLOW A CONVENIENCE FOOD RESTAURANT WITH DRIVE-THRU. THE PROPERTY IS LOCATED AT SOUTHEAST CORNER OF CHEYENNE AVENUE AND CIVIC CENTER DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-14-502-001. (CONTINUED JUNE 28, 2006)

The application was presented by Marc Jordan, Planning Manager who stated the development was in compliance and consistent with the Commercial Design Standards. The site plan did not show they had foundation landscaping, but it looked like there were areas where foundation landscaping would be supplied, so it appeared they did meet that requirement. Staff was recommending approval of UN-57-06 and that it be forwarded to the Redevelopment Agency for final consideration with the following recommended 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 UN-57-06 is site specific and non-transferable.
3. That UN-57-06 shall comply with the conditions of approval for SPR-35-05.
4. Development of the site shall comply with the Commercial Development Standards and Design Guidelines, including but not limited to the foundation landscaping and sidewalk areas shall be provided.
5. The applicant is required to file an amended final map to include APN 139-14-502-001.
6. A revocable encroachment permit for landscaping within the public right-of-way is required.
7. 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.
8. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

Jennifer Lazovich of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 stated she concurred with Staff recommendation with the exception of Condition No. 5. She had spoken with the Public Works Department to have that condition deleted and believed they were agreeable.

Randy Cagle of Public Works stated the applicant had an additional condition to read into the record regarding the parcel being bound by the same CC & R's and cross access agreements. Ms. Lazovich stated she wanted to delete Condition No. 5 and add a new Condition No. 5 to read: "The parcel shall be subject to cross access and shared parking with the adjacent retail development." Mr. Cagle stated he was agreeable to the amendment.

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

Chairman Carvalho closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE CONDITION NO. 5 REPLACED WITH THE FOLLOWING:

5. THE PARCEL SHALL BE SUBJECT TO CROSS ACCESS AND SHARED PARKING WITH THE ADJACENT RETAIL DEVELOPMENT.

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

31. **ZN-35-03 (26119) LOSEE PLAZA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL, ON BEHALF OF ANN LOSEE PAD, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED PUD PLANNED UNIT DEVELOPMENT DISTRICT TO REMOVE A BAR / TAVERN AND ADD A CONVENIENCE FOOD STORE WITH GAS PUMPS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-26-802-009. (CONTINUED JUNE 28, 2006)**

It was requested by the applicant to continue ZN-35-03 to July 26, 2006.

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

Chairman Carvalho stated the Public Hearing would remain open

ACTION: CONTINUED TO JULY 26, 2006

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

32. **UN-62-06 (26122) LOSEE PLAZA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL, ON BEHALF OF ANN LOSEE PAD, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A CONVENIENCE FOOD STORE WITH GAS PUMPS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-26-802-009. (CONTINUED JUNE 28, 2006)**

It was requested by the applicant to continue UN-62-06 to July 26, 2006.

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

Chairman Carvalho stated the Public Hearing would remain open

ACTION: CONTINUED TO JULY 26, 2006

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 3 was heard next.

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

Planning & Zoning Director Jory Stewart thanked the Commission for their participation at the Special Planning Commission Meeting on July 11, 2006 and stated she felt the meeting was very productive.

CHAIRMAN'S BUSINESS

There was no report given.

ADJOURNMENT

The meeting adjourned at 8:00 p.m.

APPROVED: August 9, 2006

/s/ Angelo Carvalho
Angelo Carvalho, Chairman

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