

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

August 9, 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: 6:00 P.M., Council Chambers, North Las Vegas City Hall,
2200 Civic Center Drive

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

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

VERIFICATION: Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE: Commissioner Jo Cato

MINUTES

• **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF JULY 12, 2006.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: Commissioner Cato

CONSENT AGENDA

A. **PW-141-06 (26966) ANN LOSEE VILLAGE 3: APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY PARDEE HOMES OF NEVADA AND ACCEPT THE OFF-SITE IMPROVEMENT BOND IN THE AMOUNT OF \$1,217,666.30.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

B. **PW-142-06 (26967) RUNVEE HOBART EAST, UNIT 3A-2: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY STANDARD PACIFIC OF LAS VEGAS, INC. AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$1,781,478.11.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

C. PW-143-06 (26968) LONE MOUNTAIN VILLAS: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY STANDARD PACIFIC OF LAS VEGAS, INC. AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$1,263,688.34.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

D. PW-144-06 (26969) CENTENNIAL CROSSING, PHASE I: APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY AMERICAN PACIFIC CAPITAL CENTENNIAL SIMMONS COMPANY, LLC AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$738,564.18.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

E. PW-145-06 (26970) CENTENNIAL CROSSING, PHASE II: APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY CENTENNIAL CROSSING HOMES, LLC AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$564,384.77.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

F. PW-146-06 (26971) GILMORE & FUSELIER PH II, UNIT 3: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY CENTEX HOMES AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$166,795.49.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

G. PW-147-06 (26972) LONE MOUNTAIN & BRUCE: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY CELEBRATE HOLDINGS, LLC AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$481,474.61.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

H. PW-148-06 (26973) GLIDING EAGLE/GENTLE BROOK: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY TRAVELERS CASUALTY & SURETY COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$282,348.99.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

I. PW-149-06 (26974) ANN & LAWRENCE WEST, UNIT 1: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY SAFECO INSURANCE COMPANY OF AMERICA TO RELEASE THE SUBDIVISION BOND IN TH AMOUNT OF \$643,719.53.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

J. PW-150-06 (26975) REGAL ESTATES, UNIT 1D: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY DEVELOPERS SURETY & INDEMNITY COMPANY TO RELEASE THE PERFORMANCE BOND IN THE AMOUNT OF \$553,319.20.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

K. PW-151-06 (26976) NVE PARCEL 42: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY INSURANCE COMPANY OF THE WEST TO RELEASE THE OFF-SITE IMPROVEMENT BOND IN THE AMOUNT OF \$220,476.03.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

- L. **PW-152-06 (26977) PETE KING CORPORATION: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY THE OHIO CASUALTY INSURANCE COMPANY TO RELEASE THE OFF-SITE IMPROVEMENT BOND IN THE AMOUNT OF \$41,798.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

Item No. 21 was heard next.

NEW BUSINESS

1. **UN-79-06 (26621) GREASE MONKEY MLK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GM AUTO CENTER, INC., PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW AN AUTOMOBILE WASHING ESTABLISHMENT (SELF-SERVICE). THE PROPERTY IS GENERALLY LOCATED EAST OF MARTIN LUTHER KING BOULEVARD AND APPROXIMATELY 766 FEET SOUTH OF CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-04-715-001.**

The application was presented by Marc Jordan, Planning Manager who stated the proposed facility would be in a building that was over 1800 square feet in size and was part of a newly developing commercial center. In reviewing the item, the building permits that were submitted to Staff for review show CMU block, which is not consistent with the existing commercial buildings currently being constructed in the center. The existing buildings show stucco exterior and other architectural features that are consistent with the Commercial Design Guidelines. In addition, the site does not contain all of the landscaping that would be required for this type of commercial project, specifically, within the parking lot between the rows of parking and also landscaping around the trash enclosures and next to the customer entrance for the building. In regards to the use itself, Staff was recommending denial of the application because the property to the east of the site was currently developing as single-family and the proposed car wash was located approximately 30 feet from the property line. Staff believes the noise generated from the use would be intrusive to the residential development and, therefore, would not be a use that would be necessary or desirable and would not contribute to the general well-being of the neighborhood and the community currently being developed. However, if the Commission determines approval was warranted, the following conditions were recommended:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. Approval of the use permit does not imply approval of the site plan, as shown.
3. The Commercial Development Standards and Design Guidelines must be met, including the required on-site landscaping.
4. The elevations of the building on the site must conform, in design and color, with the development directly to the south.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.

6. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
7. Martin Luther King Boulevard is a no-cut street.
8. The applicant shall submit a traffic study update for review and approval.
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. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
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. 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.
14. The property owner is required to grant a roadway easement for commercial driveway(s).
15. The property owner is required to sign a restrictive covenant for utilities.
16. 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.
17. A revocable encroachment permit for landscaping within the public right of way is required.
18. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

Patrick Ward of Bramble Development Group, 1290 South Jones, Suite 250, Las Vegas, NV 89146 stated he did not know the CMU block was not conducive to the commercial site. He showed a rendering of the proposed building, stating he had received approval of the design from GSG Development, who was the other developer on the project. The car wash was self-service with two bays and he did not foresee more than 30 cars per day going through the car wash and agreed to do whatever was necessary to meet the landscaping requirements.

Commissioner Dean Leavitt asked if the car wash had blowers to dry the cars. Mr. Ward responded there were blowers. The architect, (no name stated) stated the blowers could be placed on the far side of the building away from the residential area. Commissioner Leavitt asked if the car wash would be rear loaded. Mr. Ward responded it was a rear loaded car wash so the blowers would be away from the residential area. The architect stated the blowers would be approximately 90 to 100 feet from the residential property line. Commissioner Leavitt asked if the blowers were inside the structure. The architect responded the car wash was a self-contained unit so the equipment was inside the structure. The architect explained the car wash went hand in hand with the Grease Monkey, which was the next item on the agenda, UN-80-06. He showed a rendering of the Grease Monkey building, stating they were following the architectural look of the complex and explained there would be a copper roof and stone facade and were using the CMU for maintenance purposes, which would be split faced CMU of different colors with banding, so it would have the look of stucco.

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

Chairman Carvalho closed the Public Hearing.

Mr. Jordan clarified he was referring to the proposed project not matching the architectural style of the building currently under construction in the commercial center. The commercial center originally came in as one development, so what Staff was referring to, was a shared architectural theme with the development that was currently being built. In the Staff Report, a copy of the current elevations were given, which were the elevations being referred to. If there was a desire to approve the application, there was a condition that required the applicant to comply with the actual architectural theme of the development to the south, which the rendering presented would blend with. If there was a desire by the Commission to approve the application with the current elevations, then Condition No. 4 would need to be amended.

Chairman Carvalho stated he was concerned about the residential development behind the proposed car wash and asked the decibels of the blowers. Mr. Ward responded that with the angle of the blowers, the decibels would be lower, stating they could probably come up with some decibel readings and distance confirmation.

Commissioner Jay Aston asked about the possibility of adding more landscaping density behind the car wash, something that was taller and more dense to act as a sound barrier. He asked if something like that could be considered in a condition and asked that a condition be added for some additional sound barriers.

Commissioner Dean Leavitt asked if both bays were identical. Mr. Ward responded there were two bays with an equipment room in the center. Commissioner Leavitt asked if both bays were the same style. Mr. Ward responded they were. Commissioner Leavitt asked if there would be vacuums. Mr. Ward stated that was a possibility. Commissioner Leavitt explained if they were to add a vacuum, they would need additional approval.

Mr. Jordan asked the applicant for their hours of operation. Mr. Ward stated the Grease Monkey would be open from 7:00 a.m. to 6:00 p.m. but he did not know the hours of operation for the car wash.

Commissioner Dilip Trivedi asked Staff how many car washes were in the immediate vicinity of the proposed project. Mr. Jordan responded there was one existing and one approved car wash that had not yet been constructed.

Commissioner Cato asked the standard for the hours of operation for a car wash. Mr. Jordan responded in the past there have been hours of operation that would require them not to operate after 10:00 p.m. If there was a desire to limit the hours of operation, there would be a condition placed on the application.

Planning & Zoning Director Jory Stewart stated this was a use permit and it was in the Commission's purview to place hours of operation. She explained this was a unique situation because it backed up to a residential subdivision. The problem was, the homes were under construction and people were not living there yet and the developer was notified about the use permit, but it may not have occurred to them that this may be a nuisance. She asked the Commission to use caution when considering the application and suggested they might consider placing some hours of operation and increased landscape buffering to sound deafen the noise as the blowers are very loud and the building was open at both ends.

Commissioner Leavitt stated there was a car wash at the corner of Decatur and Lone Mountain that backed up to a residential area, which has hours of operation. The property owner had a security guard on site to make sure the facility was not used after hours. There were other methods that could be used to make sure the facility was not used after hours.

Mr. Ward asked if there was a possibility of not limiting the hours of operation and they would use due diligence to make sure it was as quiet as possible.

Robert Eastman, Principal Planner stated Condition No. 4 would be amended to read: "The elevations of the building on the site must conform in design and color with the elevations submitted at the August 9, 2006 Planning Commission meeting," explaining those would be the elevations shown to the Commission at the meeting, which were slightly different than what was submitted with their application. Condition No. 19 would be added to read: "The vegetative sound barrier consisting of 24" box trees planted 15' on center and shrubs. Ground cover shall be planted to provide an 80% coverage within two years of planting shall be placed along the east property line;" Condition No. 20 would read: "The hours of operation shall be limited to 7:00 a.m. to 10:00 p.m."

ACTION: APPROVED WITH STAFF RECOMMENDED CONDITIONS WITH CONDITION NO. 4 AMENDED AND CONDITION NOS. 19 AND 20 ADDED TO READ:

4. THE ELEVATIONS OF THE BUILDING ON THE SITE MUST CONFORM IN DESIGN AND COLOR WITH THE ELEVATIONS SUBMITTED AT THE AUGUST 9, 2006 PLANNING COMMISSION MEETING.
19. THE VEGETATIVE SOUND BARRIER CONSISTING OF 24" BOX TREES PLANTED 15' ON CENTER AND SHRUBS. GROUND COVER SHALL BE PLANTED TO PROVIDE AN 80% COVERAGE WITHIN TWO YEARS OF PLANTING SHALL BE PLACED ALONG THE EAST PROPERTY LINE.
20. THE HOURS OF OPERATION SHALL BE LIMITED TO 7:00 A.M. TO 10:00 P.M.

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

Commissioner Leavitt made a motion to reopen Item No. 1, UN-79-06.

ACTION: UN-79-06 REOPENED

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

Marc Jordan, Planning Manager recommended that Condition No. 3 be amended to read: "The Commercial Development Standards and Design Guidelines must be met with the exception that six foot landscaping diamonds shall be added between every three parking spaces within the two double rows of parking."

ACTION: APPROVED WITH STAFF RECOMMENDED CONDITIONS WITH CONDITION NOS. 3 AND 4 AMENDED AND THE ADDITION OF CONDITION NOS. 19 AND 20 TO READ:

3. THE COMMERCIAL DEVELOPMENT STANDARDS AND DESIGN GUIDELINES MUST BE MET WITH THE EXCEPTION THAT SIX FOOT LANDSCAPING DIAMONDS SHALL BE ADDED BETWEEN EVERY THREE PARKING SPACES WITHIN THE TWO DOUBLE ROWS OF PARKING.
4. THE ELEVATIONS OF THE BUILDING ON THE SITE MUST CONFORM IN DESIGN AND COLOR WITH THE ELEVATIONS SUBMITTED AT THE AUGUST 9, 2006 PLANNING COMMISSION MEETING.
19. A VEGETATIVE SOUND BARRIER CONSISTING OF 24" BOX TREES PLANTED 15' ON CENTER. SHRUBS AND GROUND COVER SHALL BE PLANTED TO PROVIDE AN 80% COVERAGE WITHIN TWO YEARS OF PLANTING SHALL BE PLACED ALONG THE EAST PROPERTY LINE.
20. THE HOURS OF OPERATION SHALL BE LIMITED TO 7:00 A.M. TO 10:00 P.M.

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

Item No. 3 was heard next.

2. **UN-80-06 (26622) GREASE MONKEY MLK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GM AUTO CENTER, INC., PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW AN AUTOMOBILE SERVICE FACILITY. THE PROPERTY IS GENERALLY LOCATED EAST OF MARTIN LUTHER KING BOULEVARD AND APPROXIMATELY 766 FEET SOUTH OF CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-04-715-001.**

The application was presented by Marc Jordan, Planning Manager who stated the comments made in Item No. 1, UN-79-06 carry forward to this item as follows:

The application was presented by Marc Jordan, Planning Manger who stated the proposed facility would be in a building that was over 1800 square feet in size and was part of a newly developing commercial center. In reviewing the item, the building permits that were submitted to Staff for review show CMU block, which is not consistent with the existing commercial buildings currently being constructed in the center. The existing buildings show stucco exterior and other architectural features that are consistent with the Commercial Design Guidelines. In addition, the site does not contain all of the landscaping that would be required for this type of commercial project, specifically, within the parking lot between the rows of parking and also landscaping around the trash enclosures and next to the customer entrance for the building. In regards to the use itself, Staff was recommending denial of the application because the property to the east of the site was currently developing as single-family and the proposed car wash was located approximately 30 feet from the property line. Staff believes the noise generated from the use would be intrusive to the residential development and, therefore, would not be a use that would be necessary or desirable and would not contribute to the general well-being of the neighborhood and the community currently being developed.

Patrick Ward of Bramble Development Group, 1290 South Jones, Suite 250, Las Vegas, NV 89146 stated he did not know the CMU block was not conducive to the commercial site. He showed a rendering of the proposed building, stating he had received approval of the design from GSG Development, who was the other developer on the project. The car wash was self-service with two bays and he did not foresee more than 30 cars per day going through the car wash and agreed to do whatever was necessary to meet the landscaping requirements.

Commissioner Dean Leavitt asked if the car wash had blowers to dry the cars. Mr. Ward responded there were blowers. The architect, (no name stated) stated the blowers could be placed on the far side of the building away from the residential area. Commissioner Leavitt asked if the car wash would be rear loaded. Mr. Ward responded it was a rear loaded car wash so the blowers would be away from the residential area. The architect

stated the blowers would be approximately 90 to 100 feet from the residential property line. Commissioner Leavitt asked if the blowers were inside the structure. The architect responded the car wash was a self-contained unit so the equipment was inside the structure. The architect explained the car wash went hand in hand with the Grease Monkey, which was the next item on the agenda, UN-80-06. He showed a rendering of the Grease Monkey building, stating they were following the architectural look of the complex and explained there would be a copper roof and stone facade and were using the CMU for maintenance purposes, which would be split faced CMU of different colors with banding, so it would have the look of stucco.

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

Chairman Carvalho closed the Public Hearing.

Mr. Jordan clarified he was referring to the proposed project not matching the architectural style of the building currently under construction in the commercial center. The commercial center originally came in as one development, so what Staff was referring to, was a shared architectural theme with the development that was currently being built. In the Staff Report, a copy of the current elevations were given, which were the elevations being referred to. If there was a desire to approve the application, there was a condition that required the applicant to comply with the actual architectural theme of the development to the south, which the rendering presented would blend with. If there was a desire by the Commission to approve the application with the current elevations, then Condition No. 4 would need to be amended.

Chairman Carvalho stated he was concerned about the residential development behind the proposed car wash and asked the decibels of the blowers. Mr. Ward responded that with the angle of the blowers, the decibels would be lower, stating they could probably come up with some decibel readings and distance confirmation.

Commissioner Jay Aston asked about the possibility of adding more landscaping density behind the car wash, something that was taller and more dense to act as a sound barrier. He asked if something like that could be considered in a condition and asked that a condition be added for some additional sound barriers.

Commissioner Dean Leavitt asked if both bays were identical. Mr. Ward responded there were two bays with an equipment room in the center. Commissioner Leavitt asked if both bays were the same style. Mr. Ward responded they were. Commissioner Leavitt asked if there would be vacuums. Mr. Ward stated that was a possibility. Commissioner Leavitt explained if they were to add a vacuum, they would need additional approval.

Mr. Jordan asked the applicant for their hours of operation. Mr. Ward stated the Grease Monkey would be open from 7:00 a.m. to 6:00 p.m. but he did not know the hours of operation for the car wash.

Commissioner Dilip Trivedi asked Staff how many car washes were in the immediate vicinity of the proposed project. Mr. Jordan responded there was one existing and one approved car wash that had not yet been constructed.

Commissioner Cato asked the standard for the hours of operation for a car wash. Mr. Jordan responded in the past there have been hours of operation that would require them not to operate after 10:00 p.m. If there was a desire to limit the hours of operation, there would be a condition placed on the application.

Planning & Zoning Director Jory Stewart stated this was a use permit and it was in the Commission's purview to place hours of operation. She explained this was a unique situation because it backed up to a residential subdivision. The problem was, the homes were under construction and people were not living there yet and the developer was notified about the use permit, but it may not have occurred to them that this may be a nuisance. She asked the Commission to use caution when considering the application and suggested they might consider placing some hours of operation and increased landscape buffering to sound deafen the noise as the blowers are very loud and the building was open at both ends.

Commissioner Leavitt stated there was a car wash at the corner of Decatur and Lone Mountain that backed up to a residential area, which has hours of operation. The property owner had a security guard on site to make sure the facility was not used after hours. There were other methods that could be used to make sure the facility was not used after hours.

Mr. Ward asked if there was a possibility of not limiting the hours of operation and they would use due diligence to make sure it was as quiet as possible.

Robert Eastman, Principal Planner stated Condition No. 4 would be amended to read: "The elevations of the building on the site must conform in design and color with the elevations submitted at the August 9, 2006 Planning Commission meeting," explaining those would be the elevations shown to the Commission at the meeting, which were slightly different than what was submitted with their application. Condition No. 19 would be added to read: "The vegetative sound barrier consisting of 24" box trees planted 15' on center and shrubs. Ground cover shall be planted to provide an 80% coverage within two years of planting shall be placed along the east property line;" Condition No. 20 would read: "The hours of operation shall be limited to 7:00 a.m. to 10:00 p.m."

Mr. Jordan stated Staff recommended the design of the building be changed; however, if there was a desire for approval, they would need to amend Condition No. 4. Also, the same landscape issues in the parking lot; however, in regards to the use itself, Staff had no objection and were recommending approval of UN-80-06 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. Approval of the use permit does not imply approval of the site plan, as shown.
3. The Commercial Development Standards and Design Guidelines must be met, including the required on-site landscaping.
4. The elevations of the building on the site must conform, in design and color, with the development directly to the south.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
7. Martin Luther King Boulevard is a no-cut street.
8. The applicant shall submit a traffic study update for review and approval.
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. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.

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. 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.
14. The property owner is required to grant a roadway easement for commercial driveway(s).
15. The property owner is required to sign a restrictive covenant for utilities.
16. 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.
17. A revocable encroachment permit for landscaping within the public right of way is required.
18. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

Mr. Jordan asked the applicant for a copy of the elevations, which were presented to the Commission, for the record.

Patrick Ward of Bramble Development Group, 1290 South Jones, Suite 250, Las Vegas, NV 89146 stated he concurred with Staff recommendation.

The applicant's architect asked for clarification on the landscaping.

Mr. Jordan explained, within the parking lot, landscaping was required between every double row of parking, which was not shown on the site plan. Landscaping around the building must be six feet in width. The architect stated there was landscaping around the building but, because of the depth, they tried to pull the buildings away from the houses at the rear and there was landscaping at each end of the parking rows. If needed, they would put landscape diamonds every fourth or fifth space.

Chairman Angelo Carvalho asked Staff if there was verbiage to add. Mr. Jordan responded Condition No. 3 would be amended to allow an exception to the landscaping, which would probably be a landscape diamond for every three parking spaces as indicated on the plan.

He also recommended that Condition No. 19 be added to read: "A vegetative sound barrier consisting of 24" box trees planted 15' on center. Shrubs and ground cover shall be planted to provide an 80% coverage within two years of planting shall be placed along the east property line." However, with the addition of amending Condition No. 3, adding the landscape islands, Item No. 1 should be reconsidered and add the same condition to that use permit also.

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

Chairman Carvalho closed the Public Hearing.

Commissioner Dean Leavitt asked if Item No. 1 should be reopened before this Item was completed.

Mr. Jordan suggested Item No. 2 should be voted on, then reopen item No. 1 to amend Condition No. 3 to add the same language.

Robert Eastman, Principal Planner stated Condition No. 3 would be amended to read: "The Commercial Development Standards and Design Guidelines must be met with the exception that six foot landscaping diamonds shall be added between every three parking spaces within the two double rows of parking." He also suggested the Commission adopt the amended Condition No. 4 as discussed in the last item to read: "The elevations of the building on the site must conform in design and color with the elevations submitted at the August 9, 2006 Planning Commission meeting," and the addition of Condition No. 19 to read: "A vegetative sound barrier consisting of 24" box trees planted 15' on center. Shrubs and ground cover shall be planted to provide an 80% coverage within two years of planting shall be placed along the east property line."

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NOS. 3 AND 4 AMENDED AND CONDITION NO. 19 ADDED TO READ:

3. THE COMMERCIAL DEVELOPMENT STANDARDS AND DESIGN GUIDELINES MUST BE MET WITH THE EXCEPTION THAT SIX FOOT LANDSCAPING DIAMONDS SHALL BE ADDED BETWEEN EVERY THREE PARKING SPACES WITHIN THE TWO DOUBLE ROWS OF PARKING.
4. THE ELEVATIONS OF THE BUILDING ON THE SITE MUST CONFORM IN DESIGN AND COLOR WITH THE ELEVATIONS SUBMITTED AT THE AUGUST 9, 2006 PLANNING COMMISSION MEETING.

19. A VEGETATIVE SOUND BARRIER CONSISTING OF 24" BOX TREES PLANTED 15' ON CENTER. SHRUBS AND GROUND COVER SHALL BE PLANTED TO PROVIDE AN 80% COVERAGE WITHIN TWO YEARS OF PLANTING SHALL BE PLACED ALONG THE EAST PROPERTY LINE.

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

Item No. 1 was reopened

3. **UN-82-06 (26637) HAAKER EQUIPMENT COMPANY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY HAAKER EQUIPMENT COMPANY, ON BEHALF OF ROBERT J. & NELLIE O. HARRIS, PROPERTY OWNERS, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW AN AUTOMOBILE REPAIR FACILITY (HEAVY EQUIPMENT) IN CONJUNCTION WITH THE SALES OF PARTS, SERVICE AND STORAGE OF EQUIPMENT. THE PROPERTY IS LOCATED AT 10 WEST MAYFLOWER AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-15-613-013.**

The application was presented by Marc Jordan, Planning Manager who stated the application was for a repair facility for heavy equipment. The property was surrounded by industrial on all four sides and the development would be compatible with the surrounding development and met the Design Guidelines. Staff had no objection to the use and recommended approval of UN-82-06 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, the development shall comply with all applicable codes and ordinances.
2. That the use permit is site-specific and non-transferrable.
3. That any outside storage of vehicles or parts must be screened from the rights-of-way by a decorative block wall and an opaque gate.

Randy Blackman, of Haaker Equipment Company, 2070 North White Avenue, La Verne, CA 91750 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 Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

4. VAC-15-06 (26713) RANCHO MIRAGE UNIT 3 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CORNERSTONE PRINCIPLES, INC., PROPERTY OWNER, TO VACATE A PORTION OF OASIS RIDGE STREET AT THE INTERSECTION OF PARK ROYAL DRIVE (A TOTAL OF 611 SQUARE FEET). THE ASSESSOR'S PARCEL NUMBER IS 124-27-401-012.

The application was presented by Marc Jordan, Planning Manager who stated the proposed request was consistent with the development and the approved tentative map. Staff was recommending approval of VAC-15-06 subject to the following condition:

1. The vacation must record concurrently with the final map. Should the Order of Vacation not record within two years of the Planning Commission approval date, the vacation shall be deemed null and void.

Susan Gomez of L.R. Nelson Consulting Engineers, 6565 West Russell Road, Las Vegas, NV 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; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

5. **UN-116-05 (26642) STADIUM SELF STORAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY VALLI ARCHITECTURAL GROUP, ON BEHALF OF PARTNERSHIP 2001 AND 2101 PARTNERS, LLC, PROPERTY OWNERS, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED USE PERMIT FOR A MINI-WAREHOUSING FACILITY IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW THE SITE TO BE EXPANDED TO A PARCEL NOT ORIGINALLY INCLUDED IN THE SITE PLAN. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND KITAMAYA STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-27-115-005 AND 124-27-115-006.**

The application was presented by Marc Jordan, Planning Manager who stated the applicant was requesting to add less than one acre to their approved use permit. According to the approved use permit, they had a driveway that could not meet the separation requirements and by moving that driveway, it required them to amend their use permit to add additional property to it. Staff has no objection to the amendment; however, would like to see a few changes that are administrative and could be handled through the building permit process. One of them being that the driveway location on Kitamaya Street does not meet the separation requirement from the intersection and would have to be moved back approximately another 50 feet to meet the 150 foot separation. In addition, the applicant shows a drainage easement on the south property line. The Design Guidelines require landscaping between a commercial project and a residential project, which there is residential to the south. Public Works indicated landscaping could be placed in this drainage easement, so Staff was recommending that landscaping be added. There is a wrought iron fence separating the drainage easement from the mini warehousing facility, and Staff does not believe the wrought iron fence was necessary on the interior of the project, so were recommending that it be removed, which would give access for maintenance of the landscaping. Staff was recommending approval of UN-116-05 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. 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. Twenty-five feet of perimeter landscaping, which may include a sidewalk, will be provided along Centennial Parkway for the entire length of the development.
 - b. Twenty-foot landscape buffer will need to be provided adjacent to the residential development to the south.

3. The applicant shall remove the proposed wrought iron fence along the south property line and solely provide a wrought iron fence from the southeast corner of Building C to the residential wall and from the southwest corner of Building A to the residential wall.
4. That site plan approval of the future retail portion shown shall not be implied.
5. That site plan approval of the proposed monument sign is not implied.
6. Approval of a drainage study is required prior to submittal of the civil improvement plans.
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 local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*, or as otherwise approved by the Director of Public Works or his designee.
9. Approval of a traffic study is required prior to submittal of the civil improvement plans.
10. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Centennial Parkway.
11. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and *City of North Las Vegas Municipal Code* section 16.24.100.B:
 - a. Centennial Parkway
 - b. Kitamaya Street
12. Right-of-way dedication and construction of a CAT bus turn-out is required on Centennial Parkway east of Kitamaya Street. It is suggested that the applicant provide the bus stop placement within the exclusive right turn lane for the property per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.3.
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. Driveway on Kitamaya Street to be limited to right out only, and be located 150' from Centennial Parkway.
16. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
17. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
18. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.
19. Gates shall be designed in accordance with Fire Code requirements.
20. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

Ariel Valli, Valli Architectural Group, 81 Columbia, Suite 200, Aliso Viejo, CA 92656 appeared on behalf of the applicant stating he concurred with Staff recommendation but asked about Condition No. 15. That condition required the exit driveway on Kitamaya Street to be increased to 150 feet from Centennial Parkway, but due to site extremes, he asked that it be 142 feet and would like to have it as an entrance also, which would provide secondary access to the site and also provide fire access.

Mr. Jordan responded there was residential to the west of Kitamaya Street and he was not sure how that would affect the residential area and also if it would be compatible with the street location on Kitamaya Street and deferred the question to Traffic.

Eric Compton of Public Works stated they would not like the entrance available for that driveway, with the size of Kitamaya and safety issues, they would like it to be an exit only and did not have an issue with the driveway being 142 feet from Centennial Parkway.

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

Chairman Carvalho closed the Public Hearing.

Mr. Jordan stated Condition No. 15 would be amended to read: "Driveway on Kitamaya Street to be limited to right out only, and be located 142' from Centennial Parkway."

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
CONDITION NO. 15 AMENDED TO READ:

15. DRIVEWAY ON KITAMAYA STREET TO BE LIMITED TO RIGHT
OUT ONLY, AND BE LOCATED 142' FROM CENTENNIAL
PARKWAY.

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

6. UN-81-06 (26614) VEGAS VALLEY COLLISION (PUBLIC HEARING). AN APPLICATION SUBMITTED BY STEWART ENGS, ON BEHALF OF TRUCK PARTS AND EQUIPMENT COMPANY, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW AN AUTOMOBILE REPAIR FACILITY. THE PROPERTY IS LOCATED AT 4145 FREHNER ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-01-401-002.

The application was presented by Marc Jordan, Planning Manager who stated the application proposed a new building that was approximately 7200 square feet in size and the elevations were consistent with the Industrial Design Guidelines on all four sides. He pointed out the Staff Report indicated Staff was not sure if there would be an outside storage yard for their automobiles and if the storage yard would be screened; but the applicant met with Staff and indicated they did have a storage yard which would be properly screened. Staff had no objections to the use and was recommending approval of UN-81-06 subject to the following conditions:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. That the development comply with the Industrial Design Guidelines and Development Standards, including but not limited to the following:
 - a. A minimum six (6) feet decorative wall or landscaped berm above finish grade at the rear of the setback area shall be provided for any loading and/or storage area that abuts a public street
3. Approval of a drainage study is required prior to submittal of the civil improvement plans.
4. Approval of a traffic study is required prior to submittal of the civil improvement plans.
5. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
6. 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.

7. 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.
8. 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.
9. 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.
10. The property owner is required to sign a restrictive covenant for utilities.
11. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.

Mike Summerhaze, General Manager for Truck Parts and Equipment, 4120 Donovan Way, North Las Vegas, NV 89030 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

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

7. UN-83-06 (26681) CRAIG LOSEE CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JEWEL FLORIST, ON BEHALF OF VERNALIS ENTERPRISES, INC., PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A RETAIL FLOWER STORE. THE PROPERTY IS LOCATED AT 2575 E. CRAIG ROAD, UNIT K. THE ASSESSOR'S PARCEL NUMBER IS 139-01-301-007.

The application was presented by Marc Jordan, Planning Manager who stated the applicant was proposing to occupy a suite that was approximately 1700 square feet within an existing building. The Staff Report indicated when the site was originally constructed, it was constructed as an office/warehouse building, which had different parking requirements than retail uses. However, over time there have been a number of use permits that have been approved and the whole building has been converted to some sort of retail use, which also has a church located in it. In analyzing the parking needs for the site, 129 parking spaces are required, where the site only has 113 spaces; therefore, Staff was recommending denial as the site does not comply with the parking requirements for a retail establishment and the use was not necessary for an Industrial District. If there was a desire to approve UN-83-06, Staff would amend Condition No. 3 that dealt with the parking. If the Commission desired approval, the following conditions were recommended:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. This use permit is site specific and non transferrable.
3. A minimum 129 parking spaces shall be provided.
4. That all loading and unloading of merchandise take place at the rear of the building. Retail purchases may be carried out the front door.
5. That outdoor displays shall be prohibited.

Cotty Lucci, 2575 E. Craig Road, Unit K, Las Vegas, NV 89030 stated he had 1200 square feet of space and also stated he recommended 30 minute parking for the flower shop. His deliveries are done from the back and there was no employee parking.

Yvette Major of H & O Realty, 720 South 4th Street, Las Vegas, NV 89101 stated she represented the owner, Vernalis Enterprises, Inc. stating at that center, since the time it has been managed by H & O. even though it was zoned M-2, all of the tenants there were retail. She stated they did not have any tenants who would normally be in an M-2 or M-1 zoned area. With the flower shop, one of the things they could consider, was to give them some type of temporary parking in front for their customers. Any large deliveries would come through the back. She suggested, instead of more parking, that there be designated parking for the flower shop.

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

Chairman Carvalho closed the Public Hearing.

Commissioner Jo Cato asked for clarification on the parking in front of the business. Ms. Major explained the parking was open, so no tenant had assigned parking. The applicant's unit was facing Craig Road and she would consider designating some of the parking spaces for the flower shop only. Commissioner Cato asked Staff if the required parking was 113 spaces. Mr. Jordan responded 129 spaces was required but the applicant was showing 113. Commissioner Cato asked if the spaces Ms. Major was speaking of, were included in the 113 spaces. Mr. Jordan replied they were. They were talking about having temporary parking, no more than 15 or 30 minutes within this space and being designated for that business only. He explained that was an issue the applicant should deal with and was something Staff could not control and it did not help the parking situation on the site.

Mr. Lucci explained 90 percent of his business was from telephone sales and wire. They did not have much walk-in traffic.

Commissioner Dilip Trivedi asked the applicant if there were any parking intensive uses in the center. Ms. Major stated there were in-line shops, which was where the flower shop was located and there was a separate pad with two restaurants. Commissioner Trivedi confirmed when all the uses were added up, 129 spaces were needed. Mr. Jordan stated that was correct. If there was a desire for the Commission to approve the application, they would amend Condition No. 3 to read: "A minimum of 129 parking spaces shall be provided, unless a reduction in parking is supported by a parking study reviewed and approved by the City of North Las Vegas Traffic Engineer."

Commissioner Trivedi suggested using the rear of the building for parking.

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

3. A MINIMUM 129 PARKING SPACES SHALL BE PROVIDED UNLESS A REDUCTION IN PARKING IS SUPPORTED BY A PARKING STUDY, REVIEWED AND APPROVED BY THE CITY OF NORTH LAS VEGAS TRAFFIC ENGINEER.

MOTION: Commissioner Cato

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

8. UN-84-06 (26673) CRAIG LOSEE CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CALVARY CHAPEL MEADOW MESA, ON BEHALF OF VERNALIS ENTERPRISES, INC., PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A CHURCH. THE PROPERTY IS LOCATED AT 2575 E. CRAIG ROAD, UNIT L. THE ASSESSOR'S PARCEL NUMBER IS 139-01-301-007.

The application was presented by Marc Jordan, Planning Manager who stated the church already existed but they were moving to another suite and expanding their area to more than 3,669 square feet. When analyzing the site, there were parking issues. With the church, parking was factored a little differently. It was based upon one parking space for every four seats, based upon the design capacity of the main assembly hall. According to the building permit in process, they have a design capacity of 340 people, which would require 85 parking spaces. The zoning ordinance also has some ways that could be worked. You could reduce the parking by about 80% when there was day time and night time operations. The church would operate primarily in the evening and on weekends, particularly on a Sunday, when some of the commercial uses would not be operating. When taking that into consideration, this use would require 146 parking spaces, so there was still an increase in parking. He also stated a church was not compatible with the Industrial District and Staff was recommending denial; however, if the Commission desired approval, Condition No. 3 would be amended to read: "A minimum 146 parking spaces shall be provided unless a reduction in parking is supported by a parking study, reviewed and approved by the City of North Las Vegas Traffic Engineer." The original recommended conditions are as follows:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. This use permit is site specific and non transferrable.
3. A minimum 155 parking spaces shall be provided.

Mike Welte, 100 Persimmon Court, Las Vegas, NV 89145 stated the church has been at the same location for approximately one and one half years. They currently have approximately 90 seats and do not plan to have 340 people attending services. They meet one week day in the evening and on Sunday morning. When they meet at 7 p.m. Thursday, most of the businesses in the center are closed, except Quiznos, who has offered coupons to the church members because he appreciated the business he gets from them. He stated they have not received any complaints and have 40 to 50 parking spaces utilized at any given time. He asked if a condition could be added for operating hours. As a church plant, they do not do a lot of educational activities. Their goal was to build a small congregation that would be committed to eventually buying land or purchasing a property and building a church. This gives them the ability to grow the congregation. They have approximately 40 to 50 families, but they are spread between the services.

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

Chairman Carvalho closed the Public Hearing.

Commissioner Jo Cato asked Staff if the church was relocating to a larger suite, if the parking condition could be amended. Mr. Jordan responded they could, as use permits were site specific and that was why the church had to reapply for a use permit, but Condition No. 3 would need to be amended to read: "A minimum 146 parking spaces shall be provided unless a reduction of parking is supported by a parking study, reviewed and approved by the City of North Las Vegas Traffic Engineer," and Condition No. 4 would be added to read: "The church shall not be operated within the hours of 8:00 a.m. through 6:00 p.m. Monday through Saturday." He explained that would allow the church to operate in the evenings and on Sunday.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
CONDITION NO. 3 AMENDED AND CONDITION NO. 4 ADDED TO READ:

3. A MINIMUM 146 PARKING SPACES SHALL BE PROVIDED UNLESS A REDUCTION IN PARKING IS SUPPORTED BY A PARKING STUDY, REVIEWED AND APPROVED BY THE CITY OF NORTH LAS VEGAS TRAFFIC ENGINEER.
4. THE CHURCH SHALL NOT OPERATE BETWEEN THE HOURS OF 8:00 A.M. THROUGH 6:00 P.M. MONDAY THROUGH SATURDAY.

MOTION: Commissioner Cato

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

9. **UN-88-06 (26671) REVERE MARKET PLACE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GINA ANNE PETRELLO, ON BEHALF OF THE CRAIG ROAD GROUP, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A MASSAGE ESTABLISHMENT. THE PROPERTY IS LOCATED AT 955 WEST CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-04-713-006.**

The application was presented by Marc Jordan, Planning Manager who stated the use was compatible with the commercial district and Staff had no objection and recommended approval of UN-88-06 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-88-06 is site-specific and non-transferable.
3. The applicant shall submit a traffic study update for review and approval.

Gina Petrello, 955 West Craig Road, Suite B-101, North Las Vegas, NV 89032 stated 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

MOTION: Commissioner Cato

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

10. UN-89-06 (26689) ANDRE'S SERENITY MORTUARY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ANDRE CROCKETT AND OGOONNA HYMES, ON BEHALF OF GOLDEN POINT PARTNERS I, LLC, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A MORTUARY AND CREMATORY FACILITY. THE PROPERTY IS LOCATED AT 4476 DONOVAN WAY. THE ASSESSOR'S PARCEL NUMBER IS 139-01-611-006.

The application was presented by Robert Eastman, Principal Planner who stated this was an existing site that was providing adequate parking and landscaping. Staff was concerned the landscaping areas needed to be refurbished and additional live plants needed to be planted. The site also has the same parking requirements as a church, in that Staff feels the 31 off-street parking spaces are adequate for the proposed use; therefore, is recommending that UN-89-06 be approved subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. Landscaping plant material shall be added to the existing landscaping to provide a 60% ground cover within two years. Any trees that have died shall be replaced as shown on the landscaping plan submitted with the building plan.

Andre' Crockett, 2717 Mardi Gras Lane, North Las Vegas, NV 89030 stated he concurred with Staff recommendation.

Ashley Hall, 2298 Florence Avenue, Las Vegas, NV 89119 asked which landscaped area Staff was referring to, as directly in front of the building, the Holiday Inn was going to be expanding into that portion and he was not sure if Staff visited the site or viewed an aerial, as vacant land was shown on the aerial.

Marc Jordan, Planning Manager showed an aerial view of the landscaping and pointed out the areas Staff was referring to.

Mr. Hall stated there was landscaping, which had been newly planted and asked if a Staff member could visit the site with him. Mr. Eastman explained the condition was the requirements for the Commercial and Industrial Design Standards and was to require that 60% coverage, which when he drove by the site, it did not appear to meet those requirements. He stated a meeting could be arranged with the property owner or the applicant to look at the site and explain what was expected for the landscaping.

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

Grace Robinson, General Manager of Holiday Inn Express, 4540 Donovan Way, North Las Vegas, NV 89081 stated she was opposed to the use. She was concerned about the parking, as she did not feel it was adequate.

Chairman Carvalho closed the Public Hearing.

Commissioner Steve Brown asked Staff to clarify the parking issue and explain how they calculated the number of spaces.

Mr. Eastman explained the chapel was proposing 80 seats, which, like a church, would require one space for every four seats, which would be 20 spaces. Also, additional parking would be required for employees and without direct knowledge, he could not imagine more than 11 employees at a mortuary at any one time; therefore, he felt parking was adequate, since they had 31 parking spaces. The floor plan submitted does not show a secondary chapel, so that was not considered for additional spaces.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Cato

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

11. VN-20-06 (26625) NAVARRO-MELENDEZ (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GABRIELA MELENDEZ, PROPERTY OWNER, FOR A VARIANCE IN AN R-E RANCH ESTATES DISTRICT TO ALLOW A SIX (6) FOOT HIGH FRONT YARD BLOCK WALL, WHERE THREE (3) FEET IS THE MAXIMUM HEIGHT ALLOWED. THE PROPERTY IS LOCATED AT 3650 WEST RED COACH LANE. THE ASSESSOR'S PARCEL NUMBER IS 139-05-103-005.

The application was presented by Robert Eastman, Principal Planner who stated the home fronted Red Coach, where the Title 17 definition would claim that Allen Lane was their front yard; therefore, the applicant was wishing to treat Allen Lane as their side yard, which would require a variance to allow them to exceed the wall height which would be allowed in a front yard from three feet to six feet. The applicant was also requesting to reduce the landscaping. Staff was not in support of a reduction in landscaping, because the Celebrate Homes development, currently under construction, along Allen Lane to the north, was providing perimeter landscaping. Staff feels corner side lot landscaping along Allen Lane as a normal home would have, of 10 feet, should be provided. Staff was recommending approval of the variance to allow the six foot wall, but were not in support of the waiver request to eliminate the 15 feet of perimeter landscaping. If the Commission desires approval, the following conditions are recommended:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances with the exception that
2. That a six (6) foot high masonry wall may be constructed along Allen Lane, ten (10) feet from the property line. However, the six (foot) high masonry wall may not extend beyond the plane of the front wall of the home and the wall shall be decorative, subject to review and approval by staff.
3. That 15-feet of perimeter landscaping, which may include a sidewalk, shall be provided along Allen Lane and may be located within an easement to be maintained by the property owner.

John Hamilton, Hamilton Civil Engineers, 3945 Pebble Creek Avenue, Las Vegas, NV 89147 appeared along with the applicant, Gabriela Melendez, property owner. Mr. Hamilton stated conditions had not changed since the prior approval of the waiver of the landscape variance. He pointed out, at the intersection of Red Coach Avenue and Allen Lane, there were no landscape buffers on any of the corners, so he felt the 15 foot landscape variance request was congruent with the adjacent properties. Also, the adjacent parcel of land directly to the north of the site, fronts Allen Lane and they were not subject to a 15 foot landscape requirement. Mr. Hamilton stated the applicant would be the only property subject to the landscape buffer.

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

Chairman Carvalho closed the Public Hearing.

Commissioner Jay Aston asked if the applicant was willing to do a reduced section of landscaping along Allen Lane.

Mr. Hamilton stated he preferred not to, since it was felt the applicant was sacrificing much of her property, and the adjacent property owners were not. He felt the applicant was being penalized for wanting to face her home toward Red Coach Avenue.

Ms. Melendez stated she felt if she were to put in the landscaping, it would not look nice, as it would not match what the neighbors had.

Chairman Carvalho stated there were some homes to the north who had done a good job with desert landscaping that was more than 10 to 15 feet in their front yards. As the City moves on to approving other applications, he felt they were trying to follow the guidelines for the current standards.

Commissioner Jo Cato stated she supported Commissioner Aston's suggestion for five foot of landscaping, but could not support a waiver of all of the landscaping along Allen Lane.

Chairman Carvalho asked Staff if the adjacent property owner to the north was required to put in landscaping. Mr. Eastman responded, according to the records, the home to the north was built in 1990 prior to the Design Standards that required landscaping; however, under normal circumstances, if that was a vacant lot and if a home were constructed currently, landscaping would be required in the front yard as required by the Design Standards.

Randy Cagle of Public Works added there was a power line along Allen Lane and it would probably be best if the power line was within the landscaped area or the block wall would jog around the power poles.

Commissioner Steve Brown asked the applicant if they had a sketch of their plan for the property.

Mr. Hamilton explained previously the house sat at an angle to the corner and was since moved to face Red Coach. In light of the reorientation of the house, the applicant would be penalized with the landscape buffer. Commissioner Brown explained if the home were facing Allen Lane, landscaping would still be required. Mr. Hamilton responded if the home

were facing Allen Lane, there would be a 20 foot building set-back; therefore, the applicant's block wall would be along Red Coach. Commissioner Brown asked where the block wall would be placed. Mr. Hamilton stated there was a 50 foot right-of-way on Allen Lane and a 10 foot vacation and then the wall.

Commissioner Aston asked Staff, if the house faced Allen Lane, if there would be a landscape requirement on the side lot along Red Coach. Mr. Jordan responded the same landscaping would be required along Red Coach if the home faced Allen Lane.

Mr. Hamilton pointed out the adjacent property to east had a block wall with no landscape buffer. Chairman Carvalho asked when the home was constructed. The applicant did not know, but the wall looked like it was new. Chairman Carvalho explained the home could have been built prior to the adoption of the Design Standards and the wall could have been installed later.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
CONDITION NOS. 2 AND 3 AMENDED TO READ:

2. THAT A SIX (6) FOOT HIGH MASONRY WALL MAY BE CONSTRUCTED ALONG ALLEN LANE, FIVE (5) FEET FROM THE PROPERTY LINE. HOWEVER, THE SIX (FOOT) HIGH MASONRY WALL MAY NOT EXTEND BEYOND THE PLANE OF THE FRONT WALL OF THE HOME AND THE WALL SHALL BE DECORATIVE, SUBJECT TO REVIEW AND APPROVAL BY STAFF.
3. THAT 10 FEET OF PERIMETER LANDSCAPING, WHICH MAY INCLUDE A SIDEWALK, SHALL BE PROVIDED ALONG ALLEN LANE.

MOTION: Commissioner Aston

SECOND: Commissioner Cato

AYES: Chairman Carvalho, Commissioners Aston, Leavitt, Cato, and Trivedi

NAYS: Vice-Chairman Brown

ABSTAIN: None

Item No. 13 was heard next.

12. UN-39-06 (25352) 2232 CRAWFORD STREET (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MIGUEL A. MADRIGAL, PROPERTY OWNER, FOR A USE PERMIT IN AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO ALLOW A SINGLE-FAMILY DWELLING. THE PROPERTY IS LOCATED AT 2232 CRAWFORD STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-24-110-217.

The application was presented by Robert Eastman, Principal Planner who stated the existing home was currently a legally non-conforming use in the R-3 Multi-family Residential District. He explained, the applicant was proposing to add an approximate 483 square foot addition onto his home. With the addition, the applicant would need to bring the entire home into compliance, which required the use permit. In general, since the addition brings the home more into compliance with the current Design Standards and is an upgrade to the neighborhood, Staff felt the use permit was appropriate and was recommending approval of UN-39-06 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.
2. That this use permit is site specific and is non-transferable.

Helga G. Reyes, 3771 Shirebrook Drive, Las Vegas, NV 89115 appeared stating she 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 thanked the applicant for getting approval for the addition.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

Item No. 1 was heard next.

13. SPR-30-06 (26701) US FOODSERVICE, INC. AN APPLICATION SUBMITTED BY U.S. FOODSERVICE, INC., PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW AN 80,803-SQUARE-FOOT WAREHOUSE ADDITION AND AN 11,652-SQUARE-FOOT OFFICE ADDITION TO AN EXISTING 308,743-SQUARE-FOOT BUILDING. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CHEYENNE AVENUE AND MARTIN LUTHER KING BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-16-101-006.

The application was presented by Robert Eastman, Principal Planner who stated the applicant was proposing to add 92,455 square feet to the existing building. With the expansion, they were expanding their cold storage and have requested a use permit to add 3,000 pounds of anhydrous ammonia, which is the next item on the agenda, UN-85-06. The existing warehouse and distribution center is in conformance to the Industrial Design Standards and Staff was in support of the site plan and expansion. However, there are a few things that need to be amended, which could be done during the building permit process. Some of the changes include additional landscaping in the parking lot and providing additional decorative screening along the site as opposed to using their proposed chain link fence. Staff was recommending approval of SPR-30-06 subject to the following conditions:

1. That the new 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-30-06 is site specific and non-transferable;
 - b. That all perimeter walls be decorative in nature;
 - c. That all mechanical and electrical equipment is screened from view;
 - d. That a minimum of 397 parking spaces are provided;
 - e. That six foot wide landscaped parking islands are provided at the end of each parking row and for every 15 parking spaces contained within the row;
 - f. A minimum building setback of 30 feet is maintained on the corner side of the parcel (Martin L. King Boulevard).
2. Martin Luther King Boulevard is a no-cut street.
3. The applicant shall submit a traffic study update for review and approval.
4. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.

5. 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.
6. 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.
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. 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.
9. The property owner is required to grant a roadway easement for commercial driveway(s).
10. The property owner is required to sign a restrictive covenant for utilities.
11. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
12. Construction of a flared intersection at Martin Luther King Boulevard and Cheyenne Avenue is required prior to the final inspection of any building expansion.

For Information Only: The slope easement recorded over entire property, Doc # 735:590883; it is recommended that an application be submitted to vacate said easement.

13. A water meter is required for each building.
14. An NDOT permit is required to work within Cheyenne Avenue. NDOT is proceeding with work within Cheyenne Avenue in the next few months, at which time Cheyenne Avenue will become a no-cut street.
15. Fire access lanes shall be located in accordance with Fire Code requirements.

Mike Schwartz of Environmental Structures, 950 Walnut Ridge Drive, Hartland, WI 53029 and Dave DeForest of U.S. Foodservice, Inc., 1685 West Cheyenne Avenue, North Las Vegas, NV 89032. Mr. Schwartz stated he concurred with Staff

recommendation except for Condition No. 12. Due to the limited knowledge on the flared intersection, U.S. Foodservice would like to add a dollar limitation for the contribution for the intersection. He explained there had been some initial surveying work done and the traffic light pole for south bound Martin Luther King Boulevard would need to be relocated for the flared intersection, with four street lights, fire hydrant and multiple junction boxes for traffic lights within the sidewalks, and also landscaping with sidewalks, curb and gutters.

Randy Cagle of Public Works agreed with the concept and was trying to reword the condition so it would be agreeable to both parties.

Nick Vaskov, Deputy City Attorney suggested Condition No. 12 be amended to read: "The applicant agrees to participate in the construction of a flared intersection at Martin Luther King Boulevard and Cheyenne Avenue."

Mr. Schwartz asked if they could agree to provide the easement for construction of the flared intersection by the City of North Las Vegas.

Chairman Carvalho asked the applicant if he was agreeable to the amended condition.

Deputy City Attorney Vaskov stated the applicant desired to limit the condition further, to state that he would work with the City in providing the easement, but there was some reluctance on the part of Public Works to accept that.

Mr. Cagle clarified that when U.S. Foodservice originally came in to build their facility, they provided the dedication for the flared intersection but were not required to build it at that time. There was a restrictive covenant that could be called in that would require them to build the flared intersection at any time, and they would be responsible for the full cost. They were proposing a modified condition that they would work with Public Works in the construction of the flared intersection, but he could not give a specific dollar amount.

Deputy City Attorney Vaskov explained while Staff believes that a flared intersection would be constructed and paid for pursuant to an existing project, they do not know that for sure at this time; therefore, they would like some additional latitude in the condition, which was the suggested amendment read into the record.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
CONDITION NO. 12 AMENDED TO READ:**

12. THE APPLICANT AGREES TO PARTICIPATE IN THE CONSTRUCTION OF A FLARED INTERSECTION AT MARTIN LUTHER KING BOULEVARD AND CHEYENNE AVENUE.

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

14. **UN-85-06 (26717) US FOODSERVICE, INC. (PUBLIC HEARING). AN APPLICATION SUBMITTED BY U. S. FOODSERVICE, INC., PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW HAZARDOUS MATERIALS (ANHYDROUS AMMONIA) IN ASSOCIATION WITH AN EXPANSION OF COLD STORAGE. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CHEYENNE AVENUE AND MARTIN LUTHER KING BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-16-101-006.**

The application was presented by Robert Eastman, Principal Planner who stated the application was to allow an increase in the amount of anhydrous ammonia from 30,000 pounds to 33,000 pounds. This is the cold storage expansion that was mentioned in Item No. 13, SPR-30-06. Staff did not have any concerns and felt the use was appropriate. The Fire Department has reviewed the application and also feels the application could move forward. The application does have notification requirements and those notices were sent out and Staff does not know of any agency who was concerned with the increase of hazardous storage; therefore, Staff was recommending approval and because the use was a hazardous material, the item would be forwarded to City Council 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 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.
5. That this use permit must comply with the conditions of approval for SPR-30-06.

Mike Schwartz of Environmental Structures, 950 Walnut Ridge Drive, Hartland, WI 53029 and Dave DeForest of U.S. Foodservice, Inc., 1685 West Cheyenne Avenue, North Las Vegas, NV 89032. Mr. Schwartz stated he concurred with Staff recommendation.

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

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

15. UN-86-06 (26697) CHEYENNE MARKET PLACE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CASH BOX II, LLC, ON BEHALF OF CHEYENNE MARKETPLACE, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A DEFERRED DEPOSIT LOAN, SHORT TERM LOAN AND AUTOMOBILE TITLE LOAN FACILITY. THE PROPERTY IS LOCATED AT 1360 W. CHEYENNE AVENUE, SUITE 101. THE ASSESSOR'S PARCEL NUMBER IS 139-09-801-011.

The application was presented by Robert Eastman, Principal Planner who stated the applicant submitted the required documentation to show they meet the distance separation requirements and Staff was recommending approval of UN-86-06 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 the special use permit is site specific and non-transferable;
3. That Suite 101 is greater than 1,500 square feet in area.
4. That any expansions to the proposed use shall be subject to Planning Commission review and approval.

Dan Reese of Lionel, Sawyer, Collins, 300 South 4th Street, Suite 1700, Las Vegas, NV 89101 appeared on behalf of the applicant stating he concurred with Staff recommendation. He commented on Condition No. 3, pointing out the facility was 1,530 square feet and the condition should be amended to read: "That Suite 101 is equal to or greater than 1,500 square feet in area." Also, for the record, he submitted 19 pages of signatures of local residents and people who use the convenience store and gas station at that location, who were in support of the use.

Nick Vaskov, Deputy City Attorney stated the applicant's request to amend Condition No. 3 was okay.

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. 3 AMENDED TO READ:

3. THAT SUITE 101 SHALL BE EQUAL TO OR GREATER THAN 1500 SQUARE FEET.

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

16. **UN-87-06 (26686) SPRINT NEXTEL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SPRINT NEXTEL, ON BEHALF OF I-15 INTERCHANGE, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A WIRELESS COMMUNICATION FACILITY (80-FOOT-HIGH MONOPOLE), WITH A RESIDENTIAL SETBACK OF 15 FEET, WHERE 200 FEET IS REQUIRED. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF MT. HOOD STREET AND DEER SPRINGS WAY. THE ASSESSOR'S PARCEL NUMBER IS 123-22-701-001.**

The application was presented by Robert Eastman, Principal Planner who stated the applicant was proposing an 80 foot monopole, which would allow four antenna rays on the tower. Additionally, the applicant was proposing a 232 square foot equipment shelter to be built. With the use permit, the applicant was requesting a 15 foot setback from the adjacent property, which was currently zoned O-L, Open Land. As O-L is classified as a residential land use category, under normal circumstances a 200 foot setback would be required. The applicant was requesting a 15 foot setback with this use permit and Staff does not feel that the O-L that was currently zoned to the west was an actual final land use category for the site, they feel that the master plan for the area was industrial land and that is what would be developed on those properties; therefore Staff is in support of the proposed reduction in the setback of 15 feet. The application of the site plan needs to be amended to allow the applicant to be in compliance with the Design Standards. Mr. Eastman stated Staff was recommending approval of UN-87-06 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 this special use permit is site-specific and non-transferable.
3. That the applicant shall provide a tower with a stealth design (i.e. pine tree or palm tree).
4. That the tower shall not exceed 80' in height.
5. The enclosure shall be constructed with a block wall, decorative in nature. Enclosure shall have solid metal gates that slide rather than swinging gates.
6. A minimum one standard parking space shall be provided for the wireless communications facility.
7. The tower shall have a minimum 15 feet from the northern and western property lines.

8. The applicant shall provide paved access to the site and base of pole.
9. Construction of a 32' paved access road to the nearest street is required.
10. Dedication of right of way for Centennial Parkway is required per the *Master Plan of Streets and Highways*.

Tracy Kline of Sprint Nextel, 750 E. Warm Springs Road, Las Vegas, NV 89119

appeared on behalf of the applicant and explained Sprint Nextel had a cell facility at Apex to cover I-15 and a facility at the I-215 Interchange, but there is a 6 3/4 mile stretch where dropped calls were being experienced. Nextel has a site on Hollywood Avenue and also a site at the Speedway, but the sites do not provide coverage on I-15; they are for the Speedway. The proposed site will take care of I-15 and would also help handle some of the traffic at the Speedway. Also, some of the industrial uses in the area are Nextel customers and they have had numerous complaints. He stated they tried to find a site on the east side of I-15 but were unable to obtain a site. Mr. Kline stated they concurred with Condition Nos. 1, 2, 5, 6, and 7; but, Condition No. 3, in terms of design, he was willing to use the pine tree design, but an 80' pine tree in raw desert with low level industrial uses surrounding it, may not be attractive. He suggested a plain monopole design be used at this location. He explained a palm tree was not an option because it would not work with the antennas. Condition Nos. 8 and 9 were cost prohibitive and the road would only go to the site and would invite access by the public to an area where they should not be. When the use was developed, the street would be ripped out and redone. There would be very little traffic to the site, possibly one truck going in once per month doing routine maintenance. Condition No. 10 regarding dedication of right of way for Centennial Parkway, he could not find where the site abutted Centennial Parkway and thought it might be a mistake or Centennial was being rerouted.

Randy Cagle of Public Works stated there was a dirt road along the west boundary of the property, which was a realignment of Centennial Parkway along the north side of I-15, so the property was completely adjacent to Centennial along the west boundary.

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

Richard Lee, 7400 West Flamingo Road #1053, Las Vegas, NV 89147 stated he represented the client who owned the property to the west of the site and wanted the opportunity to sit down with Sprint Nextel to see how the use would affect their property. Centennial would be a major arterial and was also considered by the Speedway to relieve some of the congestion.

Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of a property owner to the west of the site and was concerned they were in the process of working with the ultimate Sports Group in assembling properties in that vicinity and designing a site on the properties nearby. He asked that the application be held for two weeks to allow his client to sit down with Sprint Nextel to go over the design and the location of the site to make sure they were all on the same page. If the application were to move forward, it would probably go to City Council and take another 45 days to resolve the issue.

Chairman Carvalho closed the Public Hearing.

Mr. Kline stated he was willing to continue the application for two weeks.

ACTION: CONTINUED TO AUGUST 23, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

17. **AMP-38-06 (26690) NORTHGATE PHASE I (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DIAMOND LAMB, LLC, ET AL, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF INDUSTRIAL TO REGIONAL COMMERCIAL. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF TROPICAL PARKWAY AND MARION DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 123-29-301-002, 123-29-301-003, 123-29-401-001, 123-29-401-002, 123-29-401-004, 123-29-401-005, 123-29-401-006, 123-29-401-007, 123-29-401-012 AND 123-29-401-013.**

The application was presented by Bob Hoyes, Planner who stated the intent was to come in at a later time with a mixed use commercial and residential development. Based on the guidelines in the Comprehensive Plan and current development patterns in the area and the continual erosion of vital industrial land within the City of North Las Vegas, Staff was recommending denial of AMP-38-06. Staff received a memo from the Department of Economic Development who was also recommending denial. A revised memorandum was submitted by the Fire Department that read: "There appears to be no outstanding Fire Department issues regarding this application; however, the letter of intent indicates that a future zone change will be requested from M-2 to a Planned Unit Development incorporating, among others, residential uses. If this is the case, the Fire Department will oppose the zone change application based upon the close proximity of the residential uses to industrial zoning and the railroad." One of the adjacent parcels to the north of Tropical Parkway, about 95 acres, is either owned or operated by Union Pacific Railroad, with several rail spurs and serves as a major transfer location for rail services. Staff was recommending denial of AMP-38-06.

Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 and **George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014** appeared on behalf of the applicant and property owners. Mr. Gronauer stated they would be addressing Item Nos. 17 and 18 together. Mr. Gronauer stated to the southeast of the site of the current application, there was an area, which was located between the railroad tracks and I-15 and was dissected by Lamb Boulevard and that location was approved by Staff, the Planning Commission and City Council and would allow for a mixture of uses for residential, commercial, and for a gaming enterprise district for a casino. He pointed that out because it was important to mention, because they were in a similar situation with respect to the same situation as the previously approved rezoning. The previous application was recommended for approval due to the location of the property itself. In the Lamb Interchange area, along I-15, there are plans to complete a connection between I-15 and Lamb Boulevard, which goes up to the 215 Beltway. By taking a look at the big picture, if you live in Aliante, the Olympia Development, or some other future master planned

community, your access to get to the City of Las Vegas or in the Clark County part of the area of downtown, you would go down the 215 Beltway to Lamb Boulevard or go to the 215/I-15 Interchange and come down I-15. He explained that, because now focused how much more important the area along Lamb Boulevard was for the vicinity. This would be the gateway for the City of North Las Vegas for the new developing area to the north and the future master planned communities that would be developed. The last thing you would want to see at a gateway heading north on Lamb Boulevard was to have outdoor storage on both sides of Lamb Boulevard. He also called it the Beltway because that was where you would be coming in from Utah and he believed outside storage in that area was not as attractive as having a mixture of commercial uses, which would be compatible and comply with what was already approved to the southeast. In the future, when traveling north and south in that area, you have a door that would open to the new area of the City.

Mr. Garcia stated when the area first started, the current master plan looks dramatically different than the plan enforced at that time. From Pecos Road to the 215 Beltway there are now single family, medium density, high density, all running along the railroad tracks. The project described by Mr. Gronauer includes residential, commercial, and gaming, so Commission and Council have dramatically changed the character of the area that was once envisioned to be more industrialized and more intense types of use from an industrial standpoint. Basically, the planned community that is there today which includes residential, two gaming facilities, and residential and commercial uses, so it was more of a master planned community than an industrial center, work force center. He stated what the Council recognized at that time, was that there was an industrial character there, the real industrial uses that are probably the heavy industrial uses would be better served on the south side of I-15 and that area, in the original plan, was well suited for industrial and had the ability to be rail served because the rail came down into that area and currently serves fuel farms in that area. With that in mind, the Council said that was an area with an opportunity to create a great dramatic entryway to the City, change the character and appearance of how it looked. His client had already removed some of that industrial use. Mr. Garcia stated the requirements for a mixed use project of this type were whether it occurred at the intersection of two 100 foot rights of way or greater, which it does; no smaller than 20 acres, not adjacent to existing or planned single family residential, commercial uses which have the potential and intrusive noise, architectural and the other criteria are all criteria that come at the time of the PUD or the actual zoning. At this point, they fully comply with those criteria and that was why Alhambra was approved.

Mr. Garcia stated they held a neighborhood meeting and at that meeting, the residents on the north side of the tracks were supportive of the industrial. When they saw the uses allowed in M-2, they did not want those types of outdoor storage uses and did not want propane storage or other type of storage that would be detrimental to their property values and their families and were opposed to the continuation of the M-2.

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

Bill Curran, of Ballard, Spar, Andrews, and Ingersol, 300 South Fourth Street #1201, Las Vegas, NV 89101 stated the original proposal on the property was to include a casino and felt from what was said tonight, that was still contemplated. He stated he represents the Alhambra, the property immediately to the south, and had no position regarding the action before the Commission, but wanted it known he would have a concern about approval of a casino property on this site, that everyone was not okay with a casino going on the subject site and this was the first step in an inevitable process that would lead to it.

Chairman Carvalho closed the Public Hearing.

Mr. Gronauer had nothing to add.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Aston

SECOND: Commissioner Cato

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

NAYS: Commissioner Leavitt

ABSTAIN: None

18. **AMP-39-06 (26703) NORTHGATE PHASE II (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DIAMOND LAMB, LLC, ET AL, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF INDUSTRIAL TO REGIONAL COMMERCIAL. THE PROPERTY IS GENERALLY LOCATED SOUTH OF TROPICAL PARKWAY AND APPROXIMATELY 300 FEET EAST OF MARION DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 123-29-701-002, 123-29-701-003, 123-29-701-004, 123-29-701-005 AND 123-29-601-023.**

The application was presented by Bob Hoyes, Planner who stated this site was separated from the previous site by an existing and occupied industrial use. Also, with regard to the criteria established in the Comprehensive Plan for an amendment, this site meets none of the criteria, including the minimum acreage, so Staff was recommending denial of AMP-39-06. Mr. Hoyes read the memorandum submitted by the Fire Department: "There appears to be no outstanding Fire Department issues regarding this application; however, the Letter of Intent indicates that a future zone change would be requested from M-2 to a Planned Unit Development incorporated, among others, residential uses. If this is the case, the Fire Department will oppose the zone change application based upon the close proximity of the residential uses to industrial zoning and the railroad.

Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 and **George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014** appeared on behalf of the applicant. Mr. Gronauer stated this was an extension of Phase I of what they were proposing and asked to incorporate the comments from Item No. 17 as follows:

Mr. Gronauer stated they would be addressing Item No. 17 and 18 together. Mr. Gronauer stated to the southeast of the site of the current application, there was an area, which was located between the railroad tracks and I-15 and was dissected by Lamb Boulevard and that location was approved by Staff, the Planning Commission and City Council and would allow for a mixture of uses for residential, commercial, and for a gaming enterprise district for a casino. He point that out because it was important to mention because they were in a similar situation with respect to the same situation as the previously approved rezoning. The previous application was recommended for approval due to the location of the property itself. In the Lamb Interchange area, along I-15, there are plans to complete a connection between I-15 and Lamb Boulevard, which goes up to the 215 Beltway. By taking a look at the big picture, if you live in Aliante, the Olympia development, or some other future master planned community, your access to get to the City of Las Vegas or in the Clark County part of the area of downtown, you would go down the 215 Beltway to Lamb Boulevard or go to the 215/I-15 Interchange and come down I-15. He explained that, because now focused

how much more important the area along Lamb Boulevard was for the vicinity. This would be the gateway for the City of North Las Vegas for the new developing area to the north and the future master planned communities that would be developed. The last thing you would want to see at a gateway heading north on Lamb Boulevard was to have outdoor storage on both sides of Lamb Boulevard. He also called it the Beltway because that was where you would be coming in from Utah and he believed outside storage in that area was not as attractive as having a mixture of commercial uses, which would be compatible and comply with what was already approved to the southeast. In the future, when traveling north and south in that area, you have a door that would open to the new area of the City.

Mr. Garcia stated when the area first started, the current master plan looks dramatically different than the plan enforced at that time. From Pecos Road to the 215 Beltway there are now single family, medium density, high density, all running along the railroad tracks. The project described by Mr. Gronauer includes residential, commercial, and gaming, so Commission and Council have dramatically changed the character of the area that was once envisioned to be more industrialized and more intense types of use from an industrial standpoint. Basically, the planned community that is there today that includes residential, two gaming facilities, and residential and commercial uses, so it was more of a master planned community than an industrial center, work force center. He stated what the Council recognized at that time, was that there was an industrial character there, the real industrial uses that are probably the heavy industrial uses would be better served on the south side of I-15 and that area, in the original plan, was well suited for industrial and had the ability to be rail served because the rail came down into that area and currently serves fuel farms in that area. With that in mind, the Council said that was an area with an opportunity to create a great dramatic entryway to the City, change the character and appearance of how it looked. His client had already removed some of that industrial use. Mr. Garcia stated the requirements for a mixed use project of this type were whether it occurred at the intersection of two 100 foot rights of way or greater, which it does; no smaller than 20 acres, not adjacent to existing or planned single family residential, commercial uses which have the potential and intrusive noise, architectural and the other criteria are all criteria that come at the time of the PUD or the actual zoning. At this point, they fully comply with those criteria and that was why Alhambra was approved.

Mr. Garcia stated they held a neighborhood meeting and at that meeting, the residents on the north side of the tracks were supportive of the industrial. When they saw the uses allowed in M-2, they did not want those types of outdoor storage uses and did not want propane storage or other type of storage that would be detrimental to their property values and their families and were opposed to the continuation of the M-2.

Mr. Garcia added he met with the owner of the property, Mr. Hershey, located between their two parcels, who purchased the property around the same time they were acquiring the rest of the assemblage, which was what prevented them from acquiring his property. He was in support of their applications and given what they plan to do, the value of what was currently there, was going to be greatly surpassed and his property value would go up by becoming part of their project, whether literally part of their project or being compatible. He does not intend to maintain it the way it was, which is why he was in support of their applications.

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

Bill Curran, of Ballard, Spar, Andrews, and Ingersol, 300 South Fourth Street #1201, Las Vegas, NV 89101 asked that his comments from Item No. 17 be carried forward as follows:

Mr. Curran stated the original proposal on the property was to include a casino and felt from what was said tonight, that was still contemplated. He stated he represents the Alhambra, the property immediately to the south, and had no position regarding the action before the Commission, but wanted it known he would have a concern about approval of a casino property on this site, that everyone was not okay with a casino going on the subject site and this was the first step in an inevitable process that would lead to it.

Chairman Carvalho closed the Public Hearing.

Commissioner Jay Aston stated he could not recommend approval as the property was not a contiguous piece of property and would recommend denial or continuance.

Mr. Garcia agreed to continue the application and would get some documentation and find a way to try to address the issue raised by Commissioner Aston.

Commissioner Dilip Trivedi asked the applicant to address the Fire Department's concerns regarding the residential use on the property.

Mr. Gronauer stated currently they were taking the Fire Department's concerns into consideration and if they do put in residential, they know they have to work with the Fire Department to address any concerns and would be working with the site plan to address the buffering issues. They were trying to finalize the PUD and depending on what they have, they would be able to address that better when it was presented.

Commissioner Steve Brown stated even if there was a supporting letter from the other property owner, if it left their parcel separate, he would still have concerns. Mr. Garcia stated in two weeks they could have a solution.

ACTION: CONTINUED TO AUGUST 23, 2006

MOTION: Commissioner Aston

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

19. SPR-31-06 (26633) PAVED YARD. AN APPLICATION SUBMITTED BY ISAACTOS, LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A 5-FOOT LANDSCAPING BUFFER ALONG THE RIGHTS-OF-WAY, WHERE 20 FEET IS REQUIRED. THE PROPERTY IS LOCATED AT 2238 LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-22-510-014 AND 139-22-502-001.

The application was presented by Bob Hoyes, Planner who stated the applicant was proposing to occupy the site with a storage yard for tow trucks and, based on the existing conditions on the surrounding area, Staff was recommending denial of the waiver request; however, if the Planning Commission determines approval was warranted, the following conditions were recommended:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. That the development comply with the Industrial Design Guidelines and Development Standards, including but not limited to the following:
 - a. A minimum of at least fifteen (15) feet in width from back of curb to perimeter wall (which may include a sidewalk and portions of right-of-way) shall be maintained adjacent to Losee Road and Crestline Loop.
 - b. A minimum 10 feet of landscaping shall be provided adjacent to Losee Road and Crestline Loop.
 - c. The ten (10) feet of landscaping shall include 60% of ground cover with 24" box tree every 15 feet on center.
3. Approval of a drainage study is required prior to submittal of the civil improvement plans.

Augie Bustos, 1903 South Jones, Las Vegas, NV stated he owned the property and had leased it to Quality Towing. Based on the 20 foot requirement for the landscaping, it reduced the site to .39 acres of net parking for the subject property. Based on his application, they had .51 acres for parking. Quality Towing parks all of their trucks there and he was proposing to build a 10 foot block wall and he also owned the additional 800 feet along Losee Road to the other side of Crestline Loop, which the landscaping is three feet in front of Fat City Motorcycles and five feet along the remainder of the property that goes all the way to the other side of Crestline Loop. He felt the use would be consistent and there would be a block wall across the street similar to Roadway Inc. which would

match their slump stone wall and would be consistent with the surrounding area. Mr. Bustos explained he was trying to provide parking for Quality Towing at a reasonable cost.

Commissioner Jay Aston asked the applicant if he was requesting to have no landscaping. Mr. Bustos responded his plan was to put five feet of landscaping similar to the 800 feet that he owns on Losee Road and make it similar to the block wall across the street, similar to Roadway, Inc., because the landscaping along Losee Road to the other side of Crestline Loop was about five feet and then the landscaping in front of Fat City was exactly three feet. Chairman Aston felt if there was a reduction in the landscape buffer approved, Staff's recommended conditions should be used, which was a minimum of ten feet. Mr. Bustos asked if ten feet was approved, if the buffer on Crestline Loop could be waived, as it reduced his lot size to approximately 17,000 square feet based on code, with ten feet, it would reduce it to 2400 square feet, which would be 10 percent of the lot given toward landscaping. If they could waive the landscaping on Crestline Loop and build the block wall along the curb.

Chairman Aston asked Staff if the recommended conditions addressed both Crestline Loop and Losee Road. Mr. Hoyes responded Condition No. 2.B referred to a minimum ten feet of landscaping shall be provided adjacent to Losee Road and Crestline Loop. He explained if the Planning Commission was inclined to approve the waiver, one of the reasons Staff used ten feet, was it had been their experience, and with a lot of the soils conditions in North Las Vegas, that many times planting cannot occur within five feet of a structure unless engineering measures were taken to mitigate the expansive soils. So, with the five foot landscape strip, unless the applicant was agreeable to engineering the footing of the wall such that it would accommodate planting within five feet of the wall, then there would not be any landscaping within five feet of the wall.

Mr. Hoyes explained regarding the reference the applicant was making to Fat City Cycles, that Fat City Cycle came in for a use permit approximately one and one half years ago and at that time they had no landscaping along the front of their property and one of the conditions imposed by the Planning Commission and recommended by Staff, was that they provide what landscaping they could between the building and the right-of-way. So, in essence, they pulled up concrete or had to cut pavement to provide the three and one half feet, which, under the circumstances, was most reasonable. In this case, it was a little different.

Commissioner Dean Leavitt stated he could support ten foot of landscaping on Losee Road and just a block wall on Crestline Loop.

Vice-Chairman Steve Brown agreed with Commissioner Leavitt that less than ten feet of landscaping tended to be a problem, as pointed out by Staff, so it should either be ten feet or zero feet, but he preferred ten feet.

Mr. Bustos explained one of the problems was he was offering Quality Towing one half acre for parking, large tow trucks and with losing 28 percent of the lot, based on City Code, versus losing seven percent of the lot with his proposal and versus ten percent of the lot, which he would agree with, but the whole objective to getting Quality Towing to do this was that he needed one half acre to park his trucks because the City did not want them parked on the street any longer. He felt he could make the lessor understand the ten feet of landscaping on Losee Road and no landscaping on Crestline Loop.

Chairman Carvalho agreed to the ten feet of landscaping on Losee Road because it was a well traveled area and it needed to be cleaned up.

Commissioner Leavitt explained to the applicant that the City was doing him a favor with the ten feet of landscaping, because if he only had the five feet, he would constantly be having to work to keep the small strip maintained and with the ten feet it would be easier to maintain.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
CONDITION NOS. 2.A AND 2.B AMENDED TO READ:

2.A. A MINIMUM OF AT LEAST FIFTEEN (15) FEET IN WIDTH FROM
BACK OF CURB TO PERIMETER WALL (WHICH MAY INCLUDE A
SIDEWALK AND PORTIONS OF RIGHT-OF-WAY) SHALL BE
MAINTAINED ADJACENT TO LOSEE ROAD.

2.B. A MINIMUM 10 FEET OF LANDSCAPING SHALL BE PROVIDED
ADJACENT TO LOSEE ROAD WITH NO LANDSCAPING ALONG
CRESTLINE LOOP.

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

Commissioner Jay Aston left Chambers at 8:40 p.m.

20. T-1274 (26616) COMMERCE & DORRELL. AN APPLICATION SUBMITTED BY LAACO LTD., PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW ONE (1) COMMERCIAL LOT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF COMMERCE STREET AND DORRELL LANE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-22-101-014 AND 124-22-101-015.

The application was presented by Bob Hoyes, Planner who stated previously on the site, two special use permits had been approved, one to allow a mini-storage facility and one to allow a 100 foot mono-pine cellular tower. Staff is recommending approval subject to the following conditions with a change to condition No. 2 to read as follows: "That the development of this site be in compliance with all conditions of approval for UN-68-05 and UN-07-06:"

1. Unless expressly, authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. That the development of this site be in compliance with all conditions of approval for UN-68-05;
3. Approval of a drainage study is required prior to submittal of the civil improvement plans.
4. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*, or as otherwise approved by the Director of Public Works or his designee.
5. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
6. Approval of a traffic study is required prior to submittal of the civil improvement plans.
7. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Dorrell Lane.
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 on Dorrell Lane , and 28 feet on Elaine Street and Commerce Street.
10. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
11. 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.
12. 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.
13. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100:
 - a. Dorrell Lane
 - b. Commerce Street
 - c. Elaine Street, should VAC-21-05 be denied
 - d. associated spandrels
14. Elaine Street shall be designed and constructed per the *City of North Las Vegas 60' Standard Street Section with Offset Sidewalk*.
15. The applicant shall apply for a vacation of the westerly ten feet of Commerce Street, adjacent to the subject property; the total right-of-way width, per the *Master Plan of Streets and Highways*, is sixty (60) feet.
16. Right-of-way dedication for a CAT bus turn-out is required on Dorrell Lane near Commerce Street per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
17. The property owner is required to grant a roadway easement for commercial driveway(s).
18. The property owner is required to sign a restrictive covenant for utilities.
19. A revocable encroachment permit for landscaping within the public right of way is required.

20. All off-site improvements must be completed prior to final inspection of the first building.
21. The property owner is required to grant a 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.
22. The applicant may be required to construct a 32' paved access road to the site.
23. A main extension will be required to be installed for a looped system.
24. Must comply with all conditions submitted by the Southern Nevada Health District.

Clay Bertrees of Alpha Engineering, 3321 North Buffalo, Las Vegas, NV appeared on behalf of the applicant stating he had reviewed the conditions of approval and was in concurrence with Staff recommendation.

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

2. THAT THE DEVELOPMENT OF THIS SITE BE IN COMPLIANCE WITH ALL CONDITIONS OF APPROVAL FOR UN-68-05 AND UN-07-06.

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

Item No. 25 was heard next.

Commissioner Jay Aston returned to Chambers at 8:44 p.m.

OLD BUSINESS

21. **VN-19-06 (26130) CENTENNIAL POINTE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE STRATTON GROUP, ON BEHALF OF CENTENNIAL POINTE, LLC, PROPERTY OWNER, FOR A VARIANCE IN AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO ALLOW A 15-FOOT BUILDING SETBACK, WHERE 20 FEET IS REQUIRED. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF GOLDFIELD STREET AND DEER SPRINGS WAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-22-701-002, 124-22-701-003, 124-22-701-004, 124-22-701-005 AND 124-22-701-008. (CONTINUED JUNE 28, 2006)**

It was requested by the applicant to continue VN-19-06 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 Aston

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

NAYS: None

ABSTAIN: None

22. **SPR-18-06 (25139) CENTENNIAL POINTE. AN APPLICATION SUBMITTED BY THE STRATTON GROUP ON BEHALF OF CENTENNIAL GROUP. LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-3 MULTIFAMILY RESIDENTIAL DISTRICT TO ALLOW 201 MULTI-FAMILY UNITS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF GOLDFIELD STREET AND DEER SPRINGS WAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-22-701-002, 124-22-701-003, 124-22-701-004, 124-22-701-005 AND 124-22-701-008. (CONTINUED APRIL 26, MAY 10 AND 24, AND JUNE 14, 2006)**

It was requested by the applicant to continue SPR-18-06 to August 23, 2006.

ACTION: CONTINUED TO AUGUST 23, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

23. **T-1253 (25140) CENTENNIAL POINTE. AN APPLICATION SUBMITTED BY THE STRATTON GROUP ON BEHALF OF CENTENNIAL GROUP, LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-3 MULTIFAMILY RESIDENTIAL DISTRICT TO ALLOW 201 CONDOMINIUMS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF GOLDFIELD STREET AND DEER SPRINGS WAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-22-701-002, 124-22-701-003, 124-22-701-004, 124-22-701-005 AND 124-22-701-008. (CONTINUED APRIL 26, MAY 10 AND 24, AND JUNE 14, 2006)**

It was requested by the applicant to continue T-1253 to August 23, 2006.

ACTION: CONTINUED TO AUGUST 23, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

24. **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, JUNE 14, AND JULY 12, 2006)**

It was requested by the applicant to withdraw SPR-10-06.

ACTION: WITHDRAWN

Item No. 27 was heard next.

25. UN-73-06 (26491) DECATUR COURT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DECATUR COURT, LLC, 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 GENERALLY LOCATED EAST OF DECATUR BOULEVARD AND APPROXIMATELY 335 FEET SOUTH OF ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-31-101-008. (CONTINUED JULY 26, 2006)

The application was presented by Bob Hoyes, Planner who stated the applicant had resolved issues with the Public Works Department; therefore, Staff was recommending approval of UN-73-06 with the addition of two conditions, Condition No. 20 to read: "The property owner is required to grant a pedestrian access easement for sidewalk within any common element," and Condition No. 21 would read: "A revocable encroachment permit for the landscaping in the public right of way is required." If the Planning Commission is inclined to grant the waiver requested by the applicant to allow a reduction of landscaping along the southern property line, Staff would recommend that Condition No. 2.a be amended to read: "A minimum 15 feet of landscaping shall be provided between the property line and the five on-site standard parking stalls east of Building "C." The original recommended conditions are as follows:

1. Unless expressly, authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. The development shall be in compliance with the Commercial Development Standards and Design Guidelines.
3. The special use permit is site-specific and non-transferable.
4. The elevations submitted herein are considered in general compliance with the Commercial Development Standards and Design Guidelines with the exception of the east elevation for Building B, the north elevation for Building A and the south elevation for Building C, which will all require architectural enhancements. The proposed black paint color will not be allowed. All elevations and colors will be subject to review and approval by staff during the building permit application process.
5. Exterior roof ladders are not permitted. All access to the roofs shall be from within the buildings.
6. Exterior down spouts are not permitted. Roof drainage shall be through interior down spouts.

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 Decatur Boulevard.
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. 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. 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. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
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. 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.
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. City of Las Vegas concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.

NOTE: If the Planning Commission chooses to approve this item **with** the requested waiver, then Condition #2 should be amended to read as follows:

2. The development shall be in compliance with the Commercial Development Standards and Design Guidelines, with the following exception:
 - a. A minimum 15 feet of landscaping shall be provided between the property line and the four on-site standard parking stalls (east of Building C) facing south; and
 - b. A minimum 17 feet of landscaping shall be provided between the property line and the eight on-site compact parking stalls (east of Building C) facing south;
 - c. Within the row of twelve on-site in-line parking stalls (east of Building C) facing south, the applicant shall provide one ½-diamond for every three parking stalls. Each ½-diamond shall measure three feet on a side and shall be planted with one 24" box tree and enough shrubs to provide a minimum 60% ground coverage within two years of planting. The landscaping mentioned herein shall be in addition to the required landscaping within the buffer area.

The applicant was not present for comment.

Mr. Hoyes stated the applicant was from out of town and perhaps they were going by the initial recommendation, which was for continuance.

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 NO CHANGE TO THE REDUCED LANDSCAPING ON CONDITION NO. 2.A AND WITH CONDITION NOS. 20 AND 21 ADDED TO READ:

20. THE PROPERTY OWNER IS REQUIRED TO GRANT A PEDESTRIAN ACCESS EASEMENT FOR SIDEWALK WITHIN ANY COMMON ELEMENT.

21. A REVOCABLE ENCROACHMENT PERMIT FOR THE LANDSCAPING IN THE PUBLIC RIGHT OF WAY IS REQUIRED.

MOTION: Commissioner Brown

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

26. UN-74-06 (26492) DECATUR COURT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DECATUR COURT, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW AN AUTOMOBILE SERVICE FACILITY. THE PROPERTY IS GENERALLY LOCATED EAST OF DECATUR BOULEVARD AND APPROXIMATELY 335 FEET SOUTH OF ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-31-101-008. (CONTINUED JULY 26, 2006)

The application was presented by Bob Hoyes, Planner who stated the application was for a special use permit to allow an automobile service facility at the same site as the previous item. Staff is recommending approval subject to the 24 conditions listed in the Staff Report dated July 26, 2006 with the addition of Condition Nos. 25 and 26 as follows: Condition No. 25 shall read: "The property owner is required to grant a pedestrian access easement for sidewalk within any common element," and Condition No. 26 shall read: "A revocable encroachment permit for the landscaping in the public right of way is required." The original conditions are as follows:

1. Unless expressly, authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. The development shall be in compliance with the Commercial Development Standards and Design Guidelines.
3. The automobile service facility shall not contain more than five (5) service bays.
4. The special use permit is site-specific and non-transferable.
5. The elevations submitted herein are considered in general compliance with the Commercial Development Standards and Design Guidelines with the exception of the east elevation for Building B, the north elevation for Building A and the south elevation for Building C, which will all require architectural enhancements. The proposed black paint color will not be allowed. All elevations and colors will be subject to review and approval by staff during the building permit application process.
6. Exterior roof ladders are not permitted. All access to the roofs shall be from within the buildings.
7. Exterior down spouts are not permitted. Roof drainage shall be through interior down spouts.
8. All automobile service activities shall take place within the building.

9. No outdoor storage of vehicles or parts is allowed.
10. No outdoor overnight (9:00 pm - 6:00 am) parking of vehicles awaiting service is allowed.
11. Approval of a traffic study is required prior to submittal of the civil improvement plans.
12. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Decatur Boulevard.
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. The property owner is required to grant a roadway easement for commercial driveway(s).
15. The property owner is required to sign a restrictive covenant for utilities.
16. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
17. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
18. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
19. 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.
20. 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.
21. 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.

22. Approval of a drainage study is required prior to submittal of the civil improvement plans.
23. City of Las Vegas concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
24. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

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. 25 AND 26 ADDED TO READ:

25. THE PROPERTY OWNER IS REQUIRED TO GRANT A PEDESTRIAN ACCESS EASEMENT FOR SIDEWALK WITHIN ANY COMMON ELEMENT.
26. A REVOCABLE ENCROACHMENT PERMIT FOR THE LANDSCAPING IN THE PUBLIC RIGHT OF WAY IS REQUIRED.

MOTION: Commissioner Brown

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 29 was heard next.

27. **FDP-08-06 (26523) LAKE MEAD & SIMMONS OFFICE. AN APPLICATION SUBMITTED BY JOHN DAVID BURKE, ARCHITECT, ON BEHALF OF LAKE MEAD NUMBER ONE, LLC, AND BLUE LAGOON LAS VEGAS, LLC, PROPERTY OWNERS, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF 31,270 SQ. FT. OF OFFICE, 94,898 SQ. FT. OF WAREHOUSE/STORAGE, AND 23,560 SQ. FT. OF RETAIL. THE PROPERTY IS GENERALLY LOCATED SOUTH OF LAKE MEAD BOULEVARD AND APPROXIMATELY 638 FEET WEST OF SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 139-20-202-010 AND 139-20-202-011. (CONTINUED JULY 26, 2006)**

It was requested by the applicant to continue FDP-08-06 to August 23, 2006.

ACTION: CONTINUED TO AUGUST 23, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

28. **T-1273 (26524) LAKE MEAD & SIMMONS OFFICE. AN APPLICATION SUBMITTED BY NEVADA BUILDING & DEVELOPMENT COMPANY, ON BEHALF OF LAKE MEAD NUMBER ONE, LLC, AND BLUE LAGOON LAS VEGAS, LLC, PROPERTY OWNERS, FOR APPROVAL OF A TENTATIVE MAP IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW ONE (1) COMMERCIAL/ INDUSTRIAL LOT. THE PROPERTY IS GENERALLY LOCATED SOUTH OF LAKE MEAD BOULEVARD AND APPROXIMATELY 638 FEET WEST OF SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 139-20-202-010 AND 139-20-202-011. (CONTINUED JULY 26, 2006)**

It was requested by the applicant to continue T-1273 to August 23, 2006.

ACTION: CONTINUED TO AUGUST 23, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

Item No. 12 was heard next.

29. T-1260 (25704) NLV COMMUNITY. AN APPLICATION SUBMITTED BY NOVEMBER 2005 LAND INVESTORS, LLC, AND DRHI, INC., PROPERTY OWNERS, FOR APPROVAL OF A PARENT TENTATIVE MAP IN AN O-L OPEN LAND DISTRICT (PROPOSED MPC MASTER PLANNED COMMUNITY DISTRICT) TO ALLOW 113 SUBDIVISION LOTS FOR A FUTURE MASTER PLANNED COMMUNITY. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CLAYTON STREET AND GRAND TETON DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-14-000-001, 124-15-000-001, 124-16-101-001, 124-21-501-001 AND 124-23-501-001. (CONTINUED MAY 24, JUNE 28 AND JULY 26, 2006)

Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant asking to continue T-1260 to August 23, 2006.

ACTION: CONTINUED TO AUGUST 23, 2006

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

30. 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, JULY 12 AND 26, 2006)

The application was presented by Robert Eastman, Principal Planner who stated the applicant submitted a revised site plan. Previously the Commission heard an application for the PUD to allow the convenience food store with gas pumps and, in general, Staff does not have a problem with the use. The site plan shows a proposed driveway along Ann Road. The Public Works Department is opposed to the proposed driveway location and feels that the curb cut should be eliminated; therefore, Staff is recommending UN-62-06 be continued to allow the applicant time to redesign the site. If the Commission determines approval is warranted, the following conditions are recommended:

1. Unless expressly, authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. If the amendment to ZN-35-03 is not approved, this use permit is null and void.
3. This use permit must comply with all of the conditions of approval for ZN-35-03.
4. This use permit shall be site specific.

Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant stating there had been discussion on the ingress and egress on Losee Road, there are two spots for ingress/egress and there was also a conversation on Ann Road with respect to the ingress and egress. The approval of the PUD zone change was forwarded to City Council, which showed the Ann Road access shall be determined by a traffic study to be submitted and approved by the City of North Las Vegas Traffic Engineer. Essentially, that means the traffic study was being submitted subject to approval by the Traffic Engineer, which would determine whether or not the access can or cannot be there. One of the concerns on the use permit, was the same issue but on the, if approved, conditions, it states the applicant had to comply with the conditions on ZN-35-03, which was the exact zone change application on which the conditions were placed. He stated he would like to move forward with the use permit and if the zone change and traffic study was approved, with the ingress/egress on Ann Road, the site plan would stay the same and if it did not, you would see a landscape area, which was a significant change. He believed they could move forward with the conditions listed, as they covered the zone change and if the zone change was denied, the use permit would be null and void.

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

Chairman Carvalho closed the Public Hearing.

Mr. Eastman stated if the Commission desired approval, he check the conditions and Condition No. 1 on the memorandum should be deleted and you would only have condition Nos. 2 and 3 (Note: The first listed condition in the revised memorandum was not numbered. There were four conditions, so Condition No. 2 would be deleted, not Condition No. 1 as stated.)

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
THE DELETION OF CONDITION NO. 2

MOTION: Commissioner Brown

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

Planning & Zoning Director Jory Stewart reminded the Commission there was a joint meeting with City Council and Planning Commission on August 22, 2006 at 4:30 p.m. in the North Las Vegas Library.

Director Stewart explained when approving use permits for retail uses in an M-2 Zoning District, the area was being rezoned by way of approval of use permits.

CHAIRMAN'S BUSINESS

Commissioner Dean Leavitt stated there was a meeting regarding the North 5th Street Corridor August 10, 2006 at the North Las Vegas Library at 4:00 p.m.

ADJOURNMENT

The meeting adjourned at 9:00 p.m.

APPROVED: September 13, 2006

/s/ Steve Brown, Vice Chairman
Angelo Carvalho, Chairman

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