

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

February 14, 2007

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

**BRIEFING:** 5:38 P.M., Conference Room, North Las Vegas City Hall, 2200 Civic Center Drive

**CALL TO ORDER:** 6:04 P.M., Council Chambers, North Las Vegas City Hall, 2200 Civic Center Drive

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

**STAFF PRESENT:** Jory Stewart, Planning & Zoning Director  
Marc Jordan, Planning Manager  
Robert Eastman, Principal Planner  
Naveen Potti, Planner  
Nick Vaskov, Deputy City Attorney II  
Bethany Sanchez, Deputy City Attorney II  
Jennifer Doody, Development & Flood Control  
Eric Hawkins, Public Works  
Janice Carr, Fire Department  
Jose Rodriguez, Police Department  
Jo Ann Lawrence, Recording Secretary

**WELCOME:** Chairman Steve Brown

**VERIFICATION:** Jo Ann Lawrence, Recording Secretary

**PLEDGE OF ALLEGIANCE:** Commissioner Dilip Trivedi

**MINUTES**

- **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF JANUARY 10, 2007.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: Commissioner Cato

**NEW BUSINESS**

1. **REVIEW OF PROPOSED FIRE FACILITIES IMPACT FEE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE CITY OF NORTH LAS VEGAS REQUESTING PLANNING COMMISSION REVIEW AND APPROVAL OF A PROPOSED FIRE FACILITIES IMPACT FEE PROGRAM AND ASSOCIATED LAND USE ASSUMPTIONS AND FIRE FACILITIES CAPITAL IMPROVEMENT PLAN. (CONTINUED OCTOBER 25, AND NOVEMBER 21, 2006 AND JANUARY 10, 2007)**

It was requested by the applicant to continue to March 14, 2007.

Fire Chief Al Gillespie asked for a continuance partly because the members of the Consulting Firm, TischlerBise were unable to attend the meeting, as they were snowbound in Denver and also explained they had been working closely with the Home Builders Association to make sure they were both on board with the Fire impact Fees as they were proposed to the Commission. They were scheduled to meet with the Southern Nevada Home Builders Association's Community Planning and Development Committee on October 25, 2007, but due to a misunderstanding, they were unable to meet. On November 3, 2007, they met with the Home Builder's Association to address their issues and walk through some of their concerns and on November 6, 2007 they responded to more questions, that had arisen from the consultants at that time. On November 13, 2007, they responded to further questions and clarifications. On November 21, 2007, they were scheduled to make a presentation at the Planning Commission meeting, but were unable to, as they had not cleared up all the issues between the Home Builders Association and themselves and the presentation was continued to the January 10, 2007 Planning Commission meeting but because the Home Builders Association had come up with more questions that Staff was still working on, they asked for a continuance to the February 14, 2007 Planning Commission meeting. They were requesting another continuance and would be prepared at the March 14, 2007 Planning Commission meeting to make the presentation, as it was important to the future of the organization and the ability to provide service to the citizens.

Commissioner Harry Shull stated he would be abstaining, as he served on the Southern Nevada Home Builders Board.

ACTION: CONTINUED TO MARCH 14, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: Commissioner Shull

**Item No. 12 was heard next.**

2. **ZN-48-07 (28527) AZURE AND MT. HOOD (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GRAVITY FIGHTERS LLC C/O LEE STEINBERG, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN O-L OPEN LAND DISTRICT TO AN M-2 GENERAL INDUSTRIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF AZURE AVENUE AND MT. HOOD STREET. THE ASSESSOR'S PARCEL NUMBER IS 123-27-201-010.**

The application was presented by Marc Jordan, Planning Manager who stated the Comprehensive Plan showed the area as Industrial and the surrounding area was mostly developed as Industrial and was also included on the Comprehensive Plan as Industrial. Staff was recommending approval of ZN-48-07.

The applicant was not present.

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

Chairman Brown closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Shull

SECOND: Commissioner Thomas

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

NAYS: None

ABSTAIN: None

3. **ZN-49-07 - ZN-69-07 NLV COMMUNITY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NOVEMBER 2005 LAND INVESTORS, LLC, AND DRHI, INC., PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN MPC MASTER PLANNED COMMUNITY DISTRICT TO MULTIPLE ZONING DISTRICTS AS FOLLOWS:**
- A. **ZN-49-07(28643) - (PARCEL 3.09) PSP/MPC PUBLIC SEMI PUBLIC / MASTER PLANNED COMMUNITY DISTRICT (1.72± ACRES)**
  - B. **ZN-50-07 (28622) - (PARCEL 3.10) RZ10/MPC RESIDENTIAL ZONE UP TO 10 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (45.2` ± ACRES)**
  - C. **ZN-51-07 (28624) - (PARCEL 3.11) RZ13/MPC RESIDENTIAL ZONE UP TO 13 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (27.3± ACRES)**
  - D. **ZN-52-07 (28644) - (PARCEL 3.12) PSP/MPC PUBLIC SEMI PUBLIC / MASTER PLANNED COMMUNITY DISTRICT (0.87± ACRES)**
  - E. **ZN-53-07 (28638) - (PARCEL 3.13A) RZ10/MPC RESIDENTIAL ZONE UP TO 10 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (22.74± ACRES)**
  - F. **ZN-54-07 (28623) - (PARCEL 3.13B) RZ10/MPC RESIDENTIAL ZONE UP TO 10 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (9.42± ACRES)**
  - G. **ZN-55-07 (28631) - (PARCEL 3.14)PSP/MPC PUBLIC SEMI PUBLIC / MASTER PLANNED COMMUNITY DISTRICT (19.54± ACRES)**
  - H. **ZN-56-07 (28604) - (PARCEL 3.15 & 3.16) PSP/MPC PUBLIC SEMI PUBLIC / MASTER PLANNED COMMUNITY DISTRICT (123.07± ACRES)**
  - I. **ZN-57-07 (28626) - (PARCEL 4.01) C-1/MPC NEIGHBORHOOD COMMERCIAL / MASTER PLANNED COMMUNITY DISTRICT (3.23± ACRES)**
  - J. **ZN-58-07 (28625) - (PARCEL 4.02) RZ25/MPC RESIDENTIAL ZONE UP TO 25 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (24.7± ACRES)**

- K. ZN-59-07 (28639) - (PARCEL 4.03) RZ50/MPC RESIDENTIAL ZONE UP TO 50 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (18.69± ACRES)**
- L. ZN-60-07 (28633) - (PARCEL 4.04) RZ13/MPC RESIDENTIAL ZONE UP TO 13 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (41.43± ACRES)**
- M. ZN-61-07 (28637) - (PARCEL 4.05) RZ13/MPC RESIDENTIAL ZONE UP TO 13 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (28.24± ACRES)**
- N. ZN-62-07 (28630) - (PARCEL 4.06) PSP/MPC PUBLIC SEMI PUBLIC / MASTER PLANNED COMMUNITY DISTRICT (3.36± ACRES)**
- O. ZN-63-07 (28642) - (PARCEL 4.07) MUZ/MPC MIXED USE ZONE / MASTER PLANNED COMMUNITY DISTRICT (13.69± ACRES)**
- P. ZN-64-07 (28634) - (PARCEL 4.08) RZ13/MPC RESIDENTIAL ZONE UP TO 13 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (28.87± ACRES)**
- Q. ZN-65-07 (28605) - (PARCEL 4.09) C-2/MPC GENERAL COMMERCIAL / MASTER PLANNED COMMUNITY DISTRICT (58.56± ACRES)**
- R. ZN-66-07 (28641) - (PARCEL 4.10) PSP/MPC PUBLIC SEMI PUBLIC / MASTER PLANNED COMMUNITY DISTRICT (3.79± ACRES)**
- S. ZN-67-07 (28606) - (PARCEL 5.01) RZ13/MPC RESIDENTIAL ZONE UP TO 13 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (22.11± ACRES)**
- T. ZN-68-07 (28635) - (PARCEL 5.02) RZ13/MPC RESIDENTIAL ZONE UP TO 13 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (26.31± ACRES)**
- U. ZN-69-07 (28636) - (PARCEL 5.03) C-2/MPC GENERAL COMMERCIAL / MASTER PLANNED COMMUNITY DISTRICT (51.22± ACRES)**

**THE PROPERTIES ARE GENERALLY LOCATED SOUTH OF GRAND TETON DRIVE AND WEST OF LOSEE ROAD. PARCELS 5.01, 5.02, AND 5.03 ARE LOCATED SOUTH OF THE 215 BELTWAY AND WEST OF REVERE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-14-000-001, 124-21-501-002, AND 124-16-301-001.**

Commissioner Ned Thomas stated he would be abstaining.

Commissioner Thomas left Chambers at 6:14 p.m.

The application was presented by Marc Jordan, Planning Manager who stated this was a rezoning request from the Master Planned Community Overlay District to several rezoning requests, being RZ-10, which is residential zone up to 10 units per acre, residential zone up to 13 units per acre, residential zone up to 25 units per acre, residential zone up to 50 units per acre, the C-1 District, the C-2 District, the Mixed Use Zone District, and the Public/Semi-Public District and is approximately 574 acres of the east parcel. Staff was recommending approval of ZN-49-07 through ZN-69-07.

**Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant stating he concurred with Staff recommendation and added the applicant was in compliance with the Development Agreement requirements for the zoning.

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

Chairman Brown closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Aston

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: Commissioner Thomas

Commissioner Thomas returned to Chambers at 6:16 p.m.

4. **ZN-70-07 (28618) INDIGO (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ANN ALLEN COMMONS LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT TO AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED WEST OF WILLIS STREET AND APPROXIMATELY 380 FEET NORTH OF ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-30-802-022.**

The application was presented by Marc Jordan, Planning Manager who stated when the item was originally rezoned, it was done as part of a development agreement and the existing development agreement currently allowed 92 multi-family townhouse units for a density of approximately 11 dwelling units per acre. Since that time, in November, Council adopted a new Comprehensive Plan for the City and under that plan, it showed the area as multi-family, which allowed up to 25 units per acre, which was consistent with the request of the applicant. Staff was recommending approval of ZN-70-07 because it was consistent with the existing Comprehensive Plan. Mr. Jordan explained, as the application moved forward, the applicant was also asking that the Council amend the existing development agreement to also allow the multi-family development for the site. Mr. Jordan stated one letter of opposition was received from Bruce Laird.

**Stephanie Allen of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant asking for a two week continuance to allow her to meet with the neighbors regarding the application.

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

- **Charles Slinkard, 3724 Discovery Creek Avenue, North Las Vegas, NV 89031** asked who was responsible for placing the Public Hearing signs.

Mr. Jordan responded the City contracted with an outside source who was given the property information for the placement of the sign.

Mr. Slinkard stated where the sign was placed, it was not visible from the streets used by the nearby residents.

- **Tony Navarrette, 4205 Mountain Rose, Las Vegas, NV** declined to comment at this time.

- **David Hargreaves, 5634 Via Victoria Street, North Las Vegas, NV 89031** stated there was a heavy concentration of housing in that area with a shopping center on the corner and the traffic on Allen Lane was horrendous and he was opposed to the density being increased.
- **Mariann Matz, 4018 Cannondale Avenue, North Las Vegas, NV 89031** appeared on behalf of Annondale Community Homeowners Association stating she had a petition signed by her neighborhood and stated there was heavy traffic congestion and adding a higher density would make the situation worse and would increase the overcrowding in the local schools. Ms. Matz stated the petition would be turned in at the February 28, 2007 meeting when the item was heard.
- **Lou Rizzo, 4222 West el Campo Grande, North Las Vegas, NV 89031** declined comment at this time.
- **Sharon Navarrette, 4205 Mountain Rose Avenue, North Las Vegas, NV 89031** declined comment at this time.
- **Dolly Epstein, 4209 Mountain Rose Avenue, North Las Vegas, NV 89031** declined comment at this time.
- **Rachelle Gaither, 5928 Sunrise Creek, North Las Vegas, NV 89031** asked the Commission to hear the item and not grant a continuance and explained an application was heard approximately one year ago for a project at Valley Drive and Tropical Parkway and there were numerous continuances and she did not want that to happen with this application. She asked the Commission to understand the impact the application, if approved, would have on their families and explained the schools were currently overcrowded and when the approved project was completed, the overcrowding would be worse.
- **Leon Sauls, 5913 Willis Street, North Las Vegas, NV 89031** stated he was opposed to the application.
- **Sandra Poole, 4103 Farmdale, North Las Vegas, NV 89031** declined comment at this time.
- **Charles Slinkard, 3724 Discovery Creek Avenue, North Las Vegas, NV 89031** stated the property from El Campo Grande Avenue and Valley Drive up to Tropical Parkway and over to Decatur Boulevard was all zoned R-2/R-3.

- **Rick Lemmon, 5902 Willis Street, North Las Vegas, NV 89031** stated he did not receive notification of the rezoning and heard about it from a neighbor and stated the schools were already overcrowded and could not handle more children.

Ms. Allen stated this was the first she had heard of the neighbors concerns and asked for the opportunity to work with the neighbors and hear their concerns to see if some of their concerns could be addressed and asked for the application to be continued for two weeks.

Commissioner Ned Thomas felt a neighborhood meeting would go a long way to resolving some of the neighbors concerns. He asked Staff what date the development agreement would go to City Council. Mr. Jordan responded the amendment to the development agreement would be held so it was heard by City Council with the current application. Commissioner Thomas asked if the boundaries for the notification would be the same for the development agreement that was going to City Council. Mr. Jordan responded he did not know. Commissioner Thomas explained that this property was subject to a development agreement so it was not only the zoning that applied, but also the development agreement for the property and more important than the Planning Commission meeting, they should be aware that when the development agreement went before City Council, they needed to voice their concerns at that meeting as well.

ACTION: CONTINUED TO FEBRUARY 28, 2007

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

5. **VAC-02-07 (28619) ANN ROAD MT. HOOD BUSINESS CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ANN MT. HOOD LLC, PROPERTY OWNER, TO VACATE THE NORTHERN 10 FEET OF ANN ROAD BETWEEN SHATZ STREET AND MT. HOOD STREET. THE ASSESSOR'S PARCEL NUMBER IS 123-27-801-001.**

The application was presented by Marc Jordan, Planning Manager who stated the Master Plan of Streets and Highways called Ann Road as an 80 foot right-of-way and it was dedicated as 100 foot. The request was consistent with a condition of approval for the tentative map that was already approved; therefore, Staff was recommending approval of VAC-02-07 subject to the following condition:

1. The vacation must record concurrently with the final map. Should the Order of Vacation not record within two (2) years from the approval date, the vacation shall be deemed null.

The applicant was not present for comment.

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

Chairman Brown closed the Public Hearing.

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

**MOTION: Commissioner Shull**

**SECOND: Commissioner Thomas**

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

**NAYS: None**

**ABSTAIN: None**

**6. UN-09-07 (28469) RIO PLAZA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF RIO PLAZA LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT, TO ALLOW AN AUTOMOBILE SERVICE FACILITY. THE PROPERTY IS LOCATED NORTH OF RANCHO DEL NORTE DRIVE AND APPROXIMATELY 148 FEET EAST OF CAMINO AL NORTE. THE ASSESSOR'S PARCEL NUMBER IS 124-34-301-007.**

The application was presented by Robert Eastman, Principal Planner who stated the applicant submitted revised elevations for their proposed development that were now in substantial compliance with the Design Standards. There were a few minor concerns in regard to the design and layout of the proposed auto service facility; however, Staff felt those concerns could be handled during the building permit stage; therefore, Staff was recommending approval of UN-09-07 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 and the Commercial Development Standards and Design Guidelines, including but not limited to:
  - a. That architectural embellishments shall be added to the structure;
  - b. That articulation of the building shall be implemented;
  - c. That all cmu block shall be covered with stucco;
  - d. That all roll up doors are screened from view by intensifying the landscaped area along Camino Al Norte, subject to staff review and approval;
  - e. That foundation landscaping shall be provided.
2. That UN-09-07 is site-specific and non-transferable.
3. All work shall be performed within a building.
4. All vehicles awaiting repairs over night shall be parked in doors.
5. The applicant shall submit a traffic study update for review and approval.
6. Show all existing public utility easements.
7. The property owner is required to grant a roadway easement for commercial driveway(s).
8. The property owner is required to sign a restrictive covenant for utilities.

9. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
10. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
11. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

**George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014** appeared on behalf of the applicant and asked for clarification from Staff that Condition No. 1.b, on the articulation, had been satisfied. Mr. Eastman responded Condition No. 1.b had been satisfied but felt the condition could remain, as the applicant was already in compliance with the condition. Mr. Garcia asked that Condition No. 1.b be deleted and other than that, was in concurrence with Staff recommendation.

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

Chairman Brown closed the Public Hearing.

**ACTION:** APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS IN MEMORANDUM DATED FEBRUARY 14, 2007 WITH THE DELETION OF CONDITION NO. 1.B

**MOTION:** Commissioner Leavitt

**SECOND:** Commissioner Shull

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

**NAYS:** None

**ABSTAIN:** None

**7. UN-36-03 (28658) NORTH COAST HOTEL & CASINO (PUBLIC HEARING). AN APPLICATION SUBMITTED BY BRIAN LARSON ON BEHALF OF COAST HOTELS & CASINOS, PROPERTY OWNER, FOR AN EXTENSION OF TIME FOR A PREVIOUSLY APPROVED USE PERMIT ALLOWING A HOTEL CASINO IN A C-2 GENERAL COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND LAMB BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 123-30-501-008.**

The application was presented by Robert Eastman, Principal Planner who stated the application was previously approved June 8, 2005 and this was the second request for an extension of time. There were currently building permits on file and the applicant had applied for the building permit for the garage. There were other use permits in process; however, there was concern they might not meet the requirements prior to the expiration of the existing use permit; therefore, they were requesting an extension of time. Staff was in support of the extension of time and was recommending that UN-36-03 be approved subject to the following conditions:

1. That approval of a traffic study is required prior to submittal of the civil improvement plans; and
2. That approval of a drainage study is required prior to submittal of the civil improvement plans; and
3. That 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; and
4. That driveway number and location 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 17.24.130. Conformance may require modifications to the site; and
5. That a water network analysis must be submitted with the civil improvement plans; and
6. That 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; and
7. That the following right of way dedications are required, unless deemed otherwise by the City's Traffic Engineer:

1. Sixty feet (60.0') for Lamb Boulevard;
  2. Thirty feet (30.00') for Azure Avenue;
  3. Additional right of way for the flared intersection at Centennial Parkway and Lamb Boulevard per the Uniform Standard Drawings for Public Works' Construction Off-Site Improvements Drawing Number 201.1;
  4. Bus turn out on Lamb Boulevard near Centennial Parkway; and
8. That the development of this site be in compliance with the Commercial Development Standards and Design Guidelines, with the exception of the building orientation/placement, whereby the principal structure may be located as identified on the site plan; and
  9. 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. A minimum twenty feet (20.00') of landscaping shall be provided between all on-site parking areas and/or drive aisles, and the rights-of-way for Centennial Parkway, Lamb Boulevard and Azure Avenue, except where there is a required dedication for a bus turn-out; and
    - b. A berm or two-sided decorative wall measuring three feet (3.00') in height, as measured from the on-site parking lot / drive aisle grade, shall be provided between all on-site parking lot / drive aisles and the abutting rights-of-way for Centennial Parkway, Lamb Boulevard and Azure Avenue; and
  10. That the hotel / tower structure(s) be designed and constructed to support wireless communications facilities; and
  11. That the most direct route as is reasonable shall be provided from outside to the movie theaters; and
  12. That signage be permitted in accordance with the following:
    1. That one 60-foot (maximum) sign be permitted along Centennial Parkway in the immediate vicinity of the second (i.e., main) entrance, as identified on the site plan; and
    2. That one 60-foot (maximum) sign be permitted along Lamb Boulevard in the immediate vicinity of the southern (i.e., main) entrance, as identified on the site plan; and
    3. That all other free-standing signage be limited to monument signs not taller than eight feet (8.00'); and

13. That the parking structure be constructed as part of the first phase of development; and
14. That, in addition to Condition #9.d above, the north and west sides of the parking structure shall include, but not be limited to, Conditions A through E:
  - a. One continuous landscape planter along the exterior side(s) of the ramp(s) shall be provided; and
  - b. The landscape planters shall be a minimum four feet (4.00') in width (inside-to-inside); and
  - c. The planting materials within the planters shall provide 100% coverage and are encouraged to "spill-over" the exterior sides; and
15. That a minimum thirty feet (30.00') of landscaping be provided along the western property line. The landscape area shall include two rows of 36-inch box trees spaced not greater than 25 feet on-center. The rows shall be staggered with centers equally offset and one of the rows shall be planted upon a berm. The berm shall be a minimum four feet (4.00') in height, as measured from the adjacent drive aisle. The trees shall be of an evergreen variety/species that provides for maximum screening. The required trees shall be in addition to other required landscape materials; and
16. That all structures shall recognize a minimum 90-foot (90.00') setback from the southern and western property lines; and
17. That a minimum 12-plex theater be provided as part of the first phase of development; and
18. That a minimum 64-lane bowling alley be provided as part of the first phase of development; and
19. That the height of the principal structure shall not exceed 190 feet; and
20. That UN-36-03 shall expire on February 14, 2009; and
21. That a recessed loading dock, as depicted on the elevations, shall be included; and
22. That 30,000 square feet of independent meeting rooms and/or convention space be provided similar to those facilities provided at the Sun Coast Hotel and Casino; and

23. That a minimum two (2) palm trees per section shall be planted adjacent to the north side of the parking structure. A "section" shall be generally defined by the support columns, which are approximately 39 feet apart (on-centers.) Said palm trees shall be a minimum 22 feet tall, from the top of the root ball to the bottom of the fronds. The north side of the parking structure currently has four "sections" identified on the plans.
24. That a minimum one (1) palm tree for every two (2) sections shall be planted adjacent to the west side of the parking structure. A "section" shall be generally defined by the support columns (minus the ramp,) which are approximately 18 feet apart (on-centers.) Said palm trees shall be a minimum 22 feet tall, from the top of the root ball to the bottom of the fronds. The west side of the parking structure currently has 31 "sections" identified on the plans.
25. That a minimum three (3) additional decorative panels, "A" or "B", be added to the north side of the parking structure. The panels may be located at the owner's discretion. Currently, there are 10 decorative panels identified on the plans.
26. That a minimum six (6) additional decorative panels, "A" or "B", be added to the west side of the parking structure. The panels may be located at the owner's discretion. Currently, there are 13 decorative panels identified on the plans.

**Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant requesting that on Condition No. 14, the words "in addition to Condition #9.d above, north and" be deleted because there was no longer a Condition No. 9.d and deleting the word "north" because that condition requirement was addressed in Condition No. 23 and that was where the required palm trees were. He also asked that the Conditions A through E be changed to A through C. He also asked that on Condition No. 20, the date be amended to June 28, 2009 because that was the date when the special use permit was approved. He explained, typically, when an applicant came before the Board, the extension of time, regardless of when it was approved, they always complied with the initial date of approval of the special use permit. They applied earlier than normal because they wanted to ensure their vesting rights were approved and the code did not prohibit an applicant from filing an extension of time early. He explained they had been working with the Public Works Department on the SID and they believe the Lamb Boulevard SID should be completed around January 2009, which was falling within the time frame, where they were looking to open the hotel casino and wanted additional time in case there were problems with the SID.

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

Chairman Brown closed the Public Hearing.

Commissioner Jay Aston asked Staff if they had any issues with the requested changes to Condition No. 14. Mr. Eastman responded the proposed changes to Condition No.14 were minor and it appeared the condition was partially based upon the old Staff Report.

Commissioner Aston asked the Attorney if an extension of time was based on the existing expiration date. Nick Vaskov, Deputy City Attorney deferred the question to Staff. Marc Jordan, Planning Manager explained, typically, when someone asked for an extension of time, two years was granted. There was no code that said the Commission must grant two years and there had been times when less than two years had been granted. Typically, a request was not submitted this early in the process, which was five months prior to the use permit expiring. Chairman Aston asked what Staff's concern was regarding the early request. Jory Stewart, Planning and Zoning Director responded if the use permit were granted today and the applicant were to come in next week to apply for an extension of time, they had doubled the period of time they would have authorization for the use permit. They were giving preauthorization for a longer period of time because the date being considered was February and it expired in June, so an extension of time was being given for two years and 4 ½ months, which could set a precedent, but, if there was good reason to grant the extension of time due to extenuating circumstances that the applicant may not feel was in their control or there were things that involved the applicant's improvements, like infrastructure, and deliberations about special improvement districts that require a longer deliberation time because of the City's schedule, it would seem that a record had been established that could be referred to if someone tried to use it as a precedent for getting more than a two year extension of time. She thought the applicant's representative had done a good job explaining some of the reasons they were coming in early to ask for the extension of time, with consideration for City infrastructure improvements.

**ACTION:** APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS IN MEMORANDUM DATED FEBRUARY 14, 2007 WITH CONDITION NOS. 14 AND 20 AMENDED TO READ:

14. THAT THE WEST SIDE OF THE PARKING STRUCTURE SHALL INCLUDE, BUT NOT BE LIMITED TO, CONDITIONS A THROUGH C:

20. THAT UN-36-03 SHALL EXPIRE ON JUNE 28, 2009.

**MOTION:** Commissioner Shull

**SECOND:** Commissioner Leavitt

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

**NAYS:** None

**ABSTAIN:** None

**8. UN-10-07 (28640) STATION PLAZA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY STATION PLAZA PARTNERS LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT. THE PROPERTY IS LOCATED AT 3720 WEST LAKE MEAD BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-19-510-003.**

The application was presented by Naveen Potti, Planner who stated the Comprehensive Plan land use designation was Community Commercial District and the existing zoning was C-2 General Commercial District. The property was previously approved for a Walmart Super Center and Station Plaza retail shopping center. The applicant was applying for a use permit for that particular building which was approved as part of the site plan review. Staff recommends approval of UN-10-07 subject to the following conditions:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. This use permit is site specific and non transferrable.
3. The development shall comply with all applicable conditions of approval of SPR-42-05 and SPR-55-04.

**Gary Eddington, 3980 Howard Hughes Parkway, Las Vegas, NV 89109** appeared on behalf of the applicant stating the project had been previously approved but the applicant failed to apply for the special use permit for the drive-thru and was now asking for the special use permit and concurred with Staff recommendation.

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

Chairman Brown closed the Public Hearing.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS**

**MOTION: Commissioner Leavitt**

**SECOND: Commissioner Cato**

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

**NAYS: None**

**ABSTAIN: None**

**9. UN-11-07 (28627) TUTOR TIME CHILD CARE CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY AMERICAN CHILD CARE PROPERTIES LLC ON BEHALF OF BING FEE CHAO AND CHEUNG A&D 1993 LIVING TRUST, PROPERTY OWNER, FOR A USE PERMIT IN A C-P, PROFESSIONAL OFFICE COMMERCIAL DISTRICT, TO ALLOW A CHILD CARE CENTER. THE PROPERTY IS LOCATED ON THE NORTH SIDE OF ANN ROAD AND APPROXIMATELY 620 FEET EAST OF ALLEN LANE. THE ASSESSOR'S PARCEL NUMBER IS 124-29-401-007.**

The application was presented by Naveen Potti, Planner who stated the Comprehensive Plan land use designation for the property was Employment District and the existing zoning was C-P, Professional Office. The applicant was proposing to construct a 22,448 square foot child care facility to accommodate 338 children. The applicant meets the parking requirements and the subject property adjoins a drainage channel along the north and east side of the property. The master plan for pedestrian and bike trails requires a trail system along the north side of the drainage channel. The applicant provided a play area along the north side of the property, which would act as a landscape buffer as required along the drainage channels. Staff recommended approval of UN-11-07 subject to the following conditions:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. This use permit is site specific and non transferrable.
3. Submit a revised copy of landscape plan showing
  - a) A minimum ground coverage of 60%, achieved within two years.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. 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.
6. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' North Neighborhood Flood Control Master Plan, or as otherwise approved by the Director of Public Works or his designee.
7. 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.

8. The property owner is required to grant a roadway easement for commercial driveway(s).
9. The property owner shall sign a restrictive covenant for utilities.
10. If the property is divided in the future, the applicant must submit a commercial subdivision map.
11. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element, or on private property, when that sidewalk is providing access adjacent to the right-of-way.
12. A revocable encroachment permit for landscaping within the public right of way is required.
13. All off-site improvements must be completed prior to final inspection of the first building.
14. Show all recorded easements on the site plan.
15. Approval of a traffic study is required prior to submittal of the civil improvement plans.
16. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Ann Road.
17. The public street geometrics, width of over-pave and minimum acceptable thickness of the pavement sections will be determined by the Department of Public Works.
18. 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.
19. 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.
20. Fire access lanes shall be located in accordance with the Fire Code requirements.
21. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

**Nolan Carl, 2112 Feather Bush, Henderson, NV** appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

- **Willa Wesley, 5626 Via Victoria Street, North Las Vegas, NV 89030** stated she was opposed to the application as there were retired persons and day sleepers in the neighborhood and she was concerned about the noise level and how it would impact the quality of life of the people who live in the neighborhood.
- **David Hargreaves, 5634 Via Victoria Street, North Las Vegas, NV 89030** stated he was opposed to the application as the property was previously zoned neighborhood commercial and there was already a number of child care facilities in the area. Most residents in his neighborhood were elderly and many were day sleepers.
- **Donna Eardley, 5634 Via Victoria Street, North Las Vegas, NV 89031** stated she was opposed to the application as it was not appropriate at the proposed location. There was currently a traffic problem in the area and the day care center would only make it worse and there were currently 11 child care centers within a two and one half mile radius of the proposed facility, and two more centers had already been approved within that same area.

Mr. Carl stated he was willing to continue the application so he could meet with the neighbors.

Commissioner Ned Thomas asked Staff what uses were allowed in Professional Office Districts. Marc Jordan, Planning Manager explained the uses would be limited to offices, but offices could be a doctors office, dentist office, Realtors, any type of professional office would be principally permitted uses and could be built without any special use permit. Commissioner Thomas stated a child care center would generate traffic but the other permitted uses would also increase traffic. He wanted the neighbors aware, the way the property was currently zoned, traffic may be an issue with other uses as well.

ACTION: CONTINUED TO FEBRUARY 28, 2007

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**10. SPR-11-07 (28628) BENITES RESIDENCE. AN APPLICATION SUBMITTED BY MANUEL A. BENITES CERNA, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-A/R-2, REDEVELOPMENT AREA/MEDIUM HIGH DENSITY RESIDENTIAL SUBDISTRICT TO ALLOW A SINGLE-FAMILY RESIDENTIAL DWELLING ON AN APPROXIMATE 50 FOOT WIDE LOT WHERE A 60 FOOT WIDE LOT IS REQUIRED. THE PROPERTY IS LOCATED AT 1815 JEFFERSON STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-23-311-131.**

The application was presented by Robert Eastman, Principal Planner who stated, since this was R-2, it required a greater lot width. The lot width was currently 49 feet and the R-A/R-2 required 60 foot lot width for a single family home; therefore, the applicant was asking for a site plan review to allow them to build their home. The applicant meets the set-back requirements with the proposed building; therefore, Staff was recommending approval of SPR-11-07 and that it be forwarded to the Redevelopment Agency for final consideration with the following recommended conditions:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. The dwelling shall be in full compliance with the Single-Family Design Standards.
3. A merger and resubdivision parcel map must be filed to create the proposed parcel.

**Manuel Cerna, 1815 Jefferson Street, North Las Vegas, NV 89030** appeared with an interpreter (no name and address stated) who stated the applicant wanted to build a new home for his family.

Commissioner Dean Leavitt explained to Mr. Cerna that the application would go to the Redevelopment Agency for final approval. The interpreter stated the applicant understood.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS;  
FORWARDED TO THE REDEVELOPMENT AGENCY FOR FINAL  
CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

**11. SPR-10-07 (28593) VENTURE POINT NLV I. AN APPLICATION SUBMITTED BY VENTURE POINT DEVELOPMENT ON BEHALF OF VENTURE POINT-FV I, LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2, GENERAL INDUSTRIAL DISTRICT CONSISTING OF APPROXIMATELY 156,800 SQUARE FEET OF OFFICE/WAREHOUSE SPACE AND AN APPROXIMATE 42,315 SQUARE FOOT OUTDOOR STORAGE YARD. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF MT. HOOD STREET AND TROPICAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 123-27-201-023.**

The application was presented by Robert Eastman, Principal Planner who stated the applicant was requesting two waivers, one to have the building set-back and parking in front of the building; and to reduce the landscaping from 20 feet to 15 feet along Mt. Hood Street and Tropical Parkway. In general, the proposed development, other than the two waivers, was in compliance. Staff felt the waiver requests, as they are part of the large section of industrial land north and east of I-15, were appropriate and were requesting that more intense landscaping be used with the reduction in the landscape width. Staff was recommending approval of SPR-10-07 subject to the following conditions:

1. That the development of this site shall be in compliance with the Industrial Development Standards unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances including but not limited to the following:
  - a. SPR-10-07 is site specific and non-transferable;
  - b. That six foot wide landscaped islands shall be provided on both sides of the trash enclosures;
  - c. That six foot wide landscaped islands shall be provided at the ends of each parking row;
  - d. That foundation landscaping shall be provided along any facade featuring a customer entrance;
  - e. That fifteen feet of landscaping shall be provided along Mt. Hood Street and Tropical Parkway with trees planted fifteen (15) feet on center;
  - f. That the storage area shall be screened from the abutting property;
2. Approval of a drainage study is required prior to submittal of the civil improvement plans.
3. All known geologic hazards shall be shown on the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.

4. 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.
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. 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. Mt Hood Street
  - b. Tropical Parkway
7. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.
8. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Tropical Parkway and Mt. Hood Street.
9. The property owner is required to sign a restrictive covenant for utilities.
10. All off-site improvements must be completed prior to final inspection of the first building.
11. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
12. Approval of a traffic study is required prior to submittal of the civil improvement plans.
13. Right-of-way dedication and construction of a CAT bus turn-out is required on Tropical Parkway west of Mt. Hood 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.
14. A minimum 5' landscape area within a common lot must be provided behind any proposed bus turn-out.
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. The property owner is required to grant a roadway easement for commercial driveway(s).
17. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
18. The sanitary sewer for the subject project shall tie into the existing 21" sanitary sewer main approximately located in the intersection of Washburn Road and Donovan Way, unless otherwise approved by the Director of Utilities.
19. The developer shall provide a meter and backflow prevention per building.
20. Full frontage 18" water main extension is required within Tropical Parkway.
21. Extensive lighting shall be provided in the loading areas;
22. A looped water system may be required.

**John Clement, Venture Pointe Development, 6435 South Valley View Boulevard, Suite H, Las Vegas, NV** appeared on behalf of the applicant stating he concurred with Staff recommendation. He asked for an explanation of Condition No. 18.

Mr. Eastman explained the Utilities Department preferred that any new industrial development extend their sewer line to existing City facilities; however, based upon the length of the line that would be required, alternatives have been approved on a case by case basis by the Director of the Utilities Department. The City was working to create a large SID for the entire area to extend sewer. The existing County facilities are somewhat limited, but, with the pace of development as it was, the applicant would go forward and present their proposal to the Director for his final agreement for how they would handle the sewer facilities.

Mr. Clement requested that the condition be amended to say the City would agree and cooperate with an interlocal agreement, until such time the City could provide adequate sewer facilities. He explained they would have to go approximately five miles and cross Nellis Air Force Base and tunnel underneath I-15 to make the connection. There was adequate County facilities at the corner adjoining their property and they have spoken with the County and they were in support of the connection and were asking for the City's cooperation.

Commissioner Jay Aston pointed out Condition No. 18 had a clause at the end, stating, "unless otherwise approved by the Director of Utilities" and asked the applicant if he was asking that it be worded differently. Mr. Clement responded they would be ready for a connection within six months and because they had already contacted the County and they

were agreeable, they only needed the City's consent for the Interlocal agreement. Commissioner Aston asked if the condition could be reworded. Mr. Eastman responded from a functional standpoint, that was how the condition was currently worded. If the applicant has made application to the Director of Utilities and the Director was in support of them connecting into the existing County facility, then it would be approved as submitted. As for amending the conditions, it was a Utilities condition and he did not feel comfortable amending it.

Nick Vaskov, Deputy City Attorney explained it was his understanding that the Utilities Department was making special exceptions and allowing applicants in that area to tie into the existing County sewer.

Chairman Steve Brown asked if there was an SID being created to bring sewer to that area, and if the applicant would be required to pay on the SID, even if they were connected to the County sewer. Jennifer Doody of Public Works stated they would, as provisions would need to be made to connect into the City sewer, once it was brought to their property.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Shull

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

**Item No. 17 was heard next.**

**OLD BUSINESS**

12. **ZN-24-07 (28300) NORTHGATE-PHASE II (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DIAMOND LAMB LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN M-2 GENERAL INDUSTRIAL DISTRICT TO AN MUD MIXED USE DEVELOPMENT CONSISTING OF RESIDENTIAL UNITS, RETAIL AND OFFICE SPACE. THE PROPERTY IS LOCATED ON THE SOUTH SIDE OF TROPICAL PARKWAY APPROXIMATELY 290 FEET EAST OF MARION DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 123-24-701-002, 123-24-701-003, 123-29-701-004, 123-29-701-005, AND 123-29-601-023. (CONTINUED JANUARY 10, 2007)**

It was requested by the applicant to continue ZN-24-07 to March 14, 2007.

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

Chairman Brown stated the Public Hearing would remain open.

ACTION: CONTINUED TO MARCH 14, 2007

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

13. **AMP-02-07 (28471) REGENA TOWNHOMES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF REGENA HOMES LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MIXED-USE COMMERCIAL TO MULTI-FAMILY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF REGENA AVENUE AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-504-001. (CONTINUED JANUARY 24, 2007)**

It was requested by the applicant to continue AMP-02-07 to February 28, 2007.

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

Chairman Brown stated the Public Hearing would remain open.

ACTION: CONTINUED TO FEBRUARY 28, 2007

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

14. **ZN-47-07 (28476) REGENA TOWNHOMES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF REGENA HOMES LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT TO AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF REGENA AVENUE AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-504-001. (CONTINUED JANUARY 24, 2007)**

It was requested by the applicant to continue ZN-47-07 to February 28, 2007.

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

Chairman Brown stated the Public Hearing would remain open.

ACTION: CONTINUED TO FEBRUARY 28, 2007

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

15. **SPR-09-07 (28474) REGENA TOWNHOMES. AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF REGENA HOMES LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW CONSISTING OF 18 FOUR-PLEX BUILDINGS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF REGENA AVENUE AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-504-001. (CONTINUED JANUARY 24, 2007)**

It was requested by the applicant to continue SPR-09-07 to February 28, 2007.

ACTION: CONTINUED TO FEBRUARY 28, 2007

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

16. **ZN-22-07 (28286) ALEXANDER & MLK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GHASSAN SHAMOUN ON BEHALF OF ZORA ZUHAIR AND GHASSAN SHAMOUN, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 11,783 SQUARE FEET OF RETAIL SPACE AND 12,230 SQUARE FEET OF OFFICE SPACE. THE PROPERTY IS GENERALLY LOCATED AT THE NORTHWEST CORNER OF MARTIN LUTHER KING BOULEVARD AND ALEXANDER ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-04-410-007, 139-04-410-008, 139-04-410-009, 139-04-410-010, AND 139-04-410-011. (CONTINUED JANUARY 10 AND 24, 2007)**

It was requested by the applicant to continue ZN-22-07 to March 14, 2007.

**George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014** appeared on behalf of the applicant stating they had been trying to work out the shared access with the day care center and had a meeting with Carlton Urban in Traffic Engineering and were submitting revised plans next week and asked for a 30 day continuance to be sure they were ready.

Marc Jordan, Planning Manager asked if part of the revised plan was to incorporate other property into the request. Mr. Garcia responded they were working to acquire the day care, but it was not complete yet. Mr. Jordan explained if the property were incorporated, the Public Hearing would have to be renotified.

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

Chairman Brown stated the Public Hearing would remain open.

ACTION: CONTINUED TO MARCH 14, 2007

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**Item No. 2 was heard next.**

17. **SPR-06-07 (28265) NORTHERN BELTWAY INDUSTRIAL CTR. AN APPLICATION SUBMITTED BY THOMAS & MACK DEVELOPMENT ON BEHALF OF NORTHERN BELTWAY INDUSTRIAL CENTER LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW AN INDUSTRIAL BUSINESS PARK CONSISTING OF FOUR (4) WAREHOUSE BUILDINGS WITH A TOTAL OF 137,745 SQUARE FEET. THE PROPERTY IS GENERALLY LOCATED AT THE NORTHEAST CORNER OF RANGE ROAD AND EL CAMPO GRANDE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 123-28-301-011. (CONTINUED JANUARY 10 AND 24, 2007)**

The application was presented by Naveen Potti, Planner who stated the Comprehensive Plan land use designation was Industrial and the zoning was M-2, General Industrial District. The applicant proposed four industrial warehouse buildings with eight units and a total of 134,745 square feet of warehouse and office space. The applicant was in compliance with the regulations; therefore, Staff was recommending approval of SPR-06-07 subject to the conditions listed in the revised Memorandum dated February 14, 2007 as follows:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. Submit a copy of the revised site plan to the Planning & Zoning Department. The development shall comply with the Industrial Design Guidelines and Development Standards, including but not limited to the following:
  - a. Provide a detailed landscape plan for review and approval. The proposed landscaping shall include 60% of ground cover with 24" box tree every 15 feet on center.
  - b. Provide eight (8) covered bicycle parking spaces within 100 feet from the building entrance. A typical bicycle parking space shall be at least 6 feet long by 2 feet wide. Covered bicycle parking facilities may be located within a building or structure, under a building eave, stairway, entrance, or similar area, or under a special structure to cover the parking.
  - c. Show wheel bumpers along the parking spaces proposed behind the buildings.
3. Approval of a drainage study is required prior to submittal of the civil improvement plans.
4. Street names need to be provided on the site plan.

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. Applicant to provide the necessary engineering to determine the alignment, profile, and width of Tropical Parkway. Dedication area to include the roadway, any slope area, and a 12-foot wide maintenance road at the toe of the slope.
11. The sanitary sewer for the subject project shall tie into the existing 21" sanitary sewer main approximately located in the intersection of Washburn Road and Donovan Way, Unless otherwise approved by Director of Utilities Department.
12. A looped water system may be required. Full frontage required in Azure Avenue, Beesley Drive, and Tropical Parkway.
13. The developer shall provide a meter and backflow prevention per building.
14. The applicant must abide by all conditions of the approved traffic study.
15. The applicant shall execute a restrictive covenant agreeing to participate on a prorata basis, determined by a fair and equitable methodology, in a Special Improvement District principally created for the construction of improvements connecting Tropical Parkway to the I-215/I-15 interchange and including such other improvements as shall be agreed to by the benefitted properties and the City of North Las Vegas. The Special Improvement District will attempt to include all the properties within the

benefitted area generally defined by the borders of the I-15 freeway to the north, Hollywood Blvd to the east, Range Road to the west and the North Las Vegas boundary with Clark County to the south, or as may be further determined by the benefitted parties and the City of North Las Vegas.

**Gary Congdon, Lee and Sakahara Architects, 6280 South Valley View Boulevard, Las Vegas, NV** appeared on behalf of the applicant stating he concurred with Staff recommendation and asked for approval. He indicated it was a previously approved project that was now under construction, Buildings A and B, and the four buildings under consideration with this application were the four smaller buildings. He stated Condition No. 11 was regarding the sewer going down Washburn to Donovan Way, and pointed out the previous project, Buildings A and B, had an interlocal agreement in place for the sewer to tie into the existing County sewer. They were in compliance with that and the current four buildings were tying into the same sewer system and he understood when the North Las Vegas Sewer was completed, they would be tying into it and asked that the second sentence on Condition No. 12 be deleted as Azure Avenue and Beesley Drive were not close to the property associated with the proposed application.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS IN MEMORANDUM DATED FEBRUARY 14, 2007 WITH CONDITION NO. 12 AMENDED TO READ:

12. A LOOPED WATER SYSTEM MAY BE REQUIRED.

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

18. **T-1284 (28291) NORTHERN BELTWAY INDUSTRIAL CTR. AN APPLICATION SUBMITTED BY THOMAS & MACK DEVELOPMENT ON BEHALF OF NORTHERN BELTWAY INDUSTRIAL CENTER, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT CONSISTING OF ONE (1) COMMERCIAL SUBDIVISION. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF RANGE ROAD AND EL CAMPO GRANDE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 123-28-301-011. (CONTINUED JANUARY 10 AND 24, 2007)**

The application was presented by Naveen Potti, Planner who stated the proposed tentative map was consistent with the existing zoning of M-2 General Industrial District; therefore, Staff recommends approval of T-1284 subject to the conditions listed in the revised memorandum dated February 14, 2007 as follows:

1. Unless expressly, authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. Approval of a drainage study is required prior to submittal of the civil improvement plans.
3. Street names need to be provided on the site plan.
4. The applicant must abide by all conditions of the approved traffic study.
5. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Tropical Parkway, El Campo Grande, and Range Road.
6. 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. El Campo Grande
  - b. Range Road
7. Right-of-way dedication and construction of a CAT but turn-out is required at Range Road north of El Campo Grande per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1.
8. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.

9. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
10. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
11. 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. Applicant to provide the necessary engineering to determine the alignment, profile, and width of Tropical Parkway. Dedication area to include the roadway, any slope area, and a 12-foot wide maintenance road at the toe of the slope.
14. The applicant shall execute a restrictive covenant agreeing to participate on a prorata basis, determined by a fair and equitable methodology, in a Special Improvement District principally created for the construction of improvements connecting Tropical Parkway to the I-215/I-15 interchange and including such other improvements as shall be agreed to by the benefitted properties and the City of North Las Vegas. The Special Improvement District will attempt to include all the properties within the benefitted area generally defined by the borders of the I-15 freeway to the north, Hollywood Blvd to the east, Range Road to the west and the North Las Vegas boundary with Clark County to the south, or as may be further determined by the benefitted parties and the City of North Las Vegas.
15. Application to comply with the previously approved conditions of SPR-27-06.
16. The sanitary sewer for the subject project shall tie into the existing 21" sanitary sewer main approximately located in the intersection of Washburn Road and Donovan Way, unless otherwise approved by Director of Utilities Department.
17. A looped water system may be required.
18. The developer shall provide a meter and back flow assembly per building.
19. Must comply with all conditions submitted by the Southern Nevada Health District including but not limited to:

- a. Written verification from the Division of Environmental Protection of the State Department of Conservation and Natural Resources that the Tentative Map or plan has been approved with regard to water pollution and sewage disposal in accordance with the Nevada Water Pollution Control Law.
- b. The Fire Protection Water lines will adhere to the UDACS separation requirements of subsections 2.20.01, 2.19, and 2.04 as nonpotable water lines (i.e. 6' minimum horizontal separation and 6" minimum vertical separation from potable water lines).
- c.. Separation of the Fire Water lines from the storm and sanitary lines (i.e. 5' - 6' minimum horizontal separation) should be maintained in order to protect the offsite potable water after the backflow prevention device.
- d. A letter from the appropriate sewer agency stating that service from the existing system of community sewerage will be extended to the subdivision and the community facility for treatment will not be caused to exceed its capacity and the discharge permit requirements by this added service or that the facility will be expanded to provide for the added service.
- e. A letter from the appropriate water utility stating that it will supply water for domestic and fire protection purposes, that the system has the necessary facilities to treat water to meet the standards of the Water Supply Regulations Part 1, and that the capacity is available to meet the demands upon the system.
- f. Written verification from the Division of Environmental Protection of the State Department of Conservation and Natural Resources that the Final Map or plan has been approved with regard to water pollution and sewage disposal in accordance with the Nevada Water Pollution Control Law.

**Gary Congdon, Lee and Sakahara Architects, 6280 South Valley View Boulevard, Las Vegas, NV** appeared on behalf of the applicant stating that Condition No. 5, the Tropical Parkway portion would be taken care of when Condition No. 14 was completed, and asked that it be deleted.

Eric Hawkins of Public Works agreed with the deletion of Tropical Parkway from Condition No. 5.

**ACTION:** APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS IN MEMORANDUM DATED FEBRUARY 14, 2007 WITH CONDITION NO. 5 AMENDED TO READ:

5. THE IMPROVEMENT PLANS FOR THE PROJECT SHALL INCLUDE SCHEDULE 40 PVC FIBER OPTIC CONDUIT ALONG EL CAMPO GRANDE AND RANGE ROAD.

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**19. SPR-44-06 (27904) INQUIPCO FACILITY. AN APPLICATION SUBMITTED BY JAMES E. STROH ON BEHALF OF GRAVITY FIGHTERS LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN O-L OPEN LAND DISTRICT TO ALLOW AN INDUSTRIAL COMPLEX. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF SLOAN LANE AND AZURE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 123-28-501-010. (CONTINUED DECEMBER 13, 2006 AND JANUARY 10 AND 24, 2007)**

The application was presented by Robert Eastman, Principal Planner who stated the proposed site plan was acceptable. Staff had met with the representative and amended some of the conditions and were recommending approval subject to the conditions listed in the revised memorandum dated February 14, 2007 as follows:

1. That this site plan will become null and void if ZN-56-06 is not approved by the City Council.
2. That the approval of SPR-44-06 does not grant approval of tracked vehicle storage; a use permit is required for a heavy equipment rental or storage yard.
3. That the development of this site shall be in compliance with the Industrial Development Standards unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances including but not limited to the following:
  - a. SPR-44-06 is site specific and non-transferable;
  - b. That twenty (20) feet of landscaping shall be provided along the south, east and west property lines; ten (10) feet of intense landscaping including 36" box evergreen trees every 20 feet shall be provided along the north property line adjacent to the I-15;
  - c. That the perimeter shall have intense landscaping consisting of 36" box evergreen trees every 20 feet, if mondel pines are used they shall be every 15 feet, subject to staff review and approval;
  - d. That six foot wide landscaped islands are provided on both sides of the trash enclosure;
  - e. That foundation landscaping shall be provided along the south elevation where a customer entrance is located;

- f. That all mechanical and electrical equipment is screened from view;
  - g. That a minimum of 44 parking spaces are provided;
  - h. A berm with a minimum height of 3'6" shall be provided along Sloan Lane and Azure Road where the parking lot abuts a public street;
  - l. That all wheeled vehicles shall be stored on an asphalt or concrete surface subject to staff review and approval.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
  5. Nevada Department of Transportation (NDOT) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
  6. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
  7. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
  8. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
  9. 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.
  10. 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.
  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 Sloan Lane.
  13. The property owner is required to grant a roadway easement for commercial driveway(s).

14. The property owner is required to sign a restrictive covenant for utilities.
15. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
16. Construct all half street improvements along the Azure Avenue and Sloan Lane frontage.
17. Construct a 32-foot all weather access road from the site to the nearest paved street.
18. A cul-de-sac per Uniform Standard Drawings Number 212 is required at the terminus of Sloan Lane.

Note that the final design of this area is dependant on the bridge (overpass) NDOT design. The engineer responsible for the project will have to work closely with NDOT prior to establishing a final design for this stretch of Sloan Lane.

19. Dedication of the following right of way is required:
  - a. 50' on Sloan Lane
  - b. 30' on Azure Avenue
  - c. Associated spandrels
20. Fire access lanes shall be located in accordance with Fire Code requirements.
21. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
22. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.
23. The sanitary sewer for the subject project shall tie into the existing 21" sanitary sewer main approximately located in the intersection of Washburn Road and Donovan Way, unless otherwise approved by the Director of Utilities.
24. A looped water system may be required.

**Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant and submitted a redlined version of the recommended conditions asking for the conditions to be amended. On Condition No. 3.b, the way the condition was written, it would require the applicant to landscape the perimeter of the entire property. On the east half of the property, west of Linn Lane, they would like to landscape when there was a use on the property or the current project was expanded to the west. He asked that Condition No. 3.b be amended to

read: "That twenty (20) feet of landscaping shall be provided along the south and east property lines; ten(10) feet of intense landscaping including 36" box evergreen trees every 20 feet shall be provided along the north property line adjacent to I-15; additional perimeter landscaping requirements will be required once property to west of Linn Lane is developed." he asked that Condition No. 3.e to be amended to read: "Landscaping along the south elevation will be provided in the form of planters, detached from the building, as an alternative to foundation landscaping." On Condition No. 3.I, he pointed out there was heavy equipment on site, some were track and some were rubber tires. Where the storage area was located, there was a requirement to pave or concrete that area and the concern was that the asphalt would be chewed up by the heavy equipment; so, he asked that the condition be amended to read: "That the interior of the property be paved with recycled asphalt." Then on Condition No. 16, he asked that the words "as coordinated with the CNLV Traffic Engineer" be added to the end of the condition. Condition No. 18, he asked that the Note be deleted, as he did not want it confused with the conditions and Condition No. 23 would be left as originally written. He stated they planned to pave a drive isle, with pavement or concrete, where trucks entered the yard.

Commissioner Dean Leavitt asked Staff if they were in agreement with the requested amendments to the conditions.

Marc Jordan, Planning Manager stated this was the first they had seen the amendments and were in the process of reviewing them and suggested possibly continuing the application.

Chairman Steve Brown suggested tabling the item and hearing Item No. 20. The Commission was in agreement.

**Item No. 20 was heard next.**

**Discussion on Item No. 19 continued**

Robert Eastman, Principal Planner stated Staff was in agreement with Condition No. 3.b being amended as requested by the applicant; Condition No. 3.e, as originally written, would allow the planters as proposed by the applicant, so that condition would not be amended; Condition No. 3.I would be amended to read: "That a 24' drive isle is paved with asphalt or concrete through the yard where transport trucks will drive, load and unload equipment;" Condition No. 3.j would be added to read: "A fence shall be built along the west development line as depicted on the submitted site plan;" 3.k would be added to read: "The storage area shall be paved with recycled asphalt and a dust palative, as approved by the

Director of Public Works;" Condition No. 16 would be amended to read: "Construct all half street improvements along the Azure Avenue and Sloan Lane frontage, as approved by the CNLV Traffic Engineer;" and the Note on Condition No. 18 would be deleted.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS IN MEMORANDUM DATED FEBRUARY 14, 2007 WITH CONDITION NOS. 3.B, 3. I AND 16 AMENDED, THE NOTE ON CONDITION NO. 18 DELETED, AND CONDITION NOS. 3.J AND 3.K ADDED TO READ:

- 3.B. THAT TWENTY (20) FEET OF LANDSCAPING SHALL BE PROVIDED ALONG THE SOUTH AND EAST PROPERTY LINES; TEN (10) FEET OF INTENSE LANDSCAPING INCLUDING 36" BOX EVERGREEN TREES EVERY 20 FEET SHALL BE PROVIDED ALONG THE NORTH PROPERTY LINE ADJACENT TO THE I-15; ADDITIONAL PERIMETER LANDSCAPING REQUIREMENTS WILL BE REQUIRED ONCE PROPERTY TO WEST OF LYNN LANE IS DEVELOPED.
- 3.I. THAT A 24' DRIVE AISLE IS PAVED WITH ASPHALT OR CONCRETE THROUGH THE YARD WHERE TRANSPORT TRUCKS WILL DRIVE, LOAD AND UNLOAD EQUIPMENT.
- 3.J. A FENCE SHALL BE BUILT ALONG THE WEST DEVELOPMENT LINE AS DEPICTED ON THE SUBMITTED SITE PLAN.
- 3.K. THE STORAGE AREA SHALL BE PAVED WITH RECYCLED ASPHALT AND A DUST PALATIVE, AS APPROVED BY THE DIRECTOR OF PUBLIC WORKS.
- 16. CONSTRUCT ALL HALF STREET IMPROVEMENTS ALONG THE AZURE AVENUE AND SLOAN LANE FRONTAGE AS APPROVED BY THE CNLV TRAFFIC ENGINEER.

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

**The Public Forum was heard next.**

**20. UN-117-06 (27788) TERRIBLE'S LUBE #281 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TERRIBLE HERBST INC. ON BEHALF OF RIFFAT ASIF INVESTMENT LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW AN AUTOMOBILE SERVICE FACILITY. THE PROPERTY IS LOCATED AT 335 WEST CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-03-311-012. (CONTINUED DECEMBER 13, 2006 AND JANUARY 10 AND 24, 2007)**

Commissioner Dilip Trivedi stated he would be abstaining.

Commissioner Trivedi left Chambers at 7:40 p.m.

The application was presented by Marc Jordan, Planning Manager who stated when the application was originally brought before the Commission, Staff had a few concerns regarding the design of the site and since that time, the applicant submitted a revised site plan and building elevations that addressed Staff's concerns. Originally they did not show 20 feet of landscaping along the southerly property line and the revised plan shows the 20 feet of landscaping. One of the original concerns was where the bay doors were facing Craig Road. Although the bay doors were still facing Craig Road, the applicant has designed it to where there would be landscaping that would help screen the bay doors. Staff indicated there should be cross access with the property to the west. Although the site plan does not show that, Staff felt it was a minor issue and could be addressed at the building permit stage and the building elevations were redesigned to comply with what was approved with the center and the existing C-Store. There were a few minor changes Staff would like to see; for example, some stone wainscoting the full length of the building and portions of the building as was done on other buildings in the center. The changes were minor and could be reviewed and approved at Staff level; therefore, Staff was recommending approval of UN-117-06 subject to the conditions in the revised memorandum dated February 14, 2007 as follows:

1. That this special use permit is site specific and non-transferable.
2. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
3. The development of this site must be in compliance with all applicable conditions of SPR-06-06, UN-67-03, UN-68-03 and UN-69-03.
4. Interconnected and/or shared access with the shopping center to the west must be provided.

5. The landscaping intended to obscure the bay doors from the north and south shall include twice as many trees as would otherwise be required and shall include a minimum 80% ground coverage, not including tree canopies, within two years of planting. Any proposed utilities that may interfere with the ability to provide the required landscaping within the landscape areas shall be relocated.
6. The development of this site must be in compliance with the Commercial Development Standards and Design Guidelines, including but not limited to landscaping adjacent to or within the following areas: parking lot, foundation and southern property line.
7. At least two each stone veneer columns shall be added to the east and west elevations.
8. That the development of this site be in compliance with the Commercial Development Standards and Design Guidelines, with the exception that the auto service facility building is not required to be located at the front setback nearest to Craig Road.
9. That a Master Sign Program be reviewed and approved by staff for the entire 20±-acre commercial shopping center prior to the issuance of any building permits.
10. That exterior roof ladders shall not be permitted. All access to the roofs shall be from the insides of the buildings.
11. That exterior drain scuppers shall not be permitted.
12. That outside overnight parking of vehicles awaiting service shall not be permitted. Overnight shall be deemed from 10:00 pm to 6:00 am.
13. Approval of a drainage study is required prior to submittal of the civil improvement plans.
14. 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.
15. 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.
16. The size and location of any drainage facilities and/or easements shown are contingent upon review and approval of a Technical Drainage Study.
17. Craig Road and Commerce Street are no-cut.

18. Planter along the western property line will not be permitted.
19. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
20. 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.
21. 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.
22. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
23. 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.
24. Approval of a traffic study is required prior to submittal of the civil improvement plans.
25. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Craig Road and Commerce Street.
26. The construction of the right turn lane, is required at Craig Road and Commerce Street. See the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1.
27. Construction of a CAT bus turn-out is required on Commerce Street south of Craig Road. 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.
28. The existing driveway off of Craig Road is shared access with the parcel to the west.
29. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

30. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.

**Katie Fellowes, 3773 Howard Hughes Parkway, Las Vegas, NV 89109** appeared on behalf of the applicant stating they had addressed Staff's concerns and stated a cross access easement would be provided and agreed to provide the stone veneers on the east and west sides of the building. She stated their only objection was to Condition Nos. 26 and 27. It was brought to their attention that the shopping center currently under construction to the west and the C-Store and gas canopy was currently under construction also and there was a residential development to the south and to her knowledge those developments did not have these conditions imposed on them and she did not feel it was fair to impose them on the applicant and did not feel he should be solely responsible for the off-site improvements and asked that the conditions be reconsidered.

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

Chairman Brown closed the Public Hearing.

Commissioner Ned Thomas thought it might be impractical or impossible to impose Condition Nos. 26 and 27 on the applicant, as the center was already being built and was in support of the revised site plan as proposed.

Mr. Jordan stated rather than delete Condition Nos. 26 and 27, they could be amended to add the wording, "unless otherwise not required by the Director of Public Works" and allow the applicant to discuss the issue with the Director of Public Works and give Staff the flexibility to look at it later on in the process. Ms. Fellowes asked that Condition Nos. 26 and 27 be deleted.

Commissioner Jay Aston asked why those conditions were not imposed on the C-Store. Mr. Jordan did not have an answer, as he did not have the use permit for the convenience store with him at this time and also the conditions of approval and stated if the conditions were amended as suggested, it could be researched. Mr. Jordan explained the conditions were not being imposed by Planning and Zoning; but were Public Works conditions and he did not feel comfortable deleting them.

Jennifer Doody of Public Works stated the dedication was probably there, and the requirement was the construction because, when the convenience store went in, the need might not have been there for the construction of the right turn lane, just the dedication, and now it was necessary to construct the improvements.

Ms. Fellowes did not understand how the addition of an automobile service facility would necessitate a need for a right turn lane.

Commissioner Aston asked Ms. Fellowes if she would like to continue the application, so she could meet with Public Works on the issue.

Mr. Jordan showed an aerial view of the site, which showed dedication of the right turn lane.

Commissioner Aston asked Ms. Fellowes if she would like to continue the application or amend the conditions to add the wording, "or as approved by the Director of Public Works."

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS IN MEMORANDUM DATED FEBRUARY 14, 2007 WITH CONDITION NOS. 26 AND 27 AMENDED TO READ:

26. THE CONSTRUCTION OF THE RIGHT TURN LANE, IS REQUIRED AT CRAIG ROAD AND COMMERCE STREET. SEE THE UNIFORM STANDARD DRAWINGS FOR *PUBLIC WORKS' CONSTRUCTION OFF-SITE IMPROVEMENTS* DRAWING NUMBER 201.1 AND 245.1, OR AS APPROVED BY THE DIRECTOR OF PUBLIC WORKS.
27. CONSTRUCTION OF A CAT BUS TURN-OUT IS REQUIRED ON COMMERCE STREET SOUTH OF CRAIG ROAD. 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, OR AS APPROVED BY THE DIRECTOR OF PUBLIC WORKS.

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

Commissioner Trivedi returned to Chambers at 7:52 p.m.

**Returned to discussion on Item No. 19**

**PUBLIC FORUM**

Mark Lefkowitz, 8350 West Saltana, Las Vegas, NV 89117 explained what would be taking place with the Industrial SID for the I-215 Beltway and Hollywood Avenue area.

**DIRECTOR'S BUSINESS**

There was no report given.

**CHAIRMAN'S BUSINESS**

There was no report given.

**ADJOURNMENT**

The meeting adjourned at 8:00 p.m.

APPROVED: March 14, 2007

/s/ Dilip Trivedi  
Steve Brown, Chairman

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