

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

March 14, 2007

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

BRIEFING: 5:34 P.M., Conference Room, North Las Vegas City Hall, 2200 Civic Center Drive

CALL TO ORDER: 6:01 P.M., Council Chambers, North Las Vegas City Hall, 2200 Civic Center Drive

ROLL CALL: Chairman Steve Brown - Absent
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
Terence Capers, Planner
Nick Vaskov, Deputy City Attorney II
Bethany Sanchez, Deputy City Attorney II
Jennifer Doody, Development & Flood Control
Eric Hawkins, Public Works
Louise Steeps, Utilities Department
Mike Steele, Fire Department
Jose Rodriguez, Police Department
Jo Ann Lawrence, Recording Secretary

WELCOME: Vice-Chairman Dilip Trivedi

VERIFICATION: Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE: Commissioner Jo Cato

MINUTES

- **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF FEBRUARY 14, 2007.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 2 was heard next.

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 AND FEBRUARY 14, 2007)**

Commissioner Harry Shull stated he would be abstaining, as he was a member of the Southern Nevada Home Builders Association, who was negotiating with the Fire Department on the application.

Fire Chief Al Gillespie stated there were still some areas of the Fire Impact Fee Program they were working on. They had been working with the Southern Nevada Home Builders Association to take care of any outstanding concerns. Both parties agreed it was important for the City and saw the need for it; but, they still had a couple of areas that needed to be worked on and asked for a 30 day continuance to the April 11, 2007 meeting.

Vice-Chairman Dilip Trivedi opened the Public Hearing. There was no public participation.

Vice-Chairman Trivedi stated the Public Hearing would remain open.

ACTION: CONTINUED TO APRIL 11, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: Commissioner Shull

Item No. 3 was heard next.

2. **UN-18-07 (28951) CITIFINANCIAL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CITIFINANCIAL SERVICES, INC. ON BEHALF OF AV NEVADA 2 LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A FINANCIAL INSTITUTION. THE PROPERTY IS LOCATED AT 2225 EAST CENTENNIAL BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 124-26-501-012.**

It was requested by the applicant to continue UN-18-07 to March 28, 2007.

Vice-Chairman Dilip Trivedi opened the Public Hearing. There was no public participation.

Vice-Chairman Trivedi stated the Public Hearing would remain open.

ACTION: CONTINUED TO MARCH 28, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 10 was heard next.

3. **SPR-20-07 (28957) DESERT OAKS PLAZA. AN APPLICATION SUBMITTED BY DESERT OAK LLC ON BEHALF OF MICHAEL POULS, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A 10 FOOT LANDSCAPE BUFFER WHERE 20 FEET IS REQUIRED; 10-FOOT PERIMETER LANDSCAPE AREA ADJACENT TO THE DRIVE-THRU LANES; A 5-FOOT FOUNDATION LANDSCAPE AREA WHERE 6 FOOT IS REQUIRED, FOR AN APPROXIMATE 71,000 SQUARE-FOOT RETAIL SHOPPING CENTER. THE PROPERTY IS GENERALLY LOCATED NORTH OF CRAIG ROAD AND APPROXIMATELY 800 FEET WEST OF ALLEN LANE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-06-601-012, 139-06-601-013, 139-06-601-014, AND 139-06-601-015.**

The application was presented by Marc Jordan, Planning Manager who stated the site plan review was specifically for waivers of the Commercial Design Standards and the applicant was requesting three waivers. One waiver was to reduce the landscaping along the northerly property line from the required 20 feet to 10 feet, the second waiver was to reduce the landscaping required along Craig Road from 20 feet to 10 feet where the drive-thru lanes were proposed as part of two buildings on the site, and the third waiver was to reduce the foundation landscaping from six feet to five feet, and the five feet would vary in width along the building as indicated in the Letter of Intent, they wanted to narrow it down so people could window shop. The applicant was proposing an overall 71,000 square feet of commercial space that would be developed in four buildings. As far as the site itself, Staff had minor concerns, one being the consistency level of architectural features on all facades of the building and also showing compliance with the pedestrian plaza area. Staff was not supporting the requested waivers. On the north side of the property, there were two rows of parallel parking behind the building and Staff felt they should be removed, as they were concealed by the building and were not safe for customers or employees to park and by removing the two rows of parking, it would give an additional 20 feet on the site which would enable the applicant to comply with the 20 feet of landscaping along the northerly property line and also enable them to comply with the 20 feet of landscaping adjacent to Craig Road. Staff was also not supporting the request to reduce the landscaping adjacent to the building, and would like to see the applicant comply with the six feet of foundation landscaping. Staff was recommending denial of SPR-20-07, and reminded the Commission the site plan review was specifically for the requested waivers.

Roger Anderson, 5920 West Flamingo Road, Las Vegas, NV appeared on behalf of the applicant stating the parking requirements had been met and if they were asked to remove the parking from behind the building, they would be short on parking and explained the purpose of the parking behind the building was not for customers, but was for the store owners and their employees. They were asking for a landscape waiver from 20 feet to ten feet at the rear of the property, which was not visible from the street. At the front of the site, the 20 foot landscape requirement was met, but they were asking for a reduction in the

landscaping adjacent to the drive-thru lanes because it was the only way the building could be designed to make it work and asked for the Commission's approval on the landscape waivers. Mr. Anderson asked that on Condition No. 2.a, the landscaping be limited to the front of the property where the landscape was visible and asked that at the rear of the property, the landscaping be reduced. He agreed to the 24" box trees 15' on center and heavier landscaping than what was required but felt 80% was too high.

Vice-Chairman Dilip Trivedi explained the buffer at the rear of the site was to buffer the residential single-family homes.

Mr. Anderson stated they were proposing 10 feet of landscaping and then another 10 feet of parking spaces with 10 foot fingers that would be landscaped every four parking spaces and the building was 58 feet from the residential and they would have heavier tree planting plus the 10 feet of fingers.

Vice-Chairman Trivedi asked if the parallel parking was removed, how many parking spaces they would be short. Mr. Anderson responded they would be short approximately 54 spaces.

Ronald Bauer, Architect, 458 West 15th Avenue, Spokane, WA stated they were providing 324 parking spaces, which were calculated at five per thousand of the overall shopping center, which brought them in for a requirement of 316 parking spaces. It was calculated that way, so they would not have to recalculate for each new tenant.

Mr. Anderson stated Staff did not object to the parking in the rear during the task force meeting and explained the parking in the rear was limited to the store owners and their employees.

Mr. Bauer explained each suite had a back door and the merchants would use that door to access the trash enclosure, and utilize the loading zones, which were required to be placed in the rear.

Mr. Jordan stated Staff felt the parking behind the building would not be a secure area for employees or customers and recommended the parking be removed, and the site adjusted to comply with parking, set-back and landscaping requirements; but, if it was the desire of the Commission to approve the waivers, Staff had some recommendations to amend the conditions.

Jory Stewart, Planning & Zoning Director stated the buffer landscaping at the rear of the site was to protect the uses already built, which included single family residential homes abutting the property and if there were loading areas at the rear of the buildings, there would potentially be trucks delivering and idling in a driveway, literally, in the back yards of the existing homes.

Mr. Anderson stated if the parking in the rear of the site was eliminated, it did not eliminate the drive approach for the fire trucks and delivery trucks and would not change anything by eliminating the parking spaces that would be used by the tenants.

Vice-Chairman Trivedi stated it would increase the buffer to the residential. Mr. Bauer responded eliminating the parking on the south side would increase the buffer 20 feet. On the south side of the drive isle, nothing would be gained because there were loading zones.

Mr. Anderson stated the 20 foot buffer was provided, but 10 feet of it was asphalt parking and agreed to add more trees to the landscaping and the building was 58 feet from the residential and Code required 35 feet.

Commissioner Jo Cato asked Staff if there was currently any similar shopping centers with parking in the rear. Mr. Jordan responded there might be, but they were probably older projects that were approved before the current design standards were adopted.

Mr. Anderson stated the property next to his had parking in the rear with four foot of landscape buffer with a building that was approximately six feet from the property line.

Commissioner Ned Thomas felt they were designing at the podium and suggested the application be continued to allow the applicant to work with Staff on the design of the site. He asked Staff if the applicant could provide planters or pots rather than the foundation landscaping. He stated the parking standards tended to create sites that were overparked, so he did not have a problem with the amount of parking on the site and felt it was adequate and did not have a problem with parking behind the store, but felt the parking, as shown, was excessive and possibly the northern side could be eliminated, which would give some room to increase the landscaping and possibly increase the landscaping in the front, then the waivers would not be necessary. Commissioner Thomas stated he did not see any other bank or fast food establishments with a drive-thru with any less than a 20 foot set-back along the entire length of Craig Road and felt it would be unfair to give preferential treatment to the applicant in allowing encroachment into the front landscaping and also other businesses have 20 feet of landscaping in the rear of the buildings.

Commissioner Jay Aston agreed with Staff on increasing the 24" box trees and the ground coverage was increased due to the depth of the landscaping, so the plant material could go in the reduced section. He felt Staff had adequately pointed out their concern with too much parking in the rear and it was cramping the whole site. He stated he agreed with Commissioner Thomas that the applicant should continue the application and meet with Staff to possibly revise the site plan. Commissioner Aston asked the applicant if he was willing to meet with Staff on redesigning the site.

Mr. Anderson responded he could meet with Staff, but they had made their position clear, that if it did not meet the exact Design Code, they would recommend denial.

Commissioner Thomas asked Staff, if the site plan would have to come before the Commission, if the applicant was not requesting waivers. Mr. Jordan responded the applicant would have to come before the Commission, because there were two use permits on the agenda, so if the applicant could rework the site plan, so they did not require the waivers, the site plan would not have to be heard by the Commission.

Mr. Anderson stated they had redesigned the site numerous times and were unable to come up with a design that complied with Code.

Commissioner Aston asked the applicant if he was finished with his presentation. The applicant responded he was finished with his presentation but was not sure if he needed to address the list of conditions. Commissioner Aston stated if the conditions needed to be addressed, the Commission would address them at this point. Mr. Anderson stated he wanted to go over the conditions. Commissioner Aston stated they were designing at the podium and felt the application should be continued so some of Staff's concerns could be worked out with the applicant.

Commissioner Dean Leavitt agreed with comments made by other Commissioners and agreed with the Police Department's concerns with the parking at the rear of the site.

Commissioner Thomas asked the applicant to consider continuing the application and working with Staff on the parking and site design.

Vice-Chairman Trivedi asked the applicant if he would like an up/down vote or if he would be willing to continue the application. Mr. Anderson responded he would like an up/down vote, as he could not meet the requirements and did not feel it would be advantageous to work with Staff.

Commissioner Thomas stated the redesign of the site should be relatively simple. He understood Staff might have to recommend denial of a site plan that did not meet the letter of the law, but if the applicant were to work with Staff and come to a compromise, it might not completely meet the letter of the law, but would improve the site enough to where the Commission was able to approve the plan. He explained the Commission had the ability to look at the design and make some adjustments or a waiver that could be approved. Mr. Anderson did not know if that was a possibility. He was willing to absorb the cost of the landscaping, but had almost 1,000 feet of frontage on the center and to shrink that 10 feet, he would have to also reduce the building 10 feet times 1,000 feet and then he was getting into the front of the building. Commissioner Thomas explained the only place he did not meet it, was where the driveways encroached, not the entire frontage and asked the applicant to work with Staff to bring the project to the City.

Commissioner Aston stated there was a definite problem with Condition No. 3 and he thought one row of parallel parking at the rear of the building was closer to what was wanted by the Commission and asked if there were other conditions the applicant had issues with.

Mr. Anderson stated he would like to address some of the other conditions and stated he spoke with Eric Hawkins of Public Works, who agreed Condition No. 9 could be deleted. Eric Hawkins of Public Works stated he was agreeable to the deletion of Condition No. 9. Mr. Anderson stated Public Works also agreed to the deletion of Condition No. 13 as they were unable to put the utility lines underground. Jennifer Doody stated that was true, if a pole was touched, it would have to go underground, but if nothing was disturbed, they were okay. Mr. Jordan recommended on Condition No. 13, if it was agreeable to Public Works, that the following wording be added to the end, "unless, otherwise not required by the Director of Public Works." Ms. Doody agreed to the addition of the wording.

Mr. Anderson stated as a result of the Craig Road Widening project, Craig Road was a no-cut zone, and the City put in the off-site improvements along Craig Road. Referring to Condition No. 11, he explained there were three existing drive approaches on the property and he was asking to move one of the drive approaches, which was not a problem, but the way it was designed, it was a little small at, 24', and needed to be 32'.

Mr. Bauer stated there was a concern with Condition No. 10 as they did not want the Traffic Engineer, in the later stages of the project, to determine the drive approaches were in the wrong place.

Chairman Aston asked Traffic if they were concerned with where the driveway approaches were placed. Eric Hawkins of Public Works responded from what he had seen, there was no problem with the applicant conforming to Municipal Code 17.24.130.

Mr. Bauer asked the distance requirement. Mr. Hawkins responded it depended on whether or not the two driveways to the east and west were restricted driveways, so they would be under 100 feet. Mr. Bauer stated they were okay with it as it was, because it was less than 100 feet.

Mr. Anderson asked if there was a concern about the western most portion of the size of the drive approach isle, as it was existing and stated they would like to leave it because it was existing and there was a risk of having to move utility lines.

Commissioner Cato stated these concerns were some of the kinks that needed to be worked out with Staff and suggested the application be continued.

Director Stewart stated Staff was willing to meet with the applicant to answer technical

questions and explained some of the conditions were standard conditions that were resolved at the time of the technical review.

Mr. Anderson requested an up/down vote and, if necessary, would appeal the decision to City Council.

ACTION: DENIED

MOTION: Commissioner Leavitt

SECOND: Commissioner Thomas

AYES: Commissioners Leavitt, Aston, Cato and Thomas

NAYS: Vice-Chairman Trivedi and Commissioner Shull

ABSTAIN: None

4. **UN-19-07 (28956) DESERT OAKS PLAZA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DESERT OAK LLC ON BEHALF OF MICHAEL POULS, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT WITH A DRIVE-THRU. THE PROPERTY IS GENERALLY LOCATED NORTH OF CRAIG ROAD AND APPROXIMATELY 800 FEET WEST OF ALLEN LANE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-06-601-012, 139-06-601-013, 139-06-601-014, AND 139-06-601-015.**

The application was presented by Marc Jordan, Planning Manager who stated the application was related to SPR-20-07, and indicated Staff had no objection to the use permit; but were recommending continuance to allow the applicant to work out all of the issues on the site plan review. Staff was recommending that UN-19-07 be continued indefinitely.

The applicant was not present.

Vice-Chairman Dilip Trivedi opened the Public Hearing. There was no public participation.

Vice-Chairman Trivedi stated the Public Hearing would remain open.

ACTION: CONTINUED INDEFINITELY

MOTION: Commissioner Aston

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

5. **UN-20-07 (28940) DESERT OAKS PLAZA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DESERT OAK LLC ON BEHALF OF MICHAEL POULS, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT WITH A DRIVE-THRU. THE PROPERTY IS GENERALLY LOCATED NORTH OF CRAIG ROAD AND APPROXIMATELY 800 FEET WEST OF ALLEN LANE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-06-601-012, 139-06-601-013, 139-06-601-014, AND 139-06-601-015.**

The application was presented by Marc Jordan, Planning Manager who stated the application was related to SPR-20-07, and indicated Staff had no objection to the use permit; but were recommending continuance to allow the applicant to work out all of the issues on the site plan review. Staff was recommending that UN-20-07 be continued indefinitely.

The applicant was not present.

Vice-Chairman Dilip Trivedi opened the Public Hearing. There was no public participation.

Vice-Chairman Trivedi stated the Public Hearing would remain open.

ACTION: CONTINUED INDEFINITELY

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

6. **UN-16-07 (28959) AVIS RENT-A-CAR (PUBLIC HEARING). AN APPLICATION SUBMITTED BY AVIS BUDGET GROUP ON BEHALF OF KEITH-NEVADA SUNSET II LLC AND CRAIG ROAD GROUP LLC, PROPERTY OWNERS, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW AN AUTOMOBILE RENTAL BUSINESS. THE PROPERTY IS LOCATED AT 845 WEST CRAIG ROAD #104. THE ASSESSOR'S PARCEL NUMBER IS 139-04-713-007.**

The application was presented by Terence Capers, Planner who stated the use would be approximately 1258 square feet and in the Letter of Intent, the applicant indicated the proposed business would staff two employees and operate seven days per week, Monday through Friday, 7:30 am to 4:00 pm and Saturdays and Sundays from 8:00 am to 4:00 pm. There were currently 84 additional parking spaces on the site with the addition of the rental business. The surplus would be reduced to 74; therefore, the rental business would not have a negative impact on the site. The Public Works Department recommended that a Traffic Study update, review and approval was required for the proposed business. Staff was recommending that UN-16-07 be approved subject to the following conditions:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. This use permit is site specific and non transferrable.
3. Hours of operation shall be limited to the following:
 - a. Monday thru Friday 7:30 am to 4:00 pm
 - b. Saturday & Sunday 8:00 am to 4:00 pm
4. The applicant shall submit a traffic study update for review and approval.

Lenny Star of Bradshaw & Associates, 3753 Howard Hughes Parkway, Suite 200, Las Vegas, NV 89169 appeared on behalf of the applicant requesting that Condition No. 3.a be amended to change the closing time on Monday through Friday to 6:00 pm. Mr. Capers stated Staff had no objection to the amendment. Ms. Star stated she concurred with all other conditions.

Vice-Chairman Dilip Trivedi opened the Public Hearing. There was no public participation.

Vice-Chairman Trivedi closed the Public Hearing.

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

3.A. MONDAY THRU FRIDAY 7:30 AM TO 6:00 PM

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

7. UN-17-07 (28952) CHEYENNE BUSINESS PARK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TONI COLLINS ON BEHALF OF ENVIRONMENTAL HEALTH SERVICES, PROPERTY OWNER, FOR A USE PERMIT IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A CHURCH. THE PROPERTY IS LOCATED AT 3460 WEST CHEYENNE, #200-300. THE ASSESSOR'S PARCEL NUMBER IS 139-08-417-006.

The application was presented by Terence Capers, Planner who stated the proposed use was located within the existing 8,000 square foot building and the size of the church would be approximately 1350 square feet with an additional 1,031 square feet of administrative space to hold between 50 and 60 members. The church proposes to operate primarily on the weekends and after 6:00 pm during weekdays. Only the church offices are proposed to be open during normal business hours of the business park. The 96 seat sanctuary required 24 parking spaces and of the additional parking spaces provided, 24 parking spaces would remain for the additional seven buildings on the site. Public Works was recommending that a parking study be required and reviewed for approval. Staff was recommending that UN-17-07 be approved subject to the following conditions:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. This use permit is site specific and non transferrable.
3. A minimum 268 parking spaces shall be provided.
4. The applicant shall provide a parking study for review and approval.

Toni Collins, 5405 Revena Creek Court, Las Vegas, NV 89131 appeared on behalf of the applicant stating she concurred with Staff recommendation and stated she was in the process of have a parking study completed.

Vice-Chairman Dilip Trivedi opened the Public Hearing. There was no public participation.

Vice-Chairman Trivedi closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

8. VAC-04-07 (28912) SLOAN & ANN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DAVID FREAR OF COLLIERS INTERNATIONAL ON BEHALF OF FLAMINGO PARADISE PARTNERS LLC AND VASO BORETA 2000 TRUST, PROPERTY OWNERS, TO VACATE THE NORTHERLY 10 FEET OF ANN ROAD BETWEEN LINN LANE AND SLOAN LANE. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND SLOAN LANE. THE ASSESSOR'S PARCEL NUMBER IS 123-28-801-002.

The application was presented by Terence Capers, Planner who stated the applicant was requesting the vacation as a requirement of the City of North Las Vegas Public Works Department for submittal of a parcel map, PM27796. The proposed vacation of Ann Road was necessary for the applicant to proceed with the development plans for the industrial development. Staff was recommending that VAC-04-07 be approved subject to the following conditions:

1. The City of North Las Vegas shall retain a five(5) foot public utility easement adjacent to Ann Road
2. The vacation shall be recorded concurrent with a Merger and Re-subdivision Final Map. Should the Order of Vacation not record within one year from the approval date, the vacation shall be deemed null and void.

Michael Patry, Alpha Engineering, 3321 North Buffalo Drive, Suite 200, Las Vegas, NV 89129 appeared on behalf of the applicant stating he concurred with Staff recommendation.

Vice-Chairman Dilip Trivedi opened the Public Hearing. There was no public participation.

Vice-Chairman Trivedi closed the Public Hearing.

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

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

9. **UN-22-05 (29404) LOSEE BUSINESS CENTER. (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DISCOVERY CHURCH FOR A BI-ANNUAL REVIEW OF A PREVIOUSLY APPROVED USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT ALLOWING A CHURCH. THE PROPERTY IS LOCATED AT 4310 LOSEE ROAD, SUITE 7. THE ASSESSOR'S PARCEL NUMBER IS 139-01-301-008.**

Vice-Chairman Dilip Trivedi stated he would be abstaining as he assisted the applicant's contractor with the contract documents.

Vice-Chairman Trivedi left Chambers at 7:05 p.m.

Commissioner Jay Aston sat in for Vice-Chairman Trivedi.

The application was presented by Robert Eastman, Principal Planner who stated the application was originally approved March 23, 2005 and one of the conditions of approval was that the application be reviewed on a two year basis. The applicant submitted for the renewal and was in compliance with all of the conditions of approval with the original use permit. Staff had not had any complaints from any surrounding properties; therefore, was recommending that UN-22-05 be approved with the two year renewal review deleted and be 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; and
2. That UN-22-05 is site-specific and non-transferable.

Dean Sanner, 6329 Lawrence Street, North Las Vegas, NV 89081 appeared on behalf of the applicant stating he concurred with Staff recommendation.

Commissioner Jay Aston opened the Public Hearing. There was no public participation.

Commissioner Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

Commissioner Trivedi returned to Chambers at 7:08 p.m.

Item No. 11 was heard next.

10. **ZN-93-07 (28945) EMERALD BAY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RENAISSANCE DEVELOPMENT CORPORATION ON BEHALF OF CELEBRATE INVESTMENT LLC, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM A C-2 GENERAL COMMERCIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 832 MULTI-FAMILY UNITS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CORALIE AVENUE AND MARTIN L. KING BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-04-416-001.**

Commissioner Harry Shull abstained as his company was under contract to sell the property.

It was requested by the applicant to continue ZN-93-07 to March 28, 2007.

Vice-Chairman Dilip Trivedi opened the Public Hearing. There was no public participation.

Vice-Chairman Trivedi stated the Public Hearing would remain open.

ACTION: CONTINUED TO MARCH 28, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: Commissioner Shull

Item No. 12 was heard next.

11. UN-14-07 (28842) REBEL OIL COMPANY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY REBEL OIL COMPANY ON BEHALF OF MI LV II LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW AN AUTOMOBILE WASHING ESTABLISHMENT, DRIVE-THROUGH. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF CRAIG ROAD AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-03-601-001.

The application was presented by Terence Capers, Planner who stated the previously approved convenience food store with gas pumps, UN-113-06, located at the same corner, was approved, which also allowed the automobile washing establishment to go along with the convenience food store with gas pump. Staff recommended that UN-14-07 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 and the Commercial Development Standards and Design Guidelines
2. This use permit is site specific and non-transferable.
3. This application shall comply with all conditions of approval for T-1275 and UN-113-06.

Todd McBrayer, Breslin Builders, 5525 Polaris Avenue, Las Vegas, NV 89118 appeared on behalf of the applicant stating he concurred with Staff recommendation.

Vice-Chairman Trivedi opened the Public Hearing. There was no public participation.

Vice-Chairman Trivedi closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 18 was heard next.

12. **VAC-03-07 (28910) NORTH 5TH & ROME (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TRAMMELL CROW ON BEHALF OF DIAMOND CREEK ESTATES, PROPERTY OWNER, TO VACATE 1320 FEET OF ENGEL AVENUE COMMENCING APPROXIMATELY 610 FEET NORTH OF ROME BOULEVARD AND WEST OF NORTH 5TH STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-22-701-009.**

It was requested by the applicant to continue VAC-03-07 to March 28, 2007.

Vice-Chairman Dilip Trivedi opened the Public Hearing. There was no public participation.

Vice-Chairman Trivedi stated the Public Hearing would remain open.

ACTION: CONTINUED TO MARCH 28, 2007

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 13 was heard next.

13. **SPR-17-07 (28909) NORTH 5TH & ROME. AN APPLICATION SUBMITTED BY TRAMMELL CROW ON BEHALF OF DIAMOND CREEK ESTATES, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-4 HIGH DENSITY RESIDENTIAL DISTRICT TO ALLOW A 519 UNIT MULTI-FAMILY DEVELOPMENT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ROME BOULEVARD AND NORTH 5TH STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-22-701-009.**

It was requested by the applicant to continue SPR-17-07 to March 28, 2007.

ACTION: CONTINUED TO MARCH 28, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

Item No. 14 was heard next.

14. **SPR-18-07 (28942) SHADE. AN APPLICATION SUBMITTED BY BLUE HERON PROPERTIES ON BEHALF OF GOLDFIELD HOMES LLC AND GOLDFIELD CENTENNIAL LLC, PROPERTY OWNERS, FOR A SITE PLAN REVIEW IN AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO ALLOW A 379-UNIT MULTI-FAMILY DEVELOPMENT. WAIVERS FROM THE DESIGN STANDARDS ARE ALSO REQUESTED. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF ROME BOULEVARD AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-22-801-007 AND 124-22-801-011.**

It was requested by the applicant to continue SPR-18-07 to March 28, 2007.

ACTION: CONTINUED TO MARCH 28, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

Item no. 15 was heard next.

15. **T-1286 (28954) SHADE. AN APPLICATION SUBMITTED BY BLUE HERON PROPERTIES ON BEHALF OF GOLDFIELD HOMES LLC AND GOLDFIELD CENTENNIAL LLC, PROPERTY OWNERS, FOR A TENTATIVE MAP IN AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT CONSISTING OF A 379-UNIT CONDOMINIUM DEVELOPMENT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF ROME BOULEVARD AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-22-801-007 AND 124-22-801-011.**

It was requested by the applicant to continue T-1286 to March 28, 2007.

ACTION: CONTINUED TO MARCH 28, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

Item No. 16 was heard next.

16. **UN-15-07 (28943) SHADE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY BLUE HERON PROPERTIES ON BEHALF OF GOLDFIELD HOMES LLC AND GOLDFIELD CENTENNIAL LLC, PROPERTY OWNERS, FOR A USE PERMIT IN AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO ALLOW 40 FOOT HIGH BUILDINGS WHERE 35 FEET IS THE MAXIMUM ALLOWED. THE PROPERTIES ARE LOCATED AT THE SOUTHEAST CORNER OF ROME BOULEVARD AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-22-801-007, AND 124-22-801-011.**

It was requested by the applicant to continue UN-15-07 to March 28, 2007.

Vice-Chairman Dilip Trivedi opened the Public Hearing. There was no public participation.

Vice-Chairman Trivedi stated the Public Hearing would remain open.

ACTION: CONTINUED TO MARCH 28, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 17 was heard next.

17. **ZOA-02-07 (28967) TITLE 17 AMENDMENT (PUBLIC HEARING). AN ORDINANCE AMENDMENT INITIATED BY THE CITY OF NORTH LAS VEGAS TO AMEND TITLE 17 (ZONING ORDINANCE), SECTION 12.020 TO AMEND THE DEFINITION OF "GROUP CARE FACILITY" AND "TRANSITIONAL HOUSING" AND AMEND SECTION 24.030 TO ADD CONDITIONS FOR GROUP CARE FACILITIES; AND PROVIDE FOR OTHER MATTERS PROPERLY RELATED THERETO.**

It was requested to continue ZOA-02-07 to April 11, 2007.

Vice-Chairman Dilip Trivedi opened the Public Hearing. There was no public participation.

Vice-Chairman Trivedi stated the Public Hearing would remain open.

ACTION: CONTINUED TO APRIL 11, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 20 was heard next.

18. ZOA-03-07 (28944) TITLE 17 AMENDMENT (PUBLIC HEARING). AN ORDINANCE AMENDMENT INITIATED BY RYLAND HOMES TO AMEND TITLE 17 (ZONING ORDINANCE), SECTION 12.020 AND SECTION 20.060 TO DEFINE AND REQUIRE CONNECTIONS FOR TWO-FAMILY DWELLINGS; AND PROVIDE FOR OTHER MATTERS PROPERLY RELATED THERETO.

Commissioner Jay Aston stated he would be abstaining as he worked for the company who submitted the application.

Commissioner Jay Aston left Chambers at 7:10 p.m.

The application was presented by Robert Eastman, Principal Planner who stated the applicant submitted proposed language, which was in the background information of the Staff Report; however, Staff had concerns with the proposed language, in that their definitions were somewhat vague and did not provide the level of detail or the protection the City needed to ensure there was a quality development that was wanted in the community or what the applicant intended to build in their developments. Additionally, the way the definition was worded, it left an open ended definition of two-family dwelling, which could, in a very liberal sense, relate to most homes in North Las Vegas or in the valley, that were connected with any block wall, which was not the intent the applicant had or the City was willing to entertain; therefore, Staff had proposed language that added definitions for zipper lots and for attachments of homes using that unique configuration. There is also language on the types and amount of connections that was wanted to conform in the R-2 District. Staff was recommending approval of ZOA-03-07 with the language proposed by Staff and that it be forwarded to City Council for final consideration.

Robert Flaxa, 8925 West Russell Road, Las Vegas, NV appeared on behalf of the applicant stating he concurred with Staff recommendation.

Vice-Chairman Dilip Trivedi opened the Public Hearing. There was no public participation.

Vice-Chairman Trivedi closed the Public hearing.

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

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: Commissioner Aston

Commissioner Aston returned to Chambers at 7:14 p.m.

19. SPR-14-07 (28882) SPEEDWAY INDUSTRIAL. AN APPLICATION SUBMITTED BY BUSINESS PROPERTIES GROUP ON BEHALF OF TROPICAL INDUSTRIAL PARTNERS LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW 257,100 SQUARE-FEET OF WAREHOUSE AND OFFICE/RETAIL SPACE. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF EL CAMPO GRANDE AVENUE AND LINN LANE. THE ASSESSOR'S PARCEL NUMBERS ARE 123-28-701-002, 123-28-701-003, 123-28-701-004, 123-28-701-005.

The application was presented by Robert Eastman, Principal Planner who stated in the original site plan, both El Campo Grande Avenue and Tropical Parkway were shown as 60 foot rights-of-way, which were incorrect and Staff was originally requesting the application be continued; however, the applicant met with Staff and agreed to shrink the size of the storage areas and provide the landscaping that was required and meet the right-of-way widths that were shown in the Master Plan of Streets and Highways. Staff was recommending that SPR-14-07 be approved subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. The development shall comply with the Commercial Development Standards and Design Guidelines including but not limited to the following:
 - a. An outdoor plaza area is required (minimum size is 250 square feet).
 - b. A consistent level of detailing and finish is required for all sides of the building.
3. Approval of a drainage study is required prior to submittal of the civil improvement plans.
4. El Campo Grande is 80-foot ROW and Tropical Parkway is 100-foot ROW.
5. Approval of a traffic study is required prior to submittal of the civil improvement plans.
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. 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. 10' on Tropical Parkway
 - b. 10' on El Campo Grande Avenue
 - c. associated spandrels
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 32' paved access road on El Campo Grande Avenue from the site to Hollywood Boulevard is required.
13. 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.
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. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
16. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.
17. All off-site improvements must be completed prior to final inspection of the first building.

18. Fire access lanes shall be designed per the Fire Code. Access roads are to be within 150 feet of the exterior walls of all structures. The 150 foot measurement shall be made as the hose lays (measurement is to be around walls, fences, etc.)
19. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
20. 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.
21. Full frontage extension of water line will be required in Linn Lane and Tropical parkway.
22. The developer shall provide a meter and backflow prevention for each building.
23. A looped water system may be required, subject to review and approval of the Utilities Department. If a looped water system is required, additional front footage extension may be required.

Nicholas Leventis, 100 Corporate Park Drive, Henderson, NV appeared on behalf of the applicant stating he had concerns on a couple of conditions, which had been discussed with Staff. He stated the project was proposed as a Phase I and Phase II development, with Phase I being the southern portion that fronted El Campo Grande Avenue which would be built first. Condition No. 17 indicated all off-site improvements must be completed prior to final inspection of the first building. He stated he would accept that condition as long as it applied based on phases, rather than having to complete all off-sites for Phase I and Phase II prior to inspection of the first building of Phase I. He had spoken to Randy Cagle in Public Works, who was to have Condition No. 12 deleted and stated Condition No. 20, would be cost prohibitive, as sewer system would have to be extended four miles and go under the freeway and he indicated they had been participating in the SID meetings over the past few months and supported the SID and anticipated participating in that. He was not opposed to Condition No. 21 as long as they were not required to install the Phase II portion until it was deemed required. Other than those concerns, he concurred with Staff recommendation.

Jennifer Doody of Public Works stated she agreed to the deletion of Condition No. 12, and asked that Condition No. 17 be left as is, stating it could be modified by adding the words, "or as otherwise approved by the Director of Public Works," as they need flexibility because many times with the first phase, they wanted all off-sites in because they have the street connectivity and they could avoid many of the saw cut street problems. Mr. Leventis was agreeable to the suggested amendment to Condition No. 17.

Louise Steeps of the Utilities Department stated Condition No. 21 might be affected by Condition No. 23 and suggested the words, "or as otherwise approved by the Director of Utilities" be added, because it would depend upon what was actually submitted on Phase I and requested that Condition No. 20 remain as written.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NO. 12 AND CONDITION NOS. 17 AND 21 AMENDED TO READ:

17. ALL OFF-SITE IMPROVEMENTS MUST BE COMPLETED PRIOR TO FINAL INSPECTION OF THE FIRST BUILDING, OR AS OTHERWISE APPROVED BY THE DIRECTOR OF PUBLIC WORKS.
21. FULL FRONTAGE EXTENSION OF WATER LINE WILL BE REQUIRED IN LINN LANE AND TROPICAL PARKWAY, OR AS OTHERWISE APPROVED BY THE DIRECTOR OF UTILITIES.

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 23 was heard next.

20. **T-1285 (28903) CROSS ROADS TOWNE CENTER. AN APPLICATION SUBMITTED BY GREENSTREET PROPERTIES ON BEHALF OF WAL-MART STORES INC, WIP-CD LLC, AND DECATUR & CENTENNIAL LLC, PROPERTY OWNERS, FOR APPROVAL OF A TENTATIVE MAP IN A C-2 GENERAL COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF ROME BOULEVARD AND DECATUR BOULEVARD. (REPLACES T-1062). THE ASSESSOR'S PARCEL NUMBERS ARE 124-19-410-002, 124-19-410-003, 124-19-410-004, AND 124-30-101-008.**

It was requested by the applicant to continue T-1285 to March 28, 2007.

ACTION: CONTINUED TO MARCH 28, 2007

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 21 was heard next.

21. **SPR-15-07 (28906) DEER SPRINGS NORTH 5TH. AN APPLICATION SUBMITTED BY CAMDEN DEVELOPMENT INC. ON BEHALF OF CENTENNIAL POINTE LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-4 HIGH DENSITY RESIDENTIAL DISTRICT TO ALLOW A MULTI-FAMILY COMPLEX CONSISTING OF 225 MULTI-FAMILY UNITS. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF DEER SPRINGS WAY AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-22-601-005.**

It was requested by the applicant to continue SPR-15-07 to March 28, 2007.

ACTION: CONTINUED TO MARCH 28, 2007

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 22 was heard next.

22. **SPR-16-07 (28908) DEER SPRINGS GOLDFIELD PROJECT. AN APPLICATION SUBMITTED BY CAMDEN DEVELOPMENT INC. ON BEHALF OF CENTENNIAL POINTE LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO ALLOW 224 MULTI-FAMILY UNITS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF DEER SPRINGS WAY AND GOLDFIELD STREET. 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.**

It was requested by the applicant to continue SPR-16-07 to March 28, 2007.

ACTION: CONTINUED TO MARCH 28, 2007

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 25 was heard next.

23. **SPR-19-07 (28950) MARSHMELLOW LANE LLC. AN APPLICATION SUBMITTED BY STUART REYBURN ON BEHALF OF MARSHMELLOW LANE LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW 15'-6" OF PERIMETER LANDSCAPING AND LANDSCAPE DIAMONDS EVERY 3 PARKING SPACES WHERE 20 FEET IS REQUIRED ALONG SHATZ STREET FOR AN INDUSTRIAL COMPLEX CONSISTING OF APPROXIMATELY 55,000 SQUARE FEET OF OFFICE/WAREHOUSE SPACE WITH OUTDOOR STORAGE YARDS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CENTENNIAL PARKWAY AND SHATZ STREET. THE ASSESSOR'S PARCEL NUMBER IS 123-22-801-017.**

The application was presented by Robert Eastman, Principal Planner who stated the design of the building and the design of the site was in conformance with the Design Guidelines; however, there were some minor modifications to the landscaping in the parking and there were some concerns regarding the parking. The parking was currently adequate as long it remained office/warehouse; however, if, later on, the uses changed and became more commercially oriented, there would be parking problems. Staff was recommending that SPR-19-07 be approved subject to the following conditions:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. 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 four (4) 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. Provide additional screening and landscaping around the trash enclosures.
 - d. The parking lot located in front of building 'E' shall be setback 20 feet from the south property line.

- e. For the proposed parking along the west property line, show a six (6) foot wide landscape island within each parking row for every 15 parking spaces contained within the row, and at the end of each row.
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 civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Centennial Parkway.
6. Right-of-way **dedication and construction** of a **CAT bus** turn-out is required on Centennial Parkway west of Shatz Street per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
7. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
8. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
9. The 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. All off-site improvements must be completed prior to final inspection of the first building.
13. A vacation application is required to vacate 10 feet of public right of way on Centennial Parkway.
14. Construct a temporary turn around on Shatz Street at the northeast corner of the property.

15. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
16. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
17. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.
18. All 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.
19. 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.
20. Full frontage extension of water main will be required along Shatz Street.
21. The developer shall provide a meter and backflow prevention per building.

The applicant was not present.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

OLD BUSINESS

24. **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 AND FEBRUARY 14, 2007)**

The application was presented by Robert Eastman, Principal Planner who stated the application was continued to allow the applicant time to work with Staff to provide a development that was more compatible or in compliance with the MUD MX-3 standards. The applicant submitted a revised site plan which was better than what was previously proposed and was close to what Staff would like to see and there were many good aspects of the site. Staff did not have any major concerns with the proposed development. There was some open space Staff would like to be sure was landscaped and access for the open space area on the far east side of the property. However, it appeared, in the memorandum dated March 14, 2007, that a number of conditions were inadvertently from the old Northgate Phase I application that was modified in January, 2007, so there were a number of changes to the conditions that were recommended to more closely mirror what was approved with Northgate Phase I. He indicated Condition Nos. 2.f, 3, 7, 9, 14, and 16 would be deleted and Condition No. 2.I would be amended to read: "Sub-area parking lots were recommended to be provided with no more than 80 parking stalls each," and Condition No. 21 would be amended to read: "If required, Nevada Department of Transportation (NDOT) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans." The original conditions listed in the memorandum dated March 14, 2007 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. That this development shall comply with the Mixed Use Design Guidelines, including but not limited to the following:
 - a. A minimum 15-foot wide pedestrian priority area (which includes a six foot wide amenity zone and a nine foot wide sidewalk) shall be provide next to all buildings containing commercial uses. Furthermore, an additional 10 feet of

landscaping, outdoor dining areas, courtyards, or pedestrian arcades shall be provided at the building entrances, not to exceed 50% of each building frontage.

- b. Six (6) foot landscape islands shall be installed for every 12 spaces contained within a parking row, and at each end of all parking rows.
- c. The residential land use type shall not occupy less than twenty-five percent (25%) or more than seventy-five percent (75%) of the entire site.
- d. Internal pedestrian priority areas shall be provided to connect the residential areas to open space areas and/or amenities. Said pedestrian priority areas shall be improved with decorative pavers, and stamped or colored concrete, at all pedestrian crossings of parking lots, drive aisles and driveways.
- e. The path adjacent to the southern property line (i.e., I-15 right-of-way) shall be separated from the adjacent drive aisle by some form of physical barrier (e.g., two-sided decorative wall, bollards connected with a heavy chain, etc.) not greater than three feet (3.00') in height, as measured from the adjacent top-of-curb. The physical barrier shall be identified on the grading plans and shall be subject to review and approval of the Planning and Zoning Department Director, or his/her designee.
- f. A minimum one enhanced pedestrian crossing shall be provided on Marion Drive connecting this development with the Northgate Phase 1 development to the west. Said crossing shall be improved with decorative pavers, and stamped or colored concrete.
- g. Pedestrian crossings of all internal drive aisles shall be minimized and designed to provide safe pedestrian connections. Priority shall be given to pedestrian movements.
- h. A minimum 15 feet of landscaping shall be provided adjacent to all abutting rights-of-way.
- i. Sub-area parking lots shall be provided with no more than 80 parking stalls each.
- j. A wrought-iron fence with pilasters spaced not greater than 60 feet on-center shall be provided along Tropical Parkway behind the perimeter landscaping. The pilasters shall be decorative stone or stucco and shall have capstones.

- k. The area east of the "Sport Court" shall be improved with benches, tree wells not greater than six feet by six feet in size, low-level lighting, barbeques, trash receptacles, tables and other usable amenities. The area shall be surfaced with decorative pavers, and stamped or colored concrete.
3. A minimum 411 on-site parking spaces shall be provided.
4. The "Sales Office" shall be limited to no more than 1,200 square feet.
5. The "Recreation Room" within Building "A" shall include restrooms and a fitness facility, and shall be a minimum 14,000 square feet in size.
6. That the development comply with the appropriate Building Code requirements.
7. One tavern/restaurant is allowed for every two supper clubs.
8. The landscape plan submitted herein is considered conceptual only and is not binding. All landscaping shall be provided in accordance with the requirements set forth in the North Las Vegas Municipal Code.
9. One "On Sale" establishment is allowed for every 50,000 square feet of gross commercial floor area. Each establishment must be "phased" accordingly and cannot be issued a certificate of occupancy until such time that 80% of the associated 50,000 square feet of gross commercial floor area has been issued a certificate of occupancy.
10. Parking shall be provided according to the applicable building permit(s.)
11. All perimeter landscaping (i.e., along the interior of each property line) shall be provided as part of the first building permit.
12. The uses permitted within this development, unless otherwise specified herein, shall be restricted to those uses allowed in the C-1, Neighborhood Commercial District, and shall be subject to the appropriate Principally Permitted or Special Use procedures.
13. The following uses are prohibited: Convenience Stores with Gas Pumps, Convenience Food Restaurants with Drive-Through Service Windows, Pawn Shops, Pay Day Loan (or similar) uses, Mini-Storage Facilities, and all businesses related to Auto Service, Repair and/or Sales.

14. Some form of shade shall be provided over all pedestrian areas that are required to be designated as Emergency Access or Fire Lanes. In addition to providing shade, compliance with the Fire Code is required. Compliance shall be demonstrated through a Shade Analysis, which shall be prepared and stamped by a Nevada-licensed Engineer or Landscape Architect. Said analysis shall be submitted prior to or in conjunction with the Final Development Plan.
15. Four-sided architecture shall be provided on all buildings, including all accessory structures, and shall comply with the elevations approved herein.
16. For all buildings containing residential units, a minimum 50% of the rooftop area shall be designed as an amenity for use by the residents.
17. The applicant is encouraged to construct LEED-certified "Green Buildings."
18. The applicant is required to meet jointly with Parks and Recreation and Planning and Zoning to discuss the design of the open spaces and the amenities to be provided. Said meeting shall occur prior to submittal of a final development plan.
19. The following minimum amenities shall be required as part of the usable open space:
 - a. Circuitous lighted paths and fitness course;
 - b. A minimum of 20 24-inch box trees per acre;
 - c. At least two locations providing 2 differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada (4 play structures total);
 - d. A minimum of 4,680 square feet of swimming pool area with accompanying restrooms, decking, barbecue areas, and shade structures at each location and a minimum of one clubhouse/cabana;
 - e. A fitness facility;
 - f. Shaded picnic areas, including picnic table(s), barbecue grill(s), trash receptacle(s) and drinking fountain(s);
 - g. At least one large open space area for group/organized play with a drinking fountain;
 - h. One sport court (i.e. basketball, sand volleyball, tennis, etc.) or unique amenity such as a pet park;
 - i. One large lighted group shade area/gazebo (30' diameter);
 - j. Benches spaced along pathways;
 - k. Bicycle racks at 2-3 different locations;
 - l. Dog stations; and
 - m. Details of amenities to be provided.

20. Approval of a drainage study is required prior to submittal of the civil improvement plans.
21. Nevada Department of Transportation (NDOT) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
22. Dedication and construction of the following half streets for the entire frontage of the parcel is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100:
 - a. Marion Drive
 - b. Tropical Parkway
23. Approval of a traffic study is required prior to submittal of the civil improvement plans.
24. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
25. 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.
26. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
27. 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.
28. 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.
29. Applicant is required to submit a one-lot parcel map to combine parcels.

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 he concurred with Staff recommendation.

Vice-Chairman Dilip Trivedi opened the Public Hearing. There was no public participation.

Vice-Chairman Trivedi closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NOS. 2.F, 3, 7, 9, 14, AND 16 AND CONDITION NOS. 2.I AND 21 AMENDED TO READ:

- 2.I. SUB-AREA PARKING LOTS ARE RECOMMENDED TO BE PROVIDED WITH NO MORE THAN 80 PARKING STALLS EACH.
21. IF REQUIRED, NEVADA DEPARTMENT OF TRANSPORTATION (NDOT) CONCURRENCE WITH THE RESULTS OF THE DRAINAGE STUDY IS REQUIRED PRIOR TO APPROVAL OF THE CIVIL IMPROVEMENTS PLANS.

FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

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

Public Forum was heard next.

25. **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, AND FEBRUARY 14, 2007)**

It was requested by the applicant to continue ZN-22-07 to April 11, 2007.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant explaining they were working with Staff on the site design issues and should be completed and ready by the April 11, 2007 meeting.

Vice-Chairman Dilip Trivedi opened the Public Hearing. There was no public participation.

Vice-Chairman Trivedi stated the Public Hearing would remain open.

ACTION: CONTINUED TO APRIL 11, 2007

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 1 was heard next.

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

Planning & Zoning Director Jory Stewart informed the Commission that Jeremy Davis was the new Urban Designer for the City and would be putting together a stakeholders group for the North 5th Street Corridor.

CHAIRMAN'S BUSINESS

Commissioner Leavitt stated the Crime Prevention by Environment Design (CPTED) was making progress on the development of an ordinance.

ADJOURNMENT

The meeting adjourned at 7:39 p.m.

APPROVED: April 11, 2007

/s/ Steve Brown
Steve Brown, Chairman

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