

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

March 28, 2007

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

**BRIEFING:** 5:30 P.M., Conference Room, North Las Vegas City Hall, 2200 Civic Center Drive

**CALL TO ORDER;** 6:00 P.M., Council Chambers, North Las Vegas City Hall, 2200 Civic Center Drive

**WELCOME:** Chairman Steve Brown

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

**STAFF PRESENT:** Marc Jordan, Planning Manager  
Robert Eastman, Principal Planner  
Bob Hoyes, Planner  
Nick Vaskov, Deputy City Attorney II  
Bethany Sanchez, Deputy City Attorney II  
Jennifer Doody, Development & Flood Control  
Clete Kus, PW, Transportation Planner  
Mike Steele, Fire Department  
Michelle Menart, Parks Planner  
Louise Steeps, Utilities Department  
Jo Ann Lawrence, Recording Secretary

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

**PLEDGE OF ALLEGIANCE:** Commissioner Harry Shull

**MINUTES**

- **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF FEBRUARY 28, 2007.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: Cato

**Item No. 21 was heard next.**

### **NEW BUSINESS**

1. **UN-25-07 (29201) DEL TACO INC. (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DEL TACO INC. ON BEHALF OF COUNTY OF CLARK (AVIATION) & MARCELLO AIRPORT CENTER LLC, PROPERTY OWNERS, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT WITH A DRIVE-THRU. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF RANCHO DRIVE AND CAREY AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-18-404-005.**

The application was presented by Marc Jordan, Planning Manager who stated the applicant was asking for a waiver from the drive-thru requirements, where it was only allowed on two sides of the building and they were proposing on three sides. On one of the sides of the building they would have additional landscaping and on the other side they would have an outdoor patio area. Staff was supporting the waiver. Staff originally recommended the application be continued to add more landscaping along the north and east property lines. The applicant met with Staff and submitted a revised plan and as a result, they have provided more landscaping; therefore, Staff is recommending approval subject to the conditions listed in the Staff report with the following two amendments (Condition Nos. 2 and 4):

2. That the site must comply with the Commercial Development Standards and Design Guidelines with the exception that the drive-thru lane is allowed on three (3) sides of the building.
4. Landscaping must be provided as shown on the revised site plan dated March 28, 2007.

The original recommended conditions are as follows:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. That the site must comply with the Commercial Development Standards and Design Guidelines.
3. That the use permit is site specific and non-transferrable.
4. The drive-thru lane may be provided on three (3) sides of the convenience food restaurant as long as a minimum of fifteen (15) feet landscaping, which may include a sidewalk, is provided along the north and east sides of the drive-thru lane.
5. Compliance with SPR-14-05 is required.

6. The applicant shall submit a traffic study update for review and approval.
7. Approval of a drainage study update is required prior to submittal of the civil improvement plans.
8. 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.
9. The public street geometrics, width of over-pave and minimum thickness of the pavement sections will be determined by the Department of Public Works.
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. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.
12. All off-site improvements must be completed prior to final inspection of the first building.

**Michael Bradshaw, 3753 Howard Hughes Parkway, Las Vegas, NV 89169** appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Brown closed the Public Hearing.

**ACTION:** APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NOS. 2 AND 4 AMENDED TO READ:

2. THAT THE SITE MUST COMPLY WITH THE COMMERCIAL DEVELOPMENT STANDARDS AND DESIGN GUIDELINES WITH THE EXCEPTION THAT THE DRIVE-THRU LANE IS ALLOWED ON THREE (3) SIDES OF THE BUILDING.
4. LANDSCAPING MUST BE PROVIDED AS SHOWN ON THE REVISED SITE PLAN DATED MARCH 28, 2007.

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

**2. UN-28-07 (29202) US BANK @ MARCELLO MARKETPLACE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY U.S. BANK ON BEHALF OF COUNTY OF CLARK (AVIATION) AND MARCELLO AIRPORT CENTER LLC, PROPERTY OWNERS, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A FINANCIAL INSTITUTION (BANK) WITH A DRIVE-THRU. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF RANCHO DRIVE AND CAREY AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-18-404-005.**

The application was presented by Marc Jordan, Planning Manager who stated the applicant was requesting a waiver from the requirement that buildings be oriented to the corner, to the street frontage. The elevations are consistent with the shopping center. Staff was not supporting the requested waiver, as the Police Department indicated they would like to see the building rotated 180 degrees so the drive-thru lanes would be closer to the intersection for security reasons, as that was where the ATM machines and the drive-up tellers would be located. Staff was recommending approval of UN-28-07 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.
2. That the site must comply with the Commercial Development Standards and Design Guidelines, including, but not limited to, the design of the drive-thru canopy must be constructed of the same materials as the bank building and appear as an integral part of the overall building.
3. That the applicant comply with the conditions of approval for SPR-14-05.
4. That the use permit is site specific and non-transferrable.
5. The applicant shall submit a traffic study update for review and approval.
6. Approval of a drainage study update is required prior to submittal of the civil improvement plans.
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 public street geometrics, width of over-pave and minimum thickness of the pavement sections will be determined by the Department of Public Works.

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. All off-site improvements must be completed prior to final inspection of the first building.
12. The drive-thru ATM / Teller window shall be oriented so it faces both Rancho Drive and Carey Avenue.

**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 US Bank had the idea of having the bank front Carey Avenue and Rancho Drive and have the drive-thru located in the back of the building. They were asking for a waiver of the Design Guidelines because, if they complied with the Design Guidelines for Commercial Developments, the back end of the building would be located on Carey Avenue and Rancho Drive. From an aesthetic point of view, they did not feel the back of the building should be located on the street corner. He understood one of the issues with the Police Department was, if the building was a stand alone, and they were only having the drive-thru in the back, and there was no other activity in the shopping center, it might be a safety issue because there was no traffic, but he believed there was a different situation because there would be other activity in the shopping center. He asked if the Commission were to approve the application, that Condition No. 12, imposed by the Police Department, be deleted and stated they would work with the Police Department on safety issues.

**Carl Marcello, Developer, 4069 Dean Martin Drive, Las Vegas, NV** stated conduit had been run down Marcello Boulevard for surveillance of the entire site, with all parking lots being video taped 24 hours a day, 7 days per week to ensure the safety of the tenants.

Commissioner Steve Brown asked if the US Bank on Aliante Parkway was flipped with the atm and teller windows facing the street frontage. Mr. Gronauer responded he did not know. Commissioners Cato and Leavitt both stated they were located in the back.

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 WITH  
THE DELETION OF CONDITION NO. 12

**MOTION:** Commissioner Leavitt

**SECOND:** Commissioner Shull

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

**NAYS:** None

**ABSTAIN:** None

Mr. Gronauer clarified the approval meant the building stayed as shown on the plan or if the Design Standards had to be met. Commissioner Leavitt stated the building would be left as shown on the plan.

**3. UN-26-07 (29198) CHEYENNE POINTE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MONTECITO COMPANIES ON BEHALF OF LAS VEGAS CORNERS I LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A FINANCIAL INSTITUTION (CREDIT UNION). THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CHEYENNE AVENUE AND CIVIC CENTER DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-14-515-003.**

The application was presented by Marc Jordan, Planning Manager who stated the request was consistent with the development in the center; therefore, Staff was recommending approval of UN-26-07 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. That the applicant comply with the conditions of approval for SPR-35-05.
3. That the use permit is site specific and non-transferrable.
4. Approval of a drainage study update is required prior to submittal of the civil improvement plans.
5. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
6. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
7. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
8. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.
9. All off-site improvements must be completed prior to final inspection of the first building.

**Tony Celeste of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89169** appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Brown closed the Public Hearing.

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

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

4. **UN-27-07 (29199) COMMERCE COMMONS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY BRAD ERVIN ON BEHALF OF LAWRENCE AND DANA EPSTEIN, PROPERTY OWNERS, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT WITH A DRIVE-THRU. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-502-007.**

The application was presented by Marc Jordan, Planning Manager who stated the applicant was requesting the drive-thru be located on three sides of the building, where it was normally located on two sides. Staff had no objection to the request, which was consistent with the development currently taking place at that location. Staff was recommending approval of UN-27-07 with Condition Nos. 2 and 4 amended to read:

2. That the site must comply with the Commercial Development Standards and Design Guidelines with the exception that the drive-thru lane is allowed on three (3) sides of the building.
4. A minimum ten (10) feet of landscaping shall be provided along the southerly and easterly sides of the drive-thru lanes.

The original conditions listed in the Staff Report are as follows:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. That the site must comply with the Commercial Development Standards and Design Guidelines.
3. That the use permit is site specific and non-transferrable.
4. The drive-thru lane may be provided on three (3) sides of the convenience food restaurant as long as a minimum of ten (10) feet landscaping is provided on all sides of the drive-thru lane.
5. Compliance with all conditions of approval for SPR-64-05 is required.
6. The applicant shall submit a traffic study update for review and approval.
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 public street geometrics, width of over-pave and minimum thickness of the pavement sections will be determined by the Department of Public Works.
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. All off-site improvements must be completed prior to final inspection of the first building.
11. The developer shall provide a meter and backflow prevention per building per City of North Las Vegas Municipal Water Services District Service Rules and Regulations.

**Brad Ervin, 7448 West Sahara Avenue, Las Vegas, NV** stated he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NOS. 2 AND 4 AMENDED TO READ:

2. THAT THE SITE MUST COMPLY WITH THE COMMERCIAL DEVELOPMENT STANDARDS AND DESIGN GUIDELINES WITH THE EXCEPTION THAT THE DRIVE-THRU LANE IS ALLOWED ON THREE (3) SIDES OF THE BUILDING.
4. A MINIMUM TEN (10) FEET OF LANDSCAPING SHALL BE PROVIDED ALONG THE SOUTHERLY AND EASTERLY SIDES OF THE DRIVE-THRU LANES.

MOTION: Commissioner Shull

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

5. **ZN-95-07 (29117) 3100 NORTH RANCHO (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MYRA MOSSMAN ON BEHALF OF DAWN MOSSMAN & MYRA MOSSMAN, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN M-2 GENERAL INDUSTRIAL DISTRICT TO A C-2 GENERAL COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT 3100 NORTH RANCHO DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 138-13-505-001.**

The application was presented by Marc Jordan, Planning Manager who stated the Clark County Department of Aviation indicated that because the development was in close proximity to the runways and there would be noise, the applicant would have to work with the issues when the property was developed. Mr. Jordan referenced a letter handed out regarding concern from one of the applicants; however, there was an application signed by both property owners. Staff was recommending approval of ZN-95-07.

**Thomas Hellums, 7330 Smoke Ranch Road, Las Vegas, NV** appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Brown closed the Public Hearing.

Commissioner Dean Leavitt asked Staff if there was a requirement for noise attenuation in the design or building on the proposed site. Mr. Jordan responded there would be, but depending on the noise contour, they would have to incorporate sound attenuation designs into the building.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**6. UN-22-07 (29151) LAS VEGAS CLASSIC COACH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CHRISTOPHER BORJA, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW AN AUTOMOBILE SERVICE FACILITY. THE PROPERTY IS LOCATED AT 2590 W. BROOKS AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-17-510-025.**

The application was presented by Marc Jordan, Planning Manager who stated the applicant had indicated they were restoring classic automobiles within the building and that they also used high tech technology to restore the vehicles and comply with the parking requirements. Any vehicles stored on the site would need to be screened appropriately with a decorative block wall and all vehicle repairs and work would have to take place inside the building. Staff was recommending approval of UN-22-07 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. That the development comply with the Industrial Design Guidelines and Development Standards, including but not limited to the following:
  - a. A minimum six (6) feet decorative wall above finish grade shall be provided for any outdoor storage area.

Mr. Jordan also stated six letters had been received opposing the application.

**Michael Borja, 10004 Village Walk, Las Vegas, NV** appeared on behalf of the applicant stating the applicant had relocated his business from California and asked for approval.

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

**Holly Donner, Association Manager for Cheyenne West Corporate Center, 1601 E. Flamingo Road #20, Las Vegas, NV 89119**, stated there had been no request of the architectural review committee to allow the use in the development and approximately 61 percent of the building owner membership opposed the use.

**Mellissa Poff, 5770 South Valley View, Las Vegas, NV 89118** appeared on behalf of the owner/manager, who owned the majority of the properties located in the Cheyenne West Business Park, and was opposed to the requested use, as there would be debris and oil spilled in the parking area.

Chairman Brown closed the Public Hearing.

Mr. Borja stated he had one of two yards that had a 15,000 square foot fenced yard that was not used. He indicated the operation was not outside and all repairs were done inside the building and the business was not open to the public, so there would be no customer traffic and they had 21 parking spaces and only used approximately five of them. He explained the business was to restore classic cars and was not a direct repair shop.

Commissioner Dean Leavitt felt there was a communication gap with the other tenants in the center and encouraged the applicant to meet with the other owners and tenants to explain his business.

Chairman Steve Brown asked if the application was approved, if the use went with the building. Mr. Jordan responded if approved the use could be transferred to a new owner should the building be sold. He explained there was a time frame, if the building was not occupied for six months, a new use permit would have to be applied for.

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

**MOTION: Commissioner Shull**

**SECOND: Commissioner Leavitt**

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

**NAYS: None**

**ABSTAIN: None**

7. **ZN-96-07 (29122) WILLIE JENKINS JR DRIVE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ROCKPORT CONSTRUCTION ON BEHALF OF JOYCE MANUEL, PROPERTY OWNER FOR A RECLASSIFICATION OF PROPERTY FROM AN R-E, RANCH ESTATES DISTRICT, TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF 13 SINGLE-FAMILY DWELLINGS ON 2.11 ACRES. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF WASHBURN ROAD AND CONWAY STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-34-701-007.**

The application was presented by Robert Eastman, Principal Planner who stated the proposed PUD had a density of approximately 5.2 dwelling units per acre and was in compliance with the Land Use Master Plan and was in the Single-Family Low Density category and was also in compliance with the open space requirements for the PUD, and had adequate landscaping; therefore, Staff was recommending approval subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. That development shall comply with the Single Family Development Standards and Design Guidelines including but not limited to the following;
  - a. A minimum 15 feet of perimeter landscaping including a meandering (separated) sidewalk is shall be provided along Washburn Road.
3. This application shall comply with Title 16 of the *City of North Las Vegas Municipal Code* and NRS 278. Conformance may require modifications to the site resulting in fewer lots.
4. The centerline of Willie Jenkins Drive must align with the centerline of Crystal Sunset court as required by section 16.20.050 of the *City of North Las Vegas Municipal Code*.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. Approval of a traffic study is required prior to submittal of the civil improvement plans.
7. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Washburn Road.

8. The appropriate subdivision and/or parcel mapping is required to complete this project. All mapping shall be in compliance with NRS Chapter 278 and the *City of North Las Vegas Municipal Code*, and associated Master Plans in effect at the time of subdivision and/or parcel map approval. Conformance may require modifications to the site.
9. The property owner is required to grant a public pedestrian access easement for sidewalk located within a common element, or on private property, when that sidewalk is providing public access adjacent to the right-of-way.
10. A revocable encroachment permit for landscaping within the public right of way is required.
11. All common elements shall be labeled and are to be maintained by the Home Owners Association.
12. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
13. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
14. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
15. Approval of a drainage study is required prior to submittal of the civil improvement plans.
16. 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.
17. 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.
18. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100:
  - a. Washburn Road
  - b. Conway Street
  - c. associated spandrels

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. All residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222.
21. Proposed residential driveway slopes shall not exceed twelve percent (12%).
22. 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.
23. All off-site improvements must be completed prior to final inspection of the first building.
24. Marking of the bulb of the cul-de-sac must be in accordance with the fire code to prohibit parking.
25. The following minimum amenities shall be required as part of the usable open space:
  - a. A minimum of twenty 24-inch box trees per acre;
  - b. At least 2 differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada.
  - c. A shaded group picnic area that includes picnic table(s), barbecue grill(s), and a trash receptacle;
  - d. ADA accessibility; and
  - e. Details of amenities to be provided.

**Barry Williams, of Rockport Construction, 31 Whitney Chase** appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Brown closed the Public Hearing.

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

MOTION: Commissioner Leavitt

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

8. **VAC-05-07 (28984) ALIANTE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NORTH VALLEY ENTERPRISES, LLC, ON BEHALF OF ALIANTE GAMING, LLC, PROPERTY OWNER, FOR A VACATION OF A 7.61 ACRE DRAINAGE EASEMENT BETWEEN ELKHORN ROAD AND THE 215 BELTWAY. THE PROPERTY IS GENERALLY LOCATED AT THE SOUTHEAST CORNER OF ALIANTE PARKWAY AND ELKHORN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-17-811-001.**

The application was presented by Robert Eastman, Principal Planner who stated Station Casinos had been working with Public Works Department and had submitted a new drainage study and was working on a new drainage facility. The vacation would allow the old facility to be removed and allow them to finish construction of the site. Staff was recommending approval subject to the following conditions:

1. Should the order of Vacation not record within one year from the approval date, the vacation shall be deemed null and void.
2. Dedication of the permanent drainage easement along the drainage facility must be recorded concurrently with the vacation.

**Rebeka DeWitt, 6655 South Cimarron Road, Las Vegas, NV 89113** appeared on behalf of the applicant stating she 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;  
FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION**

**MOTION: Commissioner Leavitt**

**SECOND: Commissioner Shull**

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

**NAYS: None**

**ABSTAIN: None**

9. **UN-21-07 (29000) CRAIG & FERRELL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CRAIG & FERRELL LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A 45-FOOT-HIGH DIRECTORY SIGN WHERE AN EIGHT (8) FOOT-HIGH MONUMENT SIGN IS THE MAXIMUM HEIGHT ALLOWED. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CRAIG ROAD AND FERRELL STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-05-302-009.**

The application was presented by Robert Eastman, Principal Planner who stated the applicant was proposing a 45 foot sign, approximately 450 square feet in area, where typically an eight foot monument sign with an maximum area of 250 square feet would be allowed. The subject site was across the street from an R-1 Single-Family development and the reason for the monument sign was the residential development across the street; therefore, Staff was recommending that UN-21-07 be denied.

**Darrell Shock, of Vision Sign, 3625 South Polaris Avenue, Las Vegas, NV 89103** appeared on behalf of the applicant explaining they had a unique situation as the commercial project was on a commercial street but was directly across the street from residential. He pointed out there were numerous signs on the same side of the street that were equal in height to the requested sign and asked for the Commission's approval.

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

Chairman Brown closed the Public Hearing.

Commissioner Jo Cato asked where the sign would be located. Mr. Shock explained there would be common ingress and egress into the existing Food 4 Less parking lot.

Chairman Brown asked the size of the Food 4 Less sign. Mr. Shock did not know but indicated the Northern Vistas sign was 35 feet and explained they were trying to get the square footage to advertise the project. Chairman Brown asked if sign permits went to City Council for approval. Mr. Eastman responded Planning Commission decision was final.

Mr. Shock stated the sign complied with Code other than it was across the street from residential. He explained the sign had no exposed neon lighting and was totally internally illuminated with florescent lamps.

Chairman Brown asked if Craig Road was a 120 foot right-of-way. Mr. Shock thought it would be a 150 foot right-of-way. Clete Kus of Public Works stated the right-of-way for Craig Road was 120 feet. Chairman Brown felt the roadway was wide enough to go larger than an eight foot high sign but could not support 45 feet.

Commissioner Harry Shull stated he did not have a problem with a 45 foot sign, especially if it matched what had been done at the other end of the center.

Commissioner Dilip Trivedi asked what type of signage had been approved on the properties to the west of the proposed sign. Mr. Jordan responded that would need to be researched.

Commissioner Cato stated she was on the Commission when the Northern Vistas sign was approved and she remembered a 35 foot sign being approved.

Mr. Shock explained they were requesting a larger sign because the development was larger and they were trying to get adequate square footage.

Commissioner Shull asked Staff if the application were approved, if Condition No. 3 would need to be amended. Mr. Eastman responded if the application were approved, Condition No. 3 would need to be amended. Commissioner Shull asked about the 250 square feet for the sign area. Mr. Eastman explained 250 square feet was what the sign code allowed for a shopping center directory sign for any center that had less than 15 acres and since the subject property was eight acres, the sign standard would be a 250 square foot sign and the applicant was asking for a 450 square foot sign.

Mr. Shock explained the way the sign was calculated was the entire structure; the area actually being used was much less, but it was felt when designing the sign, that the architectural features were important.

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

3. THAT THE DEVELOPMENT SHALL BE ALLOWED ONE (1)  
DIRECTORY SIGN NOT TO EXCEED 45 FEET IN HEIGHT AND  
NOT TO EXCEED 450 SQUARE FEET OF SIGNAGE.

MOTION: Commissioner Shull

The motion failed.

Commissioner Cato asked for clarification on the calculation, asking if it was based on the square footage of the entire structure. Mr. Eastman responded it was not, explaining the calculation would be based predominantly upon the sign area. The decorative elements of the frame and the addressing portion at the bottom would not be included in the calculation, so the large pilasters that were holding up the sign were not included in the calculation. The majority of the box that was actually part of the sign structure was also not

counted. A large amount of the signage being shown, would still be allowed. The actual sign area was calculated looking at all of the tenant space and the three major boxes with the intervening space between.

Commissioner Dilip Trivedi stated he would support a 35 foot sign and 250 square foot of signage.

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

3. THAT THE DEVELOPMENT SHALL BE ALLOWED ONE (1)  
DIRECTORY SIGN NOT TO EXCEED 35 FEET IN HEIGHT AND  
NOT TO EXCEED 250 SQUARE FEET OF SIGNAGE.

MOTION: Vice-Chairman Trivedi

SECOND: Commissioner Shull

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

NAYS: Commissioner Leavitt

ABSTAIN: None

10. **UN-24-07 (29190) SHELL/PACIFIC PRIDE GAS STATION (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CRAWFORD OIL ON BEHALF OF SMITH-CHRISTENSEN ENTERPRISES LLC, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A 32-FOOT AND A 25-FOOT-HIGH FREE STANDING SIGN WHERE 18 FEET IS THE MAXIMUM HEIGHT ALLOWED. THE PROPERTY IS LOCATED AT 5130 LAMB BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 123-32-301-018.**

The application was presented by Robert Eastman, Principal Planner who stated the signs were over area, as the sign code would allow a maximum square footage of 125 square feet and the proposed signs were requested to be 250 square feet; therefore, Staff was recommending UN-24-07 be denied.

**Aaron Hiller of Crawford Oil, 1580 South Jones Boulevard, Las Vegas, NV 89146 and Jeff Quintana, of Vision Sign, 3625 South Polaris Avenue, Las Vegas, NV 89103** appeared on behalf of the applicant. Mr. Hiller stated the area of the signs was not sufficient to adequately advertise, as it was in a heavy industrial area and the surrounding landscaping would eventually hide the sign.

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

Chairman Brown closed the Public Hearing.

Chairman Brown asked for clarification on the signage being hidden by the landscaping. Mr. Hiller explained the representation was that many times there would be underground utilities and they were allowed a 10 foot set-back from the interior of the sidewalk, so the main concern regarding the placement of the sign was the distance between the two to be sure they were far enough apart to fit current code. They were not looking for exceptions to the square footage allowed, but by the time the trees matured, the sign would be obscured from the street.

Commissioner Dilip Trivedi asked Staff if a distinction was made with different zoning. Mr. Eastman responded the M-2 zoning would allow higher signage. The height in this area was restricted because of the small size of the business, as the floor area was less than 25,000 square feet, which was restricting the height to 18 feet. He explained the convenience store was sharing the site with Nevada Pick-a-part, which had the largest percentage of the site.

Commissioner Trivedi felt if the application were approved, they were defeating the sign ordinance.

Commissioner Jo Cato asked Staff if the Commission had the flexibility to approve the application as requested. Marc Jordan, Planning Manager stated if the Commission felt the applicant complied with the criteria, they had the flexibility to approve the application as requested.

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

**MOTION: Commissioner Cato**

**SECOND: Commissioner Shull**

**AYES: Chairman Brown, Commissioners Leavitt, Shull, and Cato**

**NAYS: Vice-Chairman Trivedi**

**ABSTAIN: None**

11. **UN-29-07 (29194) MASSAGE & WELLNESS CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JANICE SPIKES ON BEHALF OF SIMMONS CENTRE LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A MASSAGE THERAPY ESTABLISHMENT WITHIN AN EXISTING BEAUTY CENTER. THE PROPERTY IS LOCATED AT 3030 WEST ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-29-414-004.**

The application was presented by Robert Eastman, Principal Planner who stated the applicant had previously requested a use permit for 4444 West Craig Road and were now requesting to move their location to the new location at 3030 West Ann Road. As it was a similar business as reviewed and approved previously, Staff was recommending that UN-29-07 be approved subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, the use shall comply with all applicable codes and ordinances.
2. That UN-29-07 is site-specific and non-transferrable.

**Jean DeMarchis, 4444 West Craig, Road, North Las Vegas, NV 89031** stated she 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 Cato

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

12. **ZN-98-07 (29192) KOENIG RESIDENCE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GRACE KOENIG, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT 2930 WEST CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-05-203-003.**

The application was presented by Robert Eastman, Principal Planner who stated the application was consistent with the Comprehensive Plan Land Use Element; therefore, Staff was recommending that ZN-98-07 be approved and forwarded to City Council for final consideration.

**Carol Pryor, 4437 Simmons Street, North Las Vegas, NV** appeared on behalf of the applicant stating she concurred with Staff recommendation.

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 Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

13. **UN-23-07 (29180) THE GROVE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY KAMRAN ABDO ON BEHALF OF KAMROS HOLDINGS LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT WITH A DRIVE-THRU. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF KINGS HILL ROAD AND CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-03-311-016.**

The application was presented by Bob Hoyes, Planner who stated the site was currently under construction and Staff was recommending approval subject to the following conditions:

1. This development shall comply with all applicable conditions of SPR-06-06.
2. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
3. The special use permit is site-specific and non-transferable.
4. The special use permit is limited to 1,500 square feet and Pad A, as identified on the site plan approved herein. Any subsequent expansions and/or additions to the use shall warrant further Planning Commission consideration.

**Shannon McKewen, 6497 Sandy Copper Court, North Las Vegas, NV** appeared on behalf of the applicant stating she 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 Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

14. **VN-04-07 (29170) LONE MOUNTAIN & BRUCE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LENNAR HOMES ON BEHALF OF CELEBRATE HOLDINGS LLC, PROPERTY OWNER, FOR A VARIANCE IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A SIX (6) FOOT CORNER SIDE YARD SETBACK WHERE TEN (10) FEET IS REQUIRED. THE PROPERTY IS LOCATED AT 1512 BEAMS AVENUE. THE ASSESSOR'S PARCEL NUMBERS IS 124-35-813-051.**

Item Nos. 14 through 17 were presented together.

Chairman Steve Brown stated there was an error on the Agenda. The application was submitted by Lennar Homes on behalf of Celebrate Holdings LLC, not Celebrate Homes, so Commissioner Harry Shull would be allowed to vote on the application.

Commissioner Harry Shull explained the property was sold to Lennar Homes and they took title in Celebrate Holdings, LLC and it was a typographical error on the Agenda.

The application was presented by Bob Hoyes, Planner who stated Item Nos. 14 through 17 were identical application requests. He explained the requests were for individual lots within a subdivision that was previously approved under the County standards and was annexed into the City of North Las Vegas with those same standards; however, the Department of Public Works, when the improvement plans came forward, requested that the streets be improved to City standards; therefore, decreasing the allowable corner side lot landscape area for the four specific lots within the individual requests. Staff was recommending approval of VN-04-07 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.
2. That a minimum corner side-yard setback of six feet-six inches (6'-6") shall be provided.

**Dean Rasmuson of Orion Engineering, 7391 Prairie Falcon Road, Suite 150, Las Vegas, NV 89117** appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Brown closed the Public Hearing.

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

**MOTION:** Commissioner Leavitt

**SECOND:** Commissioner Shull

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

**NAYS:** None

**ABSTAIN:** None

15. **VN-05-07 (29174) LONE MOUNTAIN & BRUCE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LENNAR HOMES ON BEHALF OF CELEBRATE HOLDINGS LLC, PROPERTY OWNER, FOR A VARIANCE IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A SIX (6) FOOT CORNER SIDE YARD SETBACK WHERE TEN (10) FEET IS REQUIRED. THE PROPERTY IS LOCATED AT 1405 GROOM AVENUE. THE ASSESSOR'S PARCEL NUMBERS IS 124-35-813-042.**

Item Nos. 14 through 17 were presented together.

Chairman Steve Brown stated there was an error on the Agenda. The application was submitted by Lennar Homes on behalf of Celebrate Holdings LLC, not Celebrate Homes, so Commissioner Harry Shull would be allowed to vote on the application.

Commissioner Harry Shull explained the property was sold to Lennar Homes and they took title in Celebrate Holdings, LLC and it was a typographical error on the Agenda.

The application was presented by Bob Hoyes, Planner who stated Item Nos. 14 through 17 were identical application requests. He explained the requests were for individual lots within a subdivision that was previously approved under the County standards and was annexed into the City of North Las Vegas with those same standards; however, the Department of Public Works, when the improvement plans came forward, requested that the streets be improved to City standards; therefore, decreasing the allowable corner side lot landscape area for the four specific lots within the individual requests. Staff was recommending approval of VN-05-07 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.
2. That a minimum corner side-yard setback of six feet-six inches (6'-6") shall be provided.

**Dean Rasmuson of Orion Engineering, 7391 Prairie Falcon Road, Suite 150, Las Vegas, NV 89117** appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Brown closed the Public Hearing.

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

**MOTION:** Commissioner Leavitt

**SECOND:** Commissioner Shull

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

**NAYS:** None

**ABSTAIN:** None

16. **VN-06-07 (29175) LONE MOUNTAIN & BRUCE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LENNAR HOMES ON BEHALF OF CELEBRATE HOLDINGS LLC, PROPERTY OWNER, FOR A VARIANCE IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A SIX (6) FOOT CORNER SIDE YARD SETBACK WHERE TEN (10) FEET IS REQUIRED. THE PROPERTY IS LOCATED AT 1513 GROOM AVENUE. THE ASSESSOR'S PARCEL NUMBERS IS 124-35-813-049.**

Item Nos. 14 through 17 were presented together.

Chairman Steve Brown stated there was an error on the Agenda. The application was submitted by Lennar Homes on behalf of Celebrate Holdings LLC, not Celebrate Homes, so Commissioner Harry Shull would be allowed to vote on the application.

Commissioner Harry Shull explained the property was sold to Lennar Homes and they took title in Celebrate Holdings, LLC and it was a typographical error on the Agenda.

The application was presented by Bob Hoyes, Planner who stated Item Nos. 14 through 17 were identical application requests. He explained the requests were for individual lots within a subdivision that was previously approved under the County standards and was annexed into the City of North Las Vegas with those same standards; however, the Department of Public Works, when the improvement plans came forward, requested that the streets be improved to City standards; therefore, decreasing the allowable corner side lot landscape area for the four specific lots within the individual requests. Staff was recommending approval of VN-06-07 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.
2. That a minimum corner side-yard setback of six feet-six inches (6'-6") shall be provided.

**Dean Rasmuson of Orion Engineering, 7391 Prairie Falcon Road, Suite 150, Las Vegas, NV 89117** appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Brown closed the Public Hearing.

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

**MOTION:** Commissioner Leavitt

**SECOND:** Commissioner Shull

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

**NAYS:** None

**ABSTAIN:** None

17. **VN-07-07 (29176) LONE MOUNTAIN & BRUCE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LENNAR HOMES ON BEHALF OF CELEBRATE HOLDINGS LLC, PROPERTY OWNER, FOR A VARIANCE IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A SIX (6) FOOT CORNER SIDE YARD SETBACK WHERE TEN (10) FEET IS REQUIRED. THE PROPERTY IS LOCATED AT 4824 BRIDE STREET. THE ASSESSOR'S PARCEL NUMBERS IS 124-35-813-056.**

Item Nos. 14 through 17 were presented together.

Chairman Steve Brown stated there was an error on the Agenda. The application was submitted by Lennar Homes on behalf of Celebrate Holdings LLC, not Celebrate Homes, so Commissioner Harry Shull would be allowed to vote on the application.

Commissioner Harry Shull explained the property was sold to Lennar Homes and they took title in Celebrate Holdings, LLC and it was a typographical error on the Agenda.

The application was presented by Bob Hoyes, Planner who stated Item Nos. 14 through 17 were identical application requests. He explained the requests were for individual lots within a subdivision that was previously approved under the County standards and was annexed into the City of North Las Vegas with those same standards; however, the Department of Public Works, when the improvement plans came forward, requested that the streets be improved to City standards; therefore, decreasing the allowable corner side lot landscape area for the four specific lots within the individual requests. Staff was recommending approval of VN-07-07 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.
2. That a minimum corner side-yard setback of six feet-six inches (6'-6") shall be provided.

**Dean Rasmuson of Orion Engineering, 7391 Prairie Falcon Road, Suite 150, Las Vegas, NV 89117** appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Brown closed the Public Hearing.

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

**MOTION:** Commissioner Leavitt

**SECOND:** Commissioner Shull

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

**NAYS:** None

**ABSTAIN:** None

18. **UN-30-07 (29197) SMOG EQUIPMENT STORAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY BUSINESS PROPERTIES GROUP ON BEHALF OF B.H. FAMILY PARTNERS CRAIG PAD A LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A PORTABLE AUTOMOBILE SMOG CHECKING STATION. THE PROPERTY IS LOCATED AT 785 WEST CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-03-314-002.**

The application was presented by Robert Eastman, Principal Planner who stated Staff was recommending that UN-30-07 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 26 parking spaces shall be provided.
4. Submit a revised elevation showing a parapet wall and or cornice element on all sides of the roof.
5. No vehicle cuing or parking will be allowed in drive aisles. Permit holder will be responsible for installing and maintaining no parking signs and pavement markings.

**Nick Leventis, 100 Corporate Park Drive, Henderson, NV 89014** appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Brown closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

19. **VAC-06-07 (29179) LA MADRE/BRUCE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RICHMOND AMERICAN HOMES, PROPERTY OWNER, TO VACATE THE SOUTHERN 30 FEET OF LA MADRE WAY BETWEEN BRUCE STREET AND HAROLD STREET.. THE ASSESSOR'S PARCEL NUMBERS ARE 124-35-801-001, 124-35-801-002, 124-35-801-003 AND 124-35-801-004.**

The application was presented by Robert Eastman, Principal Planner who stated the vacation was necessary to finish the already approved tentative map; therefore, Staff was recommending that VAC-06-07 be approved.

**Jaime Frederick, 6757 West Charleston Boulevard, Suite B, Las Vegas, NV 89146** appeared on behalf of the applicant stating she 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;  
FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

20. **VN-08-07 (29200) SHADE CONDOS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY BLUE HERON PROPERTIES ON BEHALF OF GOLDFIELD HOMES LLC & GOLDFIELD CENTENNIAL LLC, PROPERTY OWNERS, FOR A VARIANCE IN AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO ALLOW A TEN (10) FOOT BUILDING SETBACK WHERE TWENTY (20) FEET IS REQUIRED FOR DETACHED GARAGES. 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.**

The application was presented by Bob Hoyes, Planner who stated the site was proposed to be developed with 379 residential units attached and, in looking at the criteria required for a variance, it was not demonstrated by the applicant that any of the criteria were satisfied. Not only that, in looking at the bigger picture, it was expected to be a heavily traveled pedestrian corridor, not to mention the nearest north/south connection running parallel with North 5<sup>th</sup> Street in the area. By allowing a 10 foot variance for the garage units, which are not required for a multi-family development, it would set an undesirable precedent, non only along Goldfield Street, but in the general vicinity of the North 5<sup>th</sup> Street transit corridor; therefore, Staff was recommending that VN-08-07 be denied. Should the Commission determine approval was warranted, the following conditions were recommended:

1. The subject property shall comply with all other regulations of R-3 multi family district and multi family design standards, except for the front yard setback of 20 feet. The corner side yard building setback shall be 10 feet from the property line to the structure.
2. Additional landscape buffering shall be provided along Goldfield Street to provide adequate screening. A minimum 24-inch box trees shall be planted at a minimum of fifteen (15) feet in height and spaced at every fifteen (15) feet. A ground coverage of 80% shall be achieved within 2 years of time.

**Tony Celeste of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89169** appeared on behalf of the applicant stating the application was for a variance to reduce the setback to the garage. He explained the way the property was surveyed, the property line started 10 feet inside the back of curb and began at the back of the sidewalk and was 10 feet to the decorative wall. Along Goldfield Street, the decorative wall was 19 feet and then there was a step-up that was a garage, which would look like the decorative wall and was only about a 2 ½ foot step up for 99 feet and then would step down again where the block wall would start again. He stated it was decorative and blended in and there were 15' trees setback 20 feet and there

was a pedestrian access. He asked for approval and stated he concurred with the if approved, conditions recommended by Staff.

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

Chairman Brown closed the Public Hearing.

Commissioner Dilip Trivedi asked if it was possible to relocate the garages so they were perpendicular to Goldfield Street. Mr. Celeste responded the applicant had worked extremely hard to try to maximize the density and the proposed site plan worked best.

**Tyler Jones, of Blue Heron, 2450 Chandler Avenue #7, Las Vegas, NV** stated the garages were not a requirement of the code for R-3 Multi-Family but, in designing the site, the effort was to provide as many garages per unit as possible.

Commissioner Trivedi felt the garages could be relocated to avoid the 10 foot high wall along Goldfield Street. Mr. Jones asked if it would be better to break the wall up into smaller intervals. Commissioner Trivedi stated he would rather see the garages perpendicular to Goldfield Street. Mr. Jones asked if there was a maximum height that would work. Commissioner Trivedi asked Staff what height was allowed by Code. Marc Jordan, Planning Manager responded the issue was the setbacks and a building 8 ½ to 10 feet in height was allowed within the zoning district.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

**Item No. 22 was heard next.**

21. **ZN-94-07 (29023) MARTHA CAZAREZ REZONING (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MARTHA CAZARES, PROPERTY OWNER FOR A RECLASSIFICATION OF PROPERTY FROM AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF A PROFESSIONAL OFFICE. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF CIVIC CENTER DRIVE AND TONOPAH AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-24-312-114.**

It was requested by the applicant to continue ZN-94-07 indefinitely.

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

Chairman Brown stated the Public Hearing would remain open.

ACTION: CONTINUED INDEFINITELY

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**Item No. 27 was heard next.**

**22. ZN-97-07 (29191) GALAXY 7 PROPERTIES NORTH 5<sup>TH</sup> (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GALAXY 7 PROPERTIES INC. ON BEHALF OF PARKWILL ENTERPRISES LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO A C-2 GENERAL COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT 6215 NORTH 5TH STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-504-008.**

The application was presented by Marc Jordan, Planning Manager who stated the land use was shown as Mixed Use Commercial and the acreage was 1.08 acres in size. Staff had no objection to commercial zoning at the proposed location; however, was recommending C-1 be granted due to the size of the property, explaining that C-1 was meant to provide goods and services within close proximity to the residents in the area and within the proposed area, there was quite a bit of residential that had already been approved. Mr. Jordan indicated one letter of opposition had been received as they were concerned about the types of business that would occupy the site.

**Tony Celeste of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89169** appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Brown closed the Public Hearing.

ACTION: APPROVED FOR C-1, NEIGHBORHOOD COMMERCIAL; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

**23. ZOA-04-07 (29195) CNLV (PUBLIC HEARING). AN ORDINANCE AMENDMENT INITIATED BY THE CITY OF NORTH LAS VEGAS TO AMEND TITLE 17 (ZONING ORDINANCE), SECTION 12.020, SECTION 24.140, AND SECTION 24.170, TO DEFINE AND PROVIDE REQUIREMENTS FOR PARKING OF COMMERCIAL USE VEHICLES; AND PROVIDE FOR OTHER MATTERS PROPERLY RELATED THERETO.**

The application was presented by Marc Jordan, Planning Manager who stated the request was brought to Staff by the Code Enforcement Division of the City and would make Title 17 consistent with some recent changes to Title 8 and Title 10 regarding the nuisance ordinance; therefore, Staff was recommending approval of ZOA-04-07.

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

Chairman Brown closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**24. SPR-22-07 (29193) 5<sup>TH</sup> & BROOKS LLC. AN APPLICATION SUBMITTED BY 5<sup>TH</sup> & BROOKS LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A 764,042-SQUARE-FOOT AUTOMOBILE IMPOUND YARD WITH REQUESTED WAIVERS FROM THE INDUSTRIAL DEVELOPMENT STANDARDS. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF NORTH 5<sup>TH</sup> STREET AND BROOKS AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-15-603-002.**

The application was presented by Robert Eastman, Principal Planner who stated the lot was approximately 17 ½ acres and the applicant was proposing to have an automobile impound yard with access off of Brooks Avenue. There would be 28 parking spaces for people picking up their vehicles and for employee parking and would also contain a 3500 square foot office building and a 5700 square foot service building for their existing tow truck vehicles, with one building being smooth CMU block and the other a metal standing seam building. The applicant also requested waivers from the Industrial Design Standards, one of which was to allow five feet of landscaping along North 5<sup>th</sup> Street and five feet of landscaping along Brooks Avenue instead of the 20 feet required. Additionally, the applicant was asking for a waiver to allow an eight foot high corrugated metal perimeter fence topped with barbed wire instead of the typical decorative block wall as required. He explained an automobile impound yard was an allowed use within the M-2 Industrial District; however, based on the size of the site, the proposed layout and its proximity to the North 5<sup>th</sup> Transit Corridor, Staff had some concerns regarding the proposed site plan and was not in support of the waiver requests. The applicant contends the landscape waiver request was similar to other developments along North 5<sup>th</sup> Street and within the area, which was true to some extent; however, the majority of those sites were developed before the Industrial Design Standards were adopted and the Industrial Design Standards were there to help improve the livability of the community both from a land use perspective and from an aesthetic perspective and just because the neighboring properties were developed prior to this site, did not give the applicant the right to develop the site with less landscaping. The wall standard was established to provide a wall that was more pleasing to the eye than what was proposed by the applicant, with the standing seam metal wall; therefore, Staff was not recommending approval of either of the waivers. The applicant's main portion of the site was approximately fifteen acres and was for an automobile impound yard and in Staff's estimation, based on the submitted site plan, the applicant intended to have storage for slightly over 1500 vehicles and with the size of the site, causes concern that the site could turn into an automobile salvage or wrecking operation, which would not be appropriate at the proposed location, as the North 5<sup>th</sup> Street Corridor was currently planned and designed for a transit corridor and that specific area would be an industrial employment node and the proposed use did not support the employment that was desired. Because of the requested landscape waivers, it reduced the pedestrian aspect of the corridor for any proposed transit stop that would be located within that neighborhood; therefore, Staff was recommending that SPR-22-07 be denied.

**JT Moran III of Moran Law Firm, 630 South 5<sup>th</sup> Street, Las Vegas, NV 89102** appeared on behalf of the applicant stating Staff had done their homework on the project and stated the project was approximately 17 acres in size and was proposed as an automobile impound yard and the project was in an area that was zoned M-2 Industrial. The City of North Las Vegas was the only jurisdiction in the County that did not require a special use permit for conducting this type of business and the proposed use was allowable under current Code without a use permit and they were asking for Planning Commission approval. He stated they were asking for a landscape waiver based on the fact that they felt they could get more parking spaces for short-term vehicle storage, indicating the vehicles would be registered and insured and stated it would not be a wrecking yard and if it was, Code Enforcement would address the issue and possibly revoke the business license. They were attempting to take the traffic and put it onto the site and he believed if they had the buffering, they would be able to accommodate more vehicles. He stated they were asking for a 10 foot buffer, explaining both rights-of-way were major arterial streets, pointing out Brooks was a 150 foot right-of-way and was slated for dedication and he felt the landscape waiver was justified. Mr. Moran stated they were not proposing to use a flat cinder block CMU, but were using a decorative block with metal eaves and there would be a stucco entry pop-out to give a modern contemporary feel in terms of the aesthetics and elevation and felt the guidelines had been met. He also pointed out they were dealing with the containment of a 17 acre parcel and when talking to the Commission, several of the Commissioners wanted to see the fence, as the plans submitted did not reflect what the fence would look like and he explained the fence was not a corrugated fence, but was a 15 gauge metal fence, which was easily maintained and not easily tagged with graffiti and felt it had a better appearance than what was required. He stated the business operator, who was Quality Tow, had been in the business for some time and had the support of all law enforcement agencies in the valley, which was based on the fact that some of the other locations of impound yards were so far out of town, that when it was necessary for the Nevada Highway Patrol or the Las Vegas Metropolitan or North Las Vegas Police Departments to go to the impound yards, it took them too far from their work areas. He felt the proposed project exceeded the industrial guidelines and asked for approval.

Commissioner Dean Leavitt asked the applicant how many additional vehicles could be parked with the requested waiver of set-backs. Mr. Moran responded the five foot buffer would allow them an additional 110 spaces along Brooks Avenue and approximately 25 additional employee parking spaces. Commissioner Leavitt suggested they decrease the number of parking spaces and not request the landscape waiver as the required landscaping was wanted by the City. Also, he realized the use was accepted, but they were looking at locating in North Las Vegas because a special use permit was not required. The City was attempting to develop a high transit system on North 5<sup>th</sup> Street and the requested use did not blend with the transit corridor; therefore, he could not support the application.

Commissioner Dilip Trivedi asked Staff where the nearest transit node was located to the proposed use. Jeremy Davis, Urban Designer for the City responded the nearest node would be located around Cheyenne Avenue and North 5<sup>th</sup> Street and the proposed project was just to the south of the proposed node. He explained they were looking for the highest intensity uses around the node and in this particular case, they were looking for higher intensity employment uses that would generate jobs. Commissioner Trivedi asked how far the station would be from the proposed location. Mr. Davis responded it would be kitty corner, just south of City View Park. Commissioner Trivedi stated he concurred with Commissioner Leavitt and could not support the landscape waiver and would not support barbed wire at the top of the proposed fencing.

Commissioner Harry Shull asked Staff if the set-backs were for the new 150 foot right-of-way. Mr. Eastman explained the set-backs were established in the zoning ordinance prior to the right-of-way width. Commissioner Shull asked if the curb and gutter were taken into consideration with the ultimate expansion. Jennifer Doody of Public Works explained when the applicant came in to develop, they would be required to put in curb and gutter; but, the exhibit did not have any dimensions, so she was unable to see whether that was taken into consideration.

Commissioner Jo Cato stated she could not support the landscape waiver.

Chairman Steve Brown asked if a site plan review could be rejected because the use was not wanted. Deputy City Attorney Nick Vaskov explained the motion maker should state for the record, not only the objections to the site, but also any objections to the use, given the fact there was a specific vision for the North 5<sup>th</sup> Street Corridor.

Commissioner Dean Leavitt made a motion to deny SPR-22-07 because, as a body, they could not support any of the waiver requests and, also, the City of North Las Vegas went through a Vision 2025 proposition and felt the recommended use, although it was permitted, was detrimental to the overall vision and scope of the North 5<sup>th</sup> Corridor development.

**ACTION:** DENIED

**MOTION:** Commissioner Leavitt

**SECOND:** Vice-Chairman Trivedi

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

**NAYS:** None

**ABSTAIN:** None

25. **T-1287 (29121) CRAIG ROAD HOSPITALITY CENTER. AN APPLICATION SUBMITTED BY SUNWEST COMMERCIAL LLC ON BEHALF OF CRAIG PROPERTIES LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A COMMERCIAL SUBDIVISION. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CRAIG ROAD AND FREHNER ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 129-01-201-024, 139-01-201-025, AND 139-01-201-026.**

The application was presented by Robert Eastman, Principal Planner who stated the application was in conformance with the zoning ordinance and the Comprehensive Plan; therefore, Staff was recommending approval of T-1287 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. That the development of this site be in compliance with all conditions of UN-96-05.
3. The property owner is required to file a merger and resubdivision final map.

**Robert Langan, 3305 Spring Mountain Road #91, Las Vegas, NV 89102** appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Shull

SECOND: Vice-Chairman Trivedi

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

NAYS: None

ABSTAIN: None

**26. SPR-21-07 (29160) CIVIC CENTER BUILDINGS A & D. AN APPLICATION SUBMITTED BY PANATTONI DEVELOPMENT ON BEHALF OF CIVIC CENTER LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW TWO OFFICE WAREHOUSE BUILDINGS CONSISTING OF 114,863 SQUARE FEET. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF BELMONT STREET AND BARR AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-12-103-048.**

The application was presented by Robert Eastman, Principal Planner who stated the application was in conformance with the Industrial Design Standards and the zoning ordinance; therefore, Staff was recommending approval of SPR-21-07 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. The development shall comply with the Commercial Development Standards and Design Guidelines including but not limited to the following:
  - a. The southern decorative perimeter wall along Barr Avenue shall continue onto Belmont Street approximately 80 feet.
3. Approval of a traffic study is required prior to submittal of the civil improvement plans.
4. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Civic Center Drive
5. Proposed driveway on Belmont Street must align with driveway across the street.
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. Belmont Street
7. The property owner is required to grant a 40' emergency access easement on FM #27525.
8. Belmont Street improvements need to be completed prior to the final inspection of the building.

9. Approval of a drainage study is required prior to submittal of the civil improvement plans.
10. 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.
11. The City of North Las Vegas does not permit the construction of any buildings within
  - a. Federal Emergency Management Agency (FEMA) designated Special Flood Hazard Area (SFHA). Under this policy, the applicant must meet the following requirements prior to issuance of permits and certificates of occupancy:
  - b. Grading and off-site construction permits may be issued once a copy of the Conditional Letter of Map Review (CLOMR) application has been submitted to FEMA for processing.
  - c. Building permits may be issued once a CLOMR has been obtained from FEMA.
  - d. Certificates of Occupancy can be issued once a Letter of Map Revision (LOMR) has been obtained from FEMA.
12. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
13. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
14. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
15. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.
16. All off-site improvements must be completed prior to final inspection of the first building.
17. Signs restricting parking shall be posted along both sides of the fire lane per the fire code.

18. Fire Department access lanes shall be designed and installed in accordance with the Fire Code.
19. The developer shall provide a meter and backflow prevention for each building per City of North Las Vegas Municipal Water Services District Service Rules and Regulations.
20. Knox boxes should be installed at the entry gates.
21. Provide adequate lighting at the storage area, and at the trash enclosures at Building "D"
22. Way signs should be posted.

**Jeff Turnipseed of Tectonics Design Group, 6880 South McCarran Suite 11, Reno, NV 89509** appeared on behalf of the applicant asking for clarification on Condition No. 2.a, the extension of the wall onto Belmont Street by 80 feet, as that wall faced M-2 and some large industrial boxes, so he questioned the effectiveness, the need and also thought it could cause a security concern, with another dark shadowy place and asked that Condition No. 2.a be deleted.

Mr. Eastman explained the rationale for Condition No. 2.a, as written, was that it would allow the screen wall to continue across the parking element and screen the loading areas at the corner. Eight feet would not go all the way to the building.

Mr. Turnipseed stated that corner would not be used for unloading trucks, it was for customer access and indicated they would run into ADA compliance problems with how it was currently designed. By extending the wall, handicapped access would not be possible from the street level.

Mr. Eastman stated the wall was not to block the access for customer accessibility, but they requested the wall be extended up to that ramp and behind the landscaping as it was currently depicted along Barr Avenue, to come down to the landscaping that was located along Belmont Street and right at the edge of the landscaping, extend over toward the ramp, but not in anyway intrude into the ramp space.

Commissioner Dean Leavitt asked if the pedestrian access was for employees or customers. Mr. Turnipseed responded it could be either.

Commissioner Dilip Trivedi agreed with the applicant that the wall on Belmont Street would serve no purpose and supported the deletion of Condition No. 2.a.

Chairman Steve Brown asked if a return could be added to the end of the wall. Mr. Turnipseed responded it was set up with a return.

Marc Jordan, Planning Manager explained there were two parts to Condition No. 2.a. When looking at the site plan, access onto Barr Avenue was shown by a driveway and Staff was asking that the wall be extended along Barr Avenue, as well, to prevent access, because directly across Barr, was a residential neighborhood. He suggested Condition No. 2.a not be deleted but be amended so there was no access onto Barr Avenue.

Mr. Turnipseed explained they were requested by the Engineering Department to provide paved access to an existing manhole located along Barr Avenue, but it would not be a public entrance to the facility.

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

2.A. THE SOUTHERN DECORATIVE PERIMETER WALL ALONG BARR  
AVENUE.

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Trivedi

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

NAYS: None

ABSTAIN: None

There was a break in proceedings at 8:16 p.m.

The meeting reconvened at 8:22 p.m.

**Item No. 31 was heard next.**

**OLD BUSINESS**

27. **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. (CONTINUED FEBRUARY 14 AND 28, 2007)**

It was requested by the applicant to continue ZN-70-07 to April 11, 2007.

**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 they had been working with the neighbors and at the last neighborhood meeting, Councilwoman Stephanie Smith was in attendance and the neighbors requested the application be held again to continue to work on several issues and they agreed to have another neighborhood meeting with the Traffic Department from the City of North Las Vegas being invited, along with Councilwoman Smith. They would like to resolve some issues before the Public Hearing was held

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

Chairman Brown stated the Public Hearing would remain open.

ACTION: CONTINUED TO APRIL 11, 2007

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**Item No. 28 was heard next.**

28. **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 AND FEBRUARY 14 AND 28, 2007)**

It was requested by the applicant to continue SPR-09-07 to April 11, 2007.

ACTION: CONTINUED TO APRIL 11, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

**Item No. 29 was heard next.**

29. **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. (CONTINUED MARCH 14, 2007)**

It was requested by the applicant to continue UN-18-07 to April 11, 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 APRIL 11, 2007

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**Item No. 30 was heard next.**

30. **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. (CONTINUED MARCH 14, 2007)**

Commissioner Harry Shull stated he would be abstaining as his company owned the property.

It was requested by the applicant to continue ZN-93-07 to April 11, 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 APRIL 11, 2007

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Trivedi

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

NAYS: None

ABSTAIN: Commissioner Shull

**Item No. 32 was heard next.**

**31. VAC-03-07 (28910) NORTH 5<sup>TH</sup> & 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 5<sup>TH</sup> STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-22-701-009. (CONTINUED MARCH 14, 2007)**

The application was presented by Bob Hoyes, Planner who stated, based on the overall plans impacting the North 5<sup>th</sup> Street corridor and the fact that the City was expecting significant travel, not to mention the ancillary issues that would be associated with North 5<sup>th</sup> Street, Staff was recommending that VAC-03-07 be denied. Should the Commission determine approval was warranted, the following conditions are recommended:

1. Dedication of the following streets, per the *Master Plan of Streets and Highways*, is required:
  - a. Goldfield Street
  - b. Rome Boulevard
  - c. North 5<sup>th</sup> Street
  - d. associated spandrels
  
2. The vacation is required to record concurrent with the final map. Should the Order of Vacation not record within two years from the approval date, the vacation shall be deemed null and void.

**Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89169** appeared on behalf of the applicant giving a brief history supporting the vacation application. Mr. Gronauer pointed out the original Staff reported stated, "the proposed vacation of Engel Avenue is supported by the North 5<sup>th</sup> Street Corridor Plan by reducing the number of access points onto North 5<sup>th</sup> Street. The vacation would eliminate the only east-west street between Rome Boulevard (to the south) and Deer Springs Way (to the north.) Engel Avenue is not on the Master Plan of Streets and Highways. Neither the Public Works Department nor the Fire Department have any objections to this application", because everyone was on notice, not only in the past several months, that there was R-3 and R-4 zoned properties in that area, but next you would see there were prior applications of vacations that had been approved with North 5<sup>th</sup> Street corridor plans in place or being contemplated by the City. A revised memorandum dated March 12, 2007 was received with respect to the explanation of the recommendation for denial. The explanation for denial was that the Municipal Code did not allow for block lengths to exceed 600 feet. He explained many streets had been vacated and he had never seen that explanation used or inserted as a recommendation for denial.

When vacation came in for Engel Street, Darling Road, and other parts of the City which extended blocks over 600 feet in length, they had been approved. By approving the previous requests for vacations of Engel Street and Darling Road, street block lengths exceeding 600 feet were allowed. Mr. Gronauer stated if the block length were that important over the past couple of years, in the proposed area, he believed those applications should also have been recommended for denial. He stated by vacating Engel Street, the project could be integrated to come up with some pedestrian access and asked for the Commission's approval.

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

Chairman Brown closed the Public Hearing.

Commissioner Dilip Trivedi asked Staff why this quadrant was a special case. Clete Kus of Public Works explained direction was coming from the Deputy Director of Public Works, who was certified as a professional Traffic Operations Engineer. He stated one of the main concepts of the North 5<sup>th</sup> Street Corridor Plan relied on the immediate streets east and west of North 5<sup>th</sup> Street to provide circulation and to assist in providing the circulation, the other 60 foot streets, in this instance, Engel, was that conduit to provide connectivity to the parallel north/south streets. A right in or right out movement onto North 5<sup>th</sup> Street had significantly less impact on how the roadway operates. There was some discussion provided about previous vacations to the east of North 5<sup>th</sup> Street. The corner of North 5<sup>th</sup> Street and Deer Springs Way was developed as a commercial center, so there was no need to provide the connectivity because those parcels were combined. The previous vacations occurred in 2004 and 2005 at a point in time when Staff did not have direction or concurrence from Council to develop North 5<sup>th</sup> Street as a limited access super arterial roadway with a transit component, which did not occur until the latter part of 2005 or early 2006. As such, it was the position of the Deputy Director that providing the circulation to Goldfield Street, which would serve as an alternative route in the north/south direction to the west of North 5<sup>th</sup> Street was a necessary roadway.

Commissioner Dean Leavitt asked Staff if the 600 foot configuration would be seen in the future or if it was on a case by case basis. Mr. Kus responded he could not answer the question, but the block requirement had been in the Code for some time. Commissioner Leavitt asked if it has been enforced. Mr. Kus responded not to a significant extent.

Chairman Brown asked Mr. Gronauer if he had seen the additional condition regarding the 20 foot wide public pedestrian access easement. Mr. Gronauer responded he had seen it and intended to address it when Item No. 38, SPR-16-07 was heard. He was concerned that they needed to integrate with the property owner to the north and south in that area. He believed there was some type of understanding that they should have some type of pedestrian access in that area, so he would not feel comfortable accepting a condition of

a requirement at this point, but on the site plan he would like to show the Commission, that if it was 20 feet, what they would need to do at that time and then discuss liability issues, which should be able to be worked out regarding the trail in that area.

Chairman Brown stated there was a grade school on the west side of Goldfield Avenue and he was concerned that the residents in the area have easy access to the school if access was not provided on Engel Avenue. Mr. Gronauer responded it depended where the people lived.

Commissioner Leavitt asked Mr. Gronauer if he would like the application trailed until after Item No. 38 was heard. Mr. Gronauer responded he wanted the condition with the 20 foot dedication added to the site plan review for SPR-16-07 instead of being added to the current application for VAC-03-07.

Mr. Eastman stated there would be an additional condition added by the Utilities Department to read: "That a 30 foot wide utility easement be provided over the area vacated subject to review and approval by the Director of Utilities".

Commissioner Dilip Trivedi asked Mr. Gronauer to address the issue. Mr. Gronauer stated he would need to check to see if any buildings were located in the easement; but, this was the first he knew about the utility easement, but agreed it could be added and he would work with the Utilities Department if necessary.

Mr. Eastman asked if he understood correctly that the applicant was asking that the 20 foot pedestrian easement be added to SPR-16-07. Mr. Gronauer responded that was correct. Mr. Eastman clarified there were two conditions from the Public Works Department and then there was a third condition requiring a 30 foot utility easement imposed by the utilities Department and a fourth condition requiring a 20 foot pedestrian easement, which was as shown in the memo handed out during briefing.

Commissioner Trivedi suggested the 20 foot pedestrian easement could overlap the 30 foot utility easement, so the applicant would not be penalized by losing 50 feet. Mr. Hoyes stated that was what was intended.

Louise Steeps of the Utilities Department stated she was trying to allow some flexibility for the developer. They tried to provide a recommendation for denial of Engel Avenue but it was not written properly so that it made the agenda, but the property was in the high end of the pressure zone and the DR Horton Project at Deer Springs Way and abutting to the subject property was barely meeting max day plus fire and she felt the Engel line would be needed, so wanted the separate 30 foot utility easement and if at the time the applicant came through with the project, and the hydraulic network analysis showed the line was not needed, they could vacate the easement at that time.

Mr. Gronauer stated he would accept the utility easement that was provided but would not accept the pedestrian easement at this point.

Mr. Eastman stated Staff was okay with removing Condition No. 4 with the idea and stipulation that they could address pedestrian access with the site plan for the two neighboring sites, as was already discussed with the applicant. The access may be acceptable to use the utility easement once they meet with the Utilities Department. Staff would prefer that SPR-16-07 be continued to allow them to work on the site as it was now impacted by the utility easement and also by trying to meet the pedestrian connections.

Mr. Gronauer agreed with Mr. Eastman's comments.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION WITH CONDITION NO. 3 ADDED TO READ:

3. A 30 FOOT WIDE UTILITY EASEMENT SHALL BE PROVIDED OVER THE AREA VACATED SUBJECT TO REVIEW AND APPROVAL BY THE DIRECTOR OF UTILITIES.

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

**Item No. 36 was heard next.**

32. **SPR-17-07 (28909) NORTH 5<sup>TH</sup> & 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 5<sup>TH</sup> STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-22-701-009. (CONTINUED MARCH 14, 2007)**

It was requested by the applicant to continue SPR-17-07 to April 11, 2007.

ACTION: CONTINUED TO APRIL 11, 2007

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**Item No. 33 was heard next.**

- 33. 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. (CONTINUED MARCH 14, 2007)**

It was requested by the applicant to continue SPR-18-07 to April 11, 2007.

ACTION: CONTINUED TO APRIL 11, 2007

MOTION: Vice-Chairman Trivedi

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

**Item No. 34 was heard next.**

34. **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. (CONTINUED MARCH 14, 2007)**

It was requested by the applicant to continue T-1286 to April 11, 2007.

ACTION: CONTINUED TO APRIL 11, 2007

MOTION: Commissioner Shull

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

**Item No. 35 was heard next.**

35. **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. (CONTINUED MARCH 14, 2007)**

It was requested by the applicant to continue UN-15-07 to April 11, 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 APRIL 11, 2007

MOTION: Vice-Chairman Trivedi

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

**Item No. 1 was heard next.**

**36. 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. (CONTINUED MARCH 14, 2007)**

The application was presented by Marc Jordan, Planning Manager who stated in the original Staff Report, Staff had recommended approval; however, revisions were received, where this was now a four lot commercial subdivision map; therefore, Staff was recommending approval of T-1285 subject to the conditions listed in the Revised Memorandum dated March 28, 2007 as follows:

1. The applicant shall submit a traffic study update for review and approval.
2. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Decatur Boulevard.
3. 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.
4. 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.
5. Appropriate subdivision and/or parcel mapping is required to complete this project. All mapping shall be in compliance with NRS Chapter 278 and the Title 16 of the *City of North Las Vegas Municipal Code*, and associated Master Plans in effect at the time of subdivision and/or parcel map approval. Conformance may require modifications to the site.
6. 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.
7. The property owner is required to sign a restrictive covenant for utilities.

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. San Mateo Street
9. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
10. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
11. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.
12. All off-site improvements must be completed prior to final inspection of the first building.
13. The developer shall provide a meter and backflow prevention for each building.
14. Shall 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.

**Sam Dunham, 3471 West Oquendo Suite 101, Las Vegas, NV 89118** appeared on behalf of the applicant stating they had a four lot commercial subdivision which was the Super

Walmart Center and there were pads B through J which were under construction or already open. The purpose of the subdivision was to add lot 4, which fronts I-215 and had approximately 170 feet of frontage on San Mateo Street and they were asking for a commercial subdivision on the property so the two proposed buildings on lot 4 could obtain utility connections. He concurred with Staff recommendation but asked for clarification on some of the Public Works conditions. On Condition No. 1, they were to submit a traffic study update, which had been done on the two pads on the south and was approved in October, 2006 and another traffic study update was submitted today, March 28, 2007 for the Euphoria Day Spa which was in Building B, so he felt that requirement was met and added, within the past two years there had been three traffic studies done. Condition No. 2 asked for Schedule 40 PVC fiber optic conduit on Decatur Boulevard and he indicated the conduit was installed when Decatur Boulevard was built with the shopping center across the street. He stated he transmitted a plan to Eric Hawkins with Public Works earlier in the week and he concurred the conduit was in place and he had also spoken with Clete Kus of Public Works and thought he also agreed the condition had been satisfied. Mr. Dunham requested that on Condition Nos. 3 and 4, that the second driveway be allowed to be 28 feet instead of the required 32 feet. He asked that Condition No. 3 be amended or deleted and Condition No. 4 be amended to allow a 28 foot driveway.

Commissioner Dean Leavitt asked Staff what they proposed for Condition No. 3. Clete Kus of Public Works stated he was agreeable to the deletion of Condition Nos. 1 and 2 and on Condition No. 3 he suggested it remain as written, as the Code provided the City Traffic Engineer the discretion to make minor exceptions to the spacing and on Condition No. 4 he suggested the wording, "or as otherwise approved by the City Traffic Engineer" be added.

Commissioner Leavitt asked Mr. Dunham for comment. Mr. Dunham agreed to the changes recommended by Mr. Kus, as long as they would be allowed to make the second driveway 28 feet wide.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS IN MEMORANDUM DATED MARCH 28, 2007 WITH CONDITION NOS. 1 AND 2 DELETED AND CONDITION NO. 4 AMENDED TO READ:

4. 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, OR AS OTHERWISE APPROVED BY THE DIRECTOR OF PUBLIC WORKS.

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Trivedi

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

NAYS: None

ABSTAIN: None

**37. SPR-15-07 (28906) DEER SPRINGS NORTH 5<sup>TH</sup>. 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. (CONTINUED MARCH 14, 2007)**

The application was presented by Bob Hoyes, Planner who stated Staff received revised plans and there were some outstanding issues that had previously been pointed out in the Staff Report dated March 14, 2007, some of which were satisfied and some not. One of the issues was the fact that a variance was requested for the property which was scheduled for the April 25, 2007 Planning Commission meeting. It was Staff's recommendation to continue the application until that variance, VN-11-07, was heard. There were also other issues to address, one of which was the proposed trash compactor for a multi-family development, which had not been seen previously in North Las Vegas. Staff had concerns regarding the noise of the trash compactor and a contingency plan in the vent the compactor breaks down, how often the compactor would be required to be emptied and whether or not Republic Services was willing and/or able to service a residential compactor, how the City of North Las Vegas would address the issue if the management company did not provide the daily door side collection service as proposed and whether or not the Clark County Health District would have any concerns if any aspect of the proposed garbage collection system failed. Another issue was related to landscaping; the applicant was requesting ten feet of landscaping along the western property line, which was adjacent to a single-family detached residential project currently under construction. Staff was not in support of the requested landscape waiver. Staff was recommending that SPR-15-07 be continued until such time the variance request was considered on April 25, 2007. Should the Commission determine approval was warranted, the following conditions were recommended:

1. Right-of-way dedication and construction of a flared intersection, including a right turn lane, is required at Dorrell Lane and North 5<sup>th</sup> Street per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1.
2. An additional five (5) feet of right-of-way must be dedicated along North 5<sup>th</sup> Street near Deer Springs Way per the *City of North Las Vegas Uniform Standard Drawings for North 5th Street Improvements*.
3. An additional five (5) feet of right-of-way must be dedicated along Deer Springs Way at North 5<sup>th</sup> Street per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 to construct a flared intersection.

4. Right-of-way dedication and construction of a CAT bus turn-out is required on Deer Springs Way west of North 5<sup>th</sup> Street per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
5. North 5th Street shall be designed in accordance with the *City of North Las Vegas Uniform Standard Drawings for North 5th Street Improvements*.
6. A conforming site plan, incorporating the conditions of approval shall be submitted for review and approval to the Department of Public Works, and the Department of Planning and Zoning, prior to submittal of the drainage study and final map.
7. Approval of a traffic study is required prior to submittal of the civil improvement plans.
8. A queuing analysis is required.
9. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along North 5<sup>th</sup> Street.
10. 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.
11. 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.
12. All development along North 5<sup>th</sup> Street shall provide a minimum twenty foot landscape area/common element adjacent to the right-of-way.
13. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along North 5<sup>th</sup> Street, Dorrell Lane and Deer Springs Way.
14. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
15. All public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
16. Extension of the Clark County Regional Flood Control District facility along the North 5<sup>th</sup> Street frontage is required.

17. Approval of a drainage study is required prior to submittal of the civil improvement plans.
18. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
19. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*, or as otherwise approved by the Director of Public Works or his designee.
20. 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.
21. The developer is responsible for acquiring any roadway, drainage or utility easements needed to construct the project.
22. The property owner is required to grant a roadway easement for commercial driveway(s).
23. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element, or on private property, when that sidewalk is providing public access adjacent to the right-of-way.
24. All known geologic hazards shall be shown on the preliminary development plan, tentative map and the civil improvement plans. Geological hazards such as fault lines or fissures affecting residential structures may substantially alter the tentative map layout and require the submission of a revised tentative map which must be approved by the City prior to final approval of the civil improvement plans. The footprint of proposed structures shall be plotted on all lots impacted by faults and/or fissures and a minimum width of five (5) feet shall be provided from the edge of any proposed structure to the nearest fault and/or fissure.
25. The developer shall provide a thirty-three (33) foot over-pave beyond the centerline of Deer Springs, from North 5<sup>th</sup> Street to Goldfield Street.
26. A revocable encroachment permit for landscaping within the public right of way is required.
27. Building numbering shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.

28. A minimum landscape area of five feet in width, within a common lot, must be provided behind the proposed bus turn-out.
29. The emergency access location(s) for the project shall not be located on North 5<sup>th</sup> Street.
30. Emergency access driveways shall be constructed per *Clark County Area Uniform Standard Drawing* No. 226.
31. Unless expressly, authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
32. This development shall comply with the Multifamily Development Standards including, but not limited to:
  - a. A minimum of 85,600 square feet of open space, unless otherwise increased, to be identified on an Open Space exhibit, subject to review and approval by staff prior to submittal of any construction-related documents.
  - b. Balcony areas which are a minimum of 40 square feet in size.
  - c. Patio areas which are a minimum of 80 square feet in size.
  - d. Landscaped buffers a minimum of 20 feet in width along all interior property lines.
  - e. "Left and Right" building elevations revised to match "Front and Rear Elevations."
  - f. All required landscaping between the public streets and the perimeter wall or view fence.
  - g. No building greater than one story within 50 feet of the western or northwestern property lines.
  - h. Meandering sidewalks separated from the backs-of-curb by a minimum five feet of landscaping.
  - i. No utility panels shall be visible from adjacent rights-of-way or properties.
  - j. Clearly defined parking areas with no more than 80 spaces per area.
  - k. Site design that encourages and allows for easy/convenient pedestrian access to North 5<sup>th</sup> Street, Dorrell Lane, Deer Springs Way and public transportation.
  - l. One trash collection facility within 300 feet of each unit.
33. All internal pedestrian crossings, as identified on the site plan (date-stamped March 20, 2007), shall be constructed of stamped and colored concrete, and/or pavers.
34. In accordance with the Parking Study Acceptance Letter dated March 26, 2007, from CNLV Transportation Services Administrator, a minimum 363 non-tandem parking spaces shall be provided.

35. The Clubhouse shall be reserved exclusively for the recreational use and enjoyment of the residents. A maximum 300 square feet may be used for a management and/or leasing office, but that square footage may not be counted toward the open space calculations. If the space is used as an office, then a minimum three (3) additional parking spaces shall be provided and the Open Space Plan shall be modified accordingly.
36. A decorative block wall, between six and eight feet in height, is required along the western property line.
37. Decorative pilasters shall be provided for any span of wrought-iron fence greater than 25 feet, or at any location where the fence deviates from a straight line. Concrete capstones shall be provided atop each pilaster.
38. If VN-11-07 is not approved, this site plan shall be considered null and void.
39. The applicant shall provide written verification from the Clark County Department of Health that the proposed garbage collection plan, including a contingency plan, is acceptable. The written verification shall be provided in conjunction with the pre-submittal materials required prior to submittal of the improvement plans.
40. The applicant shall provide written verification from Republic Services that the proposed garbage collection plan, including a contingency plan, is acceptable. The written verification shall be provided in conjunction with the pre-submittal materials required prior to submittal of the civil improvement plans.
41. No balconies of any residential unit within fifty feet of the western property line shall face, or be within 20 feet of, the western property line.
42. Open space area design and amenities provided for this development shall be subject to review and approval by the Parks Department prior to submittal of any construction-related documents, and the following list of amenities shall be provided as a minimum:
  1. Circuitous lighted paths and fitness course;
  2. A minimum of twenty 24-inch box trees per acre;
  3. At least 2 differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada (2 play structures total);
  4. A minimum of 963 square feet of total swimming pool area with accompanying restrooms, drinking fountain, decking, barbecue areas, and shade structures at each location and a minimum of one clubhouse/cabana;

5. A minimum of one fitness facility;
  6. Shaded group picnic areas at a minimum of two different locations (including the designated pool area), which generally include picnic table(s), barbecue grill(s), and trash receptacle(s). At least one of these picnic areas shall include a 30' diameter, lighted shade structure that can accommodate a large group gathering;
  7. At least one large open space area for group/organized play;
  8. Benches spaced along pathways;
  9. Bicycle racks at 1-2 different locations;
  10. Dog stations at grassy areas;
  11. ADA accessibility; and
  12. Details of amenities to be provided.
43. A looped water system may be required in the 2027 pressure zone, subject to review and approval of the Utilities Department. This requires a full frontage extension in Deer Springs Way, as well as an extension south in Goldfield Street to Rome Boulevard.
44. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
45. Turning radii along the fire access lane shall be designed in accordance with 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.)
46. The applicant shall comply with all requirements set forth in the attached memorandum from the Police Department.

**Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89169** appeared on behalf of the applicant stating R-4 allowed for 50 dwelling units per acre and the proposed site plan showed 21.4 dwelling units per acre, which was about the most you could get abiding by the Code, without requesting any waivers. The project met or exceeded the open space requirements. They looked at asking for a parking waiver, which was applied for and they had worked with the Traffic Department who was recommending approval of the traffic reduction on the property. Mr. Gronauer explained they were no longer asking for a variance because the building was moved, so a variance was no longer necessary. He explained there was one trash compactor located in the northwest corner of the site, and trash pick-up would be provided five to seven times per week at night and there would be a designated area for the garbage to be left. Condition Nos. 39 and 40 would safeguard

the use of the Trash Compactor as it would require approval by the Clark County Health District and Republic Services. If the system failed, they could be required to provide trash enclosures for the project. He asked for a waiver for residential adjacency standards, as code required it to be 50 feet away, as the building did not have balconies but only had small ventilation windows. He agreed to add additional architectural enhancements or embellishments to the building, which would tie into the landscape waiver being requested, and they would put mature trees in the 15 foot wide area. They were providing 10 foot of landscaping in that area and 10 foot of landscaping with double the amount of trees next to the DR Horton project instead of the 20 feet required.

Chairman Steve Brown explained he was familiar with a complex in California that had a trash compactor and the only disadvantage he noticed, was that you could not take your own trash to the compactor.

Commissioner Dilip Trivedi felt the trash compactor and trash valet service was a good idea but was not sure how it would work. Mr. Gronauer explained there would be a designated time to put the trash out for pick-up.

Commissioner Trivedi also asked if the property owner to the west was agreeable to the requested decrease in landscaping on the west side of the project. Mr. Gronauer responded the DR Horton project to the west was agreeable to the 10 feet of landscaping with an increase in the number of trees.

Chairman Brown was concerned about the 15 foot area between the end of the building and the fence with dense landscaping and it becoming a hiding area and asked if there was a way to prevent that. Mr. Gronauer stated he would work with the Police Department on that issue. He explained on other projects they had put a wrought iron fence at both ends, so, essentially, it was a landscape garden with trees and landscaping and prohibited people from being in that area.

Chairman Brown asked Staff if Code allowed a 40 foot high building 15 feet from the wall. Mr. Hoyes responded that was one of the stipulations Mr. Gronauer was asking for a waiver of the design standards. The Design Standards require that no building greater than one story be within 50 feet of a single-family residential property line and he was asking that one of the buildings be allowed to be less than 15 feet. Mr. Gronauer stated the building was 33 ½ feet high. Mr. Hoyes suggested, instead of enclosing the area between the building and block wall with wrought iron fencing, that the area be landscaped either with low shrubs and properly located trees and indicated the issue could be addressed during the review of the landscape plans.

Robert Eastman, Principal Planner stated he had some amended language to the conditions to address some of the applicant's concerns.

Mr. Hoyes stated Condition No. 32.d could be amended to read: "Landscape buffers a minimum of 10 feet in width along all interior property lines which shall be provided with 36" box trees spaced not great than 20 feet on center and 80 percent ground coverage". Mr. Jordan stated Condition No. 32.g would be amended to read: "No building greater than one story within 50 feet of the western or northwestern property lines with the exception of the building located adjacent to Deer Springs Way and nearest the westerly property lines shall maintain a 15 foot set-back for the residential building". Mr. Eastman stated Condition No. 32.l would read: "One trash collection facility within 300 feet of each unit shall be provided if Clark County Health District, City of North Las Environmental or Republic Services does not approve the proposed garbage collection plan". Mr. Hoyes stated Condition No. 38 would be amended to read: "If VN-11-07 is not approved, or the site plan is not amended to comply with all set-back requirements, this site plan shall be considered null and void" and Condition No. 41 could be deleted.

Mr. Gronauer was in concurrence with the recommended changes to the conditions.

**ACTION:** APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS IN REVISED MEMORANDUM DATED MARCH 28, 2007 WITH CONDITION NO. 41 DELETED AND CONDITION NOS. 32.D, G, AND L AND CONDITION NO. 38 AMENDED TO READ:

- 32.D. LANDSCAPED BUFFERS A MINIMUM OF 10 FEET IN WIDTH ALONG ALL INTERIOR PROPERTY LINES, WHICH SHALL BE PROVIDED WITH 36" BOX TREES SPACED NOT GREATER THAN 20 FEET ON CENTER AND 80% GROUND COVERAGE.
- 32.G. NO BUILDING GREATER THAN ONE STORY WITHIN 50 FEET OF THE WESTERN OF NORTHWESTERN PROPERTY LINES, WITH THE EXCEPTION OF THE BUILDING LOCATED ADJACENT TO DEER SPRINGS WAY AND NEAREST THE WESTERLY PROPERTY LINE SHALL MAINTAIN A 15 FOOT SET-BACK FOR THE RESIDENTIAL BUILDING.
- 32.L. ONE TRASH COLLECTION FACILITY WITHIN 300 FEET OF EACH UNIT SHALL BE PROVIDED IF CLARK COUNTY HEALTH DISTRICT, CITY OF NORTH LAS VEGAS ENVIRONMENTAL, OR REPUBLIC SERVICES DOES NOT APPROVE THE PROPOSED GARBAGE COLLECTION PLAN.

38. IF VN-11-07 IS NOT APPROVED, OR THE SITE PLAN IS NOT AMENDED TO COMPLY WITH ALL SET-BACK REQUIREMENTS, THIS SITE PLAN SHALL BE CONSIDERED NULL AND VOID.

FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

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

38. **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. (CONTINUED MARCH 14, 2007)**

It was requested by the applicant to continue SPR-16-07 to April 11, 2007.

ACTION: CONTINUED TO APRIL 11, 2007

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**PUBLIC FORUM**

There was no public participation.

**DIRECTOR'S BUSINESS**

There was no report given.

**CHAIRMAN'S BUSINESS**

There was no report given.

**ADJOURNMENT**

The meeting adjourned at 9:45 p.m.

APPROVED: April 25, 2007

/s/ Steve Brown  
Steve Brown, Chairman

Jo Ann Lawrence  
Jo Ann Lawrence, Recording Secretary