MINUTES
CITY OF NORTH LAS VEGAS
PLANNING COMMISSION

May 11, 2011

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

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

ROLL CALL:
Chairman Dilip Trivedi - Present
Vice-Chairman Steve Brown - Present
Commissioner Dean Leavitt - Present
Commissioner Jay Aston - Present
Commissioner Jo Cato - Present
Commissioner Laura Perkins - Present
Commissioner Joseph DePhillips - Present

STAFF PRESENT:
Frank Fiori, Community Development Director
Marc Jordan, Planning Manager
Robert Eastman, Principal Planner
Sandra Morgan, Deputy City Attorney
Jennifer Doody, Development & Flood Control
Eric Hawkins, Public Works, Traffic
Carolyn White, Police Department
Doug Bergstrom, Utilities Department
Jo Ann Lawrence, Recording Secretary

WELCOME: Chairman Dilip Trivedi

VERIFICATION: Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE: Commissioner Joseph DePhillips

PUBLIC FORUM

There was no public participation.

MINUTES

- **APPROVAL OF MINUTES FOR THE SPECIAL PLANNING COMMISSION MEETING OF MARCH 30, 2011**

ACTION: APPROVED

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

Item No. 10 was heard next.

NEW BUSINESS

1. UN-34-11 (42990) NEW ANTIOCH CHRISTIAN FELLOWSHIP (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NEW ANTIOCH CHRISTIAN FELLOWSHIP ON BEHALF OF NORTH VALLEY ENTERPRISES, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN MPC/C-P, MASTER PLANNED COMMUNITY/PROFESSIONAL OFFICE COMMERCIAL DISTRICT TO ALLOW A CHURCH. THE PROPERTY IS LOCATED AT 2600 NATURE PARK DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-20-501-007.

The application was presented by Robert Eastman, Principal Planner who explained the building was originally used as the main home finding center for Aliante and, consequently, was in conformance with the Aliante Commercial Design Standards. The site has 28 parking spaces, which is sufficient for the church as it was currently proposed; however, with growth, that parking may not be sufficient. The applicant has a reciprocal parking agreement with the commercial offices located to the northeast in the complex located adjacent to them on Nature Park Drive, therefore, adequate parking existed. The interior of the church would contain a main sanctuary area and a children's daycare/Sunday School area that would occupy what was previously the Coffee Bean and Tea Leaf location and the main sanctuary would be what was used for the home finding center. Based upon compliance with the Aliante Design Standards and the Development Agreement, Staff was recommending approval of UN-34-11 with the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.

2. The proposed church shall comply with all Aliante criteria including, but not limited to, the Aliante Commercial Design Guidelines and Aliante Master Sign Plan.

The applicant was not present for comment.

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

Chairman Trivedi closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

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

2. UN-30-11 (42927) K. O. TATTOO AND BODY PIERCING (PUBLIC HEARING). AN APPLICATION SUBMITTED BY WAYNE AND RUBY GETSINGER ON BEHALF OF RAQUEL D. OROZCO, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW A RETAIL COMMERCIAL USE (TATTOO PARLOR). THE PROPERTY IS LOCATED AT 3745 LOSEE ROAD, SUITE 4. THE ASSESSOR'S PARCEL NUMBER IS 139-11-601-004.

The application was presented by Marc Jordan, Planning Manager who explained the applicant was proposing to occupy approximately 1,000 square feet of a 7500 square foot building and it appeared the unit they were operating was designed as an office suite. Two cards were received, one in support and one in opposition to the application. Staff did not believe the use would be detrimental to the surrounding neighborhood and were recommending approval of UN-30-11 with the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.

2. That this facility shall be limited to one operator and a minimum three (3) parking spaces for each operator, unless otherwise provided to the City in writing that additional parking spaces will be allotted for Suite #4.

Commissioner Joseph DePhillips stated he would be abstaining, as he had performed work on the site.

Wayne and Ruby Getsinger, 3745 Losee Road #4, North Las Vegas, NV appeared on the application indicating they concurred with Staff recommendation.

Commissioner Dilip Trivedi opened the Public Hearing. There was no public participation.

Commissioner Trivedi closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

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

3. UN-32-11 (42974) TRUCK LUBE AND REPAIRS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NEVADA LUBES, LLC ON BEHALF OF RAILROAD VALLEY ENTERPRISES LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW AN AUTOMOBILE REPAIR FACILITY. THE PROPERTY IS LOCATED AT 3383 LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-11-413-002 THROUGH 139-11-413-005.

Item Nos. 3 and 4 were presented together.

The application was presented by Marc Jordan, Principal Planner who explained the building was approximately 7200 square feet and at one time was previously used for repair and washing of trucks and RV's and the applicant was proposing to re-establish the business. Access to the site would be available from an existing driveway on Colton Avenue and a proposed new driveway on Colton and possibly from Losee Road through cross-access easements that were possibly existing through the adjacent property. The applicant was proposing minimal on-site improvements. Staff was requesting the landscaping along Colton Avenue be improved with ground coverage and trees. If the applicant was proposing to have any outside storage of trucks, it would need to be screened. Part of the site was not paved, so any maneuvering of vehicles on an unpaved surface was not allowed. Two cards were received, one in support and one in opposition to the application. Two conditions were being added, which were in the Public Works Memorandum but were not added to the Staff Report. Condition No. 7 would be added to read: "Approval of a Traffic Study is required prior to submittal of the Civil Improvement Plans." And Condition No. 8 was added to read: "Appropriate mapping is required to combine the parcels. 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." Staff was recommending approval of UN-32-11 with the following conditions along with the addition of Condition Nos. 7 and 8 as read into the record:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.

2. All work shall be performed within a building.

3. All vehicles awaiting repairs or pick-up over night shall be stored inside a building, or properly screened in accordance with the requirements in Title 17.

4. All vehicle parking and maneuvering shall take place on a paved surface. Some form of physical barrier shall be provided to prevent vehicles from leaving the paved surface.

5. All existing landscape areas adjacent to Colton Avenue shall be brought into compliance with current Zoning Ordinance requirements. The applicant shall submit a landscape and irrigation plan with the building permit application packet. The landscape materials and irrigation system shall be installed, operable and inspected prior to the issuance of a Certificate of Occupancy or a Business License, whichever is first. An adequate number of shrubs shall be planted to provide a minimum 60% ground coverage (not including tree canopies) within two years of planting. Trees shall be planted and spaced according to the criteria (based on tree size) listed in the Zoning Ordinance (§17.24.205.J.3.)

6. A trash enclosure, designed with decorative block and a roof, shall be provided prior to the issuance of a Certificate of Occupancy or a Business License, whichever is first.

Steve Satkowiak, 3383 Losee Road, North Las Vegas, NV appeared on the application indicating he concurred with Staff recommendation except for Conditions Nos. 7 and 8. He did not understand why they needed the Traffic Study.

Eric Hawkins of Public Works explained this was a different type of use or a traffic study was not done with the original use at the proposed location. If it turned out there was a traffic study done previously, then the applicant could apply for a waiver.

Mr. Satkowiak explained their concern was that the building had been there since 1985 and was used for the same purpose. It had been closed for six months and they would not generate that much traffic to warrant going through the traffic study.

Mr. Hawkins suggested the applicant apply for a waiver.

Mr. Satkowiak asked the reason for combining the parcels.

Jennifer Doody of Public Works explained there was a parcel line going through one of the buildings and a building could not straddle a parcel line, so it had to be removed.

Mr. Satkowiak asked the cost involved with combining the parcels.

Ms. Doody suggested the applicant contact the Real Property Services Manager for that information.

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

Chairman Trivedi closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE ADDITION OF CONDITION NOS. 7 AND 8 AS FOLLOWS:

7. APPROVAL OF A TRAFFIC STUDY IS REQUIRED PRIOR TO SUBMITTAL OF THE CIVIL IMPROVEMENT PLANS.

8. APPROPRIATE MAPPING IS REQUIRED TO COMBINE THE PARCELS. 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.

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

4. UN-35-11 (42995) TRUCK WASH & DETAIL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NEVADA LUBES, LLC ON BEHALF OF RAILROAD VALLEY ENTERPRISES LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW AN AUTOMOBILE WASHING ESTABLISHMENT (HAND-WASH). THE PROPERTY IS LOCATED AT 3383 LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-11-413-002 THROUGH 139-11-413-005.

Item Nos. 3 and 4 were presented together.

The application was presented by Marc Jordan, Principal Planner who explained the building was approximately 7200 square feet and at one time was previously used for repair and washing of trucks and RV's. The applicant was proposing to re-establish the business. Access to the site would be available from an existing driveway on Colton Avenue and a proposed new driveway on Colton and possibly from Losee Road through cross-access easements that were possibly existing through the adjacent property. The applicant was proposing minimal on-site improvements. Staff was requesting the landscaping along Colton Avenue be improved with ground coverage and trees. If the applicant was proposing to have any outside storage of trucks, that they would need to be screened. Part of the site was not paved, so any maneuvering of vehicles on an unpaved surface was not allowed. One card was received in opposition to the application. Two conditions were being added, which were in the Public Works Memorandum but were not added to the Staff Report. Condition No. 6 would be added to read: "Approval of a Traffic Study is required prior to submittal of the Civil Improvement Plans." and Condition No. 7 was added to read: "Appropriate mapping is required to combine the parcels. 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." Staff was recommending approval of UN-35-11 with the following conditions along with Condition Nos. 6 and 7 above:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.

2. All work (e.g., washing, rinsing, etc.) shall be performed within a building.

3. All vehicle parking and maneuvering shall take place on a paved surface. Some form of physical barrier shall be provided to prevent vehicles from leaving the paved surface.

4. All existing landscape areas adjacent to Colton Avenue shall be brought into compliance with current Zoning ordinance requirements. The applicant shall submit a landscape and irrigation plan with the building permit application packet. The landscape materials and irrigation system shall be installed, operable and inspected prior to the issuance of a Certificate of Occupancy or a Business License, whichever is first. An adequate number of shrubs shall be planted to provide a minimum 60% ground coverage (not including tree canopies) within two years of planting. Trees shall be planted and spaced according to the criteria (based on tree size) listed in the Zoning Ordinance (§17.24.205.J.3.)

5. A trash enclosure, designed with decorative block and a roof, shall be provided prior to the issuance of a Certificate of Occupancy or a Business License, whichever is first.

Steve Satkowiak, 3383 Losee Road, North Las Vegas, NV appeared on behalf of the applicant indicating he concurred with Staff recommendation.

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

Chairman Trivedi closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE ADDITIONAL OF CONDITION NOS. 6 AND 7 AS FOLLOWS:

6. APPROVAL OF A TRAFFIC STUDY IS REQUIRED PRIOR TO SUBMITTAL OF THE CIVIL IMPROVEMENT PLANS.

7. APPROPRIATE MAPPING IS REQUIRED TO COMBINE THE PARCELS. 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.

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

5. UN-31-11 (42957) COLLISION AUTHORITY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY COLLISION AUTHORITY ON BEHALF OF CRAIG PAD PARTNERS LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW AN AUTOMOBILE REPAIR FACILITY. THE PROPERTY IS LOCATED NORTH OF CRAIG ROAD APPROXIMATELY 600 FEET EAST OF BERG STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-01-211-004.

The application was presented by Marc Jordan, Planning Manager who explained the applicant was proposing to build a new facility slightly less than 20,000 square feet and would have approximately 14 bays for the repair of vehicles. In reviewing the application, the applicant was proposing a building that was approximately 28 feet tall and would be constructed primarily of CMU split face block with some smooth face block as a band that would wrap around the top of the building, particularly, that band with smooth face would not comply with the preferred materials, so Staff recommended a condition requiring it to be changed out with a material that would comply with the Design Standards. In reviewing the building, the applicant was proposing some wainscoting on the front of the building that Staff would like to see wrapped around the rest of the building that faced north and part of the building that faced west because that was where the existing hotel and the new hotel and other commercial businesses being built were located and it would tie the building in with the surrounding businesses. There was some foundation landscaping being required, otherwise the site was okay. The site plan was amended and a Memorandum dated May 11, 2011 was distributed to the Commission. The applicant revised the site plan in order to comply with many of the items addressed in the original Staff Report. The primary issue was moving the building further to the west, which was to help preserve the utility easement on the east side of the property and still allow the applicant to have a secured storage yard without any structures such as a block wall being built within the easement. As part of the request, the applicant was requesting that the landscaping along Craig Road be waived. Normally there was a 20 foot landscape requirement and Staff was supporting the request with the exception they would like to see trees planted 20 feet on center. Mr. Jordan explained Staff was supporting the request as it was part of the Craig Road overpass, which was elevated from the property, so any landscaping on the ground would not be visible and the trees would help screen the storage yard from view. Staff was recommending approval of UN-31-11 with the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.

2. That all work shall be performed within the building, including the washing of automobiles.

3. Should outside storage of automobiles be desired, such storage shall be confined to the south and east sides of the building. Screening shall be provided in accordance with Title 17 requirements.

4. All access to the roof shall be from within the building. Exterior roof ladders are prohibited.

5. The applicant shall comply with the Industrial Development Standards, including, but not limited to the following:

   a. A minimum six (6) feet of landscaping shall be provided in front of the building where the offices and customer entrance are proposed.

   b. With the exception of the automobile storage area, six (6) foot wide landscaped islands shall be provided at the end of all parking rows, for every 15 parking spaces contained within a row of parking, and on each side of the trash enclosure. These islands shall be landscaped in accordance with Title 17 landscaping requirements.

   c. A “column” feature shall be provided at each corner of the building, and shall wrap around each corner. Additionally, a “column” shall be provided and evenly spaced along all elevations of the building at approximately 50 feet on-center.

   d. A cornice element shall be provided around the entire building.

   e. The accent band around the building shall utilize a contrasting material that complies with the preferred materials.

   f. The stone veneer wainscoting provided at the front entrance shall also be provided along the entire north and west elevations of the building.

   g. Landscaping adjacent to Craig Road shall consist of 9' X 10' planters spaced at 20 feet on center. Each planter shall consist of one (1) 24-inch box tree.

6. There is an existing Public Utility Easement along the east side of the subject property. No buildings or other structures may be constructed within 15 feet of the existing 27 inch sewer main. No trees will be allowed within 10 feet of the existing sewer main. Landscaping must consist of small, low root shrubs only.

7. This development shall comply with the City of North Las Vegas Municipal Code - Title 15 and 16, NRS 278 and accepted Clark County Area Uniform Standard Drawings.

Dan Coletti, 2575 Montessouri Street, Suite 200, Las Vegas, NV 89117 appeared on behalf of the applicant adding that since the plans were submitted with the CMU block, they had considered using a stucco veneer, a smooth texture as suggested. He was agreeable

to adding trees along Craig Road, but Condition No. 5.G read so that the planters were nine feet by ten feet and he requested that the planters be triangular shaped and more around four or five feet so that parking could be saved and they would install 24-inch box trees.

Mr. Jordan recommended that Condition No. 5.G be amended to read: "Landscaping adjacent to Craig Road shall consist of planters spaced at 20 feet on center. Each planter shall consist of one (1) 24-inch box tree." He explained Staff wanted to be sure whatever size planter was installed, was of sufficient size that could contribute to the growth and health of the tree.

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

Chairman Trivedi closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS IN MEMORANDUM DATED MAY 11, 2011 WITH CONDITION NO. 5.G AMENDED TO READ:

5.G. LANDSCAPING ADJACENT TO CRAIG ROAD SHALL CONSIST OF PLANTERS SPACED AT 20 FEET ON CENTER. EACH PLANTER SHALL CONSIST OF ONE (1) 24-INCH BOX TREE.

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

6. UN-33-11 (42976) MR. WILLY'S CHICKEN & FISH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CLOUD 2000 INSURANCE TRUST, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT. THE PROPERTY IS LOCATED AT 3330 LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-11-801-006.

The application was presented by Marc Jordan, Planning Manager who explained in 2004 the Commission approved a use permit for a convenience food restaurant at the proposed location, which has been closed for approximately two years and the applicant was proposing to reestablish a convenience food restaurant within the area. The site had not changed from the original site plan review and was in conformance with the conditions of approval at the time. One card was received in support of the application. Staff has no objection and was recommending approval of UN-33-11 with the following condition:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.

Mike Del Fante, 8820 West Verde Way, and David Durriseau, 3330 Losee Road, North Las Vegas, NV appeared on the application indicating they concurred with Staff recommendation.

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

Chairman Trivedi closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

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

7. UN-36-11 (43006) THE GROVE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY KAMROS HOLDINGS LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT. THE PROPERTY IS LOCATED AT 445 WEST CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-03-311-016.

Chairman Dilip Trivedi indicated he would be abstaining as he had involvement with the project.

Chairman Trivedi left Chambers at 6:24 p.m.

The application was presented by Marc Jordan, Planning Manager who explained the commercial center was existing and the applicant was proposing to convert the end suite on the western side into a convenience food restaurant and as part of the improvement, they were proposing to remove part of the pedestrian plaza area to incorporate a drive-through lane. In reviewing the application, Staff recommended the palm trees being removed be moved to the landscape median between the drive-through lane and the drive isle. Also, to help protect pedestrians from accessing the drive-through lane, Staff was requesting a landscape planter also be installed within the redesign of the pedestrian plaza area. The planter could be either ground level or raised and would serve as a barrier that would prevent people from walking or stumbling into the drive-through lane. Since the original writing of the Staff Report, the applicant submitted a revised site plan where they reconfigured the drive-through lane, which met the requirements Staff was looking for, to provide five automobile stacking spaces from the order board without encroaching either into the drive-through isle or a pedestrian lane or access pathway that would go through there. Staff was recommending approval of UN-36-11 with Condition No. 4 amended to read: "A minimum 1,000 square feet of plaza shall be maintained for the shopping center." He explained the reason for changing it from 1,500 to 1,000 was due to the changes made on the revised site plan. The applicant was still providing more pedestrian plaza than normally required. The original recommended conditions are as follows:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.

2. The median separating the drive-through lane from the drive aisle shall be landscaped with a minimum ground coverage of 60 percent. Said ground cover shall reach a mature height within two years of planting.

3. The three (3) existing palm trees shall be removed and replanted within the landscaped median separating the drive-through lane from the drive aisle.

4. A minimum 1,500 square feet of plaza area shall be maintained for the shopping center.

5. In addition to complying with other landscaping requirements for plaza spaces, a planter with a minimum width of four (4) feet shall be planted within the plaza area adjacent to the drive-though lane. The planter area may be ground level or within a planter box not to exceed a height of 2.5 feet.

6. A barrier shall be provided (e.g., fence railing, above ground planter, etc.) to prevent pedestrians' from accessing the drive-through lane from the plaza area.

7. A raised pedestrian walkway shall be provided within the drive-through lane to connect the pedestrian connection to the plaza area. The pedestrian connection to the plaza area shall not be in conflict with the landscaping located within the plaza area.

8. The traffic study shall demonstrate the maneuvering of a passenger vehicle, as defined by the American Association of State Highway and Transportation Officials (AASHTO), into the drive-through from all directions.

9. The drive-through shall accommodate a minimum of five (5) stacking/queuing spaces as measured from the order board, and shall not intrude into any drive aisle or pedestrian cross walk.

Stephanie Allen of Kaempfer Crowell Renshaw Gronauer & Fiorentino, 8345 West Sunset Road #250, Las Vegas, NV 89113 appeared on behalf of the applicant indicating she concurred with Staff recommendation.

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

Vice-Chairman Brown closed the Public Hearing.

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

4. A MINIMUM 1,000 SQUARE FEET OF PLAZA SHALL BE MAINTAINED FOR THE SHOPPING CENTER

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

Chairman Dilip Trivedi returned to Chamber at 6:28 p.m.

8. SPR-01-10 (42956) CIVIC CENTER NURSERY. AN APPLICATION SUBMITTED BY REED HINKELMAN, PROPERTY OWNER, FOR AN EXTENSION OF TIME FOR AN EXISTING SITE PLAN REVIEW IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW A 15 FOOT PERIMETER LANDSCAPE AREA ALONG CIVIC CENTER DRIVE AND A FIVE (5) FOOT PERIMETER LANDSCAPE AREA ALONG I-15 WHERE 20 FEET IS THE MINIMUM REQUIRED. THE PROPERTY IS LOCATED ON CIVIC CENTER DRIVE APPROXIMATELY 658 FEET NORTH OF BRANSON AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-12-103-006.

The application was presented by Marc Jordan, Planning Manager who explained the applicant had requested waivers to the Design Guidelines. A waiver to reduce the landscaping along Civic Drive from 20 feet to 15 feet and also along I-15 from 20 feet to 5 feet and also to allow some above-ground planter pots instead of foundation landscaping for their proposed building. Because the site was small and had an irregular shape, Staff was in support of the waivers and were recommending approval of a one year extension of time for SPR-01-10 with 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 a painted stucco exterior finish shall be provided for the pre-manufactured modular building and the exterior finish shall include a neutral earth tone color that will comply with Title 17 requirements.

3. That perimeter landscaping shall be provided along Civic Center Drive and maintain a 15 foot width which may include the sidewalk as measured from back of curb. The perimeter landscaping shall include trees of a larger tree variety, trees which will reach a height of 15 feet or greater at maturity, spaced at intervals of 20 feet along with vegetative ground covers that will provide 60% coverage at maturity within the perimeter landscaping area.

4. That the installation and 20 foot spacing of a larger tree variety shall be extended along the eastern property line between Civic Center Drive and the northwestern property line which abuts Interstate 15.

5. That the landscaped buffer along the northwestern property line which abuts Interstate 15 shall be a minimum width of five feet and include trees of a larger tree variety, trees which will reach a height of 15 feet or greater at maturity, spaced at intervals of 20 feet.

6. That the use of raised planters or irrigated pots for foundation landscaping along the sales office's facade containing patron entrances shall be allowed in lieu of the required foundation landscaping planter width of six feet where customer parking abuts building facades containing patron entrances.

7. That the storage of any non-vegetative landscaping materials on the site shall be screened from public view by vegetative landscaping materials or a 100% opaque decorative wall that is eight feet in height.

8. That should Assessors Parcel Numbers 139-12-103-006 and 139-12-103-041 be consolidated via mapping and/or the dedication and construction of the westerly half of Civic Center Drive along APN: 139-12-103-041 occur, then the applicant shall extend the perimeter landscaping along Civic Center Drive and the landscaped buffer along the northwestern property line of APN: 139-12-103-041 as stipulated in Condition Numbers 3 and 5 above and Condition No. 4 will not be required.

9. That SPR-01-10 shall expire on March 24, 2012.

10. Approval of a drainage study is required prior to submittal of the civil improvement plans.

11. Construction of the westerly half of Civic Center Drive is required along APN 139-12-103-006 per the Master Plan of Streets and Highways and City of North Las Vegas Municipal Code section 16.24.100.

12. Approval of a traffic study is required prior to submittal of the civil improvement plans. The study shall include a supplement identifying the storage area and a circulation plan for the maneuvering of vehicles on-site.

13. The civil improvement plans shall include schedule 40 PVC Fiber optic conduit along Civic Center Drive.

14. A minimum of 20 feet shall be provided between the gate and the curb face.

Brian Wolf, 1132 Gate Dancer Avenue appeared on behalf of the property owner indicating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

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

9. SPR-08-10 (42998) ADESA LAS VEGAS. AN APPLICATION SUBMITTED BY ADESA, INC., ON BEHALF OF MELDRUM GERALDINE ANN AND MELDRUM FAMILY TRUST AND FLOYD A. & GERALDINE MELDRUM FAMILY TRUST FOR AN AMENDMENT TO A PREVIOUSLY APPROVED SITE PLAN REVIEW IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO REQUEST WAIVERS FROM THE INDUSTRIAL DESIGN GUIDELINES TO EXCEED THE HEIGHT OF LIGHT POLES FROM 20 FEET TO 55 FEET AND NOT TO PROVIDE PARAPETS FOR THE MECHANICAL EQUIPMENT LOCATED ON ROOF TOPS. THE PROPERTY IS LOCATED AT 801 EAST GOWAN ROAD AND 1000 EAST GOWAN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-11-201-004 AND 139-11-202-001.

The application was presented by Marc Jordan, Planning Manager who explained the application was an amendment to the previously approved site plan review. The applicant was requesting two additional waivers for the development of the Center. The first waiver was to allow light poles 55 feet in height and the second waiver was to allow roof mounted mechanical equipment to be visible from adjacent right-of-ways. Staff was not supporting the request to allow 55 foot high light poles, as light poles that tall would require the applicant to install a bright light that would provide the safety and security of lighting levels throughout the site; however, would recommend the Commission approve 30 foot tall poles rather than 20, which would be consistent with the adoption of the future Zoning Ordinance, which was presented at the April 27, 2011 Planning Commission Meeting. Regarding screening of the roof mounted mechanical equipment, Staff believed it was justified, as the site had existing buildings. The site was previously utilized as outdoor manufacturing for trusses and the applicant was proposing to use some of the existing buildings as part of their new development. Staff had no objections to the screening on the existing buildings as it was felt it might be difficult to retrofit them and the applicant indicated they planned to soften the visual effects of the roof mounted equipment; however, as part of the development, the applicant had a new building on the site that complied with the Design Standards. Staff was requiring screening of the mechanical equipment on the proposed new building. Staff was recommending approval of SPR-08-10 with 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 Industrial Development Standards, including but not limited to the following:

    a. Foundation landscaping, a minimum of six (6) feet in width, in conjunction with a five (5) foot sidewalk is required for any customer entrance which exits into a parking area.

b. A minimum of five (5) feet of landscaping in conjunction with a five (5) foot sidewalk shall be provided along Gowan Road. Landscape areas must be planted with approved trees every 15 feet and a minimum of 60% ground coverage that can be achieved within two (2) years from the time a final inspection is issued. Landscape plans shall be submitted for staff review and approval.
c. All bay doors facing the right-of-way shall be screened from view with a decorative block wall or intensive landscaping.
d. The light poles for this site may be up to 30.00' in height.
e. The roof-mounted mechanical equipment shall be screened in accordance with the requirements set forth in Title 17 for all new buildings/structures (i.e., "Building E" aka "Arena Building" on the approved site plan). The screening of roof-mounted mechanical equipment shall be waived for buildings/structures that existed prior to October 13, 2010 (i.e., "Buildings A, B, C and D" on the approved site plan).

3. A decorative block wall, matching the existing block wall, a minimum six (6) feet in height, shall be provided along Gowan Road.

4. Approval of a drainage study is required prior to submittal of the civil improvement plans.

5. Approval of a traffic study is required prior to submittal of the civil improvement plans.

6. If not already on file, the property owner shall grant a roadway easement for the commercial driveways.

7. Appropriate subdivision and/or parcel mapping may be 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.

8. Fire access lanes shall be marked to prohibit parking in accordance with the fire code.

Kurt Roland, 1000 Gowan Road, Las Vegas, NV and John Hamilton of JHR Associates, 4880 West University Avenue, Las Vegas, NV 89103 appeared on behalf of the application. Mr. Roland explained they provided a line of site study that showed the highest point you would see a three foot view down to about six inches. He felt adding additional screening would detract from the looks of the building. He also explained there were four existing 55 foot light poles on the site and their goal was to match those poles and they were still falling within the guidelines for their photo metrics for the perimeter .5

foot candles, which was the code compliance. Their intent was to not install as many lights and stay with the existing lights on site at the 55 foot height.

Vice-Chairman Steve Brown did not see a problem with having 55 foot light poles as long as the light was not excessive. He asked for clarification on the mechanical screening if they were in agreement with Staff recommendation or if they were going beyond that.

Mr. Roland responded they proposed that the existing screening under the existing design, with the two foot parapets, as shown on the line of site study and the documents, meet the requirements without providing the single screening around the units.

Vice-Chairman Brown asked for Staff in-put.

Mr. Jordan indicated there was a change in the proposed Zoning Ordinance regarding screening of mechanical equipment. The site plan presented by the applicant would meet the new requirements, so he proposed that the first sentence of Condition No. 2.e be amended to read: "The roof-mounted mechanical equipment shall be screened within 100 feet from the property lines for all new building structures,(i.e., "Building E", aka "Arena Building", on the approved site plan)", and the other sentence would remain.

Chairman Trivedi asked if the screening was okay or not.

Mr. Jordan responded based upon the site plan, they would comply with the condition.

Mr. Hamilton clarified they were not trying to get away from screening entirely. The building was large and the concern was that the mechanical units were large and they had a parapet screening, but a portion of the mechanical unit would be visible. When looking at the building from the street, most of it would be screened and it was dependent on the angle of view. They were screening to the extent practical to keep the property aesthetically pleasing.

Chairman Trivedi asked if the parapet was being wrapped around the west side of the building.

Mr. Hamilton responded they were not. The screening was on the south side of the building. With the grade difference on Gowan Road and North 5th Street, the equipment would always be visible.

Chairman Brown asked about the side view that would be seen from the front and asked if there would be screening in front of it and if it was visible from any street or just from the property.

Mr. Roland responded the side would be visible from Gown Road at North 5th Street.

Mr. Jordan clarified Staff was not requesting the equipment be screened from North 5th Street. They were requesting it be screened within 100 feet of the property line and the building being proposed, was closer to Bruce Street and was probably a quarter of a mile from North 5th Street. They also recognize when there were rights-of-ways that were elevated, it was practically impossible to screen roof-mounted equipment, because, no matter how tall the parapet was, it would be visible. Staff was requesting the roof mounted equipment be screened within 100 feet of the property to bring it into compliance with the current Design Standards.

Commissioner Laura Perkins suggested they paint the units that would be visible.

Commissioner Jay Aston was in support of what was presented by the applicant.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NOS. 2.D AND 2.E AMENDED AS FOLLOWS:

2.D. THE LIGHT POLES FOR THIS SITE MAY BE UP TO 55' IN HEIGHT.

2.E. THE ROOF-MOUNTED MECHANICAL EQUIPMENT SHALL BE SCREENED IN ACCORDANCE WITH THE PLANS AS SUBMITTED BY THE APPLICANT.

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

Item No. 12 was heard next.

10. SPR-03-11 (42951) ALIANTE PARCELS 31A, 31B, AND 31C. AN APPLICATION SUBMITTED BY PARDEE HOMES OF NEVADA, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN MPC R-1, MASTER PLANNED COMMUNITY SINGLE FAMILY RESIDENTIAL DISTRICT TO ALLOW A WAIVER FROM THE ALIANTE'S CORNER SIDE LANDSCAPING REQUIREMENTS. THE PROPERTY IS LOCATED SOUTH OF NATURE PARK DRIVE EAST OF ALIANTE PARKWAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-16-411-002, 124-16-411-005, 124-16-411-025, 124-16-411-031, 124-17-813-012, 124-17-813-013 AND 124-21-112-057, 124-20-513-014, 124-20-513-015, 124-20-513-019, 124-20-513-020, 124-20-513-022, 124-20-513-023, 124-20-513-025, 124-20-513-026, 124-20-513-027,124-20-513-050, 124-20-513-052, 124-20-513-056, 124-21-112-005, 124-21-112-017, 124-21-112-021, 124-21-112-022, 124-21-112-030 AND 124-21-112-046.

Item Nos. 10 and 11 were heard together.

It was requested by the applicant to continue SPR-03-11 to July 13, 2011.

ACTION: CONTINUED TO JULY 13, 2011

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

11. SPR-04-11 (42953) ALIANTE PARCELS 30A AND 30B. AN APPLICATION SUBMITTED BY PARDEE HOMES OF NEVADA, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN MPC R-1, MASTER PLANNED COMMUNITY SINGLE FAMILY RESIDENTIAL DISTRICT TO ALLOW A WAIVER FROM THE ALIANTE'S CORNER SIDE LANDSCAPING REQUIREMENTS. THE PROPERTY IS LOCATED ON THE NORTHWEST CORNER OF CLAYTON STREET AND DEER SPRINGS WAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-20-512-003, 124-20-512-023, 124-20-513-039, 124-20-512-051, 124-20-512-052, 124-20-512-059, 124-20-512-060, 124-20-613-003, 124-20-613-012, 124-20-613-013, 124-20-613-038, 124-20-613-044, 124-20-613-052, 124-20-613-054, 124-20-613-060, 124-20-613-063, 124-20-613-067, 124-20-613-077, 124-20-613-078, 124-20-613-087, 124-20-613-088 AND 124-20-613-097.

Item Nos. 10 and 11 were heard together.

It was requested by the applicant to continue SPR-04-11 to July 13, 2011.

ACTION: CONTINUED TO JULY 13, 2011

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

Item No. 1 was heard next.

12. SPR-05-11 (43008) DECATUR & TROPICAL SIGN. AN APPLICATION SUBMITTED BY M GRAPE LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-2, GENERAL COMMERCIAL DISTRICT FOR A WAIVER TO ALLOW FOR INCREASED NUMBER OF FREESTANDING SIGNS, INCREASED SIGN AREA AND INCREASED SIGN HEIGHTS, THREE (3) FREESTANDING SIGNS WHEN ONE (1) IS THE MAXIMUM ALLOWED; IN ADDITION THE APPLICANT IS REQUESTING A WAIVER TO ALLOW A 25-FOOT HIGH FREESTANDING SIGN ALONG DECATUR BOULEVARD WHERE AN 18-FOOT FREESTANDING SIGN IS THE MAXIMUM HEIGHT ALLOWED AND A 25-FOOT FREESTANDING SIGN ACROSS FROM RESIDENTIAL WHERE AN EIGHT (8) FOOT HIGH MONUMENT SIGN IS THE MAXIMUM HEIGHT ALLOWED. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF TROPICAL PARKWAY AND DECATUR BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 124-30-204-001.

The application was presented by Robert Eastman, Principal Planner who explained on February 9, 2011, the Commission approved a special use permit for a convenience food store with gas pumps and this application would be the associated signage for that use. Originally, the applicant requested four free standing signs; however, one sign was not on the same parcel and was classified as an off-premise sign and was withdrawn from the application. The current request was for three signs, one located along Decatur Boulevard and two located along Tropical Parkway. The sign along Decatur Boulevard would be 25 feet tall and one of them along Tropical Parkway would be 25 feet tall and the third would be an eight foot tall monument sign. The total sign area for all three signs, under normal circumstances, would be 125 square feet, as only one sign would be allowed for the size of the development. However, the applicant was proposing approximately 335 square feet in sign area when combining the three signs. The maximum sign height for the size of the proposed commercial development would be 18 feet along Decatur Boulevard and eight feet along Tropical Parkway, which was because it was across the street from residential development. It appeared, based upon the application and the site plan, that the applicant's request for waivers or the thought was that the convenience food store with gas pumps would be used as an anchor tenant or the beginning of what would be considered a directory sign for a larger commercial development; however, the site was relatively small and later, if a larger commercial development was in place, the ARCO could be on the sign, but the directory sign did not need to come prior to the actual development of the commercial center; therefore, Staff's opinion was that the ARCO should be limited to what was allowed in the Sign Code, which was one sign with a maximum of 18 feet in height and 125 square feet in area; therefore, Staff was recommending denial of SPR-05-11. Should

the Commission determine approval was warranted, the following conditions were recommended:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances, including but not limited to all attached departmental memoranda.

2. The development of this site shall be in compliance with the conditions of UN-09-11 and UN-08-11.
3. The design, materials, construction, spacing and placement of all signs advertising the convenience store with gas pumps and car wash (UN-09-11 and UN-08-11) shall be in compliance with all requirements set forth in Title 17, unless otherwise waived herein.

4. That the freestanding sign adjacent to Decatur Boulevard for the convenience store with gas pumps and car wash be allowed to:

    a. have an overall height of 25.00 feet; and
    b. have up to 135 square feet of sign area.

5. That the freestanding monument sign adjacent to Tropical Parkway directly south of the convenience store be limited to:

    a. Eight feet (8.00') in height; and
    b. No more than 55 square feet of sign area.

6. That the freestanding sign adjacent to Tropical Parkway for the convenience store with gas pumps and car wash be allowed to:

    a. have an overall height of 25.00 feet; and
    b. have up to 135 square feet of sign area; and
    c. be located on the north side of Tropical Parkway and shall be constructed after the design for the Centennial Parkway - Tropical Parkway intersection is finalized.

7. Any sign that becomes, or would become, an off-premise sign through the mapping process (e.g., subdivision, parcel map, lot-line-adjustment, etc.) shall be removed prior to recordation of any map.

George Garcia, G.C. Garcia, Inc. 1711 Whitney Mesa Drive Suite 110, Henderson, NV 89014 appeared on behalf of the applicant explaining the proposed site had been looked at by the City as an entire 13 acre parcel. Public Works was requesting a drainage study and they were being required to comply with Conditions imposed by Public Works Traffic

Department regarding the signalization, contributions and redesign, but currently, they only had the convenience store. They were being treated as if they had an entire project. From his client's standpoint, they were looking at making an entire project on the site, so they were working with the City to complete an entire project and going forward with the conditions that had been discussed to dedicate the land, redesign the roadway, do the drainage studies and the signalization contribution. They were looking at it as a total project. He showed a plan that included the major commercial developer they were in negotiations with. Two signs were for the convenience store and the third was for the multi-tenant sign that would be at the entrance on Tropical, which aligned with the driveway to the south. They were requesting a 25 foot sign located at the corner of Tropical and Decatur, an eight foot sign on Tropical and another 23 foot sign to the east at the entrance to the center. He was in agreement with Staff's alternative conditions, two signs for 25 feet with square footage of 135 feet and the third one being an eight foot monument with 55 square feet. He requested one of the 25 foot signs be moved to the entrance to the commercial center and pointed out they were not asking for excessive signage. They had allowed 1300 square feet for wall signage and had reduced it to 250 square feet and felt they were in balance for a 13 acre site. Mr. Garcia also commented they would be installing an American flag pole on the site with a plaque.

Commissioner Jay Aston asked to see the aerial view of the site. He clarified there was residential properties to the south of Tropical and commercial to the north of Tropical on the west side of Decatur. He asked Staff for clarification that they were only reviewing the convenience store in the site plan review and the applicant was looking at the whole site.

Mr. Eastman responded based on what Mr. Garcia presented, he was looking at the development of more than just the c-store. Staff's viewpoint was that signage for the rest of the development would be appropriate when that development came in, not with the proposed application.

Commissioner Aston asked if the sign could be approved without it being installed until development came forth.

Mr. Garcia explained in Condition No. 6, the alternative condition, one of the requirements was that the sign on the north side of Tropical Parkway could not be constructed until after the design for the Centennial Tropical Parkway intersection was finalized. So, there was a built-in trigger that had nothing to do with the convenience store and was related to the far southeast corner of the property, so there was a connection to completing more than just the convenience store for the other sign.

Commissioner Aston clarified the development would have to go in before the sign was installed.

Mr. Garcia responded, as a practical matter, his client's purposes was to have those answers for the tenants, but was not going to build the sign until the remainder of the center was complete.

Commissioner Aston asked if the width of the right-of-way had any bearing on the height of a sign located across from residential. He asked if the development and the remainder of the site plan was going through, what the maximum height of sign on the north side of Tropical would be.

Mr. Eastman responded, at this time, the maximum height allowed would be eight feet due to it being located across from residential.

Commissioner Aston asked on the corner of Tropical and Decatur Boulevard, if they would allow a taller sign, or would the sign be pushed further to the north on Decatur.

Mr. Eastman responded it was preferred further north on Decatur so it would be perpendicular to the commercial to the west and then sign height was based on the size of the development and the development on the application was for the c-store with gas pumps and carwash, so the height was limited to 18 feet.

Commissioner Aston said the real issue was whether just the c-store was being considered, or the entire site and he felt there was a compelling argument, when just to develop the c-store, you were looked at for the whole site and not just the c-store. He was willing to compromise, but a 25 foot sign on the north side of Tropical would be looked down on by the rest of the Commission and the real issue was the sign on Decatur.

Chairman Dilip Trivedi concurred with Commissioner Aston, that the applicant's argument that the site was being looked at as a whole for the traffic study and drainage study.

Mr. Eastman explained the maximum sign area was predicated and measured based upon what was being developed, so if the site developed with more commercial buildings and large commercial buildings, it would allow the applicant to have more sign area than what was being proposed at this time. Additionally, the signs located on Tropical would be in the applicant's best interest to withdrawn those portions, because as we move forward with the changes to the Zoning Code, the sign code changed and it would allow, possibly, in some locations, a taller sign than the eight feet based on separations and the width of Tropical Parkway; therefore, once development begins and you end up with a larger commercial development than what was being presented, as the large development came in, it would allow the applicant both larger signs than what they had proposed on Tropical and possibly, depending on location, taller signs than the eight feet.

Mr. Garcia did not feel 25 feet was unreasonable for a shopping center. For the size of the center, a 25 foot sign was not unreasonable and the new code was leaning in that

direction. If the Commission was willing to approve the 25 foot and eight foot sign for the convenience store, they could come back on the entry sign at a later date.

Chairman Trivedi indicated there was one request to speak card; The following participant came forward:

- **Scott Sauer (No address stated)** felt the sign ordinance should be adhered to.

Vice-Chairman Steve Brown agreed with the eight foot monument sign and was opposed to the 25 foot sign across from residential on Tropical. The sign at the corner would typically be limited to 18 feet, but in this case, Decatur was an interesting street so he felt 25 feet would be okay.

Commissioner Aston agreed with Commissioner Brown and had a concern regarding the residential at the corner and whether or not the applicant would consider moving the taller sign further north on the site on Decatur. If the sign stayed on the corner, it should be 18 feet.

Chairman Trivedi suggested the sign be moved to the north side of the entrance on Decatur Boulevard.

Mr. Garcia explained the purpose of the sign was so it was visible, so drivers had time to get into the turn lane. If the sign were moved past the driveway, it would confuse them, so if it could be moved more to the south, it would give them time to change lanes.
The reason for it was to make sure there was a safe opportunity for people to make the right turn.

Commission Joseph DePhillips suggested the sign could be moved over to where the flag pole was located, which would give plenty of time for drivers to change lanes, and it would be across from other commercial property and away from residential.

Mr. Garcia clarified Commissioner DePhillips wanted the sign on the north side of the driveway.

Commissioner Jo Cato asked if a monument sign would be located at the corner of Tropical and Decatur.

Mr. Garcia explained the suggestion was the proposed sign would be relocated and be 25 feet high instead of 18 feet.

Chairman Trivedi pointed out there was an eight foot monument sign on Tropical.

Mr. Garcia clarified there was a monument sign on Tropical, but there was nothing visible

from the intersection, so he was suggesting the sign be located on the south side of the driveway.

Vice-Chairman Brown inquired if pricing was posted on the sign.

Mr. Garcia responded it was a pricing sign, which was required by law.

Vice-Chairman Brown asked if the 25 foot sign had pricing on it.

Mr. Garcia responded it did.

Commission Laura Perkins was not in favor of putting a 25 foot tall sign next to residential. If the sign were moved further to the north, it would take the place of the other 25 foot monument sign to announce the entire shopping center. She would rather have eight foot monument signs on both corners, which would give the opportunity for people to see the gas prices before the driveway.

Chairman Trivedi asked Staff if they had comments on the 100 foot flag pole.

Mr. Jordan responded the flag pole was not part of the application request and the Zoning Ordinance already dealt with flag poles and the height was not regulated by the Code.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NO. 6 AND CONDITION NO. 4.C ADDED TO READ:

4.C SHALL BE INSTALLED, AT A MINIMUM, AT THE SOUTH SIDE OF THE ENTRANCE, TO BE DETERMINED BY STAFF.

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

There was a break in proceedings at 7:28 p.m.

The Meeting reconvened at 7:35 p.m.

Commissioner Dean Leavitt suggested due to the fact Item No. 13 may take some time, that it be trailed to the end of the meeting.

ACTION: ITEM NO. 13 TRAILED TO END OF MEETING

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

Item No. 14 was heard next.

13. CNLV TITLE 17 ZONING CODE. RECONSIDERATION OF MOTION TO: 1) ALLOW PIGS ON LOTS WITH 6,000 SQUARE FEET INSTEAD OF FIVE ACRES; 2) ALLOW MOTOR HOMES OR RECREATIONAL VEHICLES TO BE PARKED ON SIDE LOTS; 3) REMOVE THE REQUIREMENT OF A MAXIMUM ALLOWED AMOUNT OF PARKING; 4) AMEND THE REQUIREMENTS FOR TRAFFIC IMPACT ANALYSIS WITH DEVELOPMENTS; 5) REQUIRE LIGHTING WITHIN UTILITY EASEMENTS THAT SERVE AS PEDESTRIAN LINKAGES; 6) ALLOW THE LANDSCAPED PARKWAY TO BE COUNTED AS OPEN SPACE WITHIN A DEVELOPMENT; 7) ALLOW 30-FOOT IN HEIGHT LIGHT POLES WITHIN THE C-2 DISTRICT; AND 8) MODIFY LOT SIZES, OPEN SPACE AND THE USE OF THE RESIDENTIAL DESIGN INCENTIVE SYSTEM WITHIN THE R-1 SINGLE-FAMILY LOW DENSITY RESIDENTIAL AND R-2 MEDIUM DENSITY RESIDENTIAL DISTRICTS.

The application was presented by Robert Eastman, Principal Planner who explained this was a reconsideration of the motions made at the April 27, 2011 Planning Commission Meeting. Originally, when the Zoning Code was approved and recommended and moved forward to City Council for final consideration, the Planning Commission approved a series of motions. The first motion approved the majority of the draft book that was bound. The second motion approved a series of handouts, including changes to the Procedure Section and changes to the Sign Code and Sustainability, making sustainability recommended instead of having requirements. The third motion dealt with what Commissioner Aston had grouped as Group “C” of the original memo, which had eight items, which included a number of things where Staff did not agree with the various stake holder groups. Those included the request for pigs on lots smaller than five acres; request to allow light poles in the commercial district above 20 feet, which was approved; an increase from the maximum parking standards which was not approved; requiring a traffic impact analysis as a condition in a number of land use applications; requiring lighting within utility easements that are used as pedestrian corridors; changing the parking requirements for RV’s, which was originally going to be allowed in the rear and this would allow them on larger lots above 10,000 square feet; an amendment to allow interior landscape parkways to count as part of the required open space in residential districts; and then to amend the proposed code for residential development to allow a single lot detached product at up to eight units per acre in the R-2 District and allowing a single-family detached product in R-1 at 4,500 square foot minimum lot area instead of 6,000. With those changes, the Home Builders wanted to remove the requirements for the Residential Design Incentive system that were

currently in place and were proposed to remain in place for those developments in the R-1 and for those single-family developments of less than eight acres in the R-2 District. Also, with the removal of the required common open space that was being proposed in the R-1 and R-2 Districts for those products. Based on the conversation and direction from Planning Commissioners after that meeting, it was requested to reconsider and the reconsideration would be for that motion, which included all eight parts.

Sandra Morgan, Deputy City Attorney explained a request would have to make a recommendation to reconsider the prior motion and if that motion to reconsider was approved, then you be put in the same position as immediately prior to taking the vote on the Group "C" motion that was referenced.

ACTION: RECONSIDERATION OF MOTION APPROVED

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

Reconsideration of motion made on Group "C" at the April 27, 2011 Special Planning Commission Meeting.

ACTION: APPROVE GROUP C IN THE MEMORANDUM DATED APRIL 27, 2011 AS FOLLOWS:

PAGE 193	NOT AMENDED, APPROVED AS ORIGINALLY PROPOSED
PAGE 244	AMEND TO ALLOW RV'S TO BE STORED IN SIDE LOTS ON LOTS 10,000 SQUARE FEET OR GREATER
PAGE 256	NOT AMENDED, APPROVED AS ORIGINALLY PROPOSED
PAGE 271	NOT AMENDED, APPROVED AS ORIGINALLY PROPOSED
PAGE 279	NOT AMENDED, APPROVED AS ORIGINALLY PROPOSED
PAGE 288	AMEND TO ALLOW THE LANDSCAPE PARKWAYS TO BE USED TO MEET OPEN SPACE REQUIREMENTS
PAGE 314	AMEND TO ALLOW 30' LIGHT POLES IN C-2 ZONING OR GREATER
PAGE 323 - 328	AMENDED PER THE REVISED SITE DIMENSIONAL STANDARDS AS SHOWN IN HANDOUT

MOTION: Commissioner Aston
SECOND: Commissioner Leavitt
AYES: None

NAYS: Chairman Trivedi, Vice-Chairman Brown, Commissioners Leavitt, Aston, Cato, and DePhillips
ABSTAIN: Commissioner Perkins

Chairman Dilip Trivedi opened the Public Hearing. The following participants came forward:

- **Janet Love, Southern NV Home Builders Association, 5655 Badura Avenue, Las Vegas, NV 89118** stated at the April 27, 2011 Planning Commission Meeting, the SNHBA proposed some amendments to the Code draft being considered for adoption. The proposal was a wish list and she understood the reluctance to change the R-1 requirements. As it was drafted, the R-1 allowed a lot size down to 3800 square feet with the Residential Design Incentive System (RDIS). They were asking to keep the lot size similar as drafted, but with modification to some of the RDIS and open space requirements. In North Las Vegas, to build on a lot under 6,000 square feet, you were required to use the RDIS which had category 1 and category 2 items as part of the open space requirements. The category 2 items were very expensive and no other jurisdiction in the valley had a requirement as to what had to be in the open space. They had varying requirements for open space but did not mandate what was put in. With restrictive lot sizes, additional costs for RDIS items, soils conditions, and topped off with some low comp resales, North Las Vegas was becoming the most difficult and expensive jurisdiction to develop. Trading open space for smaller lot sizes within the R-1 was an opportunity for developers to come to North Las Vegas and put in open space, which they were not opposed to. She requested the R-2 zoning be reduced to 3,500 square feet with no open space requirements or RDIS. You could always deny an R-2 zoning. They were open to the open space requirements, but asked that those requirements be looked at. If street scape was counted toward open space, then the open space requirement needed to be adjusted. She asked that category 2 requirements be eliminated from the RDIS or at least expanded for some options.

- **Michael Shohet, Territory Inc., 5785 Centennial Center Boulevard #230, Las Vegas, NV 89149** appeared on behalf of NAIOP. He reiterated his support for item No. 7, which amended the proposed code to allow for 30 foot light poles in a C-2 District. He also asked that Item No. 2 be reconsidered, which was the maximum number of off-street parking spaces to the existing code. As developers of commercial properties, they did the best they could to design the most efficient sites possible, as it was in their best interest to increase floor area ratios and reduce the amount of parking on sites. Typically, their projects were market driven. NAIOP was proposing a change to the 125 percent maximum to be commensurate with the market driven parking requirements, which was 200 percent, as they did not want to be required to request a waiver for their projects.

Vice-Chairman Steve Brown asked Mr. Shohet how he came up with the parking for

professional office.

Mr. Shohet explained he looked at the worst case, so he looked at the big box industrial grocery store and shopping center and 200 percent was required to make their industry standard.

Consideration of Items Nos. 1 through 8 listed in Memorandum dated May 11, 2011:

1. TO ONLY ALLOW PIGS TO BE LOCATED ON LOTS 5 ACRES OR GREATER IN SIZE.

Commissioner Laura Perkins asked if this item pertained to pet pigs.

It was explained it was for commercial pigs.

ACTION: APPROVED AS ORIGINALLY PROPOSED BY STAFF WITH NO AMENDMENTS

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

2. ADDING A MAXIMUM NUMBER OF OFF-STREET PARKING SPACES.

Robert Eastman, Principal Planner explained Staff understood some of the concerns NAIOP expressed. Unfortunately, in some instances, their examples were of some of the parking standards where the minimums were reduced quite a bit from what there was originally. By adding the maximum at 125%, that created a relatively narrow band. There were other larger land use categories where the parking was reduced, but not to the same extent as some of the examples. By allowing 200% of a number of other uses, would increase the parking beyond what was wanted. Staff was willing to go to 150% and then possibly look at individual uses as a future amendment.

Community Director Frank Fiori reminded the Commission that there was always the possibility, if the maximums did not work on an individual project, the applicant could request a parking waiver and it would be determined on a case by case basis. He did not have a problem going to 150% but the concern was that one of the things the City had been fighting over the years and the feedback from most development was that too much parking was required. Because, generally, the standard zoning ordinance, tended to

require too much parking, it had been reduced as a request of the development community and also due to sustainability in terms of reducing the amount of pavement.

Chairman Dilip Trivedi agreed that 150% would be a good compromise.

Vice-Chairman Steve Brown understood Staff's thinking on the parking and asked for clarification that the existing code said five was minimum and now the minimum would be 2 ½.

Mr. Eastman responded that was correct.

Vice-Chairman Brown stated now the maximum was significantly less than the previous minimum. He suggested removing the maximum and work on an amendment.

Director Fiori understood the industry standard was one that the industry was saying they want a certain amount of parking before they would locate on a particular site and the developer would provide whatever parking was necessary to secure a tenant.

Michael Shohet of Territory Incorporated, 5785 Centennial Center Blvd #230, Las Vegas, NV 89149 agreed with Director Fiori that it was not necessarily the builder who wanted more parking, but it was demanded by their tenants. Regarding sustainability, his background was retail, and he explained Walmart was leading the charge in the sustainability world when it came to retail. It was not necessarily the developers or the small retail tenants, but the Walmarts of the world, who still needed to park their stores adequately to meet their customer demand. He pointed out, if the parking was at 150%, they would be coming in for a waiver on every project.

Chairman Trivedi did not like every project being designed by Walmart standards.

Mr. Shohet explained the code gave some flexibility so if you were not building a Walmart project and the tenants did not require the same level of parking, then the developer was free to build less parking. He pointed out some of the existing shopping centers who felt they were over parked were releasing some of their parking lot to build new structures.

ACTION: APPROVED TO AMEND THE PROPOSED CODE TO REMOVE THE MAXIMUM NUMBER OF OFF-STREET PARKING SPACES

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

No. 8 was heard next.

3. REQUIRING TRAFFIC IMPACT ANALYSIS AS A CONDITION TO SOME LAND USE APPLICATIONS.

ACTION: APPROVED AS ORIGINALLY PROPOSED BY STAFF WITH NO AMENDMENTS

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

4. REQUIRING LIGHTING WITHIN UTILITY EASEMENTS THAT SERVE AS PEDESTRIAN LINKAGES

ACTION: APPROVED AS ORIGINALLY PROPOSED BY STAFF WITH NO AMENDMENTS

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

5. AMEND THE PROPOSED CODE TO ALLOW RV'S TO BE STORED IN SIDE LOTS ON LOTS OF 10,000 SQUARE FEET OR GREATER.

Vice-Chairman Steve Brown asked if the lot size could be reduced to 9,000, which was an estate sized lot within Aliante.

Mr. Eastman explained Aliante's code was frozen in 2001, which meant they were under Title 17 that was in effect in December, 2001, not the current code.

Commissioner Aston clarified the motions on Nos. 5 through 8 were to amend the Code being presented.

It was indicated that was correct.

ACTION: APPROVED AMENDING THE PROPOSED CODE TO ALLOW RV'S TO BE STORED IN SIDE LOTS ON LOTS OF 10,000 SQUARE FEET OR GREATER

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

6. AMEND THE PROPOSED CODE TO ALLOW THE LANDSCAPED PARKWAY TO HELP MEET OPEN SPACE REQUIREMENTS.

Chairman Dilip Trivedi asked, in the overall scheme of things, what percentage of the landscaped parkway affected the open space.

Robert Eastman, Principal Planner explained it depended on the size of the development, how many internal streets there were, to determine how much land was actually being used as open space.

Chairman Trivedi asked for a definition of landscaped parkway.

Mr. Eastman explained the landscaped parkway was the 3 ½ foot sidewalk, and the five feet of landscaped area adjacent to it; so five feet times the length of all internal streets on one side of the street.

Community Development Director Frank Fiori explained the space primarily served as a buffer between the sidewalk and the street and was aesthetic in nature. It was not an area that would be used for open space in terms of any activity, but did provide open space and green space.

Commissioner Laura Perkins did not think a landscaped parkway should count toward the open space if it was not usable for activity.

Commissioner Jay Aston felt the landscaped parkway entered into the equation when you figured out the incentives for the entire site and asked Staff if the landscaped parkway was only when there was a detached sidewalk and asked about street scape on the perimeter. He asked if the definition of landscaped parkway was just interior when the sidewalk was detached and the landscaping in between. He leaned more toward less open space requirements for smaller lots was more critical.

Janet Love, SNHBA explained the open space requirements tied into the street scape. If you had a 60 foot wide lot times the landscaped parkway, you were looking at 300 square feet per lot. The City of Henderson counts the perimeter toward their open space requirement. They were requiring 700 square foot of open space per lot, but they also counted the perimeter and the landscaped parkways toward their open space. North Las Vegas has 600 square foot per lot and were not counting any of the landscaped parkways. She argued if it was not an amenity to the community, then why was it being required.

Commissioner Aston explained Ms. Love's explanation was why he was leaning toward amending the zoning code to allow landscaped parkways to meet the open space requirements.

Chairman Trivedi asked for an explanation of open space.

Mr. Eastman explained, except for the interior landscape strip, any other space that was being used to meet the open space requirement, had to have a minimum width of 20 feet and ultimately a minimum area of 400 square feet to count as part of the open space. There were a number of items listed as things that could not be used as open space, such as drainage channels that were not in a natural state, certain utility easements that were not improved and did not meet the widths and were not attached to an external trail or the external sidewalks. Typically, open space being provided were tot lots and different small recreation areas that were definitely at a smaller scale that the Parks Department would provide, but would provide recreation space for the residents of the neighborhood that their reduced yard did not provide.

Chairman Trivedi asked if open space included porches, patios, balconies, and terraces.

Mr. Eastman responded they were not part of the common open space. There was some for balconies in multi-family to count some of it toward their private open space, but it was not considered common open space.

Vice-Chairman Steve Brown proposed a compromise by amending the proposed code to allow the landscaped parkway to become a 50% credit toward meeting open space requirements, which meant that 50% of the landscaped parkway would be counted as open space.

Marc Jordan, Planning Manager clarified that if there was a 300 square foot landscaped parkway, that 50% of it could be used toward open space.

Vice-Chairman Brown indicated that was correct, it would be credited toward open space.

Commissioner Aston felt 600 square foot of open space was too much for one lot and most developers would be able to absorb the additional cost.

ACTION: APPROVED AMENDING THE PROPOSED CODE TO ALLOW 50 PERCENT OF THE LANDSCAPED PARKWAY AREA AS CREDIT TOWARD MEETING THE OPEN SPACE REQUIREMENTS.

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

The motion failed.

ACTION: APPROVED AMENDING THE PROPOSED CODE TO ALLOW THE LANDSCAPED PARKWAY TO COUNT TOWARD MEETING OPEN SPACE REQUIREMENTS

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

7. AMEND THE PROPOSED CODE TO ALLOW LIGHT POLES 30' IN HEIGHT WITHIN THE C-2, GENERAL COMMERCIAL DISTRICTS

Vice-Chairman Steve Brown agreed with the amendment to allow 30' tall light poles in C-2 Districts.

Chairman Dilip Trivedi did not want 30' light poles adjacent to residential properties.

Community Development Director Frank Fiori asked for clarification as to whether the intent was that only those light poles in a commercial development that were adjacent to residential would not be able to meet it or any light poles within the entire project.

Chairman Trivedi responded he did not want to see two different height poles in a parking lot.

Scott Sauer, (no address stated), suggested the wording, “All parking lot poles within 25 or 30 feet, or some distance, of a residential lot line were required to have house-side shields to shield the lighting from the residential lot.) He explained an additional shield could be added so that it shielded even the light source.

Vice-Chairman Brown commented the height of the pole was not the issue, it had to do with how bright the light was, which was in place in the code and light shield requirements were in the code.

ACTION: APPROVED TO AMEND THE PROPOSED CODE TO ALLOW LIGHT POLES 30' IN HEIGHT WITHIN THE C-2 GENERAL COMMERCIAL DISTRICTS

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

No 2 was heard next.

8. AMEND THE PROPOSED CODE FOR RESIDENTIAL DEVELOPMENT TO ALLOW THE FOLLOWING:

A. REDUCE THE MINIMUM LOT SIZE TO 4,500 SQUARE FEET FOR SINGLE-FAMILY RESIDENCES WITHIN THE R-1, SINGLE-FAMILY LOW DENSITY DISTRICT

B. AMEND LOTS SIZES TO ALLOW A MINIMUM LOT SIZE OF 3,500 SQUARE FEET FOR SINGLE-FAMILY RESIDENCES WITHIN THE R-2, SINGLE-FAMILY MEDIUM DENSITY DISTRICT WITHOUT RESTRICTIONS

C. REMOVE THE OPEN SPACE REQUIREMENT FOR ALL DEVELOPMENTS WITHIN THE R-1, SINGLE-FAMILY LOW DENSITY DISTRICT.

D. REMOVE THE OPEN SPACE REQUIREMENT FOR ALL SINGLE-FAMILY RESIDENTIAL DEVELOPMENTS WITHIN THE R-2, SINGLE-FAMILY

MEDIUM DENSITY DISTRICT WITH A DENSITY OF LESS THAN 8 DWELLING UNITS PER ACRE.

E. REMOVE THE REQUIREMENTS OF THE RESIDENTIAL DESIGN INCENTIVE SYSTEM WITHIN THE R-1, SINGLE-FAMILY LOW DENSITY DISTRICT.

F. REMOVE THE REQUIREMENTS OF THE RESIDENTIAL DESIGN INCENTIVE SYSTEM WITHIN THE R-2, SINGLE-FAMILY MEDIUM DENSITY DISTRICT FOR ALL DEVELOPMENTS WITH A DENSITY OF LESS THAN 8 DWELLING UNITS PER ACRE.

Chairman Dilip Trivedi stated he agreed with reduced lot sizes and home sizes, as they were not a bad thing; but, when the developers started skimping on open space, it was like creating instant slums. He did not want to see the open space gone and suggested the items be continued, as there had not been enough involvement by the Commission, so a more informed decision could be made.

Commissioner Jay Aston was opposed to the current proposal and dialogue, was opposed to a continuance and was also opposed to leaving Item No. 8 as it was. He was in support of allowing a minimum lot size of 3500 square feet in the R-2, simply because duplexes were already allowed in R-2 zoning and this modification would allow detached buildings to go on the same lot sizes. He was in favor of leaving R-1 as it was, but going forward, he would like to amend the Residential Design Incentive System (RDIS) as it needed to be more flexible or the City would lose development. If the R-1 was left as it was, he believed there should be an on-going focus group to take a look at the RDIS. He still felt changing R-1 zoning to R-2 could be controlled. He wanted to see the amendment made to R-2.

Commissioner Dean Leavitt had been participating in the focus group and had been on the Planning Commission a long time and the City of North Las Vegas had traditionally not included the Planning Commission on many of the decisions. With the exclusion of Item No. 8, there had been some good discussion. He understood the Board's frustration, but felt the item should be discussed and voted on.

Commissioner Aston pointed out when the motion was made, there had been no discussion from the Commission and the Chairman had not requested the motion yet.

Deputy City Attorney Sandra Morgan explained Commissioner Brown made the motion and it was seconded by Commissioner Perkins and everything after that was discussion on the motion. The motion to amend was for the residential development issues listed in A - F and all of the Commission's comments were related to that motion, so she deemed that to be discussion on that motion.

Commissioner Laura Perkins stated all items had been discussed to this point; but, it seemed this item would be the one that neither side would ever come to an agreement. There would always be someone who agreed and someone who disagreed, so she felt comfortable with going forward with the motion.

Vice-Chairman Brown explained the purpose of his motion was to delineate the whole thing, so if the vote was down, then all of the individual points would be discussed. After discussing the items with Staff, he felt they did a good job and felt the Code should be amended as recommended by Staff. He did not agree with the smaller lot size and felt the RDIS was a good initial stab at making things work and was better than the previous small lot ordinance.

ACTION: APPROVED AS ORIGINALLY PROPOSED BY STAFF WITH NO AMENDMENTS

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

The Public Forum was heard next.

OLD BUSINESS

14. ZN-98-04 (42863) VISTA CIELO VILLAGE 1 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY HARMONY HOMES ON BEHALF OF HARMONY 461, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED 85 ACRE PUD, PLANNED UNIT DEVELOPMENT DISTRICT BY ADDING AND RECLASSIFYING AN ADDITIONAL 15 ACRES OF R-1, SINGLE-FAMILY LOW DENSITY DISTRICT WHICH WOULD CONSIST OF AN ADDITIONAL 100 LOTS TO THE PUD, PLANNED UNIT DEVELOPMENT WHICH IS CURRENTLY APPROVED FOR 433 SINGLE-FAMILY LOTS. THE PROPERTIES ARE LOCATED AT THE NORTHEAST CORNER OF ANN ROAD AND LAWRENCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-26-812-003 THRU 124-26-812-005 AND 124-26-815-001 THRU 124-26-815-103. (CONTINUED APRIL 13, 2011)

The application was presented by Robert Eastman, Principal Planner who explained the parcel was originally part of the same PUD and was removed with ZN-02-10 when it was rezoned as R-1 and had a new tentative map at that time. Now the applicant was requesting that it be folded back into the original PUD; therefore, a rezoning was necessary and also a new tentative map. The proposed rezoning would bring the PUD back to 533 lots on slightly more than 103 acres. The proposed tentative map and lot would be adding 100 lots. Originally, the PUD was a 98 lot development and with the proposal, the applicant was requesting a number of waivers for the village in the PUD. Specifically, they requested that the landscape parkway, which was originally approved as part of the PUD, and required three feet of landscaping and 3 foot of sidewalk located adjacent to the interior streets, they were requesting that it be removed and were proposing to put in a 3 ½ foot sidewalk adjacent to the curb. Also, because of the change, they were proposing folding it into the front of the lot and changing the set-backs to pull the houses back from the front. The original PUD had a proposal and requirement for certain amenities in their open space; specifically, in this instance, it was a pool located in the open space in the parcel and the applicant was requesting that it be removed and replaced with a tot lot playground area. Other issues that were previously contentious were some of the conditions from Public Works; specifically, when off-sites were required to be developed, because of that, the Public Works Department had met with the applicant and they had a revised memorandum, included in the Staff Report. Due to a new tentative map submitted on Monday, May 9, 2011, now show compliance with the Public Works conditions for the 3 ½ foot sidewalk, so they removed that condition. Other than that, the tentative maps were the same. Staff was recommending approval of the PUD but were not in support of the requested waivers of the removal of the landscape parkway. The other neighborhood within the PUD had the landscaped parkway and were currently under development. Staff felt the landscape parkway should remain, as it was a theme throughout the PUD. When originally approved, the neighborhood was proposed and the amenity package included the pool, which was negotiated through the Parks and Rec Department and Staff did not

feel it should be removed. Originally, the applicant agreed they would comply with all conditions of the original PUD with the exclusion of wanting to waive the landscaped parkway; however, with the additional waiver, Staff was not supporting it. Staff was recommending approval of ZN-98-04 with all of the conditions originally approved in 2004 with the slight modifications by Public Works and with the slight changes to the acreage and open space and the number of lots, which reflect the changes in the lot count and open space that the addition provided. Staff was recommending approval of ZN-98-04 with the following conditions:

All Villages:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.

2. That no more than 533 lots be permitted for this development.

3. That the homeowners' association shall maintain all front yard areas in Village 6. All sidewalks and landscape parkways in all villages shall be maintained by the home owners' association.

4. That all open space shall be provided in accordance with the Small-Lot Development Design Guidelines (§17.24.215) and the Planned Unit Development District requirements (§17.20.160.B.13), except the development shall not be required to provide a centralized park containing 50% of the required open space. Open space areas shall be clearly defined and approved as part of the Final Development Plan. If necessary, revisions shall be required to satisfy the minimum open space requirements.

5. That the following list be established as the minimum open space and recreational amenities:
   a. Circuitous lighted paths
   b. A minimum of 20 24-inch box trees per acre
   c. At least 6 differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface (ref: ASTM Playground Equipment for Public Use, sec. 6.2-6.3), and accompanying shade ramadas with picnic tables and grills; play structures are to be sited in at least five locations
   d. At least one large open space area for group / organized play
   e. Approximately 5 large (20' x 20') shade shelters in lieu of the 30' gazebo,
   f. 5 picnic shelters Picnic tables and barbecue grills
   g. Benches spaced along park pathways
   h. 3 swimming pools with restroom/cabanas
   I. One half-court basketball court
   j. Horseshoe pits
   k. Game tables

l. Bicycle racks
m. Pedestrian bridge over channel
n. Details of amenities to be provided

6. All Nevada Power Company easements and poles must be shown and shall be fully located within the landscape area. If any poles need to be relocated, it will be at the expense of the developer.

7. All lots, except cluster lots, shall comply with the *City of North Las Vegas Municipal Code* section 16.20.02.B which states: "The side lines of lots shall be approximately at right angles to the street upon which the lot faces, or approximately radial if the street is curved." Compliance may require modifications to the current layout.

8. All residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222, except cluster lots. Compliance may require modifications to the current layout.

9. The minimum width of public sidewalks within a sixty (60) foot right-of-way is five (5) feet. Revise the sidewalk adjacent to Hammer Lane accordingly.

10. Remove the street section thickness from the typical sections. The pavement sections will be determined by the Department of Public Works.

11. The modified stub street, which features a minimum back of curb radius of 24 feet, is limited to a maximum length of 150 feet and a maximum lot frontage of four. Any cul-de-sac exceeding these standards shall provide a standard cul-de-sac design.

12. Proposed interior, private streets must meet the minimum standards for the City of North Las Vegas set forth in *Clark County Area Uniform Standard Drawing* No. 210. The use of roll curb will require an additional one foot of right of way.

13. A three-foot (3') landscaped parkway and a three-foot (3') sidewalk shall be provided adjacent to all private interior streets. Within said parkway, a minimum of two 15-gallon trees shall be planted per lot. In addition, to the 15-gallon trees, shrubs shall be planted to provide a minimum of 80% ground coverage (excluding tree canopies and utility boxes) within two years from installation.

14. The prospective homeowners shall sign a written notice declaring knowledge of the existence of R.C. Farms, wherein the housing development may be subject to odors created by the pig farm.

15. 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.

16. Show the limits of the Federal Emergency Management Agency Special Flood Hazard Area Zone A on the tentative map.

17. The size and location of any drainage facilities and/or easements shown are contingent upon review and approval of a Technical Drainage Study.

18. Approval of a drainage study is required prior to submittal 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. The property owner is required to grant roadway easements where public and private streets intersect.

21. The property owner is required to grant a pedestrian access easement for sidewalk within any common element.

22. A revocable encroachment permit for landscaping within the public right of way is required.

23. All common elements shall be labeled and are to be maintained by the Home Owners Association.

24. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards and must be approved by the City of Las Vegas Central Fire Alarm Office. If a conformed tentative map is required, the approved street names shall be shown on the map prior to final signatures.

25. Approval of a traffic study is required prior to submittal of the civil improvement plans.

26. A queuing analysis is required as part of the traffic study if access controls are proposed to be employed.

27. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Ann Road, Losee Road, and Washburn Road.

28. The southern most access on Losee Road shall align with the existing Shadow Creek entrance.

29. Entry locations are subject to review and approval of by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in North Las Vegas Municipal Code.

30. The developer is responsible for the acquisition of public utility easements needed for any off-site utilities.

31. Streets in excess of five hundred (500) feet shall conform to the minimum curvilinear street requirements as outlined in *North Las Vegas Municipal Code* 16.20.050.

32. That all the open space and amenities shall be installed prior to the completion of each village. The bridge shall be installed with Village 3 or 4, which ever is constructed first and subsequent to the completion of the Upper Las Vegas Wash Channel through this portion of the PUD.

33. The installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.

34. A minimum of two means of Fire Department access shall be provided to the development.

35. Fire access lane width shall be marked in accordance with the Fire Code.

36. Type I Lots shall not exceed forty-five percent (45%) of the total gross area and no more than 232 Type I Lots.

37. <u>Villages 3 and 5</u>:

    a. That the minimum lot size shall be 4,500 square feet.

    b. Villages shall comply with all R-CL setbacks per Section 17.20.050.

38. <u>Villages 1, 2 and 4</u>:

    a. That the minimum lot size shall be 3,335 square feet.

    b. Villages shall comply with all setbacks required in accordance with Type I-A Lots of the Small-Lot Development Design Guidelines with the exception of the corner side yard setback shall be fifteen (15) feet to the second story.

c. Provide secondary fire access as approved by the Fire Department.

d. All corner and entry lots may have two (2) story houses.

39. Village 6:

a. That the minimum lot size shall be 2,700 square feet.

b. Village shall comply with all setbacks as shown on Exhibit “A” and “A-1".

c. The use of plastic, vinyl, Woodguard style or similar materials shall not be permitted as part, or in whole, for the construction of any perimeter walls, end walls, or common area walls within any development. However, plastic, vinyl, Woodguard style or similar materials for fencing may be used on common property lines or as return walls, such fencing shall comply with Section 17.24.210.F.

d. That the 24-inch box tree required in each yard will be installed where possible. Due to the lot configurations, some trees may be installed in the side yard instead of the front yard.

e. That the proposed driveway dimensions may be 25 feet wide in the entry and 29 feet wide in the top of the “T” as indicated on the drawings submitted with the application.

f. That the proposed driveways consist of cobblestone, pavers or other decorative materials as depicted on the photos submitted.

g. Village 6 does not have sufficient fire access to the “cluster design” within the community and according to Ordinance will require those homes to have fire sprinklers.

h. All corner and entry lots may have two (2) story houses.

I. Floor plans are not required to provide a porch, balcony or courtyard option.

40. The internal residential streets shall be in conformance with the *Uniform Standard Drawings for Public Works’ Construction Off-Site Improvements* Drawing Number 207 (Option “B”)

41. Proposed residential driveway slopes shall not exceed twelve percent (12%).

42. Ann Road street improvements must be constructed, including but not limited to: curb, gutter, sidewalk, street lights, median, median landscaping, schedule 40 fiber optic conduit and the Clark County Regional Flood Control District facility along the frontage of the site per the approved Ann Losee Perimeter Streets Phase II improvement plans.

43. Dedication and construction of the following street(s) and/or half street(s) is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100:
    a. Lawrence Street

44. The Lawrence Street roadway improvements, more specifically, the permanent asphalt and curb and gutter, shall be completed prior to final inspection of the fiftieth (50th) home in the subdivision.

45. All adjacent off-site improvements must be completed prior to final inspection of the seventy-fifth (75th) home in the subdivision.

Michael B. Holloway, 1505 Becky Circle, Las Vegas, NV and James Cooper, Engineering Consultant, 4336 Bitter Lake Circle, Las Vegas, NV appeared on behalf of the applicant. Mr. Holloway agreed with Staff on Condition Nos. 44 and 45; on the landscaping, even though they understand it is unifying for all of the villages, it was a new developer. He pointed out with the three foot buffer and the sidewalk, the sidewalks were blocked when larger vehicles were parked in the driveways. The applicant was proposing to move the sidewalk to the curb, as was done in most developments and to have the landscape amenity in the front yards of the homes, which would make the front yards larger. Public Works said if the waiver was granted, the three foot sidewalk would need to be 3 1 /2 feet and the applicant was agreeable to that change. The other waiver was the pool and to show the original, there were three pools in the PUD. In the current market, the pool does not pencil out to allow the development to go forward. He assured the Commission, there would still be a nice amenity and it would be an upgraded park.

Chairman Trivedi asked to see the locations of the current pools and the one the applicant was requested the waiver for. He clarified the children in Village one would have to go across Ann Road to use the pool.

Mr. Holloway indicated that was correct.

Chairman Trivedi did not think that sounded like a safe situation for children crossing Ann Road in order to use the amenities in the PUD.

Commissioner Laura Perkins was not in favor of waiver of the landscape standards and if the project was part of a PUD it should be consistent with what was existing in the PUD. She wanted to see the landscaping plus the sidewalk rather than just the three foot

sidewalk and commented someone who drove an SUV may not want to purchase the product being offered, as the driveway would be too short. If a pedestrian walkway were installed for children to cross Ann Road to use the pools, she would agree to the waiver of the pool.

Commissioner Jo Cato asked the applicant if the development would be gated.

Mr. Holloway explained the applicant did not develop the other areas, but the concept was that it was all part of the same HOA, so everybody could share in the amenities within the whole PUD.

Commissioner Cato did not want to see children crossing Ann Road to use the pool, as it could be dangerous.

Commissioner Jay Aston asked if the whole community would be one HOA.

Mr. Holloway was informed there would be one HOA, but he did not know it for a fact.

Commissioner Aston stated that would be critical as to whether or not the proposed community would have access to other features within the other villages.

Mr. Holloway stated he was assured by the applicant that the proposed development would have access to the other two pools.

Commissioner Aston stated if the Commission and Staff were to require an additional pool, it was possible the HOA fees for the entire community would go up. He also pointed out the attached sidewalk could meander down and be attached where the driveways were located.

Vice-Chairman Brown commented the Commission approved removing the PUD status and rezoning the property as R-1 and when that was done, a pool was not required and now if it was being rezoned to a PUD, a pool was required because the old PUD required a pool. He did not think a pool was required as an amenity and a tot lot would be considered an amenity.

Marc Jordan, Planning Manager explained under normal circumstances that would be correct and gave some history on the PUD. When the PUD was proposed in 2004, the original applicant worked with Staff before formally filing and when it was filed, part of the amenity package proposed was the three pools and the reason for it was because there were two pools on the south side of Ann Road that any of the properties could use, but the pool on the north side of Ann Road was proposed because of Ann Road. When you look at the PUD, part of it was on the east side of the drainage channel that fronts a portion of Losee Road and Ann Road and wraps around the commercial in that area. Those residents could walk along the sidewalk and over the drainage channel to access the pool. There were safety concerns of having mid-street crossings of children to access the

amenities. The discussion was deliberate when the PUD came forward in 2004. When the applicant originally approached the City with the desire to fold the property back into the PUD, even though the builder was different, one of the questions asked at the time, was whether they planned on following the same type of development Pardee had started and the answer was that they were. The applicant indicated they did not want to build the pool and Staff indicated they would not support it and explained the reasons to the applicant, which was due to a safety issue and Staff did not want to see children crossing Ann Road. As far as the HOA fees, when the project was started, the HOA fee should have been set with three pools in mind. Staff's recommendation, was that if the property was put back into the PUD, it should follows the guidelines for the original PUD.

Vice-Chairman Brown understands the reasoning, but when it was released from the PUD and made R-1, it no longer fell into that category, so there was no requirement for cross access to the old PUD.

Mr. Jordan added open space was not proposed as part of the R-1, as it was held to a different type of lot layout and they were not proposing any open space, other than some perimeter landscaping.

Vice-Chairman Brown clarified what the applicant was proposing was to fold the property back into the old PUD and were not requesting a new PUD on the R-1 property.

Mr. Jordan indicated that was correct.

Chairman Trivedi felt there would be more similar applications. He pointed out the applicant was getting two extra lots and the cost of the pool would be shared by those 100 lots. He concurred with Commissioner Aston regarding the sidewalk, that it could be meandered and was not a big issue. People would be looking for smaller lots and homes and no open space and he was opposed.

Mr. Holloway explained the landscape issue was also a privacy issue with the front yard, to put the landscaping in the front yard instead of between the sidewalk and the curb.

Vice-Chairman Brown liked Commissioner Aston's suggestion of the meandering sidewalk and asked Staff for a condition.

Mr. Holloway did not think that would work in the proposed development as the frontage of the lots was approximately 40 feet.

Jennifer Doody of Public Works explained from property line to property line there was only 40 feet and of that 40 feet, 18 feet would be the driveway, so there would only be 22 feet that could be used to meander the sidewalk because there would be driveway at each property line which did not leave enough space to meander the sidewalk.

Chairman Trivedi would support the sidewalk waiver as long as the pool was kept.

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

Chairman Trivedi closed the Public Hearing.

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

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

15. T-1343 (42866) VISTA CIELO VILLAGE 1. AN APPLICATION SUBMITTED BY HARMONY HOMES ON BEHALF OF HARMONY 461, LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-1, SINGLE-FAMILY LOW DENSITY DISTRICT (PROPOSED PUD, PLANNED UNIT DEVELOPMENT DISTRICT) CONSISTING OF 100 SINGLE-FAMILY LOTS. THE PROPERTIES ARE LOCATED AT THE NORTHEAST CORNER OF ANN ROAD AND LAWRENCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-26-812-003 THRU 124-26-812-005 AND 124-26-815-001 THRU 124-26-815-103. (CONTINUED APRIL 13, 2011)

The application was presented by Robert Eastman, Principal Planner who explained based upon the motion made on item No. 14, Staff's recommendation was for approval with the following conditions as shown in memorandum dated May 11, 2011:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.

2. The tentative map shall comply with all conditions of ZN-98-04, if ZN-98-04 is not approved by the City Council, T-1343 shall be null and void.

3. A final development plan shall be required for Planning Commission review and approval. The final development plan shall provide details of the open space/park areas showing landscaping.

4. The internal residential streets shall be in conformance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 207 (Option "B")

5. Proposed residential driveway slopes shall not exceed twelve percent (12%).

6. Ann Road street improvements must be constructed, including but not limited to: curb, gutter, sidewalk, street lights, median, median landscaping, schedule 40 fiber optic conduit and the Clark County Regional Flood Control District facility along the frontage of the site per the approved Ann Losee Perimeter Streets Phase II improvement plans.

7. Dedication and construction of the following street(s) and/or half street(s) is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100:
   a. Lawrence Street

8. The Lawrence Street roadway improvements, more specifically, the permanent asphalt and curb and gutter, shall be completed prior to final inspection of the fiftieth (50th) home in the subdivision.

9. All adjacent off-site improvements must be completed prior to final inspection of the seventy-fifth (75th) home in the subdivision.

Michael B. Holloway, 1505 Becky Circle, Las Vegas, NV 89104 and James Cooper, Engineering Consultant, 4336 Bitter Lake Circle, Las Vegas, NV appeared on behalf of the applicant. Mr. Holloway indicated he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

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

16. SPR-02-11 (42180) APEX DAVIS. AN APPLICATION SUBMITTED BY APEX PROPERTIES LLC & CARMINE LIMITED PARTNERSHIP ON BEHALF OF CARMINE LIMITED PARTNERSHIP, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN INDUSTRIAL-APEX (I-A) OVERLAY DISTRICT TO ALLOW A JUNKYARD/SALVAGE YARD FACILITY AND WAIVERS FROM THE INDUSTRIAL-APEX (I-A) OVERLAY DISTRICT DESIGN STANDARDS. THE PROPERTY IS LOCATED APPROXIMATELY 10,300 FEET WEST OF US-93 AND SOUTH OF THE POWER PLANT . THE ASSESSOR'S PARCEL NUMBERS ARE 103-08-510-004 THROUGH 103-08-510-007, 103-08-510-009 AND 103-08-510-011 THROUGH 103-08-510-013. (CONTINUED FEBRUARY 9, MARCH 9 AND APRIL 13, 2011)

The application was presented by Robert Eastman, Principal Planner who explained the applicant was proposing to develop an outdoor storage area for wrecked vehicles and other scrap metals. With the proposal, under normal circumstances, it would be allowed as a conditional use as long as the applicant could meet certain conditions and it would be approved by right; however, it was slightly over 30 acres so it would require a site plan review. With the site plan, the applicant was requesting a number of waivers specifically, the applicant was requesting that it not be required to construct APEX Power Parkway beyond the gravel surface they were proposing. They were also proposing to use the entire site under a crushed rock or gravel parking areas without any landscaping and would like to defer all off-site developments beyond the gravel road to their site, which would include not extending any utilities to the site, which was the biggest cost. When reviewing the site, the proposals were not in compliance with the Apex Design Standards; specifically, the parking areas would need to be paved, the road network would need to be paved to the rural standard, as the Development Agreement and the Overlay District Design Standards were and there were some very modest landscaping requirements along Apex Power Parkway. The Fire Department required the development be in conformance with the Fire Code and based on the information received from the Fire Department, the Code would require a fire hydrant to be located on the site. The Utilities Department indicated if a fire hydrant was needed on site, then water lines needed to be extended to the site. While the Utilities Department submitted a revised memorandum that slightly alleviates some of those concerns, the fact was that it was still based on the need for a fire hydrant, then the applicant would be required to extend a water line to the site. Public Works was requiring that the site be paved to the rural standard as was required in Apex, which would require an asphalt roadway but did not require curb, gutter and sidewalk. Planning and Development Standards would require the parking lot to be paved and the landscaping provided as previously stated. The use was appropriate at the proposed location. The application had been continued numerous times as the applicant was having difficulty meeting all of the requested conditions. Staff was recommending approval of SPR-02-11 with Condition Nos. 4 and 5 deleted and replaced with a new Condition No. 4 and 5. Condition No. 4 would read: "The parcels' frontage along Apex Power Parkway shall be dedicated and the half-street shall be constructed per the Rural Standards

established in the Apex Overlay District." Condition No. 5.a. would read: "Public Access shall be provided to the site prior to submittal of the Civil Improvement Plans." Condition No. 5.b. would read: "Any easements needed for the project shall be provided or acquired by the applicant." The first sentence of Condition No. 8 is amended to read: "At the time the Director of Utilities and the Fire Chief or their designees, determine that water is required for domestic and/or fire protection, the project must comply with the City of North Las Vegas Municipal Water Service District Service Rules and Regulations and the Uniform Design and Construction Standards for the Potable Water Systems." Condition No. 9 is amended to read: "Installation of frontage water and sewer mains will be required when off-site improvements are constructed, unless otherwise determined by the Director of Utilities." 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. The applicant shall provide a paved driving surface throughout the site for the trucks that will deliver the wrecked vehicles and other materials.

3. The site plan shall comply with the Industrial-Apex Overlay District Development Standards including but not limited to: the addition of 39 off-street parking spaces & the addition of a five foot landscaped strip next to Apex Power Parkway.

4. Apex Power Parkway shall be constructed per the rural standards established in the Apex Overlay District.

5. Appropriate subdivision and/or parcel mapping is required to combine the parcels and 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.

6. The site shall incorporate security fencing around the perimeter of the site.

7. The site shall contain security lighting and a security alarm.

8. At the time that the Director of Utilities , or his designee, determines that water is required for domestic and/or fire protection, the project must comply with the "City of North Las Vegas Municipal Water Service District Service Rules and Regulations" and the "Uniform Design and Construction Standards for Potable Water Systems" (UDACS). These regulations will include the following:
   A. The developer shall provide a meter and backflow prevention per building.
   B. A looped water system may be required for fire protection, subject to review and approval of the Utilities Department.
   C. Submittal and approval of a hydraulic analysis for the project which shall include source of supply, storage, and design of any offsite mains necessary to serve the development.

9. Installation of frontage water and sewer mains will be required when offsite improvements are constructed.

10. The developer shall submit proposed construction drawings showing the Stormwater Best Management Practices for this facility for review and approval.

The applicant was not present for comment.

Chelsea Campbell of NV Energy, 6226 West Sahara Avenue, Las Vegas, NV 89146 and **Kimberly Williams, of NV Energy, 6226 West Sahara Avenue, Las Vegas, NV 89146** appeared on behalf of NV Energy. Ms. Campbell stated they were in agreement with Staff recommendation, so had no comment.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NOS. 4 AND 5 AND ADD NEW CONDITION NOS. 4, 5.A AND 5.B AND AMEND CONDITION NOS. 8 AND 9 TO READ:

4. THE PARCELS' FRONTAGE ALONG APEX POWER PARKWAY SHALL BE DEDICATED AND THE HALF STREET SHALL BE CONSTRUCTED PER THE RURAL STANDARDS ESTABLISHED IN THE APEX OVERLAY DISTRICT.

5.A. PUBLIC ACCESS SHALL BE PROVIDED TO THE SITE PRIOR TO SUBMITTAL OF THE CIVIL IMPROVEMENTS PLANS.

5.B. ANY EASEMENTS NEEDED FOR THE PROJECT SHALL BE PROVIDED OR ACQUIRED BY THE APPLICANT.

8. AT THE TIME THAT THE DIRECTOR OF UTILITIES AND THE FIRE CHIEF, OR THEIR DESIGNEES, DETERMINES THAT WATER IS REQUIRED FOR DOMESTIC AND/OR FIRE PROTECTION, THE PROJECT MUST COMPLY WITH THE "CITY OF NORTH LAS VEGAS MUNICIPAL WATER SERVICE DISTRICT SERVICE RULES AND REGULATIONS" AND THE "UNIFORM DESIGN AND CONSTRUCTION STANDARDS FOR POTABLE WATER SYSTEMS" (UDACS). THESE REGULATIONS WILL INCLUDE THE FOLLOWING:

A. THE DEVELOPER SHALL PROVIDE A METER AND BACKFLOW PREVENTION PER BUILDING.
B. A LOOPED WATER SYSTEM MAY BE REQUIRED FOR FIRE PROTECTION, SUBJECT TO REVIEW AND APPROVAL OF THE UTILITIES DEPARTMENT.

C. SUBMITTAL AND APPROVAL OF A HYDRAULIC ANALYSIS FOR THE PROJECT WHICH SHALL INCLUDE SOURCE OF SUPPLY, STORAGE, AND DESIGN OF ANY OFFSITE MAINS NECESSARY TO SERVE THE DEVELOPMENT.

9. INSTALLATION OF FRONTAGE WATER AND SEWER MAINS WILL BE REQUIRED WHEN OFFSITE IMPROVEMENTS ARE CONSTRUCTED, UNLESS OTHERWISE DETERMINED BY THE DIRECTOR OF UTILITIES.

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

Item No. 13 was heard next.

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

There was no report given.

CHAIRMAN'S BUSINESS

Commissioner Dean Leavitt made comments regarding serving on the Commission and the Commission's responsibilities and also spoke about sustainability and renewable energy. He supported the concept of maintaining a focus group.

Chairman Dilip Trivedi spoke about the building designs used in the area and did not like the fact that all homes had to same appearance, and also spoke about sustainability.

ADJOURNMENT

The meeting adjourned at 9:37 p.m.

APPROVED: July 13, 2011

/s/ Dilip Trivedi
Dilip Trivedi, Chairman

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