

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

November 14, 2012

**BRIEFING:** 5:35 P.M., Caucus Room, 2250 Las Vegas Boulevard North, North Las Vegas, Nevada

**CALL TO ORDER:** 6:05 P.M., Council Chambers, 2250 Las Vegas Boulevard North, North Las Vegas, Nevada

**ROLL CALL:** Chairman Steve Brown - Present  
Vice-Chairman Jay Aston - Present  
Commissioner Laura Perkins - Present  
Commissioner Sylvia Joiner-Greene - Present  
Commissioner Willard Ewing – Absent  
Commissioner Nelson Stone - Present  
Commissioner Felix Acevedo - Present

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

**WELCOME:** Chairman Steve Brown

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

**PLEDGE OF ALLEGIANCE:** Vice-Chairman Jay Aston

**PUBLIC FORUM**

There was no public participation.

**MINUTES**

• **APPROVAL OF MINUTES FOR THE PLANNING COMMISSION MEETING OF OCTOBER 10, 2012 (FOR POSSIBLE ACTION)**

ACTION: APPROVED

MOTION: Commissioner Perkins

SECOND: Vice-Chairman Aston

AYES: Chairman Brown, Vice-Chairman Aston, Commissioners Perkins, Joiner-Greene, Stone and Acevedo

NAYS: None

ABSTAIN: None

**Item No. 15 was heard next.**

**NEW BUSINESS**

1. **UN-36-12 (45204) C & K AUTO (PUBLIC HEARING). AN APPLICATION SUBMITTED BY C AND K AUTOMOTIVE LLC ON BEHALF OF NORTH FIFTH PROPERTIES, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW VEHICLE SALES. THE PROPERTY IS LOCATED AT 3660 NORTH FIFTH STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-11-201-003. (FOR POSSIBLE ACTION)**

The application was presented by Robert Eastman, Principal Planner who explained the applicant was currently in operation and would be moving their business to the proposed location which was in the same industrial warehouse development. The applicant intended to use private auto sales and it would not be a traditional used car lot but an auto brokerage. The applicant indicated the proposed location was in closer proximity to the auto auction so it was a better location for his business. There was adequate parking for the use and he intended to store all vehicles inside the building. Staff was recommending approval of UN-36-12 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. All "for sale" vehicles shall be stored within the warehouse.

**Craig Smith, C & K Auto, 3660 North 5<sup>th</sup> Street #140, North Las Vegas, NV** appeared on the application explaining they had been in business for one year and were moving to a different suite and concurred with Staff recommendation.

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

Chairman Brown closed the Public Hearing.

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

**MOTION: Vice-Chairman Aston**

**SECOND: Commissioner Perkins**

**AYES: Chairman Brown, Vice-Chairman Aston, Commissioners Perkins, Joiner-Greene, Stone and Acevedo**

**NAYS: None**

**ABSTAIN: None**

**2. UN-37-12 (45218) UNITED RECYCLING LLC (PUBLIC HEARING). AN APPLICATION SUBMITTED BY UNITED RECYCLING LLC ON BEHALF OF RAILROAD VALLEY ENTERPRISES LLC, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT, TO ALLOW AN OUTDOOR RECYCLING CENTER. THE PROPERTY IS LOCATED AT 3383 LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-11-413-002 THRU 005. (FOR POSSIBLE ACTION)**

The application was presented by Robert Eastman, Principal Planner who explained the site was previously used as a truck wash and the applicant would develop the site as a recycling facility specializing in cardboard, paper and plastics. The outdoor portion would be used for some of the storage of the bailed paper and cardboard products and for the storage of large roll-off containers used by their customers. The Planning Commission previously approved two use permits, one for a truck washing facility and one for a truck lube and repair business in 2011, neither of which ever opened and now the applicant was requesting the recycling use on the site. The site contains four parcels which would need to be merged together to meet mapping requirements for Public Works and the site had a large portion of the parking lot in gravel which would need to be paved to comply with Zoning Ordinance requirements. The existing building, which was built prior to the development of the Industrial Design Guidelines, was made of corrugated panels, the block wall adjacent to the rights-of-way was in general compliance with the Design Standards and there was landscaping between the wall and right-of-way that was generally in good shape and Staff was requesting the dead materials be removed and replaced with new plants. The use was compatible with the neighborhood and should not pose any negative impact. Staff was recommending approval of UN-37-12 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. The outside storage of recyclable materials and containers will be screened from view of rights-of-way and the property to the east of this site..
3. All loading and unloading of materials and containers will be indoors.
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 50% ground coverage (not including tree canopies) within two years of planting. Trees shall be planted and spaced according to the criteria listed in the Zoning Ordinance [17.24.060(E)].
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.
  7. A looped water system may be required for fire protection, subject to review and approval of the Utilities Department.
  8. The developer shall provide a meter and backflow prevention for each dwelling unit per City of North Las Vegas Municipal Water Services District Service Rules and Regulations.
  9. All existing water service lines and backflow assemblies shall be brought up to current standards.
  10. Submittal of a Hydraulic Analysis per the "Uniform Design and Construction Standards of Potable Water Systems (UDSCA), is required and will be subject to review and approval of the Utilities Department.
  11. General Provisions and Conditions of the "City of North Las Vegas Water Service Rules and Regulations" must be adhered to.
  12. Sewer laterals are not allowed into 15-inch or greater sewer mains. A manhole will be required for any connections to the existing 15-inch sewer main in Colton Avenue.
  13. Water and sewer infrastructure cannot cross parcel lines.
  14. If stored materials are to be wetted, a separate metered water service may be required subject to review and approval of the Utilities Department.
  15. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original plan.
  16. Approval of a drainage study is required prior to submittal of the civil improvement plans.
  17. Appropriate subdivision and/or parcel mapping is required to complete this project. All mapping shall be in compliance with NRS Chapter 278 and the City of North Las Vegas Municipal Master Plans in effect at the time of subdivision and/or parcel map approval. Conformance may require modifications to the site.

**Michael Wolf, 3207 Bainbury Court, North Las Vegas, NV 89032** appeared on the application indicating he concurred with Staff recommendation.

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

- **Bruce Stoker, 5010 South Valley View, Las Vegas, NV 89118** appeared on behalf of the owner of the property directly to the the east. Historically, their use was as a restaurant and they felt having a recycling center next to them would have a negative impact when they were able to reopen their business due to the noise and type of business. Also, it was felt more traffic would be added to Colton Road and the pavement was already in bad shape and having a large volume of heavy truck traffic would compound the problem.

Mr. Wolf explained the property Mr. Stoker referred to had been sitting vacant for at least five years and the owner was not planning to reopen any time soon. He also pointed out there were large trucks currently using Colton Road and his business would not be adding that much traffic and his roll-offs were on a ten-wheeler and would carry approximately two to three tons at a time.

Chairman Brown closed the Public Hearing.

Commissioner Jay Aston asked the applicant if he was aware of the conditions.

Mr. Wolf responded he was aware of the conditions and understood them.

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

**MOTION: Vice-Chairman Aston**

**SECOND: Commissioner Joiner-Greene**

**AYES: Chairman Brown, Vice-Chairman Aston, Commissioners Perkins, Joiner-Greene, Stone and Acevedo**

**NAYS: None**

**ABSTAIN: None**

**3. UN-38-12 (45232) PARAMOUNT FIBERS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PARAMOUNT WASTE MANAGEMENT INC. ON BEHALF OF PANNEE MCMACKIN, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT, TO ALLOW AN OUTDOOR RECYCLING CENTER. THE PROPERTY IS LOCATED AT 1208 WAGNER AVE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-11-303-002 AND 003. (FOR POSSIBLE ACTION)**

The application was presented by Robert Eastman, Principal Planner who explained 1208 Wagner Avenue was not a dedicated public access, so the new address would probably be off of Delhi Avenue, which was a public right-of-way to the north of the site. The neighborhood and the site was appropriate for a recycling center. The concern with the proposed site was the age of the structures and the overall condition of the existing parcel. The applicant would be required to pave the parcel, as the majority of the site was compacted dirt and gravel and would also be required to bring the existing buildings, which were built in 1960 and 1971, into compliance with current Building and Fire Codes. Since Delhi was not a fully developed road to City standards, the applicant would be required to provide half street improvements for their access point on Delhi. Staff was recommending approval of UN-38-12 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. The outside storage of recyclable materials and containers shall be screened from view of adjacent rights-of-way.
3. The buildings shall be repainted to a color that is in compliance with Industrial Design Standards.
4. All loading and unloading of materials and containers shall be indoors.
5. 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.
6. The applicant shall provide 10 feet of landscaped areas adjacent to Delhi Avenue. 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 50% ground coverage (not including tree canopies) within two years of planting. Trees shall be planted and spaced according to the criteria listed in the Zoning Ordinance [17.24.060(E)].

7. 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.
8. Dedication and construction of the following streets and/or half streets is required per the Master Plan of Streets and Highways and/or City of North Las Vegas Municipal Code section 16.24.100:
  - a. Delhi Ave
9. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
10. Approval of a drainage study is required prior to submittal of the civil improvement plans.
11. The preliminary street section(s) shown on the plans shall be used for planning purposes only; the geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
12. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
13. The property owner is required to grant a roadway easement for commercial driveway(s).
14. Appropriate subdivision and/or parcel 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 map approval.
15. All Nevada Energy easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. New distribution lines or existing distribution lines being adjusted or relocated, shall be placed underground.
16. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e., telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.

**Robert O'Connor, no address stated** appeared on the application indicating he concurred with Staff recommendation.

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

Commissioner Brown closed the Public Hearing.

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

**MOTION: Vice-Chairman Aston**

**SECOND: Commissioner Perkins**

**AYES: Chairman Brown, Vice-Chairman Aston, Commissioners Perkins, Joiner-Greene, Stone and Acevedo**

**NAYS: None**

**ABSTAIN: None**

4. **VN-04-12 (45162) CRAIG ROAD HOSPITALITY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NEVADA SIGN ON BEHALF OF DSC MANAGEMENT LLC, PROPERTY OWNER, FOR A VARIANCE IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW A 56 FOOT TALL SIGN WHERE 45 FEET IS THE MAXIMUM HEIGHT ALLOWED. THE PROPERTY IS LOCATED WEST OF FREHNER ROAD AND NORTH OF CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-01-211-008. (FOR POSSIBLE ACTION)**

The application was presented by Robert Eastman, Principal Planner who explained the site was currently developed with two hotels, The Collision Authority and a Hertz Rental Car, which was currently under construction. The applicant was creating a directory sign for all of the parcels and to act as a general directory sign as seen with a commercial retail center. The applicant was requesting a variance due to the grade separation as Craig Road begins to create the flyover over the railroad and highway. At the point of the proposed sign, the grade separation difference was 11 feet so the variance request was for 11 feet. When reviewing an application for a variance the Planning Commission needs to make a finding that because of some unusual circumstance there was a hardship. The grade difference of Craig Road was a hardship for the applicant; therefore, Staff was recommending approval of VN-04-12 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, including but not limited to, 17.24.150(E)(3).
2. The maximum height allowed shall be limited to 56 feet.

**Randy Rosenow, Account Rep for Nevada Sign, 7511 Eastgate Road, Henderson, NV** appeared on behalf of the applicant indicating he concurred with Staff recommendation.

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

**Scott Sauer, no address stated** indicated he was in support of the application.

Chairman Brown closed the Public Hearing.

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

**MOTION:** Vice-Chairman Aston

**SECOND:** Commissioner Joiner-Greene

**AYES:** Chairman Brown, Vice-Chairman Aston, Commissioners Perkins, Joiner-Greene, Stone and Acevedo

**NAYS:** None

**ABSTAIN:** None

5. **ZOA-04-12 (45222) CRAIG & BRUCE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DEIRDRE WAITT, BLUE MARBLE DEVELOPMENT LLC TO AMEND TITLE 17 (ZONING ORDINANCE) TABLE 17.16-10, LAND USE COMPATIBILITY TABLE TO ALLOW RESIDENTIAL DEVELOPMENT IN THE AE-70 SUBZONE OF THE AIR TERMINAL ENVIRONS OVERLAY DISTRICT, WITH 30 DECIBELS OF NOISE REDUCTION; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (FOR POSSIBLE ACTION)**

The application was presented by Robert Eastman, Principal Planner who explained the applicant was requesting the City to allow residential development under the 70 Noise Contour which generally exists from both the Nellis Air Force Base property and the North Las Vegas Airport. The largest contour line was Nellis Air Force Base. The existing Air Terminal Environs Overlay, for the most part, was developed in 1991 and during that time, residential development was not allowed in the 70 decibel noise contour but was allowed under the 65 decibel noise contour with 25 decibels of noise attenuation. The City adopted a zoning map, which only used the noise contours around the North Las Vegas Airport which did not take into account the noise contours from Nellis Air Force Base. Development of residential property on the east side of town impacted by the noise contours of Nellis was allowed as the ordinance did not restrict their development. In 2011, when the current Zoning Code was adopted, new noise contour maps were adopted which include the noise contours from Nellis Air Force Base, which now brings in their noise contours that were previously only recommended. The 70 decibel noise contour was a triangular shape predominantly on the east side of town from Pecos Road extending to the north and west up to just past Craig Road and Bruce Street. When reviewing the requested zoning ordinance amendment, the City reviewed ordinances from other jurisdictions, and none of them allow residential development under the 70 decibel noise contour and require 25 decibels of noise attenuation at the 65 decibel noise contour. The City of North Las Vegas currently uses the same general land use ordinances as the County, Henderson and City of Las Vegas. Ordinances in other areas were reviewed, specifically in Arizona and California, who also do not allow development within the 70 decibel noise contours, with the exception that Reno does allow development; however, they require all building permits under the 65 and 70 decibel noise contours to have a consultant to ensure that noise attenuation standards are met. There are numerous studies developed recommending that development above the 65 decibels should not be used. Development of residential from 60 to 65 was generally acceptable. The EPA determined that prolonged exposure above 70 decibels caused hearing loss and other psychological negative impacts. The Code states that noise at a 70 decibel level was a problem for the residents, so residential development was not appropriate for the site. Staff was recommending that ZOA-04-12 be denied and forwarded to City Council for final consideration.

**Gary Leobold, 2753 Laguna Seca Avenue, Henderson, NV** appeared on behalf of the applicant explaining he understood noise attenuation, but there was residential built in the 70 noise contour area. The only thing that has changed is that North Las Vegas adopted the noise contour standards into their ordinance. He showed a map of the site,

which showed the noise contours. There was a small section of the site in the 70 decibel noise contour. There were only two areas designated for residential and both areas were built out, so he did not feel a precedent was being set and also the issue of noise impact on the development of the site. He was in total agreement of the if-approved conditions in the Staff Report and was willing to work with Staff and the Planning Commission.

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

- **Jeff Jacquart, Clark County Department of Aviation, 5757 Wayne Newton Boulevard, Las Vegas, NV 89119** explained he was in charge of the Noise And Land Use Compatibility Office for Clark County and currently owned and managed six airports in Southern Nevada and it was his office who worked with all of the cities over 20 years ago to make sure incompatible development did not occur within the noise contours of their airports. That momentum also contained airport compatibility provisions for Nellis Air Force Base. He agreed with the applicant that nothing had changed. The incompatible uses are still defined as incompatible and residential development was not appropriate in a 70 decibel noise contour area. As indicated in the Staff Report, 10 different federal agencies indicated it was inappropriate to put residential inside the 65 noise contour and higher. Attenuation can be included in the construction but that does not help with the outside noise. No other local jurisdiction allows residential in a 70 noise contour area unless zoning already exists on the property. He was opposed to the re-zoning and pointed out the re-zoning could negatively impact the North Las Vegas Airport.

Commissioner Nelson Stone asked Mr. Jacquard for a list of the harmful effects the 70 decibel noise would have on humans.

Mr. Jacquart responded he did not have the information with him.

Commissioner Stone asked Staff to comment on the issue.

Mr. Eastman responded the EPA document looked at hearing loss, and other factors that affected by noise involves your way of life, difficult to sleep and adds stress to the body. There were also other studies done. There was evidence that with prolonged exposure there could be cardiac damage.

- **Scott Sauer (no address stated)** indicated he was opposed to the application and felt a precedent would be set and felt there was other property that was suitable for residential development. When the Zoning Ordinance was redone, there was much thought put into the noise contour map.

- **Thomas Langford, 1205 Stonepeak Avenue, North Las Vegas, NV 89081** was opposed to the application. He lived in the area and has had damage to his home due to low flying planes and the noise they produce. Also, the increased development would cause more congestion in the schools and on the roads. Mr. Langford also did not believe the development would be condos, but would be apartments, which would further lower the value of the surrounding homes, which were already under water and encouraged the Commission to deny the application.
- **Robert Catanzano, 4610 Rockpine Drive, North Las Vegas, NV 89081** indicated he would be speaking on Item Nos. 6 and 7.
- **David Bunyan, 4522 Testarossa Lane, North Las Vegas, NV 89081** concurred with comments made by Thomas Langford.
- **Lawrence Slaughter, 1005 Ripplestone Avenue, North Las Vegas, NV** stated he was opposed to the application and agreed with comments made by previous participants.
- **Connie Jewell, 1009 Ripplestone, North Las Vegas, NV 89081** stated she was opposed to the application and was concerned with the schools being overcrowded. The proposed site would be better used for development of businesses.
- **Bill Cadwallader, 4430 Grissom Avenue, Nellis, AFB, NV 89191** appeared representing the Commander of the 99<sup>th</sup> Air Base Wing at Nellis Air Force Base along with Mr. Scott Knudson also representing the commander. Under the Department of Defence policy worldwide, the policy was that they would do everything they could to discourage residential development in the 70 DLI and above. It was a public health issue in terms of the impacts on people's health. There was documentation of people going out to public runways with guns to try to shoot down planes because of what they felt was the noise problem. There were currently problems with noise complaints in the region and they believed both from a public health stand point, a noise stand point, and a guidance stand point, this was something that should not be allowed and were recommending denial of the application.
- **Scott Knudson, Nellis Air Force Base** who was the Chief of Community Outreach, explained his office received the noise complaints. He pointed out that noise attenuation helps for the inside of a building, but many of the complaints received were due to the outside noise. The health and safety of those around Nellis Air Force Base was primary and they wanted to be a good neighbor to North Las Vegas and he asked the Commission to deny the application,

Chairman Brown closed the Public Hearing.

Mr. Leobold stated there was an exception in Reno, NV to building in the AE 70 subject to sound engineer reports attached to the building permit. Air craft safety was brought up, but this was not a safety issue, but was a noise attenuation issue. The presence of existing housing around the site had no effect on the requested amendment. The site plan comments were premature and the design detail would be brought forward. A concept was presented to the neighbors and they realized it needed to be revised. It was possible to build in another location, but this was the site being presented. The Staff Report for the AMP and re-zoning indicated that, other than the noise attenuation, it was a suitable site for the proposed uses.

Commissioner Jay Aston asked Staff if they knew when the residential development to the north of the project was built and if there was any noise attenuation measures taken.

Mr. Eastman responded it was originally developed under a Resolution of Intent in 1990 prior to the zoning ordinance and became and was approved as a PUD in 1997. He did not know if any noise attenuation measures were required. In 1991 when the zoning ordinance was adopted, a change to the building code was also adopted to require some sound attenuation in the buildings so if the homes were built after 1991, then some of them may have been affected by the building code change and could have some sound attenuation in them.

Commissioner Aston was trying to get some clarification and understanding of what happened with some neighboring communities adjacent to the site. He also read in the report, that every 10 decibels was double in volume, so that would be 60 to 70, not 65 to 70 which would double in volume.

Mr. Eastman responded according to his information, it doubled every 10 decibels. It was more energy released, but it actually doubled in volume every 10 decibels.

Commissioner Aston clarified the Staff Report stated none of the other government entities were allowing residential at 70 decibels, but Clark County did allow it, if you went to 30 decibels noise attenuation.

Mr. Eastman explained in Clark County, if a development was started before adoption of their ordinance, they were allowed to complete it or if it was a rural development of less than two density units to the acre, with noise attenuation it would be allowed.

Commissioner Aston stated the City of North Las Vegas had been a tremendous partner to Nellis Air Force Base for over 66 years and he wanted to continue the relationship and was not in support of the application. The apartments could be built to decrease the noise, but there would be common areas which would be affected by the noise.

Mr. Jacquart with Clark County Aviation clarified on Mr. Eastman's comments that Clark County allowed new residential development in 30 decibels or higher but with a very small condition that the property was zoned with a residential category in 1986 prior to the noise contours being adopted, but that did not apply to zone changes.

Chairman Steve Brown explained decibels. The EPA and other studies quoted all require a continuous exposure to the sound level, so if a plane flies over it was not continuous. It would require the planes to fly over constantly for it to be a problem. He was not in support of the application as the noise outside would be too loud.

Commissioner Laura Perkins echoed what was said by other Commissioners. She was also concerned with the outside noise being too loud and also felt the City would be setting a very dangerous precedent which could affect the whole State and was not in support of the application.

Chairman Brown stated one of the problems with putting homes in a traffic pattern, also created problems for the airport, because if enough complaints were received the airport would be forced to change the traffic pattern.

ACTION: DENIED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Vice-Chairman Aston

SECOND: Commissioner Perkins

AYES: Chairman Brown, Vice-Chairman Aston, Commissioners Perkins, Joiner-Greene, Stone and Acevedo

NAYS: None

ABSTAIN: None

6. **AMP-06-12 (45220) CRAIG & BRUCE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DEIRDRE WAITT, BLUE MARBLE DEVELOPMENT LLC ON BEHALF OF COMERICA BANK, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF COMMUNITY COMMERCIAL TO MULTI-FAMILY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER AND NORTHEAST CORNER OF CRAIG ROAD AND BRUCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 139-02-215-001 AND 139-02-612-001. (FOR POSSIBLE ACTION)**

Chairman Steve Brown asked the applicant if he wanted to move forward with AMP-06-12 and ZN-08-12.

**Gary Leobold, 2753 Laguna Seca Avenue, Henderson, NV** indicated he would like to move forward with the items.

Chief Deputy City Attorney Sandra Douglass Morgan explained since ZOA-04-12 was denied, AMP-06-12 and ZN-08-12 could not go forward.

Commissioner Jay Aston clarified a motion did not need to be made on AMP-06-12 and ZN-08-12.

Chief Deputy City Attorney Douglass Morgan suggested the motions be consistent with the action taken for ZOA-04-12.

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

- **Robert Catanzano, 4610 Rockpine Drive, North Las Vegas, NV 89081** questioned why the applicant invited residents to a meeting, lied to them, and then came forward to a meeting with a plan. The residents were told the applicant owned the property, which they did not and also they were not required to hold a meeting with the residents, which they were required to do.
- **Thomas Langford, 1205 Stonepeak Avenue, North Las Vegas, NV 89081** was sure the applications would be appealed and asked if the residents would be notified.

Mr. Eastman responded the residents would be notified, as the items would go forward to City Council and require a public hearing. The notification would be similar to what was received for the Public Hearing at the Planning Commission Meeting. He also explained ZOA-04-12 and AMP-06-12 would be automatically forwarded to City Council and ZN-08-12 would have to be appealed by the applicant.

Chairman Brown closed the Public Hearing.

ACTION: DENIED; FORWARDED TO CITY COUNCIL FOR FINAL  
CONSIDERATION

MOTION: Vice-Chairman Aston

SECOND: Commissioner Perkins

AYES: Chairman Brown, Vice-Chairman Aston, Commissioners Perkins, Joiner-  
Greene, Stone and Acevedo

NAYS: None

ABSTAIN: None

7. **ZN-08-12 (45236) CRAIG & BRUCE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DEIRDRE WAITT, BLUE MARBLE DEVELOPMENT LLC ON BEHALF OF COMERICA BANK, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER AND NORTHEAST CORNER OF CRAIG ROAD AND BRUCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 139-02-215-001 AND 139-02-612-001. (FOR POSSIBLE ACTION)**

Chairman Steve Brown asked the applicant if he wanted to move forward with AMP-06-12 and ZN-08-12.

**Gary Leobold, 2753 Laguna Seca Avenue, Henderson, NV** indicated he would like to move forward with the items.

Chief Deputy City Attorney Sandra Douglass Morgan explained since ZOA-04-12 was denied, AMP-06-12 and ZN-08-12 could not go forward.

Commissioner Jay Aston clarified a motion did not need to be made on AMP-06-12 and ZN-08-12.

Chief Deputy City Attorney Douglass Morgan suggested the motions be consistent with the action taken for ZOA-04-12.

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

- **Robert Catanzano, 4610 Rockpine Drive, North Las Vegas, NV 89081** questioned why the applicant invited residents to a meeting, lied to them, and then came forward to a meeting with a plan. The residents were told the applicant owned the property, which they did not and also they were not required to hold a meeting with the residents, which they were required to do.
- **Thomas Langford, 1205 Stonepeak Avenue, North Las Vegas, NV 89081** was sure the applications would be appealed and asked if the residents would be notified.

Mr. Eastman responded the residents would be notified as the items would go forward to City Council and require a public hearing. The notification would be similar to what was received for the Public Hearing at the Planning Commission Meeting. He also explained ZOA-04-12 and AMP-06-12 would be automatically forwarded to City Council and ZN-08-12 would have to be appealed by the applicant.

Chairman Brown closed the Public Hearing.

ACTION: DENIED

MOTION: Vice-Chairman Aston

SECOND: Commissioner Perkins

AYES: Chairman Brown, Vice-Chairman Aston, Commissioners Perkins, Joiner-Greene, Stone and Acevedo

NAYS: None

ABSTAIN: None

**8. VAC-05-12 (45199) IGLESIA DE DIOS OF NORTH LAS VEGAS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY IGLESIA DE DIOS OF NORTH LAS VEGAS, PROPERTY OWNER, TO VACATE THE UTILITY EASEMENTS ON 2540 BELMONT STREET, 3024 HADDOCK AVENUE AND 3028 HADDOCK AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-13-810-001, AND 002, 139-13-811-001, 139-13-811-004 AND 005. (FOR POSSIBLE ACTION)**

The application was presented by Robert Eastman, Principal Planner who explained the applicant was merging five parcels and vacating old utility easements. Public Works and Utility Departments and the Utility companies were in support of the application, with the exception of the five foot utility easement that runs along Haddock Avenue. Staff was recommending approval of VAC-05-12 subject to the following conditions:

1. The vacation will apply only to those 3-foot utility easements that run parallel to Belmont Street and the 3-foot utility easement that runs along the north property line of parcel 139-13-811-004.
2. The utility easement that begins at the northeast corner of Belmont Street and Haddock Avenue and runs east approximately 215 feet along Haddock Avenue is specifically excluded from this approval.

**Tomas Hellums, Dwyer Engineering, 7310 Smoke Ranch Road, Las Vegas, NV** appeared on behalf of the applicant indicating he concurred with Staff recommendation.

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

Chairman Brown closed the Public Hearing.

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

**MOTION: Commissioner Perkins**

**SECOND: Commissioner Joiner-Greene**

**AYES: Chairman Brown, Vice-Chairman Aston, Commissioners Perkins, Joiner-Greene, Stone and Acevedo**

**NAYS: None**

**ABSTAIN: None**

9. **AMP-07-12 (45229) TJX EXPANSION (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TJX COMPANIES ON BEHALF OF TML MENDENHALL LP, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, STREETS AND HIGHWAYS, TO REMOVE A PORTION OF LA MADRE WAY COMMENCING AT LAMB BOULEVARD AND PROCEEDING WEST TO THE I-15 RIGHT-OF-WAY AND CONTINUING NORTHWEST TO WASHBURN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 123-31-702-001 AND 123-31-703-001. (FOR POSSIBLE ACTION)**

The application was presented by Marc Jordan, Planning Manager who explained the applicant was requesting to remove La Madre Way starting at Lamb Boulevard and extending west to the I-15 right-of-way. Staff has no objections to removing the street; however, recommends that the amendment be carried further west and north to include the remaining portion of right-of-way that spans Interstate 15 and continues northwesterly connecting to Washburn Road. As a result of the applicant's request, the rest of that extension would no longer be needed. Staff was recommending approval of AMP-07-12.

**Treasea Wolf, Walker Engineering, LLC, 5765 South Rainbow Boulevard #101, Las Vegas, NV 89118** appeared on behalf of the applicant indicating she concurred with Staff recommendation.

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

Chairman Brown closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Acevedo

SECOND: Vice-Chairman Aston

AYES: Chairman Brown, Vice-Chairman Aston, Commissioners Perkins, Joiner-Greene, Stone and Acevedo

NAYS: None

ABSTAIN: None

10. **VAC-06-12 (45230) TJX EXPANSION (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TJX COMPANIES ON BEHALF OF TML MENDENHALL LP, PROPERTY OWNER, TO VACATE PORTIONS OF LINCOLN ROAD AND SMILEY ROAD. THE PROPERTY IS LOCATED WEST OF LAMB BOULEVARD AND SOUTH OF SMILEY ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 123-31-702-001 AND 123-31-703-001. (FOR POSSIBLE ACTION)**

The application was presented by Marc Jordan, Planning Manager who explained the vacation was to help with the expansion of the TJX warehouse. Staff was recommending approval of VAC-06-12 subject to the following conditions:

1. Due to the existing 24-inch water main, a portion of the area proposed to be vacated shall be reserved as a public utility easement. A minimum 30-foot wide drivable public utility easement as required in Section 2.04.01 of the Uniform Design and Construction Standards (UDACS), centered on the existing water main, shall be recorded concurrently with the vacation. The easement shall be provided and maintained in a drivable condition to facilitate the operation and maintenance of the water main. No trees, signs, parking areas, temporary or permanent structures or any other improvements that would interfere with the normal operation and maintenance of the existing water line will be allowed within the easement.
2. Right-of-way shall be vacated as shown on the associated site plan dated October 10, 2012.
3. A cul-de-sac, per *Clark County Area Uniform Standard Drawing* number 212, shall be constructed at the terminus of Lincoln Road and Smiley Road. To comply with Fire Department requirements, R1 must equal 52.5 feet and R must equal 57.5 feet. An offset cul-de-sac may be permitted.
4. Regarding the existing street lights within the portion of Smiley Road being vacated, the developer shall provide a separate point of connection and set a private service pedestal to privately maintain the street lights, or the street lights may be removed at the expense of the developer.
5. A public utility easement is required for existing public utilities.

**Treasea Wolf, Walker Engineering, LLC, 5765 South Rainbow Boulevard #101, Las Vegas, NV 89118** appeared on behalf of the applicant indicating she concurred with Staff recommendation.

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

- **Roger Lawshe, 4150 Smiley Road, North Las Vegas, NV 89081** appeared on behalf of Sierra Ready Mix stating they were not opposed but have concerns regarding the proposed cul-de-sac and possible street light removal. They are willing to work with the applicant to make sure access is adequate to the Sierra Ready Mix property.

Ms. Wolf explained the property owner's representative, Jim Barker, with Las Vegas Paving told the applicant he had spoken with Sierra Ready mix and they were in agreement with the cul-de-sac and the vacation of Smiley Road. Before everything is finalized, they would work out the details with Sierra Ready Mix.

Chairman Brown closed the Public Hearing.

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

MOTION: Commissioner Perkins

SECOND: Vice-Chairman Aston

AYES: Chairman Brown, Vice-Chairman Aston, Commissioners Perkins, Joiner-Greene, Stone and Acevedo

NAYS: None

ABSTAIN: None

**11. UN-26-08 (45106) MILLER HOTEL & CASINO (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MILROS COMPANY INC. ON BEHALF OF MILLER ALON & ROSANNA FAMILY TRUST, PROPERTY OWNERS, FOR AN EXTENSION OF TIME TO A PREVIOUSLY APPROVED SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW TWO CASINO/HOTELS. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF THE CENTENNIAL PARKWAY AND SLOAN LANE RIGHT-OF-WAY ALIGNMENTS. THE ASSESSOR'S PARCEL NUMBER IS 123-22-301-001. (FOR POSSIBLE ACTION)**

The application was presented by Marc Jordan, Planning Manager who explained the approved site plan showed two hotels and casino that would be built in two phases. Staff identified that the design was okay except for the parking structure, which needed additional features to make it match the facility and not look like a parking structure. The applicant complies with parking requirements of the Title 17 in place at the time of the original approval. The site was adjacent to the Nevada Army National Guard Floyd Edsall Training Center and since the original approval of the application, Staff has worked with the National Guard, the State, UNLV, Nellis, the County and other entities in the valley to develop the Joint Land Use Study (JLUS) which studies compatible land uses next to military operations. As part of the JLUS, there were recommendations for the City to consider, such as the heights of structures such as hotels and casinos adjacent to the Floyd Edsall Training Center. They also suggested the City adopt ordinances to limit the length of a gaming enterprise district and if the use permit or Gaming Enterprise District should expire, that the land use be redesignated to Light Industrial or Research and Development. However, the City did not adopt the JLUS, but only accepted it and Staff was not given direction to make changes to the zoning ordinance or land use; therefore, Staff has no objection to the extension of time. Mr. Jordan pointed out there were conditions added requiring the applicant to work with the National Guard and a final map was required to be approved by the Planning Commission. Staff was recommending approval of UN-26-08 with the following conditions:

1. That, unless expressly authorized through a variance, waiver or another method, this development shall comply with all applicable codes and ordinances.
2. That UN-26-08 is site-specific and non-transferrable.
3. That UN-26-08 shall be null and void if GED-01-08 is not approved by City Council.
4. Design elements shall be incorporated into the parking structures that will match the overall architectural theme/style of the casino/hotel(s), provide visual interest, and reduce their overall visual length.
5. The design of the structures shall take into consideration future wireless communications facilities.

6. Landscaped islands shall be installed between the parking rows of every other double row of parking, and at the ends of every row.
7. Six (6) foot wide landscaped islands shall be required within each parking row for every 15 parking spaces contained within a row.
8. Street trees shall be planted along Centennial Parkway at intervals of 30 feet for trees that reach a mature height greater than 15 feet or at intervals of 10 feet for trees that reach a mature height of up to 15 feet or less.
9. The sidewalk along Centennial Parkway shall be meandering.
10. Parking areas abutting Centennial Parkway shall be screened by decorative walls or landscaped berms with a minimum height of 3 feet above the finished grade at the rear of the setback area.
11. Refuse collection areas and dumpsters shall be enclosed by masonry walls finished in the same manner as the surrounding primary structures. All such enclosures shall have solid metal gates and roofs.
12. Measures to achieve a noise level reduction, outdoor-to-indoor, of 25 decibels must be incorporated into the design and construction of the casino/hotel.
13. Approval of a traffic study is required prior to submittal of the civil improvement plans.
14. Approval of a drainage study is required prior to submittal of the civil improvement plans.
15. The size and location of any drainage facilities and/or easements shown are contingent upon review and approval of a Technical Drainage Study.
16. Nevada Department of Transportation concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
17. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
18. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100: a. 100' on Centennial Parkway
19. The developer is required to construct a raised median within Centennial Parkway. The median shall be constructed per *Clark County Area Uniform Standard Drawing* numbers 218 and 219 "A" type island curb.

20. Median landscape and irrigation plans must be submitted to the Parks Department for the landscaping required within the Centennial Parkway median. The developer's landscape architect should contact the City, for landscaping requirements prior to designing the landscape plan(s) for the median. Final approval of the civil improvement plans will not be acquired prior to Parks' approval of the landscaping plans.
21. The property owner is required to acquire roadway easements or dedications to provide 32' of paved access from this site to two existing public paved roads.
22. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
23. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
24. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
25. The property owner is required to grant a roadway easement for commercial driveway(s).
26. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Any new or relocated distribution lines, shall be placed underground.
27. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Centennial Parkway.
28. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.
29. The property owner is required to sign a restrictive covenant for utilities.
30. The property owner is required to grant a public pedestrian access easement for sidewalk located within a common element, or on private property, when that sidewalk is providing public access adjacent to the right-of-way.
31. A revocable encroachment permit for landscaping within the public right-of-way is required.

32. All off-site improvements must be completed prior to final inspection of the first building.
33. A turn-key fire station, including associated vehicles, equipment, and all City required off-site improvements shall be completed to the satisfaction of the City and at the expense of the developer prior to Certificate of Occupancy for any casino on the proposed site. The station shall be built to the North Las Vegas Fire Department Station Design Standard, or other standard as approved by the Fire Chief. The station shall be furnished with a fire engine, a fire truck, and a rescue unit per the specifications of the North Las Vegas Fire Department. The land, building, and equipment for the station shall be deeded to the City of North Las Vegas. The site for the station shall be approved by the Fire Chief.
34. The sanitary sewer for the subject property shall be routed south on Sloan Lane and connect into the existing Clark County sanitary sewer, unless otherwise directed by the Director of Utilities.
35. The developer shall provide a meter and backflow prevention per building per City of North Las Vegas Municipal Water Services Rules and Regulations.
36. Internal mapping of the development shall be submitted at time of building permit review.
37. The applicant will provide two (2) on-site mitigation measures to minimize public exposure to land occupied by the Nevada National Guard:
  - a. an eight (8) foot tall CMU block wall with an additional two (2) foot wrought-iron extensions directed toward the Miller property will be constructed to prevent patrons from crossing property lines shared with the Nevada National Guard property; and
  - b. hotel towers shall be oriented so as to limit visibility to the Floyd Edsall Training Center.
38. Prior to any construction on the site, a final development plan shall be approved by the City of North Las Vegas Planning Commission as a Public Hearing.
39. The applicant shall sign a written notice declaring knowledge of the existence of the Nevada National Guard and its training activities, wherein the development may be subject to, but not limited to, noise, light, dust, laser emissions, and odors created by military training and related activities. This notice shall be recorded against the property in a form approved by the Director of Planning and Zoning.
40. The use permit shall expire on July 16, 2014.

**Lora Dreja, 520 South Fourth Street, Las Vegas, NV 89101** appeared on behalf of the applicant indicating she concurred with Staff recommendation.

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

- **John Bayer, 4780 West Harmon #4, Las Vegas, NV 89103** owned adjoining property and was in support of the application.
- **Lt. Nathan Stromberg, NV Army National Guard, 2460 Fairview Drive, Carson City, NV 89701** appeared on behalf of the National Guard indicating they were opposed to the application as they had concerns with traffic, security and safety.

Chairman Brown closed the Public Hearing.

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

**MOTION: Vice-Chairman Aston**

**SECOND: Commissioner Stone**

**AYES: Chairman Brown, Vice-Chairman Aston, Commissioners Perkins, Joiner-Greene, Stone and Acevedo**

**NAYS: None**

**ABSTAIN: None**

**12. UN-27-08 (45107) MILLER HOTEL & CASINO (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MILROS COMPANY INC. ON BEHALF OF MILLER ALON & ROSANNA FAMILY TRUST, PROPERTY OWNERS, FOR AN EXTENSION OF TIME TO A PREVIOUSLY APPROVED SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW 90-FOOT-HIGH CASINO/HOTELS WHERE 60 FEET IS THE MAXIMUM HEIGHT ALLOWED. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF THE CENTENNIAL PARKWAY AND SLOAN LANE RIGHT-OF-WAY ALIGNMENTS. THE ASSESSOR'S PARCEL NUMBER IS 123-22-301-001. (FOR POSSIBLE ACTION)**

The application was presented by Marc Jordan, Planning Manager who explained the hotel/casino building would be 90 feet in height with the parking structures being 77 feet and 88 feet in height. Staff was recommending approval of UN-27-08 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another method, this development shall comply with all applicable codes and ordinances.
2. That UN-27-08 is site-specific and non-transferrable.
3. That the buildings on this site may be constructed up to 90 feet in height.
4. That UN-27-08 shall be null and void if GED-01-08 is not approved by City Council.
5. That UN-27-08 shall comply with all conditions of approval of UN-26-08.
6. A turn-key fire station, including associated vehicles, equipment, and all City required off-site improvements shall be completed to the satisfaction of the City and at the expense of the developer prior to Certificate of Occupancy for any hotel or any high-rise on the proposed site. The station shall be built to the North Las Vegas Fire Department Station Design Standard, or other standard as approved by the Fire Chief. The station shall be furnished with a fire engine, a fire truck, and a rescue unit per the specifications of the North Las Vegas Fire Department. The land, building, and equipment for the station shall be deeded to the City of North Las Vegas. The site for the station shall be approved by the Fire Chief.
7. No heliport shall be built upon the top of the high-rise.
8. A radio repeater system shall be installed per Fire Department standards in the high-rise.
9. The fire command center shall be located at grade as directed by the Fire Department.

10. A Fire Protection Report for the high-rise shall be approved by the City of North Las Vegas prior to submitting any building plans.
11. The sanitary sewer for the subject property shall be routed south on Sloan Lane and connect into the existing Clark County sanitary sewer, unless otherwise directed by the Director of Utilities.
12. The developer shall provide a meter and backflow prevention per building per City of North Las Vegas Municipal Water Services Rules and Regulations.
13. The use permit shall expire on July 16, 2014.

**Lora Dreja, 520 South Fourth Street, Las Vegas, NV 89101** appeared on behalf of the applicant indicating she concurred with Staff recommendation.

Chairman Steve Brown opened the Public Hearing. The following comments were carried forward from Item No. 11, UN-26-08:

- **John Bayer, 4780 West Harmon #4, Las Vegas, NV 89103** owned adjoining property and was in support of the application.
- **Lt. Nathan Stromberg, NV Army National Guard, 2460 Fairview Drive, Carson City, NV 89701** appeared on behalf of the National Guard indicating they were opposed to the application as they had concerns with traffic, security and safety.

Chairman Brown closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Stone

SECOND: Commissioner Joiner-Greene

AYES: Vice-Chairman Aston, Commissioners Perkins, Joiner-Greene, Stone and Acevedo

NAYS: Chairman Brown

ABSTAIN: None

**13. UN-35-12 (45158) 7-ELEVEN CONVENIENCE STORE W/GAS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY 7-ELEVEN INC. ON BEHALF OF DEER SPRINGS CROSSING LP, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE STORE WITH GAS PUMPS. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF NORTH FIFTH STREET AND ROME BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 124-23-316-06. (FOR POSSIBLE ACTION)**

The application was presented by Marc Jordan, Planning Manager who explained the applicant was proposing to develop a new building over 3000 square feet. Staff has no objections to the use. According to the building elevations submitted, the building complies with the Commercial Design Guidelines; however, the south and west elevations would need to comply with the Design Guidelines by supplying more windows, awnings, arcades and other features. The applicant also showed a trash enclosure behind the landscaping. Staff recommended the enclosure be located toward the northeast of the site. Staff was recommending approval of UN-35-12 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. The south and west building elevations facing Rome Boulevard and North 5<sup>th</sup> Street, respectively shall incorporate additional features, such as windows, awnings, and arcades so that such features total at least 60 percent of each building facade.
3. The trash enclosure shall be relocated so as not to be adjacent to either North 5<sup>th</sup> Street or Rome Boulevard. In addition, the trash enclosure shall be enclosed by a decorative wall finished with the same materials and colors as the convenience store and shall also contain a roof.
4. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
5. Approval of a drainage study update is required prior to submittal of the civil improvement plans.
6. Approval of a traffic study update is required prior to submittal of the civil improvement plans.

**Mark Hawkins, Fennemore Craig Jones Vargas, 300 South Fourth Street, Las Vegas, NV** appeared on behalf of the applicant indicating he concurred with Staff recommendation.

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

Chairman Brown closed the Public Hearing.

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

**MOTION:** Vice-Chairman Aston

**SECOND:** Commissioner Perkins

**AYES:** Chairman Brown, Vice-Chairman Aston, Commissioners Perkins, Joiner-Greene, Stone and Acevedo

**NAYS:** None

**ABSTAIN:** None

14. **VAC-04-12 (45093) SOUTHERN TIRE MART @ CHEYENNE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SOUTHERN TIRE MART, LLC ON BEHALF OF COHEN 2006 TRUST & COHEN ANDREW CO-TRS, PROPERTY OWNERS, TO VACATE THE SLOPE EASEMENT ON A PROPERTY. THE PROPERTY IS LOCATED SOUTH OF CHEYENNE AVENUE AND WEST OF LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-14-01-018. (FOR POSSIBLE ACTION)**

The application was presented by Marc Jordan, Planning Manager who explained the applicant filed a parcel map with the City and one of the requirements was to go through the vacation request. Staff was recommending approval of VAC-04-12.

**Treasea Wolf, Walker Engineering, LLC, 5765 South Rainbow Boulevard #101, Las Vegas, NV 89118** appeared on behalf of the applicant indicating she concurred with Staff recommendation.

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

Chairman Brown closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Joiner-Greene

SECOND: Commissioner Perkins

AYES: Chairman Brown, Vice-Chairman Aston, Commissioners Perkins, Joiner-Greene, Stone and Acevedo

NAYS: None

ABSTAIN: None

**Second Public Forum was heard next.**

**OLD BUSINESS**

15. **UN-24-11 (44870) SOMERSET ACADEMY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SOMERSET ACADEMY ON BEHALF OF SCHOOL DEVELOPMENT CENTENNIAL, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED SPECIAL USE PERMIT (UN-24-11) IN A C-2, GENERAL COMMERCIAL DISTRICT TO AMEND CONDITION #9 BY REVISING THE SPECIFIC CONFIGURATION AND TURF SIZE OF THE PLAY GROUND. THE PROPERTY IS LOCATED AT 385 CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-27-115-022. (FOR POSSIBLE ACTION) (CONTINUED AUGUST 8, SEPTEMBER 12, AND OCTOBER 10, 2012)**

It was requested by the applicant to continue UN-24-11 to January 9, 2013.

**Bob Gronauer, Kaempfer Crowell Renshaw Gronauer & Fiorentino, 8345 West Sunset Road, Suite 250, Las Vegas, NV 89113** appeared on behalf of the applicant explaining the continuance was being requested as they were in the process of negotiating a purchase and sales agreement to expand the playground and were planning to come back in 60 days ready to move forward.

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

Chairman Brown indicated the Public Hearing would remain open.

ACTION: CONTINUED TO JANUARY 9, 2013

MOTION: Commissioner Perkins

SECOND: Vice-Chairman Aston

AYES: Chairman Brown, Vice-Chairman Aston, Commissioners Perkins, Joiner-Greene, Stone and Acevedo

NAYS: None

ABSTAIN: None

**Item No. 16 was heard next.**

16. **UN-33-12 (45060) MAVERIK – CAREY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MAVERIK INC. ON BEHALF OF DENBESTE NEVADA PROPERTIES LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW A CONVENIENCE STORE WITH GAS PUMPS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF LOSEE ROAD AND CAREY AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-15-801-021 AND 022. (FOR POSSIBLE ACTION) CONTINUED OCTOBER 10, 2012)**

It was requested by the applicant to continue UN-33-12 indefinitely.

ACTION: CONTINUED INDEFINITELY

MOTION: Vice-Chairman Aston

SECOND: Commissioner Stone

AYES: Chairman Brown, Vice-Chairman Aston, Commissioners Perkins, Joiner-Greene, Stone and Acevedo

NAYS: None

ABSTAIN: None

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

**PUBLIC FORUM**

There was no public participation.

**DIRECTOR'S BUSINESS**

Community Services and Development Director Frank Fiori wished everyone a Happy Thanksgiving.

**CHAIRMAN'S BUSINESS**

There was no report given.

**ADJOURNMENT**

The meeting adjourned at 7:50 p.m.

APPROVED: December 12, 2012

/s/ Steve Brown  
Steve Brown, Chairman

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