

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

August 27, 2008

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

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

WELCOME: Vice-Chairman Harry Shull

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

STAFF PRESENT: Frank Fiori, Planning & Zoning Director
Marc Jordan, Planning Manager
Robert Eastman, Principal Planner
Bethany Sanchez, Deputy City Attorney II
Lorena Candelario, Public Works
Eric Hawkins, Public Works
Janice Carr, Fire Department
Ernie Buo, Utilities Department
Jo Ann Lawrence, Recording Secretary

VERIFICATION: Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE: Commissioner Dean Leavitt

PUBLIC FORUM

There was no public participation.

MINUTES

- **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF JULY 23, 2008**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: Commissioner Cato

Item No. 8 was heard next.

NEW BUSINESS

1. **PRESENTATION BY THE AMERICAN INSTITUTE OF ARCHITECTS, DISCUSSION AND/OR ACTION REGARDING SUSTAINABILITY AND BUILDING GREEN.**

Windom Kinsey and Harry Ray from The American Institute of Architects (AIA) gave a presentation on The Blue Print for Nevada.

Commissioner Dilip Trivedi suggested presentation be made to City Council and possibly follow up with some workshops or charrettes.

Commissioner Dean Leavitt indicated he had attended some of the AIA sessions and found them informative.

Commissioner Jay Aston pointed out the Visioning 2025 set a lot of goals and strategies and went along with The Blue Print for Nevada thought if there was work to be done it would be comparing the work that had already been done. The Blue Print for Nevada was another instrument in knowledge and ability that could be molded into some of the things the City already had resources for, instead of taking it as an independent resource. He suggested taking another look at the Visioning 2025 and whether the goals were being met and if there were new insights from AIA or possibly other resources. The information presented was useful and on-going and he did not want to ignore the work that had already been done on the Visioning 2025.

Commissioner Steve Brown agreed with comments made by Commissioner Aston.

Vice-Chairman Harry Shull recommended the presentation be given to City Council and possibly some workshops be set up and incorporate suggestions made by Commissioner Aston.

Commissioner Jo Cato agreed with comments made by other Commissioners.

Frank Fiori, Planning and Zoning Director agreed with comments made by the Commissioners and indicated many of the concepts presented had already been discussed and would be integrated into the re-write of Title 17, which was in process, and agreed it was a good idea to do a comparison of what was being worked on, what had been worked on and what was presented, so they could get an idea of where the City stood and what needed to be worked on. He would present the information to City Council and ask them if they would be interested in having a presentation given during a work session and at that time, City Council could give direction to Staff.

ACTION: PRESENTATION GIVEN; STAFF DIRECTED TO FORWARD TO CITY COUNCIL FOR THEIR REVIEW

2. UN-85-08 (36345) NAVY FEDERAL CREDIT UNION (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NAVY FEDERAL CREDIT UNION ON BEHALF OF KAMROS HOLDINGS LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A FINANCIAL INSTITUTION (CREDIT UNION). THE PROPERTY IS LOCATED AT 365 WEST CRAIG ROAD, SUITES 128, 129 AND 130. THE ASSESSOR'S PARCEL NUMBER IS 139-03-311-016.

The application was presented by Marc Jordan, Planning Manager who explained the use would consist of approximately 3500 square feet and the applicant indicated there would not be an ATM machine located outside of the facility. Staff had no objections and was recommending approval of UN-85-08 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. The applicant shall submit a traffic study update for review and approval.

Sarah Grogan, 5615 Cameron, Las Vegas, NV appeared on behalf of the applicant indicating she concurred with Staff recommendation and explained there had been a recent traffic study done on the site and felt a bank did not generate any more traffic than a grocery store.

Eric Hawkins of Public Works explained a bank generated more trips than a grocery store, which was why a traffic study update was requested.

Ms. Grogan explained the credit union did not have a drive-thru, so the traffic would be less; and asked if the traffic study would delay their ability to complete the project.

Mr. Hawkins directed Ms. Grogan to have a traffic engineer contact Public Works for a scope and when the trip generation was completed, it may not generate much more traffic and might not require an update. He explained the traffic study update was requested, because the land use had changed.

Ms. Grogan indicated she understood.

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

Vice-Chairman Shull closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

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

3. UN-83-08 (36302) CHEYENNE COMMERCE CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RICHARD LOMBARDO ON BEHALF OF HARSCH INVESTMENT PROPERTIES NV LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW RETAIL SALES. THE PROPERTY IS LOCATED AT 570 WEST CHEYENNE AVENUE, SUITE 80. THE ASSESSOR'S PARCEL NUMBER IS 139-10-401-007.

The application was presented by Marc Jordan, Planning Manager who explained the applicant was proposing retail sales of custom apparel, signs, banners, graphics and team uniforms within the facility. Staff was originally recommending denial, as they did not want to see retail introduced into a newly developed industrial center; however, the applicant submitted a revised letter of intent that gave more detail, explaining the operation of their business and after reviewing it, Staff agreed with the applicant, that the type of business they proposed, which was primarily warehousing and embroidering, would fall more into the industrial category. Because of the amount of retail they would have, approximately 10% or less, Staff had no objection and was recommending approval of UN-83-08 subject to the conditions listed in the revised memorandum dated August 27, 2008 as follows:

1. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. This use permit is site-specific and non-transferrable for Suite 80 and not more than ten percent (10%) or 400 square feet, whichever is less, of the total floor area may be used for retail purposes.
3. A minimum 20 parking spaces shall be allocated for Suite 80 (approximately 4,000 square feet), unless a supporting parking study is submitted for review and approval of the Traffic Engineer prior to the issuance of a business license.
4. That all loading and unloading of merchandise take place at the rear of the building. Retail purchases may be carried out the front door.
5. That outdoor displays shall be prohibited.
6. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
7. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.

8. The applicant shall submit a traffic study update for review and approval.

Don Kruger, 5242 Swenson, Las Vegas, NV appeared on behalf of the applicant indicating he concurred with Staff recommendation and asked about the requirement for a traffic study, explaining the tenant did not have control of the number of parking spaces allocated. The lease did not give dictated parking spaces, beyond that which he would employ, so there was crossover in the use. There was 130 parking spaces for the tenants on the site, which should satisfy the 20 spaces required by Staff. Mr. Kruger stated the applicant anticipated having two to four employees and at any one time, there would be no more than one customer and not more than three or four customers per day.

Rich Lombardo, 10406 Morning Drop Avenue, Las Vegas, NV explained the use was for custom apparel manufacturing, but he wanted people to be able to come into the business for cash sales.

Vice-Chairman Harry Shull asked Staff if there could be an amendment to the traffic study request.

Mr. Jordan explained the condition was added due to the use originally being retail. As indicated by the applicant, there was an overage of parking, but with retail being introduced, Staff wanted to ensure there was adequate parking. The condition required 20 parking spaces and the applicant indicated they had ample parking, so the condition was already met.

Mr. Kruger explained the lease showed there was 130 spaces of shared parking and Condition No. 3 was requiring 20 spaces of exclusive dedicated parking.

Mr. Jordan explained, even though Staff was requesting 20 spaces that could be allocated to Suite 80, it does not have to be incorporated into the lease. Staff was looking at the total number of spaces and according to what was indicated by the applicant, the condition was met.

Mr. Kruger also asked about Condition No. 8, which required a traffic study update and asked if it was still required.

Eric Hawkins of Public Works explained the engineer should contact Public Works, and if the number of trips on the scope request was the same or less, the Traffic study would not be required.

Commissioner Aston asked if the wording "or as otherwise approved by the Traffic Engineer should be added to Condition No. 8."

Mr. Hawkins responded it should be approved by the Director of Public Works.

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

Vice-Chairman Shull closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
CONDITION NO. 8 AMENDED TO READ:

8. THE APPLICANT SHALL SUBMIT A TRAFFIC STUDY UPDATE FOR REVIEW AND APPROVAL, OR AS OTHERWISE DIRECTED BY THE DIRECTOR OF PUBLIC WORKS.

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

4. UN-84-08 (36328) WESTERN LINEN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY WESTERN LINEN SERVICE, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW A LAUNDRY FACILITY. THE PROPERTY IS LOCATED NORTH OF BROOKS STREET AND APPROXIMATELY 570 FEET EAST OF SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-17-510-005.

The application was presented by Marc Jordan, Planning Manager who explained the applicant was proposing a commercial laundry facility and provided Material Safety Data Sheets (MSDS) to the Fire Department for the type of materials that would be on hand. The Fire Department determined the materials were not hazardous, so a special use permit for hazardous materials was not necessary. Staff was recommending approval of UN-84-08 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. That UN-84-08 is site-specific and non-transferable.
3. The development of this site shall comply with the Industrial Design Standards.
4. That the elevations submitted herein are not approved. Revisions are necessary for the proposed building to match the design, colors and materials of the existing buildings within the industrial park.
5. That the maximum occupancy of the building shall not exceed 15 people, unless the applicant demonstrates with a parking study that additional occupancy can be accommodated. The parking study shall be prepared and stamped by a Nevada-licensed professional certified to prepare said study. The applicant shall provide evidence of parking compliance and record a Reciprocal Parking Agreement prior to the issuance of a Certificate of Occupancy.
6. Fire access lanes shall be located in accordance with Fire Code requirements.
7. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
8. Approval of a drainage study is required prior to submittal of the civil improvement plans.
9. Approval of a traffic study is required prior to submittal of the civil improvement plans.

10. 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.
11. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
12. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground if they are relocated or adjusted.
13. 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.
14. All off-site improvements must be completed prior to final inspection of the first building.
15. The property owner is required to sign a restrictive covenant for utilities.
16. This application shall comply with the *City of North Las Vegas Municipal Code* and NRS 278. Conformance may require modifications to the site.

Scott Baker, 7225 South Bermuda Road, Las Vegas, NV appeared on behalf of the applicant indicating he concurred with Staff recommendation with the exception of Condition No. 5. He explained the condition contradicts the Building Code, which would allow a maximum occupancy of 52 people instead of the 15 specified in Condition No. 5 and added some employees might be using the bus instead of a personal vehicle.

Vice-Chairman Harry Shull indicated he agreed with the applicant and asked Staff if Condition No. 5 could be deleted.

Mr. Jordan agreed to deleting Condition No. 5.

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

Vice-Chairman Shull closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NO. 5

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

5. **UN-82-08 (36250) NV-8614 SKYWAY TOWERS CO-LOCATION (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SKYWAY TOWERS ON BEHALF OF ALIANTE MINI STORAGE PARTNERS LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A 20-FOOT-HIGH EXPANSION TO AN EXISTING 80-FOOT-HIGH TELECOMMUNICATION TOWER. THE PROPERTY IS LOCATED THE 2555 WEST CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-29-513-003.**

The application was presented by Marc Jordan, Planning Manager who explained the applicant was proposing to co-locate on a tower that was originally approved for 80 foot. On the original tower, there was approval for a set-back of 180 feet from a residential property line where 200 feet was normally required. The applicant would be extending the tower to the maximum height of 100 feet using a stealth design, with the antennas and wiring located within the pole itself. Staff was recommending approval of UN-82-08 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. That UN-82-08 is site specific and non transferrable.
3. That the tower shall be a Stealth monopole design.
4. That the tower shall not exceed 100 feet in height.
5. All new wires must be placed underground and run into the Stealth tower.

Nancy Smith, 2800 West Sahara Avenue, Las Vegas, NV appeared on behalf of the applicant indicating she concurred with Staff recommendation.

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

Vice-Chairman Shull closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

6. **VAC-11-08 (36343) ALLORA AT DAVYN RIDGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RYLAND HOMES NEVADA LLC, PROPERTY OWNER, FOR A VACATION IN AN R-2, TWO FAMILY RESIDENTIAL DISTRICT TO VACATE SIDE LOT LINE EASEMENTS FOR LOTS 23 THROUGH 30 AND LOTS 51 THROUGH 102 OF A RESIDENTIAL SUBDIVISION (ALLORA AT DAVYN RIDGE). THE PROPERTY IS LOCATED AT THE NORTHWEST AND SOUTHWEST CORNERS OF BLAKE CANYON DRIVE AND JAMISON PARK LANE. THE ASSESSOR'S PARCEL NUMBER'S ARE 139-07-614-001 THROUGH 139-07-614-008, 139-07-614-029 THROUGH 139-07-614-076 AND 139-07-511-023 THROUGH 139-07-511-026.**

Commissioner Jay Aston indicated he would be abstaining on VAC-11-08, as he was employed by the applicant.

Commissioner Aston left Chambers at 6:58 p.m.

The application was presented by Marc Jordan, Planning Manager who explained the applicant currently had a final development plan that was approved for a "Z" lot type development for duplexes and were proposing to amend the final map to have conventional lots, with lines perpendicular to the street. As a result, they had to vacate all of the side yard easements in order to accomplish it. Staff was recommending approval of VAC-11-08 subject to the following conditions:

1. Appropriate subdivision and/or parcel mapping is required to complete this project. All mapping shall be in compliance with NRS Chapter 278 and the *City of North Las Vegas Municipal Code*, and associated Master Plans in effect at the time of subdivision and/or parcel map approval. Conformance may require modifications to the site.
2. All mapping shall be in compliance with Codes and Ordinances in effect at the time of building permit issuance.
3. The vacation must record concurrently with the final map. Should the Order of Vacation not record within one year from the approval date, the vacation shall be deemed null and void.
4. A revision to the approved civil improvement plans on file in the Department of Public Works is required to complete this project.

Gregory Rivero of Solarus, 4085 North Rancho Drive, Las Vegas, NV appeared on behalf of the applicant indicating he concurred with Staff recommendation.

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

Vice-Chairman Shull closed the Public Hearing.

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

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: Commissioner Aston

Commissioner Aston returned to Chambers at 7:00 p.m.

7. **ZN-05-06 (36380) MONTECITO PAVILIONS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY COLONIAL REALTY LP ON BEHALF OF COLONIAL REALTY LP AND TROPICAL LAMB LLC, PROPERTY OWNERS, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED PUD, PLANNED UNIT DEVELOPMENT CONSISTING OF A MIXED-USE DEVELOPMENT. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF AZURE AVENUE AND LAMB BOULEVARD. THE ASSESSOR'S PARCEL NUMBERS ARE 123-30-601-013, 123-30-601-014 AND 123-30-601-015.**

The application was presented by Marc Jordan, Planning Manager who explained the proposed amendment would pertain more to the northeast corner of the property, which was approved for 206 apartments and the applicant was proposing approximately 131 apartments and the design of the site was consistent with the approved plan. The applicant was requesting to amend Condition Nos. 3 and 29. Condition No. 3 dealt with the perimeter landscaping along the site. The applicant was proposing to amend the condition that would allow 15 feet of landscaping from the back of curb along Azure Street and it would be approximately 13 ½ feet of landscaping and then part of it would be within the parking lot area, where there was a retaining wall and they were proposing to put in half diamonds for approximately every three parking spaces within that area. Staff had no objection to amending Condition No. 3. Condition No. 29 dealt with the off-sites for the development. It was originally required that all off-sites must be completed prior to the final inspection of the first building, but because they were developing the site in phases, they were asking that the off-site be developed in phases. Public Works submitted a memorandum recommending approval of the request. Staff was recommending approval of ZN-05-06 with the amendments to Condition Nos. 3 and 29 and with the addition of Condition Nos. 34 and 35; however, Staff had received a revised memorandum from the Fire Department, so Condition No. 34 shown in the Staff Report would be deleted. 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 residential portion of the development shall comply with the Multi-Family Development Standards. This condition may be modified, waived, replaced or altered to the extent those changes are consistent with the goals, policies, objectives, standards and guidelines of a future mixed use zoning ordinance amendment or other code requirements of the City, as adopted by the City Council upon the submittal of a final development plan.

3. A 20 foot wide perimeter landscape area shall be required from the property line to perimeter fence or wall along Tropical Way and Lamb Boulevard, and a 15 foot wide perimeter landscape area shall be required from the back of the curb to the perimeter fence or wall with a half diamond tree planter for every other parking stall along Azure Avenue for the multi-family developments.
4. The commercial / office portion of the development shall comply with the Commercial Development Standards and Design Guidelines. This condition may be modified, waived, replaced or altered to the extent those changes are consistent with the goals, policies, objectives, standards and guidelines of a future mixed use zoning ordinance amendment or other code requirements of the City, as adopted by the City Council upon the submittal of a final development plan.
5. 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 and amenities.
6. All open space and plaza areas shall be provided as shown on the Preliminary Development Plan.
7. The residential portions of the development (Parcel A and Parcel B) shall be limited to three (3) stories and not to exceed 45 feet in height to the top of the roof.
8. The commercial / office portion of the development shall not exceed 44 feet in height, to the top of the building, with the exception that one (1) 70-foot tower shall be permitted.
9. The uses permitted in the commercial portion of the development shall be limited to those allowed in the C-1, Neighborhood Commercial District as principally permitted uses or as special uses subject to Title 17 § 24.020, with the exception that the following shall not be permitted:
 - a. Automobile drive-in theater
 - b. Automobile service
 - c. Automobile washing establishments
 - d. Mini-warehousing
 - e. Mortuaries
 - f. Pawnshop
10. The commercial square footage shown on the preliminary development plan is considered conceptual and shall be reduced if it is found that there is insufficient parking, buffer area or open space, upon submittal of the final development plan.

11. The number of multi-family units shown on the preliminary development plan is considered conceptual and shall be reduced if it is found that there is insufficient parking, buffer area, and open space, upon submittal of the final development plan.
12. The overall design of the site and buildings shall comply with the Commercial Development Standards and Design Guidelines. This condition may be modified, waived, replaced or altered to the extent those changes are consistent with the goals, policies, objectives, standards and guidelines of a future mixed use zoning ordinance amendment or other code requirements of the City, as adopted by the City Council upon the submittal of a final development plan.
13. Special pavers, bricks or patterned concrete shall be provided for all entry areas and walkways, as shown on the preliminary development plan.
14. 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.
15. Approval of a drainage study is required prior to submittal of the civil improvement plans.
16. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
17. 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.
18. Approval of a traffic study is required prior to submittal of the civil improvement plans.
19. 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.
20. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Lamb Boulevard and Tropical Parkway.
21. Right-of-way dedication and construction of a CAT bus turn-out is required on Tropical Parkway near Lamb Boulevard per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.

22. 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.
23. The property owner is required to grant a roadway easement for commercial driveway(s).
24. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element, or on private property, when that sidewalk is providing public access adjacent to the right-of-way.
25. A revocable encroachment permit for landscaping within the public right of way is required.
26. Appropriate subdivision and/or parcel mapping is required to complete this project. All mapping shall be in compliance with NRS Chapter 278 and the *City of North Las Vegas Municipal Code* and associated Master Plans in effect at the time of subdivision and/or parcel map approval. Conformance may require modifications to the site.
27. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
28. The property owner is required to sign a restrictive covenant for utilities.
29. All off-site improvements for this development must be completed as follows:
 - a. The offsite improvements for Azure Avenue must be completed prior to the final inspection of the first building on APN 123-30-601-013.
 - b. The offsite improvements for Tropical Parkway must be completed, from Lamb Boulevard to the western boundary of APN 123-30-601-015, prior to the final inspection of the first phase building with the first phase of construction adjacent to Tropical Parkway.
30. At minimum, the developer will be required to provide the following amenities:
 - a. A minimum of twenty 24-inch box trees per acre;
 - b. Circuitous lighted paths;
 - c. At least two (2) differing, age-appropriate, covered play structures for children with EPDM resilient fall protection over a non-porous surface (2 play structures total). Shaded seating areas should also be provided adjacent to play structure locations for supervision purposes;

- d. Two swimming pools with accompanying restrooms, drinking fountains, decking, barbecue areas, and shade structures at each location;
 - e. A minimum of one fitness facility;
 - f. A minimum of one clubhouse with no more than 25% of the floor area (included in the open space calculation) dedicated for uses other than common recreation and incidental support facilities. The floor plan of each recreation building shall be subject to the approval by the Parks & Recreation Department during review of the Final Development Plan;
 - g. Eight (8) picnic tables and barbecue grills;
 - h. Plaza areas shall include a shade structure, picnic table, bbq grill, and trash receptacle;
 - i. One outdoor living room and fire pit in "Open Space Area 5;"
 - j. One grass volleyball area in "Open Space Area 5" with a removable net and poles. Access to volleyball play shall be made available to residents between the hours of 10 a.m until 8 p.m, at minimum, and is the responsibility of the property manager to provide for equipment access during those hours.
 - k. Pedestrian crossings shall be marked and signed;
 - l. Benches spaced along park pathways;
 - m. Exercise stations and mile markers spaced along paths;
 - n. At least one large grassy open space area for group/organized play;
 - o. Dog stations near grass areas and other convenient locations;
 - p. All open space areas and amenities shall be ADA accessible and developed in compliance with the CNLV 2004 Park Design Standards; and
 - q. Details of amenities to be provided.
31. Fire access lanes are to be located within 150 feet of all ground floor exterior walls in accordance with the Fire Code.
32. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.
33. Fire access lanes shall be marked to prohibit parking in accordance with the fire code.
34. A second point of access, including all off-site improvements, into the residential development from Azure Drive is required.
35. An ingress/egress easement for emergency access from Lamb Boulevard shall be provided to the satisfaction of the Fire Department. The easement shall be recorded prior to the submittal of civil improvement plans.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant indicating he concurred with Staff recommendation.

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

Vice-Chairman Shull closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NO. 34; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

Item No. 9 was heard next.

8. **UN-86-08 (36349) EXPERTISE COSMETOLOGY INSTITUTE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY EXPERTISE INC. ON BEHALF OF CITY CENTRE PLAZA LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN R-A/OFFICE, REDEVELOPMENT AREA/OFFICE SUBDISTRICT TO ALLOW A COSMETOLOGY SCHOOL. THE PROPERTY IS LOCATED AT 2225 CIVIC CENTER DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-23-505-003, 139-23-505-004 AND 139-23-602-016.**

ACTION: WITHDRAWN

Item No. 10 was heard next.

9. VAC-02-08 (36233) CASHMAN RETAIL CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CASHMAN EQUIPMENT ON BEHALF OF JR TL LTD, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED VACATION OF DONOVAN WAY COMMENCING AT CRAIG ROAD AND PROCEEDING SOUTH APPROXIMATELY 1,650 FEET. THE ASSESSOR'S PARCEL NUMBERS ARE 139-02-304-002 AND 139-01-702-004.

The application was presented by Robert Eastman, Principal Planner who explained the applicant was requesting that Condition No. 1, which required a public utility easement over the entire area to be vacated, be removed and requested a number of other conditions to be amended to better reflect the conditions that would be in place once Donovan Way was realigned. Staff was recommending approval of VAC-02-08 with the following conditions:

1. The order of Vacation may not record until the City of North Las Vegas has accepted the re-aligned Donovan way for maintenance or as otherwise determined by the Director of Public Works.
2. Should the order of Vacation not record within two (2) years of the approval date or as otherwise determined by the Director of Public Works, the vacation shall be null and void.
3. The vacation shall record concurrent with the dedication of Donovan way or as otherwise determined by the Director of Public Works.
4. The applicant shall provide a copy of the easement relinquishments from the Dry Utility Companies prior to the recordation of VAC-02-08.

Stacy Medina, 1170 Center Point Drive, Henderson, NV 89074 appeared on behalf of the applicant indicating she concurred with Staff recommendation.

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

Vice-Chairman Shull closed the Public Hearing.

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

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

Item No. 16 was heard next.

10. **SPR-25-08 (36344) INDIO APARTMENTS. AN APPLICATION SUBMITTED BY ANN ALLEN COMMONS LLC, PROPERTY OWNER FOR A SITE PLAN REVIEW IN AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT CONSISTING OF A 166 UNIT MULTI-FAMILY DEVELOPMENT. THE PROPERTY IS LOCATED EAST OF WILLIS STREET AND APPROXIMATELY 370 FEET NORTH OF ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-30-802-022.**

It was requested by the applicant to continue SPR-25-08 to September 24, 2008.

ACTION: CONTINUED TO SEPTEMBER 24, 2008

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

Item No. 11 was heard next.

OLD BUSINESS

11. **VAC-05-08 (35085) PARK HIGHLANDS/ELKHORN & N5TH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SUMMERSET DEVELOPMENT ON BEHALF OF NOVEMBER 2005 LAND INVESTORS LLC, PROPERTY OWNER, TO VACATE DRAINAGE EASEMENTS RELATED TO THE DETENTION BASIN WITHIN PARK HIGHLANDS. THE PROPERTY IS LOCATED NORTH OF THE 215 BELTWAY BETWEEN COMMERCE STREET AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-15-000-003, 124-14-000-002 AND 124-14-000-001. (CONTINUED MAY 28, 2008)**

It was requested by the applicant to continue VAC-05-08 to November 12, 2008.

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

Vice-Chairman Shull indicated the Public hearing would remain open.

ACTION: CONTINUED TO NOVEMBER 12, 2008

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

Item No. 12 was heard next.

12. **T-1322 (35946) KAPEX INDUSTRIAL PARK PHASE II. AN APPLICATION SUBMITTED BY INDUSTRIAL PROPERTIES DEVELOPMENT INC, ON BEHALF OF KAPEX LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN M-2, GENERAL INDUSTRIAL DISTRICT AND O-L, OPEN LAND DISTRICT (PROPOSED M-2, GENERAL INDUSTRIAL DISTRICT) FOR A ONE (1) LOT INDUSTRIAL SUBDIVISION CONSISTING OF APPROXIMATELY 2,800 ACRES. THE PROPERTY IS LOCATED WEST OF GRAND VALLEY AND APPROXIMATELY 1,300-FEET SOUTH OF US HIGHWAY 93. THE ASSESSOR'S PARCEL NUMBERS ARE 103-16-000-004 AND 103-21-000-004. (CONTINUED JULY 23, 2008)**

It was requested by the applicant to continue T-1322 to September 24, 2008.

ACTION: CONTINUED TO SEPTEMBER 24, 2008

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

Item No. 13 was heard next.

13. **UN-80-08 (36200) GALAXY 7 PROPERTIES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GALAXY 7 PROPERTIES ON BEHALF OF EAGLE 7 PROPERTIES AND PARKWILL ENTERPRISES, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE STORE WITH GAS PUMPS. THE PROPERTY IS LOCATED AT 6215 NORTH 5TH STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-504-008. (CONTINUED AUGUST 13, 2008)**

It was requested by the applicant to continue UN-80-08 to September 10, 2008.

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

Vice-Chairman Shull indicated the Public Hearing would remain open.

ACTION: CONTINUED TO SEPTEMBER 10, 2008

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

Item No. 14 was heard next.

14. **UN-81-08 (36201) GALAXY 7 PROPERTIES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GALAXY 7 PROPERTIES ON BEHALF OF EAGLE 7 PROPERTIES AND PARKWILL ENTERPRISES LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW AN AUTOMOBILE WASHING ESTABLISHMENT. THE PROPERTY IS LOCATED AT 6215 NORTH 5TH STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-504-008. (CONTINUED AUGUST 13, 2008)**

It was requested by the applicant to continue UN-81-08 to September 10, 2008.

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

Vice-Chairman Shull indicated the Public Hearing would remain open.

ACTION: CONTINUED TO SEPTEMBER 10, 2008

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

Item No. 15 was heard next.

15. **VN-10-08 (36203) GALAXY 7 PROPERTIES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GALAXY 7 PROPERTIES ON BEHALF OF EAGLE 7 PROPERTIES AND PARKWILL ENTERPRISE, PROPERTY OWNER, FOR A VARIANCE IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A FIVE (5) FOOT RESIDENTIAL ZONE BOUNDARY BUILDING SETBACK WHERE 30 FEET IS THE MINIMUM REQUIRED. THE PROPERTY IS LOCATED AT 6215 NORTH 5TH STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-504-008. (CONTINUED AUGUST 13, 2008)**

It was requested by the applicant to continue VN-10-08 to September 10, 2008.

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

Vice-Chairman Shull indicated the Public Hearing would remain open.

ACTION: CONTINUED TO SEPTEMBER 10, 2008

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

Item No. 1 was heard next.

16. ZN-23-08 (36191) CRAIG SELF STORAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CRAIG SELF STORAGE LLC, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM A PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED SOUTH OF CRAIG ROAD AND APPROXIMATELY 1,000 FEET WEST OF ALLEN LANE. THE ASSESSOR'S PARCEL NUMBER IS 139-06-701-006. (CONTINUED AUGUST 13, 2008)

The application was presented by Robert Eastman, Principal Planner who explained the site was previously part of a larger PUD that encompassed all of the property to the east down to Allen Lane. The applicant was proposing to develop the site with a mini-warehousing facility and felt the C-2 Neighborhood Commercial zoning was the most appropriate and would facilitate that development. The site was originally part of a PUD and when the PUD was originally developed, it was brought in with a commercial component which was designated for single-story commercial offices, which was in place to help buffer the neighboring residential to provide less of an impact than the proposed development might have on the neighboring residential homes and Staff feels that lower intensity use was more appropriate for this development, especially, since the homes have been built and people have moved into them with the understanding that the PUD was in place and that the site would be developed as commercial offices; therefore, Staff did not feel the proposed C-1 Neighborhood Commercial District was appropriate at that location. Staff felt the office approved with the PUD was appropriate or another alternative would be to go to the C-P Commercial Professional Office District, which would be appropriate and allow the lower intensity use. Staff was recommending that ZN-23-08 be denied.

Lora Dreja, 520 South Fourth Street, Las Vegas, NV 89101 appeared along with Blake Rosser, the applicant. Ms. Dreja explained the PUD had been changed and the neighboring parcel to the east was currently an MUD parcel, most specifically, there was a lot of multi-family along the border of the eastern site. They understood there was single-family along the western border; however, there was also a day care center. Given what was said about being sensitive to the neighbors that bought understanding that a low intensity used would be adjacent to them, she believed when it came time for a site design, they could incorporate that and would concentrate the storage building along the north side of the site and have a lot of street side development which would lend well to the MUD parcel to the east as well as the RV parking adjacent to the neighbors to the south, which she believed would be a less intensive use comparable to C-P Office.

Commissioner Jay Aston asked Staff if there was a way to condition a zoning approval, unless the property stayed as a modified PUD.

Mr. Eastman explained that was an option, the zone change could be continued to allow the applicant to modify the PUD, but there would have to be a renotification. If the proposed design, or something similar, was what the Commission desired, the applicant

could be requested to come back with a PUD so there would be some control and the Commission would have the ability to impose conditions. The site plan could be reviewed and tied into the zoning and while that was a good idea, since it was currently advertised as C-1, the request would have to be re-advertised and re-noticed and the current application could be continued.

Commissioner Aston asked the applicant if there were time constraints.

Blake Rosser, 2620 West Horizon Ridge Parkway, Henderson, NV explained there was a lot of history with the property and they went to task force specifically for that reason, because they knew at one time, because of the break-up of the PUD with the MUX next door, they were opposed because they were concerned it would keep them trapped. At the time they planned to go to MX also, but they were not MX developers, they were strictly storage and that was their plan. During their task force, it was suggested to either obtain C-1 hard zoning and come back with a use permit or to modify the PUD. Modifying the PUD seemed like it would be more involved and since the PUD was already broken for the whole 26 acres, he chose to go with the C-1 option. With that in mind, he had been working with Staff to make adjustments to the site plan that was originally submitted to the task force and there was much concern with shadowing of the existing neighbors.

Commissioner Aston interjected, it appeared the site plan worked, and he understood circumstances changed due to the market, but the concern was if the hard zoning was approved, it did not mean the proposed project was what would be built on the site and suggested possibly a modified PUD would be a better option, so the applicant could move forward with the proposed project.

Mr. Rosser was concerned with the time constraints, as he was trying to get the storage facility built by spring, when it was hoped there would be a recovery with the market. He was wanting to submit his development plan for the use permit with the site plan, which would be roughly two months behind the current application for C-1.

Ms. Dreja explained the applicant understood he had to submit a use permit and design review following the approval of the rezoning application and also understood the neighbors in the area were very active. She pointed out the applicant had hired a consultant to contact the neighbors when it was time for the design review, so they could participate in the design of the facility, or at least voice their opinion as to what was being proposed.

Commissioner Steve Brown asked Staff if the applicant went with the PUD option, if approval could be recommended for the site plan being presented.

Mr. Jordan responded Staff had not seen the proposed site, so could not make a recommendation. He explained the recommendation was for denial of C-1 because Staff wanted to see the site developed in accordance with the approved PUD that was in place, or in accordance with something that would be consistent with a Commercial Office

Professional District, which would be single-story office buildings that would be compatible with the adjacent neighborhood, which was part of what the PUD was approved for. One of the issues with a PUD, was that it provided a certain amount of protection for the people who purchased homes in that area and anticipated the proposed site would have single-story office buildings, so if the applicant came back with a PUD for mini-warehousing, he could not guarantee the recommendation would change, as there would be the same issues that were being dealt with on the current application. He pointed out the advantage of a PUD, was that it could be conditioned, so conditions could be added to mitigate the impact of a three story building next to single-story homes, which was what was being proposed.

Commissioner Brown asked what type of uses were in the Mixed Use Development (MUD) next to the proposed site.

Mr. Jordan responded there was approximately 50,000 square feet of retail approved, along with multi-family that was currently under construction.

Commissioner Brown agreed with Commissioner Aston that a modified PUD would be more feasible and could not see rezoning to C-1, because if the property was sold, the new owner could build something other than what was being proposed by the applicant.

Mr. Rosser asked for the application to be continued to allow the use permit application process to catch up, so both items could be heard together on October 22, 2008.

Mr. Jordan stated it would be the commission's discretion to continue the application date specific, but cautioned the applicant could come in with a special use permit and allow it to run concurrently, but there was no rule stating the applicant had to follow through with the special use, so he could get the C-1, then decide he did not want to build the mini-warehousing and come in with retail.

Vice-Chairman Shull asked how long it would take to come back with a PUD.

Mr. Jordan, explained it would be a new application, the applicant would have to submit a preliminary development plan and allow it to run its course, which would probably be October.

Vice-Chairman Shull agreed with Commissioner Brown and liked the plan and the fact that the larger element was pulled to the street and the entire balance of the site was RV storage, which there was a shortage of. He also agreed that a PUD gave better control of what was developed on the site.

Commissioner Dilip Trivedi agreed with Commissioner Brown and was opposed to changing the zoning to C-1. He would only support mini-warehousing on the site if there was no opposition from the residential properties.

Vice-Chairman Shull asked the applicant if he was willing to continue the application and come back with a PUD.

Mr. Rosser responded he would work with the owners of the property to see if that was the direction they wished to pursue and indicated they wanted to be able to develop the site in phases and asked if that were possible with a PUD, as they did not want to apply for an amendment to the PUD each time there was a change.

Vice-Chairman Shull asked Staff if a PUD amendment must be submitted each time the PUD was changed.

Mr. Eastman explained phasing would be addressed at the time the PUD was considered. The only time a new PUD would be required to come back before the Commission, was if there was a substantial change. Phasing and bringing in the buildings piece-meal was done often and was normally addressed and discussed at the time of the original PUD application.

Commissioner Aston asked the applicant if he wanted an indefinite continuance or date specific.

Mr. Rosser asked if they filed for a PUD, if they would have to file a final development plan.

Mr. Jordan explained, if the applicant filed for a PUD, when the PUD was approved by Council, they would have to come back before the Commission with a final development plan to demonstrate what would be built.

Mr. Rosser indicated that process would put them beyond November.

Commissioner Dilip Trivedi left Chambers at 7:28 p.m.

Mr. Jordan explained the applicant was given a couple of options. He could come in with conventional zoning, C-1, which took approximately three months and then come in with a use permit, which took approximately 45 days, or he had the choice to come in with an amended PUD or new PUD which was approximately three months and then file for a final development plan, which was approximately 45 days. He pointed out the time frame was the same for either option. If the applicant were to come back with a PUD, filed before September 9, 2008 and scheduled for October 22, 2008 and allow the PUD to run its course, the time frame would be the same as if he had continued the conventional zoning

to that date and allowed it to run its course and applied for the use permit and applied for the final development plan. The main application that needed to be approved by City Council was either the rezoning to C-1 or the application that would modify the PUD or approve a PUD that would set the mini-warehousing in place, which would take approximately 90 days for either option.

Ms. Dreja asked for an indefinite continuance.

ACTION: CONTINUED INDEFINITELY

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

17. **VAC-10-08 (36136) ARCHITECTURAL PRECAST, INC. (PUBLIC HEARING). AN APPLICATION SUBMITTED BY KIRK ERICKSON ON BEHALF OF ARCHITECTURAL PRECAST INC, PROPERTY OWNER, TO VACATE A PORTION OF ANN ROAD BETWEEN AUTO STREET AND PUEBLA STREET AND A PORTION OF PUEBLA STREET COMMENCING AT ANN ROAD AND PROCEEDING NORTH APPROXIMATELY 131 FEET. THE ASSESSOR'S PARCEL NUMBER IS 123-29-401-014. (CONTINUED AUGUST 13, 2008)**

Commissioner Dilip Trivedi returned to Chambers at 7:30 p.m.

The application was presented by Robert Eastman, Principal Planner who explained the site was located in an industrial area and zoned M-2 and was adjacent to Nellis Air Force Base. The Master Plan of Streets and Highways lists both streets as 60 foot rights-of-way; therefore, the 20 foot vacation of Ann Road and the 10 foot vacation of Puebla Street was appropriate. Staff was recommending approval of VAC-10-08 subject to the following conditions:

1. VAC-10-08 shall comply with the conditions of approval for SPR-14-08.
2. The entire area to be vacated shall remain as a public utility easement, specifically being twenty -feet (20') on Ann Road and ten-feet (10') on Puebla Street.
3. A minimum of a twenty-foot (20') public utility easement is required along the limits of the proposed Ann Road vacation.
4. A minimum of a ten-foot (10') public utility easement is required along the limits of the proposed vacation of Puebla Street.
5. Trees shall be placed a minimum of 10 feet away from the existing water mains.
6. Root barriers shall be provided with the planting of trees within the public utility easements on Ann Road and Puebla Street.
7. The vacation shall record concurrent with the public utility easements identified for Ann Road and Puebla Street.

Kirk Erickson, 4630 East Ann Road, North Las Vegas, NV appeared on behalf of the applicant indicating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

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

Item No. 19 was heard next.

18. **WAV-02-08 (35633) ARCHITECTURAL PRECAST INC. AN APPLICATION SUBMITTED BY ARCHITECTURAL PRECAST INC., PROPERTY OWNER, FOR A WAIVER FROM TITLE 16 IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO WAIVE HALF STREET IMPROVEMENTS (CURB, GUTTER AND FIVE (5) FOOT SIDEWALK). THE PROPERTY IS LOCATED AT 4630 EAST ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 123-29-401-014. (CONTINUED JUNE 25, JULY 23 AND AUGUST 13, 2008)**

Kirk Erickson, 4630 East Ann Road, North Las Vegas, NV indicated he was withdrawing WAV-02-08

ACTION: WITHDRAWN

19. **SPR-14-08 (35635) ARCHITECTURAL PRECAST INC. AN APPLICATION SUBMITTED BY ARCHITECTURAL PRECAST INC., PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW 80,000 SQUARE FEET OF EXTERIOR STORAGE WITH WAIVERS FROM THE INDUSTRIAL DEVELOPMENT STANDARDS: 1) TO ELIMINATE THE REQUIRED 20-FOOT PERIMETER LANDSCAPE AREA ALONG INTERSTATE 15; 2) TO REDUCE THE REQUIRED 20-FOOT PERIMETER LANDSCAPE AREA ALONG ANN ROAD AND PUEBLA STREET TO A TEN (10) FOOT EARTH STRIP; 3) TO ELIMINATE REQUIRED LANDSCAPING IN PARKING ISLANDS. THE PROPERTY IS LOCATED AT 4630 EAST ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 123-29-401-014. (CONTINUED JUNE 25, JULY 23 AND AUGUST 13, 2008)**

The application was presented by Robert Eastman, Principal Planner who explained the applicant met with Staff on numerous occasions and were requesting a number of waivers with the site. They were requesting to use prefabricated metal buildings on the site, reduce the landscaping along I-15 from 20 feet to five feet, to defer the off-site improvements along Ann Road and Puebla Street until there was more development in the area and when City infrastructure, specifically utilities, was brought to the area. The only disagreement was with the waiver request to reduce the landscaping along I-15. The applicant was requesting that they be able to use the decorative wall only and provide five feet outside the wall. There was a portion of the wall that was already constructed on the site, which was five foot off the property line. The applicant originally requested to continue that wall and then leave the five feet on the outside of the wall; however, they were not proposing landscaping in that strip, which it would be difficult to put landscaping on the five feet. Staff was requesting compliance with the Industrial Design Standards, which required 20 feet of landscaping adjacent to the I-15 right-of-way and that the 20 feet be planted with a mixture of trees and shrubs. Under normal circumstances, and what has been done previously along I-15, the shrubs have been eliminated and more dense tree canopies installed to provide more screening from the site, which would also be appropriate on the proposed site. Staff was recommending approval of SPR-14-08 subject to the following conditions as listed in the revised memorandum dated August 27, 2008:

1. Unless expressly authorized through a variance, waiver or another approved 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. All perimeter walls shall be decorative.
 - b. A 20-foot wide landscaped buffer (from the property line) shall be provided adjacent to Ann Road, Puebla Street and Interstate 15.

- c. Perimeter landscaping along I-15 shall be completed with the first phase of construction or with the first building permit.
 - d. Ground coverage along Ann Road Puebla Street shall be 40%.
 - e. The six foot wide parking islands shall be landscaped with one tree and providing 60% of ground coverage within two years.
 - f. All loading areas and storage areas shall be screened from the right-of-way.
 - g. The prefabricated metal buildings shall have exterior wainscoting on a minimum of one third of each elevation measured from ground level.
 - h. All exposed prefabricated metal shall have a textured/stuccoed finish (excluding the canopies).
 - i. All sides of a building and all buildings shall be coherently designed and treated.
 - j. Perimeter landscaping along Ann Road and Puebla Street shall be completed with the off-site improvements along Ann Road and Puebla Street.
3. An asphalt/concrete drive aisle shall extend throughout the outdoor storage area, subject to staff review and approval.
 4. All drive aisles shall have a minimum width of 24 feet.
 5. Approval of a traffic study is required prior to submittal of the civil improvement plans.
 6. Approval of a drainage study is required prior to submittal of the civil improvement plans.
 7. Nevada Department of Transportation (NDOT) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
 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. Ann Road
 - b. Puebla Street
 - c. the knuckle at Auto Street
 9. The off-site improvements, for Ann Road and Puebla Street, may be deferred until construction of the proposed sewer line for the site has been completed as requested by the Applicant.
 10. The property owner is required to sign a restrictive covenant for the future off-site improvements at the time as determined by the Director of Public Works.

11. The applicant must vacate 20' on Ann Rd., and 10' on Puebla St. to comply with the CNLV Master Plan of Streets and Highway's. Both streets are master planned as having 60' right-of-way widths.
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. A nine foot (9') overpave is required on Ann Rd., and Puebla St. to comply with CNLV's 32' paved access requirement.
14. 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.
15. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
16. 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.
17. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground if they are relocated or adjusted, at the time of construction of the deferred offsite improvements.
18. The property owner is required to grant a roadway easement for commercial driveway(s).
19. The property owner is required to sign a restrictive covenant for utilities.
20. Appropriate mapping is required to be filed to remove lot line(s) and complete this project as proposed.
21. The property shall be required to connect to the public sanitary sewer system. The use of a septic tank is not allowed in the City of North Las Vegas, unless otherwise approved by the Director of Utilities.
22. Doors on the trash enclosures shall be hung with a minimum of 8" from the ground.
23. Fire access lanes shall be located in accordance with Fire Code requirements.

24. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
25. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.

Kirk Erickson, 4630 East Ann Road, North Las Vegas, NV appeared on behalf of the applicant indicating he agreed with the landscaping along Ann Road but did not agree to the landscaping along I-15 and pointed out it would cause a maintenance issue and could not see any value in installing the landscaping.

Commissioner Jay Aston asked to see the elevation between I-15 and the proposed site.

Mr. Erickson explained three properties had been combined into one and there was an elevation change between the properties and there was a berm on NDOT property where you would not be able to see above five foot of the bottom of the fence and at one point the wall was approximately 10 foot high. He pointed out there was approximately 110 feet from the freeway to their property line.

Commissioner Aston asked Mr. Erickson if the property to the northeast was his or if it belonged to someone else.

Mr. Erickson responded it belonged to National Storage.

Commissioner Aston asked if National Storage had a block wall along the Freeway.

Mr. Erickson responded they did not.

Commissioner Aston asked how long National Storage had been at that location.

Marc Jordan, Planning Manager responded the property was previously located within the County and had been annexed into the City.

Mr. Erickson indicated the properties were annexed into the City in 2003.

Commissioner Aston asked Mr. Erickson if he purchased the property when it was still located in the County.

Mr. Erickson responded he purchased his property in 1999.

Commissioner Aston suggested if the Commission had the right to modify the width of the buffer and put a block wall along I-15 and possibly review it at a later date if there was another use permit before the Commission.

Commissioner Dilip Trivedi asked if there were adjacent properties with landscaping along I-15.

Mr. Jordan explained to the south around the women's prison there was landscaping and further to south there was landscaping on the outside of the wall.

Commissioner Aston stated possibly they could consider a reduction in the depth of the landscaping and the plant material.

Commissioner Trivedi indicated unless the applicant could prove there was a steep grade difference and the trees would not be visible, the Design Guidelines should be adhered to.

Mr. Erickson pointed out Cinderlite built their wall less than one year ago and Southern Nevada Lumber, also near the corner of Craig Road and I-15, had no landscaping and their wall was built less than one year ago. He indicated they could put in a decorative wall in lieu of the landscaping.

Commissioner Jo Cato clarified there were no other businesses located in the vicinity of the proposed site that had landscaping along I-15.

Mr. Erickson responded there were not, he was trying to improve working conditions and make his product better.

Commissioner Cato asked Staff if instead of trees, they could require desert landscape rocks for ground cover

Mr. Jordan responded that was the Commission's discretion.

Commissioner Dean Leavitt asked the height of the existing wall.

Mr. Erickson responded there were two properties and one parcel which was three to four feet lower than the other, with a wall dividing them at that point. At the point where the grade difference was, the wall was approximately ten feet high and at the other end, the wall was approximately eight foot high.

Commissioner Leavitt asked if the landscape waiver was granted, if the applicant would install a ten foot wall.

Mr. Erickson responded it would be an eight foot wall due to the grade difference.

Commissioner Trivedi asked if there should be a different set of guidelines for landscaping along I-15, as most applicants do not want to install landscaping along I-15 due to the grade difference or because they are facing I-15.

Mr. Jordan responded Staff had considered that but the problem was, direction was needed from Council to amend to ordinance to change the landscaping requirements along I-15.

Commissioner Trivedi indicated if the proposed waiver request was approved, it was saying if an applicant had industrial property next to I-15, the Commission did not care about landscaping, which defeated the purpose of having an ordinance in place.

Mr. Jordan explained previously there was a beautification corridor route and I-15 was along the corridor route. Unfortunately there is not consistent design along the I-15 corridor, but you can see through the years, some have been granted waivers and some developments have been required to provide landscaping.

Commissioner Aston felt the circumstances were different when someone bought a piece of property under one government entity and then the conditions were imposed upon them. In the long term, he felt there should be at least a 10 foot buffer where there has not been a wall, not just five foot. He was agreeable to waive the landscaping if there was a ten foot wall installed at a ten foot property line.

Mr. Erickson explained the property line was not an even ten feet from I-15, some of it was only five feet as the freeway curved. If the existing wall was continued, a good portion of it would be over seven feet from the property line.

Commissioner Aston wanted to see at least a ten foot buffer.

Commissioner Brown was agreeable to the waiver request as he felt NDOT should take care of the landscaping along I-15.

Vice-Chairman Shull was agreeable to five feet of landscaping and felt trees could be planted in that area 20 foot on center. He felt it would enhance the area and he was not in favor of waiving the landscaping.

Mr. Erickson clarified in Condition No. 2.c, it required the landscaping to be done before the first building permit and asked to change that requirement to the last building permit.

Mr. Jordan explained there was no guarantee how many buildings would be built and understood the applicant was proposing two or three buildings, but there was no guarantee all three buildings would be built.

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

- 2.B. A 20-FOOT WIDE LANDSCAPED BUFFER (FROM THE PROPERTY LINE) SHALL BE PROVIDED ADJACENT TO ANN ROAD AND PUEBLA STREET. A 5-FOOT WIDE UNLANDSCAPED BUFFER SHALL BE PROVIDED ADJACENT TO I-15.

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

Mr. Jordan asked the Commission to reconsider Item No. 19, SPR-14-08, because some clarifications needed to be made. The motion amended Condition No. 2.b which required a 20 foot landscape buffer along Ann Road and Puebla Street and simply a five foot area along I-15 without landscaping and if that was the case, Condition No. 2.c would need to be deleted.

Commissioner Aston stated he concurred with Staff on the recommendation to delete Condition No. 2.c.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NO. 2.C AND CONDITION NO. 2.B AMENDED TO READ:

- 2.B. A 20-FOOT WIDE LANDSCAPED BUFFER (FROM THE PROPERTY LINE) SHALL BE PROVIDED ADJACENT TO ANN ROAD AND PUEBLA STREET. A 5-FOOT WIDE UNLANDSCAPED BUFFER SHALL BE PROVIDED ADJACENT TO I-15.

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

Item No. 18 was heard next.

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

There was no report given.

CHAIRMAN'S BUSINESS

Commissioner Jay Aston indicated there was some confusion about the landscaping along the Freeway, I-15 and 2-15, and asked Staff to obtain some clear direction from Council on what they wanted for landscaping on properties located along the freeways.

Marc Jordan, Planning Manager said he would check into it and report back to the Commission.

ADJOURNMENT

The meeting adjourned at 8:03 p.m.

APPROVED: September 24, 2008

/s/ Angelo Carvalho
Angelo Carvalho, Chairman

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