

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

November 14, 2007

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

BRIEFING

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

CALL TO ORDER

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

WELCOME

Chairman Steve Brown

VERIFICATION

Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE

Jayden Cook, Boy Scout Troop No. 701

MINUTES

- **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING
OF OCTOBER 10, 2007.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

NEW BUSINESS

1. **AMP-14-07 (32684) CASA MESA/DESERT MESA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DESERT MESA I, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF SINGLE-FAMILY LOW (UP TO 6 DU/AC) AND EMPLOYMENT TO SINGLE-FAMILY MEDIUM (UP TO 13 DU/AC). THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF REVERE STREET AND CAREY AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-15-417-001 THROUGH 139-15-417-124 AND 139-15-497-004 THROUGH 139-15-497-019.**

It was requested by the applicant to continue AMP-14-07 to November 28, 2007.

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

Pastor Willie Jacobs of the True Love Missionary Baptist Church, 401 Beth Circle, North Las Vegas, NV 89030 was opposed as he felt his neighborhood was the dumping ground. They have the dump in their area, wrecking yards and recycling and the proposed project was a problem. Originally he thought the homes being proposed would enhance the area, but the design was changed and he did not feel the proposed project was good for the area.

Barbara Winslow, 604 Veronica Avenue, North Las Vegas, NV 89030 was opposed to apartments being built as they brought transients, which would bring drugs, crime and also depreciation of their property. She would prefer to have single family homes rather than apartments.

William Parker, 2208 Matheson Street, North Las Vegas, NV 89030 agreed with comments made by Pastor Jacobs and was opposed to apartments being built in his neighborhood.

Naomi Goynes, 704 Veronica Avenue, North Las Vegas, NV 89030 was opposed to the project with apartments. She indicated if senior apartments were put in, there would be grandchildren living in them and there would be drugs and crime.

Tiffany Shorter, 305 Princess Avenue, North Las Vegas, NV 89030 filled out a card but declined to speak on the application at this time.

Chairman Brown indicated the Public Hearing would remain open.

ACTION: CONTINUED TO NOVEMBER 28, 2007

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

2. **ZN-115-07 (32683) CASA MESA/DESERT MESA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DESERT MESA I, LLC, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 93 SINGLE-FAMILY DWELLINGS AND 300 SENIOR APARTMENTS. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF REVERE STREET AND CAREY AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-15-417-001 THROUGH 139-15-471-124 AND 139-15-497-004 THROUGH 139-15-497-019.**

It was requested by the applicant to continue ZN-115-07 to November 28, 2007.

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

Pastor Willie Jacobs of the True Love Missionary Baptist Church, 401 Beth Circle, North Las Vegas, NV 89030 was opposed as he felt his neighborhood was the dumping ground. They have the dump in their area, wrecking yards and recycling and the proposed project was a problem. Originally he thought the homes being proposed would enhance the area, but the design was changed and he did not feel the proposed project was good for the area.

Barbara Winslow, 604 Veronica Avenue, North Las Vegas, NV 89030 was opposed to apartments being built as they brought transients, which would bring drugs, crime and also depreciation of their property. She would prefer to have single family homes rather than apartments.

William Parker, 2208 Matheson Street, North Las Vegas, NV 89030 agreed with comments made by Pastor Jacobs and was opposed to apartments being built in his neighborhood.

Naomi Goynes, 704 Veronica Avenue, North Las Vegas, NV 89030 was opposed to the project with apartments. She indicated if senior apartments were put in, there would be grandchildren living in them and there would be drugs and crime.

Tiffany Shorter, 305 Princess Avenue, North Las Vegas, NV 89030 filled out a card but declined to speak on the application at this time.

Chairman Brown indicated the Public Hearing would remain open.

ACTION: CONTINUED TO NOVEMBER 28, 2007

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

3. **AMP-16-07 (32699) NORTH 5TH DEER SPRINGS ZONE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NORTH 5TH STREET PARTNERSHIP, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MULTI-FAMILY (UP TO 25 DU/AC) TO COMMUNITY COMMERCIAL. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF DEER SPRINGS WAY AND NORTH 5TH STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-22-701-007.**

It was requested by the applicant to continue AMP-16-07 to November 28, 2007.

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

Chairman Brown indicated the Public Hearing would remain open.

ACTION: CONTINUED TO NOVEMBER 28, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

4. **ZN-117-07 (32700) NORTH 5TH DEER SPRINGS ZONE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NORTH 5TH STREET PARTNERSHIP, LLC, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM AN R-E, RANCH ESTATES DISTRICT TO A C-2, GENERAL COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF DEER SPRINGS WAY AND NORTH 5TH STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-22-701-007.**

It was requested by the applicant to continue ZN-117-07 to November 28, 2007.

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

Chairman Brown indicated the Public Hearing would remain open.

ACTION: CONTINUED TO NOVEMBER 28, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

Item No. 10 was heard next.

5. **UN-109-07 (32706) ANN PROFESSIONAL PLAZA PHASE 2 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE OFFICES AT ANN ALLEN COMMONS LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW A 20-FOOT-HIGH DIRECTIONAL SIGN WHERE AN EIGHT-FOOT-HIGH (8') MONUMENT SIGN IS THE MAXIMUM ALLOWED. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND ALLEN LANE. THE ASSESSOR'S PARCEL NUMBER IS 124-30-813-003.**

The application was presented by Terence Capers, Planner who explained the sign face appeared to be approximately 122 square feet. Two eight foot high monument signs are currently approved for the site for specific uses, one along Ann Road for the convenience store with gas pumps and one along Allen Lane for the convenience food restaurant. The proposed sign exceeds the maximum height by 12 feet. The commercial center is developed within an existing neighborhood and would most likely be frequently visited by the surrounding community. The sign ordinance established allows for signage to be installed along the building facade, which can be seen from both Ann Road and Allen Lane. For that reason, the request for the 20 foot high free-standing sign was not necessary to advertise for the commercial center and Staff recommends that UN-109-07 be denied. Should the Commission determine approval was warranted, the following conditions are recommended:

1. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. The sign shall not exceed 20 feet in height.
3. The sign shall comply with all required setbacks.
4. Signs shall be located outside the sight visibility restriction zones.

Jennifer Lazovich of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant explaining the buildings being developed on the site sat back along the northern piece of the property with buildings in front of them, so they were not visible to car travel on Ann Road and Allen Lane. Under current code, they can ask for an eight foot high monument sign, and they have two eight foot monument signs being put in along Ann Road and Allen Lane. Those signs cannot be used for general retail tenants at the rear because there was an approval already under construction for a convenience store with gas station and car wash, so that monument sign would be used exclusively to advertise the prices for the gas, so the only signage they could get for the tenants at the rear along Allen Lane and Ann

Road was on the eight foot monument sign along Allen Lane and then they would like to ask for a 20 foot tall monument sign along Ann Road. She showed a rendering of what the sign would look like with the buildings, which showed the sign would not visually affect the residences across Ann Road. The height of the building was substantially taller than the actual height of the sign. She added the residences would only see the narrow edge of the sign. She also showed a view of the sign if you were standing across Ann Road facing the commercial center north, along the back wall of where the homes would be and also showed a picture with a super imposed sign from the view of the corner of Ann Road and Allen Lane and explained the sign was critical to getting tenants into the center.

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

Chairman Brown closed the Public Hearing.

Terence Capers indicated a letter was received from **David Hargreaves, 5634 Via Victoria Street, North Las Vegas, NV**, in opposition to the application.

Commissioner Jo Cato asked Staff the width of Ann Road. Randy Cagle of Public Works indicated Ann Road was 100 feet. Commissioner Cato asked the width of Craig Road. Mr. Cagle responded it was 120 feet.

Commissioner Jay Aston added, in addition to the 100 foot right-of-way on Ann Road, there were 20 foot landscape buffers.

Commissioner Dean Leavitt indicated he drove Ann Road every day and had been waiting for tenants in the shopping center and did not feel an eight foot monument sign was enough and felt the 20 foot sign was justified.

Commissioner Harry Shull concurred with comments by Commissioner Leavitt and had also been watching for tenants and the only buildings visible were the ones in front.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

6. **AMP-17-07 (32709) R & S TROPICAL LLC (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RELO DEVELOPMENT, LLC ON BEHALF OF R&S TROPICAL, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF SINGLE-FAMILY MEDIUM (UP TO 13 DU/AC) TO NEIGHBORHOOD COMMERCIAL. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF LOSEE ROAD AND TROPICAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-26-701-009.**

Item Nos. 6 and 7 were presented together.

The application was presented by Marc Jordan, Planning Manager who explained in reviewing the Comprehensive Plan, it indicated that neighborhood commercial areas should have a direct relationship to adjacent or nearby residential communities in their use and accessibility. Properties to the west and south were zoned PUD and were designed and approved for residential uses and the property to the north was where the hospital was proposed and the property to the east was where commercial already existed. The Comprehensive Plan also indicated commercial property should be located at the intersection of two 80 foot rights-of-way, which Tropical Parkway was an 80 foot right-of-way and Losee Road was a 100 foot right-of-way. The request also complied with the nodal concept in the Visioning 2025 Strategic Plan. Staff was recommending approval of AMP-17-07.

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 and gave an overview of the proposed project.

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

Chairman Brown closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

7. **ZN-118-07 (32708) R & S TROPICAL LLC (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RELO DEVELOPMENT, LLC ON BEHALF OF R&S TROPICAL LLC, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM AN R-E, RANCH ESTATES DISTRICT TO A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF LOSEE ROAD AND TROPICAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-26-701-009.**

Item Nos. 6 and 7 were presented together.

The application was presented by Marc Jordan, Planning Manager who explained in reviewing the Comprehensive Plan, it indicated that neighborhood commercial areas should have a direct relationship to adjacent or nearby residential communities in their use and accessibility. Properties to the west and south were zoned PUD and were designed and approved for residential uses and the property to the north was where the hospital was proposed and the property to the east was where commercial already existed. The Comprehensive Plan also indicated commercial property should be located at the intersection of two 80 foot rights-of-way, which Tropical Parkway was an 80 foot right-of-way and Losee Road was a 100 foot right-of-way. The request also complied with the nodal concept in the Visioning 2025 Strategic Plan. Staff was recommending approval of ZN-118-07.

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 and gave an overview of the proposed project.

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

Chairman Brown closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

8. UN-108-07 (32704) NORTHPOINTE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY VDG PIG, LLC ON BEHALF OF GSG ALEXANDER, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A CHILD CARE FACILITY. THE PROPERTY IS LOCATED APPROXIMATELY 420 FEET NORTH OF ALEXANDER ROAD AND EAST OF MARTIN LUTHER KING BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-04-818-009.

The application was presented by Marc Jordan, Planning Manager who explained the applicant was proposing a facility that would be a little more than 25,000 square feet and would accommodate 297 children during the hours of 6 a.m. and 6 p.m. In reviewing the site plan, the applicant complied with parking requirements. Staff requested, because it was next to residential and due to a previous site plan review where they reduced the landscape buffer along the residential property line, that intense trees spaced 15 feet on center be provided to help serve as a buffer since the daycare center would have an outdoor area along that property line. In reviewing the site plan, Staff received a comment from the Fire Department that the applicant would need to demonstrate that they meet all turning radii and that the Fire Department could reach all of the areas within 150 feet, where the hose laid, which could be reviewed during the building permit process. Staff was recommending approval of UN-108-07 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 this use permit shall comply with all appropriate conditions of approval for SPR-03-05;
3. Must comply with the Commercial Development Standards and Design Guidelines, including but not limited to:
 - a. Metal view fence shall be constructed of wrought iron with decorative block pilasters.
 - b. Fifteen feet of landscaped buffer along the east property line shall consist of 24" box trees at a maximum spacing of 15 feet on center.
 - c. All elevations shall be consistent in architectural design, materials and colors with existing structures on this site.
4. Shared parking and shared driveways shall be maintained with parcels to the north and south.
5. Fire access lanes shall be located in accordance with Fire Code requirements. In addition, any use of neighboring parcels for any portion of the fire department access requires a shared access easement agreement between the two parcels.

6. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
7. Turning radii and slope along the fire access lane shall be designed in accordance with the Fire Code.
8. Man gates shall be strategically placed within the wrought iron fence for emergency access.

Jason Kepple, 2727 South Rainbow Boulevard, Las Vegas, NV 89146 appeared on behalf of the applicant indicating there would be a nursery, toddler center, movie center and classrooms 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: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: None

9. ZN-22-07 (32928) ALEXANDER & MLK (PUBLIC HEARING). A APPLICATION SUBMITTED BY GHASSAN SHAMOUN ON BEHALF OF ZUHAIR ZORA AND GHASSAN SHAMOUN, PROPERTY OWNERS, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED PUD, PLANNED UNIT DEVELOPMENT TO INCLUDE AN ADDITIONAL .49 ACRE OF COMMERCIAL AREA FOR A TOTAL OF APPROXIMATELY 3.06 ACRES. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF MARTIN LUTHER KING BOULEVARD AND ALEXANDER ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-04-410-007 THROUGH 139-04-410-013.

The application was presented by Robert Eastman, Principal Planner who explained the application incorporated the two R-1 undeveloped properties located adjacent to the west of the previously approved PUD. With the requested amendment, the applicant was proposing to add an additional commercial office building to the site, which would be in conjunction with the already approved convenience food store with gas pumps, the retail building and the other commercial office space. The applicant was requesting a number of waivers. Two waivers that need to be considered are a waiver of the foundation landscaping and a waiver for the buffered landscaping along the west property line. The applicant was requesting that the 20 foot buffer be reduced to the 10 feet as shown on the site plan and Staff would prefer that the 20 feet remain in place, since there is developed single family immediately to the west and felt the 20 foot buffer was more appropriate. Additionally, the other waiver was for foundation landscaping around the building and the applicant was proposing widths between one and one-half to five feet where the design standards would normally require six feet and the applicant indicated, verbally, that he had soil condition problems on the site and that he was proposing above ground planters to mitigate that effect. With those planters, which under normal circumstances could be approved administratively if they meet the proper size, Staff feels that waiver could be granted. Staff was recommending approval of the amendment to the PUD with the conditions listed with a number of modifications, which would be provided after the applicant's presentation. The original, if approved, conditions recommended by Staff were 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 development shall comply with the Commercial Development Standards and Design Guidelines except as follows:
 - a. Landscaping widths along Martin L. King Boulevard shall remain as shown on the site plan;
 - b. The convenience store is not required to be oriented to the corner.
 - c. A ten (10) foot wide landscaping buffer with a double row of trees is allowed adjacent to the residential property on the north side of the site.

3. The development shall comply with the Commercial Development Standards and Design Guidelines, including but not limited to:
 - a. That foundation landscaping consisting of five feet of sidewalk and six feet of landscaping, or an acceptable alternative, is required along all building entrances;
 - b. That a meandering sidewalk is provided along Martin L. King Boulevard and Alexander Road
 - c. That a landscaped berm 3' above the finished grade shall be provided along Martin L. King Boulevard and Alexander Road;
 - d. Landscaped islands, six (6) feet in width shall be provided for every 15 parking spaces within a parking row;
 - e. Landscaped islands shall be provided on both sides of trash enclosures;
 - f. Architectural designs, materials and colors shall be consistent and cohesive on all elevations of all buildings;
 - g. All rooftop equipment shall be screened from view with materials architecturally compatible with principle structures;
 - h. Twenty feet of landscaping shall be provided adjacent to the west property line.
4. Access ladders and scuppers shall be incorporated into the interior of the structure.
5. That a reciprocal access easement shall be provided to the parcel on the north, if the adjacent parcel is developed as commercial.
6. A minimum of 137 parking spaces shall be provided.
7. Approval of a drainage study is required prior to submittal of the civil improvement plans.
8. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
9. Construction of half-street improvements is required on Alexander Road along the adjacent parcel, APN 139-04-410-014, or as otherwise approved by the Director of Public Works.
10. Martin L. King Boulevard is a no-cut street.
11. Approval of a traffic study is required prior to submittal of the civil improvement plans.

12. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Martin L. King Boulevard and Alexander Road.
13. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and *City of North Las Vegas Municipal Code* section 16.24.100.B:
 - a. Alexander Road
14. Right-of-way dedication and construction of a CAT bus turn-out is required on Alexander Road near Martin L. King Boulevard per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1, or as approved by the City of North Las Vegas Traffic Engineer.
15. Right-of-way dedication and construction of a flared intersection, including a right turn lane, is required at Martin L. King Boulevard and Alexander Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1, or as approved by the City of North Las Vegas Traffic Engineer.
16. 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.
17. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter, or as approved by the City of North Las Vegas Traffic Engineer.
18. Shared access to parcel 139-04-410-006 and 139-04-410-014 is required.
19. Twenty-four (24) foot drive aisles are required around fueling area, as measured from the face of the fuel island curb to the back of the parking stall.
20. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
21. 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.

22. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.
23. A minimum of 5' landscape area must be provided behind any proposed bus turn-out.
24. The property owner is required to grant a roadway easement for commercial driveway(s).
25. The property owner is required to sign a restrictive covenant for utilities.
26. A revocable encroachment permit for landscaping within the public right of way is required.
27. All off-site improvements must be completed prior to final inspection of the first building.
28. The property owner is required to grant a pedestrian access easement for sidewalk within any common element.
29. Appropriate subdivision and/or parcel mapping is required to complete this project. All mapping shall be in compliance with NRS Chapter 278 and Title 16 of the *City of North Las Vegas Municipal Code*.
30. Marking of the fire lanes to prohibit parking on one/both side(s) shall be in accordance with the fire code.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant indicating the two parcels referred to by Staff were the only change, other than in the original plan. Along the back side, they had asked for a waiver which was approved and there was originally seven feet and they agreed, at the Planning Commission meeting, to increase it to 10 feet with a double row of trees that were off-set. The remainder of the plan, with all of the waivers discussed by Staff, were previously approved and requested they be approved for the record and the landscaping would be extended with a double row of trees to the south and along the north, was commercial with five foot and 10 foot landscaping. Along the day care to the south, there was more landscaping on the new plan than what was actually required by code. The site was difficult due to the numerous small parcels that had been assembled. Mr. Garcia indicated they had a soils report that verified there was corrosive soils on the site, so it would be necessary to do above ground planters, but requested that they be reduced in size to fit within the parameters reflected on the plan.

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

Chairman Brown closed the Public Hearing.

Robert Eastman read the amendments to the conditions into the record as follows:

- Condition No. 2.c amended to read: A 10 foot wide landscape buffer with a double row of trees is required adjacent to the residential property on the west side of the site.
- Condition No. 2.d added to read: Buffering between the site and the undeveloped parcel to the north shall remain as shown on the site plan.
- Condition No. 3.a amended to read: That foundation landscaping consisting of sidewalks and planters shall be provided as shown on the plan.
- Condition No. 3.h deleted.

Mr. Garcia concurred with the recommended amendments, addition and deletion.

Commissioner Dilip Trivedi asked about the ADA requirements.

Mr. Eastman explained the ADA had a minimum width for sidewalks and initially when reviewing the plan for the convenience food store with gas pumps, there were a couple of locations where the sidewalk does not meet the minimum width for ADA. The Building Department would enforce the ADA requirements when the applicant came forward with the building permits. That was not placed as a condition, since the Building Code covered it; but, functionally, the applicant would either need to widen or change the entry at the convenience food store.

Mr. Garcia indicated he understood staff's comments regarding the ADA requirements.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NO. 3.H DELETED, CONDITION NOS. 2.C AND 3.A AMENDED AND CONDITION NO. 2.D ADDED TO READ:

- 2.C. A TEN (10) FOOT WIDE LANDSCAPE BUFFER WITH A DOUBLE ROW OF TREES IS REQUIRED ADJACENT TO THE RESIDENTIAL PROPERTY ON THE WEST SIDE OF THE SITE.

- 2.D. BUFFERING BETWEEN THE SITE AND THE UNDEVELOPED PARCEL TO THE NORTH SHALL REMAIN AS SHOWN ON THE SITE PLAN.
- 3.A. THAT FOUNDATION LANDSCAPING CONSISTING OF SIDEWALKS AND PLANTERS SHALL BE PROVIDED AS SHOWN ON THE PLAN.

FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

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

Item No. 13 was heard next.

10. **GED-02-07 (32692) NORTHGATE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DIAMOND LAMB, LLC, PROPERTY OWNER, FOR A PETITION TO ALLOW A GAMING ENTERPRISE DISTRICT IN AN MUD/MX-3, MIXED USE DEVELOPMENT DISTRICT/REGIONAL CENTER MIXED USE. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF TROPICAL PARKWAY AND MARION DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 123-29-301-002, 123-29-301-003 AND 123-29-401-007.**

It was requested by the applicant to continue GED-02-07 to November 28, 2007.

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

Chairman Brown indicated the Public Hearing would remain open.

ACTION: CONTINUED TO NOVEMBER 28, 2007

MOTION: Vice-Chairman Trivedi

SECOND: Commissioner Thomas

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

NAYS: None

ABSTAIN: None

11. **ZN-23-07 (32690) NORTHGATE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DIAMOND LAMB, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO AN EXISTING MUD/MX-3, MIXED USE DEVELOPMENT DISTRICT/REGIONAL CENTER MIXED USE TO INCLUDE A CASINO AS PART OF THE PROPOSED DEVELOPMENT. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF TROPICAL PARKWAY AND MARION DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 123-29-301-002, 123-29-301-003, 123-29-401-004, 123-29-401-005, 123-29-401-006, 123-29-401-007, 123-29-401-012, 123-29-401-013 AND 123-29-401-015.**

It was requested by the applicant to continue ZN-23-07 to November 28, 2007.

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

Chairman Brown indicated the Public Hearing would remain open.

ACTION: CONTINUED TO NOVEMBER 28, 2007

MOTION: Vice-Chairman Trivedi

SECOND: Commissioner Thomas

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

NAYS: None

ABSTAIN: None

12. **UN-107-07 (32695) NORTHGATE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DIAMOND LAMB, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN MUD/MX-3, MIXED USE DEVELOPMENT DISTRICT/REGIONAL CENTER MIXED USE TO ALLOW A CASINO. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF TROPICAL PARKWAY AND MARION DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 123-29-301-002, 123-29-301-003 AND 123-29-401-007.**

It was requested by the applicant to continue UN-107-07 to November 28, 2007.

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

Chairman Brown indicated the Public Hearing would remain open.

ACTION: CONTINUED TO NOVEMBER 28, 2007

MOTION: Vice-Chairman Trivedi

SECOND: Commissioner Thomas

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

NAYS: None

ABSTAIN: None

Item No. 20 was heard next.

13. **AMP-15-07 (32694) SCOPE PLAZA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SCOPE DEVELOPMENT, LLC, ON BEHALF OF CAMINO OFFICE CONDOS, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF EMPLOYMENT TO NEIGHBORHOOD COMMERCIAL. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CAMINO AL NORTE AND WASHBURN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-33-601-011.**

Item Nos. 13 and 14 were presented together.

The applications were presented by Terence Capers who explained the site was approximately 5.61 acres. In conjunction with these applications, is a site plan review, SPR-52-07 and UN-111-07 for the bank use. The subject site is surrounded by single family residential to the north, east, and west and adjoins professional office commercial to the south. There are few existing commercial uses at the southeast corner of Washburn Road and Camino Al Norte. The purpose of the C-P Professional Office Commercial District was to provide development of certain low density businesses such as professional office, which are in harmony and compatible with the surrounding adjacent residential district. The purpose of the proposed C-1 Neighborhood Commercial District was to provide attractive pedestrian environments that were well connected through design, use, and multi-modal circulation network to the adjacent neighborhoods they serve. Based on the location and surroundings, there are no industrial uses that are allowed in the employment district near the adjoining subject property. Therefore, the current employment land use designation for the subject property does not fit the intent of the Comprehensive Plan but was best suitable for the neighborhood commercial designation. Staff was supportive of the proposed plan amendment and reclassification of property and was recommending approval of AMP-15-07.

Gary Leobold with Leobold and Brown, 2592 Canadian Goose, Henderson, NV 89052 appeared on behalf of the applicant indicating he concurred with Staff recommendation. He explained the applications were all in support of the project, which was a three building retail center that would provide retail and service uses to the immediate neighborhood. They were looking at a bank building with approximately 4800 square feet that may be split with another use at some point, but were making sure they covered the size of the building and drive thru with the current plan. There would be another 13,800 square foot building at the corner and then another pad building along Washburn Road that could have up to 11 tenants. They met all of the Design Standards except for the waiver request, which would have pushed the corner building up to the street line. They have parking along Washburn and Camino Al Norte aspects of the building but, because of the elevation in the area, they were providing a berm along Camino Al Norte and there was a three foot wall

along the Washburn edge and there was approximately a three foot drop to Washburn, so with the intensive landscaping provided on the outside of those areas along with the berm and the wall, the effect of the parking should be diminished along the front of the building. They were looking to go from employment to neighborhood commercial and there were some overlaps. They felt it was important to reflect the range of retail and service uses they were looking for. He indicated there was some other C-1 in the area, across the street; otherwise, the area was not heavily served with retail. They held a neighborhood meeting at the Aliante Library on November 1, 2007 with only one person in attendance, who thought the project was reasonable.

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

Chairman Brown closed the Public Hearing.

Commissioner Dean Leavitt asked the applicant if there was speculation on possible tenants. Mr. Leobold responded they had talked to tenants for day care, convenience store, a bank and was not aware of other types of business interest. Commissioner Leavitt asked if the bank was just speculative. Mr. Leobold responded they had talked to potential bank tenants but was not sure. Commissioner Leavitt felt the zoning should be left C-P and did not want to see a convenience store on the site and felt it was a mistake not to have built residential homes on the site and was opposed to the application.

Mr. Leobold explained there was no concrete plans, but there was a range of potential tenants and if the Commission felt uncomfortable with a C-Store, a condition could be added. They wanted to provided uses that would be beneficial to the neighborhood.

Commissioner Dilip Trivedi indicated he received a call from the property owner across the street and who was asking why Staff was recommending approval for the current zone change when his previous request for a zone change in that area was denied.

Marc Jordan, Planning Manager indicated the property owner across the street had not applied for a recent rezoning on his property. When he applied for a zone change previously, he was under the old Comprehensive Plan and did not believe he met the criteria, because in the old Comprehensive Plan, there was a set of criteria used to review the applications. One of the criteria was a market analysis or market study of the surrounding area and whether or not it would support additional commercial. Most likely, in Staff's review, they did not feel a proper market analysis was given and did not meet the rest of the criteria in the Comprehensive Plan at that time; but, without researching the application, he could not be sure of the reason for denial.

Commissioner Trivedi asked why a rezoning was appropriate at this time and not previously.

Jory Stewart, Planning & Zoning Director explained the policies under which the requests were reviewed had changed, so it was now appropriate in light of the policy adopted by City Council.

Commissioner Jo Cato indicated she remembered there had been opposition from the residents in that neighborhood, because the homes in that area were being sold and there were new residents who did not want the commercial and the application had been changed to accommodate the residents in the neighborhood.

Chairman Steve Brown was concerned that there was a commercial plaza to the south of the subject site that was not being used to its capacity, so was in favor of the amendment.

Commissioner Cato asked if a condition could be added regarding convenience food store. Nick Vaskov, Deputy City Attorney responded conditions could not be added to AMP's.

Mr. Jordan clarified that a convenience store with gas pumps would require a use permit; but, if someone applied for a convenience store without gas pumps, it would be principally permitted.

Chairman Brown asked what the title, Employment, usually entailed. Mr. Jordan responded employment could be office type development, a small commercial type development, but, could be acquainted with light industrial. In the subject area, it was consistent with office development.

Commissioner Cato stated for the record, she would support the application; however, because the Professional Commercial across the street was struggling, she hoped a convenience food store did not go in, but did want to see something at that corner.

ACTION: APPROVED

MOTION: Commissioner Cato

THE MOTION FAILED

ACTION: DENIED

MOTION: Vice-Chairman Trivedi

SECOND: Commissioner Leavitt

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

NAYS: Commissioner Cato

ABSTAIN: None

14. **ZN-116-07 (32697) SCOPE PLAZA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SCOPE DEVELOPMENT, LLC, ON BEHALF OF CAMINO OFFICE CONDOS, LLC, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM A C-P, PROFESSIONAL OFFICE COMMERCIAL DISTRICT TO A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CAMINO AL NORTE AND WASHBURN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-33-601-011.**

Item Nos. 13 and 14 were presented together.

The applications were presented by Terence Capers who explained the site was approximately 5.61 acres. In conjunction with these applications, is a site plan review, SPR-52-07 and UN-111-07 for the bank use. The subject site is surrounded by single family residential to the north, east, and west and adjoins professional office commercial to the south. There are few existing commercial uses at the southeast corner of Washburn Road and Camino Al Norte. The purpose of the C-P Professional Office Commercial District was to provide development of certain low density businesses such as professional office, which are in harmony and compatible with the surrounding adjacent residential district. The purpose of the proposed C-1 Neighborhood Commercial District was to provide attractive pedestrian environments that were well connected through design, use, and multi-modal circulation network to the adjacent neighborhoods they serve. Based on the location and surroundings, there are no industrial uses that are allowed in the employment district near the adjoining subject property. Therefore, the current employment land use designation for the subject property does not fit the intent of the Comprehensive Plan but was best suitable for the neighborhood commercial designation. Staff was supportive of the proposed plan amendment and reclassification of property and was recommending approval of ZN-116-07.

Gary Leobold with Leobold and Brown, 2592 Canadian Goose, Henderson, NV 89052 appeared on behalf of the applicant indicating he concurred with Staff recommendation. He explained the applications were all in support of the project, which was a three building retail center that would provide retail and service uses to the immediate neighborhood. They were looking at a bank building with approximately 4800 square feet that may be split with another use at some point, but were making sure they covered the size of the building and drive thru with the current plan. There would be another 13,800 square foot building at the corner and then another pad building along Washburn Road that could have up to 11 tenants. They met all of the Design Standards except for the waiver request, which would have pushed the corner building up to the street line. They have parking along Washburn and Camino Al Norte aspects of the building but, because of the elevation in the area, they were providing a berm along Camino Al Norte and there was a three foot wall along the Washburn edge and there was approximately a three foot drop to Washburn, so

with the intensive landscaping provided on the outside of those areas along with the berm and the wall, the effect of the parking should be diminished along the front of the building. They were looking to go from employment to neighborhood commercial and there were some overlaps. They felt it was important to reflect the range of retail and service uses they were looking for. He indicated there was some other C-1 in the area, across the street; otherwise, the area was not heavily served with retail. They held a neighborhood meeting at the Aliante Library on November 1, 2007 with only one person in attendance, who thought the project was reasonable.

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

Chairman Brown closed the Public Hearing.

Commissioner Dean Leavitt asked the applicant if there was speculation on possible tenants. Mr. Leobold responded they had talked to tenants for day care, convenience store, a bank and was not aware of other types of business interest. Commissioner Leavitt asked if the bank was just speculative. Mr. Leobold responded they had talked to potential bank tenants but was not sure. Commissioner Leavitt felt the zoning should be left C-P and did not want to see a convenience store on the site and felt it was a mistake not to have built residential homes on the site and was opposed to the application.

Mr. Leobold explained there was no concrete plans, but there was a range of potential tenants and if the Commission felt uncomfortable with a C-Store, a condition could be added. They wanted to provided uses that would be beneficial to the neighborhood.

Commissioner Dilip Trivedi indicated he received a call from the property owner across the street and who was asking why Staff was recommending approval for the current zone change when his previous request for a zone change in that area was denied.

Marc Jordan, Planning Manager indicated the property owner across the street had not applied for a recent rezoning on his property. When he applied for a zone change previously, he was under the old Comprehensive Plan and did not believe he met the criteria, because in the old Comprehensive Plan, there was a set of criteria used to review the applications. One of the criteria was a market analysis or market study of the surrounding area and whether or not it would support additional commercial. Most likely, in Staff's review, they did not feel a proper market analysis was given and did not meet the rest of the criteria in the Comprehensive Plan at that time; but, without researching the application, he could not be sure of the reason for denial.

Commissioner Trivedi asked why a rezoning was appropriate at this time and not previously.

Jory Stewart, Planning & Zoning Director explained the policies under which the requests were reviewed had changed, so it was now appropriate in light of the policy adopted by City Council.

Commissioner Jo Cato indicated she remembered there had been opposition from the residents in that neighborhood, because the homes in that area were being sold and there were new residents who did not want the commercial and the application had been changed to accommodate the residents in the neighborhood.

Chairman Steve Brown was concerned that there was a commercial plaza to the south of the subject site that was not being used to its capacity, so was in favor of the amendment.

Commissioner Cato asked if a condition could be added regarding convenience food store. Nick Vaskov, Deputy City Attorney responded conditions could not be added to AMP's.

Mr. Jordan clarified that a convenience store with gas pumps would require a use permit; but, if someone applied for a convenience store without gas pumps, it would be principally permitted.

Chairman Brown asked what the title, Employment, usually entailed. Mr. Jordan responded employment could be office type development, a small commercial type development, but, could be acquainted with light industrial. In the subject area, it was consistent with office development.

Commissioner Cato stated for the record, she would support the application; however, because the Professional Commercial across the street was struggling, she hoped a convenience food store did not go in, but did want to see something at that corner.

ACTION: DENIED

MOTION: Vice-Chairman Trivedi

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

15. **SPR-52-07 (32696) SCOPE PLAZA. AN APPLICATION SUBMITTED BY SCOPE DEVELOPMENT, LLC, ON BEHALF OF CAMINO OFFICE CONDOS, LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-P, PROFESSIONAL OFFICE COMMERCIAL DISTRICT (PROPOSED C-1, NEIGHBORHOOD COMMERCIAL DISTRICT) TO ALLOW A WAIVER FROM REQUIRING BUILDINGS ON CORNER LOTS TO BE ORIENTED TO THE CORNER AND TO THE STREET FRONT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CAMINO AL NORTE AND WASHBURN ROAD. THE ASSESSOR'S PARCEL NUMBER IS124-33-601-011.**

It was requested by the applicant to continue SPR-52-07 indefinitely.

ACTION: CONTINUED INDEFINITELY

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

16. **UN-111-07 (32729) SCOPE PLAZA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SCOPE DEVELOPMENT, LLC, ON BEHALF OF CAMINO OFFICE CONDOS, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-P, PROFESSIONAL OFFICE COMMERCIAL DISTRICT (PROPOSED C-1, NEIGHBORHOOD COMMERCIAL DISTRICT) TO ALLOW A FINANCIAL INSTITUTION (BANK). THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CAMINO AL NORTE AND WASHBURN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-33-601-011.**

It was requested by the applicant to continue UN-111-07 indefinitely.

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

Chairman Brown indicated the Public Hearing would remain open.

ACTION: CONTINUED INDEFINITELY

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

OLD BUSINESS

17. **AMP-11-07 (32538) GOWAN & COMMERCE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DEVELOPMENT FUNDING GROUP C/O GIDEON RICHARDSON ON BEHALF OF CELEBRATE PROPERTIES LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT TO CHANGE THE CURRENT DESIGNATION OF SINGLE-FAMILY MEDIUM (UP TO 13 DU/AC) TO MULTI-FAMILY (UP TO 25 DU/AC). THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF GOWAN ROAD AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-10-201-009. (CONTINUED OCTOBER 24, 2007)**

Commissioner Harry Shull indicated he would be abstaining as his company was the property owner.

Commissioner Harry Shull left Chambers at 7:00 p.m.

Item Nos. 17 and 18 were presented together.

The application was presented by Robert Eastman, Principal Planner, who explained the amendment was to allow a proposed 216 unit apartment complex and the site was a little more than nine acres. The applicant's request was to amend the Comprehensive Plan and rezone and the reasons for the multi-family residential district was to allow higher intensity residential uses that were adjacent to major roadways and near commercial employment areas, shopping areas, parks and other services and amenities. The site was not well connected to most other services and was not located at the intersection of two major arterials and not located on an arterial. It was located at the intersection of two 80 foot rights-of-way and there was no supporting neighborhood commercial nearby and was surrounded on two sides by industrial uses. There was a school on one side and single-family homes on the other. Staff felt the existing R-2 two-family residential and lower density residential land use was more appropriate for the site; therefore, was recommending denial of AMP-11-07.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant explaining the site at the corner of Gowan and Commerce Street was originally part of a larger site that included the school and at one time a portion of it was part of a PUD and still had the high density land use designation. The proposed portion was the remnant portion after the School District took half of the site and is located adjacent to the recycling center to the south and surrounded by industrial uses. There are plenty of services and schools and employment and indicated the site was not well suited for low intensity residential. The site was located on two 80 foot streets, that

were capable of sustaining traffic. The number of units planned for the site had been reduced to 208 instead of the 216 units originally requested, which was based on the fact that the site was redesigned to address Staff comments related to open space, parking issues and the race track effect along the back of the site. Mr. Garcia indicated they would continue the site plan, as the Parks and Recreation and Planning & Zoning Departments indicated there was a question as to how the balconies were calculated. Mr. Garcia indicated they were not asking for a waiver on the open space as they currently comply with the open space requirements. The overall density for the project was approximately 19 ½ units per acre.

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

Chairman Brown closed the Public Hearing.

Commissioner Dean Leavitt asked Staff if the plans were forwarded to the School District for input. Marc Jordan, Planning Manager responded they were.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: Commissioner Thomas

ABSTAIN: Commissioner Shull

18. **ZN-113-07 (32533) GOWAN AND COMMERCE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DEVELOPMENT FUNDING GROUP C/O GIDEON RICHARDSON ON BEHALF OF CELEBRATE PROPERTIES LLC, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM AN R-2, TWO-FAMILY RESIDENTIAL DISTRICT TO AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF GOWAN ROAD AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-10-201-009. (CONTINUED OCTOBER 24, 2007)**

Commissioner Harry Shull indicated he would be abstaining as his company was the property owner.

Item Nos. 17 and 18 were presented together.

The application was presented by Robert Eastman, Principal Planner, who explained the amendment was to allow a proposed 216 unit apartment complex and the site was a little more than nine acres. The applicant's request was to amend the Comprehensive Plan and rezone and the reasons for the multi-family residential district was to allow higher intensity residential uses that were adjacent to major roadways and near commercial employment areas, shopping areas, parks and other services and amenities. The site was not well connected to most other services and was not located at the intersection of two major arterials and not located on an arterial. It was located at the intersection of two 80 foot rights-of-way and there was no supporting neighborhood commercial nearby and was surrounded on two sides by industrial uses. There was a school on one side and single-family homes on the other. Staff felt the existing R-2 two-family residential and lower density residential land use was more appropriate for the site; therefore, was recommending denial of ZN-113-07.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant explaining the site at the corner of Gowan and Commerce Street was originally part of a larger site that included the school and at one time a portion of it was part of a PUD and still had the high density land use designation. The proposed portion was the remnant portion after the School District took half of the site and is located adjacent to the recycling center to the south and surrounded by industrial uses. There are plenty of services and schools and employment and indicated the site was not well suited for low intensity residential. The site was located on two 80 foot streets, that were capable of sustaining traffic. The number of units planned for the site had been reduced to 208 instead of the 216 units originally requested, which was based on the fact that the site was redesigned to address Staff comments related to open space, parking issues and the race track effect along the back of the site. Mr. Garcia indicated they would continue the site plan, as the Parks and Recreation and Planning & Zoning Departments

indicated there was a question as to how the balconies were calculated. Mr. Garcia indicated they were not asking for a waiver on the open space as they currently comply with the open space requirements. The overall density for the project was approximately 19 ½ units per acre.

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

Chairman Brown closed the Public Hearing.

Commissioner Dean Leavitt asked Staff if the plans were forwarded to the School District for input. Marc Jordan, Planning Manager responded they were.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: Commissioner Thomas

ABSTAIN: Commissioner Shull

19. **SPR-51-07 (32541) GOWAN & COMMERCE. AN APPLICATION SUBMITTED BY DEVELOPMENT FUNDING GROUP C/O GIDEON RICHARDSON ON BEHALF OF CELEBRATE PROPERTIES LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-2, TWO-FAMILY RESIDENTIAL DISTRICT (PROPOSED R-3, MULTI-FAMILY RESIDENTIAL DISTRICT) TO ALLOW A 216-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF GOWAN ROAD AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-10-201-009. (CONTINUED OCTOBER 24, 2007)**

It was requested by the applicant to continue SPR-51-07 to December 12, 2007.

ACTION: CONTINUED TO DECEMBER 12, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: Commissioner Shull

Commissioner Harry Shull returned to Chambers at 7:11 p.m.

Item No. 22 was heard next.

20. **T-1308 (32494) NORTHERN BELTWAY INDUSTRIAL CENTER. AN APPLICATION SUBMITTED BY THOMAS AND MACK DEVELOPMENT ON BEHALF OF NORTHERN BELTWAY INDUSTRIAL CENTER LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW AN INDUSTRIAL SUBDIVISION. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF RANGE ROAD AND EL CAMPO GRANDE AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 123-28-301-011 AND 123-28-701-001. (CONTINUED OCTOBER 24, 2007)**

It was requested by the applicant to continue T-1308 to December 12, 2007.

ACTION: CONTINUED TO DECEMBER 12, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

21. **ZN-107-07 (31910) CENTENNIAL & LOSEE PROJECT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JACK BINION AND PHYLLIS COPE, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM A PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF BUSINESS/OFFICE USES WITH ASSOCIATED RETAIL AND RESTAURANTS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-25-101-001. (CONTINUED SEPTEMBER 12 AND 26, AND OCTOBER 24, 2007)**

It was requested by the applicant to continue ZN-107-07 to November 28, 2007.

Jennifer Lazovich of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant explaining they had met with the neighbors a second time and were revising the plans based on comments received at that neighborhood meeting and should be ready to proceed on November 28, 2007.

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

Chairman Brown indicated the Public Hearing would remain open.

ACTION: CONTINUED TO NOVEMBER 28, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

Item No. 5 was heard next.

22. SPR-28-05 (32373) CRAIG ROAD CONDOS. AN APPLICATION SUBMITTED BY ROBERT F. DAVIS ON BEHALF OF PUEBLOS PARTNERS INC, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED SITE PLAN REVIEW IN AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT TO WAIVE THE TRASH ENCLOSURE REQUIREMENT. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF VANDENBERG DRIVE AND CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 140-06-722-000 THROUGH 140-06-722-152. (CONTINUED OCTOBER 10 AND 24, 2007)

The application was presented by Robert Eastman, Principal Planner who explained the development was an approved Multi-Family apartment complex that was currently under construction and was originally approved in September, 2005. The applicant was requesting that they have individual pick-up for trash instead of using a communal trash enclosure as required by the Multi-Family Design Standards. On one occasion the City previously allowed trash in a multi-family development to have individual trash containers that were, at the time, proposed to be placed in individual storage units or garages within the townhouse project, which proved to be a failure and trash was strewn throughout the development on many occasions during trash collection on either side of trash collection days were visited on multiple occasions by Code Enforcement and the Health Department. Staff felt using a common trash receptacle would be better for the neighborhood to ensure a better quality of life, health and safety for the neighborhood and felt the requested waiver to SPR-28-05 should be denied.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant and presented the site plan showing the individual garages and indicated in the Code a townhouse was defined as a single-family dwelling unit. The Code says they are constructed as a series of dwellings but are, in fact, a single-family dwelling unit; so, by that definition it was not multi-family and he felt if you own your own home, you have a garage and have a place to maintain the 96 gallon trash container. He explained there was adequate room in the garage for both the recycling and the normal trash container. He explained the way the complex was designed, the only place to put the trash enclosures would be in front of one of the units.

Chairman Steve Brown asked how many families live in each of the buildings. Mr. Garcia responded each building had eight units. He added Republic Services agreed to provide curb-side pick-up for the project.

Chairman Brown clarified Republic Services would only pick-up in areas where the truck did not have to back up. Mr. Garcia responded that was correct. Chairman Brown asked if a common collection area would be provide at the streets where Republic Services did not pick up. Mr. Garcia explained there would be a place at the corner where the stubs

were, where the homeowner would bring their receptacle to the corner on the morning of trash day and take it back at night.

ACTION: APPROVED WITH CONDITION NO. 19 AMENDED AS SHOWN IN STAFF REPORT

MOTION: Commissioner Shull

SECOND: Chairman Brown

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

NAYS: None

ABSTAIN: None

PUBLIC FORUM

Scott Sauer, 770 West Lone Mountain Road #2125, North Las Vegas, NV 89031 indicated he appreciated the job being done by the Commission and Staff and commented he was frustrated with residents not wanting apartments in their area, as they needed to go somewhere.

DIRECTOR'S BUSINESS

Planning and Zoning Director Jory Stewart thanked the Boy Scouts for coming to the meeting

CHAIRMAN'S BUSINESS

Chairman Steve Brown thanked the Boy Scouts for attending the meeting

Commissioner Dean Leavitt thanked the Boy Scouts for attending the meeting and explained they were working toward a merit badge.

ADJOURNMENT

The meeting adjourned at 7:28 p.m.

APPROVED:

/s/ Steve Brown
Steve Brown, Chairman

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