

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

January 10, 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:** 6:01 P.M., Council Chambers, North Las Vegas City Hall, 2200 Civic Center Drive

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

**STAFF PRESENT:** Jory Stewart, Planning & Zoning Director  
Marc Jordan, Planning Manager  
Robert Eastman, Principal Planner  
Jeremy Davis, Planner  
Nick Vaskov, Deputy City Attorney II  
Bethany Sanchez, Deputy City Attorney  
Jennifer Doody, Development & Flood Control  
Clete Kus, PW, Transportation Planner  
Mike Steele, Fire Department  
Jo Ann Lawrence, Recording Secretary

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

**WELCOME:** Chairman Angelo Carvalho

**PLEDGE OF ALLEGIANCE:** Commissioner Jay Aston

**MINUTES**

• **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF NOVEMBER 21, 2006.**

ACTION: APPROVED

MOTION: Commissioner Harry Shull

SECOND: Commissioner Dean Leavitt

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

NAYS: None

ABSTAIN: None

Planning and Zoning Director Jory Stewart presented Chairman Angelo Carvalho with a plaque and thanked him for his service on the Planning Commission and wished him a safe return.

**NEW BUSINESS**

1. **REVIEW OF PROPOSED FIRE FACILITIES IMPACT FEE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE CITY OF NORTH LAS VEGAS REQUESTING PLANNING COMMISSION REVIEW AND APPROVAL OF A PROPOSED FIRE FACILITIES IMPACT FEE PROGRAM AND ASSOCIATED LAND USE ASSUMPTIONS AND FIRE FACILITIES CAPITAL IMPROVEMENT PLAN. (CONTINUED OCTOBER 25 AND NOVEMBER 21, 2006)**

The applicant requested an indefinite continuance.

ACTION: CONTINUED INDEFINITELY

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**Item No. 9 was heard next.**

**2. UN-02-07 (28135) CCSN AUTOMOTIVE BUILDING (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE COMMUNITY COLLEGE OF SOUTHERN NEVADA ON BEHALF OF UNIVERSITY BOARD OF REGENTS, PROPERTY OWNER, FOR A USE PERMIT IN A PSP PUBLIC/SEMI-PUBLIC DISTRICT TO ALLOW A 35,000 SQUARE FOOT TRANSPORTATION TECHNOLOGY BUILDING. THE PROPERTY IS LOCATED AT 3200 E. CHEYENNE AVE. THE ASSESSOR'S PARCEL NUMBER IS 139-12-701-001.**

The application was presented by Marc Jordan, Planning Manager who stated the project would be developed in two phases, with Phase 2 expected with the approval of the 2007 Legislature. As part of the request, the applicant asked for a variance of the requirement to provide full off-site improvements for the development. In reviewing the application, it was in compliance with the Commercial Design Standards and there were only a few minor areas of concern. One of them was that landscaping needed to be provided around the customer entrance to the building; however, in reviewing the request for the variance for off-site improvements, Title 17 does not allow any type of waiver or variance for the off-site improvements and Public Works also cited several sections within Title 16 that would require the applicant to comply with the full off-site improvements. The improvements would be subject to approval by the City Engineer; therefore, Staff was not able to support the request for the variance. Staff was recommending approval of UN-02-07, but only for the use permit for the expansion, not the variance of the off-site improvements. The recommended conditions are 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.
3. At the time of building permit submittal, a revised copy of the landscaping plan will be required showing:
  - a) Foundation landscaping along the facades featuring entrances.
  - b) A minimum ground coverage of 60%, achieved within two years.
  - c) Additional landscaping along Gowan Road which meet the Commercial Development Standards and Design Guidelines.
4. Half-street improvements on Gowan Road are required with this phase and must be completed prior to final inspection of the first building. The application letter asks for a waiver of improvements on Gowan Road. Public works does not support the variance from full offsite improvements.

5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. 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.
7. After review of the above mentioned Planning Commission item, Transportation & Planning does not support the variance from full offsite improvements and the applicant will be required to provide them.
8. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
9. 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.
10. 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.
11. 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.
12. 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.
13. The property owner is required to grant a roadway easement for commercial driveway(s).
14. 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.
15. A revocable encroachment permit for landscaping within the public right of way is required.
16. The developer shall provide a meter and backflow prevention assembly for the automotive building.

**Steven Romas, 1705 Shifting Winds, Las Vegas, NV, Orlando Sandoval, 805 Seclusion Circle, Henderson, NV, and Mike Mancer of SH Architecture, Architect of record, 7868 Morning Flower Lane, Las Vegas, NV** appeared on behalf of the applicant. Mr. Romas stated the waiver had not been submitted, but they asked that the off-sites along Gowan Road be limited to half of what was needed to be approved at this point. They had a civil engineer design the off-sites, but at this point, it would cause a hardship on the budget allotted by the Legislature for the project. Mr. Sandoval explained that on Phase I, when it was initially presented to the Legislature, the State Public Works Board did not support the project, so the Legislature had to bring it back in and with that, the cost of Phase I had to be reduced. The amount being requested for Phase II would give the opportunity to add additional costs to the 2007 Legislative Session. If they had the availability and made a commitment from the Community College, to complete the off-sites on Gowan Road. He added the current project did not have enough funds to complete all of the off-site improvements and asked that they be able to commit to the off-sites to where the building and the road entry was, it would help with the project and set up for Phase II to continue the process. The drainage study and drainage efforts were a large expense.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho closed the Public Hearing.

Commissioner Dean Leavitt asked the applicant if Phase II funding was in place and guaranteed. Mr. Sandoval responded nothing was guaranteed in the 2007 Session. Commissioner Leavitt stated he would support Staff's recommendation. Mr. Sandoval stated Community College had been a good community citizen for 35 years and asked for some support. Commissioner Leavitt explained the Legislature issues guidelines the Board has to adhere to and the same body gives the College the money, but thought if the money was guaranteed, they might be able to phase the project, but with no guarantee, that was not possible. Mr. Sandoval stated the project was a second priority for the College, but there were no guarantees.

Commissioner Dilip Trivedi asked the applicant if they were asking for more time or to be able to only provide half of the required improvements. Mr. Romas explained they were asking to do 33% of the off-sites now and then during Phase II they would complete the remainder of the off-site improvements, including the drainage study, the utilities and the meandering sidewalks. Commissioner Trivedi stated he would support the applicant's request.

Chairman Carvalho asked when Phase II would be started. Mr. Sandoval responded there was no guarantee, but in May the Legislature would meet and make their recommendations and the Governor would sign off in June. Because both Phase I and Phase II are design build projects, once the Bill was passed, the Public Works Board would initiate the design

build contractor to continue with Phase II of the project. The off-sites should be completed by 2008.

Commissioner Trivedi asked if a condition could be added to require that the off-site improvements be completed before a Certificate of Occupancy can be issued. Mr. Jordan responded that was already a requirement. Commissioner Trivedi asked if they were required to provide the off-site improvements before a Certificate of Occupancy was issued and it was done in phases, why there was a problem. Jennifer Doody of Public Works explained the School District did not pull building permits through the City and the City did not perform any on-site inspections and did not issue C of O's, so that could not be a hammer for the City. Commissioner Trivedi asked what guarantee there was that the off-site would be completed. Mr. Romas explained the minutes from the meeting would carry on to the next special use permit request for Phase II and they would have the commitment from Community College during that process.

Chairman Carvalho stated he was in support of Staff's recommendation.

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

**MOTION:** Commissioner Leavitt

**SECOND:** Commissioner Shull

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

**NAYS:** None

**ABSTAIN:** None

3. **UN-01-07 (28067) LAKE MEAD TENNIS COMPLEX (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CREATIVE DESIGN ARCHITECTURE INC. ON BEHALF OF CLARK COUNTY AVIATION, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A SIXTEEN (16) COURT LIGHTED TENNIS PARK. THE PROPERTY IS GENERALLY LOCATED AT THE NORTHEAST CORNER OF LAKE MEAD BOULEVARD AND ALLEN LANE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-20-101-001, AND 139-20-201-001.**

The application was presented by Marc Jordan, Planning Manager who stated the applicant indicated the project would be developed in two phases with the second phase consisting of four covered courts that would be part of the facility. The property was located next to an existing detention basin and the applicant indicated a chain link fence around the development but it looked like there would be some wrought iron. Because they would be required to comply with the Commercial Design Standards, it was required to have a decorative fence around the entire project, not a chain link fence and there were also areas on the plan that indicated there would be landscaping; but it was not clear; so, any areas that were not devoted to drive isles or sidewalks would have to be landscaped. A portion of the parking lot was being proposed in Phase II, which would be next to Lake Mead Boulevard and rather than have an area next to Lake Mead Boulevard that would be barricaded or left as dirt, Staff recommended the area be paved as part of Phase I as it was a gateway into North Las Vegas. Staff was recommending approval of UN-01-07 with the clarifications to the design of the site and 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; and
2. That UN-01-07 is site-specific and non-transferable;
3. That outdoor displays are only allowed if properly permitted by the City;
4. The proposed site shall be in compliance with the Commercial Development Standards and Design Guidelines including but not limited to the following:
  - a. 20 feet of perimeter landscaping not including sidewalk must be provided along Lake Mead Boulevard.
  - b. Landscaping with 60% ground cover and 24 inch box trees shall be provided throughout the site and within the west area adjacent to the commercial center.
  - c. Foundation landscaping must be provided along the building entry facade.
  - d. Pedestrian linkage shall be provided within the parking lot.



- e. Perimeter fencing exposed to right-of-way shall be decorative.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. Nevada Department of Transportation (NDOT) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
7. 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.
8. The limits of the Federal Emergency Management Agency Special Flood Hazard Area Zone A must be shown on all site plans, civil improvement plans, etc. submitted to the City.
  - a. The City of North Las Vegas does not permit the construction of any buildings within a Federal Emergency Management Agency (FEMA) designated Special Flood Hazard Area (SFHA). Under this policy, the applicant must meet the following requirements prior to issuance of permits and certificates of occupancy:
  - b. Grading and off-site construction permits may be issued once a copy of the Conditional Letter of Map Review (CLOMR) application has been submitted to FEMA for processing.
  - c. Building permits may be issued once a CLOMR has been obtained from FEMA.
  - d. Certificates of Occupancy can be issued once a Letter of Map Revision (LOMR) has been obtained from FEMA.
9. Approval of a traffic study is required prior to submittal of the civil improvement plans.
10. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
11. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
12. 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.

13. 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.
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. Provide documentation that a shared access agreement with the property to the west.
16. Dedication and construction of the following right-of-way is required:
  - a. spandrel for the driveway at the northeast corner of Lake Mead Boulevard
17. The developer shall provide a meter and backflow prevention assembly per building and individual backflow prevention assembly for each exterior drinking fountain.

**Rami Artus, Creative Design Architecture and Nancy Hughes, Landscape Architect with Stantec** appeared on behalf of the applicant. Mr. Artus asked to clarify the fencing issues. A colored landscape plan was turned in, which showed the landscaping in all exposed areas of the project. He stated there was a detention basin on the east side of the property and on the north side, there was property owned by Clark County Aviation. They were proposing a decorative wrought fence along the front of the property facing Lake Mead Boulevard with a return approximately 20 feet in length down the sides and then use a chain link fence ten foot high down the sides and along the back. Mr. Artus explained the Phase II parking would have curb and gutter and be landscaped and instead of asphalt, they would be using D & G, so there would be no exposed dirt and perimeter landscaping would be provided along the front and the sides, except to the north, as that landscaping would be done with Phase II of the project, where there would be landscaping on the sides of the building. He indicated Public Works requested that they provide a Letter of Map Revision (LOMR) and Conditional Letter of Map Review (CLOMR) but they have learned from the Regional Flood Control that the area was designated as Flood Zone "A" in error because there was now a pipe underground and said if Regional Flood control changed their designation, they would not need to provide the LOMR and CLOMR and if the designation were not changed, they would be provided.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho closed the Public Hearing.

Commissioner Dean Leavitt asked the applicant if the wrought iron fence would be extended on both sides. Mr. Artus responded the wrought iron fence would be extended on both sides.

Commissioner Jay Aston asked the applicant if he had reviewed the conditions recommended by Staff. Mr. Artus responded he had reviewed the conditions and concurred with all of the conditions with the exception of the comments made by Staff regarding the perimeter fencing, the D & G on the future parking and pushing the entry plaza on the building itself by six feet, they would like those items to be as proposed on their design. Commissioner Aston asked which conditions he was referring to. Mr. Artus responded they were not conditions, but were comments listed on Page 2 of the Staff Report. Commissioner Aston stated the listed conditions were what was being voted on. Mr. Artus stated Condition No. 4 referred to Staff's concerns, and asked that Condition No. 4 be amended. He stated they agreed with Condition No. 4.a with the exception of Phase II; they agreed with Condition 4.b; Condition No. 4.c they agreed with, except for the entry plazas for the building; and asked that Condition No. 4.e, be amended to read "decorative on the front and 20 foot to the sides and the rest to remain as chain link, 10 foot high." Commissioner Aston asked if they concurred with all other conditions. Mr. Artus responded he concurred with all other conditions.

Commissioner Harry Shull asked the applicant if they were contemplating using the green screen chain link, so it was see through. Mr. Artus responded it would be screened with 10 foot high green screened chain link and indicated Lake Mead Boulevard would be heavily landscaped. Commissioner Shull indicated he did not have a problem with the chain link fence with the wrought iron at the front.

Robert Eastman, Principal Planner explained the condition stated that perimeter fencing along right-of-way needs to be decorative, so the argument along the rear or the sides was not part of the condition.

Commissioner Dean Leavitt asked if Phase II included the perimeter landscaping adjacent to or toward the back. Mr. Artus responded the front landscaping would be done with Phase I. Commissioner Leavitt stated he was in support of the applicant's request.

Commissioner Jay Aston asked if on Condition No. 4.e, the perimeter fencing exposed to the right-of-way would just be in the front and the applicant was asking for wrought iron and asked Staff if the decorative wall did not allow for wrought iron. Mr. Jordan responded it did allow for wrought iron, it was the chain link that was not allowed and the way the condition read, they were only required to put the decorative fencing in front where the

right-of-way was. Chairman Aston asked if there was a condition being written for Phase II on Condition No. 4.a. Mr. Jordan explained the landscaping would be done on Phase II and Staff was in agreement with that. He stated if there was a desire for approval, the applicant would need a waiver for the entry landscaping.

Commissioner Steve Brown asked if there were trees located on the east side of the property. Mr. Artus responded there were trees and the landscaping complied with the 60% coverage but he would add a couple more trees on the east side.

Mr. Eastman stated Condition No. 4.c would be amended to read: "Foundation landscaping must be provided along the building entry facade as shown on the site plan submitted January 10, 2007," which was the site plan presented at the meeting.

Mr. Artus stated on Condition No. 4.d it talked about linking the parking areas, and asked if marking would be acceptable to the City. Mr. Eastman responded it would.

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

4.C. FOUNDATION LANDSCAPING MUST BE PROVIDED ALONG THE  
BUILDING ENTRY FACADE AS SHOWN ON THE SITE PLAN  
SUBMITTED JANUARY 10, 2007.

**MOTION:** Commissioner Aston

**SECOND:** Commissioner Brown

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

**NAYS:** None

**ABSTAIN:** None

4. **UN-04-07 (28239) THE SCHWAN FOOD COMPANY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE SCHWAN FOOD COMPANY, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW THE STORAGE OF HAZARDOUS MATERIALS CONSISTING OF AN 18,000 GALLON LIQUEFIED PETROLEUM GAS (PROPANE) TANK FOR THE PURPOSE OF MOTOR FUEL DISPENSING. THE PROPERTY IS LOCATED AT 1035 WEST CHEYENNE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-16-510-001.**

The application was presented by Marc Jordan, Planning Manager who stated the tank would be located in the rear of the building closer to Trade Center Drive and would be surrounded by a block wall. As required by NRS, all appropriate State agencies were notified no negative comments were received. The Fire Department commented on the item and gave conditions of approval which were listed in the recommended conditions. Staff was recommending approval of UN-04-07 and that it be forwarded to City Council for final consideration with the following recommended conditions:

1. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. This use permit is site specific and non transferrable.
3. A fire safety analysis in accordance with NFPA 58 and the 2000 edition of the Uniform Fire Code is to be completed and approved by the North Las Vegas Fire Department prior to installation of the LPG tank. The analysis is to be done by a third party, selected by the applicant and approved by the fire department. The applicant must comply with all recommendations enumerated in the approved fire safety analysis in order to install, maintain, and use the LPG tank.

**Joe Hen with The Schwan Food Company, 306 North Whitney Street, Marshall, MN 56258** appeared on behalf of the applicant stating he concurred with Staff recommendation.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho closed the Public Hearing.

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

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

5. **VN-01-07 (28294) LA MADRE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY METROPOLITAN HOMES ON BEHALF OF LA MADRE 48, LLC, PROPERTY OWNER, FOR A VARIANCE IN AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT TO ALLOW A 13 FOOT FRONT SETBACK WHERE 15 FEET IS REQUIRED AND AN 8 FOOT REAR YARD SETBACK WHERE 15 FEET IS REQUIRED. THE PROPERTY IS LOCATED AT 5035 PIONEER SCOUT STREET. THE ASSESSOR'S PARCEL NUMBERS IS 124-32-321-012.**

The application was presented by Marc Jordan, Planning Manager who stated the lot was over 7600 square feet and was zoned R-1. The lot was an irregular shape and, according to the requirements in Title 17 and NRS, Staff was supporting the variance. The applicant indicated this was the only lot they were requesting a variance for in the subdivision; therefore, Staff was recommending approval of VN-01-07 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances with the exception that
2. That this variance is site-specific and non-transferable; and
3. That development shall comply with Single Family Development and Design Guidelines, except,
  - a. That the front yard setback be reduced from 15 feet to 13 feet.
  - b. That the rear yard setback be reduced from 15 feet to 8 feet.

**Dirk DeYoung with Metropolitan Homes, 4525 South Sandhill, Las Vegas, NV** appeared on behalf of the applicant stating he concurred with Staff recommendation.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho closed the Public Hearing.

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

**MOTION:** Commissioner Aston

**SECOND:** Commissioner Shull

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

**NAYS:** None

**ABSTAIN:** None

6. **ZN-03-07 - ZN-21-07 NLV COMMUNITY. AN APPLICATION SUBMITTED BY NOVEMBER 2005 LAND INVESTORS, LLC, AND DRHI, INC., PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN MPC MASTER PLANNED COMMUNITY DISTRICT TO MULTIPLE ZONING DISTRICTS AS FOLLOWS:**
- A. **ZN-03-07 (28295) PUBLIC HEARING. (PARCEL 1.01) PSP/MPC PUBLIC SEMI PUBLIC / MASTER PLANNED COMMUNITY DISTRICT (2.1± ACRES)**
  - B. **ZN-04-07 (28297) PUBLIC HEARING. (PARCEL 1.02) RZ6/MPC RESIDENTIAL ZONE UP TO 6 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (83.4 ± ACRES)**
  - C. **ZN-05-07 (28298) PUBLIC HEARING. (PARCEL 1.03) PSP/MPC PUBLIC SEMI PUBLIC / MASTER PLANNED COMMUNITY DISTRICT (2.0± ACRES)**
  - D. **ZN-06-07 (28299) PUBLIC HEARING. (PARCEL 1.04) RZ6/MPC RESIDENTIAL ZONE UP TO 6 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (14.8± ACRES)**
  - E. **ZN-07-07 (28301) PUBLIC HEARING. (PARCEL 1.05) RZ13/MPC RESIDENTIAL ZONE UP TO 13 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (32.8± ACRES)**
  - F. **ZN-08-07 (28302) PUBLIC HEARING. (PARCEL 1.06) RZ10/MPC RESIDENTIAL ZONE UP TO 10 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (55.1± ACRES)**
  - G. **ZN-09-07 (28307) PUBLIC HEARING. (PARCEL 1.07) PSP/MPC PUBLIC SEMI PUBLIC / MASTER PLANNED COMMUNITY DISTRICT (11.4± ACRES)**
  - H. **ZN-10-07 (28308) PUBLIC HEARING. (PARCEL 1.08) PSP/MPC PUBLIC SEMI PUBLIC / MASTER PLANNED COMMUNITY DISTRICT (10.2± ACRES)**
  - I. **ZN-11-07 (28311) PUBLIC HEARING. (PARCEL 1.09) PSP/MPC PUBLIC SEMI PUBLIC / MASTER PLANNED COMMUNITY DISTRICT (2.3± ACRES)**



- J. ZN-12-07 (28312) PUBLIC HEARING. (PARCEL 1.09A) RZ10/MPC RESIDENTIAL ZONE UP TO 10 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (29.9± ACRES)**
- K. ZN-13-07 (28313) PUBLIC HEARING. (PARCEL 1.09B) RZ10/MPC RESIDENTIAL ZONE UP TO 10 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (29.0± ACRES)**
- L. ZN-14-07 (28314) PUBLIC HEARING. (PARCEL 1.10) RZ50/MPC RESIDENTIAL ZONE UP TO 50 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (17.7± ACRES)**
- M. ZN-15-07 (28315) PUBLIC HEARING. (PARCEL 1.11) RZ13/MPC RESIDENTIAL ZONE UP TO 13 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (32.2± ACRES)**
- N. ZN-16-07 (28317) PUBLIC HEARING. (PARCEL 1.12) RZ13/MPC RESIDENTIAL ZONE UP TO 13 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (32.1± ACRES)**
- O. ZN-17-07 (28318) PUBLIC HEARING. (PARCEL 1.13) MUZ/MPC MIXED USE ZONE / MASTER PLANNED COMMUNITY DISTRICT (27.0± ACRES)**
- P. ZN-18-07 (28319) PUBLIC HEARING. (PARCEL 2.01) PSP/MPC PUBLIC SEMI PUBLIC / MASTER PLANNED COMMUNITY DISTRICT (5.5± ACRES)**
- Q. ZN-19-07 (28320) PUBLIC HEARING. (PARCEL 2.01A) PSP/MPC PUBLIC SEMI PUBLIC / MASTER PLANNED COMMUNITY DISTRICT (1.0± ACRES)**
- R. ZN-20-07 (28322) PUBLIC HEARING. (PARCEL 2.02) RZ6/MPC RESIDENTIAL ZONE UP TO 6 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (60.1± ACRES)**
- S. ZN-21-07 (28323) PUBLIC HEARING. (PARCEL 2.03) RZ6/MPC RESIDENTIAL ZONE UP TO 6 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (36.0± ACRES)**

**THE PROPERTIES ARE GENERALLY LOCATED SOUTH OF GRAND TETON DRIVE AND EAST OF CLAYTON STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-16-301-001, 124-15-000-003, 124-15-000-004, AND 124-16-501-001. A COMPLETE LEGAL DESCRIPTION IS ON FILE WITH THE PLANNING AND ZONING DEPARTMENT.**

The application was presented by Jeremy Davis, Planner who stated the applications were for the east parcel of the approved Olympia Master Planned Development. He explained, on May 3, 2006 Council approved the Development Agreement for the development, which included a master development plan. Council also approved, on July 5, 2006, amendments to the Comprehensive Plan for the development. Staff was recommending approval of ZN-03-07 through ZN-21-07 as they were consistent with the master development plan and with the Comprehensive Plan in effect at the time the development agreement was approved.

**Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant stating he concurred with Staff recommendation.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**7. UN-05-07 (28259) EUPHORIA INSTITUTE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY EUPHORIA INSTITUTE ON BEHALF OF DECATUR & CENTENNIAL LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW A 12,000-SQUARE-FOOT BEAUTICIAN SCHOOL. THE PROPERTY IS LOCATED AT 6578 DECATUR BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 124-19-410-004.**

The application was presented by Jeremy Davis, Planner who stated Staff had no objection to the use at the proposed location, as it appeared it conformed with all zoning ordinance requirements; therefore, Staff was recommending approval of UN-05-07 subject to the following recommended conditions:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. The development shall comply with all of the Commercial Design Standards and Design Guidelines, including, but not limited to the following:
3. That this use permit is site specific.
4. Must comply with conditions of approval for SPR-11-04.
5. The applicant shall submit a traffic study update for review and approval.

**Kim Harney, Executive Director of Euphoria Institute, 2303 Corinth Way, Henderson, NV and Joe Andolphy, Vegas Valley Construction, 3395 West Cheyenne Avenue** appeared on behalf of the applicant. Ms. Harney indicated she was not aware of the conditions but they would comply with them. Ms. Harney was given a copy of the recommended conditions and reviewed them. She asked for an explanation of Condition No. 4. Mr. Davis explained SPR-11-04 was the original site plan review for the commercial development and since the building was existing, the applicant would already be in compliance with SPR-11-04. Mr. Andolphy asked if they were already in compliance with Condition No. 5 regarding the traffic study. Clete Kus of Public Works explained an update of the traffic study would be required.

Commissioner Jay Aston asked if a traffic study was completed with SPR-11-04. Mr. Kus responded in this instance there was an original traffic study approved; however, the approach taken in developing the traffic study just applied a generic traffic generation rate to the development. With the new development, the update would more accurately quantify the traffic impact.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho closed the Public Hearing.

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

**MOTION:** Commissioner Shull

**SECOND:** Commissioner Brown

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

**NAYS:** None

**ABSTAIN:** None

8. **ZN-06-04 (28289) RUNVEE HOBART 3 B (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RICHMOND AMERICAN HOMES, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED PUD PLANNED UNIT DEVELOPMENT DISTRICT TO REVISE CONDITIONS OF APPROVAL ALLOWING THREE-STORY SINGLE-FAMILY HOMES. THE PROPERTY IS GENERALLY LOCATED AT THE NORTHEAST CORNER OF WALNUT ROAD AND ANN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 123-30-810-001 THRU 123-30-810-239.**

The application was presented by Jeremy Davis, Planner who stated the request was to amend Condition No. 52, which would allow three story homes along Carla Ann Road and Staff had no objection to the amendment. The applicant also owned the development on the south side of Carla Ann Road, where homes also faced. Staff recommended that Condition No. 52 be amended to read as follows: "That any model home that exceeds the height of twenty-eight (28) feet shall not be located on a perimeter corner lot. Homes may be located on Carla Ann Road, which is being considered an interior street to the development." The conditions of approval, which include the amendment to Condition No. 52, for ZN-06-04 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 engineer shall seal and sign this map in accordance with Nevada Administrative Code (NAC) section 625.611.
3. Approval of a drainage study is required prior to submittal of the civil improvement plans.
4. 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.
5. Right-of-way or public drainage easement dedication is required for the Regional Flood Control facility adjacent to the Union Pacific Railroad, as determined by an approved technical drainage study.
6. If the area over the future regional flood control open channel, adjacent to the Union Pacific Railroad right-of-way, is intended to be utilized for open space credit, the property owner will be responsible for funding all additional engineering design and construction costs required to convert the open channel to a closed facility. If the associated engineering and construction costs have not been finalized prior to

- approval of any final map associated with Parcel 3A and/or 3B, then the developer must enter into an agreement and post a performance bond, or other financial security deemed acceptable to the City, in an amount specified by the Public Works Director.
7. 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.
  8. All known geologic hazards shall be shown on the tentative map and the civil improvement plans. Geological hazards such as fault lines or fissures affecting residential structures may substantially alter the tentative map layout and require the submission of a revised tentative map which must be approved by the City prior to final approval of the civil improvement plans.
  9. Approval of a traffic study update is required prior to submittal of the civil improvement plans.
  10. Provide a minimum right-of-way width of 80 feet for 300 feet along Ann Road east of Pecos Road tapering at 35:1 to a right-of-way width of 60 feet.
  11. Provide a minimum right-of-way width of 80 feet for 300 feet along Walnut Road south of Tropical Parkway tapering at 35:1 to a right-of-way width of 60 feet.
  12. 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. Tropical Parkway
    - B. Lamb Boulevard
    - C. Ann Road (Carla Ann Road)
    - D. Walnut Road
    - E. Pecos Road
  13. Right-of-way dedication and construction of a CAT bus turn-out is required on Pecos Road north of Ann Road, on Tropical Parkway east of Pecos Road and Tropical Parkway east of Walnut Road per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1, or as approved by the Director of Public Works.
  14. Right-of-way dedication and construction of that additional right-of-way along the projects frontage is required for a flared intersection at Pecos Road and Tropical Parkway, and at Tropical Parkway and Lamb Boulevard per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1, or as approved by the Director of Public Works.

15. "L" type curb and gutter per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 216 shall be used on all streets adjacent to school sites.
16. All residential driveway geometrics shall be in compliance with *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222.
17. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along the project's Ann Road, Pecos Road, Tropical Parkway, and Walnut Road frontages.
18. Gated accesses will not be permitted without the support of a queuing analysis which demonstrates adequate on-site storage and lane widths.
19. Access to Lamb Boulevard shall be denied.
20. All Nevada Power Company easements and poles must be shown and shall be located within the landscape area.
21. The property owner is required to grant roadway easements where public and private streets intersect.
22. A revocable encroachment permit for landscaping within the public right of way is required.
23. Appropriate subdivision and/or parcel mapping is required to complete this project. All mapping shall be in conformance to NRS Chapter 278 and Title 16 of the *North Las Vegas Municipal Code*.
24. The property owner is required to grant a pedestrian access easement for sidewalk within any common element.
25. All SNWA easements that exist parallel to the UPRR must be shown.
26. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
27. Street names must be approved by the City of Las Vegas Central Fire Alarm Office and shown on the conformed tentative map prior to final signature.
28. An acceptable phasing plan shall be submitted to the Department of Public Works prior to submittal of the civil improvement plans.

29. Roundabout design shall conform to the Federal Highway Administration's *Roundabouts: An Informational Guide* design criteria and is subject to approval of the City Traffic Engineer.
30. Proposed interior, private streets must meet the minimum standards for the City of North Las Vegas set forth in *Clark County Area Uniform Standard Drawing No. 210*. The use of roll curb will require an additional one foot of right of way.
31. Approval of a master transportation study/plan with modeling of 20 year projections is required prior to submittal of the civil improvement plans.
32. The developer will be required to dedicate right of way in accordance with Clark County Area Uniform Standard Drawing numbers 201.1 and 245.1 to form flared intersections at Ann Road/Pecos Road, and Tropical Parkway/Pecos Road, and Walnut Road/Tropical Parkway or as approved by the Director of Public Works.
33. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along the project's Pecos Road, Ann/Walnut interconnect, and Tropical Parkway frontages.
34. Access locations are subject to review and approval of the City of North Las Vegas traffic engineer.
35. Dedication of additional right of way is required for flared intersections, CAT bus turnouts, and a future bridge over the UPRR right of way.
36. Dedication of right of way for the flood control facilities is required per the Las Vegas Valley Flood Control Master Plan and as required by an approved drainage study.
37. Interior streets in excess of five hundred (500) feet shall conform to the minimum curvilinear street requirements as outlined in *North Las Vegas Municipal Code 16.20.050*.
38. That the maximum number of dwelling units permitted within the development be 1,553.
39. Unless expressly authorized through a variance, waiver or another approved method, the development shall comply with all applicable codes and ordinances.
40. The development shall comply with the single-family design standards and the Planned Unit Development requirements.
41. That the following setbacks apply:



- a. Front: Fifteen (15) feet, provided all garages maintain a 20-foot front setback.
  - b. Interior side: Five (5) feet.
  - c. Corner side: Ten (10) feet.
  - d. Rear yard: Fifteen (15) feet.
42. That the perimeter walls be owned and maintained by the homeowners' association.
  43. That corner side yard landscaping be maintained by the homeowner.
  44. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping.
  45. That plastic, vinyl and similar materials not be permitted as part, or in whole, for the construction of any perimeter, end, or common area walls / fences within this development.
  46. A final development plan, phased or in total, shall be required for Planning Commission review and approval. The final development plan shall provide details of the park areas showing landscaping, amenities, and pedestrian connections.
  47. The final map shall comply with the approved final development plan.
  48. The installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the Final Map.
  49. Measures to achieve a noise level reduction, outdoor-to-indoor, of 25 decibels must be incorporated into the design and construction.
  50. The following minimum amenities are required by the Parks and Recreation Department:
    - Circuitous lighted paths with exercise stations
    - A minimum of 20 24-inch box trees per acre
    - At least one large open space area for group / organized play
    - One large group shade area / gazebo (30' diameter), lighted
    - Picnic tables and barbecue grills
    - Benches spaced along park pathways
    - Public building
    - 2 swimming pools
    - 2 tennis courts
    - Horseshoe courts
    - Shuffleboard courts

- Putting green
- Lawn bowling area
- Game tables
- Pet park
- Details of amenities to be provided

51. The median height of structures in the Runvee Hobart 3B development shall not exceed thirty-two (32) feet with the actual height not exceeding thirty-five (35) feet.
52. Any model home that exceeds the height of twenty-eight (28) feet shall not be located on a perimeter or corner lot. Homes may be located on Carla Ann Road, which is being considered an interior street to the development.
53. Model 3860 is only allowed in the area designated as Runvee Hobart 3B.
54. Model 3860 shall not exceed 30% of the designated lots allowed in the Runvee Hobart 3B area and shall not be placed on consecutive lots.

**Jamie Frederick, 6757 West Charleston Boulevard, Las Vegas, NV** appeared on behalf of the applicant stating she concurred with Staff recommendation.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho closed the Public Hearing.

**ACTION:** APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS;  
FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION WITH  
THE RECOMMENDATION TO AMEND CONDITION NO. 52 TO READ:

52. ANY MODEL HOME THAT EXCEEDS THE HEIGHT OF TWENTY-EIGHT (28) FEET SHALL NOT BE LOCATED ON A PERIMETER OR CORNER LOT. HOMES MAY BE LOCATED ON CARLA ANN ROAD, WHICH IS BEING CONSIDERED AN INTERIOR STREET.

**MOTION:** Commissioner Brown

**SECOND:** Commissioner Leavitt

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

**NAYS:** None

**ABSTAIN:** None

**Item No. 10 was heard next.**

9. **ZN-22-07 (28286) ALEXANDER & MLK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GHASSAN SHAMOUN ON BEHALF OF ZORA ZUHAIR AND GHASSAN SHAMOUN, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 11,783 SQUARE FEET OF RETAIL SPACE AND 12,230 SQUARE FEET OF OFFICE SPACE. THE PROPERTY IS GENERALLY LOCATED AT THE NORTHWEST CORNER OF MARTIN LUTHER KING BOULEVARD AND ALEXANDER ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-04-410-007, 139-04-410-008, 139-04-410-009, 139-04-410-010, AND 139-04-410-011.**

It was requested by the applicant to continue ZN-22-07 to January 24, 2007.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho stated the Public Hearing would remain open.

ACTION: CONTINUED TO JANUARY 24, 2007

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**Item No. 12 was heard next.**

**10. UN-07-07 (28287) KOSTER'S CASH LOANS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY KOSTER FINANCE, LLC ON BEHALF OF STATION PLAZA PARTNERS, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW A FINANCIAL INSTITUTION. THE PROPERTY IS LOCATED AT 3840 WEST LAKE MEAD BOULEVARD, SUITE D. THE ASSESSOR'S PARCEL NUMBER IS 139-19-610-003.**

The application was presented by Jeremy Davis, Planner who stated Koster Finance indicated they were considered a financial institution and were licensed with the Financial Institutions Division of the Department of Business and Industry of the State of Nevada. They also indicated they were not licensed under, nor governed by, the NRS that governs deferred deposit loan companies, auto title loan companies, or short term loan companies; therefore, they were defined as a financial institution in Title 17. To assure that it was such, Staff included conditions of approval to ensure that they would not be allowed to do deferred deposit loans, payday loans, auto service loans, or other loans as prohibited by Code for financial institutions. Staff was recommending approval of UN-07-07 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. The development shall be in compliance with all conditions of SPR-55-04 and SPR-42-05, including but not limited to the approved elevations.
3. That the special use permit is site specific and non-transferable.
4. That any expansions to the use shall be subject to Planning Commission review and approval. This special use permit is valid for a maximum 2,800-square-foot suite.
5. The use of this facility shall be limited to those allowable for a Financial Institution, as defined in the North Las Vegas Municipal Code.
6. Deferred Deposit Loans, Payday Loans, Payday Advances, Cash Advance Services, Check Cashing Services, and Auto Title Loans, as defined in the North Las Vegas Municipal Code, shall be prohibited at this location.

**Gary Milikin, 8274 Vista Colorado Street, Las Vegas, NV 89123** appeared on behalf of the applicant stating he concurred with Staff recommendation.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho closed the Public Hearing.

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

**MOTION:** Commissioner Leavitt

**SECOND:** Commissioner Brown

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

**NAYS:** None

**ABSTAIN:** None

11. **ZN-23-07 (28303) NORTHGATE-PHASE I (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DIAMOND LAMB LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN M-2 GENERAL INDUSTRIAL DISTRICT TO AN MUD MIXED USE DEVELOPMENT CONSISTING OF RESIDENTIAL UNITS, RETAIL, HOTEL, AND OFFICE SPACE. THE PROPERTY IS GENERALLY LOCATED AT THE NORTHEAST CORNER OF LAMB BOULEVARD AND ANN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 123-29-301-002, 123-29-301-003, 123-29-401-001, 123-29-401-002, 123-29-401-004, 123-29-401-005, 123-29-401-006, 123-29-401-007, 123-29-401-012, 123-29-401-013.**

The application was presented by Robert Eastman, Principal Planner who stated the development was approximately 118 acres and was adjacent to the Alhambra development, which was located approximately to the southwest of the site. The mixed use development was in compliance with the Mixed Use Ordinance; therefore, Staff was recommending approval of ZN-23-07. The applicant was proposing a mix of residential and commercial uses with a hotel on the site. The applicant submitted three options and two of the three options are in compliance; therefore, Staff felt the applicant could move forward on those two. The recommended conditions reflect a somewhat generic mix for either of the two options. There were a number of changes proposed to the conditions; however, it would be best to hear from the applicant before the changes are presented. The original recommended conditions are as follows:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That this development shall comply with the Mixed Use Design Guidelines, including but not limited to the following:
  - a. A minimum 15-foot wide pedestrian priority area (which includes a six foot wide amenity zone and a nine foot wide sidewalk) shall be provide next to all buildings containing commercial uses. Furthermore, an additional 10 feet of landscaping, outdoor dining areas, courtyards, or pedestrian arcades shall be provided at the building entrances, not to exceed 50% of each building frontage.
  - b. Six (6) foot landscape islands shall be installed for every 12 spaces contained within a parking row, and at each end of all parking rows.
  - c. The residential land use type shall not occupy less than twenty-five percent (25%) or more than seventy-five percent (75%) of the entire site.

- d. Internal pedestrian priority areas shall be provided to connect the internal residential areas to the commercial areas of the development. Additional pedestrian priority areas shall be provided next to Tropical Parkway and the internal westerly extension of Tropical Parkway. Both sides of the Tropical Parkway street shall be improved with pedestrian priority areas between this site and Range Road.
- e. A pedestrian connection shall be provided under/through the Lamb Boulevard overpass adjacent to the railroad tracks to connect the pedestrian priority area between Buildings "L" and "N" of this development with the development on the west side of Lamb Boulevard. Said pedestrian connection shall be treated in the same manner as all other pedestrian priority areas and shall be furnished with appropriate lighting and safety barrier(s).
- f. A staircase shall be provided connecting the sidewalk along the eastern side of the Lamb Boulevard overpass to the pedestrian connection mentioned in "e" above.
- g. A minimum one enhanced pedestrian crossing shall be provided on Ann Road connecting this development with the office complex on the south side of Ann Road. Said crossing shall be improved with decorative pavers, and stamped or colored concrete.
- h. A minimum one enhanced pedestrian crossing shall be provided on Marion Drive connecting this development with the Northgate Phase 2 development to the east. Said crossing shall be improved with decorative pavers, and stamped or colored concrete.
- i. Pedestrian crossings of the primary internal drive aisle ("street") shall be minimized and designed to provide safe pedestrian connections. Priority shall be given to pedestrians crossing the internal "street." Curb extensions shall be provided at each internal location where pedestrians would be expected to cross vehicular travel lanes, except within defined sub-area parking lots.
- j. A minimum 15 feet of landscaping shall be provided adjacent to all abutting rights-of-way.
- k. "On-street" parking shall be provided along both sides of the primary internal drive aisle ("street.") Travel lanes shall be limited to one in each direction.
- l. Sub-area parking lots shall be provided with no more than 80 parking stalls each.

3. A minimum 7,164 on-site parking spaces shall be provided.
4. That the development comply with the appropriate Building Code requirements.
5. The following minimum amenities shall be required as part of the usable open space:
  - a. Circuitous lighted paths and fitness course;
  - b. A minimum of 20 24-inch box trees per acre;
  - c. At least two locations providing 2 differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada (4 play structures total);
  - d. A minimum of 4,680 square feet of swimming pool area with accompanying restrooms, decking, barbecue areas, and shade structures at each location and a minimum of one clubhouse/cabana;
  - e. A fitness facility;
  - f. Shaded picnic areas, including picnic table(s), barbecue grill(s), trash receptacle(s) and drinking fountain(s);
  - g. At least one large open space area for group/organized play with a drinking fountain;
  - h. One sport court (i.e. basketball, sand volleyball, tennis, etc.) or unique amenity such as a pet park;
  - i. One large lighted group shade area/gazebo (30' diameter);
  - j. Benches spaced along pathways;
  - k. Bicycle racks at 2-3 different locations;
  - l. Dog stations; and
  - m. Details of amenities to be provided.
6. A pedestrian priority area shall be extended from (between) Buildings A and P to the northeast corner of Lamb Boulevard and Ann Road.
7. The sub-grade parking structure (PS4) shall be constructed prior to, or in conjunction with, the first of the following buildings: R, S, T, U, V, W, X or F. Said parking structure shall provide a minimum 1,800 parking spaces.
8. Some form of physical barrier shall be provided to prevent vehicles and headlights from invading the pedestrian priority areas between buildings A & P, B & C, E & U, and J & V. If desirable, the buildings may be slightly modified, but not enlarged, to comply with this requirement.
9. One tavern/restaurant is allowed for every two supper clubs.



10. One "On Sale" establishment is allowed for every 50,000 square feet of gross commercial floor area. Each establishment must be "phased" accordingly and cannot be issued a certificate of occupancy until such time that 80% of the associated 50,000 square feet of gross commercial floor area has been issued a certificate of occupancy.
11. Under no circumstance can the number of tavern/restaurants for this development exceed ten (10.)
12. Parking shall be provided according to the applicable building permit(s.)
13. All perimeter landscaping shall be provided as part of the first building permit.
14. The applicant must participate in the Lamb Boulevard S.I.D.
15. 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. Tropical Parkway
  - b. Marion Drive
  - c. Ann Road
  - d. Donovan Way
  - e. El Campo Grande Avenue
  - f. Lamb Boulevard (C.I.P.)
  - g. unnamed street adjacent to I-15 from Ann Road to Marion Drive
  - h. associated spandrels
16. Dedication of Lamb Boulevard and Ann Road must be granted within thirty (30) days of City Council approval of this application, otherwise, this entire application becomes null and void.
17. Based upon the proposed site plan, the applicant must apply for a vacation of Novak Street.
18. Based upon the proposed site plan, the applicant must apply for a vacation *and* an amendment to the *Master Plan of Streets and Highways* to vacate/remove El Campo Grande Avenue.
19. A master transportation plan with modeling containing 20-year projections will be required prior to submittal of the civil improvement plans.
20. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Ann Road and Lamb Boulevard.

21. Right-of-way dedication and construction of a CAT bus turn-out is required on Lamb Boulevard north of Ann Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
22. The applicant is required to submit a one-lot parcel map to combine the parcels.
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. 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.
27. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
28. 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.
29. 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.
30. 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.
31. Approval of a drainage study is required prior to submittal of the civil improvement plans.
32. 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.

33. Nevada Department of Transportation (NDOT) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
34. Union Pacific Railroad (UPRR) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
35. The uses permitted within this development, unless otherwise specified herein, shall be restricted to those uses allowed in the C-1, Neighborhood Commercial District, the C-2, General Commercial District, and the C-3, General Service Commercial District, and shall be subject to the appropriate Principally Permitted or Special Use procedures.
36. The following uses are prohibited: Convenience Stores with Gas Pumps, Convenience Food Restaurants with Drive-Through Service Windows, Pawn Shops, Pay Day Loan (or similar) uses, Mini-Storage Facilities, and all businesses related to Auto Service, Repair and/or Sales.
37. Some form of shade shall be provided over all pedestrian areas that are required to be designated as Emergency Access or Fire Lanes. In addition to providing shade, compliance with the Fire Code is required. Compliance shall be demonstrated through a Shade Analysis, which shall be prepared and stamped by a Nevada-licensed Engineer or Landscape Architect. Said analysis shall be submitted prior to or in conjunction with the Final Development Plan.
38. Four-sided architecture shall be provided on all buildings, including the parking structures and all accessory structures, and shall comply with the elevations approved herein.
39. For all buildings containing residential units, a minimum 50% of the rooftop area shall be designed as an amenity for use by the residents.
40. The applicant is encouraged to construct LEED-certified "Green Buildings."
41. The Landscaping Plan is considered "conceptual" and is not binding.
42. The applicant is required to meet jointly with Parks and Recreation and Planning and Zoning to discuss the design of the open spaces and the amenities to be provided. Said meeting shall occur prior to submittal of a final development plan.
43. The size of any one contiguous floor designed for retail purposes and for one retail establishment shall not exceed 41,000 square feet.

**Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** and **George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014** appeared on behalf of the applicant. Mr. Gronauer presented amendments to the conditions listed in the Staff Report. He asked that on Condition No. 2.d the last sentence be deleted and the condition be amended to read: "Internal pedestrian priority areas shall be provided to connect the Internal residential areas to the commercial areas of the development. Additional pedestrian priority areas shall be provided next to Tropical Parkway and the internal westerly extension of Tropical Parkway." The way the condition was written, it would be necessary for the applicant to improve property they did not own. He asked that Condition No. 2.e be deleted as it obligated the applicant to do pedestrian connectivity between Buildings "L" and "N", to do some type of pathway or tunnel underneath Lamb Boulevard, which was going through the SID to connect to the adjacent parcel and was concerned that there was no design or imposing the condition to put the design when there was an SID coming through that area. Condition No. 2.f was tied to the Lamb Boulevard Bridge area and when he spoke to Public Works earlier in the day, if a staircase was constructed, the applicant would be liable. When looking at the contours of the site, a staircase could not physically be built, due to the slopes along the Lamb Boulevard Bridge and because of that, they were asking for Condition No. 2.f to be deleted. On Condition No. 2.g they were concerned the SID improvements did not require pavers or stamped concrete to be placed in that area and to his knowledge there was not a condition requiring connection of stamped pavers in that area. Mr. Garcia interjected that in the SID design, the property owners on both sides got together and were working with the City to make sure the intersection would be built under the SID 100 percent from the day it was opened and within the SID design, there were no pavers for any leg of the intersection. Mr. Gronauer explained on Condition No. 2.h, they were concerned that they did not want to be required to do the full improvements with the pavers for Marion Drive, because the applicant would only be constructing one half street of Marion. Condition No. 2.i would be amended to read: "Sub-area parking lots are recommended to be provided with no more than 80 parking stalls each." Condition No. 3 would be deleted, as they must be in compliance with the mixed use guidelines and if they increase or decrease the intensity of the project, parking counts would change and they were required to comply with Code. He asked that the requested change on Condition No. 5.d be ignored as it could be handled with Condition No. 5.e., which would not be deleted but amended to read: "A fitness facility may be incorporated inside a clubhouse." The applicant did not want to build clubhouses and cabanas within the development and also have to build a separate fitness facility. He asked that instead of Condition No. 8 being deleted, that it be amended to read: "Some form of physical barrier that is acceptable to the Fire Department shall be provided to prevent vehicles from invading the pedestrian priority areas between buildings A & P, B & C, E & U, and J & V. If desirable, the buildings may be slightly modified, but not enlarged, to comply with this requirement," as the way the condition was worded, it required the applicant to put block walls up in the pedestrian areas to block headlights, which was not the intent. The intent was to make sure there was some type of other barricade so vehicles

would not be allowed in pedestrian areas. Condition No. 14 would be amended to read: "If created, the applicant must participate in the Lamb Boulevard S.I.D." Condition No. 16 would be amended to read: "Dedication of Lamb Boulevard and Ann Road must be granted within thirty (30) days of the formation of the S.I.D., otherwise, this entire application becomes null and void." Condition Nos. 32, 33 and 34 the word "If required" is being added to the front of the Conditions and asked that Condition Nos. 37, 39 and 43 be deleted.

Chairman Angelo Carvalho opened the Public Hearing. The following participant came forward:

- **Bill Curran, Ballard, Spahr, Andrews & Ingersol, 300 South 4<sup>th</sup> Street, Suite 1201, Las Vegas, NV 89101** appeared on behalf of The Alhambra Project, which was located to the south of the proposed project. He explained The Alhambra Project had received approval for the development of a casino and he had concerns about there being an effort for some kind of cascade effect that would lead to the inevitable conclusion that because, first the Master Plan was changed and secondly because the zoning was changed, that it meant it was inevitable that a casino was going to be approved at that location. His client had some self-interest in not seeing another casino being developed directly across the street, because it would greatly undermine his project. Mr. Curran stated there were three proposed alternatives presented, but it was clear there could be further changes to the proposed project and was reluctant on behalf of his client, who did not want to be negative toward the proposed project, but until it was clear how the development would be laid out, it was hard to address the site plan and what the impact would be on the neighboring properties and indicated he would appear at the appropriate time to express his concerns about the possibility of a casino development. Mr. Curran presented a map provided by the City showing how many approved casino sites there were in North Las Vegas.

Chairman Carvalho closed the Public Hearing.

Mr. Gronauer had no further comment.

Commissioner Jay Aston asked Staff to comment on the requested amendments and deletions to the conditions recommended by Staff.

Marc Jordan, Planning Manager stated Staff had no objection to the requested amendment to Condition No. 2.d because the second sentence said additional priority areas shall be provided next to Tropical Parkway and the internal westerly extension of Tropical Parkway. It was not Staff's intention to require the applicant to landscape someone else's property and understood the applicant's concern. Staff wanted the area south of Tropical Parkway and where Tropical Parkway curved down in the westerly area to be landscaped at the

pedestrian priority area, which the applicant indicated would be done. He indicated Staff approved the amendment to Condition Nos. 2.h, 2.i, and 3 and also approved the amendment to Condition No. 5.e but suggested the following wording be used: "A fitness facility, which may be incorporated into a clubhouse." Staff approved the requested amendment to Condition No. 8 and Staff was deleting Condition Nos. 9, 10, and 11 as the Mixed Use District Ordinance already had provisions regarding on-sale establishments. Staff was in agreement with the requested amendment to Condition Nos. 14, 16, 32, 33, and 34 and were also in agreement with the deletion of Condition Nos. 37 and 39 and 43. Mr. Jordan explained Staff agreed to the deletion of Condition No. 39 due to the fact that when the applicant came in with their final development plans in the future, they would have to demonstrate compliance. Mr. Jordan stated Staff was not in agreement with the requested changes to Condition Nos. 2.e, 2.f and 2.g. Commissioner Aston asked for Staff's comments on Condition Nos. 2.e, 2.f and 2.g. Robert Eastman, Principal Planner explained it was Staff's opinion, since the development was one phase of a larger mixed use development, The Alhambra was also a large mixed use development and then the second phase of Northgate, located to the north and east, those mixed use developments plus the commercial office which are part of The Alhambra should have better pedestrian connectivity and a higher level of pedestrian safety to create a more cohesive and interconnected region, which would allow better connections both from a pedestrian standpoint and a vehicular standpoint for the area, which, if all the developments are built as proposed, would have a large number of people, a large amount of commercial activity, and Staff feels pedestrian priority was important for the region; therefore, for safety purposes, the three conditions were requested. Commissioner Aston asked the elevation of the proposed overpass at Lamb Boulevard. Jennifer Doody of Public Works responded the overpass went over the railroad but she was not sure of the exact height. Mr. Garcia stated the estimate given by Randy Cagle was approximately 40 feet. Commissioner Aston agreed with the deletion of Condition No. 2.f and asked the applicant to address the pedestrian connectivity in relation to Condition Nos. 2.e, 2.f and 2.g. Mr. Garcia explained one of the issues was the Lamb SID project that was under design and ready to go out to bid. The SID did not include any improvements other than a sidewalk along Donovan Way. The area being discussed was parallel to the railroad tracks, where they were talking about the pedestrian connectivity and they did not feel the area was a highly pedestrian friendly location. Since Public Works had planned a sidewalk at that location, he felt the situation should be monitored and in the future, if it turns out there is a fair amount of pedestrian traffic at that location, then more could be done to address the area and felt it should be addressed with the SID. Commissioner Aston asked Staff for comment and asked if a condition could be added that would allow for further review of the subject matter addressed in Condition Nos. 2.e, 2.f, and 2.g. Mr. Jordan responded Staff was in agreement with the deletion of Condition No. 2.f. Commissioner Aston asked if on Condition Nos. 2.e and 2.g, if they could be amended to add some flexibility for those issues to be resolved on the site plan review. Mr. Jordan responded there could be some flexibility built into the conditions that would be something that could be reviewed at the time of final development plan review

that would come before the Commission. Mr. Garcia stated the sidewalk would be in place, so they would be able to look at it at the final development plan but asked that both properties that abut the project were involved in the development design of the area.

Mr. Gronauer suggested Condition No. 2.e be amended to read: "A final development plan shall address pedestrian connection under/through the Lamb Boulevard overpass adjacent to the railroad tracks to connect the pedestrian priority area between Buildings "L" and "N" of this development with the development on the west side of Lamb Boulevard. Said pedestrian connection shall be treated in the same manner as all other pedestrian priority areas and shall be furnished with appropriate lighting and safety barrier(s)." Commissioner Aston asked if Condition No. 2.g was necessary, if Condition No. 2.e was amended. Mr. Garcia responded Condition No. 2.g could be deleted.

Commissioner Dilip Trivedi agreed with Commissioner Aston.

Mr. Eastman stated Staff agreed to the deletion of Condition No. 2.g and amended Condition No. 2.e to read: "The final development shall contain a pedestrian connection or suitable alternative under/through the Lamb Boulevard overpass adjacent to the railroad tracks to connect the pedestrian priority area between Buildings "L" and "N" of this development with the development on the west side of Lamb Boulevard. Said pedestrian connection shall be treated in the same manner as all other pedestrian priority areas and shall be furnished with appropriate lighting and safety barrier(s)."

**ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION WITH THE RECOMMENDATION TO DELETE CONDITION NOS. 2.F, 2.G, 3, 9, 10, 11, 37, 39, AND 43 AND AMEND CONDITION NOS. 2.D, 2.E, 2.H, 2.L, 5.E, 8, 14, 16, 32, 33, AND 34 AS FOLLOWS:**

- 2.D. INTERNAL PEDESTRIAN PRIORITY AREAS SHALL BE PROVIDED TO CONNECT THE INTERNAL RESIDENTIAL AREAS TO THE COMMERCIAL AREAS OF THE DEVELOPMENT. ADDITIONAL PEDESTRIAN PRIORITY AREAS SHALL BE PROVIDED NEXT TO TROPICAL PARKWAY AND THE INTERNAL WESTERLY EXTENSION OF TROPICAL PARKWAY.
- 2.E. THE FDP SHALL CONTAIN A PEDESTRIAN CONNECTION OR SUITABLE ALTERNATIVE UNDER/THROUGH THE LAMB BOULEVARD OVERPASS ADJACENT TO THE RAILROAD TRACKS TO CONNECT THE PEDESTRIAN PRIORITY AREA BETWEEN BUILDINGS "L" AND "N" OF THIS DEVELOPMENT WITH THE DEVELOPMENT ON THE WEST SIDE OF LAMB BOULEVARD.

SAID PEDESTRIAN CONNECTION SHALL BE TREATED IN THE SAME MANNER AS ALL OTHER PEDESTRIAN PRIORITY AREAS AND SHALL BE FURNISHED WITH APPROPRIATE LIGHTING AND SAFETY BARRIER(S).

- 2.H. A MINIMUM ONE ENHANCED PEDESTRIAN CROSSING SHALL BE PROVIDED ON ½ STREET MARION DRIVE NOW CONNECTING THIS DEVELOPMENT WITH THE NORTHGATE PHASE II DEVELOPMENT TO THE EAST. SAID ½ STREET CROSSING SHALL BE IMPROVED WITH DECORATIVE PAVERS AND STAMPED OR COLORED CONCRETE.
- 2.L. SUB-AREA PARKING LOTS ARE RECOMMENDED TO BE PROVIDED WITH NO MORE THAN 80 PARKING STALLS EACH.
- 5.E. A FITNESS FACILITY WHICH MAY BE INCORPORATED INTO THE CLUBHOUSE.
- 8. SOME FORM OF PHYSICAL BARRIER, ACCEPTABLE TO THE FIRE DEPARTMENT, SHALL BE PROVIDED TO PREVENT VEHICLES FROM INVADING THE PEDESTRIAN PRIORITY AREAS BETWEEN BUILDINGS A & P, B & C, E & U, AND J & V. IF DESIRABLE, THE BUILDINGS MAY BE SLIGHTLY MODIFIED, BUT NOT ENLARGED, TO COMPLY WITH THIS REQUIREMENT.
- 14. IF CREATED, THE APPLICANT MUST PARTICIPATE IN THE LAMB BOULEVARD S.I.D.
- 16. DEDICATION OF LAMB BOULEVARD AND ANN ROAD MUST BE GRANTED WITHIN THIRTY (30) DAYS OF THE FORMATION OF THE S.I.D., OTHERWISE, THIS ENTIRE APPLICATION BECOMES NULL AND VOID.
- 32. IF REQUIRED, 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.
- 33. IF REQUIRED, NEVADA DEPARTMENT OF TRANSPORTATION (NDOT) CONCURRENCE WITH THE RESULTS OF THE DRAINAGE STUDY IS REQUIRED PRIOR TO APPROVAL OF THE CIVIL IMPROVEMENT PLANS.
- 34. IF REQUIRED, UNION PACIFIC RAILROAD (uprr) CONCURRENCE



WITH THE RESULTS OF THE DRAINAGE STUDY IS REQUIRED  
PRIOR TO APPROVAL OF THE CIVIL IMPROVEMENTS PLANS.

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

**Item No. 13 was heard next.**

12. **ZN-24-07 (28300) NORTHGATE-PHASE II (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DIAMOND LAMB LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN M-2 GENERAL INDUSTRIAL DISTRICT TO AN MUD MIXED USE DEVELOPMENT CONSISTING OF RESIDENTIAL UNITS, RETAIL AND OFFICE SPACE. THE PROPERTY IS LOCATED ON THE SOUTH SIDE OF TROPICAL PARKWAY APPROXIMATELY 290 FEET EAST OF MARION DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 123-24-701-002, 123-24-701-003, 123-29-701-004, 123-29-701-005, AND 123-29-601-023.**

It was requested by the applicant to continue ZN-24-07 to February 14, 2007.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho stated the Public Hearing would remain open.

ACTION: CONTINUED TO FEBRUARY 14, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

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

13. **ZN-44-02 (28237) ANN ROAD & NORTH 5<sup>TH</sup> C-STORE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DOLORES CORDERO ON BEHALF OF ANN 5TH MARKETPLACE, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED PUD, PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF A CONVENIENCE FOOD STORE WITH GAS PUMPS, CAR WASH, AND TWO RETAIL BUILDINGS WITH A TOTAL OF 26,350 SQUARE FEET. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF ANN ROAD AND NORTH 5TH STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-34-502-006 AND 124-34-502-007.**

The application was presented by Robert Eastman, Principal Planner who stated Staff was concerned that adequate parking be provided. The site contains slightly over 26,000 square feet of commercial and was originally approved for 19,000 square feet; therefore, by Staff's estimate, the site was currently under parked by 10 spaces. Additionally, the building elevations, as shown and proposed, are not consistent with what was originally approved for the site, or with the Commercial Design Standards; therefore, Staff was concerned the development did not meet the intent of the Design Standards, or what was envisioned for the community; so Staff feels the application should be continued to allow the applicant time to resolve the parking issues and provide a site plan that was more in conformance with the Commercial Design Standards. Should the Commission determine approval was warranted, Staff recommended the following conditions:

1. That a traffic study is required; and
2. That a comprehensive drainage study is required; and
3. That approval of this application does not imply a commitment by the City for utility service to the subject property. A utility commitment will only be issued upon compliance with the requirements and conditions set forth in the Utility Service Commitment Policy Guidelines available from the Department of Public Works; and
4. That landscaping shall be provided in accordance with ordinance requirements; and
5. That the development shall generally conform to the site plan dated November 22, 2006, with the following understanding:
  - a. It may be necessary to reduce the size of the building(s) in order to provide the required parking spaces, pedestrian plaza area and landscaping.
6. The approved building elevations shall be those dated October 10, 2005, which are in compliance with the Commercial Development Standards and Design Guidelines. All buildings and structures within the development shall be constructed using the

- same design theme, materials and colors, including but not limited to sloped roofs with concrete tiles (shake style), stucco, stacked stone veneer wainscot and embellishments; and
7. That the final development plan for the site shall be subject to Planning Commission review and approval; and
  8. That the development shall comply with all applicable codes and ordinances; and
  9. That development shall comply with all applicable requirements of Title 16 and N.R.S. 278; and
  10. That prior to submittal of a final map, street names shall be submitted to and approved by the Fire Alarm Office and U.S. Postal Service; and
  11. That street construction must conform to current engineering standards and City ordinances; and
  12. That technical design comments will be made at the time development plans are submitted; and
  13. That a water network analysis must be provided prior to development; and
  14. Any known geologic hazards shall be shown on the plans. The presence of such hazards may substantially alter the design of the Final Development Plan; and
  15. The owner/developer is responsible for extending public utilities to the site; and
  16. Clark County Regional Flood Control District (CCRFCD) concurrence of the drainage study is required; and
  17. Additional right of way dedication required for the flared intersection per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1; and
  18. Additional right of way dedication required for a bus turn out on North Fifth Street south of Ann Road; and
  19. That the design and installation of the fire apparatus access lane shall be in conformance with all requirements of the Fire Code; and
  20. That the development comply with the Commercial Design Guidelines; and

21. That the development of this site be in compliance with all Codes and Ordinances in effect at the time of building permit issuance. If there is a conflict with the conditions mentioned herein, the more restrictive shall apply; and
22. Clark County Public Works (CCPW) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
23. 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.
24. 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.
25. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Ann Road.
26. 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. Ann Road
27. 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.
28. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
29. 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.
30. 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.
31. 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.

32. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
33. No trash enclosures shall be permitted within 50 feet of the southern or western property lines.
34. Parking shall be provided in accordance with the requirements set forth in the Zoning Ordinance. It may be necessary for the building(s) to be reduced in size to allow the space for additional parking spaces.
35. No signage shall be considered or implied to be approved as part of this request. A Master Sign Program shall be submitted for review and approval in accordance with the requirements set forth in the Zoning Ordinance.
36. All landscaping shall be provided in accordance with the requirements set forth in the Zoning Ordinance, including but not limited to foundation landscaping, landscape buffers, perimeter landscaping and parking lot landscaping.
37. A minimum 200 square feet of pedestrian plaza area shall be provided within the western portion of the development. The required pedestrian plaza area cannot be within any required setback areas, landscape areas or pedestrian access ways.
38. A minimum two bicycle parking spaces shall be provided for each building and shall be located within 50 feet of the primary customer entrance for said building. Bicycle parking spaces cannot be within any required landscape areas or plaza areas and cannot impede pedestrian access ways.
39. Fire access lanes shall be located in accordance with Fire Code requirements.
40. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

**Jennifer Lazovich of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant stating at full build-out Ann Road would be a 100 foot wide right-of-way and North 5<sup>th</sup> Street would be a 150 foot wide right-of-way, which played into the volume of traffic in that area and made it an ideal location for commercial, including a convenience store and car wash, which was already approved. She explained they were asking to increase the square footage of the retail and also to amend the elevations for both the convenience store and the retail project to a unique alternative, which would not be incompatible with the area. She stated wherever there was a building adjacent to residential lots there would be a 30 foot wide set-back, all in landscaping. There would be no loading docks, no entrances or

anything that would cause disruption to the residents. She stated where they would have had landscape fingers in the parking lot, they would add the trees that would have been in the nine fingers, to the area where the residential homes were located. The project was short approximately 10 parking spaces and Ms. Lazovich stated they would agree to have a cross access parking agreement between the two parcels and felt that would solve the problem of deficient parking. She also agreed to add a pedestrian plaza. Ms. Lazovich explained the proposed elevations were more modern in style but had features that made it attractive and would enhance the area. There are similar buildings in Aliante. Ms. Lazovich provided a list of red-lined conditions. She asked that Condition No. 4 be deleted as it was also included in Condition No. 36, Condition No. 5.a be deleted as it was mentioned in Condition Nos. 34, 36, and 37, which dealt with the plaza area; Condition No. 6 be deleted, as the way it was written did not allow the applicant to build what was proposed; Condition No. 20 be amended to read: "That the development comply with the Commercial Design Guidelines; except: a. Elevations as provided with application" which would allow the applicant to build with the elevations proposed; Condition No. 34 amended to read: "A Cross Access & Parking Agreement will be recorded against APN 124-34-502-006 and 008;" Condition No. 36 would be amended to read: "All landscaping shall be provided in accordance with the requirements set forth in the zoning Ordinance, including but not limited to foundation landscaping, landscape buffers, perimeter landscaping and parking lot landscaping, except: a. Landscape islands, as shown on the site plan dated November 22, 2006," which dealt with the landscape fingers; and Condition No. 38 amended to read: "A minimum two bicycle parking spaces shall be provided for each building. Bicycle parking spaces cannot be within any required landscape areas or plaza areas and cannot impede pedestrian access ways," which would give flexibility to put the bicycle parking spaces at places that work within the center.

Chairman Angelo Carvalho opened the Public Hearing. The following participant came forward:

- **Scott Sauer, 5629 Midnight Breeze Street, North Las Vegas, NV 89081** had some concerns about the increase in size of the center. He liked seeing the commercial but felt it would put an unreasonable burden on the area. He wasn't sure he wanted the proposed elevations in the area and felt the design should be more in conformance with the Commercial Design Standards.

Chairman Carvalho closed the Public Hearing.

Ms. Lazovich stated a voluntary neighborhood meeting was held and there was no participation and the property owner had a conversation with Ameritage Homes, who was building the homes to the south of the proposed project, and they did not have any objection to the design.

Commissioner Dean Leavitt stated he like the proposed design and was in support of the application.

Commissioner Jay Aston asked if the trees shown on the site plan would remain in the parking lot. Ms. Lazovich responded they would.

Commissioner Dilip Trivedi stated he concurred with Commissioner Leavitt and like the elevations and did not understand why a residential look was necessary on Commercial properties and asked why aesthetics were being imposed on an applicant who wanted to develop property and suggested the Commercial Design Standards should be amended.

Chairman Carvalho agreed with other Commissioners and was in support of the application.

Mr. Eastman stated if it was the Commission's desire to approve the application and later give Staff some direction on possible amendments to the Design Standards and Planning and Zoning Ordinance that, It was clear the Architectural Standard was different than what was currently in place, it was different than what the Design Standards allowed; therefore, it was his opinion that, if it was the Board's desire to start approving waivers from the Standards and adopt different designs, then they should probably look at changing the Design Standards. Staff was tasked with writing reports and getting applicants to meet the Design Standards that were given to them and were thought through by a number of people, including members of the Board, therefore, if it was the desire to start changing the Standards, then it should be looked at in the future. Mr. Eastman stated Staff was in agreement with recommended changes to the conditions with the exception of Condition No. 36 and recommended that it remain as written.

Commissioner Trivedi asked Ms. Lazovich if instead of eliminating the fingers, if it was possible to add half diamonds, so trees would be spread out instead of all being around the perimeter. Ms. Lazovich responded that had been considered, but it was not possible.

Marc Jordan, Planning Manager stated, when it came to the proposed amendments by the applicant, with the landscaping, the applicant indicated they want to delete Condition No. 4, which Staff was in agreement; Condition No. 5 was okay; the deletion of Condition No. 6 would be left up to the discretion of the Commission; the amendment to Condition No. 20 would be left up to the discretion of the Commission; the requested amendment to Condition No. 34 was okay; on Condition No. 36, he was in agreement with the amendment; and he was in agreement with the amendment on Condition No. 38.

**ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION WITH THE RECOMMENDATION TO DELETE CONDITION NOS. 4, AND 6 AND AMEND CONDITION NOS. 5, 20, 34, 36, 38 AS FOLLOWS:**



5. THAT THE DEVELOPMENT SHALL GENERALLY CONFORM TO THE SITE PLAN DATED NOVEMBER 22, 2006.
20. THAT THE DEVELOPMENT COMPLY WITH THE COMMERCIAL DESIGN GUIDELINES; EXCEPT:
  - A. ELEVATIONS AS PROVIDED WITH APPLICATION.
34. A CROSS ACCESS AND PARKING AGREEMENT WILL BE RECORDED AGAINST APN 124-34-502-006 AND 007.
36. ALL LANDSCAPING SHALL BE PROVIDED IN ACCORDANCE WITH THE REQUIREMENTS SET FORTH IN THE ZONING ORDINANCE, INCLUDING BUT NOT LIMITED TO FOUNDATION LANDSCAPING, LANDSCAPE BUFFERS, PERIMETER LANDSCAPING AND PARKING LOT LANDSCAPING; EXCEPT:
  - A. LANDSCAPE ISLANDS, AS SHOWN ON THE SITE PLAN DATED NOVEMBER 22, 2006.
38. A MINIMUM TWO BICYCLE PARKING SPACES SHALL BE PROVIDED FOR EACH BUILDING. BICYCLE PARKING SPACES CANNOT BE WITHIN ANY REQUIRED LANDSCAPE AREAS OR PLAZA AREAS AND CANNOT IMPEDE PEDESTRIAN ACCESS WAYS.

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

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

14. **ZN-02-07 (28240) PASSCO LIGHT INDUSTRIAL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JMA ON BEHALF OF TROPICAL TWO LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN O-L, OPEN LAND DISTRICT TO AN M-2, GENERAL INDUSTRIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF TROPICAL PARKWAY AND BEESLEY DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 123-27-201-006, 123-27-201-007, 123-27-201-008, 123-27-201-009, AND 123-27-201-025.**

The application was presented by Robert Eastman, Principal Planner who stated Staff felt the zone change was appropriate as it was in the industrial land use classification in the Comprehensive Plan and was recommending approval of ZN-02-07.

**Stephanie Allen of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant stating she concurred with Staff recommendation.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho closed the Public Hearing.

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

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

**Item No. 17 was heard next.**

15. SPR-01-07 (28242) PASSCO LIGHT INDUSTRIAL. AN APPLICATION SUBMITTED BY JMA ON BEHALF OF TROPICAL TWO LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN O-L, OPEN LAND DISTRICT (PROPOSED M-2, GENERAL INDUSTRIAL DISTRICT) TO ALLOW AN INDUSTRIAL DEVELOPMENT CONSISTING OF APPROXIMATELY 270,450 SQUARE FEET. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF TROPICAL PARKWAY AND BEESLEY DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 123-27-201-006, 123-27-201-007, 123-27-201-008, 123-27-201-009, AND 123-27-201-025.

It was requested by the applicant to continue SPR-01-07 to January 24, 2007.

ACTION: CONTINUED TO JANUARY 24, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

16. **T-1283 (28243) PASSCO LIGHT INDUSTRIAL. AN APPLICATION SUBMITTED BY JMA ON BEHALF OF TROPICAL TWO LLC, PROPERTY OWNER, FOR APPROVAL OF AN INDUSTRIAL TENTATIVE MAP IN AN O-L OPEN LAND DISTRICT (PROPOSED M-2, GENERAL INDUSTRIAL DISTRICT). THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF TROPICAL PARKWAY AND BEESLEY DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 123-27-201-006, 123-27-201-007, 123-27-201-008, 123-27-201-009, AND 123-27-201-025.**

It was requested by the applicant to continue T-1283 to January 24, 2007.

ACTION: CONTINUED TO JANUARY 24, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

**Item No. 26 was heard next.**

**17. UN-06-07 (28277) CLOUD COMMERCIAL CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JEANNETTE DEL FANTE ON BEHALF OF CLOUD COMMERCIAL 2000 INSURANCE TRUST, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW AN AUTOMOBILE REPAIR FACILITY. THE PROPERTY IS LOCATED AT 3336 LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-11-801-006.**

The application was presented by Marc Jordan, Planning Manager who stated the proposed location was a small center that was built with two buildings, one of them being originally developed as an office warehouse building and the second building was for a convenience food restaurant. When the buildings were approved and designed, there were approximately 40 parking spaces. Since that time, there have been other use permits approved, one of them being a retail type establishment. With the approved use permits, the parking requirements for the development have been increased. The last use permit approved for the retail use, indicated that 44 parking spaces would be necessary, which was four more than the site had. The use permit was approved with the condition that the applicant was required to comply or they would have to submit a traffic analysis that would support a reduction in parking. With the proposed use permit, the applicant was proposing five service bays which would raise the parking an additional ten spaces and would increase the required number of spaces for the center to 54. Because the site only had 40 spaces, Staff was recommending denial of UN-06-07. Should the Commission determine approval was warranted, the following conditions were recommended:

1. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. This use permit is site specific and non transferrable.
3. A minimum 49 parking spaces shall be provided unless a reduction in parking is supported by a parking study, reviewed and approved by the City of North Las Vegas Traffic Engineer.
4. The applicant shall submit a traffic study update for review and approval.

**Russ Daines, AAMCO Transmission, 4024 West Charleston, Las Vegas, NV and James Cloud, property owner, 8672 Risen Ground Circle** appeared on behalf of the applicant. Mr. Daines stated he was leasing five of the bays with two bays being used for automotive lifts, one for an office and the other two for parking and access to the bays. He explained he currently has a location on West Charleston with four lifts and he was assigned four parking spaces. He has been there for five years and there was adequate parking. He felt the current location they were proposing was workable and asked for approval.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho closed the Public Hearing.

Chairman Carvalho asked Staff how many parking spaces the applicant was short.

Mr. Jordan explained the site contained 40 parking spaces and with the proposed use and the existing uses already in place, the center would need 54 parking spaces. If there was a desire by the Commission for approval, Condition No. 3 would need to be amended to a minimum of 54 parking spaces. It allowed the ability for the applicant to submit a parking analysis that would support a reduction, but that would have to be reviewed and approved by the City's Traffic Engineer.

Chairman Carvalho asked the applicant if the use was a transmission repair shop. Mr. Daines responded that was correct, explaining they had less traffic than a normal repair shop. Typically cars were dropped off and customers were not coming in and out and they averaged approximately ten major repairs per week. Chairman Carvalho asked if there would be disabled cars in the parking lot or if they would be stored inside the building. Mr. Daines responded all vehicles were moved into the building at night. Chairman Carvalho stated his biggest concern was regarding the transmission fluid and oil leaks left in the parking lot. Mr. Daines explained they kept their parking lot clean.

Mr. Jordan stated the applicant indicated they did not plan on having outside storage, so that could be added as a condition of approval. Condition No. 5 could be added to read: "Outside storage of vehicles is prohibited."

**ACTION:** APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH  
CONDITION NO. 3 AMENDED AND CONDITION NO. 5 ADDED AS  
FOLLOWS:

3. A MINIMUM 54 PARKING SPACES SHALL BE PROVIDED UNLESS  
A REDUCTION IN PARKING IS SUPPORTED BY A PARKING  
STUDY, REVIEWED AND APPROVED BY THE CITY OF NORTH  
LAS VEGAS TRAFFIC ENGINEER.
5. OUTSIDE STORAGE OF VEHICLES IS PROHIBITED.

**MOTION:** Commissioner Shull

**SECOND:** Commissioner Leavitt

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

**NAYS:** None

**ABSTAIN:** None

**18. FDP-01-07 (28042) CENTENNIAL ESTATES. AN APPLICATION SUBMITTED BY STANDARD PACIFIC HOMES ON BEHALF OF STANDARD PACIFIC LAS VEGAS INC., PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD, PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF A 204-UNIT CONDOMINIUM DEVELOPMENT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CENTENNIAL PARKWAY AND DONNA STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-23-401 002.**

The application was presented by Marc Jordan, Planning Manager who stated the applicant met with Staff and had submitted verification that demonstrated they met the ordinance requirements for the PUD and also Title 17 requirements. The only other outstanding issue was the trash enclosures and he understood the applicant indicated they planned to propose those, which would be a minor change to the final development plan that could be reviewed at the time of building permit issuance; therefore, Staff was recommending approval of FDP-01-07 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. The site comply with the conditions of approval for ZN-41-06 and T-1264.
3. A minimum of one (1) pedestrian access each shall be provided from the development to Rome Boulevard and Donna Street.
3. Fire lanes shall be provided as required by the Fire Code.
4. Turning radii shall be per the Fire Code.
5. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

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

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

**MOTION: Commissioner Shull**

**SECOND: Commissioner Leavitt**

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

**NAYS: None**

**ABSTAIN: None**

19. **SPR-02-07 (28244) SECO ADOBE FOURPLEX. AN APPLICATION SUBMITTED BY JOHN SEDITA, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-4, HIGH DENSITY RESIDENTIAL DISTRICT TO ALLOW WAIVERS FROM THE MULTI-FAMILY DEVELOPMENT STANDARDS FOR A TWO-STORY FOUR-PLEX. THE PROPERTY IS LOCATED SOUTH OF SECO ADOBE CIRCLE AND APPROXIMATELY 147 FEET EAST OF CIVIC CENTER DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-11-714-009.**

**Item Nos. 19 through 22 were presented together.**

The application was presented by Marc Jordan, Planning Manager who stated there were four individual properties and on each property he was proposing a fourplex. As part of each site plan review, he was requesting waivers from the Multi-Family Design Guidelines, specifically a waiver to reduce the buffering on the east and west property lines from 20 to 5 and waivers on four properties to reduce the open space requirements as required in the Multi-Family Design Standards. Currently, the Design Standards require 400 square feet of open space. The applicant was proposing open space that would range from 1,326 square feet of open space to a little more than 1400 square feet for each of the lots, which was short by approximately 200 square feet of open space per unit. The applications were previously submitted and Staff was in support of them; however, when the applications were heard by the Redevelopment Agency, they were denied and the Agency indicated they would like the applicant to consolidate the four properties into one and to redesign it in a manner that would not require any waivers, because it was located in the Redevelopment area and they wanted to see development that would comply with the area; therefore, Staff was not able to support the applications and was recommending denial and suggested the applicant redesign the site so they did not need any waiver requirements.

**Mark Conway, 6875 West Charleston, Las Vegas, NV** appeared on behalf of the applicant stating due to lack of communication, they were not notified of the first meeting to go before the Redevelopment Agency. They were renotified and he missed the meeting by approximately 20 minutes and was not able to make his presentation to the Redevelopment Agency. He agreed to comply with Staff's original recommendations, which were already approved by the Commission. The owner of the property bought the four parcels as separate entities and did not subdivide them and would like to maintain them as four separate properties. They met all parking requirements and resolved the open space issue with larger balconies and would like the opportunity to take it before the Redevelopment Agency and asked for approval.

Commissioner Dean Leavitt explained to the applicant that the Redevelopment Agency had given direction on what they wanted done with the property, so it would not be beneficial for the Commission to approve the applications.



Commissioner Jay Aston asked Staff if the applicant could go before the Redevelopment Agency again. Mr. Jordan responded the applications would be forwarded to the Redevelopment Agency for final consideration.

Commissioner Dilip Trivedi liked the project but felt the applicant should go before the Redevelopment Agency as suggested.

ACTION: DENIED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

20. **SPR-03-07 (28262) SECO ADOBE FOURPLEX. AN APPLICATION SUBMITTED BY JOHN SEDITA, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-4, HIGH DENSITY RESIDENTIAL DISTRICT TO ALLOW WAIVERS FROM THE MULTI-FAMILY DEVELOPMENT STANDARDS FOR A TWO-STORY FOUR-PLEX. THE PROPERTY IS LOCATED SOUTH OF SECO ADOBE CIRCLE AND APPROXIMATELY 147 FEET EAST OF CIVIC CENTER DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-11-714-007.**

**Item Nos. 19 through 22 were presented together.**

The application was presented by Marc Jordan, Planning Manager who stated there were four individual properties and on each property he was proposing a fourplex. As part of each site plan review, he was requesting waivers from the Multi-Family Design Guidelines, specifically a waiver to reduce the buffering on the east and west property lines from 20 to 5 and waivers on four properties to reduce the open space requirements as required in the Multi-Family Design Standards. Currently, the Design Standards require 400 square feet of open space. The applicant was proposing open space that would range from 1,326 square feet of open space to a little more than 1400 square feet for each of the lots, which was short by approximately 200 square feet of open space per unit. The applications were previously submitted and Staff was in support of them; however, when the applications were heard by the Redevelopment Agency, they were denied and indicated they would like the applicant to consolidate the four properties into one and to redesign it in a manner that would not require any waivers, because it was located in the Redevelopment area and they wanted to see development that would comply with the area; therefore, Staff was not able to support the applications and was recommending denial and suggested the applicant redesign the site so they did not need any waiver requirements.

**Mark Conway, 6875 West Charleston, Las Vegas, NV** appeared on behalf of the applicant stating due to lack of communication, they were not notified of the first meeting to go before the Redevelopment Agency. They were renotified and he missed the meeting by approximately 20 minutes and were not able to make their presentation to the Redevelopment Agency. He agreed to comply with Staff's original recommendations, which were already approved. The owner of the property bought the four parcels as separate entities and did not subdivide them and would like to maintain them as four separate properties. They met all parking requirements and resolved the open space issue with larger balconies and would like the opportunity to take it before the Redevelopment Agency and asked for approval.

Commissioner Dean Leavitt explained to the applicant that the Redevelopment Agency had given direction on what they wanted done with the property, so it would not be beneficial for the Commission to approved the applications.

Commissioner Jay Aston asked Staff if the applicant could go before the Redevelopment Agency again. Mr. Jordan responded the applications would be forwarded to the Redevelopment Agency for final consideration.

Commissioner Dilip Trivedi liked the project but felt the applicant should go before the Redevelopment Agency as suggested.

ACTION: DENIED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

21. **SPR-04-07 (28263) SECO ADOBE FOURPLEX. AN APPLICATION SUBMITTED BY JOHN SEDITA, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-4, HIGH DENSITY RESIDENTIAL DISTRICT TO ALLOW WAIVERS FROM THE MULTI-FAMILY DEVELOPMENT STANDARDS FOR A TWO-STORY FOUR-PLEX. THE PROPERTY IS LOCATED SOUTH OF SECO ADOBE CIRCLE AND APPROXIMATELY 147 FEET EAST OF CIVIC CENTER DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-11-714-006.**

**Item Nos. 19 through 22 were presented together.**

The application was presented by Marc Jordan, Planning Manager who stated there were four individual properties and on each property he was proposing a fourplex. As part of each site plan review, he was requesting waivers from the Multi-Family Design Guidelines, specifically a waiver to reduce the buffering on the east and west property lines from 20 to 5 and waivers on four properties to reduce the open space requirements as required in the Multi-Family Design Standards. Currently, the Design Standards require 400 square feet of open space. The applicant was proposing open space that would range from 1,326 square feet of open space to a little more than 1400 square feet for each of the lots, which was short by approximately 200 square feet of open space per unit. The applications were previously submitted and Staff was in support of them; however, when the applications were heard by the Redevelopment Agency, they were denied and indicated they would like the applicant to consolidate the four properties into one and to redesign it in a manner that would not require any waivers, because it was located in the Redevelopment area and they wanted to see development that would comply with the area; therefore, Staff was not able to support the applications and was recommending denial and suggested the applicant redesign the site so they did not need any waiver requirements.

**Mark Conway, 6875 West Charleston, Las Vegas, NV** appeared on behalf of the applicant stating due to lack of communication, they were not notified of the first meeting to go before the Redevelopment Agency. They were renotified and he missed the meeting by approximately 20 minutes and were not able to make their presentation to the Redevelopment Agency. He agreed to comply with Staff's original recommendations, which were already approved. The owner of the property bought the four parcels as separate entities and did not subdivide them and would like to maintain them as four separate properties. They met all parking requirements and resolved the open space issue with larger balconies and would like the opportunity to take it before the Redevelopment Agency and asked for approval.

Commissioner Dean Leavitt explained to the applicant that the Redevelopment Agency had given direction on what they wanted done with the property, so it would not be beneficial for the Commission to approved the applications.

Commissioner Jay Aston asked Staff if the applicant could go before the Redevelopment Agency again. Mr. Jordan responded the applications would be forwarded to the Redevelopment Agency for final consideration.

Commissioner Dilip Trivedi liked the project but felt the applicant should go before the Redevelopment Agency as suggested.

ACTION: DENIED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

- 22. SPR-05-07 (28264) SECO ADOBE FOURPLEX. AN APPLICATION SUBMITTED BY JOHN SEDITA, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-4, HIGH DENSITY RESIDENTIAL DISTRICT TO ALLOW WAIVERS FROM THE MULTI-FAMILY DEVELOPMENT STANDARDS FOR A TWO-STORY FOUR-PLEX. THE PROPERTY IS LOCATED SOUTH OF SECO ADOBE CIRCLE AND APPROXIMATELY 147 FEET EAST OF CIVIC CENTER DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-11-714-008.**

**Item Nos. 19 through 22 were presented together.**

The application was presented by Marc Jordan, Planning Manager who stated there were four individual properties and on each property he was proposing a fourplex. As part of each site plan review, he was requesting waivers from the Multi-Family Design Guidelines, specifically a waiver to reduce the buffering on the east and west property lines from 20 to 5 and waivers on four properties to reduce the open space requirements as required in the Multi-Family Design Standards. Currently, the Design Standards require 400 square feet of open space. The applicant was proposing open space that would range from 1,326 square feet of open space to a little more than 1400 square feet for each of the lots, which was short by approximately 200 square feet of open space per unit. The applications were previously submitted and Staff was in support of them; however, when the applications were heard by the Redevelopment Agency, they were denied and indicated they would like the applicant to consolidate the four properties into one and to redesign it in a manner that would not require any waivers, because it was located in the Redevelopment area and they wanted to see development that would comply with the area; therefore, Staff was not able to support the applications and was recommending denial and suggested the applicant redesign the site so they did not need any waiver requirements.

**Mark Conway, 6875 West Charleston, Las Vegas, NV** appeared on behalf of the applicant stating due to lack of communication, they were not notified of the first meeting to go before the Redevelopment Agency. They were renotified and he missed the meeting by approximately 20 minutes and were not able to make their presentation to the Redevelopment Agency. He agreed to comply with Staff's original recommendations, which were already approved. The owner of the property bought the four parcels as separate entities and did not subdivide them and would like to maintain them as four separate properties. They met all parking requirements and resolved the open space issue with larger balconies and would like the opportunity to take it before the Redevelopment Agency and asked for approval.

Commissioner Dean Leavitt explained to the applicant that the Redevelopment Agency had given direction on what they wanted done with the property, so it would not be beneficial for the Commission to approved the applications.

Commissioner Jay Aston asked Staff if the applicant could go before the Redevelopment Agency again. Mr. Jordan responded the applications would be forwarded to the Redevelopment Agency for final consideration.

Commissioner Dilip Trivedi liked the project but felt the applicant should go before the Redevelopment Agency as suggested.

ACTION: DENIED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**23. T-1275 (28267) CRAIG/COMMERCE RETAIL CENTER. AN APPLICATION SUBMITTED BY MILV II LLC PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED ONE (1) LOT COMMERCIAL TENTATIVE MAP IN A C-2 GENERAL COMMERCIAL DISTRICT TO REMOVE CONDITIONS #16, #17 AND #22. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF CRAIG ROAD AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-03-601-001.**

The application was presented by Jeremy Davis, Planner who stated since the application was filed, the applicant had met with Public Works Staff and Staff and the applicant agreed to delete Condition Nos. 17 and 22 of the original approval and then amend Condition No. 16 of the original approval. Staff was recommending approval of T-1275 with the 20 conditions listed in the Staff Report, which were the conditions amended and agreed to by Staff and the applicant. The 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. Craig Road is a no-cut street; therefore, water and sewer are not accessible from Craig Road.
3. Approval of a drainage study is required prior to submittal of the civil improvement plans.
4. 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.
5. 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.
6. Craig Road is a no cut street - no utility connections permitted.
7. Right-of-way dedication and construction of a CAT bus turn-out is required on Commerce Street north of Craig Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
8. A minimum of 5' landscape area within common lot, if applicable, must be provided behind any proposed bus turn-out.



9. 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.
10. A revocable encroachment permit for landscaping within the public right of way is required.
11. The property owner is required to sign a restrictive covenant for utilities.
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.
13. Construction of half street improvements on Commerce Street are required from Craig Road to the Western Tributary Channel; and, shall be completed within 180 days of the issuance of the first building permit.
14. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
15. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
16. The size, number, and locations of driveways on Commerce Street at subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in the North Las Vegas Municipal Code Section 17.24.130 and the Clark County Uniform Standard Drawing Numbers 222A and 225.
17. 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.
18. Approval of a traffic study is required prior to submittal of the civil improvement plans.
19. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Craig Road.
20. 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:
  1. Commerce Street

**Mike Bailey of WRG Design, 3011 West Horizon Ridge Parkway, Henderson, NV**  
appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

**24. SPR-03-06 (28230) COLEMAN AIRPARK II & III. AN APPLICATION SUBMITTED BY COLEMAN AIRPARK II & III, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED SITE PLAN REVIEW IN AN M-1, BUSINESS PARK INDUSTRIAL DISTRICT FOR A REVIEW OF CONDITIONS; REVIEW OF DRIVEWAY LOCATIONS; AND REVISED SITE PLAN DUE TO FISSURES AND FAULT LINE. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CLAYTON STREET AND BROOKS STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-17-601-003.**

The application was presented by Jeremy Davis, Planner who stated on March 8, 2006, the Planning Commission approved SPR-03-06 to allow a 28 building industrial park at the southwest corner of Clayton Street and Brooks Street. The applicant was requesting a review of Condition No. 10, which states the size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer. At the time of the writing of the Staff Report, Staff indicated they were recommending continuance of the application; however, the applicant met with Staff and Staff was now recommending that Condition Nos. 10 and 12 be deleted and the addition of one condition to read: "The driveway on Coleman Street nearest Evans Street must be limited to Fire Department and Emergency access only." Staff was recommending approval of SPR-03-06 with the conditions as amended. The original conditions listed in the Staff Report are as follows:

1. Unless expressly, authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. That no site plan approval is granted, assumed or implied.
3. That development shall comply with Industrial Standards and Design Guidelines, including but not limited to the following;
  - a. Storage and loading zones shall be screened by buildings, decorative walls, and/or dense landscaping
  - b. Buildings adjacent residential boundary property must maintain a 30 foot setback.
  - c. A solid masonry wall and/or landscaping berm with the minimum of 6 feet above finish grade shall be provided at back of setback to screen any loading or storage area abutting a public street.
  - d. A six foot wide landscaping island shall be required within each parking row for every 15 parking spaces contained within the row, and at the end of each row.

- e. Refuse collection areas shall be located away from the street front and screened from view from rights-of-way, sidewalks, and abutting properties through the use of landscaping and screening.
4. That only emergency access shall be provided at the western access point along Evans Avenue.
5. The development shall comply with the current parking requirements.
6. 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.
7. Approval of a drainage study is required prior to submittal of the civil improvement plans.
8. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
9. Approval of a traffic study is required prior to submittal of the civil improvement plans.
10. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
11. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Clayton Street.
12. 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.
13. The property owner is required to grant a roadway easement for commercial driveway(s).
14. All recorded easements per Parcel Map 89-91 must be shown.
15. 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.

16. The property owner is required to sign a restrictive covenant for utilities.
17. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
18. All off-site improvements must be completed prior to final inspection of the first building.
19. Fire access lanes shall be located in accordance with Fire Code requirements.
20. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
21. The developer shall provide a meter and backflow assembly per building.
22. A looped water system may be required.

**Stephanie Allen of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant stating she concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NOS. 10 AND 12 AND THE ADDITION OF A CONDITION TO READ:

THE DRIVEWAY ON COLEMAN STREET, NEAREST EVANS STREET, MUST BE LIMITED TO FIRE DEPARTMENT AND EMERGENCY ACCESS ONLY.

MOTION: Commissioner Shull

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

**25. SPR-07-07 (28281) MARIA TOWN HOMES. AN APPLICATION SUBMITTED BY RP CONSTRUCTION SERVICES ON BEHALF OF MATTHEW AND MARIA STOEN, PROPERTY OWNERS, FOR A SITE PLAN REVIEW IN AN R-2 GENERAL RESIDENTIAL DISTRICT TO ALLOW A TWO-STORY TRIPLEX DWELLING. THE PROPERTY IS LOCATED AT 2441 ARROWHEAD. THE ASSESSOR'S PARCEL NUMBER IS 139-14-812-098.**

The application was presented by Jeremy Davis, Planner who stated the applicant was requesting to construct the building under the Single Family guidelines instead of the Multi-Family guidelines, which are used for three family dwelling units and larger. The applicant believes the single-family guidelines would relieve them of requirements that do not pertain to the proposed development. Staff does not support the request and believes the applicant should redesign the site to comply with the Multi-Family Development Standards, which would include that the applicant redesign the building so it had a stucco facade and sloped roof composed of concrete shingles instead of the asphalt shingles shown on the building elevation and the inclusion of balconies or patios, which have not been indicated on the site plan and also include any open space requirement in the Multi-Family Development Standards, which require 400 square feet per unit with a minimum width of 20 feet. As it stands, the applicant, in the site plan, does not meet the Multiple Family Development Standards and should be redesigned, Staff was recommending continuance of SPR-07-07 to give the applicant time to do so.

**Skip Kerr, of RP Construction, 916 South Valley View Boulevard, Las Vegas, NV 89107 and Matthew Stone, Property Owner**, appeared on behalf of the applicant. Mr. Kerr stated there was some confusion, as the letter of intent had eight specific items to be considered for waivers. He indicated he had submitted a revised letter of intent dated December 14, 2006, which was requested by Staff. After submitting the November 28, 2006 Letter of Intent, he was informed Staff could not review it because they requested that Single-Family Standards be used instead of Multi-Family Standards, so he submitted a new Letter of Intent on December 14, 2006 with eight specific requests for waivers.

Jory Stewart, Planning and Zoning Director stated Staff did not have the Letter of Intent dated December 14, 2006 and requested a copy so Staff could assess the request and the recommendation was to continue the application for two weeks or 30 days. Mr. Kerr was agreeable to a continuance.

ACTION: CONTINUED TO JANUARY 24, 2007

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

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

26. SPR-06-07 (28265) NORTHERN BELTWAY INDUSTRIAL CTR. AN APPLICATION SUBMITTED BY THOMAS & MACK DEVELOPMENT ON BEHALF OF NORTHERN BELTWAY INDUSTRIAL CENTER LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW AN INDUSTRIAL BUSINESS PARK CONSISTING OF FOUR (4) WAREHOUSE BUILDINGS WITH A TOTAL OF 137,745 SQUARE FEET. THE PROPERTY IS GENERALLY LOCATED AT THE NORTHEAST CORNER OF RANGE ROAD AND EL CAMPO GRANDE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 123-28-301-011.

It was requested by the applicant to continue SPR-06-07 to January 24, 2007.

ACTION: CONTINUED TO JANUARY 24, 2007

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None



27. **T-1284 (28291) NORTHERN BELTWAY INDUSTRIAL CTR. AN APPLICATION SUBMITTED BY THOMAS & MACK DEVELOPMENT ON BEHALF OF NORTHERN BELTWAY INDUSTRIAL CENTER, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT CONSISTING OF ONE (1) COMMERCIAL SUBDIVISION. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF RANGE ROAD AND EL CAMPO GRANDE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 123-28-301-011.**

It was requested by the applicant to continue T-1284 to January 24, 2007.

ACTION: CONTINUED TO JANUARY 24, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

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

**OLD BUSINESS**

- 28. FDP-13-06 (27636) ANN 5<sup>TH</sup> MARKETPLACE. AN APPLICATION SUBMITTED BY DOLORES CORDERO ON BEHALF OF ANN 5<sup>TH</sup> MARKET PLACE LLC, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF A TWO (2) BUILDING COMMERCIAL DEVELOPMENT. THE PROPERTY IS GENERALLY LOCATED AT THE SOUTHWEST CORNER OF ANN ROAD AND NORTH 5<sup>TH</sup> STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-34-502-007. (CONTINUED NOVEMBER 8, 2006)**

The application was presented by Robert Eastman, Principal Planner who stated, based on the Commission's action on ZN-44-02, Staff was recommending that FDP-13-06 be approved with Condition No. 2 amended to read: "This development shall comply with all applicable conditions of FDP-27-05 as amended with this application;" and Condition Nos. 12, 13 and 14 be deleted. The original recommended conditions are as follows:

1. This development shall comply with all applicable conditions of Ordinance Number 1706 (ZN-44-02), unless otherwise superceded by another ordinance.
2. This development shall comply with all applicable conditions of FDP-27-05.
3. This development shall comply with all applicable conditions of T-1235.
4. This development shall comply with all applicable conditions of UN-23-06.
5. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
6. The applicant shall establish shared access with the parcel to the east.
7. No trash enclosures shall be permitted within 50 feet of the southern or western property lines.
8. All structures (e.g., principal buildings, trash enclosures, etc.) shall be constructed to match the approved building elevations.
9. The development of this site shall substantially conform to the approved Preliminary Development Plan associated with ZN-44-02 and shall reflect all conditions mentioned herein.

10. This approval shall not be valid until such time that ZN-44-02 is considered and/or approved by the City Council.
11. Parking shall be provided in accordance with the requirements set forth in the Zoning Ordinance. It may be necessary for the building(s) to be reduced in size to allow the space for additional parking spaces.
12. The Conceptual Landscape Plan submitted with this application is not binding. All landscaping shall be provided in accordance with the requirements set forth in the Zoning Ordinance, including but not limited to foundation landscaping, landscape buffers, perimeter landscaping and parking lot landscaping.
13. A minimum 200 square feet of pedestrian plaza area shall be provided with this phase of the development. The required pedestrian plaza area cannot be within any required setback areas, landscape areas or pedestrian access ways.
14. A minimum two bicycle parking spaces shall be provided for each building and shall be located within 50 feet of the primary customer entrance for said building. Bicycle parking spaces cannot be within any required landscape areas or plaza areas and cannot impede pedestrian access ways.
15. Fire access lanes shall be located in accordance with Fire Code requirements.
16. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

**Jennifer Lazovich of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant asking that Condition No. 11 also be deleted, as on the previous action on ZN-44-02, Condition No. 34 was deleted. She stated Condition No. 7 was already addressed in ZN-44-02.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NOS. 11, 12, 13, AND 14 AND CONDITION NO. 2 AMENDED AS FOLLOWS:

2. THIS DEVELOPMENT SHALL COMPLY WITH ALL APPLICABLE CONDITIONS OF FDP-27-05 AS AMENDED WITH THIS APPLICATION.

MOTION: Commissioner Leavitt

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

**Item No. 14 was heard next.**

29. **ZN-05-01 (27727) LAKE MEAD & SIMMONS OFFICE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JOHN DAVID BURKE ARCHITECT ON BEHALF OF CLOVER TRUST / J. HAYDVKOVICH AND LAKE MEAD-ALLEN LLC, ROSHPINA LLC C/O QUALITY WOOD PRODUCTS, COSTELLO FAMILY TRUST, CORAN DEVELOPMENT LLC, EDWIN AND VALERIE SMITH, LAKE MEAD NUMBER ONE LLC, DDM INVESTMENTS LLC, AND BLUE LAGOON LAS VEGAS LLC, PROPERTY OWNERS, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF OFFICE/WAREHOUSING WITH OUTDOOR STORAGE YARDS AND RETAIL COMMERCIAL SPACE TO ALLOW A ZERO (0) FOOT LANDSCAPE BUFFER WHERE 20 FEET IS REQUIRED ADJACENT TO RESIDENTIAL PROPERTY LINES; AND TO ALLOW CONCRETE TILT-UP PANELS AND SMOOTH COLORED CMU WALLS FOR THE BUILDING'S EXTERIOR WHERE A STUCCO FINISH IS REQUIRED. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF LAKE MEAD BOULEVARD AND ALLEN LANE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-20-202-001, 139-20-202-002, 139-20-202-003, 139-20-202-004, 139-20-202-005, 139-20-202-013, 139-20-202-010, 139-20-202-011, 139-20-202-009, 139-20-211-001. (CONTINUED NOVEMBER 21, 2006)**

The application was presented by Robert Eastman, Principal Planner who stated the application was continued to allow the applicant time to meet with Staff and to change the proposed elevations so the Planned Unit Development had a more cohesive design with all the parties. The applicants met with Staff and the two principal firms who were developing portions of the PUD had come to an agreement with Staff over the proposed elevations. The existing buildings would have additional architectural features added to them. The proposed buildings would be made of predominantly a concrete tilt-up with tile roofs. The roof would match what was currently built and additionally, stucco buildings would be located along Lake Mead Boulevard and landscaping was increased to comply with the Commercial Design Standards; therefore, Staff was recommending that ZN-05-01 be approved and forwarded to City Council with the following amendments to conditions:

**ALL PHASES:**

Condition #9 changed to read:

9. 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.

The following conditions be added:

13. In addition to a stucco-coated finish, concrete tilt-up panels are also allowed as building materials in this Planned Unit Development.
14. Architectural elements, such as wainscoting and roof tiles shall be similar in design, materials and color throughout the Planned Unit Development.
15. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

**Craig Michael, 4397 West Sunset Road** one of the applicants on the east portion of the PUD, stated he concurred with Staff recommendation and asked for approval.

**Doug Nayland, 720 South 4<sup>th</sup> Street, Las Vegas, NV 89101** appeared on behalf of the applicant on the west side of the PUD and with him was **Eleanor Vargas, Architect with Pinnacle Architecture**. Mr. Nayland stated he concurred with most of Staff's conditions and asked the Commission to consider modifying one condition as their buildings were already up. He stated they agreed with full stucco on the perimeter of every building in the project and showed an elevation view from Lake Mead Boulevard, which showed cultured stone, different contrasting stucco and he wanted to preserve a band of split face block which would be stucco. From the Lake Mead side of the property they had gone above and beyond what was originally required and provided what was requested by Staff and had the approval of their neighbor and co-applicant. On the Coran Lane side of the property the rendering showed partial stucco and block but they would stucco the whole thing, with a band to match the band in front with the split face block and the perimeter of all other buildings would match that. He proposed to continue the band, but painted the same color as the stucco, on every building that faced a yard, interior to the project, which would not be visible from any public roadway. The faces of each building around the circular drive would be a combination of painted block on the top and the bottom portion would be a combination of stucco with roll up doors and the parapet would be stucco. The only disagreement they had with staff, was that they would prefer to paint the surfaces that face a yard instead of using stucco. Mr. Nayland stated they agreed with all other conditions recommended by Staff.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho closed the Public Hearing.

Commissioner Dean Leavitt asked the applicants if they had talked to the owners of the narrow strips of property to the east and west of the project as Staff and the City was concerned that the whole project be compatible, even though it had multiple owners. Mr.

Nayland responded they did not own the property and did not have control of it and assumed whomever bought the property would have to go through the same process they have and at that time, they would have a template to follow.

Mr. Michael agreed with Mr. Nayland and the owner of the other property would have to conform to the conditions of the PUD and requirements of Staff. He had been in negotiations on that piece of property but it was complicated and could take some time.

Commissioner Leavitt explained that it seemed like whenever there was a PUD with multiple owners, there were challenges getting a cohesive project.

Commissioner Dilip Trivedi asked Staff how they felt about Mr. Nayland's requested change. Mr. Eastman responded Staff disagreed as the intent of the Design Standards and the ordinance were to provide a cohesive comprehensive uniform design for the entire development and part of that included four sided architecture to have a more uniform and aesthetically pleasing group of buildings. It was Staff's opinion that what was proposed, while it met part of the intent, it did not meet all of the intent and Staff would prefer that their recommended conditions remain as written. Commissioner Trivedi stated he disagreed and agreed with Mr. Nayland and was in support of the applicant.

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

**MOTION: Commissioner Leavitt**

**SECOND: Commissioner Shull**

**AYES: Chairman Carvalho, Commissioners Aston, Leavitt, Shull, and Trivedi**

**NAYS: Vice-Chairman Brown**

**ABSTAIN: None**

- 30. FDP-08-06 (26523) LAKE MEAD & SIMMONS OFFICE. AN APPLICATION SUBMITTED BY JOHN DAVID BURKE, ARCHITECT, ON BEHALF OF LAKE MEAD NUMBER ONE, LLC, AND BLUE LAGOON LAS VEGAS, LLC, PROPERTY OWNERS, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF 31,270 SQ. FT. OF OFFICE, 94,898 SQ. FT. OF WAREHOUSE/STORAGE, AND 23,560 SQ. FT. OF RETAIL. THE PROPERTY IS GENERALLY LOCATED SOUTH OF LAKE MEAD BOULEVARD AND APPROXIMATELY 638 FEET WEST OF SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 139-20-202-010 AND 139-20-202-011. (CONTINUED JULY 26, AUGUST 9 AND 23, AND NOVEMBER 21, 2006)**

The application was presented by Robert Eastman, Principal Planner who stated the application was related to ZN-05-01 and was more directly impacted by the small strip of property, as to the east and west of that strip were well-planned buildings, it did not appear that the small strip could be developed in the same manner and Staff was concerned about how the thin strip could be developed with a cohesive design with the existing and other planned portions of the PUD; therefore, Staff was recommending and requesting that FDP-08-06 be continued to allow the applicant to show how the middle portion could comply with the PUD that was just approved. Should the Commission determine approval was warranted, the following conditions were recommended:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That the final development plan shall comply with all conditions of approval of ZN-05-01 and T-1273.
3. That the development shall comply with the Commercial Development Standards and Design Guidelines for the retail portion of the development and the Industrial Development Standards for the industrial portion of the development with the following exceptions:
  - a. A straight sidewalk may be provided along Lake Mead Boulevard; and
  - b. The foundation landscaping in the industrial portion of the development may be provided as shown on the final development plan, provided the applicant provides adequate protection to prevent infiltration of water into unsuitable soils and structures.
4. The roll-up doors facing Coran Lane shall be decorative, subject to review and approval of Planning and Zoning Department staff.



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

**Craig Michael, 4397 West Sunset Road** appeared on behalf of the applicant stating the applicant did not own the small strip of property, so they did not have control over it, but was in negotiations on it and did not want his project held up for something that may not happen. He asked that the Commission approve Staff's original recommended conditions, stating the PUD would dictate how the property was developed and Staff's conditions would also dictate how it was developed.

Chairman Angelo Carvalho asked the applicant if he had read the recommended conditions of approval. Mr. Michael responded he concurred with all of Staff's recommended conditions.

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

**MOTION: Commissioner Shull**

**SECOND: Commissioner Aston**

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

**NAYS: None**

**ABSTAIN: None**

**31. UN-113-06 (27722) REBEL OIL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY REBEL OIL COMPANY ON BEHALF OF MI LV II LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD STORE WITH GAS PUMPS. THE PROPERTY IS GENERALLY LOCATED AT THE NORTHEAST CORNER OF CRAIG ROAD AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-03-601-001. (CONTINUED NOVEMBER 21, 2006)**

The application was presented by Robert Eastman, Principal Planner who stated the applicant was requesting approval for a convenience food store and Staff previously recommended the application be continued; however, upon further review and discussions with the applicant, Staff felt approval was warranted and recommended approval of UN-113-06 with the addition of Condition Nos. 8 and 9 to read: "8. That the developer shall provide a meter and backflow assembly for each building. 9. A looped water system may be required subject to review and approval of the Director of Utilities." The original recommended conditions are as follows:

1. Unless expressly, authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances and the Commercial Development Standards and Design Guidelines including but not limited to:
  - a. Gasoline canopies shall take on the character of the main building, using the same colors, materials and style
  - b. Roll up service doors shall be screened by the use of decorative walls and/or dense landscaping which will serve as a visual barrier
  - c. Minimum of 20 parking spaces
  - d. Parking area along Commerce Street shall be screened by decorative walls or landscaped berms with a minimum height of three (3) feet above the finished grade.
  - e. Relocate air/water away from right-of-way.
  - f. Trash enclosure shall be relocated.
  - g. A continuous internal pedestrian walkway shall be provided from the perimeter public sidewalk to the principal customer entrance constructed of pavers or stamped concrete subject to staff review and approval.
  - h. A meandering sidewalk shall be provided on Commerce Street and Craig Road.
2. This application shall comply with all conditions of approval for T-1275.
3. This use permit is site specific and non-transferable. The car wash is not covered under this use permit.

4. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Commerce Road.
5. The property owner is required to grant a roadway easement for commercial driveway(s).
6. The appropriate subdivision and/or parcel mapping is required to complete this project. All mapping shall be in compliance with NRS Chapter 278 and the *City of North Las Vegas Municipal Code*, and associated Master Plans in effect at the time of subdivision and/or parcel map approval. Conformance may require modifications to the site.
7. The applicant shall provide shared access to the easterly parcel (APN 139-03-601-006), currently Buffalo Wild Wings.

**Todd McBair, 5525 Polaris Avenue, Las Vegas, NV** appeared on behalf of the applicant stating on November 21, 2007 the application was continued due to some of the issues that dealt with the tentative map, which were approved as item No. 23 on this agenda, specifically the right turn lane and driver locations. With the approval of that application, the only item discussed was the meandering sidewalks on Craig Road and because of the existing driveways and the short frontage, it was difficult for the condition along Craig Road to be met, so he asked that it be amended, but they could put the meandering sidewalk on Commerce Street, as there was plenty of right-of-way in that area. He explained the roll-up service doors were part of the carwash, so they were not service bays. On Condition No. 7, regarding the shared access with Buffalo Wild Wings to the east, in the meeting they had with Traffic, it was determined that they would not need to provide the cross access, as they did not have control over the adjacent property. He agreed with all other conditions.

Commissioner Jay Aston asked the applicant if he was requesting that Condition No. 1.h be amended to delete Craig Road and to delete Condition No. 7. Mr. McBair responded that was correct. Commissioner Aston asked Traffic if they agreed with the deletion of Condition No. 7. Cleve Kus of Public Works responded they were in agreement with the deletion of Condition No. 7.

**ACTION:** APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NO. 7, CONDITION NO. 1.H AMENDED AND THE ADDITION OF CONDITIONS NOS. 7 AND 8 AS FOLLOWS:

- 1.H. A MEANDERING SIDEWALK SHALL BE PROVIDED ON COMMERCE STREET.

8. THE DEVELOPER SHALL PROVIDE A METER AND BACKFLOW ASSEMBLY FOR EACH BUILDING.
9. A LOOPED WATER SYSTEM MAY BE REQUIRED, SUBJECT TO REVIEW AND APPROVAL BY THE DIRECTOR OF UTILITIES.

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

**32. VAC-23-06 (27802) BEESLEY & AZURE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MARK LEFKOWITZ ON BEHALF OF LEFKOWITZ M I DEF BEN, PROPERTY OWNER, TO VACATE FANNIN WAY BETWEEN AZURE AVENUE AND REISS LANE, AND TO VACATE REISS LANE BETWEEN BEESLEY DRIVE AND FANNIN WAY. THE ASSESSOR'S PARCEL NUMBERS ARE 123-27-201-006, 123-27-201-007, 123-27-201-008, AND 123-27-201-009. (CONTINUED DECEMBER 13, 2006)**

The application was presented by Robert Eastman, Principal Planner who stated previously Staff was recommending denial; however, the affected landlocked parcel was incorporated into the surrounding parcels and with that and the communications with the utilities Department and the Fire Department, Staff was recommending approval of VAC-23-06 subject to the following condition:

1. The vacation must record concurrently with the reversionary parcel map. Should the Order of Vacation not record within two years from the approval date, the vacation shall be deemed null and void.

**Steven Cavasarrat, 3321 North Buffalo Drive, suite 200, Las Vegas, NV 89129** appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

**MOTION: Commissioner Aston**

**SECOND: Commissioner Brown**

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

**NAYS: None**

**ABSTAIN: None**

**Item No. 37 was heard next.**

33. **ZN-56-06 (27903) INQUIPCO FACILITY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JAMES E. STROH ON BEHALF OF GRAVITY FIGHTERS LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN O-L OPEN LAND DISTRICT TO AN M-2 GENERAL INDUSTRIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF SLOAN LANE AND AZURE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 123-28-501-010. (CONTINUED DECEMBER 13, 2006)**

It was requested by the applicant to continue ZN-56-06 to January 24, 2007.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho stated the Public Hearing would remain open.

ACTION: CONTINUED TO JANUARY 24, 2007

MOTION: Commissioner Shull

SECOND: commissioner Leavitt

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

NAYS: None

ABSTAIN: None

34. **SPR-44-06 (27904) INQUIPCO FACILITY. AN APPLICATION SUBMITTED BY JAMES E. STROH ON BEHALF OF GRAVITY FIGHTERS LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN O-L OPEN LAND DISTRICT TO ALLOW AN INDUSTRIAL COMPLEX. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF SLOAN LANE AND AZURE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 123-28-501-010. (CONTINUED DECEMBER 13, 2006)**

It was requested by the applicant to continue SPR-44-06 to January 24, 2007.

ACTION: CONTINUED TO JANUARY 24, 2007

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

35. **UN-121-06 (27906) INQUIPCO FACILITY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JAMES E. STROH ON BEHALF OF GRAVITY FIGHTERS LLC , PROPERTY OWNER, FOR A USE PERMIT IN AN O-L OPEN LAND DISTRICT (PROPOSED RECLASSIFICATION TO AN M-2 GENERAL INDUSTRIAL DISTRICT) TO ALLOW AN AUTOMOBILE REPAIR FACILITY AND AN AUTOMOBILE WASHING ESTABLISHMENT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF SLOAN LANE AND AZURE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 123-28-501-010. (CONTINUED DECEMBER 13, 2006)**

It was requested by the applicant to continue UN-121-06 to January 24, 2007.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho stated the Public Hearing would remain open.

ACTION: CONTINUED TO JANUARY 24, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None



36. **UN-117-06 (27788) TERRIBLE'S LUBE #281 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TERRIBLE HERBST INC. ON BEHALF OF RIFFAT ASIF INVESTMENT LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW AN AUTOMOBILE SERVICE FACILITY. THE PROPERTY IS LOCATED AT 335 WEST CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-03-311-012. (CONTINUED DECEMBER 13, 2006)**

It was requested by the applicant to continue UN-117-06 to January 24, 2007.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho stated the Public Hearing would remain open.

Commissioner Dilip Trivedi stated he would be abstaining, as he assisted the applicant with the project.

ACTION: CONTINUED TO JANUARY 24, 2007

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: Commissioner Trivedi

**Item No. 39 was heard next.**

**37. UN-119-06 (27893) CREEKSIDE PHASE II (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TIMOTHY R. NEAL ON BEHALF OF LOSEE ROAD INVESTORS LLC, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A CONVENIENCE STORE WITH A DRIVE-THRU AUTOMOBILE WASHING ESTABLISHMENT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF LOSEE ROAD AND WASHBURN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-36-301-012. (CONTINUED DECEMBER 13, 2006)**

The application was presented by Jeremy Davis, Planner who stated the car wash development was 2,574 square feet and include a convenience food store that was 2,700 square feet and a 4,500 square foot outdoor work area, which was located adjacent to the street. There were a total of 62 parking spaces proposed for the development, where 57 were required; however, a number of the parking spaces were located along the southern property line of the development and the applicant had not provided the 20 foot buffer landscaping along the southern property line, therefore, the parking spaces provided would be reduced to provide for the provision of the buffer area. Staff was not in support of the application and it should be noted the application also included a waiver of the building orientation, which would require the buildings to be oriented to the street, which Staff did not support and believed the site could be redesigned with the buildings oriented to the street. Staff did not support the retail commercial use at the location of the car washing facility. While they may provide a service for the community at this location, the conversion of industrial property for commercial purpose would adversely affect the implementation of the recently adopted Comprehensive Plan, which designated the property as employment. The employment category was intended to provide locations for office and low intensity industrial uses with limited commercial activities to support the primary uses. The proposed use, retail commercial uses requested with UN-120-06 represent a conversion of the land from the primary use shown in the Comprehensive Plan to a primary use of retail commercial. Staff was recommending denial of UN-119-06. Should the Commission determine approval was warranted, the following conditions were recommended:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. This use permit is site specific and non transferrable.
3. Provide a revised site plan showing
  - a) One (1) additional landscape islands of six (6) feet in width between the parking row located along the south property line.
  - b) A 20 foot landscaped buffer area along the south property line.
  - c) The location and type of screening for a trash enclosure.

4. Submit a copy of landscape plan showing
  - a) A minimum ground coverage of 60%, achieved within two years.
  - b) A 20 foot landscaped buffer area with 24" box trees (1 ½" caliper measured at 4 ½' above the root ball at the time of planting) at a maximum spacing of 20 feet on center adjacent to the south property line.
5. A parcel map is required to be filed to create proposed parcels.
6. Per recorded Restrictive Covenant document #20050524:0003425, off-site improvements will be required to be built before any onsite construction starts. Parcel Map will not be recorded until construction of off-site improvements is complete.
7. No driveways will be allowed on the future parcel to the north. A shared access will have to be created on the parcel map to allow access to the new parcel.
8. Losee Road improvements must be completed prior to the issuance of any building permit.
9. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

**Timothy Neal, 6129 Glamorous Court, North Las Vegas, NV** appeared on behalf of the applicant stating he met with Staff for a task force and went through the list of recommendations and felt they solved any issues with the site plan and building orientation. He explained Creekside I was located to the east and was a large industrial concrete tilt-up building and their parking lot was adjacent to the proposed project and he felt orienting the building toward the back of the property, since the use was all retail, lent itself to the proposed layout. In Staff comments, it seemed the potential retail spaces, as well as the carwash, would be desirable for the location as residential seemed to be booming in that area. He concurred with Staff recommendation regarding the site and landscaping.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho closed the Public Hearing.

Commissioner Dean Leavitt asked the applicant if he had talked to Creekside I about cross access. Mr. Neal responded there was an access easement on the south part of the property and he was anticipating an access agreement with the future northern property owners. Commissioner Leavitt stated traditionally he wanted to maintain the industrial but

having Creekside I already in place, he could support the proposed project and did not feel it would set a precedent.

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

**MOTION:** Commissioner Leavitt

**SECOND:** Commissioner Aston

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

**NAYS:** None

**ABSTAIN:** None

**38. UN-120-06 (27894) CREEKSIDE PHASE II (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TIMOTHY R. NEAL ON BEHALF OF LOSEE ROAD INVESTORS LLC, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A RETAIL BUILDING. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF LOSEE ROAD AND WASHBURN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-36-301-012. (CONTINUED DECEMBER 13, 2006)**

The application was presented by Jeremy Davis, Planner who stated Staff originally opposed the application, but due to the approval of UN-119-06, Staff could support the application and noted with the revisions to the site plan required to comply with the landscaping, there may be a reduction in retail area to comply with parking requirements. Staff was recommending approval of UN-120-06 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. This use permit is site specific and non transferrable.
3. Provide a revised site plan showing
  - a) One (1) additional landscape islands of six (6) feet in width between the parking row located along the south property line.
  - b) A 20 foot landscaped buffer area along the south property line.
  - c) The location and type of screening for a trash enclosure.
  - d) One (1) covered bicycle parking space shall be provided in front of the retail building.
4. Submit a copy of landscape plan showing
  - a) A minimum ground coverage of 60%, achieved within two years.
  - b) A 20 foot landscaped buffer area with 24" box trees (1 ½" caliper measured at 4 ½' above the root ball at the time of planting) at a maximum spacing of 20 feet on center adjacent to the south property line.
5. A parcel map is required to be filed to create proposed parcels.
6. Per recorded Restrictive Covenant document #20050524:0003425, off-site improvements will be required to be built before any onsite construction starts. Parcel Map will not be recorded until construction of off-site improvements is complete.

7. No driveways will be allowed on the future parcel to the north. A shared access will have to be created on the parcel map to allow access to the new parcel.
8. Losee Road improvements must be completed prior to the issuance of any building permit.
9. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

**Timothy Neal, 6129 Glamorous Court, North Las Vegas, NV** appeared on behalf of the applicant stating he concurred with Staff recommendation.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

**Item No. 40 was heard next.**

39. **ZN-84-06 (27969) JUPITER GOLF COMPANY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JUPITER GOLF COMPANY, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A C-2 GENERAL COMMERCIAL DISTRICT TO AN MUD MIXED USED DEVELOPMENT CONSISTING OF APPROXIMATELY 59,652 SQUARE FEET OF RETAIL SPACE, 48,652 SQUARE FEET OF COMMERCIAL OFFICE SPACE, AND 466 RESIDENTIAL UNITS. THE PROPERTY IS GENERALLY LOCATED NORTH OF CRAIG ROAD AND 620 FEET EAST OF COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-03-601-009. (CONTINUED DECEMBER 13, 2006)**

It was requested by the applicant to continue ZN-84-06 indefinitely.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho stated the Public Hearing would remain open.

ACTION: CONTINUED INDEFINITELY

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**Item No. 2 was heard next.**

**40. FDP-16-06 (27816) RANCHO MIRAGE UNIT 3. AN APPLICATION SUBMITTED BY CORNERSTONE PRINCIPALS, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD, PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 49 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-27-410-051, 124-27-410-052, 124-27-410-054, 124-27-410-055, 124-27-410-056, 124-27-410-057, 124-27-410-088, AND 124-27-410-087. (CONTINUED DECEMBER 13, 2006)**

The application was presented by Robert Eastman, Principal Planner who stated Staff had submitted revised plans which were generally in compliance with the PUD and the Design Standards; therefore, Staff was recommending approval of FDP-16-06 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; and
2. That the development of this site be in compliance with all conditions of T-1242 and Ordinance Number 1599 (ZN-64-98). If there is a conflict between those conditions and the conditions stated herein, the more restrictive shall apply; and
3. That the maximum number of dwelling units permitted within this portion of the development be 49, provided all conditions mentioned herein are satisfied; and
4. Provide a second means of Fire Department apparatus access onto Shimmering Sands Avenue; and
5. Construction of a sidewalk from the west property line to Rancho Palms Road along Ann Road; and
6. All residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222; and
7. All conditions mentioned herein be satisfied prior to recording any final map; and
8. A 20-foot-wide pedestrian access easement shall be provided between Lots #29 and #30 and shall provide pedestrian connectivity to the existing pedestrian access easement to the east (between Lots #16 and #17 of Ventana at Sierra Montana Unit 1.) The area shall be landscaped in accordance with the current requirements set forth in Title 17. All improvements must be identified on the improvement plans, including but not limited to the electrical and water sources.



9. The following areas shall be identified as “Common Elements” on the final map and shall be owned and maintained by the homeowners’ association:
  - a. the six-foot (6.00') landscape area between Copper Sun Court and the rear lot lines of Lots 2, 3, 4 and 5.
  - b. the twenty-foot (20.00') pedestrian access between Lots 29 and 30.
  - c. the twenty-foot (20.00') sewer easement between Lots 36 and 49.
  - d. the twenty-five-foot (25.00') drainage, pedestrian access and emergency access easement between Lots 48 and 49.
10. All common elements shall be landscaped in accordance with the requirements set forth in the Zoning Ordinance. Exceptions may be considered within the emergency access easement.
11. Bollards, large boulders (4,000 lbs or greater), or another approved method to prevent vehicles from traversing the pedestrian access easement (between Lots 29 and 30.) Said obstacles shall also be provided at the south end of Copper Sun Court to prevent vehicles from accessing the Private Park, and at the east end of Shimmering Sands Avenue to prevent vehicles from traversing the sewer easement. The proposed obstacles shall be identified on the civil improvement plans and landscape plans.

**Chris Arambula, 6765 West Russell Road, Las Vegas, NV** appeared on behalf of the applicant stating he concurred with Staff recommendation and asked the time frame on the corresponding tentative map. Mr. Eastman responded the conforming tentative map was waiting for approval of FDP-16-06 and now that the approval has gone forward, the review in the Planning Department would be completed in the next few days and then be forwarded to Public Works for their final report. Jennifer Doody of Public Works explained the applicant would have to have the conformed tentative map signed and it would be included with the plan set.

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

**MOTION: Commissioner Shull**

**SECOND: Commissioner Leavitt**

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

**NAYS: None**

**ABSTAIN: None**

**PUBLIC FORUM**

There was no public participation.

**DIRECTOR'S BUSINESS**

There was no report given.

**CHAIRMAN'S BUSINESS**

There was no report given.

**ADJOURNMENT**

The meeting adjourned at 9:07 p.m.

APPROVED:

/s/ Steve Brown  
Steve Brown, Chairman

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