

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

August 22, 2007

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

**BRIEFING:** 5:37 P.M., Conference Room, North Las Vegas City Hall, 2200 Civic Center Drive

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

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

**STAFF PRESENT:** Jory Stewart, Planning & Zoning Director  
Robert Eastman, Principal Planner  
Mary Aldava, Senior Planner  
Bob Hoyes, Planner  
Bethany Sanchez, Deputy City Attorney II  
Randy Cagle, PW, Real Property Services Manager  
Clete Kus, PW, Transportation Planner  
Janice Carr, Fire Department  
Xiaohui Yu, Utilities  
Jo Ann Lawrence, Recording Secretary

**WELCOME:** Chairman Steve Brown

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

**PLEDGE OF ALLEGIANCE:** Chairman Steve Brown

**MINUTES**

• **APPROVAL OF THE MINUTES FOR THE SPECIAL PLANNING COMMISSION MEETING ON JULY 24, 2007.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: Commissioner Shull

• **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF JULY 25, 2007.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

**Item No. 8 was heard next.**

**NEW BUSINESS**

1. **UN-81-07 (31685) MANUEL RODRIGUEZ (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MANUEL RODRIGUEZ, PROPERTY OWNER, FOR A USE PERMIT IN AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT TO ALLOW A CARPORT CONVERSION. THE PROPERTY IS LOCATED AT 1001 REYNOLDS AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-23-410-116.**

The application was presented by Robert Eastman, Principal Planner who explained the applicant was requesting to convert an existing carport into living space and had submitted evidence to show that neighboring properties had already been converted, so the request was not unique to the neighborhood; therefore, Staff felt the request was adequate and was not a detriment to the neighborhood. The applicant also indicated the proposed living space would not include a kitchen, therefore, was not a second dwelling and Staff was recommending approval of UN-81-07 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
2. That the applicant obtain a building permit prior to beginning any construction; and
3. That the exterior finish of the converted space match the existing exterior finish of the dwelling; and
4. That the development comply with the Commercial Design Guidelines and Development Standards, including but not limited to the following:
  - a. That all mechanical equipment be concealed from view of public streets and neighboring properties by dense landscaping, and/or a wall equal to the height of the mechanical equipment being screened.
  - b. The exterior facade exposed to the right-of-way include pop-outs and/or window features in the design to eliminate the box-like element of the structure.
5. That all off-street parking areas satisfy ordinance requirements and be illustrated on the building permit application site plan.

**Manuel Rodriguez, 1001 Reynolds Avenue, North Las Vegas, NV 89030** indicated he was aware of the recommended conditions and was in concurrence with Staff recommendation.

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

Chairman Brown closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Shull

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

2. **UN-86-07 (31782) JAVA JO'Z (PUBLIC HEARING). AN APPLICATION SUBMITTED BY YOUNG OLSON INC. ON BEHALF OF RED ROCK SHOPPING CENTER LLC, AND BGM RED ROCK INC., PROPERTY OWNERS, FOR A USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT WITH A DRIVE-THROUGH. THE PROPERTY IS LOCATED AT 1435 WEST CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-04-701-011.**

The application was presented by Robert Eastman, Principal Planner who explained the proposed business would be located in the same parking lot as the Krispy Kreme Donut Shop in the out parcels with the commercial development. The applicant submitted building elevations and architectural detail, which indicated the building was modular and was in general conformance with the Design Standards and, Staff did not have any concerns with the use, however, the building was located in such a way that it impeded the egress from Craig Road into the development; therefore, Staff was requesting that UN-86-07 be continued to allow the applicant time to redesign the layout of the parking lot to provide better access to their business and also without impeding the egress of the commercial development.

The applicant was not present for comment.

ACTION: CONTINUED INDEFINITELY

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

3. **UN-82-07 (31745) GRANNY'S GARDEN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DEBORAH J. COX-MOORE, PROPERTY OWNER, FOR A USE PERMIT IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO ALLOW A CHILD CARE FACILITY; GROUP HOME. THE PROPERTY IS LOCATED AT 2113 RIDERWOOD AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-08-610-014.**

The application was presented by Mary Aldava, Senior Planner who explained the applicant indicated the facility would have a maximum of eight children with the potential of 12 children in the future. The use was appropriate at the proposed location and should not create a negative impact on the surrounding neighborhood; therefore, Staff was recommending approval of UN-82-07 subject to the following condition:

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

**Deborah Cox-Moore, 2113 Riderwood Avenue, North Las Vegas, NV** indicated she concurred with Staff recommendation.

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

Chairman Brown closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**4. VN-21-07 (31757) KRASNER HOUSE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DOUGLAS AND LORRAINE KRASNER, PROPERTY OWNERS, FOR A VARIANCE IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO ALLOW A TEN (10) FOOT FOUR (4) INCH REAR YARD SETBACK WHERE A 15-FOOT REAR YARD SETBACK IS REQUIRED. THE PROPERTY IS LOCATED AT 2301 HEDGEWOOD DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-05-710-046.**

The application was presented by Mary Aldava, Senior Planner who explained the applicants were proposing to construct an expansion to the master bedroom which would consist of a 266 square foot office, which would leave a 10' 4" rear yard set-back where 15 feet was required. The single family home was a two story dwelling with the first floor consisting of 1,578 square feet and the second floor was 547 square feet. The applicant indicated they were experiencing health issues and had trouble maneuvering the stairs and were requesting the variance to construct the addition. The parcel was approximately 6,237 square feet, which exceeded the minimum square footage of 6,000 square feet in the R-1 District and was not an irregular shaped lot, so hardship had not been demonstrated, therefore, did not warrant a favorable recommendation. Staff was recommending that a reduction or reconfiguration of the room addition meet the required 15 foot rear yard set-back; and was recommending that VN-21-07 be denied. Should the Commission determine approval was warranted, the following conditions were recommended:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. The room addition shall meet the single Family Design Guidelines including, but not limited to:
  - a. The exterior elevation shall match the existing dwelling.
  - b. The roofing shall match the existing structure.
3. The rear yard setback shall be no less than 10' 4".

**Douglas and Lorraine Krasner, 2301 Hedgewood Drive, North Las Vegas, NV.** Mr. Krasner asked why Staff was recommending denial, as the addition did not interfere with the neighboring properties, was a corner lot and was not visible from the street and there was a 10 foot wall from the street side. He explained the addition was being done so they would not have to maneuver the stairs, as he was disabled.

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

Chairman Brown closed the Public Hearing.

Commissioner Jay Aston asked how far the block wall was from the neighboring home to the rear. Mr. Krasner responded their block wall was approximately eight or nine feet from the neighbors home and was four foot lower than his property.

Commissioner Aston asked if the plans had been submitted to the Building Department. Mr. Krasner responded they had. Commissioner Aston asked if the overhang on the addition was 12 to 16 inches.

**Carmello Delfa owner of Built Right construction** explained they had submitted the plans for the project. Commissioner Aston asked the depth of the overhang on the addition. Mr. Delfa was not sure but thought it was just a pop-out, possibly four inches. Commissioner Aston explained there were some recommended conditions, but one of them stated the rear yard set-back shall be no less than 10' 4" and if the overhang was 12 inches, they would not meet that condition. Mr. Delfa stated the overhang did not pertain to the set-back, only the structure.

Commissioner Aston asked the Fire Department if they had any concerns. Janice Carr of the Fire Department responded the Fire Department had no concerns.

Robert Eastman, Principal Planner showed the overhead of the site, which showed the neighbor's home was approximately 9' 7" from the block wall.

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

**MOTION: Commissioner Aston**

**SECOND: Commissioner Shull**

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

**NAYS: None**

**ABSTAIN: None**

**Commissioner Jo Cato entered Chambers at 6:20 p.m.**

5. **UN-84-07 (31767) CROWN WASHBURN EAST (PUBLIC HEARING). AN APPLICATION SUBMITTED BY METRO PCS NEVADA INC ON BEHALF OF NEVADA/UTAH ASSOCIATION OF SEVENTH-DAY ADVENTISTS, PROPERTY OWNER, FOR A USE PERMIT IN AN R-E RANCH ESTATES DISTRICT TO ALLOW AN EXISTING 80-FOOT-HIGH TELECOMMUNICATION TOWER TO BE INCREASED TO 100 FEET WHILE MAINTAINING A 54 +/- FOOT SETBACK FROM THE SOUTHERN PROPERTY LINE AND A 127 +/- FOOT SETBACK FROM THE RESIDENTIAL PROPERTY LINE TO THE EAST WHERE THE MINIMUM IS OTHERWISE REQUIRED TO BE 200 FEET. THE PROPERTY IS LOCATED AT 101 EAST WASHBURN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-34-701-044.**

The application was presented by Bob Hoyes, Planner who explained the original cell tower was approved November, 2002 under the use permit, UN-77-02, to be 80 feet in height and there were conditions specifically attached to that approval. As of the time of the writing of the Staff Report, the existing cell tower facility was not constructed in compliance with the conditions of approval. Additionally, the applicant did not submit a technical antenna study to support or verify that the additional height was necessary; therefore, Staff was recommending that UN-84-07 be continued to allow the applicant time to prepare and submit a technical antenna study.

**Bill Daley, 2121 East Warm Springs Road, Suite 1142, Las Vegas NV** appeared on behalf of the applicant explaining he was working with Metro PCS on the project and they were trying to use existing towers wherever possible and in that neighborhood there were few structures to use and, unfortunately, when the site was built, it was not to Code. He explained they were a sub-tenant to a lessor on the tower, Crown Castle, who was the owner of the tower, and had acquired it from Global Signal who acquired it from Pinnacle Towers Golden State who was the original owner. Crown Castle was in the process of reviewing the conditions of approval and did not realize a technical antenna study was required, but was in the process of having it prepared. Mr. Daley agreed to continue the application to September 12, 2007.

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

Chairman Brown closed the Public Hearing.

ACTION: CONTINUED TO SEPTEMBER 12, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

**6. UN-83-07 (31720) LEARNING FACILITY EXPANSION (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NEVADA PARTNERS INC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW SEVEN (7) TEMPORARY BUILDINGS. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF LAKE MEAD BOULEVARD AND REVERE STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-22-201-017.**

The application was presented by Robert Eastman, Principal Planner who explained this was a temporary situation and the applicant had submitted a building permit to expand the current building; however, were requesting the temporary buildings to use for additional training space. The previous request was for four buildings that had been located on the site for a number of years and the number was expanding to seven. Staff felt the expansion was warranted, as the applicant does have building permits and expansion was in process and was recommending approval of UN-83-07 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That UN-83-07 is site specific and non-transferable.
3. Unless an extension is approved, the seven (7) temporary buildings shall not be allowed for more than one year, from the date of Planning Commission's approval.
4. Fire access lanes shall be marked to prohibit parking in accordance with Fire Code.
5. Turning radii along the fire access lane shall be designed in accordance with the fire Code.
6. All doors and locks shall have secondary locks installed on them.
7. The expansion is in an area with little activity support or natural surveillance and requires that there be extra lighting as well as motion sensor limited be installed.
8. There shall be security cameras installed, as well as signs posted denoting that there are security cameras monitoring that area.

**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 and concurred with all conditions except for Condition No. 3, and asked that it be amended to read: "Unless an extension is approved, the seven (7) temporary buildings shall not be

allowed for more than two years, from the date of Planning Commission's approval". She explained the request was being made, as the applicant knows three years would be needed to raise the funds and then build the new facility.

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

Chairman Brown closed the Public Hearing.

Commissioner Dean Leavitt was in support of the application and was agreeable to the requested amendment to Condition No. 3.

Commissioner Jo Cato was also in support of the request to amend Condition No. 3.

Commissioner Dilip Trivedi asked if there was a schedule for construction. Ms. Lazovich responded four modular buildings had been on site for some time and there was a building permit in the system to construct that portion of the expansion and the three new buildings in the back would take some time, but she did not know the schedule and indicated it would probably be three years to complete the project.

**ACTION:** APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH  
CONDITION NO. 3 AMENDED TO READ:

3. UNLESS AN EXTENSION IS APPROVED, THE SEVEN (7) TEMPORARY BUILDINGS SHALL NOT BE ALLOWED FOR MORE THAN TWO YEARS FROM THE DATE OF PLANNING COMMISSION'S APPROVAL.

**MOTION:** Commissioner Leavitt

**SECOND:** Commissioner Shull

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

**NAYS:** None

**ABSTAIN:** None

**7. UN-85-07 (31774) REGAL READY MIX DELHI (PUBLIC HEARING). AN APPLICATION SUBMITTED BY REGAL READY MIX ON BEHALF OF REGAL MATERIALS, INC., PROPERTY OWNER, FOR A USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT, TO ALLOW A CONCRETE BATCH PLANT. THE PROPERTY IS LOCATED AT 1013 DELHI AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-11-303-001.**

The application was presented by Robert Eastman, Principal Planner who explained the use was appropriate for the location and Staff did not feel it would be detrimental to the neighborhood; however, Staff was requesting that the applicant bring the site into compliance with the Industrial Design Guidelines. The applicant had submitted a revised site plan since the original Staff Report was prepared and were more in compliance with the Zoning Code; however, they were requesting a waiver for the 20 foot perimeter landscape requirement located along Delhi Avenue, Donna Street and Colton Avenue. Staff was not supporting the waiver request but was recommending approval of UN-85-07 subject to the conditions as shown in the revised Memorandum dated August 22, 2007 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. The proposed development shall comply with the following:
  - a. A eight (8) foot high decorative perimeter wall shall be constructed behind the twenty (20) foot landscape setback along Delhi Avenue, Donna Street & Colton Avenue.
  - b. Trash enclosures of adequate size, number and type shall be provided. They shall be located away from the street front and screened from view of right-of-ways, sidewalks, and abutting properties through the use of landscaping and screening to better integrate the structure into the site.
4. Submit a detailed color scheme for the proposed buildings that are consistent with the colors in Las Vegas Valley and its surroundings at the time of building permits.
5. Submit a detailed landscape plan showing
  - i. The location, size and type of plants.
  - ii. A twenty (20) wide perimeter landscaping along Delhi Avenue, Donna Street and Colton Avenue.

- iii. The peripheral landscaping area shall have a minimum ground coverage of 60 percent, which shall be achieved within two years.
  - iv. Street trees shall be planted along all public streets in accordance with the requirements of Zoning Ordinance.
6. Approval of a traffic study is required prior to submittal of the civil improvement plans.
7. The applicant must abide by all conditions of the approved traffic study.
8. The applicant shall provide a haul route that is acceptable to the City Traffic Engineer.
9. 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. Donna Street
  - b. Delhi Avenue
  - c. Colton Avenue
10. Approval of a drainage study is required prior to submittal of the civil improvement plans.
11. 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.
12. The property owner is required to grant a roadway easement for commercial driveway(s).
13. The property owner is required to sign a restrictive covenant for utilities.
14. 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.
15. All off-site improvements must be completed prior to final inspection of the first building.
16. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.

17. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
18. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
19. 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.
20. All off-site improvements must be completed within eighteen (18) months of approval by the Planning Commission or this Special Use Permit shall be deemed null and void.
21. Gates restricting traffic across required access lanes shall be in accordance with Fire Code requirements.

**Scott Sabraw, 8610 South Eastern Avenue, Las Vegas, NV** appeared on behalf of the applicant explaining they were asking for a landscape waiver, as bringing the landscape forward helped with the line of site with the large trucks and would help shield the batch plant. He also explained there had been a precedent set in the area and showed some pictures of similar businesses who had less than 20 foot of perimeter landscaping and indicated the landscaping would be intense. The area was intense industrial and the space was needed for equipment and the area was not for retail, so the majority of the traffic would be from workers and trucks coming in and out of the area. He did not feel buffering was needed as the surrounding businesses were similar and buffered each other and asked for a 10 foot landscape buffer.

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

Chairman Brown closed the Public Hearing.

Commissioner Jo Cato asked if the businesses shown with the 10 foot landscape buffers were approved prior to the current Design Guidelines. Mr. Eastman responded most of the uses shown by the applicant were built and development was done prior to the current Design Guidelines and Development Standards were adopted.

Chairman Steve Brown was in support of the application but was not sure he was in favor of the waiver request.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NOS. 3.A AND 5.II. AMENDED TO READ:

3.A. AN EIGHT (8) FOOT HIGH DECORATIVE PERIMETER WALL SHALL BE CONSTRUCTED BEHIND THE TEN (10) FOOT LANDSCAPE SETBACK ALONG DELHI AVENUE, DONNA STREET & COLTON AVENUE.

5.II. A TEN (10) FOOT WIDE PERIMETER LANDSCAPING ALONG DELHI AVENUE, DONNA STREET AND COLTON AVENUE.

MOTION: Commissioner Aston

SECOND: Commissioner Cato

AYES: Chairman Brown, Commissioners Aston, Shull, and Cato

NAYS: Vice-Chairman Trivedi, Commissioners Leavitt and Thomas

ABSTAIN: None

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

8. **T-1305 (31693) CRAIG AND ALLEN. AN APPLICATION SUBMITTED BY TC RESIDENTIAL ON BEHALF OF ALLEN CRAIG DEVELOPMENT LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A ONE (1) LOT COMMERCIAL SUBDIVISION. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CRAIG ROAD AND ALLEN LANE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-06-701-008 AND 139-06-701-010.**

ACTION: WITHDRAWN

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

**9. T-1306 (31749) THE RESERVE MULTI-FAMILY. AN APPLICATION SUBMITTED BY GSL CONSTRUCTION ON BEHALF OF LOSEE CONDOMINIUMS LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO ALLOW A 426-UNIT CONDOMINIUM DEVELOPMENT. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF LOSEE ROAD AND WASHBURN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-35-713-001 THRU 124-35-713-390.**

The application was presented by Bob Hoyes, Planner who explained the site was previously approved under SPR-02-05 and T-1146 to allow 390 condominium units. The site plan was unchanged and the applicant was requesting to modify the number of units to make the project more marketable. Staff was recommending approval of T-1306 subject to the following conditions:

1. That this development comply with all approved conditions of SPR-02-05.
2. The development of this site shall be in substantial compliance with the submitted tentative map. The approval of T-1306 shall supercede T-1188, which shall be deemed null and void upon the recordation of the (first) final map for this approval.
3. The number of units and bedrooms shall not exceed 426 and 726, respectively, and subject to the following ratio:  
  
180 one-bedroom units; and  
192 two-bedroom units; and  
54 three-bedroom units;
4. That all open space acreage and/or amenities shall be subject to review and approval by the Department of Parks and Recreation.
5. All conditions mentioned herein shall be reviewed and approved by the appropriate department(s) prior to recordation of any final map(s).
6. A maximum 129 parking spaces are allowed to be compact stalls and shall be identified accordingly on the improvement plans.
7. The applicant shall submit a traffic study update for review and approval.
8. A queuing analysis is required.

9. Right-of-way **dedication and construction** of a **flared intersection**, including a right turn lane, is required at Washburn Road and Losee Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1.
10. All residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222.
11. 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.
12. At intersections, street centerlines not in alignment shall be offset at least two hundred (200) feet or as required by the City Engineer.
13. An amended final map is required to be filed.
14. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
15. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
16. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.
17. All off-site improvements must be completed prior to final inspection of the first building.
18. All breezeways shall have adequate lighting to minimize pockets of darkness.
19. Directories shall be provided at all entrances to the property, and way-finding signs shall be provided throughout the property.
20. Unless otherwise approved through the issuance of a building permit, a wrought-iron fence with decorative pilasters at least six feet (6.00') tall shall be installed adjacent to the Las Vegas Wash drainage facility.

21. The trash enclosure doors shall be hung approximately eight inches (8.00") above the ground.
22. Fire access lanes shall be located in accordance with Fire Code requirements.
23. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
24. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.
25. The development of this site shall comply with all requirements set forth by the Southern Nevada Health District in the attached letter dated July 18, 2007.

**Scott Ruedy, 3011 West Horizon Ridge Parkway, Henderson, NV 89052** appeared on behalf of the applicant indicating the site was under construction and through the marketing, it was determined the number of three bedroom units was not working, so the number of those units were reduced and more one bedroom units were added.

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

**MOTION: Commissioner Leavitt**

**SECOND: Commissioner Aston**

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

**NAYS: None**

**ABSTAIN: None**

**10. FDP-07-07 (31790) ALEXANDER LIBRARY & PARK. AN APPLICATION SUBMITTED BY THE CITY OF NORTH LAS VEGAS, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD, PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF A 16,000 SQUARE-FOOT LIBRARY AND A DEDICATED 1.5 ACRE PARK. THE PROPERTY IS LOCATED AT 1755 WEST ALEXANDER ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-09-101-002.**

The application was presented by Bob Hoyes, Planner who explained Staff was recommending approval of FDP-07-07 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.
2. That the development of this site be in compliance with all conditions of Ordinance Number 1215 (ZN-03-89).
3. The development shall comply with the Commercial Design Guidelines including but not limited to the following;
  - a. All landscape areas shall achieve a minimum ground coverage of sixty (60%) percent within two years of the time of Certificate of Occupancy issued by the City.
  - b. Remove the existing chainlink fence along the frontage of Alexander Avenue and along a portion of east property line and replace it with a decorative perimeter wall to a height not less than 3'-6" nor greater than 10 feet behind the required 20 foot perimeter landscaping.
  - c. Replace the proposed concrete sidewalk at the end of southern parking lot shall be replaced with a six (6) landscape island and a tree.
  - d. Show an ADA standard pedestrian crossing or connection between the southern parking lot and the library building.
4. The applicant must abide by all conditions of the approved traffic study.
5. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Alexander Road.

6. The property owner is required to grant a roadway easement for commercial driveway(s).
7. The property owner is required to sign a restrictive covenant for utilities.
8. The property owner is required to grant a public pedestrian access easement for sidewalk located within a common element, or on private property, when that sidewalk is providing public access adjacent to the right-of-way.
9. A revocable encroachment permit for landscaping within the public right of way is required.
10. 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.
11. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
12. A looped water system may be required for fire protection, subject to review and approval of the Utilities Department.

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

**MOTION:** Commissioner Leavitt

**SECOND:** Chairman Brown

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

**NAYS:** None

**ABSTAIN:** None

**OLD BUSINESS**

11. **UN-73-07 (31337) MONEYTREE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE MONEYTREE INC. ON BEHALF OF RIVERTON PARK LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A DEFERRED DEPOSIT LOAN ESTABLISHMENT. THE PROPERTY IS LOCATED AT 5595 SIMMONS STREET, SUITES 7 & 8. THE ASSESSOR'S PARCEL NUMBER IS 124-32-113-002. (CONTINUED JULY 25, 2007)**

The application was presented by Bob Hoyes, Planner who explained Staff was recommending approval of UN-73-07 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another method, this development shall comply with all applicable codes and ordinances.
2. This use permit is site-specific and non-transferrable.
3. The property shall have extra security cameras.
4. A poly-carbonate glazed partition shall separate the employees from the customers.
5. Exterior doors shall be pre-wired with contact plates for an alarm system.
6. There shall be a robbery alarm installed that can be inconspicuously triggered by any employee.
7. The tenant improvement plans shall be routed to the Police Department for review and approval prior to the issuance of any building permit.

**Jennifer Roberts of Lionel Sawyer Collins, 300 South Fourth Street, Las Vegas, NV** appeared on behalf of the applicant stating she concurred with Staff recommendation and indicated the use met the distance and floor space requirements and was sufficiently buffered from any residential.

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

Chairman Brown closed the Public Hearing.

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

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

**12. UN-37-07 (29558) LAS VEGAS SHUTTLES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JESUS E. CORRALES, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A BUS TERMINAL (SHUTTLE VANS). THE PROPERTY IS LOCATED AT 3256 CIVIC CENTER DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-11-816-029. (CONTINUED APRIL 25, MAY 23, AND JUNE 27, 2007)**

The application was presented by Mary Aldava, Senior Planner who explained the applicant indicated the business would operate seven days per week from 8 a.m. to 4 p.m. and would include using 15 passenger vans to provide two trips daily from Las Vegas to Phoenix and two trips daily from Las Vegas to Los Angeles. The applicant would be conducting business out of a 750 square foot condominium suite within an existing commercial building on the site. Staff does not object to the proposed use; however, the site was not in compliance with the Commercial Development Standards and Guidelines and the proposed elevations submitted were not consistent with the Design Standards in design, color and materials. The applicant was not proposing perimeter landscaping along Civic Center Drive or parking lot or foundation landscaping. In addition, there was roof signage which was not allowed in that area. The site plan submitted was not accurate with what was actually on the site. The site plan indicated there was 66 parking spaces to be provided and there were no parking spaces on site and the few spaces that were provided, were not sufficient for the development. When use permits were submitted, their expansions to the use and to the properties; therefore, it was encouraged that they be brought up to current standards. Staff was originally recommending continuance of the application but the applicant originally requested continuance from the Planning Commission meetings of April 25 and May 25, 2007 and then requested an indefinite continuance on June 27, 2007, which would have allowed him time to submit revised plans showing compliance with requirements or to request waivers from the Design Standards, which had not been done. The applicant was conducting business without the use permit or an actual business license on the site. Staff was recommending that UN-37-07 be denied, as the applicant had not attempted, in good faith, to comply with any of the requirements and was in violation of Title 17.

**Jesus Corrales, 5057 Nardini Avenue, Las Vegas, NV 89141** explained he was no longer conducting business in North Las Vegas and had moved his business back to the City of Las Vegas. He explained the person who owned Fort Cheyenne Casino previously owned the office condominiums and had sold the units but did not include the parking spaces with the units. He explained the existing parking was for all of the condominium unit owners and felt since Fort Cheyenne owned all of the parking spaces, he should not be required to install the landscaping and also indicated the signage on the roof was there when the property was purchased, but he was willing to remove it. He stated he had met with other tenants and they agreed to clean the area up and re-stucco the buildings to match, but indicated they could not afford the landscaping that was required. He explained the office was only used to sell tickets.

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

Commissioner Jo Cato asked if the applicant was required to provide 15 parking spaces even though the parking was shared.

Robert Eastman, Principal Planner explained under normal circumstances in a commercial retail shopping center, the parking was shared and the individual use was not required to supply parking; however, in many circumstances, when there was a commercial shopping center with a number of restaurants located within it, Staff wanted to ensure there was adequate parking, so additional parking was required for the restaurants because the parking requirements for restaurants was so much greater. In this instance, because the center was dominated by the casino, Staff felt the applicant should show that there was adequate parking on the site when all of the uses were added up within the retail center. Commissioner Cato asked if a parking study would be required and thought, from comments made by the applicant, the use might just be a ticket depot. Mr. Eastman explained since the use permit was for the bus terminal for a van service, with the use permit, Staff began to question where the vans would be stored and if overnight parking would be provided for those using the van service and were looking for answers to those questions. He indicated Fort Cheyenne provided more landscaping in the parking lot and reworked the parking lot when they applied for their use permit, which had not occurred on the condominium portion of the development and Staff was asking that it be brought more into compliance with Title 17.

Commissioner Cato asked the applicant if the vans would be parked on the site overnight. Mr. Corrales explained the office was for ticket sales only and there would be no overnight parking; the vans would never be parked on the site. Commissioner Cato asked the applicant where the vans would be stored. Mr. Corrales responded they would be stored at a commercial storage.

Commissioner Dean Leavitt asked Staff to point out the separation line for the site. Mr. Eastman explained he understood originally when Fort Cheyenne applied for their use, the outbuildings were not included in the portion of the site which included the casino.

Commissioner Leavitt verified the property was on the Civic Center Drive side of the cluster of small businesses. Mr. Eastman responded that was correct. Commissioner Leavitt felt the applicant was trying to comply but there was a concern with the parking.

Commissioner Leavitt asked Mr. Corrales if there was striping separating the parking spaces. Mr. Corrales responded there was.

Mr. Eastman suggested the application be continued, as Staff felt if the applicant was not going to be storing vehicles and using the site as a terminal and was just using the space as a ticket sales office, that a use permit may not be required. Staff would like time to meet with the applicant to discuss what he was trying to accomplish and how the site would be utilized.

Commissioner Jay Aston asked the applicant if he was leasing the space or if he purchased it. Mr. Corrales responded he had purchased the unit. Commissioner Aston asked if there was a parcel number on the property. Mr. Corrales responded there was a parcel number. Commissioner Aston asked how a parking lot could be divided up into individual parcels and sold as for-sale units and did not understand how the applicant could be asked to improve a space he did not own.

Commissioner Ned Thomas asked if the vans would be coming in and out of the site and if tickets would be sold at the location. Mr. Corrales explained he had opened his business and when he applied for a business license, was informed a special use permit was required. He explained the vans would come to the site to pick up passengers and then go back out; they would not be parked overnight. Commissioner Thomas asked the applicant if he had a plan showing how the ingress/egress would be handled. Mr. Corrales did not have a plan. Commissioner Thomas explained to the applicant, that a plan was necessary in order for Staff to determine exactly what was planned for the site and that it complied with the zoning code and agreed that the applicant should not be solely responsible for the landscaping and upgrading of the building.

Jory Stewart, Planning and Zoning Director added, if the applicant was using the suite solely as an office for ticket sales, Staff would not be concerned as much with the improvements to the site. The individual owners were supposed to be members of a commercial operators association and should all be responsible to maintain the site. If the applicant was going to run a bus terminal, there was a problem with the use and Director Stewart wanted to caution the applicant, that until he clearly defined his business plan to Staff, they would not come to an agreement on the use and would continue to maintain a recommendation of denial.

ACTION: CONTINUED TO SEPTEMBER 12, 2007

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**Public Form was heard next.**

13. **UN-38-07 (29561) QUALITY GARDENS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MELVIN GREEN ARCHITECT LTD ON BEHALF OF MANFRED AND CHERYL POLK, PROPERTY OWNER, FOR A USE PERMIT IN AN R-E RANCH ESTATES DISTRICT (PROPOSED C-P, PROFESSIONAL OFFICE COMMERCIAL DISTRICT) TO ALLOW A CHILD CARE FACILITY. THE PROPERTY IS LOCATED AT 4008 NORTH DECATUR BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-06-411-008. (CONTINUED AUGUST 8, 2007)**

It was requested by the applicant to continue UN-38-07 to September 26, 2007.

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

Chairman Brown indicated the Public Hearing would remain open.

ACTION: CONTINUED TO SEPTEMBER 26, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

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

14. **T-1200 (31596) BRUCE & EL CAMPO GRANDE. AN APPLICATION SUBMITTED BY ORIGIN PROPERTIES ON BEHALF OF THE BRADLEY GROUP II LLC, PROPERTY OWNER, FOR APPROVAL OF AN EXTENSION OF TIME FOR A PREVIOUSLY APPROVED TENTATIVE MAP IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW 105 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF ANN ROAD AND BRUCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-35-501-001, 124-35-501-004, 124-35-501-005, 124-35-501-006, 124-35-801-007, 124-35-501-009 AND 124-35-501-010. (CONTINUED AUGUST 8, 2007)**

It was requested by the applicant to continue T-1200 to September 12, 2007.

ACTION: CONTINUED TO SEPTEMBER 12, 2007

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

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

**PUBLIC FORUM**

There was no public participation.

**DIRECTOR'S BUSINESS**

There was no report given.

**CHAIRMAN'S BUSINESS**

Commissioner Dean Leavitt informed the Commission and Staff that the Crime Prevention Through Environmental Design (CPTED) Committee was moving forward in their discussions.

**ADJOURNMENT**

The meeting adjourned at 7:16 p.m.

APPROVED: September 26, 2007

/s/ Steve Brown  
Steve Brown, Chairman

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