

**CITY OF NORTH LAS VEGAS
REGULAR REDEVELOPMENT AGENCY MEETING MINUTES**

August 6, 2008

Website - <http://www.cityofnorthlasvegas.com>

CHAIRMAN ROBERT L. ELIASON
VICE CHAIRWOMAN SHARI BUCK

CALL TO ORDER

5:33 P.M., Council Chambers, 2200 Civic Center Drive, North Las Vegas, Nevada

WELCOME

Robert L. Eliason, Chairman

ROLL CALL

PRESENT

Robert L. Eliason, Chairman
Shari Buck, Vice Chairwoman
Michael L. Montandon, Board Member
William E. Robinson, Board Member
Stephanie S. Smith, Board Member

STAFF PRESENT

City Manager Gregory Rose
Assistant City Manager Sam Chambers
Assistant City Manager Maryann Ustick
City Attorney Carie Torrence
City Clerk Karen Storms
Economic Development Director Mike Majewski
Deputy Fire Chief Kevin Brame
Planning and Zoning Manager Marc Jordan
Redevelopment Manager Larry Bender
Deputy City Clerk Marie Purcell

VERIFICATION

Karen L. Storms, CMC
City Clerk

AGENDA

1. APPROVAL OF THE REGULAR REDEVELOPMENT AGENCY AGENDA OF AUGUST 6, 2008.

ACTION: APPROVED

MOTION: Board Member Robinson

SECOND: Board Member Smith

AYES: Chairman Eliason, Board Members Robinson and Smith

NAYS: None

ABSENT: Vice Chairwoman Buck, Board Member Montandon

ABSTAIN: None

Vice Chairwoman Buck arrived at 5:34 P.M. Board Member Montandon arrived at 5:35 P.M.

PUBLIC HEARINGS

2. UN-97-07 (AAA DISCOUNT STORAGE); AN APPLICATION SUBMITTED BY BENJAMIN DONEL, ON BEHALF OF DONEL DEVELOPMENT, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT OF THE NORTH REDEVELOPMENT AREA TO ALLOW AN AUTOMOBILE SERVICE FACILITY ON PROPERTY LOCATED AT 2647 NORTH LAS VEGAS BOULEVARD. (CONTINUED JULY 2, 2008)

Chairman Eliason opened the Public Hearing.

Planning and Zoning Manager Marc Jordan stated Staff and the Planning Commission recommended denial of the application due to concerns about the sizes of the bays as well as the space available for vehicles to drive and park. If vehicles did not fit in the bays, the bays would be kept open and vehicles would block the drive aisle and emergency fire lane. In addition, if the bays were open, the Building Department was concerned about the temperature inside the facility and thought the building could be noncompliant with the 2006 International Energy Conservation Code. The facility was not designed for the proposed use.

Benjamin Donel, 2647 North Las Vegas Boulevard, Las Vegas of AAA Discount Storage, stated the purpose of the shop was to perform minor repairs and services such as oil changes and other routine maintenance services. Mr. Donel referred to the City's Municipal Code Book, which specified the required size of the bays was 9' x 18'. His shop had 21' bays. Mr. Donel further stated he had personal knowledge of automobile service shops in the area which were operating with 16' bays. Average car lengths were from 9' to 14'. Mr. Donel stated his shop was in an area with other vehicle-related businesses. As for the indoor temperature of the bays, Mr. Donel said he would comply with the requirements and bring the building up to Code. Currently, the building needed significant improvements and he intended to remodel it. If his application was denied, the building remained in its current state.

Councilwoman Smith was concerned the building was situated behind another building and was not visible from the street. The building was not intended for the proposed use, it was designed for storage.

Chairman Eliason closed the Public Hearing

ACTION: DENIED

MOTION: Councilwoman Smith

SECOND: Chairman Eliason

AYES: Chairman Eliason, Vice Chairwoman Buck, Board Members Robinson and Smith

NAYS: Board Member Montandon

ABSTAIN: None

3. **UN-43-08 (BROADACRES OPEN AIR MARKET); AN APPLICATION SUBMITTED BY BROADACRES OPEN AIR MARKETPLACE, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-3 GENERAL SERVICE COMMERCIAL DISTRICT AND A C-2 GENERAL COMMERCIAL DISTRICT (PROPOSED C-3 GENERAL SERVICE COMMERCIAL DISTRICT) TO ALLOW THE EXPANSION OF AN EXISTING SWAP MEET ON PROPERTY LOCATED AT 2960 NORTH LAS VEGAS BOULEVARD. (ASSOCIATED ITEMS NO. 4, UN-45-08, NO. 5, VN-07-08 AND NO. 9, SPR-19-08)**

City Manager Gregory Rose stated related Public Hearing Items No. 3,4,5 and 9 would be heard together.

Chairman Eliason opened the Public Hearing.

Planning and Zoning Manager Jordan stated Staff and the Planning Commission recommended approval of Item No. 3. The applicant had worked with the Public Works Department regarding Condition 12 and it was recommended the Condition be deleted from Item No. 3 and amended as to Item No. 9.

Staff and the Planning Commission also recommended approval of Item No. 4, with the deletion of Condition 11.

Regarding Item No. 5, there were two requested variances regarding setbacks. The variances were not recommended by Staff and the Planning Commission.

The applicant had worked with Public Works and revised their requests for waivers on Item No. 9. Staff and the Planning Commission recommended approval. It was also recommended Condition 4 be amended, Condition 5 deleted, and Condition 13 amended.

John Moran III, 630 South Fourth Street, Las Vegas represented the new owner of the swap meet, Mr. Greg Danz, who was also present. Mr. Danz had canvassed the neighborhood and confirmed the neighbors supported the swap meet and the proposed improvements. People used the market and many people were employed by the market. Taxes were paid to the City. The swap meet had been operating for over 30 years. The applicant wanted to improve his site and add entertainment, rest rooms, seating, shaded areas that could be used for picnics and over 380 additional parking spaces.

Mr. Moran stated the requested waivers were justified because they were in line with the other uses on the street. There were no complaints about the buffers from the residential area. The applicant had done his best to accommodate a fire lane. There were landscape buffering, curbs and gutters along North Las Vegas Boulevard.

Mayor Pro Tempore asked about the hours of operation and the hours music was played. Mr. Danz responded the hours of operation were 10:00 A.M. to 6:00 P.M. There was no activity or music at night. Councilwoman Smith wanted to keep the buffer condition in place in case future land was acquired that could accommodate it, however, she understood it was not possible to honor it at this time.

Gunnar Huvale, 6448 Kenya Springs Street, North Las Vegas spoke in favor of casinos in North Las Vegas. Mayor Montandon advised him that was an item on the Regular City Council Meeting.

Mary Muller, 2732 Soledad Way, North Las Vegas stated she and her husband lived in the community directly behind the swap meet. She said the parking along Pecos Road was terrible and there was no visibility for cars pulling out onto the street, creating a hazard for

cars and pedestrians. People parked cars that were for sale along the street, which meant the people visiting the swap meet had to park in the surrounding neighborhood. She said this resulted in trash being left in the neighborhood. Adding to the traffic problems, buses had to stop in the street because bus stops were blocked by parked cars. Vendors unrelated to the swap meet sold food from cars parked along the streets, leading to more trash discarded in the neighborhood. Music from the swap meet could be heard for blocks, creating a disturbance to residents. Portions of Las Vegas Boulevard were blocked off as well. Mrs. Muller did not feel the tax revenues the City received from the swap meet benefitted the residents of the area. She did not think it was a good idea to expand the existing swap meet.

Councilwoman Smith directed City Manager Rose to make sure Code Enforcement policed the area when the swap meet was open to make sure the community was not negatively affected in the ways Mrs. Muller described, and to ensure the safety of vehicles and pedestrians. Councilman Eliason added he had met with Mr. Danz about the issues and was assured Mr. Danz would work with the City to correct them. Board Member Montandon stated the Board was concerned about the issues, but pointed out the request was not to expand the swap meet, but to expand facilities such as parking to help alleviate some of the concerns.

Javier Arredondo, 3411 Meridale Drive, Las Vegas, with the aid of a translator, stated 300 vendors worked very hard and they and their families depended on the swap meet to support them. He asked for support for the owner and the vendors. The owner wanted to improve the swap meet and helped the vendors by cutting the rent in half during the summer months.

Leslie Gaskell, 711 East Nelson Avenue, North Las Vegas complained used car dealers parked cars along the road. He said he had been a vendor at the swap meet for over 20 years. He felt the new owner, Mr. Danz, was a much better owner. He had reduced the vendors' rent for four months in the summer and wanted to improve the swap meet. Mr. Gaskell felt the additional parking would attract more tourists. He felt the swap meet was beneficial to the patrons, the vendors and the City.

Bob Borgersen, 7617 Island Rail Drive, North Las Vegas felt everyone would benefit if the owners complied with the City's recommendations to help alleviate some of the issues. People could keep their jobs, more jobs would be created, there would be entertainment and more tax revenues for the City. He supported the swap meet and thought it served as the entranceway to North Las Vegas.

Leon Howe, 6265 Judson Avenue, Las Vegas was a food vendor at Broadacres for the last twelve years. He said he had spoken to the owner regarding people who parked cars near the swap meet and sold food and merchandise. The owner sent security personnel to remove them, but even more were present the next weekend. Drivers stopped to buy

from those unlicensed vendors, causing a dangerous traffic situation. Mr. Howe displayed a map showing his location, and said it would be economically disastrous if he had to relocate it.

Councilwoman Smith suggested the City get Clark County and the Health District involved.

Imelda Navarrete, 2775 Fremont Street, Las Vegas also supported the swap meet and its owner. Many families depended on the income, and felt the new owner had good intentions.

Mr. Moran reiterated the owner intended to add almost 400 parking spaces. In addition, he had met with the Police Chief and retained off-duty North Las Vegas Police Officers to direct traffic and provide security.

Councilman Eliason confirmed Mr. Danz had gone to the Police Chief. He added residents and vendors needed to help with some of the issues.

Mayor Pro Tempore Robinson stated residents should not be subjected to loud music. Mr. Danz stated security staff asked vendors to keep their music down, and if there were additional complaints vendors were written up and a record was kept. The owner also maintained the landscaping and picked up trash, which was not his responsibility. The owner was willing to post signs to remind patrons to dispose of trash properly.

ACTION: APPROVED SUBJECT TO THE FOLLOWING AMENDED CONDITIONS:

1. UNLESS EXPRESSLY AUTHORIZED THROUGH A VARIANCE, WAIVER OR ANOTHER METHOD, DEVELOPMENT SHALL COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES.
2. THAT UN-43-08 IS SITE SPECIFIC AND NON TRANSFERRABLE.
3. THAT UN-43-08 SHALL COMPLY WITH THE CONDITIONS OF APPROVAL FOR SPR-19-08.
4. THAT UN-43-08 SHALL BE NULL AND VOID IF ZN-12-08 IS NOT APPROVED BY THE CITY COUNCIL.
5. THAT THE EXISTING BILLBOARD ON PARCEL NO. 139-13-605-009 SHALL BE UTILIZED ONLY FOR OFF-PREMISE ADVERTISING OR THE SIGN SHALL BE REMOVED.

6. APPROVAL OF A TRAFFIC STUDY IS REQUIRED PRIOR TO SUBMITTAL OF THE CIVIL IMPROVEMENT PLANS.
7. APPROVAL OF A DRAINAGE STUDY IS REQUIRED PRIOR TO SUBMITTAL OF THE CIVIL IMPROVEMENT PLANS.
8. 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.
9. NEVADA DEPARTMENT OF TRANSPORTATION (NDOT) CONCURRENCE WITH THE RESULTS OF THE DRAINAGE STUDY IS REQUIRED PRIOR TO APPROVAL OF THE CIVIL IMPROVEMENT PLANS.
10. NEVADA DEPARTMENT OF TRANSPORTATION (NDOT) APPROVAL OF THE DRIVEWAYS IS REQUIRED.
11. AN NDOT ENCROACHMENT PERMIT FOR LANDSCAPING IN THE PUBLIC RIGHT AND FOR CONSTRUCTION OF THE PROPOSED COMMERCIAL DRIVEWAYS ON LAS VEGAS BOULEVARD IS REQUIRED.
12. ALL NEVADA POWER COMPANY EASEMENTS, APPURTENANCES, LINES AND POLES MUST BE SHOWN AND SHALL BE LOCATED ENTIRELY WITHIN THE PERIMETER LANDSCAPE AREA OF THIS DEVELOPMENT. DISTRIBUTION LINES, EXISTING OR PROPOSED, SHALL BE PLACED UNDERGROUND IF THEY ARE RELOCATED OR ADJUSTED.
13. THE PROPERTY OWNER IS REQUIRED TO SIGN A RESTRICTIVE COVENANT FOR UTILITIES.
14. 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.

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. ALL OFF-SITE IMPROVEMENTS MUST BE COMPLETED PRIOR TO FINAL INSPECTION OF THE FIRST BUILDING.
17. 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.

MOTION: Board Member Montandon

SECOND: Board Member Robinson

AYES: Chairman Eliason, Vice Chairwoman Buck, Board Members Montandon, Robinson and Smith

NAYS: None

ABSTAIN: None

4. **UN-45-08 (BROADACRES OPEN AIR MARKET); AN APPLICATION SUBMITTED BY BROADACRES OPEN AIR MARKETPLACE, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-3 GENERAL SERVICE COMMERCIAL DISTRICT AND A C-2 GENERAL COMMERCIAL DISTRICT (PROPOSED C-3 GENERAL SERVICE COMMERCIAL DISTRICT) TO ALLOW AN OUTDOOR STAGE/AMPHITHEATER AND OUTDOOR RECREATION FACILITY ON PROPERTY LOCATED AT 2960 NORTH LAS VEGAS BOULEVARD. (ASSOCIATED ITEMS NO. 3, UN-43-08, NO. 5, VN-07-08 AND NO. 9, SPR-19-08)**

ACTION: APPROVED SUBJECT TO THE FOLLOWING AMENDED CONDITIONS:

1. UNLESS EXPRESSLY AUTHORIZED THROUGH A VARIANCE, WAIVER OR ANOTHER METHOD, DEVELOPMENT SHALL COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES.
2. THAT UN-45-08 IS SITE SPECIFIC AND NON TRANSFERRABLE.
3. THAT UN-45-08 SHALL COMPLY WITH THE CONDITIONS OF APPROVAL FOR SPR-19-08.
4. THAT THE HOURS OF OPERATION FOR AMPHITHEATER/OUTDOOR STAGE PERFORMANCES SHALL BE LIMITED TO 10:00AM THROUGH 6:00PM.
5. APPROVAL OF A TRAFFIC STUDY IS REQUIRED PRIOR TO SUBMITTAL OF THE CIVIL IMPROVEMENT PLANS.
6. APPROVAL OF A DRAINAGE STUDY IS REQUIRED PRIOR TO SUBMITTAL OF THE CIVIL IMPROVEMENT PLANS.
7. 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. NEVADA DEPARTMENT OF TRANSPORTATION (NDOT) CONCURRENCE WITH THE RESULTS OF THE DRAINAGE STUDY IS REQUIRED PRIOR TO APPROVAL OF THE CIVIL IMPROVEMENT PLANS.
9. NEVADA DEPARTMENT OF TRANSPORTATION (NDOT) APPROVAL OF THE DRIVEWAYS IS REQUIRED.

10. ANNDOT ENCROACHMENT PERMIT FOR LANDSCAPING IN THE PUBLIC RIGHT AND FOR CONSTRUCTION OF THE PROPOSED COMMERCIAL DRIVEWAYS ON LAS VEGAS BOULEVARD IS REQUIRED.
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 IF THEY ARE RELOCATED OR ADJUSTED.
12. THE PROPERTY OWNER IS REQUIRED TO SIGN A RESTRICTIVE COVENANT FOR UTILITIES.
13. 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.
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. ALL OFF-SITE IMPROVEMENTS MUST BE COMPLETED PRIOR TO FINAL INSPECTION OF THE FIRST BUILDING.
16. 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.

MOTION: Board Member Montandon
SECOND: Board Member Robinson
AYES: Chairman Eliason, Vice Chairwoman Buck, Board Members Montandon, Robinson and Smith
NAYS: None
ABSTAIN: None

5. **VN-07-08 (BROADACRES OPEN AIR MARKET); AN APPLICATION SUBMITTED BY BROADACRES OPEN AIR MARKETPLACE, LLC, PROPERTY OWNER, FOR A VARIANCE IN A C-3 GENERAL SERVICE COMMERCIAL DISTRICT AND A C-2 GENERAL COMMERCIAL DISTRICT (PROPOSED C-3 GENERAL SERVICE COMMERCIAL DISTRICT) TO ALLOW A ZERO FOOT BUILDING SETBACK FROM A RESIDENTIAL ZONE BOUNDARY WHERE 30 FEET IS THE MINIMUM REQUIRED; A ZERO FOOT FRONT BUILDING SETBACK WHERE 30 FEET IS THE MINIMUM REQUIRED; AND A FIVE FOOT PARKING LOT SETBACK WHERE 10 FEET IS THE MINIMUM REQUIRED ON PROPERTY LOCATED AT 2960 NORTH LAS VEGAS BOULEVARD. (ASSOCIATED ITEMS NO. 3, UN-43-08, NO. 4, UN-45-08 AND NO. 9, SPR-19-08)**

ACTION: APPROVED 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 FOLLOWING SETBACKS WILL APPLY TO THE SUBJECT PROPERTIES:
 - A. THAT THE FRONT SETBACK FOR THE LAND USE (OPEN AIR MARKET/SWAPMEET) SHALL BE ZERO (0) FEET, AND
 - B. THAT THE SETBACK FROM A RESIDENTIAL ZONE BOUNDARY SHALL BE ZERO (0) FEET.

MOTION: Board Member Montandon
SECOND: Board Member Robinson
AYES: Chairman Eliason, Vice Chairwoman Buck, Board Members Montandon, Robinson and Smith
NAYS: None
ABSTAIN: None

BUSINESS

9. **SPR-19-08 (BROADACRES OPEN AIR MARKET); AN APPLICATION ON BEHALF OF BROADACRES OPEN AIR MARKETPLACE, LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-3 GENERAL SERVICE COMMERCIAL DISTRICT AND A C-2 GENERAL COMMERCIAL DISTRICT (PROPOSED C-3 GENERAL SERVICE COMMERCIAL DISTRICT) FOR AN EXPANSION TO AN EXISTING SWAP MEET CONSISTING OF A 6,000 SQUARE FOOT BEVERAGE/RESTROOM BUILDING; AN ADDITIONAL PARKING AREA; AN ENTERTAINMENT VENUE; AND ADDITIONAL FOOD STALLS ON PROPERTY LOCATED AT 2960 NORTH LAS VEGAS BOULEVARD. (TABLED JULY 2, 2008) (ASSOCIATED ITEMS NO. 3, UN-43-08, NO. 4, UN-45-08 AND NO. 5, VN-07-08)**

ACTION: APPROVED SUBJECT TO THE FOLLOWING AMENDED CONDITIONS:

1. UNLESS EXPRESSLY AUTHORIZED THROUGH A VARIANCE, WAIVER OR ANOTHER METHOD, DEVELOPMENT SHALL COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES.
2. THAT SPR-19-08 SHALL BE NULL AND VOID IF ZN-12-08 IS NOT APPROVED BY THE CITY COUNCIL.

3. THAT THE EXISTING BILLBOARD ON PARCEL NO. 139-13-605-009 SHALL BE UTILIZED ONLY FOR OFF-PREMISE ADVERTISING OR THE SIGN SHALL BE REMOVED.
4. THAT THE PROPOSED EXPANSION SHALL ADHERE TO ALL COMMERCIAL DESIGN STANDARDS AND GUIDELINES WITHIN TITLE 17.24.200 WITH THE EXCEPTION OF THE FOLLOWING DESIGN STANDARDS AND GUIDELINES:
 - A. MEANDERING SIDEWALKS SHALL NOT BE REQUIRED ALONG NORTH LAS VEGAS BOULEVARD.
 - B. THE DESIGN STANDARD FOR A 20 FOOT PERIMETER LANDSCAPED AREA ALONG NORTH LAS VEGAS BOULEVARD, CONTAINED WITHIN THE SUBJECT PROPERTIES AND MEASURED FROM THE PROPERTY LINE, SHALL NOT BE REQUIRED. IN LIEU OF THIS DESIGN STANDARD, THE PROPERTY OWNER SHALL PROVIDE 27-37 FEET OF LANDSCAPED AREA (INCLUDING EXISTING SIDEWALKS) OF WHICH 25-27 FEET WILL BE WITHIN NDOT RIGHT-OF-WAY, AND 2-10 FEET WILL BE WITHIN THEIR PROPERTY, AS DEPICTED ON THE SITE PLAN.
 - C. THE DESIGN STANDARD REQUIRING ANY AREA OF A PARKING LOT WHICH ABUTS A PUBLIC STREET SHALL BE SETBACK FROM THE PROPERTY LINE A MINIMUM OF 20 FEET WITH A LANDSCAPED BERM OR A THREE (3) FOOT DECORATIVE SCREEN WALL SHALL NOT BE REQUIRED. IN LIEU OF THIS DESIGN STANDARD, THE PROPERTY OWNER SHALL PROVIDE A TEN (10) FOOT SETBACK FROM THE PROPERTY LINE WITH THE INCLUSION OF A THREE (3) FOOT DECORATIVE SCREEN WALL AND LANDSCAPED AREA AS DEPICTED ON THE SITE PLAN.
 - D. THE DESIGN STANDARD REQUIRING A 20 FOOT LANDSCAPE BUFFER AREA FROM THE REAR PROPERTY LINE THAT ABUTS RESIDENTIAL PROPERTIES SHALL NOT BE REQUIRED.
5. THAT ALL PROPOSED SITE-BUILT STRUCTURES AND DECORATIVE WALLS SHALL USE STONE, STUCCO, COLORED

OR EXPOSED AGGREGATE OR TEXTURED FINISH CONCRETE, DECORATIVE BLOCK AND BRICK AS PREFERRED MATERIALS FOR BUILDING EXTERIORS AND DECORATIVE WALLS. SIMULATED MATERIALS AND BUILDING SYSTEMS WHICH PROVIDE A LOOK WHICH IS SIMILAR TO THE PREFERRED MATERIALS MAY ALSO BE ACCEPTABLE.

6. APPROVAL OF A TRAFFIC STUDY IS REQUIRED PRIOR TO SUBMITTAL OF THE CIVIL IMPROVEMENT PLANS.
7. APPROVAL OF A DRAINAGE STUDY IS REQUIRED PRIOR TO SUBMITTAL OF THE CIVIL IMPROVEMENT PLANS.
8. 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.
9. NEVADA DEPARTMENT OF TRANSPORTATION (NDOT) CONCURRENCE WITH THE RESULTS OF THE DRAINAGE STUDY IS REQUIRED PRIOR TO APPROVAL OF THE CIVIL IMPROVEMENT PLANS.
10. NEVADA DEPARTMENT OF TRANSPORTATION (NDOT) APPROVAL OF THE DRIVEWAYS IS REQUIRED.
11. AN NDOT ENCROACHMENT PERMIT FOR LANDSCAPING IN THE PUBLIC RIGHT AND FOR CONSTRUCTION OF THE PROPOSED COMMERCIAL DRIVEWAYS ON LAS VEGAS BOULEVARD IS REQUIRED.
12. THE NORTHERN MOST DRIVEWAY EXISTING ON APN-139-13-605-006 MUST BE CLOSED AND REPLACED WITH SIDEWALK AND CURB & GUTTER; AND THE SOUTHERNMOST DRIVEWAY ON THE SAME PARCEL SHALL BE RECONSTRUCTED PER THE CCAUSD #226 TO BE USED AS EMERGENCY ACCESS ONLY.
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 IF THEY ARE RELOCATED OR ADJUSTED.

14. THE PROPERTY OWNER IS REQUIRED TO SIGN A RESTRICTIVE COVENANT FOR UTILITIES.
15. 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.
16. 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.
17. ALL OFF-SITE IMPROVEMENTS MUST BE COMPLETED PRIOR TO FINAL INSPECTION OF THE FIRST BUILDING.
18. 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.
19. FIRE ACCESS LANES SHALL BE MARKED TO PROHIBIT PARKING IN ACCORDANCE WITH THE FIRE CODE.
 20. FIRE ACCESS LANES SHALL BE CLEARLY DEFINED BY EITHER CURBING OR MARKING THE BOUNDARIES ON THE GROUND.
 21. THE PARKING LOT SHALL BE EQUIPPED WITH ADEQUATE LIGHTING, AS APPROVED AFTER REVIEW BY THE NORTH LAS VEGAS POLICE DEPARTMENT.
 22. THERE SHALL BE EITHER SECURITY PATROLS OR SECURITY CAMERAS INSTALLED IN THE PARKING LOT.
 23. BOTH THE STAGE AREA AND THE BEVERAGE BUILDING SHALL BE EQUIPPED WITH SECURITY LIGHTING AND AN ALARM.
 24. THERE SHALL BE STRICT TIME RESTRICTIONS FOR WHEN PERFORMANCES CAN BE DONE, AS NOT TO INTERFERE WITH THE QUALITY OF LIFE OF THE NEIGHBORING RESIDENTIAL AREAS.
 25. A CPTED ANALYSIS FOR THIS SITE SHALL BE REQUIRED.

MOTION: Board Member Montandon
SECOND: Board Member Robinson
AYES: Chairman Eliason, Vice Chairwoman Buck, Board Members Montandon, Robinson and Smith
NAYS: None
ABSTAIN: None

CONSENT AGENDA

6. APPROVAL OF REGULAR REDEVELOPMENT AGENCY MEETING MINUTES OF JULY 2, 2008.

ACTION: APPROVED

MOTION: Board Member Smith
SECOND: Board Member Robinson
AYES: Chairman Eliason, Vice Chairwoman Buck, Board Members Montandon,
Robinson and Smith
NAYS: None
ABSTAIN: None

7. **UN-61-08 (SUNRISE AUTO SALES); AN APPLICATION SUBMITTED BY HERNANDEZ EDGARDO ISRAEL ET AL, PROPERTY OWNERS, FOR A SPECIAL USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW AUTOMOBILE SALES ON PROPERTY LOCATED AT 2643 NORTH LAS VEGAS BOULEVARD. (SET PUBLIC HEARING FOR SEPTEMBER 3, 2008)**

ACTION: PUBLIC HEARING SET FOR SEPTEMBER 3, 2008

MOTION: Board Member Smith
SECOND: Board Member Robinson
AYES: Chairman Eliason, Vice Chairwoman Buck, Board Members Montandon,
Robinson and Smith
NAYS: None
ABSTAIN: None

8. **UN-62-08 (LOBO AUTO ACCESSORIES); AN APPLICATION SUBMITTED BY JUAN PABLO HERNANDEZ, ON BEHALF OF HERNANDEZ EDGARDO ISRAEL ET AL, PROPERTY OWNERS, FOR A SPECIAL USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW AN AUTOMOBILE SERVICE FACILITY ON PROPERTY LOCATED AT 2643 NORTH LAS VEGAS BOULEVARD. (SET PUBLIC HEARING FOR SEPTEMBER 3, 2008)**

ACTION: PUBLIC HEARING SET FOR SEPTEMBER 3, 2008

MOTION: Board Member Smith
SECOND: Board Member Robinson
AYES: Chairman Eliason, Vice Chairwoman Buck, Board Members Montandon,
Robinson and Smith
NAYS: None
ABSTAIN: None

PUBLIC FORUM

There was no public participation.

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 6:43 P.M.

MOTION: Chairman Eliason

SECOND: Vice Chairwoman Buck

AYES: Chairman Eliason, Vice Chairwoman Buck, Board Members Montandon,
Robinson and Smith

NAYS: None

ABSTAIN: None

APPROVED: September 3, 2008

/s/ Robert L. Eliason

Chairman Robert L. Eliason

ATTEST:

/s/ Karen L. Storms

Karen L. Storms, CMC
City Clerk