

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

October 11, 2006

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

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

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

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

STAFF PRESENT: Marc Jordan, Planning Manager
Robert Eastman, Principal Planner
Jeremy Davis, Planner
Nick Vaskov, Deputy City Attorney II
Bethany Sanchez, Deputy City Attorney
Jennifer Doody, PW, Development & Flood Control
Eric Hawkins, Public Works
Janice Carr, Fire Department
Jose Rodriguez, Police Department
Jo Ann Lawrence, Recording Secretary

VERIFICATION: Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE: Commissioner Steve Brown

MINUTES

• **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF SEPTEMBER 13, 2006.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

CONSENT AGENDA

A. PW-170-06 (27593) CENTENNIAL BRUCE N. 40, UNIT 1 PHASE 2: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY AMERICAN MOTORISTS INSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$122,361.25.

ACTION: APPROVED

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

B. PW-171-06 (27595) SANTA ROSA: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY SAFECO INSURANCE COMPANY OF AMERICA TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$660,185.57.

ACTION: APPROVED

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

C. PW-172-06 (27596) CLAYTON/EL CAMPO GRANDE, UNIT 2: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA TO RELEASE THE PERFORMANCE BOND IN THE AMOUNT OF \$1,024,553.81.

ACTION: APPROVED

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

D. PW-173-06 (27597) NORTH MEADOWS, UNIT 4: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY AMWEST INSURANCE SURETY COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$319,473.82.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: Commissioner Shull

E. PW-174-06 (27598) LOGISTICENTER, PHASE 2: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY BANK OF AMERICA TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$2,410,062.55.

ACTION: APPROVED

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

F. PW-175-06 (27599) CORONADO STONE: APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY CREATIVE STONE MFG., INC. AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$91,686.93.

ACTION: APPROVED

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

G. PW-176-06 (27600) LOGISTICENTER BLDG. 3: APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY DP INDUSTRIAL, LLC AND ACCEPT THE IRREVOCABLE STANDBY LETTER OF CREDIT IN THE AMOUNT OF \$163,021.28.

ACTION: APPROVED

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

H. PW-177-06 (27615) BROADSTONE HIGH DESERT: APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY BROADSTONE HIGH DESERT, LLC AND ACCEPT THE CASH-IN-LIEU OF BOND AGREEMENT - SEPARATE ACCOUNT IN THE AMOUNT OF \$624,847.47.

ACTION: APPROVED

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 6 was heard next.

NEW BUSINESS

1. **UN-100-05 (27368) CENTENNIAL SIMMONS PLAZA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF SIMMONS II, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED SPECIAL USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT ALLOWING A CHILD CARE FACILITY. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-29-513-005.**

The application was presented by Marc Jordan, Planning Manager who stated when the application was previously approved, it was in conjunction with a Planned Unit Development (PUD). At the time the use permit was considered, there was two conditions placed on it. One condition was, that they gain approval from City Council for the PUD and the second condition was, that they comply with all conditions of approval for the PUD. Since that time, the applicant has rezoned the property back to C-1; therefore, the application needs to be amended to remove those two conditions. Staff has no objection and is recommending approval of UN-100-05. In the Staff Report, seven conditions are listed, but Condition No. 4 in the Staff Report was deleted (Condition No. 6) on the original approval of the application; therefore, Condition No. 4 should be deleted. The original conditions, as shown in the Staff Report are as follows:

1. That, unless expressly authorized through a variance, waiver or another approved method, the use shall comply with all applicable codes and ordinances.
2. The development shall comply with the Commercial Development Standards and Design Guidelines, including, but not limited to, all required landscape buffers and consistent detailing on all four (4) sides of the building.
3. The use permit is site specific and non-transferrable.
4. The applicant must demonstrate that there is a minimum 400 foot separation between the proposed day care facility and the proposed supper club.
5. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.
6. Fire access lanes shall be designed in accordance with Fire Code requirements.

7. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant stating he concurred with Staff recommendation with the deletion of Condition No. 4.

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 WITH THE DELETION OF CONDITION NO. 4

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

2. UN-104-06 (27287) SINGLE-FAMILY DWELLING (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JOSE M. TAPIA, PROPERTY OWNER, FOR A USE PERMIT IN AN R-3 MULTIFAMILY RESIDENTIAL DISTRICT TO ALLOW A SINGLE FAMILY DWELLING. THE PROPERTY IS LOCATED AT 3325 THOMAS AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-24-610-241.

The application was presented by Marc Jordan, Planning Manager who stated the existing lot was approximately 5,000 square feet; the applicant has shown they could comply with the set back requirements and were proposing a single story home. According to the elevations, the building would consist of a stucco exterior and they indicated they were requesting a waiver to allow a composite shingle roof where a concrete tile roof was normally required under the Single-family Design Guidelines. In reviewing that, Staff looked at the area and there were no existing residences or multi-family residences in the area that had concrete tile roofs; therefore, a composite shingle roof would be consistent with the area, so Staff had no objection to the waiver. In reviewing the building design, the applicant had not indicated that there was four-sided architectural features, such as pop-outs around the doors and windows, so Staff was recommending approval of UN-104-06 with a condition that the pop-out features be provided on the building as required by the Design Guidelines. 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. The Single-Family Design Guidelines shall be met, with the exception that composition shingles may be utilized as an allowable roofing material for this project.

Saul Del Real, 1400 E. Webb Avenue, North Las Vegas, NV 89030 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 Shull

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

3. **VN-25-06 (27380) ARCO AM/PM (PUBLIC HEARING). AN APPLICATION SUBMITTED BY BP WEST COAST PRODUCTS, LLC, PROPERTY OWNER, FOR A VARIANCE IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A 10' BUILDING SET BACK WHERE 20' IS REQUIRED. THE PROPERTY IS LOCATED AT 2000 EAST CHEYENNE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-11-805-001.**

The application was presented by Marc Jordan, Planning Manager who stated Staff was not supporting the variance request. According to the zoning ordinance and NRS, Staff feels there was nothing unique, exceptional or peculiar about the site that would warrant approval of a variance. The applicant has not shown hardship and there are no conditions that apply to the property that do not apply to the surrounding properties. Also, Staff was concerned that by approving the variance, it could set a precedent that would not necessarily apply to other districts or C-2 properties in the area; therefore, Staff did not find the applicant complied with the guidelines in the Zoning Ordinance or the NRS requirements to warrant approval. Staff is recommending VN-25-06 be denied. Should the Commission determine approval was warranted, Staff recommends 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 convenience food store building shall be in accordance with the site plan submitted herein and shall maintain a minimum 10 foot front setback. All other setbacks shall be in accordance with the C-2, General Commercial District.

Kenneth Ballard, 3132 Sirius, Las Vegas, NV 89102 appeared on behalf of the applicant stating the fuel canopy had a zero setback and they were trying to revitalize the site solving some traffic issues by eliminating two driveway cuts, one on Civic Center Drive and one on Cheyenne Avenue. By doing that, he felt the site layout was the most conducive to revitalizing the site and allowed for proper circulation, eliminating current traffic issues.

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

Chairman Carvalho closed the Public Hearing.

Commissioner Steve Brown asked the applicant why he did not feel he could accomplish the same thing with the required setbacks. Mr. Ballard responded he had looked at developing the site with other layouts and, in doing so, the circulation around the site and

fuel canopies did not work. The building could not be moved further north and the site plan submitted was the most workable plan.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS;
FORWARDED TO REDEVELOPMENT AGENCY FOR FINAL
CONSIDERATION

MOTION: Commissioner Aston

SECOND: Commissioner Shull

AYES: Commissioners Aston, Shull, Cato and Trivedi

NAYS: Chairman Carvalho, Vice-Chairman Brown and Commissioner Leavitt

ABSTAIN: None

Marc Jordan, Planning Manager stated since VN-25-06 was in the Redevelopment area, the application would be forwarded to the Redevelopment Agency for final consideration.

4. UN-106-06 (27381) ARCO AM/PM (PUBLIC HEARING). AN APPLICATION SUBMITTED BY BP WEST COAST PRODUCTS, 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 LOCATED AT 2000 EAST CHEYENNE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-11-805-001.

The application was presented by Marc Jordan, Planning Manager who stated Staff was recommending continuance of UN-106-06. The applicant requested a couple of waivers, one was to reduce the perimeter landscaping along Cheyenne Avenue and Civic Center Drive and the second waiver request was to not orientate the building to the corner of the site. Specifically, regarding the building orientation, Staff believes that by orienting to the corner, it would provide better access to the surrounding properties. As it was now, when looking at the design, there was no access to the property to the north or east. By orienting the building to the corner, they would be able to have cross-over access; therefore, you would have a better integrated site with the center and vehicles would not be required to travel onto Civic Center to go to the other businesses in the complex. In regards to the landscaping along Cheyenne Avenue and Civic Center, the applicant was proposing seven feet of landscaping on Cheyenne Avenue that would be closest to the intersection of Civic Center and, according to the variance before, ten feet of landscaping was required next to the building where 20 feet was normally required. Staff was recommending the 20 feet of landscaping. As far as Civic Center Drive landscaping, the applicant was proposing 8.5 feet of landscaping and Staff was not supporting that waiver request. Additional landscaping is required around the trash enclosure for screening and the building, though they show a building with a stucco exterior, does not have four-sided architectural features so the building would need to be redesigned to incorporate some jogs and off-sets to help break up the long mass of the building. In addition, because of the roof mounted equipment, the applicant has not demonstrated they have a parapet that would be tall enough to screen the equipment, so the building elevations would need to be redesigned to show compliance with those requirements. Staff was recommending that UN-106-06 be continued so the applicant could revise their plan and to produce elevations that show compliance.

Kenneth Ballard, 3132 Sirius, Las Vegas, NV 89102 appeared on behalf of the applicant stating they were contemplating adding additional landscaping and moving the existing underground tanks further into the site to provide more landscaping buffer at the corner. The trash enclosure may be placed to face the store and be screened by the landscape.

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

Chairman Carvalho closed the Public Hearing.

Commissioner Harry Shull asked the applicant if he was anticipating moving the existing tanks. Mr. Ballard responded currently the plan was to utilize the same location due to cost. If the Board wanted them relocated and add additional landscaping and they would be willing to do that.

Chairman Jay Aston asked how long it took an application to go to the Redevelopment Agency. Mr. Jordan responded, if all went well, they could probably be scheduled for introduction the first meeting in November, with the final action being taken at the first meeting in December. He explained the applications were public hearings and the Redevelopment Agency only met once per month.

Mr. Ballard stated he was willing to work with Staff on changing the elevations on all four sides. Chairman Aston stated if the applicant was willing to continue, he would still have time, as it would not go to the Redevelopment Agency within that length of time. Mr. Ballard asked if the application could be continued to November 8, 2006.

ACTION: CONTINUED TO NOVEMBER 8, 2006

MOTION: Commissioner Aston

SECOND: Vice-Chairman Brown

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

NAYS: None

ABSTAIN: None

5. **UN-105-06 (27371) ALIANTE MARKET PLACE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY BRIAN KIM ON BEHALF OF NVE COMMERCIAL, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A MPC / C-2 MASTER PLANNED COMMUNITY GENERAL COMMERCIAL DISTRICT TO ALLOW THE "ON-SALE" OF ALCOHOLIC BEVERAGES (BEER AND WINE) IN CONJUNCTION WITH A RESTAURANT. THE PROPERTY IS LOCATED AT 2760 DEER SPRINGS WAY, SUITE 101. THE ASSESSOR'S PARCEL NUMBER IS 124-20-612-009.**

The application was presented by Robert Eastman, Principal Planner who stated the applicant was proposing to locate their restaurant in a portion of Pad 2 on the southern side adjacent to Deer Springs Way. The application was in compliance with Title 5 and the provide the minimum 45 seats, specifically, they were showing 54 seats on their floor plan and it was in compliance with both the current Title 5 and Title 17 as it related to Aliante. Therefore, Staff was recommending approval of UN-105-06 with four conditions as follows:

1. That the development shall be in compliance with Chapter 5.26 of the North Las Vegas Municipal Code. (North Las Vegas Liquor Control Ordinance)
2. Unless expressly, authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
3. The commercial development shall be in compliance with the Aliante Commercial Development Standards and Design Guidelines.
4. The Development shall comply with all conditions of approval for SPR-35-04.

The applicant was not present for comment.

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

Chairman Carvalho closed the Public Hearing.

Commissioner Steve Brown asked Staff if the beer and wine application was sufficient as they were planning to serve beer and sake. Mr. Eastman responded there was a differentiation; however, the content in saki still met the definition in the beer and wine license.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

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

Item No. 7 was heard next.

6. **AMP-41-06 (27316) AZURE AND LINN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MARK LEFKOWITZ ON BEHALF OF LINN AZURE, LLC, NORTH LYNN, LLC, I-15 EXPOSURE, LLC, AND GRAVITY FIGHTERS, LLC, PROPERTY OWNERS, FOR AN AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS TO REMOVE AZURE AVENUE BETWEEN LINN LANE AND BONNIE LANE; AND TO REMOVE LINN LANE COMMENCING 410 FEET NORTH OF REISS LANE AND PROCEEDING NORTH TO AZURE AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 123-28-601-005, 123-28-601-003, 123-28-601-006, AND 123-28-601-010.**

Chris Crop with DRC Engineering, 7180 Industrial Road, Las Vegas, NV 89118 appeared on behalf of the applicant asking for a continuance to November 8, 2006 so they could hold the neighborhood meeting.

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

Chairman Carvalho stated the Public Hearing would remain open.

ACTION: CONTINUED TO NOVEMBER 8, 2006

MOTION: Commissioner Aston

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 14 was heard next.

7. VN-23-06 (27365) CHEYENNE VALLEY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CENTEX HOMES, PROPERTY OWNER, FOR A VARIANCE IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A 5'-4" CORNER SIDE YARD SETBACK WHERE 10' IS REQUIRED. THE PROPERTY IS LOCATED AT 3365 NICKI COMETA STREET. THE ASSESSOR'S PARCEL NUMBERS IS 139-07-810-039.

The application was presented by Robert Eastman, Principal Planner who stated this was a PUD that was originally given waivers to allow them to reduce their side yard landscaping to six feet and a sidewalk, or if they did not have a sidewalk, then it would be reduced to a total of six feet. The applicant proposed, with this application, that the home be placed 5'4" from the property line; whereas, the setbacks were not amended with the PUD; therefore, a variance was required. It was Staff's position that the applicant did not have a unique circumstance on the lot nor was this more unusual than any other number of lots within North Las Vegas. There are a number of corner lots located within the City and Staff felt that most other builders were able to comply with the setbacks and this builder should also comply. Therefore, Staff was recommending denial of VN-23-06. Should the Commission determine approval was warranted, the following conditions were recommended:

1. This variance is site-specific (i.e., Lot #20) and non-transferable.
2. Unless expressly authorized through a variance, waiver or another approved method, this site shall comply with all applicable codes and ordinances.
3. The corner side yard setback from Thomas Patrick Avenue shall be reduced from 10 feet to 5'-4", for the portion of the dwelling as identified on the attached "Cheyenne Valley Exhibit."
4. A minimum 6'-0" of landscaping shall be provided between the dwelling and Thomas Patrick Avenue, except where the structure is allowed to encroach per condition #3 above. A sidewalk between Lot #20 and Thomas Patrick Avenue shall be prohibited.
5. The landscape area along the north side of Lot #20 shall be provided with, in addition to one 24" box tree per 25 linear feet, a sufficient number of shrubs to provide a minimum 80% coverage within two years of planting. Prior to the issuance of a building permit for Lot #20, a landscape and irrigation plan must be submitted for review and approval. If necessary, a root and water barrier shall be provided to prevent roots and water from adversely impacting the foundation of the dwelling.

6. The development of this site shall be in compliance with the conditions approved for T-1057, FDP-02-04 and Ordinance Number 1872 (ZN-76-02.)

Dean Rasmuson of Orion Engineering, 7391 Prairie Falcon Road, Suite 150, Las Vegas, NV 89117 appeared on behalf of the applicant stating his client bought the subdivision, which had finished lots and the paving, curb and gutters and utilities already completed. The corner lot does not fit the existing models or the new models. The lots are 30 feet wide and the home itself was 20 feet wide. One of the options was to build a narrower home, but that was not cost effective and he also met with Public Works to change the utilities which was also not cost effective.

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, Commissioners Aston, Leavitt, Shull, Cato, and Trivedi

NAYS: Vice-Chairman Brown

ABSTAIN: None

8. VAC-19-06 (27277) GUSTAVO DELEON (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GUSTAVO DELEON, PROPERTY OWNER, TO VACATE THE WESTERLY EIGHT (8) FOOT PORTION OF COMMERCE STREET COMMENCING AT WINDSOR AVENUE AND PROCEEDING SOUTH ALONG COMMERCE STREET APPROXIMATELY 90 FEET. THE ASSESSOR'S PARCEL NUMBER IS 139-15-210-370.

The application was presented by Marc Jordan, Planning Manager who stated Commerce Street was dedicated as a 68 foot right-of-way and was shown on the Master Plan of Streets and Highways as a 60 foot right-of-way; therefore, Staff had no objection to the eight foot vacation; however, in reviewing the application, Public Works indicated that Windsor Avenue was presently dedicated as a 42 foot right-of-way, which was supposed to be a 48 foot right-of-way; therefore, the applicant would need to dedicate an additional three feet along Windsor for their half street share of the right-of-way. Staff was recommending approval of VAC-19-06 subject to two conditions, with Condition No. 2 being the requirement for the dedication of the three feet of Windsor Avenue. The recommended conditions are as follows:

1. The vacation must record concurrently with the reversionary final map. Should the Order of Vacation not record within two years from the approval date, the vacation shall be deemed null and void.
2. Dedicate the following right-of-way: Three (3) feet on Windsor Avenue and associated spandrel.

Gustavo Deleon, 1020 East Oakey Boulevard, Las Vegas, NV 89104 stated 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 Aston

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

NAYS: None

ABSTAIN: None

9. ZOA-15-05 (23546) TEXT AMENDMENT (PUBLIC HEARING). AN ORDINANCE AMENDMENT INITIATED BY REPUBLIC SERVICES OF SOUTHERN NEVADA TO AMEND TITLE 17 (ZONING ORDINANCE), SECTION 17.12.020 TO PROVIDE DEFINITIONS FOR "MATERIAL RECOVERY FACILITIES", SECTION 17.20.140(C) TO ADD A "MATERIAL RECOVERY FACILITY" AS A SPECIAL USE IN THE M-2 GENERAL INDUSTRIAL DISTRICT, AND SECTION 17.24.020(C) TO ADD CONDITIONS FOR SPECIFIC SPECIAL USES FOR A MATERIAL RECOVERY FACILITY; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

The application was presented by Jeremy Davis, Planner who stated ZOA-15-05 was an application by Republic Services of Southern Nevada to add a material recovery facility (MRF) as a special use in the M-2 General Industrial District. The application would add that and definitions for MRF and the conditions for a MRF as a special use in that zone. He explained a materials recovery facility was a facility that processed solid waste to extract recyclable material. There were generally two types of MRF's. There was a clean MRF and a dirty MRF. Clean MRF's were more related to the recycling center that was currently in the zoning ordinance and a dirty MRF was not currently in the zoning ordinance. The aspects of materials recovery facilities include the intensity of the use, the quality of materials accepted for processing, impacts between higher intensity and lower intensity MRF's differ largely by the quantity or amount of mixed solid waste accepted at the facility. An example of a higher intensity facility was located in Placer County California and that process was in excess of 1,000 tons of solid waste per day. An example of a lower intense facility also was in California, which processes about 200 tons per day. Some of the nuisance impacts with dirty MRF's would include the odor, litter and views of the facility and outdoor storage areas from surrounding properties. Odor was usually controlled by an active odor control method such as a misting system that could either be placed inside of the building in the processing area or around the perimeter of the property by spraying a perfume. Another aspect would be the quality of the solid waste accepted at the facility. Generally, the facilities accept waste that was low putrescible waste, which was waste that could be easily deteriorated like garbage, food, or animal waste, etc., as they need to have waste that is of a high quality so it could be marketable after it was recovered. Another aspect was the diversion rate. Generally, dirty MRF recovers approximately 10 to 45 percent of the material it takes in, depending on the quality of the mixed incoming solid waste. According to a 1997 Oregon Study, an estimated average of 37 percent of the materials in their dirty MRF's was recovered. Staff was recommending the proposed text amendment by Republic Services be changed. Originally, they had proposed a text amendment that allowed approximately 4,000 tons per day, which was determined to be a high intensity facility and was proposing to split that into a low intensity facility and a high intensity facility. The main aspects determining a low intensity and high intensity facility, was the low intensity would be limited to 200 tons per day. As listed in the

Staff Report, it said 6,000 tons per month. A high intensity facility would then be limited to 4,000 tons per day. The low intensity facilities would also only be able to be done in conjunction with an existing recycling facility. There currently was not a location for a high intensity facility. Both facilities would be restricted to a minimum diversion rate of 50 percent and include source separated recyclable material in their intake. Staff recommends approval of ZOA-15-05 as shown in the Staff Report.

Stephanie Allen of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant stating she concurred with Staff recommendation, with the exception of 17.24.020.C.15.a.6.(a). of the Screening Section, both in the low intensity and the high intensity. With respect to the screening requirement of an 8' wall under the low intensity and the 10' wall in the high intensity and she understood it was a City wide ordinance, but with respect to Republic Services, they could not currently meet with their existing facility and asked if a clause could be added saying“, or as otherwise approved by the City”, with respect to the wall height.

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

Chairman Carvalho closed the Public Hearing.

Commissioner Jay Aston asked Ms. Allen if she was referring to an existing facility that already had a wall around the facility, and the condition would alter that. Ms. Allen stated that was correct. Commissioner Aston asked if there was a way to word the condition for a property that was already in existence and already functioning.

Marc Jordan, Planning Manager responded this was a text amendment that applied for the City and was not intended to be written for a specific use. He stated, when the use permit was considered, the existing site would be taken into consideration and there could be an exception made and a condition could be added that any outside storage could not exceed the height of the existing wall. Chairman Aston asked if a use permit could override the ordinance. Mr. Jordan responded, it has been done in the past. He does not feel comfortable adding the language to the ordinance, because it was not written site specific; it applied to the whole City.

Commissioner Steve Brown asked why we were requiring eight foot and ten foot walls. Mr. Davis responded eight feet was consistent with the current requirements in Title 17 for outdoor storage areas and ten feet was for high intensity because it was expected they would have higher piles.

Ms. Allen stated she appreciated the discussion and wanted it on record that she understood for an existing facility, when they came in for a use permit, understanding they could not comply with the ordinance, that would be taken into account and felt that was fair.

Nick Vaskov, Deputy City Attorney clarified there was some discretion in the use permit process to take existing conditions into account.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL
CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

10. ZOA-16-06 (27389) CNLV (PUBLIC HEARING). AN ORDINANCE AMENDMENT INITIATED BY THE CITY OF NORTH LAS VEGAS TO AMEND TITLE 17 (ZONING ORDINANCE), SECTION 17.12.020, TO AMEND THE DEFINITION OF "GROUP CARE FACILITY" AND PROVIDE A DEFINITION OF "TRANSITIONAL HOUSING"; AND TO ADD TRANSITIONAL HOUSING AS A SPECIAL USE IN SECTIONS 17.20.030(C), 17.20.040(C), 17.20.050(C), 17.20.060(C), 17.20.100(C), 17.20.110(C), AND 17.20.210(C) REFERRING TO THE R-EL, R-1, R-CL, R-2, C-1, C-2, R-A/R-2 ZONING DISTRICTS; AND AMEND SECTION 17.24.020(C) TO ADD CONDITIONS FOR SPECIFIC SPECIAL USES FOR TRANSITIONAL HOUSING; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

The application was presented by Robert Eastman, Principal Planner who explained, with the text amendment, conditions would be added for the transitional housing, which would require minimum square footage for the lot and it would require outdoor areas for the residents. It all added parking requirements for the use and a distance separation requirement of 1,000 feet between each use. It also allowed the distance requirement to be waived using the same method, or very similar method to what was already in place for taverns, payday loans and short term loans. The text amendment added a definition for transitional housing, which has been defined by the State for half-way houses for people released from jail or prison and this was their transition back into normal society and, if they go to a half-way house, it would be covered by the transitional housing ordinance. The ordinance does not address group care facilities and other types of group care facilities, whether they were for drug or alcohol rehabilitation, which may come at a later time. Staff was recommending approval of ZOA-16-06 and that it be forwarded to City Council for adoption.

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

- **Tom Pennington, 1929 Camino Mirada, North Las Vegas, NV 89031** stated he would also like to see a Planned Unit Development (PUD) included in transitional housing. He read suggestions by Vista Del Norte residents, a copy of which was submitted for the file.
- **Tony Kazunic, 3013 Hot Cider Avenue, North Las Vegas, NV 89031** stated notification should be sent to existing residents before a use permit was issued.

Chairman Carvalho asked Staff if notification was included in the ordinance. Marc Jordan, Planning Manager responded the ordinance making transitional housing as a special use, would require a public hearing, which required notification of the surrounding residents.

Chairman Carvalho closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL
CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

11. SPR-39-06 (27377) 2227 STATZ STREET. AN APPLICATION SUBMITTED BY DIAZ AND LEED, LTD, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO ALLOW A REDUCTION IN THE SIDE AND REAR YARD LANDSCAPE BUFFER WIDTH. THE PROPERTY IS LOCATED AT 2227 STATZ STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-24-110-282.

The application was presented by Jeremy Davis, Planner who stated the applicant was requesting approval of a major site plan review to develop an eight unit multifamily apartment complex consisting of two buildings. The waiver was being requested to reduce the buffer landscaping on the north, south and west property lines to approximately 11.5 feet. The surrounding land uses were multifamily and Staff did not have any objections to the waiver request and recommended approval of the site plan review subject to ten conditions of approval as follows:

1. That, unless otherwise approved through a variance, waiver or other approved method, this development shall comply with all applicable codes and ordinances.
2. The development shall comply with the Multi-Family Development Standards including but not limited to the following;
 - a. A minimum of 2,680 square feet of Open Space (75% usable)
 - b. A minimum 11 feet 6 inch landscape buffer be provided along the north and south property lines.
 - c. A minimum 11 feet 2 inch landscape buffer be provided along the west property line.
 - d. Buildings must incorporate jogs, offsets, or other architectural features, and roof variety and variations of roof lines.
3. The maximum height of all buildings shall not exceed 35.0 feet.
4. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
5. 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.
6. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 226, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.

7. 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.
8. 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.
9. Approval of a drainage study is required prior to submittal of the civil improvement plans.
10. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

Ken Ballard, 3132 Sirius, Las Vegas, NV 89102 appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

12. SPR-38-06 (27270) SOUTHERN NV LUMBER. AN APPLICATION SUBMITTED BY PACIFIC DESIGN CONCEPTS ON BEHALF OF DMR INVESTMENTS, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW AN OUTDOOR LUMBER STORAGE YARD AND A MODULAR OFFICE. THE PROPERTY IS LOCATED AT 4701 MITCHELL STREET. THE ASSESSOR'S PARCEL NUMBER IS 140-06-110-004.

The application was presented by Jeremy Davis, Planner who stated the lumber yard was currently deficient in the areas of perimeter landscaping along Mitchell Street. The site plan showed approximately five feet of landscaping where 20 feet was required. The applicant proposed a modular building, which does not meet the Commercial Development Standards and appears to be more of a temporary building. Temporary buildings are limited to one year and require a special use permit. Staff originally stated they were short of parking, but upon further analysis, it was discovered parking for outdoor storage was not addressed in the zoning ordinance, so were recommending amending the conditions of approval to accommodate that. Staff had originally recommended denial based primarily on the parking and were now changing the recommendation to approval with 13 conditions with the addition of two more conditions and an amendment to Condition No. 7. Staff was proposing to amend Condition No. 7 to read: "One driveway shall be permitted. The location shall be 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." In order to accommodate the parking, Staff was recommending Condition No.14 be added to read: "The required quantity of parking spaces for the development shall be based upon a parking study submitted to, and approved by the Department of Public Works prior to submittal of the civil improvement plans and building plans." In order to address the modular building that has been proposed, Staff recommends adding Condition No. 15 to read: "Any building or structure constructed on this site shall be permanent and shall comply with the Industrial Development Standards." The original conditions listed in the Staff Report are as follows:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. Submit a copy of the revised site plan to the Planning & Zoning Department. The development shall comply with the Industrial Design Guidelines and Development Standards, including but not limited to the following:
 - a. A twenty (20) foot setback from the front property line to the proposed parking lot is required.

- b. The twenty (20) feet of landscaping shall include 60% of ground cover with 24" box tree every 15 feet on center.
 - c. Provide five (5) covered bicycle parking spaces within 100 feet from the public entrance. A typical bicycle parking space shall be at least 6 feet long by 2 feet wide. Covered bicycle parking facilities may be located within a building or structure, under a building eave, stairway, entrance, or similar area, or under a special structure to cover the parking.
 - d. Provide an additional six foot landscape island along the parking lot south of the proposed office building.
 - e. The proposed flat roof for the office building shall incorporate a parapet wall and/ or cornice element on all sides of the roof.
3. The property owner is required to grant a roadway easement for commercial driveway(s).
4. The property owner is required to sign a restrictive covenant for utilities.
5. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
6. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Mitchell Street.
7. 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.
8. 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.
9. Approval of a drainage study is required prior to submittal of the civil improvement plans.
10. 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.

11. 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 certificate 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.
12. A minimum of 30 foot utility easement is required for an eighteen-inch (18") water line. No parking or structures allowed over the required easement.
13. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

Richard Gallegos, 3005 West Horizon Ridge Parkway, #200, Henderson, NV 89052 appeared on behalf of the applicant stating he was not sure if the Fire Department had a position Condition No. 7 and was concerned with the Fire Department access and circulation and asked that the condition be amended to add "the Fire Department as well as the Traffic Engineer" to determine what was most suitable for the location. Other than that, he concurred with Staff recommendation.

Janice Carr of the Fire Department stated the Fire Department had no objection to having only one driveway.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NO. 7 AMENDED AND CONDITION NOS. 14 AND 15 ADDED TO READ AS FOLLOWS:

7. ONE DRIVEWAY SHALL BE PERMITTED . THE LOCATION SHALL BE SUBJECT TO 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. CONFORMANCE MAY REQUIRE MODIFICATIONS TO THE SITE.

14. THE REQUIRED QUANTITY OF PARKING SPACES FOR THE DEVELOPMENT SHALL BE BASED UPON A PARKING STUDY SUBMITTED TO, AND APPROVED BY THE DEPARTMENT OF PUBLIC WORKS PRIOR TO SUBMITTAL OF THE CIVIL IMPROVEMENT PLANS AND BUILDING PLANS.
15. ANY BUILDING OR STRUCTURE CONSTRUCTED ON THIS SITE SHALL BE PERMANENT AND SHALL COMPLY WITH THE INDUSTRIAL DEVELOPMENT STANDARDS

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

13. **SPR-40-06 (27367) GOWAN INDUSTRIAL. AN APPLICATION SUBMITTED BY QUINN DEVELOPMENT ON BEHALF OF GOWAN INDUSTRIAL, LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO REDUCE THE REQUIREMENT FOR 20 FEET OF LANDSCAPING ALONG THE SOUTHERN AND WESTERN PROPERTY LINES. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF CIVIC CENTER DRIVE AND GOWAN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-12-201-002, 139-12-201-005, 139-12-201-006, AND 139-12-201,007.**

The application was presented by Jeremy Davis, Planner who stated the submitted site plan showed approximately 11 buildings with a total of 64,707 square feet. A site plan review was required because the applicant requested a waiver of the perimeter landscaping to 10 feet along Gowan Road and Civic Center Drive and also two feet along limited portions of Civic Center Drive. The applicant proposed tree diamonds every three parking spaces, a few expanded landscape islands to mitigate the reduced landscaping area, in addition to an increase in the number of trees. The applicant also indicated a berm would be provided as required by the Industrial Development Standards. Staff does not believe the intent of the ordinance was met by the proposal of the applicant. The landscaping, as proposed, does not provide enough area for appropriate landscaping for screening the warehouse use from public view from Gowan Road and Civic Center Drive, especially on the portion that was reduced to two feet along Civic Center, whereby no berm could be provided because of the slopes that were necessary for a berm and no trees could reasonably be planted in a two foot area. The applicant had not indicated there were any special circumstances involved with the site, such as severe slope areas or other special conditions that warrant the approval of the waiver request. The site should be redesigned to be compliant with the Industrial Development Standards; therefore, Staff was recommending denial of SPR-40-06. Should the Commission determine approval was warranted, the following conditions are recommended:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. Submit a copy of the revised site plan to the Planning & Zoning Department. The development shall comply with the Industrial Design Guidelines and Development Standards, including but not limited to the following:
 - a. The proposed landscaping shall include 60% of ground cover with 24" box tree every 15 feet on center.

- b. Provide five (5) covered bicycle parking spaces within 100 feet from the public entrance. A typical bicycle parking space shall be at least 6 feet long by 2 feet wide. Covered bicycle parking facilities may be located within a building or structure, under a building eave, stairway, entrance, or similar area, or under a special structure to cover the parking.
3. Submit a detailed parking analysis for the proposed development prior to the submittal of any construction related documents.
4. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

Bill Quinn, 4570 West Post Road Suite 100, Las Vegas, NV 89118 stated the site was designed to match the industrial on the west side of Civic Center Drive and indicated they would increase the landscaping.

Mr. Davis reminded the Commission, if there was a desire for approval, the conditions would need to be amended.

Commissioner Jay Aston asked if there was a berm in the landscape area. Mr. Quinn, responded after meeting with Staff, a berm was incorporated into the landscaping and diamonds were added in the parking lot to increase the landscaping area.

There was a break in proceedings at 7:10 p.m.

The meeting reconvened at 7:18 p.m.

Robert Eastman, Principal Planner stated Condition No. 2.a would be amended to read: "The proposed landscaping shall include 60% ground cover with a 24" box tree every 15 feet on center and shall comply with the width as submitted on the site plan."

Commissioner Steve Brown asked what was being done with the two foot section of landscaping. Mr. Eastman responded trees would not be planted in the two foot section, but the applicant would be required to plant some small shrubs in that space. Commissioner Brown asked about the berm. Mr. Eastman responded the berm or pony wall would still be required under the Industrial Design Standards.

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

- 2.A. THE PROPOSED LANDSCAPING SHALL INCLUDE 60% GROUND COVER WITH A 24" BOX TREE EVERY 15 FEET ON CENTER AND SHALL COMPLY WITH THE WIDTH AS SUBMITTED ON THE SITE PLAN.

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

Item No. 15 was heard next.

OLD BUSINESS

14. **VAC-14-06 (26515) AZURE/LINN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MARK LEFKOWITZ, ON BEHALF OF LINN AZURE, LLC, I-15 EXPOSURE LLC, GRAVITY FIGHTERS, LLC, AND NORTH LYNN, LLC, PROPERTY OWNERS, TO VACATE THE SOUTHERLY PORTION OF AZURE AVENUE BETWEEN LINN LANE AND BONNIE LANE; TO VACATE LINN LANE COMMENCING 1,352 FEET NORTH OF TROPICAL PARKWAY AND PROCEEDING NORTH APPROXIMATELY 275 FEET; AND TO VACATE THE WESTERLY PORTION OF LINN LANE COMMENCING AT AZURE AVENUE AND PROCEEDING NORTH APPROXIMATELY 100 FEET. THE ASSESSOR'S PARCEL NUMBERS ARE 123-28-501-010, 123-28-601-003, 123-28-601-005 AND 123-28-601-006. (CONTINUED JULY 26 AND SEPTEMBER 13, 2006)**

Chris Crop with DRC Engineering, 7180 Industrial Road, Las Vegas, NV 89118 appeared on behalf of the applicant asking for a continuance to November 8, 2006 so they could hold the neighborhood meeting.

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

Chairman Carvalho stated the Public Hearing would remain open.

ACTION: CONTINUED TO NOVEMBER 8, 2006

MOTION: Commissioner Aston

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 17 was heard next.

15. **AMP-21-06 (25356) NORTH 5TH & DEER SPRINGS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ACACIA PROPERTIES, LLC AND NGA #2, LLC ET AL, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF COMMUNITY COMMERCIAL AND MDR MEDIUM DENSITY RESIDENTIAL TO REGIONAL COMMERCIAL. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF DEER SPRINGS WAY AND NORTH FIFTH STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-23-101-001, 124-23-201-001 AND 124-23-201-002. (CONTINUED JUNE 14, JULY 12, AND AUGUST 23, 2006)**

The application was presented by Jeremy Davis, Planner who stated the application was originally presented in conjunction with a PUD for a mixed use development, which was withdrawn and had submitted an application for C-2, which would come before the Commission at a later date. Staff had no objection to Regional Commercial at this location, as it was bordered on the north by the 215 Beltway, on the west by North 5th Street, and the south by Deer Springs Way and also the surrounding land uses would lend toward Regional Commercial at this location; therefore, Staff was recommending approval of AMP-21-06.

Jennifer Lazovich of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th 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; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Brown

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

NAYS: None

ABSTAIN: None

16. **AMP-22-06 (25360) NORTH 5TH & DEER SPRINGS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ACACIA PROPERTIES, LLC AND NGA #2, LLC ET AL, PROPERTY OWNERS, FOR AN AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS, TO REMOVE DORRELL LANE BETWEEN NORTH FIFTH STREET AND DONNA STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-23-101-001, 124-23-201-001 AND 124-23-201-002. (CONTINUED JUNE 14, JULY 12, AND AUGUST 23, 2006)**

The application was presented by Jeremy Davis, Planner who stated the original application was to remove Dorrell Lane and Donna Street, and the applicant has amended the application to only provide for realignment. The realignment was shown on the exhibit presented during the briefing. Staff was recommending approval of AMP-22-06 as the realignment and not as the vacation of the street.

Jennifer Lazovich of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th 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; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 22 was heard next.

17. ZN-33-06 (25357) NORTH 5TH & DEER SPRINGS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ACACIA PROPERTIES, LLC AND NGA #2, LLC ET AL, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT, A C-2 GENERAL COMMERCIAL DISTRICT, AND AN O-L OPEN LAND DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF 339,818 SQUARE FEET OF COMMERCIAL RETAIL AND 1,204 UNITS OF MULTI-FAMILY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF DEER SPRINGS WAY AND NORTH FIFTH STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-23-101-001, 124-23-201-001 AND 124-23-201-002. (CONTINUED JUNE 14, JULY 12, AND AUGUST 23, 2006)

ACTION: WITHDRAWN

Item No. 18 was heard next.

18. **T-1276 (27063) MONTE VERDE. AN APPLICATION SUBMITTED BY CENTENNIAL LAMB, LLC, PROPERTY OWNER, FOR A TENTATIVE MAP IN AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT CONSISTING OF 536 MULTI-FAMILY UNITS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND NOVAK STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 123-29-501-001, 123-29-101-008, 123-29-101-011, 123-29-101-011, 123-29-101-012, 123-29-101-013. (CONTINUED SEPTEMBER 13, 2006)**

It was requested by the applicant to continue T-1276 to November 8, 2006.

ACTION: CONTINUED TO NOVEMBER 8, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

Item No 19 was heard next.

19. **VN-19-06 (26130) CENTENNIAL POINTE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE STRATTON GROUP, ON BEHALF OF CENTENNIAL POINTE, LLC, PROPERTY OWNER, FOR A VARIANCE IN ANR-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO ALLOW A 15-FOOT BUILDING SETBACK, WHERE 20 FEET IS REQUIRED. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF GOLDFIELD STREET AND DEER SPRINGS WAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-22-701-002, 124-22-701-003, 124-22-701-004, 124-22-701-005 AND 124-22-701-008. (CONTINUED JUNE 28, AUGUST 9 AND 23 AND SEPTEMBER 13, 2006)**

It was requested by the applicant to continue VN-19-06 to October 25, 2006.

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

Chairman Carvalho stated the Public Hearing would remain open.

ACTION: CONTINUED TO OCTOBER 25, 2006

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 20 was heard next.

20. **SPR-18-06 (25139) CENTENNIAL POINTE. AN APPLICATION SUBMITTED BY THE STRATTON GROUP ON BEHALF OF CENTENNIAL GROUP. LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-3 MULTIFAMILY RESIDENTIAL DISTRICT TO ALLOW 201 MULTI-FAMILY UNITS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF GOLDFIELD STREET AND DEER SPRINGS WAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-22-701-002, 124-22-701-003, 124-22-701-004, 124-22-701-005 AND 124-22-701-008. (CONTINUED APRIL 26, MAY 10 AND 24, JUNE 14, AUGUST 9 AND 23 AND SEPTEMBER 13, 2006)**

It was requested by the applicant to continue SPR-18-06 to October 25, 2006.

ACTION: CONTINUED TO OCTOBER 25, 2006

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 21 was heard next.

21. **T-1253 (25140) CENTENNIAL POINTE. AN APPLICATION SUBMITTED BY THE STRATTON GROUP ON BEHALF OF CENTENNIAL GROUP, LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-3 MULTIFAMILY RESIDENTIAL DISTRICT TO ALLOW 201 CONDOMINIUMS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF GOLDFIELD STREET AND DEER SPRINGS WAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-22-701-002, 124-22-701-003, 124-22-701-004, 124-22-701-005 AND 124-22-701-008. (CONTINUED APRIL 26, MAY 10 AND 24, JUNE 14, AUGUST 9 AND 23 AND SEPTEMBER 13, 2006)**

Marc Jordan, Planning Manager indicated the letter requesting continuance for Centennial Pointe did not include T-1253 and asked that the applicant make the request in person for the record.

Stephanie Allen of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant requesting that T-1253 be continued to October 25, 2006. The continuance was requested so they could work with the Traffic Engineer on information submitted to support the parking waiver that would be associated with this application, pursuant to the new ordinance that was recently adopted.

ACTION: CONTINUED TO OCTOBER 25, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

Item No. 23 was heard next.

22. SPR-37-06 (27219) NORTH MESA PLAZA. AN APPLICATION SUBMITTED BY ROBERT SHIELDS ON BEHALF OF RETAIL CENTER PARTNERS, LTD, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW AN ADDITIONAL 70,353 SQUARE FEET IN A RETAIL COMMERCIAL SHOPPING CENTER. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CRAIG ROAD AND CLAYTON STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-04-312-001. (CONTINUED SEPTEMBER 27, 2006)

The application was presented by Marc Jordan, Planning Manager who stated the application was for an expansion of the North Mesa Plaza shopping center, which was just west of the existing WalMart. The applicant was proposing a couple of buildings. The major building would have several suites that would be attached to it and there would be a separate set of detached in-line retail building that would be approximately 75,373 square feet. When the application was originally proposed, it was continued and the applicant had since revised their plan and revised the letter of intent and were requesting two waivers for the development. One waiver would be an alternative landscaping within the parking lot. Staff originally requested the landscaping be installed in the parking lot, where none currently exists and wanted something similar to what was done by Walmart. The applicant was proposing landscape islands for approximately every seven to nine parking spaces and also diamonds for approximately every five parking spaces within their parking lot. They show one landscape island for every row of parking, approximately in the center of the development. In addition, they were asking for a waiver regarding the facade of the facility, The Old Navy Store. They want to use a metal facade for the elements of the store front. In reviewing the application, Staff was not supportive of either of the waivers. As the applicant would have to tear up a portion of the parking lot to install the new landscaping, Staff believed they should do the necessary demolition on the other area of the parking lot to install the other landscape diamonds for every other row of parking that would be consistent with WalMart's landscaping. Regarding the metal facade on the building, because metal was not one of the preferred materials in the Commercial Design Standards, and because it had not been used in other areas of the center, Staff was not supportive of the material. However, because both waiver were minor, something that could be reviewed when they filed for a building permit, Staff was recommending approval of SPR-37-06 subject to the following conditions, which do not include the waivers requested by the applicant:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. That the Commercial Development Standards and Design Guidelines be met, including, but not limited to, the following:

- a. A landscaping island shall be provided between every other double row of parking; and
 - b. Landscaping islands, a minimum of every fifteen (15) parking spaces, shall be provided; and
 - c. A metal facade shall not be allowed.
3. A meandering sidewalk will not be required along Clayton Street.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. Craig Road and Clayton Street are no-cut streets.
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. The applicant shall submit a traffic study update for review and approval.
8. The property owner is required to sign a restrictive covenant for utilities.
9. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
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. 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.
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. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.

14. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

Richard Heller (no address stated) appeared along with **Eric Reich of MCG Architects, 205 East Warm Springs Road, Suite 100, Las Vegas, NV 89119**, on behalf of the applicant stating he concurred with Staff recommendation except for the two waiver requests.

Mr. Reich explained the reason they were still putting in for the request and not completely conforming to match the Walmart portion that was done during their expansion, was because it was an existing parking field that was in front of the proposed building. They were limited in the east/west direction between the Walmart parking field and Clayton Street and by inserting the additional landscape islands between every other row of parking, that would shift it in a way that they don't have in the east/west direction and that was why they proposed to provide additional parking islands every seven to nine spaces in lieu of doing the parking island every other double row.

Commissioner Dean Leavitt asked the applicant what their second concern was.

Mr. Reich explained the other issue was the metal being used on the facade of the Old Navy Store. He explained their original prototype was for an entire clad metal facade and they had revised it to be an element that was just around their store front and behind the sign, which was greatly reduced from the design in the original application. They were requesting that the new design with the metal facade be considered.

Mr. Heller stated Old Navy agreed to the current design of the facade but would not consider anything less, as the metal facade was their identity.

Commissioner Leavitt stated his decision would not be based on that.

Commissioner Jay Aston asked for more clarification on what was being requested for the landscape islands, if they did not want to do them at all. Mr. Reich stated they were asking for a waiver, the conformance would be a landscape island at every other row of parking, which would require them to put in three continuous rows of parking. They did not want to be locked in the east/west direction between the existing WalMart. To put the rows in, they would have to shift the entire parking field and would most likely lose an entire row of parking and it would require them to redo the lighting plan.

Chairman Aston asked Staff if they were asking the applicant to match the WalMart layout. Mr. Jordan responded that was correct and added if there was a desire to approve the waivers, there would be some amendments to the conditions.

Chairman Aston asked what kind of square foot the metal facade was on the front of the building, whether it was part of the sign or just part of the building. Mr. Reich explained under their prototypical design, the entire store front was clad metal. They reduced it to that to be the area that was just around the store front and would have signage in front of the metal.

Commissioner Aston asked if WalMart came in with the revised parking lot design or if it was required by Staff through the addition of the food mart application process. Mr. Jordan, stated when WalMart came in with their site plan review to expand, the parking lot was looked at, and Staff asked for additional landscaping within it. WalMart does not have all of the landscape islands that ran east/west, as was proposed by the applicant, but they angled their parking to make their drive isles 20 feet instead of 24 feet. They provided landscaping between every other double row and also put islands every 15 to 17 parking spaces, according to the conditions and then put diamonds approximately every five to seven parking spaces, so they were not in full compliance but that was their alternative to getting from no landscaping to what was there now. Chairman Aston asked if Staff felt angled parking was easier to get in and out of. Mr. Jordan responded they were not looking at the angled parking, but the landscaping within the parking area. Chairman Aston asked if the applicant left the parking as it was and added enough landscaping, if Staff would have any issues with it. Mr. Jordan explained the only way they would get the additional islands for the other row was probably to remove a row as indicated by the applicant and they could possibly take a look at the row on the west side. He did not know if they were over parked and whether or not they could afford to lose parking and still comply with the landscaping, which might be a solution for them to look at. Mr. Reich stated they were over parked but was concerned that by upgrading the parking field, they would also get overflow parking from WalMart, which would affect them. Commissioner Aston stated the question came back to whether this was the way the parking and landscape was going to be handled and considered on this site plan review and if they were looking at doing something different than what was presented, the application should be continued until there was an agreement. Mr. Heller explained they had commitments to their tenants and needed to start construction in January. He stated they wanted to upgrade the parking lot and were adding a substantial amount of landscaping, instead of putting it vertically, they were putting it horizontally in order to keep the existing parking configuration so they don't have to move all of the light standards and some of the irrigation that was already in place.

Commissioner Dilip Trivedi stated WalMart was also over parked and felt if the landscaping as shown, could be comparable to the vertical strips, he would not object.

Commissioner Harry Shull asked Staff if what the applicant was proposing, was more than what WalMart had done. Mr. Jordan responded it was difficult to tell, because the one thing WalMart had done, going north/south, provided a six foot island for every other row, where the applicant had not proposed it. Commissioner Shull stated it appeared there was plenty

of landscaping and he did not have a problem with the metal facade on the Old Navy Store. Commissioner Shull asked if the Commission was inclined to make a motion for approval with waivers, which conditions would need to be amended.

Mr. Jordan stated Condition No. 2.a, b and c would be amended and Condition No. 2.d would be added as follows:

- 2.a. A six foot (6') wide landscape island shall be provided every seven (7) to nine (9) parking spaces in a row.
- 2.b. Parking lot diamonds landscaped with 24" box trees shall be provided every five (5) parking spaces.
- 2.c. A six foot (6') wide landscape island shall be provide between the double row of parking within the center of the parking lot, as shown on the submitted plan.
- 2.d. A metal facade, as depicted on the building elevation, may be allowed for the Old Navy Store.

Commissioner Steve Brown asked if a condition could be added that the metal facade be removed should the Old Navy Store move out of the center.

Mr. Jordan stated he was not sure how a condition to that effect could be enforced.

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

- 2.A. A SIX FOOT (6') WIDE LANDSCAPE ISLAND SHALL BE PROVIDED EVERY SEVEN (7) TO NINE (9) PARKING SPACES IN A ROW.
- 2.B. PARKING LOT DIAMONDS LANDSCAPED WITH 24" BOX TREES SHALL BE PROVIDED EVERY FIVE (5) PARKING SPACES.
- 2.C. A SIX FOOT (6') WIDE LANDSCAPE ISLAND SHALL BE PROVIDED BETWEEN THE DOUBLE ROW OF PARKING WITHIN THE CENTER OF THE PARKING LOT, AS SHOWN ON THE SUBMITTED PLAN.
- 2.D. A METAL FACADE, AS DEPICTED ON THE BUILDING ELEVATION, MAY BE ALLOWED FOR THE OLD NAVY STORE.

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

Item No. 24 was heard next.

23. **VN-22-06 (27144) PROJECT #1552 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE CLARK COUNTY SCHOOL DISTRICT ON BEHALF OF THE SCHOOL BOARD OF TRUSTEES, PROPERTY OWNER, FOR A VARIANCE IN AN R-E RANCH ESTATES DISTRICT TO ALLOW A 40-FOOT SETBACK ON THE EAST PROPERTY LINE AND A 30-FOOT SETBACK ON THE NORTH PROPERTY LINE WHERE 50-FEET IS REQUIRED. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF EL CAMPO GRANDE AVENUE AND BRUCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-26-801-001 AND 124-26-801-003. (CONTINUED SEPTEMBER 27, 2006)**

ACTION: WITHDRAWN

Item No. 1 was heard next.

24. UN-92-06 (26809) PROJECT #1552 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE CLARK COUNTY SCHOOL DISTRICT ON BEHALF OF THE SCHOOL BOARD OF TRUSTEES, PROPERTY OWNER, FOR A USE PERMIT IN AN R-E RANCH ESTATES DISTRICT TO ALLOW AN ELEMENTARY SCHOOL. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF EL CAMPO GRANDE AVENUE AND BRUCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-26-801-001 AND 124-26-801-003. (CONTINUED SEPTEMBER 27, 2006)

The application was presented by Marc Jordan, Planning Manager who stated the applicant was requesting a few waivers, one of them was a waiver of the meandering sidewalk requirement along Bruce Street. At this time they were not proposing it. The applicant was also requesting a waiver of the landscaping requirements along the north property line, which was El Campo Grande Avenue; they are requesting 15 feet of landscaping where 20 feet was required and also 10 feet of landscaping along the east property line where 20 feet was normally required. In reviewing the site plan, there were a few modifications to the site plan that the applicant would need to make in order to comply with the building setbacks; and they withdrew their request for a variance on that. They may be going forward in the future with an administrative variance, which would be ten percent or less, which was something Staff could review and consider. By moving the building a little and adjusting it, they could come into compliance with the setbacks, or at least within the administrative category and also by doing that, Staff believed they could also meet the landscape buffering requirements that were normally placed on School Districts. Normally, the Commercial Design Standards were applied to them. Staff was not supporting the waiver requests, however, because the changes would be minor to the site plan, Staff was recommending approval of UN-92-06 and that it be forwarded to City Council for final consideration. The following conditions are recommended:

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:
 - a. That a landscape buffer of 20 feet shall be provided along the north property line.
 - b. That a landscape buffer of 20 feet shall be provided along the east property line.
 - c. That a landscape buffer consisting of 24" box trees 20 feet on center shall be provided along the entire southern property line.
 - d. That a meandering sidewalk shall be provided along Bruce Street
 - e. That a minimum of 72 parking spaces shall be provided.

- f. That landscaped islands, six (6) feet in width, shall be required within each parking row for every 15 parking spaces contained within the row.
 - g. That a decorative wall or landscaped berm with a minimum height of three (3) feet above the finished grade at the rear of the setback area shall be provided along Bruce Street to screen the parking.
 - h. That single-score concrete block be used only as an accent.
3. That this use permit is site specific.
 4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
 5. 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.
 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. The property owner is required to grant a roadway easement for commercial driveway(s).
 8. 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.
 9. A revocable encroachment permit for landscaping within the public right of way is required.
 10. Right-of-way dedication for a CAT bus turn-out is required on Bruce Street near Ann Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
 11. A minimum 5' landscape area within a common lot must be provided behind any proposed bus turn-out.
 12. Right-of-way dedication for a flared intersection, including a right turn lane, is required at Bruce Street and Ann Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1.
 13. The appropriate subdivision and/or parcel mapping is required to create the

parcel(s) as proposed. 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. Approval of a traffic study is required prior to submittal of the civil improvement plans.
15. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Bruce Street.
16. No parking signs shall be installed along property frontage on El Campo Grande and Bruce Street.
17. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*, or as otherwise approved by the Director of Public Works or his designee.
18. 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. El Campo Grande Avenue
 - b. Bruce Street
 - c. Associated spandrels
 - d. The applicant shall submit a restrictive covenant to the City for the construction of the off-site improvements on Bruce, from the southern project boundary to Ann Rd, and for Ann Rd adjacent to the associated parcel.
19. 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.
20. 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.
21. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
22. 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.

23. 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 on Bruce Street, and 28 feet on El Campo Grande Avenue.
24. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
25. Gates restricting traffic across required access lanes shall be in accordance with Fire Code requirements.

Guy Corrado of Clark County School District, 4212 Eucalyptus, Las Vegas, NV 89121 explained the overcrowding of the schools in the surrounding areas made it necessary to build another school.

Sidney Seymour of Domingo Cambiero Architect, 3555 Pecos McLeod, Las Vegas, NV 89121 stated they met with Staff on two occasions and had complied with their recommendations. They were providing the 20 foot landscape buffers around the entire site. If the administrative variance going from a 50 foot setback to a 45 foot setback was a problem, they could go for a rezoning to a PSP, which would allow a 30 foot setback. The future portables were relocated on the site with a 50 foot setback off of Bruce Street. He stated they concurred with Staff recommendation.

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

- **Gay Shoaff, 5622 Midnight Breeze Street, North Las Vegas, NV 89081** stated she was opposed to the school, the site and the use and that her 95 home community got the short end of the stick. They have a middle school to the north and now the School District wants to put a school to the west. The neighborhood has been impacted by the traffic, with school buses driving through the neighborhood and with her doors and windows closed she can hear the PA system.
- **Steve Shoaff, 5622 Midnight Breeze Street, North Las Vegas, NV 89081** stated the School District had 18 acres and were only using 12.5 acres for the proposed school. They asked that the school be moved on Bruce Street, stretching from Ann Road to El Campo Grande in order to put a buffer between their neighborhood and

the school property and were told that piece was for another school, which would make three schools surrounding his neighborhood.

- **Scott Sauer, 5629 Midnight Breeze Street, North Las Vegas, NV 89081** handed out some information he gathered regarding the proposed school site along with recommended amendments to conditions and additional conditions to be placed on the application (copy in file). Mr. Sauer went over his concerns regarding the school site.

Chairman Carvalho closed the Public Hearing.

Mr. Jordan stated Staff was recommending approval but Condition No. 18.d should be amended to read: "Ann Road."

Mr. Corrado stated he was becoming more involved in these types of hearings and they were following a pattern. He explained the School District reacts to the population by looking at the surrounding schools and if they were overcrowded, they had to relieve the populations by building more schools. He did not feel the residents objecting to the application had anything against the school, but it was in their backyard and impacted them, but the schools had to go somewhere. They are built where the property is available, where it can be purchased, and where they can get it from BLM. He could not say that some of the residents concerns would not happen; the neighbors would be impacted and stated the schools in the area needed some relief as they were overcrowded.

Mr. Seymour stated the area on the east side of the property would be fenced and the School District would maintain the landscaping.

Commissioner Brown stated when a school was put next to a block wall, children always jump fences and asked if there was a way to mitigate that. Mr. Seymour stated the six foot block wall was existing; but, there was 20 feet of landscaping, then a three foot wall with a six foot chain link fence on top. Commissioner Brown asked if another school was being built on the property next to the proposed school. Mr. Corrado responded it had been discussed, but at this time they do not know, but it was a possibility.

Chairman Carvalho stated he would like the School District to work a little more with the neighborhoods to try to understand what the neighbors go through; but, realized the City was in dire need of schools.

Commissioner Dilip Trivedi stated he agreed with Chairman Carvalho's comments and agreed there should be neighborhood meetings held on special use permits for schools.

Mr. Corrado indicated they held a neighborhood meeting and it was properly notified.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
CONDITION NO. 18.D AMENDED TO READ:

18.D. ANN ROAD

FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Shull

SECOND: Commissioner Aston

AYES: Chairman Carvalho, Vice-Chairman Brown, Commissioners Aston, Leavitt,
Shull, Cato, 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 8:14 p.m.

APPROVED:

/s/ Steve Brown
Angelo Carvalho, Chairman

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