

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

January 24, 2007

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

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

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

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

STAFF PRESENT: Marc Jordan, Planning Manager
Robert Eastman, Principal Planner
Vicki Adams, Planner
Bethany Sanchez, Deputy City Attorney II
Randy Cagle, PW, Real Property Services Manager
Eric Hawkins, Public Works
Mike Steele, Fire Department
Jose Rodriguez, Police Department
Jo Ann Lawrence, Recording Secretary

VERIFICATION: Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE: Vice-Chairman Steve Brown

WELCOME: Vice-Chairman Steve Brown

Vice-Chairman Steve Brown welcomed Ned Thomas as the newly appointed Commissioner.

ELECTION OF OFFICER(S)

ELECTION OF OFFICER(S) TO FILL A VACANCY CREATED BY THE RESIGNATION OF CHAIRMAN ANGELO CARVALHO.

Chairman

ACTION: STEVE BROWN ELECTED CHAIRMAN

MOTION: Commissioner Harry Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Vice-Chairman

ACTION: DILIP TRIVEDI ELECTED VICE-CHAIRMAN

MOTION: Commissioner Shull

SECOND: Chairman Brown

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

NAYS: None

ABSTAIN: None

MINUTES

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

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 5 was heard next.

NEW BUSINESS

1. **UN-109-05 (28479) CIRCLE K @ CENTENNIAL/COMMERCE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CIRCLE K C/O DENNIS ARCHULETA ON BEHALF OF CENTENNIAL DEVELOPMENT LLC, PROPERTY OWNER, TO AMEND A PREVIOUSLY APPROVED USE PERMIT FOR A CONVENIENCE FOOD STORE WITH GAS PUMPS (UN-109-05) IN A C-2, GENERAL COMMERCIAL DISTRICT, TO RE-ORIENT THE CONVENIENCE FOOD STORE AND ALLOW THE GAS PUMPS TO BE LOCATED AT THE FRONT OF THE SITE. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-115-009.**

The application was presented by Vicki Adams, Planner who stated the applicant was requesting that the gas pumps be allowed to be located along Centennial Parkway with the convenience food store located away from the street frontage. Staff was recommending denial of the requested amendment as the waiver did not remedy any special circumstances and, the applicant has, on file with the Building Department, an approved building permit that meets the requirements of the approved use permit. If, however, the Commission were to determine approval was warranted, the following conditions are recommended:

1. Unless expressly, authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. That the site must comply with all conditions of approval for T-1185, and SPR-56-05 with the exception listed in Condition #3, below.
3. That the site must comply with the Commercial Development Standards and Design Guidelines, with the exception that the convenience food store may be oriented away from the street frontage (Centennial Parkway).
4. The location of the trash enclosure, as shown on the submitted site plan, must be moved. (A preferred location is in the landscaping area at the end of the row of parking along the drive aisle from Centennial Parkway).
5. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant stating that in discussions with the Police Department, there was concern that the trash enclosures be in an area that was visible and well lit, so the trash enclosure was located in the southwest corner of the property and was visible from the street. He explained the building permit had not been pulled yet, because the Corporate Office had determined that despite the fact the building permit application was approved and permitted, the design was contrary to corporate policy, as the location of the site was an off-corner location and while the design of the site, with the building at the front, worked on a corner, in this particular case, by pulling the building to the front and putting the canopy to the rear, when you were between the other buildings to the east and west of the site, the visibility dropped tremendously; therefore, it was not feasible and practical. They met with Staff regarding the ad hoc design guidelines for the center and the revisions to the plans were made using that information, which included more rock and no flat face CMU and was now all split face block which occurred in the lower edge wainscoting. The current plans called for split face block, but was not shown on the plan which had been corrected. There was a red color trim on the canopy, which could be removed and stone was added to the pilasters and into the gas canopy islands and he believed they were consistent with the Design Guidelines as they were presented to them.

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

Chairman Brown closed the Public Hearing.

Commissioner Harry Shull stated he was agreeable with the orientation of the building due to the project being located in the middle of a center and felt the color band gave accent to the building and asked if the application were approved, if the applicant would need to apply for a variance. Ms. Adams responded there was no condition of approval on the original approval for the site plan having to do with the color band; however, the Tire Works Store that was located directly to the west of the project, which was part of the shopping center, had submitted their building plans with red accents and bands on the building but were not allowed to use them as there was no red elsewhere in the center and there was an approved color palate for the center; therefore Staff did not want to see the last building in the center with a red accent. Mr. Garcia stated, Condition No. 4, which addressed the trash enclosure, could be deleted or amended to read: "Trash enclosure to be approved by the Police Department," and was in concurrence with other recommended conditions as they would allow the applicant to proceed with the plan as proposed.

Commissioner Ned Thomas stated, since the other buildings in the center were fronting toward the street, moving the proposed project to the back, created a missing tooth effect and he felt if the street edge were to be maintained, the building should be moved to the front of the site.

Commissioner Dean Leavitt supported Commissioner Shull's comments.

Commissioner Shull asked if it was the Commission's desire to approve the application, if there were any conditions that needed to be amended. Mr. Jordan responded that Condition No. 3 was written so that if the application was approved, the waiver request was included. Mr. Garcia agreed with Staff.

Commissioner Jo Cato asked which condition covered the red band on the building. Ms. Adams responded there was not a condition for the colored band; it was covered under SPR-56-05 and explained the color pallet for the center was approved and the other buildings were built to that pallet; so, a condition would have to be added to allow the red band.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NO. 4

MOTION: Commissioner Shull

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

2. **VN-02-07 (28473) PATIO CONVERSION (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GERALD AND MARYANN LUCERO, PROPERTY OWNER, FOR A VARIANCE IN AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT TO ALLOW A 13 FOOT REAR SETBACK WHERE 15 FEET IS REQUIRED FOR A ROOM ADDITION TO THE PRIMARY RESIDENCE. THE PROPERTY IS LOCATED AT 1110 PUFFIN COURT. THE ASSESSOR'S PARCEL NUMBER IS 124-33-811-018.**

The application was presented by Marc Jordan, Planning Manager who stated the applicant applied for a building permit for a patio cover that would be 13 feet from the rear property line, which was acceptable by the Zoning Ordinance; but, since the patio was constructed, it has been enclosed and turned into a room addition for which there was no building permit. The permit was applied for, but the applicant had not received the permit because the structure did not meet the set-back requirements. In the Letter of Intent, the applicant indicated the inspector required them to put in a continuous footing. He explained the Planner talked to the inspectors who indicated that they had not implied the enclosure would be acceptable with a 13 foot set-back; so, the property did not have any unique circumstances that would warrant hardship for a variance; therefore, Staff was recommending denial of VN-02-07.

Gerald and MaryAnn Lucero, 1110 Puffin Court, North Las Vegas, NV 89031 was requesting a hardship to evaluate his property because he was having a problem with one of his neighbors regarding the patio conversion. He indicated there was an error in the wording when he applied for the permit and the inspector and Planning Staff missed the error, so he was requesting a variance so the project could be completed.

Ms. Lucero explained at the time they applied for the original permit, they intended to convert the patio to a room, but did not understand there had to be a 15 foot set-back if it was converted.

Chairman Brown asked who the neighbors were to the rear of their property. Ms. Lucero responded she did not know the name, but they did not have any complaints with the conversion and the yard was large enough so there was plenty of space between the addition and the neighbors home. She stated in the original permit, the set-back measurement was left out and when the plan was reviewed by Plan Check, it was missed and the foundation and slab were already in place and could not be moved two feet.

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

- **Kacey Koerwitz, 1130 Puffin Court, North Las Vegas, NV 89031** stated he was familiar with the property and did not see a problem with the variance and explained

there was a large retaining wall in the back of the property and the property was not visible from the back side.

- **Jennifer Koerwitz, 1130 Puffin Court, North Las Vegas, NV 89031** stated she was in favor of the variance being granted.

Chairman Brown closed the Public Hearing.

Commissioner Jo Cato asked Staff if, on the initial application in 2004, there was any indication that there would be a future conversion. Mr. Jordan responded the Building Permit showed the request was for a 289 square foot patio cover and there was currently a permit in process for the conversion, but had not yet been issued.

Commissioner Cato stated in the applicant's presentation, they talked about a conversion of a patio and an error, but on the original paperwork there was no mention of a conversion and stated she did not have a problem with the addition but wanted clarification.

Ms. Lucero explained when the original permit was pulled, they intended to convert the patio to a room; but, when they applied for the patio cover, they did not know they would need two separate permits. Commissioner Cato asked if the neighbor to the rear was agreeable to the requested variance. Ms. Lucero responded the neighbor was in support of the request and indicated the patio was not visible from the street.

Commissioner Harry Shull asked if the original permit for the patio included the patio cover, as he thought the cover could not encroach into the 15 foot set-back. Mr. Jordan responded the permit included the patio cover and explained patio covers were usually allowed to encroach into the rear yard set-back and did not have to meet the actual set-back of a home. The rules have changed somewhat since the permit was issued, but at that time patios were allowed to encroach 10 feet into the rear yard set-back provided they were no closer than five feet to the real property line; but, that was on an open patio, not a room addition. When the application was submitted, the applicant indicated there was an error made by Planning and the Building Department; but, judging by the building permit, there were no errors made on the part of Staff. Commissioner Shull asked the dimension of the patio. Mr. Lucero responded it was 18 foot by 18 foot and explained they had three pilasters at 12 foot by 24 foot to hold the patio; but, when the inspector came out, he made them pour footings 24 inches deep all around the property as they were raising the concrete so it would be level with the kitchen. When the inspector saw what they were doing, he knew they would be converting the patio.

Commissioner Shull suggested, since the footings were there to support the roof and the pilasters were in, the wall could be brought in three feet, making the room dimension 15 feet by 18 feet, which would leave a 15 foot set-back and asked Staff if that was possible. Ms. Lucero asked if the set-back was measured from the roof line. Commissioner Shull

responded the roof line could be the patio cover. Mr. Lucero stated the walls were already constructed. Commissioner Shull explained to the applicant, if a variance was given to them, then they would be setting a precedent for future requests.

Commissioner Dilip Trivedi asked if ignorance of the law was an excuse. Mr. Jordan explained ignorance of the law was no excuse and the rules still applied. In this case, according to the paperwork, there was a building permit for a patio cover that was issued properly and met set-back requirements and the applicant converted it to a room addition without a building permit being issued and Staff was recommending denial; but, it was up to the Commission's discretion.

Commissioner Cato clarified that the applicants converted the patio without a building permit and the building was almost complete. Mr. Jordan responded that was correct. Mr. Lucero stated the building was already built, he just installed three walls.

Commissioner Ned Thomas agreed with Commissioner Shull's suggestion to move the wall in two feet and felt this was a self-imposed hardship and could not support the application.

Commissioner Trivedi explained to the applicant that even if they got a stamp from the Building Department showing their plans were submitted and approved, it did not mean the plans were complying to the Building Code; it was the applicant's responsibility to conform to the Codes.

Chairman Brown stated he could support the application as the neighbors to the rear were not opposed.

ACTION: DENIED

MOTION: Commissioner Shull

SECOND: Commissioner Cato

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

NAYS: Chairman Brown and Commissioner Leavitt

ABSTAIN: None

3. ZN-25-07 - ZN-46-07 NLV COMMUNITY (PUBLIC HEARINGS). AN APPLICATION SUBMITTED BY NOVEMBER 2005 LAND INVESTORS, LLC, AND DRHI, INC., PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN MPC MASTER PLANNED COMMUNITY DISTRICT TO MULTIPLE ZONING DISTRICTS AS FOLLOWS:
- A. ZN-25-07 (28498) (PARCEL 2.04) PSP/MPC PUBLIC SEMI PUBLIC / MASTER PLANNED COMMUNITY DISTRICT (2.15± ACRES)
 - B. ZN-26-07 (28483) (PARCEL 2.05) RZ6/MPC RESIDENTIAL ZONE UP TO 6 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (38.92 ± ACRES)
 - C. ZN-27-07 (28488) (PARCEL 2.06) PSP/MPC PUBLIC SEMI PUBLIC / MASTER PLANNED COMMUNITY DISTRICT (14.46± ACRES)
 - D. ZN-28-07 (28490) (PARCEL 2.07) PSP/MPC PUBLIC SEMI PUBLIC / MASTER PLANNED COMMUNITY DISTRICT (6.03± ACRES)
 - E. ZN-29-07 (28496) (PARCEL 2.08) PSP/MPC PUBLIC SEMI PUBLIC / MASTER PLANNED COMMUNITY DISTRICT (8.08± ACRES)
 - F. ZN-30-07 (28492) (PARCEL 2.09) RZ10/MPC RESIDENTIAL ZONE UP TO 10 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (51.60± ACRES)
 - G. ZN-31-07 (28489) (PARCEL 2.10) MUZ/MPC MIXED USE ZONE / MASTER PLANNED COMMUNITY DISTRICT (20.03± ACRES)
 - H. ZN-32-07 (28495) (PARCEL 2.11 & 2.12) PSP/MPC PUBLIC SEMI PUBLIC / MASTER PLANNED COMMUNITY DISTRICT (7.40± ACRES)
 - I. ZN-33-07 (28480) (PARCEL 2.13) PSP/MPC PUBLIC SEMI PUBLIC / MASTER PLANNED COMMUNITY DISTRICT (1.49± ACRES)
 - J. ZN-34-07 (28518) (PARCEL 2.14) RZ10/MPC RESIDENTIAL ZONE UP TO 10 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (66.45± ACRES)

- K. ZN-35-07 (28523) (PARCEL 2.15A) RZ13/MPC RESIDENTIAL ZONE UP TO 13 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (23.89± ACRES)**
- L. ZN-36-07 (28524) (PARCEL 2.15B) RZ13/MPC RESIDENTIAL ZONE UP TO 13 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (22.74± ACRES)**
- M. ZN-37-07 (28525) (PARCEL 2.16) MUZ/MPC MIXED USE ZONE / MASTER PLANNED COMMUNITY DISTRICT (23.07± ACRES)**
- N. ZN-38-07 (28500) (PARCEL 3.01) PSP/MPC PUBLIC SEMI PUBLIC / MASTER PLANNED COMMUNITY DISTRICT (14.81± ACRES)**
- O. ZN-39-07(28517) (PARCEL 3.02) PSP/MPC PUBLIC SEMI PUBLIC / MASTER PLANNED COMMUNITY DISTRICT (15.03± ACRES)**
- P. ZN-40-07 (28515) (PARCEL 3.03) RZ10/MPC RESIDENTIAL ZONE UP TO 10 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (25.11± ACRES)**
- Q. ZN-41-07 (28501) (PARCEL 3.04) RZ10/MPC RESIDENTIAL ZONE UP TO 10 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (23.21± ACRES)**
- R. ZN-42-07 (28503) (PARCEL 3.05) RZ10/MPC RESIDENTIAL ZONE UP TO 10 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (46.3± ACRES)**
- S. ZN-43-07 (28505) (PARCEL 3.05A) PSP/MPC PUBLIC SEMI PUBLIC / MASTER PLANNED COMMUNITY DISTRICT (1.25± ACRES)**
- T. ZN-44-07 (28510) (PARCEL 3.06) RZ10/MPC RESIDENTIAL ZONE UP TO 10 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (25.0± ACRES)**
- U. ZN-45-07 (28511) (PARCEL 3.07) PSP/MPC PUBLIC SEMI PUBLIC / MASTER PLANNED COMMUNITY DISTRICT (11.64± ACRES)**
- V. ZN-46-07 (28512) (PARCEL 3.08) RZ10/MPC RESIDENTIAL ZONE UP TO 10 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (30.55± ACRES)**

THE PROPERTIES ARE GENERALLY LOCATED SOUTH OF GRAND TETON DRIVE AND EAST OF COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-14-000-001, AND 124-15-000-003.

The application was presented by Marc Jordan, Planning Manager who stated the proposed request was consistent with the Development Agreement; therefore, Staff was recommending approval of ZN-25-07 through ZN-46-07.

Commissioner Ned Thomas stated he would be abstaining as the company he worked for had an interest in the project.

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.

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

Chairman Brown closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: Commissioner Thomas

4. **UN-08-07 (28348) ALL PRO PAINT AND BODY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ALL PRO PAINT & BODY ON BEHALF OF HOWARD RUBIN, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW AN AUTOMOBILE REPAIR FACILITY. THE PROPERTY IS LOCATED AT 4220 EAST CRAIG ROAD, UNIT #3 AND UNIT #6. THE ASSESSOR'S PARCEL NUMBER IS 140-06-610-019.**

The application was presented by Marc Jordan, Planning Manager who stated the proposed use was consistent with the M-2 District and the parking requirements had been met; therefore, Staff was recommending approval of UN-08-07 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That UN-08-07 is site-specific and non-transferable.
3. All work shall be performed within a building.
4. All vehicles awaiting repairs over night shall be stored inside a building.
5. A minimum of four (4) parking stalls shall be identified for the subject automobile repair use.
6. That bank runs shall be done on a regular basis at staggered intervals with all access points being visually or electronically monitored.
7. That keys or security codes shall be changed upon the resignation or termination of employees.
8. That an update of the traffic study is submitted for review and approval.

Yvette Major, 720 South 4th Street, Suite 201, Las Vegas, NV 89101 appeared on behalf of the applicant stating she concurred with Staff recommendation.

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

Chairman Brown closed the Public Hearing.

Commissioner Ned Thomas stated Condition Nos. 6 and 7 were well intended but felt they were not appropriate on a land use application and should be deleted.

Chairman Brown agreed with Commissioner Thomas.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
THE DELETION OF CONDITION NOS. 6 AND 7

MOTION: Commissioner Leavitt

SECOND: Chairman Brown

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

NAYS: None

ABSTAIN: None

Item No. 10 was heard next.

5. **AMP-02-07 (28471) REGENA TOWNHOMES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF REGENA HOMES LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MIXED-USE COMMERCIAL TO MULTI-FAMILY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF REGENA AVENUE AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-504-001.**

It was requested by the applicant to continue AMP-02-07 to February 14, 2007.

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

Chairman Brown stated the Public Hearing would remain open.

ACTION: CONTINUED TO FEBRUARY 14, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 6 was heard next.

6. **ZN-47-07 (28476) REGENA TOWNHOMES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF REGENA HOMES LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT TO AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF REGENA AVENUE AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-504-001.**

It was requested by the applicant to continue ZN-47-07 to February 14, 2007.

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

Chairman Brown stated the Public Hearing would remain open.

ACTION: CONTINUED TO FEBRUARY 14, 2007

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 7 was heard next.

7. **SPR-09-07 (28474) REGENA TOWNHOMES. AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF REGENA HOMES LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW CONSISTING OF 18 FOUR- PLEX BUILDINGS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF REGENA AVENUE AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-504-001.**

It was requested by the applicant to continue SPR-09-07 to February 14, 2007.

ACTION: CONTINUED TO FEBRUARY 14, 2007

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 8 was heard next.

8. **ZN-49-02 (28601) ANN & VALLEY COMMERCIAL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DESERT VISTA DEVELOPMENT ON BEHALF OF VALLEY COURT LLC, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED PUD, PLANNED UNIT DEVELOPMENT, TO ALLOW A PHARMACY AND AN 18,000-SQUARE-FOOT RETAIL BUILDING ON APPROXIMATELY 3.88 ACRES. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-30-401-021.**

It was requested by the applicant to continue ZN-49-02 to February 28, 2007.

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

Chairman Brown stated the Public Hearing would remain open.

ACTION: CONTINUED TO FEBRUARY 28, 2007

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 9 was heard next.

9. **FDP-03-07 (28475) ANN & VALLEY COMMERCIAL. AN APPLICATION SUBMITTED BY DESERT VISTA DEVELOPMENT ON BEHALF OF VALLEY COURT LLC, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD, PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF A COMMERCIAL RETAIL CENTER. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-30-401 021.**

It was requested by the applicant to continue FDP-03-07 to February 28, 2007.

ACTION: CONTINUED TO FEBRUARY 28, 2007

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 13 was heard next.

10. ZOA-01-07 (28491) CNLV (PUBLIC HEARING). AN ORDINANCE AMENDMENT INITIATED BY THE CITY OF NORTH LAS VEGAS TO AMEND TITLE 17 (ZONING ORDINANCE), SECTION 24.190.C & H; AND SECTION 28.050.B & C TO REQUIRE A SPECIAL USE PERMIT FOR SEXUALLY ORIENTED BUSINESSES; AND REQUIRE CITY COUNCIL FINAL ACTION FOR SPECIAL USE PERMITS FOR SEXUALLY ORIENTED BUSINESSES, PAWN SHOPS, DEFERRED DEPOSIT LOAN FACILITIES, AUTO TITLE LOAN FACILITIES, AND SHORT-TERM LOAN FACILITIES; AND PROVIDE FOR OTHER MATTERS PROPERLY RELATED THERETO.

The application was presented by Robert Eastman, Principal Planner who stated the major change to the Code was to require final action by City Council after a review and recommendation by the Commission for the use permits and the other major change was requiring sexually oriented businesses to be special uses within the M-2 District as opposed to currently being a permitted use submitted for review and approval of the Chairman of the Planning & Zoning Department. Additionally, separation requirements were previously in the ordinance and would remain the same. Staff was recommending that ZOA-01-07 be approved.

Commissioner Steve Brown asked if M-2 would be the only area where these types of special uses were allowed. Mr. Eastman responded that was correct.

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

- **Robert Browning, 6504 Amanda Michelle, North Las Vegas, NV 89081** stated he was in support of the application.

Chairman Brown closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

11. SPR-08-07 (28472) MARY DEE APARTMENTS. AN APPLICATION SUBMITTED BY MICHAEL P. WATSON, PROPERTY OWNER, FOR A SITE PLAN REVIEW OF A MULTI-FAMILY COMPLEX CONSISTING OF TWELVE (12) UNITS. THE PROPERTY IS LOCATED ON THE NORTH SIDE OF MARY DEE AVENUE AND 290 FEET EAST OF THE NORTHEAST CORNER OF MARY DEE AVENUE AND CIVIC CENTER DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-11-812-006.

The application was presented by Vicki Adams, Planner who stated the requested waivers included a waiver of the required 20 foot buffer yards along the eastern, western and northern property lines and a waiver of the RTC Standard Detail 222a. The Public Works Department was not supporting the request to waive the requirement to comply with the standard detail and Staff was recommending denial of SPR-08-07 as the property could be developed without reducing the buffer areas. The applicant could possibly reduce the unit count by combining the apartment units and providing more two bedroom units as opposed to one bedroom units. Additionally, the applicant had not proven, from the site plan submitted, that the open space requirements could be met. Should the Commission determine approval was warranted, the following conditions were recommended:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That the development meet the Multi-Family Development Standards including, but not limited to, all open space requirements, with the following exception:
 - a. The twenty (20) foot buffer yards will not be required on the east, west and north property lines.
3. The exterior design of the building, as shown on the submitted elevations, shall be enhanced and revised, subject to review and approval by the Planning and Zoning Department.
4. The property owner is required to grant a roadway easement for commercial driveways(s).
5. The public street geometrics, width of over-pave and thickness or the pavement sections will be determined by the Department of Public Works.
6. 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 the *North Las Vegas Municipal Code* section 1724.130. Conformance may require modifications to the site.

7. Commercial driveways are to be constructed in accordance with the *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.
8. 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.
9. 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.
10. Amenities to be provided for this development shall be subject to review and approval by the Parks Department, and shall meet minimum requirements as set forth herein:
 - a. A minimum of 20 trees per acre;
 - b. A picnic area with at least one (1) barbecue grill on a concrete slab large enough to provide for required ADA accessibility. Shade trees shall be provided adjacent to the picnic area (south and / or southwest placement).
 - c. ADA accessibility;
 - d. Details of amenities to be provided.

Crystal Hagen, 9688 Spinnaker Creek Avenue, Las Vegas, NV 89148 appeared on behalf of the applicant stating the parcel was zoned R-4 with a maximum of 50 units per acre, which would have allowed for a maximum of 23.5 units for the site; but, in order to create a place that was aesthetically pleasing that would meet City Codes, it was reduced to 12 units. The proposed building would have four two bedroom units and eight one bedroom units, providing necessary housing for the area. The plan included upscale material, i.e., stucco, Spanish tile, stone and wrought iron and also included the required 4800 square feet of open space. She stated the applicant would include amenities such as park benches and barbeques to further enhance the beauty and desirability of the project. The design included 21 parking spaces and they would add a minimum of 12 covered parking spaces. Because this was a blight neighborhood with very little traffic and the project was smaller than what the code was written for, they were asking for a waiver of the RTC Standards to allow a five foot radius for the drive entrance and asked for further consideration in that area. In addition, they were providing intense buffer landscaping with plenty of foliage on the front and sides of the project.

Commissioner Ned Thomas stated the Commission had looked at a number of similar multi-family developments in that area over the past several years and it seemed most of the time there were problems because they underscore the disconnect between the Multi-Family Design Guidelines when they were applied to a smaller in-fill parcel. Most Multi-

Family Design Guidelines really applied to larger developments and this was a good example of that. There were 50 foot set-backs and the turning radii and different things that did not apply to a small in-fill parcel such as the one being presented and he felt the Commission needed to support and encourage good development in those areas. The set-backs were okay and the applicant had given a suitable alternative for the turning radii on the street and the smaller radiuses were more walkable and the large radiuses were based on highway standards, which was not appropriate in this type of neighborhood. In some cases the quality of the open space was more important than the quantity and in this instance that was the case. Commissioner Thomas stated some of the set-backs were being reduced and he thought some additional enhanced landscaping could be required and asked if a condition for additional landscape needed to be added.

Commissioner Jo Cato agreed with the comments made by Commissioner Thomas and asked the applicant if the product was for-sale units or rentals. Ms. Hagen responded it was a rental project with possible condominium conversion in the future.

Commissioner Dean Leavitt asked if the addition of the benches and barbeque areas should be added by a condition. Ms. Adams responded that was included in Condition No. 10. Commissioner Leavitt reminded the applicant if the application was approved, it would have to go before the Redevelopment Agency for final approval.

Commissioner Dilip Trivedi agreed with comments made by Commissioner Thomas but was not sure about the curb cuts on the street and asked the reasoning for not providing the 25 foot and 15 foot radiuses at the curb. Ms. Hagen responded it allowed them to plan the open space and it was usually required on a busy street in a larger complex; and the extra space was needed for open space.

Sam Correa, 3606 Gold Sleus explained the parcel was at the corner and the way it was situated made it difficult to get the radiuses; therefore, they were asking for the waivers.

Commissioner Trivedi asked Traffic for their comments. Eric Hawkins of Public Works stated traffic was not comfortable giving the waiver to 222a because it specifically gave discretion to the City or the Agency Traffic Engineer for the geometrics on the site; so, during the civil review, he could actually say that these radii would be okay and in looking at the site plan, it looked like they could go with 15 feet where 25 feet was required on one and 15 feet on the other.

Commissioner Trivedi stated he was in support of the application without the waiver of RTC Standard Detail 222a.

Commissioner Thomas asked Staff if the application was approved without the waiver on the turning radii, if later it could be approved as shown on the plan. Mr. Hawkins responded it could.

Commissioner Thomas stated he could support the waiver for the reduced set-backs but felt there should be compensation for enhanced landscaping and asked if a condition should be amended.

Ms. Adams responded Condition No. 2.b should be amended to read: "With the addition of an intense landscape buffer along the northern, eastern, and western property lines to meet 80% ground coverage and 24" box trees at 15' (15 foot) on center."

ACTION: APPROVED; FORWARDED TO THE REDEVELOPMENT AGENCY FOR FINAL CONSIDERATION WITH THE RECOMMENDATION TO ADD CONDITION NO. 2.B TO READ:

2.B. WITH THE ADDITION OF AN INTENSE LANDSCAPE BUFFER ALONG THE NORTHERN, EASTERN, AND WESTERN PROPERTY LINES TO MEET 80% GROUND COVERAGE AND 24" BOX TREES AT 15' (15 FOOT) ON CENTER.

MOTION: Commissioner Leavitt

SECOND: Commissioner Thomas

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

NAYS: None

ABSTAIN: None

12. **FDP-02-07 (28468) DEL NORTE HOMES. AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF RIO PLAZA LLC, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF A SINGLE-FAMILY DEVELOPMENT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF RANCHO DEL NORTE DRIVE AND CAMINO AL NORTE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-34-322-001, 124-34-322-002, 124-34-322-003, 124-34-322-004, 124-34-322-005, 124-34-322-006, 124-34-322-007, 124-34-322-008.**

The application was presented by Marc Jordan, Planning Manager who stated the PUD was originally approved for commercial and then became office but was never developed. The property was recently rezoned to a new PUD that would consist of 11 single-family homes on lots that were approximately 4500 square feet in size. There would be shared driveways and the final development plan showed consistency with the approved preliminary development plan and Staff was in support of the application. Mr. Jordan indicated that since the houses had been rotated 90 degrees on the lot, that the sides would need to have architectural features to help break up the massing of the wall, which would be consistent with the Single-Family Design Guidelines, which was a minor change and could be reviewed at the building permit stage. Public Works indicated they wanted a median running east from the intersection of Rancho del Norte Drive and Camino el Norte. Staff was recommending approval of FDP-02-07 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. That the development of this site be in compliance with all conditions of Ordinance Number 2302 (ZN-46-06).
3. The development shall comply with the Single Family Design Guidelines including but not limited to the following;
 - a. Buildings must incorporate jogs, offsets, or other architectural features, and roof variety and variations of roof lines.
4. The median proposed in Rancho Del Norte Drive east of Camino Al Norte shall extend to a point 50 feet past the westernmost driveway.

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.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Chairman Brown

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

NAYS: None

ABSTAIN: None

Item No. 14 was heard next.

OLD BUSINESS

13. **ZN-22-07 (28286) ALEXANDER & MLK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GHASSAN SHAMOUN ON BEHALF OF ZORA ZUHAIR AND GHASSAN SHAMOUN, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 11,783 SQUARE FEET OF RETAIL SPACE AND 12,230 SQUARE FEET OF OFFICE SPACE. THE PROPERTY IS GENERALLY LOCATED AT THE NORTHWEST CORNER OF MARTIN LUTHER KING BOULEVARD AND ALEXANDER ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-04-410-007, 139-04-410-008, 139-04-410-009, 139-04-410-010, AND 139-04-410-011. (CONTINUED JANUARY 10, 2007)**

It was requested by the applicant to continue ZN-22-07 to February 14, 2007.

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

Chairman Brown stated the Public Hearing would remain open.

ACTION: CONTINUED TO FEBRUARY 14, 2007

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 17 was heard next.

14. **SPR-01-07 (28242) PASSCO LIGHT INDUSTRIAL. AN APPLICATION SUBMITTED BY JMA ON BEHALF OF TROPICAL TWO LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN O-L, OPEN LAND DISTRICT (PROPOSED M-2, GENERAL INDUSTRIAL DISTRICT) TO ALLOW AN INDUSTRIAL DEVELOPMENT CONSISTING OF APPROXIMATELY 270,450 SQUARE FEET. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF TROPICAL PARKWAY AND BEESLEY DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 123-27-201-006, 123-27-201-007, 123-27-201-008, 123-27-201-009, AND 123-27-201-025. (CONTINUED JANUARY 10, 2007)**

The application was presented by Robert Eastman, Principal Planner who stated the applicant was requesting a waiver of the building orientation to allow them to be oriented away from the street edge. Additionally, they were asking for a waiver from Title 16 regarding throat depth and driveway. The proposal was generally in conformance with the Design Standards and parking requirements and Staff felt the requested waiver for building orientation was appropriate as it was an industrial area and the street edge was less important at that location, as it was an industrial area that would be predominantly industrial development in the future. Staff was recommending approval of SPR-01-07 with the deletion of Condition Nos. 2.b and 2.c. The original recommended conditions are as follows:

1. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. 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. Provide a detailed landscape plan for review and approval. The proposed landscaping shall include 60% of ground cover with 24" box tree every 15 feet on center.
 - b. Provide fifteen (15) 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.
 - c. Show interconnected walkways and parking drives along the east property line between the buildings on the site and those of adjacent development.

3. Approval of a drainage study is required prior to submittal of the civil improvement plans.
4. Approval of a traffic study is required prior to submittal of the civil improvement plans.
5. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Tropical Parkway.
6. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and *City of North Las Vegas Municipal Code* section 16.24.100.B:
 1. Tropical Parkway
 2. Beesley Drive
 3. Azure Avenue
 4. Associated spandrels
7. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
8. 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.
9. 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.
10. If VAC-23-06 is not approved, this site plan will be deemed null and void.
11. The property owner is required to grant a roadway easement for commercial driveway(s).
12. The property owner is required to sign a restrictive covenant for utilities.
13. Construction of a 32-foot access road on Tropical Parkway to the nearest paved street is required.
14. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.

15. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
16. The sanitary sewer for the subject project shall tie into the existing 21" sanitary sewer main approximately located in the intersection of Washburn Road and Donovan Way, Unless otherwise approved by Director of Utilities Department.
17. A looped water system may be required. Full frontage required in Azure Avenue, Beesley Drive, and Tropical Parkway.
18. The developer shall provide a meter and backflow prevention per building.

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 had been working with Staff on the conditions. She presented a redlined version of the conditions showing requested changes. In addition to the changes shown, she asked that a new Condition No. 19 be added to read: "A construction phasing plan, depicting onsite development and supporting offsite improvements, as well as construction access routes, shall be provided by the developer. Approval by the Department of Public Works is required prior to the issuance of any permits."

Commissioner Ned Thomas stated he understood Staff was looking to have a cross access easement at the southeast corner and asked if it was included in the recommended conditions. Mr. Eastman stated that issue would be discussed with the tentative map.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NOS. 2.B AND 2.C AND THE ADDITION OF CONDITION NO. 19 TO READ:

19. A CONSTRUCTION PHASING PLAN, DEPICTING ONSITE DEVELOPMENT AND SUPPORTING OFFSITE IMPROVEMENTS, AS WELL AS CONSTRUCTION ACCESS ROUTES, SHALL BE PROVIDED BY THE DEVELOPER. APPROVAL BY THE DEPARTMENT OF PUBLIC WORKS IS REQUIRED PRIOR TO THE ISSUANCE OF ANY PERMITS.

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

15. **T-1283 (28243) PASSCO LIGHT INDUSTRIAL. AN APPLICATION SUBMITTED BY JMA ON BEHALF OF TROPICAL TWO LLC, PROPERTY OWNER, FOR APPROVAL OF AN INDUSTRIAL TENTATIVE MAP IN AN O-L OPEN LAND DISTRICT (PROPOSED M-2, GENERAL INDUSTRIAL DISTRICT). THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF TROPICAL PARKWAY AND BEESLEY DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 123-27-201-006, 123-27-201-007, 123-27-201-008, 123-27-201-009, AND 123-27-201-025. (CONTINUED JANUARY 10, 2007)**

The application was presented by Robert Eastman, Principal Planner who stated the tentative map was consistent with the proposed zoning of M-2 and Staff was recommending approval. He indicated the revised conditions submitted by the applicant, with the deletion of Condition Nos. 7 and 8 was appropriate and Staff wanted to amend Condition No. 16 to read: "A looped water system may be required, subject to review and approval by the Director of Utilities;" Condition No. 19 should be added to read: "A construction phasing plan, depicting onsite development and supporting offsite improvements, as well as construction access routes, shall be provided by the developer. Approval by the Department of Public Works is required prior to the issuance of any permits;" and Condition No. 20 should be added to read: "A minimum of two access easements shall be filed with the final map to provide cross access with the property to the east, should access with the property to the east be desired, subject to review and approval by the Departments of Public Works and Planning and Zoning." The original recommended conditions are as follows:

1. Unless expressly, authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. Approval of a drainage study is required prior to submittal of the civil improvement plans.
3. Approval of a traffic study is required prior to submittal of the civil improvement plans.
4. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Tropical Parkway.
5. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and *City of North Las Vegas Municipal Code* section 16.24.100.B:
 - a. Tropical Parkway
 - b. Beesley Drive
 - c. Azure Avenue
 - d. associated spandrels

6. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
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. 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.
10. 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.
11. If VAC-23-06 is not approved, this site plan will be deemed null and void.
12. The property owner is required to grant a roadway easement for commercial driveway(s).
13. The property owner is required to sign a restrictive covenant for utilities.
14. Construction of a 32-foot access road on Tropical Parkway to the nearest paved street is required.
15. The sanitary sewer for the subject project shall tie into the existing 21" sanitary sewer main approximately located in the intersection of Washburn Road and Donovan Way, unless otherwise approved by Director of Utilities Department.
16. A looped water system may be required.
17. The developer shall provide a meter and back flow assembly per building.

18. Must comply with all conditions submitted by the Southern Nevada Health District including but not limited to:
 - a. Written verification from the Division of Environmental Protection of the State Department of Conservation and Natural Resources that the **Tentative Map** or plan has been approved with regard to water pollution and sewage disposal in accordance with the Nevada Water Pollution Control Law.
 - b. The Fire Protection Water lines will adhere to the UDACS separation requirements of subsections 2.20.01, 2.19, and 2.04 as nonpotable water lines (i.e. 6' minimum horizontal separation and 6" minimum vertical separation from potable water lines).
 - c.. Separation of the Fire Water lines from the storm and sanitary lines (i.e. 5' - 6' minimum horizontal separation) should be maintained in order to protect the offsite potable water after the backflow prevention device.
 - d. A letter from the appropriate sewer agency stating that service from the existing system of community sewerage will be extended to the subdivision and the community facility for treatment will not be caused to exceed its capacity and the discharge permit requirements by this added service or that the facility will be expanded to provide for the added service.
 - e. A letter from the appropriate water utility stating that it will supply water for domestic and fire protection purposes, that the system has the necessary facilities to treat water to meet the standards of the Water Supply Regulations Part 1, and that the capacity is available to meet the demands upon the system.
 - f. Written verification from the Division of Environmental Protection of the State Department of Conservation and Natural Resources that the **Final Map** or plan has been approved with regard to water pollution and sewage disposal in accordance with the Nevada Water Pollution Control Law.

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 on the revised list of conditions submitted, language had been added to Condition No. 5 and asked that it be deleted. She agreed with the deletion of Condition Nos. 7 and 8 and was in agreement with Condition No. 16 indicating a looped water system, and was also in agreement with the addition of Condition No. 19, but was not in agreement with the addition of Condition No. 20 regarding cross access, as they had no idea what would be developed to the east, and there were yards behind each of the buildings, which were meant to be used by the tenants, so the area needed to be kept secure.

Commissioner Dean Leavitt agreed with the applicant and did not see a need to require cross access.

Ms. Lazovich added they were agreeing to a condition stating they would work with the Director of Utilities on where they would tie in for the sewer but there was a condition stating they would tie into a sewer that was approximately five miles away from their site, and there was a sewer tie in on Tropical Parkway, a couple hundred feet away, which was located in the County, so they would work out the details with the Director of Utilities.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NOS. 7 AND 8 AND CONDITION NO. 16 AMENDED AND CONDITION NO. 19 ADDED TO READ:

16. A LOOPED WATER SYSTEM MAY BE REQUIRED, SUBJECT TO REVIEW AND APPROVAL BY THE DIRECTOR OF UTILITIES.
19. A CONSTRUCTION PHASING PLAN, DEPICTING ONSITE DEVELOPMENT AND SUPPORTING OFFSITE IMPROVEMENTS, AS WELL AS CONSTRUCTION ACCESS ROUTES, SHALL BE PROVIDED BY THE DEVELOPER. APPROVAL BY THE DEPARTMENT OF PUBLIC WORKS IS REQUIRED PRIOR TO THE ISSUANCE OF ANY PERMITS.

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

16. SPR-07-07 (28281) MARIA TOWN HOMES. AN APPLICATION SUBMITTED BY RP CONSTRUCTION SERVICES ON BEHALF OF MATTHEW AND MARIA STOEN, PROPERTY OWNERS, FOR A SITE PLAN REVIEW IN AN R-2 GENERAL RESIDENTIAL DISTRICT TO ALLOW A TWO-STORY TRIPLEX DWELLING. THE PROPERTY IS LOCATED AT 2441 ARROWHEAD. THE ASSESSOR'S PARCEL NUMBER IS 139-14-812-098. (CONTINUED JANUARY 10, 2007)

The application was presented by Robert Eastman, Principal Planner who stated the applicant indicated they had submitted a new Letter of Intent asking for a number of waivers, specifically, the most important two waivers refer to their buffering around the multi-family building and they were also requesting a parking waiver. It was Staff's opinion, based on what was written in the parking ordinance, that the applicant was required seven parking spaces and were providing six with the current site plan and they were asking for the additional parking to be tandem, using the driveway locations and the garages. Title 17, in Staff's opinion, did not allow tandem parking to be used to satisfy parking requirements; therefore, Staff could not support the waiver request. Additionally, the building, as designed, was very large and dominated the neighborhood. Staff felt additional articulation of the building and additional landscape buffering should be used to help lessen the impact on the neighboring structures; therefore, Staff was recommending continuance to allow the applicant time to redesign the site to be in compliance with the Design Standards and parking requirements. Should the Commission determine approval was warranted, the following conditions were recommended:

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 20 foot landscape buffer be provided along the south property line with a 60% ground coverage of live plants within 2 years of planting.
 - b. Buildings must incorporate jogs, offsets, or other architectural features, and roof variety and variations of roof lines.
 - c. Sloped roof material shall be composed of concrete or clay tile.
 - d. Perimeter landscaping shall be provided along Nelson Avenue with a 60% ground coverage of live plants within 2 years of planting..
3. The maximum height of all buildings shall not exceed 35.0 feet.
4. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* number 226.

5. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
6. 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.
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. A merger and re-subdivision parcel map must be filed to create the proposed parcel.
10. Dedication and construction of the following streets and/or half streets is required per the Master Plan of Streets and Highways and/or City of North Las Vegas Municipal Code Section 16.24.100:
 - a. Spandrel at Nelson Avenue
 - b. Arrowhead Street
11. The developer shall provide a water meter for each townhome.

Skip Kerr, 916 South Valley View, Las Vegas, NV and Bob Stone appeared on behalf of the contractor requesting approval subject to conditions recommended by Staff with two exceptions. Mr. Kerr requested that on Condition No. 2.a, the minimum 20 foot landscape buffer be reduced to nine feet as the way the tri-plex was situated, they did not have the 20 foot buffer and requested on Condition No. 10.a, the spandrel at Nelson Avenue be deleted, as it would require them to increase the radius on the corner where the light post was and there was currently a light post and sidewalk with a ramp and asked that they be able to keep that as it was.

Mr. Stone stated the spandrel at Nelson Avenue matched the other spandrels on the corner and with the street light in and the curb and gutter and ramps in perfect shape, it seemed improper to tear it out to increase the radius.

Chairman Steve Brown asked how large the project was compared to the two story house next to it. Mr. Kerr responded they had a two story tri-plex. Mr. Stone stated there was an existing four-plex.

Commissioner Ned Thomas stated the location was appropriate for multi-family, but it was important that it be compatible with the neighbors. It was a prime example of how the Multi-Family Design Guidelines were not practical for smaller in-fill projects. He understood the need for guest parking in multi-family developments, but in this case, it was very similar to three single-family units, so he felt the parking was appropriate. The primary issue was the architectural design and suggested windows might be added. Mr. Kerr showed a drawing depicting faux windows, which would be added with popouts and they would have the same trim colors as the rest of the building. Commissioner Thomas agreed with the applicant on the spandrel at Nelson Avenue.

Commissioner Jo Cato asked if Staff had a copy of the revised plan. Mr. Kerr responded they did not, as the revisions were made after they received a copy of their Staff Report

Randy Cagle of Public Works stated on Condition No. 10, Staff recommended that the words "and construction" be deleted, as it was not Staff's intention that they build any street improvements, but wanted the dedication for the existing spandrel and the existing sidewalk.

Mr. Eastman stated if the Commission desired to approve SPR-07-07, Condition No. 2.a should be amended to read: "A minimum 9 foot landscape buffer be provided along the south property line with a 60% ground coverage of live plants within two (2) years of planting. The geotechnical report recommendation shall be followed to provide the required nine feet of landscaping." He explained, that typically the geotechnical report had recommendations, one being to not allow any landscaping and further into the recommendations it states, "if landscaping is to be provided, the following measures must be followed," and it was Staff's recommendation that those recommendations then be followed so that the landscape buffer would be provided instead of it being an empty void along the southern property line.

Mr. Kerr agreed to the amendment to Condition No. 2.a.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
CONDITION NOS. 2.A AND 10 AMENDED TO READ:**

**2.A. A MINIMUM 9 FOOT LANDSCAPE BUFFER BE PROVIDED ALONG
THE SOUTH PROPERTY LINE WITH A 60% GROUND COVERAGE**

OF LIVE PLANTS WITHIN TWO (2) YEARS OF PLANTING. THE GEOTECHNICAL REPORT RECOMMENDATIONS SHALL BE FOLLOWED TO PROVIDE THE REQUIRED NINE FEET OF LANDSCAPING.

10. DEDICATION OF THE FOLLOWING STREETS AND/OR HALF STREETS IS REQUIRED PER THE MASTER PLAN OF STREETS AND HIGHWAYS AND/OR CITY OF NORTH LAS VEGAS MUNICIPAL CODE SECTION 16.24.100:
 - A. SPANDREL AT NELSON AVENUE
 - B. ARROWHEAD STREET

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

Item No. 19 was heard next.

17. **SPR-06-07 (28265) NORTHERN BELTWAY INDUSTRIAL CTR. AN APPLICATION SUBMITTED BY THOMAS & MACK DEVELOPMENT ON BEHALF OF NORTHERN BELTWAY INDUSTRIAL CENTER LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW AN INDUSTRIAL BUSINESS PARK CONSISTING OF FOUR (4) WAREHOUSE BUILDINGS WITH A TOTAL OF 137,745 SQUARE FEET. THE PROPERTY IS GENERALLY LOCATED AT THE NORTHEAST CORNER OF RANGE ROAD AND EL CAMPO GRANDE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 123-28-301-011. (CONTINUED JANUARY 10, 2007)**

It was requested by the applicant to continue SPR-06-07 to February 14, 2007.

ACTION: CONTINUED TO FEBRUARY 14, 2007

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 18 was heard next.

18. **T-1284 (28291) NORTHERN BELTWAY INDUSTRIAL CTR. AN APPLICATION SUBMITTED BY THOMAS & MACK DEVELOPMENT ON BEHALF OF NORTHERN BELTWAY INDUSTRIAL CENTER, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT CONSISTING OF ONE (1) COMMERCIAL SUBDIVISION. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF RANGE ROAD AND EL CAMPO GRANDE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 123-28-301-011. (CONTINUED JANUARY 10, 2007)**

It was requested by the applicant to continue T-1284 to February 14, 2007.

ACTION: CONTINUED TO FEBRUARY 14, 2007

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 22 was heard next.

19. **ZN-56-06 (27903) INQUIPCO FACILITY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JAMES E. STROH ON BEHALF OF GRAVITY FIGHTERS LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN O-L OPEN LAND DISTRICT TO AN M-2 GENERAL INDUSTRIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF SLOAN LANE AND AZURE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 123-28-501-010. (CONTINUED DECEMBER 13, 2006 AND JANUARY 10, 2007)**

The application was presented by Vicki Adams, Planner who stated Staff was recommending approval of ZN-56-06.

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.

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

Chairman Brown closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

20. **SPR-44-06 (27904) INQUIPCO FACILITY. AN APPLICATION SUBMITTED BY JAMES E. STROH ON BEHALF OF GRAVITY FIGHTERS LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN O-L OPEN LAND DISTRICT TO ALLOW AN INDUSTRIAL COMPLEX. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF SLOAN LANE AND AZURE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 123-28-501-010. (CONTINUED DECEMBER 13, 2006 AND JANUARY 10, 2007)**

Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant requesting to continue SPR-44-06 to February 14, 2007.

ACTION: CONTINUED TO FEBRUARY 14, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

21. **UN-121-06 (27906) INQUIPCO FACILITY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JAMES E. STROH ON BEHALF OF GRAVITY FIGHTERS LLC , PROPERTY OWNER, FOR A USE PERMIT IN AN O-L OPEN LAND DISTRICT (PROPOSED RECLASSIFICATION TO AN M-2 GENERAL INDUSTRIAL DISTRICT) TO ALLOW AN AUTOMOBILE REPAIR FACILITY AND AN AUTOMOBILE WASHING ESTABLISHMENT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF SLOAN LANE AND AZURE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 123-28-501-010. (CONTINUED DECEMBER 13, 2006 AND JANUARY 10, 2007)**

The application was presented by Vicki Adams, Planner who stated Staff was recommending approval of UN-121-06 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. This use permit will be considered null and void if ZN-56-06 is not approved.
3. That UN-121-06 is site-specific and non-transferable.
4. Must comply with all of the conditions of approval for SPR

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.

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

Chairman Brown closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

The Public Forum was heard next.

22. **UN-117-06 (27788) TERRIBLE'S LUBE #281 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TERRIBLE HERBST INC. ON BEHALF OF RIFFAT ASIF INVESTMENT LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW AN AUTOMOBILE SERVICE FACILITY. THE PROPERTY IS LOCATED AT 335 WEST CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-03-311-012. (CONTINUED DECEMBER 13, 2006 AND JANUARY 10, 2007)**

It was requested by the applicant to continue UN-117-06 to February 14, 2007.

Chairman Steve Brown asked the applicant to show just cause for the continuance.

Kitty Fellowes, 3773 Howard Hughes parkway, Las Vegas, NV appeared on behalf of the applicant explaining the applicant recently submitted a revised plan and the continuance was to allow Staff time for review.

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

Chairman Brown stated the Public Hearing would remain open.

Commissioner Dilip Trivedi stating he would be abstaining.

ACTION: CONTINUED TO FEBRUARY 14, 2007

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

AYES: Chairman Brown, Commissioners Leavitt, Shull, Cato, and Thomas

NAYS: None

ABSTAIN: Vice-Chairman Trivedi

Item No. 1 was heard next.

PUBLIC FORUM

Robert Browning, 6504 Amanda Michelle Lane, North Las Vegas, NV 89081 a new resident to North Las Vegas, stated he had attended several Planning Commission meetings and was impressed and appreciated the Commissioners' work.

DIRECTOR'S BUSINESS

There was no report given.

CHAIRMAN'S BUSINESS

Chairman Steve Brown asked if the Conditions of Approval at the end of the agenda could be removed and also the Roll Call section. Deputy City Attorney Bethany Sanchez stated she would check on whether the changes should be added to the agenda.

Commissioner Dean Leavitt reported on the progress of the Crime Prevention Through Environmental Design (CPTED) meetings.

ADJOURNMENT

The meeting adjourned at 7:55 p.m.

APPROVED: February 28, 2007

/s/ Steve Brown
Steve Brown, Chairman

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