

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

May 9, 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

- Presentation by Guy Corrado of the Clark County School District regarding School District needs around the North 5th Corridor.

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

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

STAFF PRESENT: Jory Stewart, Planning & Zoning Director
Marc Jordan, Planning Manager
Robert Eastman, Principal Planner
Mary Aldava, Senior Planner
Nick Vaskov, Deputy City Attorney II
Randy Cagle, PW, Real Property Services Manager
Eric Hawkins, Public Works
Mike Steele, Fire Department
Jose Rodriguez, Police Department
Louise Steeps, Utilities Department
Jo Ann Lawrence, Recording Secretary

WELCOME: Chairman Steve Brown

VERIFICATION: Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE: Chairman Steve Brown

MINUTES

- **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF APRIL 11, 2007.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 2 was heard next.

NEW BUSINESS

1. **UN-44-07 (29804) HOUSE OF DELIVERANCE CHURCH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY HOUSE OF DELIVERANCE CHURCH ON BEHALF OF GSG ALEXANDER LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A CHURCH. THE PROPERTY IS LOCATED AT 4050 MARTIN LUTHER KING BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-04-818-005.**

The application was presented by Marc Jordan, Planning Manager who stated the applicant indicated there would be a seating capacity of approximately 105 people within the suite, which would be approximately 4200 square feet and would require approximately 19 parking spaces. The center was currently over parked, so there was an abundance of parking; therefore, Staff was recommending approval of UN-44-07 with the following conditions:

1. That the special use permit is site specific and non-transferable.
2. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
3. That any expansions to the proposed use shall be subject to Planning Commission review and approval.
4. The applicant must apply for a change of occupancy with the Building Safety Division for the City of North Las Vegas, if the proposed building space has not been previously classified as an A-3 occupancy per the Building Code, (Any applications for a tenant improvement will simultaneously satisfy this condition.) The change of occupancy must be approved prior to occupancy.

Pastor Betty Smith, House of Deliverance Church, 3345 West Craig Road, Suite A, North Las Vegas, NV 89032 stated she concurred with Staff recommendation.

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

Chairman Brown closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Shull

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

Item No. 3 was heard next.

2. **UN-43-07 (29802) 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 M-2 GENERAL INDUSTRIAL DISTRICT) TO ALLOW TRACKED VEHICLES AND HEAVY EQUIPMENT STORAGE. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF SLOAN LANE AND AZURE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 123-28-501-010.**

It was requested by the applicant to continue UN-43-07 to May 23, 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 MAY 23, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 1 was heard next.

3. UN-40-07 (29756) PERSONAL STORAGE-CENTENNIAL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY STORAGE PROPERTIES INC. ON BEHALF OF PETERSEN 1994 TRUST, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A MINI-WAREHOUSING FACILITY. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CENTENNIAL PARKWAY AND MCCARRAN STREET. THE ASSESSOR'S PARCEL NUMBER'S ARE 124-24-401-019 AND 124-24-401-021.

The application was presented by Mary Aldava, Senior Planner who stated the facility would be approximately 88,000 square feet with a 3,200 square foot office/caretakers residence which would be located near the southwest corner of the development. There were 28 parking stalls for RV parking, one two story building, approximately 71,726 square feet which would be located in the center of the facility and the office and caretakers' apartment were within the two story building and would be connected to and part of the single-story Building A. The site was approximately 4.2 acres in size and the mini-storage facility would occupy 3.5 acres, leaving 1.5 acres as not a part of the site and Staff was concerned with leaving the vacant portion, as had happened in the past, when small parcels had been left vacant, they were not able to be developed in compliance with the Commercial Design Standards. Further, the back side of Buildings "A" and "C" would also serve as the required perimeter screen walls, which was acceptable as long as the buildings were not within the required setback. The set-backs are measured from the property lines and the Department of Public Works requested that a bus turnout be provided along Centennial Parkway, which would modify Building "A" as it would have to be moved and a revised site plan would be required. The back sides of Buildings "A" and "C" would be required to match the walls that were currently around the perimeter of the multi-family development to the north, which consisted of brown cement plaster and beige cement plaster over the capstones. Staff was recommending that UN-40-07 be continued so the applicant could provide revised site plans showing how the remnant parcel would be developed without necessitating any waivers and to revise the location of Building "A" to comply with the set-backs and to revise the elevations of the existing wall around the multi-family development. 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 UN-40-07 is site-specific and non-transferable.
3. That landscaping shall be provided for the 1.05±-acre parcel to the west identified as "NOT A PART." A minimum 20 feet of landscaping with a consistent design theme of the mini-warehousing facility shall be provided along the front and rear

property lines. Said landscaping shall be reviewed and approved as part of the mini-warehousing facility and shall be completely installed prior to the issuance of a certificate of occupancy. It shall be the applicant's discretion whether independent water and electrical sources are provided or if the automatic irrigation system is linked to that of the mini-warehouse facility.

4. That the development of this site be in compliance with the Commercial Development Standards and Design Guidelines, including but not limited to the following:
 - a. The sidewalks along Centennial Parkway and McCarran Street shall be separated by a minimum five feet of landscaping from the backs-of-curb and shall be meandering.
 - b. The design of the existing wall around the adjacent multi-development to the north shall be continued onto the backsides of Buildings "A" and "C", and onto the 10-foot screen wall along the western side of the site. The walls shall be constructed with smooth-face CMU blocks, "H-block" pilasters spaced not greater than 25 feet on-center and at all corners/ends, and capstone. In-lieu of the capstone, a cornice with a similar look shall be provided to the cover over the RV parking and along the backsides of Buildings "A" and "C". All walls, pilasters and capstones/cornices shall be covered with cement plaster. The walls and pilasters shall be painted brown and the capstones/cornices shall be painted beige.
 - c. A minimum six feet of foundation landscaping, or an accepted alternative, plus a five-foot sidewalk shall be provided adjacent to the north and west sides of the "Office/Apartment." Wheelstops shall be provided within all parking stalls abutting the "Office/Apartment."
 - d. A minimum two trash enclosures shall be provided within the gated area. The trash enclosures shall match the exterior wall design and shall have roofs and cornices to match the buildings.
 - e. With the exception of roof areas, all exposed metal surfaces shall be painted with sand-textured paint, which includes the columns supporting the cover over the RV parking.
 - f. In-lieu of a decorative block wall, a landscape island shall be provided at the east end of the row of RV parking to screen the parking areas from McCarran Street. The island shall include at least two 24-inch box trees and a sufficient number and type of shrubs to provide the desired screening effect.

- g. The 30-foot landscape buffer along the northern property line shall be provided with a dense planting scheme of drought-tolerant and people-unfriendly shrubs and trees such as, but not limited to, pyracanthas, sweet acacias, mesquites, hollies, green palo verdes, with the intent to achieve alternate screening and security.
 - h. In addition to the cornice, a fascia with a minimum height of one foot (1.00') shall be added to the north, east and west sides of the cover over the RV parking.
- 5. The existing wall along the northern property line shall not be altered by this development, with the exception of adding up to four feet (4.00') of wrought-iron to the top of the wall and only if proper permitting is obtained first. If it is determined that wrought-iron cannot be added to the top of the existing wall, then a ten-foot wrought-iron fence may be constructed entirely within the subject site approximately five feet south of the existing wall. Between the wrought-iron fence and the existing wall shall be the dense planting of pyracanthas or hollies. The purpose of the five-foot setback is to prevent someone from walking across the top of the wall and holding onto the fence. The purpose of the pyracanthas and/or hollies is security and compliance with the landscaping requirements.
- 6. That a minimum two enclosed parking stalls be provided for the caretaker(s).
- 7. The minimum number of internal parking stalls shall be determined at the time of building permit application. It may be necessary for the site plan to be altered in order to provided said parking.
- 8. That the development of this site be in compliance with all standards set forth in Section 17.24.020.C.15 of the Zoning Ordinance.
- 9. That wall signage shall only be permitted on the south-, east- and west-facing walls. Free-standing signage shall be limited to monument signs not greater than eight feet (8.00') in overall height. All location, distance, separation and setback requirements shall be in compliance with ordinance requirements.
- 10. Building "A" shall be modified to comply with all setback requirements, including but not limited to the minimum front setback of 20 feet after the required dedication for the bus turn-out is provided.
- 11. Fire access lanes shall be marked per the fire code to prohibit parking on one / both side(s) of the fire access lane.
- 12. Knox Boxes shall be provided at all gates.

13. Additional lighting shall be provided at the trash enclosures and RV parking area, but the additional lighting shall not exceed 0.5 foot-candles at the property lines.
14. Approval of a drainage study is required prior to submittal of the civil improvement plans.
15. Approval of a traffic study is required prior to submittal of the civil improvement plans.
16. 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.
17. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
18. Appropriate subdivision and/or parcel mapping is required to complete this project. All mapping shall be in compliance with NRS Chapter 278 and the *City of North Las Vegas Municipal Code*, and associated Master Plans in effect at the time of subdivision and/or parcel map approval. Conformance may require modifications to the site.
19. The property owner is required to sign a restrictive covenant for utilities.
20. The property owner is required to grant a public pedestrian access easement for sidewalk located within a common element, or on private property, when that sidewalk is providing public access adjacent to the right-of-way.
21. A revocable encroachment permit for landscaping within the public right of way is required.
22. 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. Centennial Parkway
 - b. McCarran Street
 - c. associated spandrels
23. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
24. Median landscape and irrigation plans for Centennial Parkway must be submitted to the Parks Department. Final approval of the civil improvement plans will not be acquired prior to Parks approval of the landscaping plans.

25. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Centennial Parkway.
26. 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.
27. 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.
28. Right-of-way dedication and construction of a CAT bus turn-out is required on Centennial Parkway near McCarran Street per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
29. 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.
30. 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.
31. The commercial driveway on Centennial Parkway is too close to the proposed parcel line and must be revised to be a shared access driveway with the "Not A Part" parcel to the west.
32. The property owner must provide a shared access agreement for the commercial driveway on Centennial Parkway.
33. The property owner is required to grant a roadway easement for commercial driveway(s).
34. All off-site improvements must be completed prior to final inspection of the first building.

Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89169 appeared on behalf of the applicant pointing out the application was for a special use permit that was allowed in the commercial zone and they were not asking for any waivers or variances with respect to the application and felt, based on the design and what was proposed, the project was in compliance with the Commercial Design Standards and all other code requirements. Mr. Gronauer handed

out a list of conditions with requested amendments, as there were some conditions that he believed exceeded some of the Commercial Design Guidelines. The first issue brought up by Staff was the portion of property shown as "not a part". Mr. Gronauer stated they were proposing to come back at a later date, when they had a true tenant for the parcel and that it would be used for a bank and/or veterinary clinic and he felt the design standards could be met in that area. He asked that Condition No. 3 be deleted, which required them to put in 20 feet of landscaping along Centennial Parkway. The concern was that it was a vacant piece of property and in the future when it was developed, he believed the design may be different and the construction vehicles would destroy the landscaping and if there was a concern with the aesthetics on the site, it was no different than vacant land. He agreed that if there was any debris or unsightly things on the property, they could clean it up, but asked that the property be allowed to remain as it was. On Condition No. 3.b, as shown on the conditions handed out by Mr. Gronauer, regarding the aesthetics of the building, as mentioned by Staff, one of the reasons for the requested continuance was that they would like the development to be compatible with the multi-family development to the north. He disagreed with that recommendation, stating the Commercial Design Guidelines did not require them to be compatible with adjacent projects. He pointed out one of the issues discussed, was the wall of the apartment complex, which was the theme Staff wanted carried out throughout the fencing and buildings of the proposed project. He explained the wall was interior to the site, so if you were driving down McCarran or Centennial Parkway, the wall would not be visible and there was view fencing along McCarran. He stated they were providing a decorative block wall, which was approved across the street on McCarran with a similar design. He asked that Condition No. 3.b be amended to read: "A 20-foot screen wall along the western side of the site is required and it will begin to step down to an 8-foot screen wall at the northern end of Building "B." He asked that Condition No. 3.d be amended to read: "A minimum one trash enclosure shall be provided within the gated area. The trash enclosure shall match the exterior wall design and shall have roofs and cornices to match the buildings," and indicated he had met with the Planner, who agreed one trash enclosure was sufficient. Mr. Gronauer asked that Condition No. 3.g, be amended to read: "The 20-foot landscape buffer along the northern property line shall be provided with a dense planting scheme of drought-tolerant and people-unfriendly shrubs and trees such as, but not limited to, pyracanthas, sweet acacias, mesquites, hollies, green palo verdes, with the intent to achieve alternate screening and security." He asked that Condition No. 4 be amended to read: "The trees along the north property line shall be 10-foot on center." He explained Staff was requiring that four foot high wrought iron fencing be placed on top of an existing six foot wall that they did not own or control, or build a ten foot high wrought iron fence five feet off the property line and he did not feel it was safe to build a ten foot high wrought iron fence and be five foot away from a block wall, with the area between the two, landscaped. They agreed to double the trees, and place them ten foot on center instead of the code requirement of one tree per 20 feet on center, which would give a better buffer and would eliminate the wrought iron fencing. Mr. Gronauer asked for the Commission's approval with the requested amendments to the conditions.

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

- **Robert Browning, 6504 Amanda Michelle, North Las Vegas, NV 89086** was confused about the 30 foot of landscaping required in Condition No. 4.g and the requested 20 feet by the applicant. He also stated the storage facility was not a good fit for the neighborhood and did not feel it was necessary. They were trying to create a walkable community and he did not feel people would be walking to a storage facility.
- **Roosevelt Ward, 6533 Casamar Street, North Las Vegas, NV 89086** stated he lived at the northeast corner of McCarran and Centennial and was the Vice-President of the Homeowner's Association in that area. He asked the Planning Commission to deny the request because the community was over saturated with people. He presented pictures of other storage facilities and stated there was currently eight to ten storage facilities within a couple mile radius of the proposed storage facility. The storage facility was not necessary and would decrease the value of the homes in the area and asked that the application be denied.
- **Gregory Pachadin, 2720 Villa Camaro, North Las Vegas, NV 89086** stated he was a member of the Portico Community Association, to the east of the proposed storage facility. He preferred to see the vacant lot converted to restaurants and shops, something that would benefit the community.

Chairman Brown closed the Public Hearing.

Mr. Gronauer stated the area was re-zoned before the homes in the area were built . The arguments made by the residents helped support the idea of a mini storage facility in the area, as there were apartments under construction and there was density in the area to warrant the storage facility. He indicated a storage facility produced minimal noise, as they were not open 24 hours per day, seven days per week and there was minimal traffic. A commercial use would create more traffic and a residential development would create more traffic and impact on the schools. He explained storage facilities had been used as a buffer between a very intense use and a lower intense use and did not feel the facility would have a negative impact on property values. Mr. Gronauer clarified they met the design criteria for the Commercial Design Guidelines with respect to the landscaping, which was 20 feet from a residential property line.

Commissioner Jay Aston asked if the portion on the site plan that was shown as "not a part" was a separate parcel. Mr. Gronauer explained that portion would be pulled out. The applicant would have to do a parcel map and it would be parceled out as a separate parcel and be sold or it could possibly be used for future expansion.

Commissioner Aston asked if the parcel would be accessed by the driveway shown on the site plan. Mr. Gronauer responded it would. Commissioner Aston stated he agreed with the applicant on the issue with the stucco on the block wall and would rather have a split faced block wall instead of stucco. He stated the application was consistent with the Master Plan and the zoning for the area, so he was not concerned with the use. He asked the applicant if it was a big issue to put in the landscaping on the additional parcel, as there would not be a driveway put in when it was developed. Mr. Gronauer responded it would be an additional expense and felt it would be destroyed when construction was done on the parcel. He was concerned a precedent would be set if they were to put in the additional landscaping.

Commissioner Ned Thomas felt the proposed conditions were reasonable and made an attempt to make the use compatible with the neighborhood. He felt the larger issue was if mini storage and RV storage facility was appropriate at the proposed location, which was what was being addressed by the residents. He felt the storage facility was a light industrial use, which was being placed next to residential neighborhoods and between a residential and commercial neighborhood and it seemed what was emerging was a horizontal mixed use neighborhood, and it was true that a mini storage was quiet and did not create a lot traffic; but, it was a dead space and was located between where people would walk and was something you would walk around rather than walk to and added a mini storage was something you would drive to. The facility would be accessible from the 215 Beltway and he wondered if it would be used by the residents in the area or by others.

Commissioner Harry Shull stated with the number of apartments in the area, the storage facility was appropriate and would be used by residents in the area. It was a dead spot, but storage facilities were well maintained and landscaped and were clean and quiet and would serve as a buffer between the commercial development and the single-family homes.

Commissioner Dean Leavitt asked Staff if they found an example of landscaping along Craig Road.

Marc Jordan, Planning Manager showed an overhead view of Craig Road around Craig Ranch Golf Course, which showed the undeveloped pads along Craig Road in that area were landscaped.

Commissioner Leavitt asked Jose Rodriguez of the Police Department to comment on the five foot space between the wrought iron fence and the block wall. Mr. Rodriguez responded the Police Department was against a five foot dead space, if it was a walking path accessible to pedestrian traffic; but, if he was reading the site plan correctly, the ten foot wrought iron fence would be enclosed on both ends, with landscaping to buffer, which he was in favor of, because that was where the storage for the RV's would be located.

Commissioner Leavitt was concerned that if the area was completely enclosed, it would be difficult to maintain. Mr. Rodriguez stated the landscaping would have to be short and could not include trees, as they would cause a hazard.

Commissioner Jo Cato stated she was not convinced a storage was a good use for the area and would prefer that the C-1 be cohesive with other permitted uses versus a storage facility. She agreed with comments made by the residents and was not in support of the application.

Mr. Gronauer stated the mini storage use was a less intense use, as there would be no access onto McCarran and there would not be other commercial uses. He explained there was over two million square feet that he would be representing in the next year, showing the commercial uses going in the area.

Commissioner Shull asked Staff if there was a requirement that there be a ten foot wall at the rear of the property. Ms. Aldava responded eight feet was the minimum height required between different uses. Commission Shull asked the height of the wall currently in place. Mr. Gronauer responded there were conditions requiring more than what was required by code and they were putting in a 10 foot wall even though it was not required by code.

Commissioner Dilip Trivedi preferred more intense landscaping rather than having two fences. He agreed with the applicant that the use was a good fit, as there would be less traffic created. At the front of the site he would like to see more creative landscaping to make the area more walkable, with a meandering sidewalk.

Commissioner Thomas asked Staff if there was landscaping in the street improvements and if another sawtooth road was being created. Mr. Gronauer responded an SID was in process. Commissioner Thomas asked the width of Centennial Parkway in that area. Randy Cagle of Public Works responded it was 100 feet. Commissioner Thomas asked the width of Losee Road. Mr. Cagle stated it was 100 feet wide. Commissioner Thomas indicated with two 100 foot rights-of-way, traffic was not an issue.

Robert Eastman, Principal Planner stated the amended conditions proposed by the applicant have been reviewed by Staff and they were in support of the requested changes.

Mr. Jordan clarified, from Staff's original recommended conditions, that Condition No. 3 be deleted, Condition No. 4.b, 4.d, 4.g and Condition No. 5 be amended as shown on the list of conditions submitted by the applicant.

Ms. Aldava stated the Utilities Department submitted a memorandum and she read two items for information purposes only for the applicant as follows:

1. That developers shall provide a meter and back-flow prevention per building per City of North Las Vegas Municipal Water Services District Service Rules and Regulations

2. Full frontage extension of sanitary sewer line in Centennial Parkway will be required.

Commissioner Brown stated he would like having covered RV parking close to his home and did not see a problem with the mini-storage facility at the proposed location.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NO. 3 DELETED AND CONDITION NOS. 4.B, 4.D, 4.G AND 5 AMENDED TO READ:

- 4.B. A 10 (TEN) FOOT SCREEN WALL ALONG THE WESTERN SIDE OF THE SITE IS REQUIRED AND IT WILL BEGIN TO STEP DOWN TO AN 8 (EIGHT) FOOT SCREEN WALL AT THE NORTHERN END OF BUILDING "B".
- 4.D. A MINIMUM ONE TRASH ENCLOSURE SHALL BE PROVIDED WITHIN THE GATED AREA. THE TRASH ENCLOSURE SHALL MATCH THE EXTERIOR WALL DESIGN AND SHALL HAVE ROOFS AND CORNICES TO MATCH THE BUILDINGS.
- 4.G. THE 20 FOOT LANDSCAPE BUFFER ALONG THE NORTHERN PROPERTY LINE SHALL BE PROVIDED WITH A DENSE PLANTING SCHEME OF DROUGHT-TOLERANT AND PEOPLE-UNFRIENDLY SHRUBS AND TREES SUCH AS, BUT NOT LIMITED TO, PYRACANTHAS, SWEET ACACIAS, MESQUITES, HOLLIES, GREEN PALO VERDES, WITH THE INTENT TO ACHIEVE ALTERNATE SCREENING AND SECURITY.
5. THE TREES ALONG THE NORTH PROPERTY LINE SHALL BE 10 (TEN) FOOT ON CENTER.

MOTION: Commissioner Shull

SECOND: Commissioner Aston

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

NAYS: Commissioners Cato and Thomas

ABSTAIN: None

4. UN-42-07 (29795) CHEYENNE WEST CORPORATE CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ANDRE EAGLES ON BEHALF OF SOUTH TECH CHEYENNE LLC, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A CHURCH. THE PROPERTY IS LOCATED AT 2475 WEST CHEYENNE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-17-510-040.

The application was presented by Mary Aldava, Senior Planner who stated the applicant indicated the proposed facility would be used during specific times every day of the week, with the maximum number of church members attending at any one time being Sunday morning and Sunday evening services, which would be approximately 75 members. Based on the information and because the floor plan was not submitted, the required parking would be 19 spaces with a maximum occupancy of 76 people. It appears that 60 parking spaces have been allocated for the entire 34,500 square foot building, which is consistent with the parking requirements for development in an M-2 District. If divided equally, based on overall square footage of the building, each lease space would be entitled to four parking spaces, with the largest corner unit being entitled to 12 spaces. The special use criteria must be satisfied in order for the Planning Commission to approve the Special Use Permit. Criteria No. 1 has not been satisfied. From the perspective of increasing the number of high paying jobs that are consistent with the goals and objectives of the Cheyenne Technology Corridor, it does not appear that a church would contribute to the long-term fiscal health of the local economy and it has not been demonstrated that the proposed use would contribute to the well being of the subject industrial development. Criteria three has not been satisfied as the proposed use requires a minimum of 19 parking spaces. It is not reasonable to expect that 67 percent of the building be entitled to 25 percent of the allocated parking. Staff was recommending denial of UN-42-07. A letter of opposition was received from Celebrate Cheyenne West, requesting that the application be denied based on the parking needs of the applicant and the already existing parking problem currently in existence at that location. Should the Commission determine approval was warranted, the following conditions were recommended:

1. Unless expressly, authorized through a variance, waiver or another method, this development shall comply with all applicable codes and ordinances.
2. This use permit is site-specific and non-transferrable. The location shall be limited to Suite #200 and shall not be greater than 2,300 square feet.
3. A minimum 19 parking spaces shall be provided.

4. A parking study shall be prepared by a Nevada-licensed professional who is certified to prepare parking studies. The study shall be reviewed and approved/accepted by the City Traffic Engineer prior to application for a building permit (i.e., tenant improvements) and/or occupancy. The minimum 19 parking spaces shall be clearly identified on a site plan included with the parking study.
5. The maximum occupancy for this suite/use shall be 76 people.
6. The hours of operation shall be limited to the following:
 - a. Mondays: 5:30 pm - 8:30 pm
 - b. Tuesdays: 6:30 pm - 9:30 pm
 - c. Wednesdays: 6:30 pm - 10:00 pm
 - d. Thursdays: 5:30 pm - 10:00 pm
 - e. Fridays: 6:30 pm - 9:30 pm
 - f. Saturdays: 6:30 pm - 9:30 pm
 - g. Sundays: 10:00 am - 9:00 pm
7. All activities shall take place within the building.
8. Any expansion to the size of the suite (2,300 square feet) or increase of the maximum occupancy (76 persons) shall require further review by the Planning Commission.
9. The building must have the respective address posted on it and way signs must be properly posted, as approved by the Police Department.
10. If the proposed building space has not been previously classified as an A-3 occupancy per the Building Code, the applicant must apply for a change of occupancy with the Building Safety Division for the City of North Las Vegas. (Any applications for a tenant improvement will simultaneously satisfy this condition.) The change of occupancy must be approved prior to occupancy.

Andre Eagles, overseer of the Remnant Resurrection Life Center, 1401 East Flamingo Road, Las Vegas, NV 89110 appeared on behalf of the applicant stating they prepare their member for jobs in the community and also indicated most of their functions and services were after normal business hours.

Chairman Steve Brown asked Mr. Eagles if he concurred with the conditions recommended by Staff. Mr. Eagles responded he concurred with Staff recommendation.

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

Chairman Brown closed the Public Hearing.

Commissioner Jo Cato stated many of the units in the center were vacant and based on the condition for the hours of operation, there would not be a hardship on the other businesses and was in support of the application.

Commissioner Harry Shull asked Staff if the applicant did not have 19 parking spaces and if the application was approved and the applicant could not demonstrate they had proper parking, then the application would be null and void. Ms. Aldava responded Condition No. 4 indicated a parking study would need to be submitted and be approved by the City Traffic Engineer. Commissioner Shull stated he did not have a problem supporting the application, but felt the parking could be a potential problem.

Commissioner Ned Thomas stated the primary issue with the site was the parking and agreed with Commissioners Cato and Shull and indicated there was an abundance of parking in the evening. He suggested striking Condition Nos. 4 and 6, as the hours of operation were taken from the letter of intent and felt the hours of operation did not need to be listed in the conditions of approval.

Commissioner Dilip Trivedi stated there was not a public facility zone in North Las Vegas and felt the hours of operation should be listed in the conditions and was in support of the application.

Commissioner Dean Leavitt explained the center where the proposed church would be located had a non-reciprocal parking agreement and each particular building or location, was a stand alone building and they had to show they met their own specific parking requirements, which was why Staff rendered the recommendation they did.

Commissioner Cato stated she would support striking the hours of operation and was not sure on the parking requirements.

Mr. Jordan suggested that Condition No. 3 be deleted and Condition No. 4 be left as is. He explained, on past applications for churches or commercial activities in industrial centers, Condition No. 4 was consistent with past actions by the Commission and past recommendations by Staff; so, Condition No. 4 gave flexibility and Condition No. 3 was very specific, so if there was a desire for approval, he recommended that Condition No. 3 be deleted and Condition No. 4 be left as written.

Chairman Brown asked for Staff's opinion on the hours of operation. Mr. Jordan responded that was up to the Commission's discretion. The hours of operation were included because

the applicant asked for it and Staff was more liberal with the hours when writing the condition. Chairman Brown felt the hours of operation were an important consideration when it came to the parking study and explained to the applicant that he would have to self-restrict the hours of operation in order to fulfill the requirements of the parking study; therefore, he was in favor of deleting Condition No. 6 and also agreed to the deletion of Condition No. 3.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
THE DELETION OF CONDITION NOS. 3 AND 6

MOTION: Commissioner Thomas

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

5. **UN-45-07 (29822) TERRIBLE HERBST LUBE & CARWASH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TERRIBLE HERBST, INC. ON BEHALF OF SYSTEM CAPITAL REAL PROPERTY CORPORATION, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW AN AUTOMOBILE SERVICE FACILITY. THE PROPERTY IS LOCATED AT 2836 WEST ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-29-803-004.**

Item Nos. 5 and 6 were presented together.

The application was presented by Mary Aldava, Senior Planner who stated there was currently a convenience store with gas pumps and a McDonalds at the proposed location. Staff did not have any concerns, the parking requirements had been met and the elevations submitted complied with the Commercial Design Standards; therefore, Staff was recommending approval of UN-45-07 subject to the following conditions:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. This use permit is site specific and non transferrable.
3. Approval of a drainage study is required prior to the submittal of civil improvement plans.
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 applicant shall submit a traffic study update for review and approval.
7. A sign shall be installed, to warn the drivers of cars exiting the car wash tunnel to watch the cross access traffic from the adjoining commercial development to the east.

Katie Fellows, 3773 Howard Hughes Parkway, Las Vegas, NV 89169 appeared on behalf of the applicant stating she concurred with Staff recommendation.

Commissioner Dilip Trivedi disclosed that he was working with the applicant's architect on a different project, but did not feel there was a conflict of interest and would be voting on the application.

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

Chairman Brown closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Aston

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

6. **UN-46-07 (29821) TERRIBLE HERBST LUBE & CARWASH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TERRIBLE HERBST, INC. ON BEHALF OF SYSTEM CAPITAL REAL PROPERTY CORPORATION, PROPERTY OWNER, FOR A USE PERMIT IN C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW AN AUTOMOBILE WASHING ESTABLISHMENT (DRIVE-THRU). THE PROPERTY IS LOCATED AT 2836 WEST ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-29-803-004.**

Item Nos. 5 and 6 were presented together.

The application was presented by Mary Aldava, Senior Planner who stated there was currently a convenience store with gas pumps and a McDonalds at the proposed location. Staff did not have any concerns, the parking requirements had been met and the elevations submitted complied with the Commercial Design Standards; therefore, Staff was recommending approval of UN-46-07 subject to the following conditions:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. This use permit is site specific and non transferrable.
3. Approval of a drainage study is required prior to the submittal of civil improvement plans.
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 applicant shall submit a traffic study update for review and approval.
7. A sign shall be installed, warning drivers of cars exiting the car wash tunnel to watch the cross access traffic from the adjoining commercial development to the east.

Katie Fellows, 3773 Howard Hughes Parkway, Las Vegas, NV 89169 appeared on behalf of the applicant stating she concurred with Staff recommendation.

Commissioner Dilip Trivedi disclosed that he was working with the applicant's architect on a different project, but did not feel there was a conflict of interest and would be voting on the application.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

7. **ZOA-05-07 (29973) 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 ADD A DEFINITION FOR AN “AUTOMOBILE IMPOUND YARD” AND ALSO REMOVE THIS TYPE OF USE AS A PRINCIPALLY PERMITTED USE, AND TO REQUIRE A SPECIAL USE PERMIT FOR AN “AUTOMOBILE IMPOUND YARD” IN SECTION 17.20.140 (M-2 GENERAL INDUSTRIAL DISTRICT) AND SECTION 17.20.150 (M-3 HEAVY INDUSTRIAL DISTRICT); AND PROVIDE FOR OTHER MATTERS PROPERLY RELATED THERETO.**

The application was presented by Marc Jordan, Planning Manager who stated the requested amendment to Title 17 was consistent with what other jurisdictions had; therefore, Staff was recommending approval of ZOA-05-07 and that it be forwarded to City Council for final consideration.

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 Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 9 was heard next.

8. **T-1294 (29761) PARK HIGHLANDS. AN APPLICATION SUBMITTED BY DRHI, INC., PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN RZ13/MPC RESIDENTIAL ZONE UP TO THIRTEEN (13) DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT AND AN RZ6/MPC RESIDENTIAL ZONE UP TO SIX (6) DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT TO ALLOW 162 SINGLE FAMILY RESIDENTIAL LOTS. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF AVIARY WAY AND ELKHORN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-18-816-001 AND 124-18-816-002.**

T-1294 was trailed to be heard after Item No. 15.

The following was carried forward from Item No. 15:

Commissioner Ned Thomas stated he would be abstaining as the application was being represented by his employer Wood Rodgers. He also stated for the record, as an employee of Wood Rodgers, he had met with Staff and communicated with them on the application, but those communications and meetings had been of a technical and procedural manner and he had represented himself as an employee of Wood Rodgers and not as a member of the Commission and felt that was appropriate as a planner in the community and as a citizen, he felt it was appropriate to lend his experience and expertise in improving a product that was coming before the Planning Commission providing he disclosed that and abstained from the item.

Chairman Steve Brown clarified the comments were made for Item Nos. 15 and 8.

Commissioner Thomas left Chambers at 8:02 p.m.

The application was presented by Robert Eastman, Principal Planner who stated the tentative map did not comply with the curvilinear street requirements. He explained, the main difference between this application and the previous tentative map, T-1293, that was heard, was that Staff had not gotten a revised tentative map to show compliance with all the Design Standards or Development Guidelines; therefore, Staff was requesting that T-1294 be continued; however, if it was the Commission's desire for approval, the conditions listed in the Public Works memorandum dated May 3, 2007 would be recommended in addition to the conditions listed in the Staff Report.

Chris Thompson, Wood Rodgers, 9900 Covington Cross, Suite 102, Las Vegas, NV 89144 appeared on behalf of the applicant asking that the application be considered and not continued. He felt the applicant could work with Staff and the project could be conditioned to provide a conforming tentative map for approval by Public Works Staff. He indicated Condition No. 22 on the Public Works memo was the same condition relative to

interior streets in excess of 500 feet and providing traffic calming measures. Condition No. 2 on the Staff Report also required the last tentative map for the development be in conformance with the Park Highlands Design Guidelines, adding the assurance that the application going forward would meet the requirements and needs of Planning as well as Public Works Staff. He stated the conditions proposed, along with a condition requiring a conforming tentative map be submitted, would be acceptable to the applicant and he requested the Commission's consideration.

Chairman Steve Brown explained normally if there was a tentative map and major changes were being made, the applicant would be required to redo the map and asked Mr. Thompson if he was considering some other traffic calming devices. Mr. Thompson responded there were numerous things that could be done, but they were not planning major changes to the tentative map.

Commissioner Jay Aston asked what concerns Public Works had with the flared intersection and bus turnout. Mr. Thompson responded those items were off-site, relative to Elkhorn Road and Aviary Parkway. Commissioner Aston asked where they were on the tentative map. Mr. Thompson said they were not on the tentative map, but were outside the boundary and were covered under the master developers improvements. Commissioner Aston asked the location of the flared intersection and bus turnout addressed by Public Works. Mr. Thompson responded he was not familiar with the location, as he did not represent the Olympia Group. Commissioner Aston was concerned if some of the lots were adjusted, there would be lots that did not work and the tentative map would have already been approved and agreed with Staff that the application should be continued.

Commissioner Dean Leavitt agreed with Commissioner Aston, stating the applicant had given an example of what might be done but had not said what they would definitely do and agreed the application should be continued.

Mr. Eastman agreed with Commissioners Aston and Leavitt and explained it was Staff's opinion that the tentative map that was presented to the Commission should be closer to a finalized version than what was shown and that it should be in general conformance with the Design Guidelines and Development Standards for the Park Highlands Development and what was presented was not yet finished, which was the original reason for the continuance request. The conditions listed were there just in case the Commission wished to approve the application and did not mean Staff thought the application should go forward, it was based on what Staff felt was best case if the Commission were to choose to go forward. Staff recommended the application be continued to allow the applicant more time to work on the tentative map and finalize it for the Commission's review and approval.

Mr. Thompson stated he would agree to a continuance.

Chairman Brown asked the applicant how much time they needed. Mr. Thompson responded he would like two weeks.

Mr. Jordan stated a two week continuance would depend on the applicant redesigning the tentative map and meeting with Staff.

ACTION: CONTINUED TO MAY 23, 2007

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: Commissioner Thomas

The Public Forum was heard next.

Commissioner Ned Thomas returned to Chambers at 8:20 p.m.

OLD BUSINESS

9. **UN-19-07 (28956) DESERT OAKS PLAZA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DESERT OAK LLC ON BEHALF OF MICHAEL POULS, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT WITH A DRIVE-THRU. THE PROPERTY IS GENERALLY LOCATED NORTH OF CRAIG ROAD AND APPROXIMATELY 1,613 FEET WEST OF ALLEN LANE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-06-601-012, 139-06-601-013, 139-06-601-014, AND 139-06-601-015. (CONTINUED MARCH 14, 2007)**

The application was presented by Marc Jordan, Planning Manager who explained the associated site plan review had been previously denied by the Commission and appealed to City Council. He explained the City Council overturned the decision of the Planning Commission with the waivers requested by the applicant. There were also some other amendments to the conditions, which were submitted by Public Works; therefore, since the site plan was approved, Staff had no objections to the special use permit and recommended approval of UN-19-07 with Condition Nos. 9, 11 and 13 deleted and the addition of a condition to read: "Development shall comply with all conditions of approval for SPR-20-07." 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. That the site must comply with the Commercial Development Standards and Design Guidelines including, but not limited to:
 - a. A consistent level of architectural detailing shall be provided on all four (4) sides of all buildings.
 - b. Shrubs and ground cover shall achieve 60% coverage within two (2) years of issuance of the Certificate of Occupancy.
3. That the use permit is site specific and non-transferrable.
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. Approval of a traffic study is required prior to submittal of the civil improvement plans.
8. The civil improvement plans for the project shall include schedule 50 PVC fiber optic conduit along Craig Road.
9. Right-of-way dedication and construction of a CAT bus turn-out is required on Craig Road west of Allen Lane. It is suggested that the applicant provide the bus stop placement within the exclusive right turn lane for the property per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.3.
10. The size and number of driveways and their locations re 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 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.
12. The property owner is required to grant a roadway easement for commercial driveway(s).
13. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
14. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
15. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
16. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.

17. All off-site improvements must be completed prior to final inspection of the first building.

Roger Anderson, Aim Development, 5920 West Flamingo Road, Las Vegas, NV stated 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 WITH THE DELETION OF CONDITION NOS. 9, 11 AND 13 AND THE ADDITION OF CONDITION NO. 18 TO READ:

18. DEVELOPMENT SHALL COMPLY WITH ALL CONDITIONS OF APPROVAL FOR SPR-20-07.

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

10. **UN-20-07 (28940) DESERT OAKS PLAZA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DESERT OAK LLC ON BEHALF OF MICHAEL POULS, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT WITH A DRIVE-THRU. THE PROPERTY IS GENERALLY LOCATED NORTH OF CRAIG ROAD AND APPROXIMATELY 800 FEET WEST OF ALLEN LANE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-06-601-012, 139-06-601-013, 139-06-601-014, AND 139-06-601-015. (CONTINUED MARCH 14, 2007)**

The application was presented by Marc Jordan, Planning Manager who stated Staff was recommending approval of UN-20-07 with the deletion of Condition Nos. 9, 11 and 13 and the addition of Condition No. 18 to read: "Development shall comply with all conditions of approval for SPR-20-07."

Roger Anderson, Aim Development, 5920 West Flamingo Road, Las Vegas, NV stated 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 WITH THE DELETION OF CONDITION NOS. 9, 11 AND 13 AND THE ADDITION OF CONDITION NO. 18 TO READ:

18. DEVELOPMENT SHALL COMPLY WITH ALL CONDITIONS OF APPROVAL FOR SPR-20-07.

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

11. **UN-39-07 (29692) PARK CENTRAL PLAZA SIGN PLAN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PARK CENTRAL PLAZA ON BEHALF OF PARK CENTRAL PLAZA 32 LLC FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW TWO (2) PYLON SIGNS 45 FEET IN HEIGHT WHERE 35 FEET IS THE MAXIMUM HEIGHT ALLOWED; AND TWO (2) NINE (9) FOOT HIGH AND SIX (6) TEN (10) FOOT HIGH MONUMENT SIGNS WHERE EIGHT (8) FEET IS THE MAXIMUM ACROSS FROM A SINGLE-FAMILY RESIDENTIAL SUBDIVISION. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF LOSEE ROAD AND ANN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-25-312-003, 124-25-312-004, AND 124-25-312-005. (CONTINUED APRIL 25, 2007)**

The application was presented by Robert Eastman, Principal Planner who stated monument signs, when across the street from residential, had a maximum height of eight feet and the applicant had requested that a number of them to be nine or ten foot high. Additionally, the sign code required that the maximum sign height for the development would be 35 feet and the applicant was requesting two 45 foot high signs. The 45 foot high signs were slightly oversized, where the maximum square footage allowed would be 400 square feet and the applicant's signs were 430 square feet. Previously, the application was continued to allow the Public Works Department to review compliance with sight triangles. The review was now complete and Public Works had removed their objection; however, as the signs were both oversized and over height and Staff felt the sign code was fairly liberal and allowed adequate signage, they were not supporting the application and requested that UN-39-07 be continued to allow the applicant to redesign their signage to be more in compliance with Title 17 requirements. Should the Commission determine approval was warranted, the following conditions were recommended:

1. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. This use permit is site specific and non transferrable.
3. Development of the site shall comply with the Commercial Development Standards and Design Guidelines including, but no limited to the following:
 - a. The freestanding sign shall not exceed 35 feet in height;
 - b. The freestanding sign shall not exceed 400 square feet in sign area;
 - c. The monument signs shall not exceed 8 feet in height;
 - d. All signs shall meet the required setbacks.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant stating the site was approximately 30 acres, expanding from Ann Road along Losee Road up to Tropical Parkway. Losee Road was a significant commercial street with the Binion mall at one end and the hospital. They have limited the major entrance signs to be located on Losee Road. He felt 35 foot high signs were not adequate. He had discussed the signage with one of the residents in the area, Scott Sauer, who felt that while the sign was over the maximum height, the design elements made the sign attractive; so, he believed it was important to keep the design elements. He explained the nine and ten foot monument signs were appropriate and fit the scale of the shopping center. He asked that the conditions be amended to reflect the signs as presented. He asked that one condition, requested by Scott Sauer, be added, to read: "The applicant shall work with Staff to reduce the height of signs, if tenant signage needs allow such a reduction. The reductions, if any, shall only be accomplished through removal/resizing of the tenant panel areas. The final height shall be done at the time of the building permit." Mr. Garcia explained if it was possible to reduce the size of the signs, because they did not need them, then that could be accomplished.

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

- **Robert Browning, 6504 Amanda Michelle, North Las Vegas, NV 89081** stated if the City starts approving amendments to the sign code, a precedent would be set and he felt the Code should be adhered to and was opposed to the requested waivers.
- **Scott Sauer, 5629 Midnight Breeze Street, North Las Vegas, NV 89081** stated he lived within a quarter mile of the proposed site and explained the applicant had worked to try to keep the signs on Losee Road where they did not impact the residential adjacent to the site and was in favor of the requested waivers.

Chairman Brown closed the Public Hearing.

Mr. Garcia explained the use permit process enabled the Planning Commission to look at exceptions to the code; so, the requested waivers were not a variance application.

Commissioner Harry Shull asked Staff if there were different sign height limitations for various sizes of centers. Mr. Eastman responded the guidelines for the sign height was based upon the actual zoning district. Since the proposed site was zoned C-1, the maximum height was 35 feet and that C-2, C-3, M-2 and M-3 zoning districts allowed a 45 foot high sign.

Commissioner Jay Aston stated he would like to see the height of the monument signs be more consistent and thought that was the original intention of the maximum height being eight foot. Commissioner Aston asked Staff what the recommended height was for monument signs. Mr. Eastman explained the recommended height, when across the street from developed residential, was eight feet; so, the eight foot signs were recommended along Ann Road.

Commissioner Ned Thomas liked the design of the signs and did not want the signs reduced to lose any of the nice features of the sign and agreed with Commissioner Aston and thought some of the smaller signs could be kept within the existing code, eight or nine feet, especially those located along Ann Road, and then larger signs along Losee Road would be appropriate.

Chairman Brown agreed with Mr. Browning's comment, that if a 45 foot sign was approved, a precedent would be set and there would be more requests for higher signs.

Mr. Garcia clarified that the eight foot monument signs would be along Ann Road. Mr. Shull responded that was correct.

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

3.A. THE FREESTANDING SIGN SHALL NOT EXCEED 45 FEET IN
HEIGHT.

3.C. THE MONUMENT SIGNS SHALL NOT EXCEED TEN (10) FEET IN
HEIGHT, EXCEPT ALONG ANN ROAD WHERE THEY SHALL NOT
EXCEED EIGHT (8) FEET IN HEIGHT.

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

12. **AMP-06-07 (29594) LONE MOUNTAIN RETAIL CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ALEX SONG ON BEHALF OF LEON CHEN ETAL, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF EMPLOYMENT TO NEIGHBORHOOD COMMERCIAL. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF LONE MOUNTAIN ROAD AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-36-401-006. (CONTINUED APRIL 25, 2007)**

Item Nos. 12 and 13 were presented together.

The application was presented by Robert Eastman, Principal Planner who stated the Comprehensive Plan would support employment. Under normal circumstances, employment would be a mix of commercial and light industrial uses. The applicant was requesting to amend that to allow what would ultimately be a straight commercial retail type of use. Since the neighboring properties were predominantly a mix of commercial, Staff did not have any objection to the proposed neighborhood commercial land use category or the rezoning and since the wash formed a barrier to the site, residential could continue to be developed north of the wash along loseee Road, Staff was recommending that AMP-06-07 be approved and forwarded to City Council for final consideration.

Sheldon Cohen, 180 Cassia Way, Las Vegas, NV 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, Aston, Cato, and Thomas

NAYS: None

ABSTAIN: None

13. **ZN-101-07 (29589) LONE MOUNTAIN RETAIL CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ALEX SONG ON BEHALF OF LEON CHEN ETAL, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF LONE MOUNTAIN ROAD AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-36-401-006. (CONTINUED APRIL 25, 2007)**

The application was presented by Robert Eastman, Principal Planner who stated the Comprehensive Plan would support employment. Under normal circumstances, employment would be a mix of commercial and light industrial uses. The applicant was requesting to amend that to allow what would ultimately be a straight commercial retail type of use. Since the neighboring properties were predominantly a mix of commercial, Staff did not have any objection to the proposed neighborhood commercial land use category or the rezoning and since the wash formed a barrier to the site, residential could continue to be developed north of the wash along loseee Road, Staff was recommending that ZN-101-07 be approved and forwarded to City Council for final consideration.

Sheldon Cohen, 180 Cassia Way, Las Vegas, NV 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 Cato

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

NAYS: None

ABSTAIN: None

14. **UN-36-07 (29590) LONE MOUNTAIN RETAIL CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ALEX SONG ON BEHALF OF LEON CHEN ETAL, PROPERTY OWNER, FOR A USE PERMIT IN AN R-E RANCH ESTATES DISTRICT (PROPOSED C-1 NEIGHBORHOOD COMMERCIAL DISTRICT) TO ALLOW A CONVENIENCE FOOD STORE WITH GAS PUMPS. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF LONE MOUNTAIN ROAD AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-36-401-006. (CONTINUED APRIL 25, 2007)**

The application was presented by Robert Eastman, Principal Planner who stated the site plan was not in compliance with the perimeter landscaping requirement along Lone Mountain and Losee Roads and Public Works was requiring an additional dedication for a flared intersection which would cut into the area even further and the trail for the regional trail along the wash incorporated a portion of the site. Part of the trail dedication existed, but this parcel was the final link that connected a long section of trail and additional right-of-way dedication was required to finish the trail along the wash; therefore, that dedication and the dedication for the flared intersections would reduce the amount of space available for development; therefore Staff was recommending that UN-36-07 be continued to allow the Commission to be able to see a site plan that was in conformance with the Design Standards and Staff had recommended conditions, but he did not feel it was fair to the Commission to not be allowed to see a conforming site plan.

Sheldon Cohen, 180 Cassia Way, Las Vegas, NV appeared on behalf of the applicant stating he tried to work with Staff and was in agreement with the recommended continuance and agreed to redesign the site.

Mr. Eastman recommended the application be continued for 30 days to the June 13, 2007 Planning Commission meeting.

ACTION: CONTINUED TO JUNE 13, 2007

MOTION: Commissioner Aston

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

15. **T-1293 (29559) PARK HIGHLANDS WEST COVE. AN APPLICATION SUBMITTED BY DRHI, INC., PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN RZ10/MPC RESIDENTIAL ZONE UP TO 10 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT TO ALLOW A SINGLE-FAMILY RESIDENTIAL SUBDIVISION WITH 114 LOTS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF AVIARY WAY AND GRAND TETON DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-18-510-001. (CONTINUED APRIL 25, 2007)**

Commissioner Ned Thomas stated he would be abstaining as the application was being represented by his employer Wood Rodgers. He also stated for the record, as an employee of Wood Rodgers, he had met with Staff and communicated with them on the application, but those communications and meetings had been of a technical and procedural manner and he had represented himself as an employee of Wood Rodgers and not as a member of the Commission and felt that was appropriate as a planner in the community and as a citizen, he felt it was appropriate to lend his experience and expertise in improving a product that was coming before the Planning Commission providing he disclosed that and abstained from the item.

Chairman Steve Brown clarified the comments were made for Item Nos. 15 and 8.

Commissioner Thomas left Chambers at 8:02 p.m.

The application was presented by Robert Eastman, Principal Planner who stated the application was in general conformance with the Development Agreement and the land use plan that was approved with the Olympia Development, which was now Park Highlands. The density was approximately 6.11 dwelling units per acre and was also consistent with the Development Agreement. The application was previously continued for a couple of design issues and in general, many of those have been addressed, but there were some concerns involving some landscaping issues addressed in the conditions. Additionally, there was a curvilinear street requirement which the applicant had addressed through the use of a choke point as an alternative, which had been reviewed by the City Traffic Engineer and was approved and a revised tentative map was submitted. The applicant was now in general compliance with the Design Standards and Development Guidelines that were still in draft form and have not been fully approved. There was some concern regarding sidewalks on some of the streets and he understood the issue was resolved. If something happened, and the issue was not resolved, the issue could be addressed at that time. Staff was recommending approval of T-1293 with Condition No. 30 amended with the following wording added to the end: "or shall conform to traffic calming measures as set

forth in the Design Guidelines for Park Highlands, subject to the review and approval of the City of North Las Vegas Traffic Engineer.” The original recommended conditions are as follows:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. Final approval of the Park Highlands Design Standards and Development Standards shall occur prior to the recordation of the final map, or any civil, building, or other development applications with the City.
3. T-1293 shall conform with the May 3, 2006 Development Agreement between the City and November 2005 Land Investors, LLC/DRHI Inc.
4. T-1293 shall comply with the conditions of approval for T-1261.
5. All common elements shall be owned by the homeowners association.
6. End walls and perimeter walls shall be owned and maintained by the homeowners association.
7. A rear yard with a minimum size of 600 square feet or more shall be provided for 95% of the residential lots. If it is not demonstrated prior to the recordation of the final map that the aforementioned can be accomplished, then this map shall be revised to comply with the approved open space standards in the Park Highlands Design Guidelines.
8. Sidewalks shall be provided on all streets.
9. Pedestrian access gates shall be provided at the end of cul-de-sacs as required by the Park Highlands Design Guidelines and Development Standards. Pedestrian access to the perimeter Pathway shall be provided in a separate lot with a minimum width of ten (10) feet, as approved by staff.
10. The Pathway designs shown on this tentative map shall be considered conceptual. The final Pathway design and landscaping area review shall take place with the review of the civil improvement plans and landscaping plans for the Pathways.
11. Street cross-sections and landscaping areas shown with this tentative map shall be considered conceptual. Final street cross-sections and landscaping areas shall conform to the requirements of the Park Highlands Design Guidelines and Development Standards and other applicable codes and ordinances.

12. Street types as defined in the Park Highlands Design Guidelines and Development Standards shall be shown on the final map.
13. Each street shall be labeled with the applicable street type on plot plans.
14. The applicant shall submit a traffic study update for review and approval.
15. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Grand Teton Drive and Aviary Way.
16. Approval of a drainage study is required prior to submittal of the civil improvement plans.
17. The size and location of any drainage facilities and/or easements shown are contingent upon review and approval of a Technical Drainage Study.
18. Approval of a drainage study that conforms to the Overall Master Conceptual Drainage Study is required.
19. Right-of-way **dedication** for a **CAT bus** turn-out is required on Grand Teton Drive near Aviary Way per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
20. Right-of-way **dedication** for a **flared intersection**, including a right turn lane, is required at Grand Teton Drive and Aviary Way per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1.
21. The property owner is required to grant roadway easements where public and private streets intersect.
22. All common elements shall be labeled and are to be maintained by the Home Owners Association.
23. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
24. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
25. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.

26. 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.
27. 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.
28. All off-site improvements must be completed prior to final inspection of the first building.
29. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
30. Interior Streets in excess of five hundred (500) feet shall conform to the minimum curvilinear street requirements as outlined in the City of North Las Vegas Municipal Code section 16.20.050.
31. Final subdivision and improvement plans shall be submitted to the Southern Nevada Water Authority for approval prior to City approval and the recordation of the final map.
32. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
33. Written verification shall be provided to the Southern Nevada Health District from the Division of Environmental Protection of the State Department of Conservation and Natural Resources that the tentative map has been approved with regard to water pollution and sewage disposal in accordance with the Nevada Water Pollution Control Law.
34. A copy of the final map shall be provided to the Southern Nevada Health District, which must contain the P.L.S. stamp, signature and date shall be provided for review and approval prior to the recordation of the final map.
35. Improvements plans which must contain the P.E. stamp, signature and date shall be provided to the Southern Nevada Health District prior to the recordation of the final map.
36. A letter shall be provided to the Southern Nevada Health District 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 prior to the recordation of the final map.

37. A letter shall be provided to the Southern Nevada Health District 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 I, and that the capacity is available to meet the demands upon the system prior to the recordation of the final map.
38. Written verification shall be provided to the Southern Nevada Health District from the Division of Environmental Protection of the State Department of Conservation and Natural Resources that the final map has been approved with regard to water pollution and sewerage discharge in accordance with the Nevada Water Pollution Control Law prior to the recordation of the final map.

Chris Thompson, Wood Rodgers, 9900 Covington Cross, Suite 102, Las Vegas, NV 89144 appeared on behalf of the applicant stating he concurred with Staff recommendation. He explained the traffic calming devices used and felt the choker, along with the condition being imposed to require that the development be in conformance with the Design Standards and Design Guidelines, would give Staff the assurances that the project would meet their requirements.

- **Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89169** pointed out his office represented the Olympia Development, who was the majority partner within the Park Highlands. He clarified there were some conditions that were being imposed that may be more restrictive than the Development Standards and Design Guidelines requiring developers to come in the future to comply with and he wanted to be sure that whatever was approved with this application, did not set a precedent, because he believed there was a Development Standard and Design Guideline Agreement that other developers would not be subject to certain conditions and he was in support of the application.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NO. 30 AMENDED TO READ:

30. INTERIOR STREETS IN EXCESS OF FIVE HUNDRED (500) FEET SHALL CONFORM TO THE MINIMUM CURVILINEAR STREET REQUIREMENTS AS OUTLINED IN THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE SECTION 16.20.050, OR SHALL CONFORM TO TRAFFIC CALMING MEASURES AS SET FORTH IN THE DESIGN GUIDELINES FOR PARK HIGHLANDS, SUBJECT TO THE REVIEW AND APPROVAL OF THE CITY OF NORTH LAS VEGAS TRAFFIC ENGINEER.

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

Item No. 8 was heard next.

PUBLIC FORUM

Scott Sauer, 5629 Midnight Breeze, North Las Vegas, NV 89081 asked if the approval on Item No. 11, UN-39-07 included the condition read into the record by Mr. Garcia. Commissioner Shull responded the motion did not include the addition of the condition.

DIRECTOR'S BUSINESS

There was no report given.

CHAIRMAN'S BUSINESS

There was no report given.

ADJOURNMENT

The meeting adjourned at 8:33 p.m.

APPROVED: June 13, 2007

/s/ Steve Brown
Steve Brown, Chairman

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