

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

May 23, 2007

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

**BRIEFING:** 5:35 P.M., Conference Room, North Las Vegas City Hall, 2200 Civic Center Drive

**CALL TO ORDER:** 6:02 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  
Bethany Sanchez, Deputy City Attorney II  
Jennifer Doody, Development & Flood Control  
Clete Kus, PW, Transportation Planner  
Mike Steele, Fire Department  
Jose Rodriguez, Police Department  
Leslie Long, Utilities Department  
Bob Locher, Utilities Department  
Jo Ann Lawrence, Recording Secretary

**WELCOME:** Chairman Steve Brown

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

**PLEDGE OF ALLEGIANCE:** Commissioner Dilip Trivedi

**MINUTES**

- **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF APRIL 25, 2007.**

ACTION: APPROVED

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: Vice-Chairman Trivedi

**Item No. 4 was heard next.**

### NEW BUSINESS

1. **UN-50-07 (29997) SAVMAN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SAVMAN HOLDINGS LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT WITH A DRIVE-THRU. THE PROPERTY IS LOCATED AT 2912 WEST CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-05-203-005.**

The application was presented by Marc Jordan, Planning Manager who stated the applicant was requesting three waivers, one was to allow a 6 ½ foot landscape buffer area along the western property line, the second was to allow the building to be set-back to the rear of the property rather than at the street corner at the street front and the third was for 15 feet of landscaping at the back of sidewalk along Craig Road and Simmons Street, where 20 feet was normally required. In the Staff Report, it was originally indicated Staff was not in support of the waivers; but, after further research it was discovered the application was approved on May 12, 2004 and at that time, the applicant asked for the same waivers and at that time, Staff was in support of the application and nothing had changed since that time regarding the surrounding area; therefore, Staff was withdrawing that aspect of the Staff Report and was now supporting the waiver requests; but, on the Site Plan itself, Staff was recommending continuance of the application, primarily because of the drive-thru lane, as there was not enough queuing for five automobiles and Staff had concerns regarding the turning movements where cars enter from Simmons Street and try to negotiate the turn into the drive-thru lane and indicated the site needed to be redesigned to accommodate vehicle movement in that area, which could be a major change to the development; therefore, Staff was recommending UN-50-07 be continued to allow the applicant to redesign the site.

**Scott Sabraw, 8610 South Eastern Avenue, Las Vegas, NV** appeared on behalf of the applicant explaining the application would have been submitted as an extension of time if there had not been a clerical error during the sale of the property and agreed with Staff that nothing had changed regarding the use permit and asked for approval of the use permit along with the requested waivers.

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

Chairman Brown closed the Public Hearing.

Commissioner Dean Leavitt asked the applicant how the driveway from Simmons would be negotiated without backing up to go through the drive-thru. Mr. Sabraw understood it was a tight turn, but felt it should be a fairly easy maneuver. Commissioner Leavitt disagreed with the applicant and was not in support of the design.

Commissioner Harry Shull asked the name of the potential tenant. Mr. Sabraw responded it was Popeye's Chicken. Commissioner Shull agreed with Commissioner Leavitt, stating he did not like the design of the queuing lane for the drive-thru and agreed that the application should be continued.

ACTION: CONTINUED TO JUNE 27, 2007

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**2. UN-41-07 (29754) CHRISTIAN'S CHILDCARE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CHRISTIAN'S CHILDCARE ON BEHALF OF KOSOL SRIPINYO, PROPERTY OWNER, FOR A USE PERMIT IN AN R-EL RANCH ESTATES LIMITED DISTRICT TO ALLOW A CHILD CARE FACILITY; GROUP HOME. THE PROPERTY IS LOCATED AT 3234 SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-08-810-122.**

The application was presented by Marc Jordan, Planning Manager who stated the day care was a group home, which allowed up to 12 children. The site should be designed to be more in compliance with the Commercial Design Standards, which would indicate that 20 feet of landscaping was required on all four property lines; but, when looking at the site, because there was an existing home and the applicant was going to utilize the home, to impose the 20 foot landscaping requirement, would require the applicant to demolish part of the home or to move it, which would be an unreasonable request. The Fire Department also indicated the applicant may need to sprinkler the building and the Utilities Department also indicated the existing sanitary sewer laterals were anticipated to be inadequate; therefore, there may be revisions to support a child care center with 12 children. Staff was recommending approval with Condition No. 4 amended to read: "A landscaping plan must be submitted to Staff for review and approval prior to issuance of any building permits or business license, whichever comes first. Existing landscape planter areas shall remain and be shown on the landscape plan. Planter areas shall be improved to provide a minimum 60% ground coverage and trees when possible." He explained the reason for the amended condition was because they could not comply with the 20 feet of landscaping and when looking at aerials of the site, there was landscaping on the southerly and northerly property lines that was not depicted in the site plan and would like that landscaping to remain on the site. He explained the 60% ground coverage was being requested so the existing landscaping could be brought up to code. Staff was recommending approval of UN-41-07 subject to the following conditions with Condition No. 4 amended as read into the record:

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 special use permit is site specific and non-transferable;
3. That any expansions and or modifications to the proposed use shall be subject to Planning Commission review and approval;
4. The development of this site shall be in compliance with the Commercial Development Standards and Design Guidelines, including but not limited to:
  - a. A minimum of 25 feet of perimeter landscaping which may include a sidewalk from back of right-of-way be provided adjacent to Simmons Street.

- b. A landscape buffer area with a minimum width of 20 feet shall be planted and maintained with 24 inch box trees at a minimum spacing of 20 feet adjacent to any abutting residential property.
5. A merger and resubdivision parcel map must be filed to create the proposed parcel.
6. The property owner is required to sign a restrictive covenant for offsite improvements.
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. 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.
9. The developer shall provide a meter and backflow prevention per building per City of North Las Vegas Municipal Water Services District Service Rules and Regulations.
10. Wastewater survey required.
11. Grease interceptor required if preparing food onsite for children.
12. The applicant must apply for a change of occupancy with the Building Safety Division. This change of occupancy is to be approved prior to occupying the building for the proposed use. (Any tenant improvement work submitted to the City will comply with this requirement.)

**Kosol SriPinyo, 4645 Morse Avenue, Sherman Oaks, CA 91423**, property owner, stated he did not understand the approval process and felt he should meet with Staff to explain some of the conditions.

Chairman Steve Brown explained Staff was recommending approval and asked the applicant if he agreed with the recommended conditions of approval and if he did not, the application could be continued to allow the applicant to meet with Staff.

Mr. SriPinyo stated he agreed with the conditions but wanted to meet with Staff regarding the recommendation.

Deputy City Attorney Bethany Sanchez explained Chairman Brown was referring to the Staff Report showing the recommended conditions of approval and was asking if the applicant had specific objections to those conditions, as he could either ask for approval with the recommended conditions or continue the application to allow time to meet with Staff if he wanted to amend any of the conditions.

Mr. SriPinyo stated he was requesting approval of the application but was not sure how to comply with all of the recommended conditions.

Chairman Brown asked the applicant if he agreed with the conditions. Mr. SriPinyo responded he agreed with the conditions.

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

Chairman Brown closed the Public Hearing.

Commissioner Jay Aston asked the applicant how many children would be housed in the facility. Mr. SriPinyo responded the home would not have more than 12 children. Commissioner Aston asked if the number of children should be stipulated in the conditions. Mr. Jordan responded it was regulated by Municipal Code.

**ACTION:** APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH  
CONDITION NO. 4 AMENDED TO READ:

4. A LANDSCAPING PLAN MUST BE SUBMITTED TO STAFF FOR REVIEW AND APPROVAL PRIOR TO ISSUANCE OF ANY BUILDING PERMITS OR BUSINESS LICENSE, WHICHEVER COMES FIRST. EXISTING LANDSCAPE PLANTER AREAS SHALL REMAIN AND BE SHOWN ON THE LANDSCAPE PLAN. PLANTER AREAS SHALL BE IMPROVED TO PROVIDE A MINIMUM 60% GROUND COVERAGE AND TREES WHEN POSSIBLE.

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

**3. UN-49-07 (29897) DESIGN-BUILD WATER RECLAMATION FACILITY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE CITY OF NORTH LAS VEGAS, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A WATER RECLAMATION FACILITY. THE PROPERTY IS LOCATED AT 4040 FREHNER ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-01-402-006.**

The application was presented by Robert Eastman, Principal Planner who stated the applicant was requesting a reduction in the landscape buffer and wall requirements. The City purchased an existing site and was requesting to use the existing wall and landscaping on the site. As the wall was in good repair, Staff was recommending approval; however, because of the small amount of landscaping, five feet, Staff was requesting that it be enhanced and replanted to provide a better buffer than what was currently there. Condition No. 4 should be amended to read: "The development of this site shall be in compliance with the Industrial Development Standards and Design Guidelines with the following exception: A. A minimum of five feet of perimeter landscaping shall be provided along Frehner Road. Landscaping along Frehner Road shall contain trees planted a minimum of 20 foot on center with shrubs to provide 60% ground coverage within two years of planting." Staff is recommending approval of UN-49-07 subject to the following conditions with Condition No. 4 amended as read into the record:

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 special use permit is site specific and non-transferable.
3. That any expansions to the proposed use shall be subject to Planning Commission review and approval.
4. The development of this site shall be in compliance with the Industrial Development Standards and Design Guidelines, excluding the following:
  - a. A minimum of 20 feet of perimeter landscaping which may include a sidewalk from back of right-of-way shall be provided along Frehner Road.
5. The site should comply with the current parking standards.
6. Approval of a drainage study is required prior to submittal of the civil improvement plans.
7. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.



8. 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.
9. Union Pacific Railroad (UPRR) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
10. The applicant shall submit a traffic study update for review and approval.
11. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
12. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
13. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.
14. All off-site improvements must be completed prior to final inspection of the first building.
15. The developer shall provide a meter and backflow prevention per building per City of North Las Vegas Municipal Water Services District Service Rules and Regulations.
16. Fire department access roads including turn-arounds, width, turning radii, slope, and location shall be in agreement with the fire code.

**Leslie Long, Technical Services Manager, Utilities Department, City of North Las Vegas** appeared on behalf of the City.

Chairman Steve Brown asked if the facility would create any odors. Ms. Long responded it would not. The City was doing everything possible to contain the smells and explained the smelliest part would be the solids handling building at the end of the process and it would be fully enclosed, with engineered air systems to treat the air before it was emitted to the atmosphere and also when opening and closing the doors, there would be negative air pressure systems to keep the bad air in.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH  
CONDITION NO. 4 AMENDED TO READ:

4. THE DEVELOPMENT OF THIS SITE SHALL BE IN COMPLIANCE  
WITH THE INDUSTRIAL DEVELOPMENT STANDARDS AND  
DESIGN GUIDELINES WITH THE FOLLOWING EXCEPTION:

A. A MINIMUM OF 5 FEET OF PERIMETER LANDSCAPING  
SHALL BE PROVIDED ALONG FREHNER ROAD.  
LANDSCAPING ALONG FREHNER ROAD SHALL CONTAIN  
TREES PLANTED A MINIMUM OF 20 FOOT ON CENTER  
WITH SHRUBS TO PROVIDE 60% GROUND COVERAGE  
WITHIN TWO YEARS OF PLANTING.

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. 8 was heard next.**

4. **VAC-11-07 (29967) VACATION OF NELLIS BLVD (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JAMES B. ALDERMAN ON BEHALF OF BMC REALTY INC., PROPERTY OWNER, TO VACATE THE EASTERLY PORTION OF NELLIS BOULEVARD COMMENCING AT THE SOUTHEAST CORNER OF RANGE ROAD AND NELLIS BOULEVARD AND PROCEEDING SOUTH 780 FEET. THE ASSESSOR'S PARCEL NUMBERS ARE 123-28-201-001, 123-28-201-002, AND 123-28-101-008.**

It was requested by the applicant to continue VAC-11-07 to June 13, 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 JUNE 13, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

5. **AMP-07-07 (29972) SAVOY CONDOMINIUMS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF COMMERCE 770 LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION FROM SINGLE-FAMILY MEDIUM (UP TO 13 DU/AC) TO MULTI-FAMILY (UP TO 25 DU/AC). THE PROPERTY IS LOCATED WEST OF COMMERCE STREET AND APPROXIMATELY 300 FEET NORTH OF CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-22-401-011.**

It was requested by the applicant to continue AMP-07-07 to June 27, 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 JUNE 27, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

6. **ZN-103-07 (29984) SAVOY CONDOMINIUMS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF COMMERCE 770 LLC, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT TO AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED WEST OF COMMERCE STREET AND APPROXIMATELY 300 FEET NORTH OF CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-22-401-011.**

It was requested by the applicant to continue ZN-103-07 to June 27, 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 JUNE 27, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

7. **T-1295 (29986) SAVOY CONDOMINIUMS. AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF COMMERCE 770 LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT (PROPOSED R-3 MULTI-FAMILY RESIDENTIAL DISTRICT) TO ALLOW AN 86 CONDOMINIUM UNIT DEVELOPMENT. THE PROPERTY IS LOCATED WEST OF COMMERCE STREET AND APPROXIMATELY 300 FEET NORTH OF CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-22-401-011.**

It was requested by the applicant to continue T-1295 to June 27, 2007.

ACTION: CONTINUED TO JUNE 27, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

**Item No. 12 was heard next.**

8. **ZN-102-07 (29982) SUN STATE COMPONENTS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SUN STATE COMPONENTS OF NEVADA INC., PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO AN M-2 GENERAL INDUSTRIAL DISTRICT. THE PROPERTY IS LOCATED AT 4915 NORTH BERG STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-36-402-002.**

The application was presented by Marc Jordan, Planning Manager who stated the Comprehensive Plan for the area was Heavy Industrial and the site was currently developed as an industrial use. Prior to the ordinance changing, where hard zoning was done on property by Resolution of Intent, the property was rezoned, through a Resolution of Intent, to M-2 and the property was developed in accordance with that resolution; however, the property never came in for permanent zoning to the M-2 District, so the application was satisfying that requirement and was in compliance with the existing Comprehensive Plan and Staff was recommending approval of ZN-102-07.

**Jeff Silver, Gordon & Silver Law Firm**, 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 Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

**9. VN-13-07 (30017) FIRST AFRICAN METHODIST CHURCH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY FIRST AFRICAN METHODIST EPISCOPAL ON BEHALF OF CHURCH METHODIST FIRST AFRICAN, PROPERTY OWNER, FOR A VARIANCE IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO ALLOW A FIFTEEN (15) FOOT BUILDING SETBACK WHERE 50 FEET IS REQUIRED. THE PROPERTY IS LOCATED AT 2450 REVERE STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-15-401-003.**

The application was presented by Marc Jordan, Planning Manager who stated there was a 50 foot set-back due to the common element that was part of the Desert Mesa development along the street on the southerly property line and with the common element, the property line was changed to an interior property line, which required a 50 foot set-back. If the common element did not exist, the parcel would be considered a corner lot and a minimum set-back for a corner lot was 20 feet. The applicant had indicated they were trying to acquire the property or that it be donated to them; but, as a result of the situation, Staff felt it was a circumstance beyond their control; therefore, Staff was supporting the variance request as it would meet the minimum 20 foot set-back if it were a corner lot. Staff was recommending approval of VN-13-07 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and the Commercial Development Standards and Design Guidelines, except as follows:
  - a. The building setback along the southern party line will remain as shown on the site plan.
  - b. The southern parking lot setback will remain as shown on the site plan.
2. That this application complies with the conditions of approval for UN-03-07.

**Jim Van Compernelle, 5385 Cameron, Suite 15, Las Vegas, NV** appeared on behalf of the applicant stating he concurred with Staff recommendation and submitted a letter of support from Metro Development, the adjacent property owner. He also indicated they had a memorandum of understanding from Metro Development either granting an easement to cross the property or to grant it to them at a later date.

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

- **Maria Posadas, 2502 Angelfield Street, North Las Vegas, NV 89030** stated the rear of her home faced the church and felt there would be an increase in traffic and the wall was not tall enough to provide privacy for her property and was opposed to the application.



- **Valerie Hodson, 2506 Angelfield Street, North Las Vegas, NV 89030** stated she was concerned the expansion of the church would bring more people and traffic to the neighborhood and felt if the requested set-back was approved, there would not be enough parking and was opposed to the application.
- **Boleslo A. Romero** (no address stated), stated he was in favor of the application.

Chairman Brown closed the Public Hearing.

Mr. Van Compernolli explained the church currently fronted Revere Street and the front entrance was on Revere with parking. The church would be built on the corner of Revere and Desert Senna Avenue and the entrance of the church would face east and all of the parking would be to the east, so the concerns about pedestrian noise and traffic on the west of the building would be minimal. They were also providing more parking than was required by Code.

Commissioner Jo Cato asked Staff the width of Revere Street. Mr. Jordan responded Revere Street was 60 feet wide. Commissioner Cato stated she was in support of the application.

Commissioner Harry Shull stated he had a church behind his home and felt they were good neighbors, as they were basically only there on Sundays and was in support of the application.

**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**

**10. UN-03-07 (28224) FIRST AFRICAN METHODIST CHURCH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY FIRST AFRICAN METHODIST EPISCOPAL, ON BEHALF OF CHURCH METHODIST FIRST AFRICAN, PROPERTY OWNER, FOR A USE PERMIT IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO ALLOW AN 8,000 SQUARE FOOT EXPANSION TO AN EXISTING CHURCH. THE PROPERTY IS LOCATED AT 2450 REVERE STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-15-401-003.**

The application was presented by Marc Jordan, Planning Manager who stated the use permit would allow a 7900 square foot expansion to the existing church, as indicated by the applicant's representative, they do comply with and exceed the parking requirements required for the church. The applicant asked for a waiver as part of the use permit to reduce the landscaping on the north and east side of the development to 15 feet 11 inches and 15 feet 4 inches. When considering the request, Staff looked at the development as an in-fill development and were supporting the waiver request. Staff was recommending approval of UN-03-07 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and the Commercial Development Standards and Design Guidelines including but not limited to:
  - a. Perimeter landscaped buffers for the north and east parking area will remain as shown on the site plan;
  - b. Landscaping setback along the south parking area will be a minimum of nine (9) feet from the existing property line;
  - c. Perimeter block walls will be decorative in nature.
  - d. Trash enclosure shall have a landscape island on both sides.
  - e. Phase II shall have a cohesive architectural design compatible with Phase I.
  - f. Landscape diamonds shall be provided for every three (3) parking spaces contained in a row within every double row of parking.
2. That UN-03-07 is site-specific and non-transferable.
3. Approval of a drainage study is required prior to submittal of the civil improvement plans.

4. 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.
5. 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. 30' on Revere Street
  - b. 26' on Nelson Avenue
  - c. Spandrels located at the southwest corner of Revere Street and Nelson Avenue and at the northeast corner of Revere Street and Desert Senna Avenue.
6. Approval of a traffic study is required prior to submittal of the civil improvement plans.
7. For this property owner to have access to Desert Senna Avenue, the owner of the property to the south shall grant an access easement to this applicant within ninety (90) days of approval of this application or this application is null and void.
8. If Desert Senna Avenue is not constructed prior to substantial completion of the church building then the applicant shall build Desert Senna Avenue from the easterly driveway to Revere Street prior to the final inspection of the church building.
9. 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.
10. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
11. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
12. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
13. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.

14. Right-of-way dedication is required within 45 days of approval or this application becomes null and void.
15. The property owner is required to grant a roadway easement for commercial driveway(s).
16. The property owner is required to sign a restrictive covenant for utilities.
17. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
18. All off-site improvements must be completed prior to final inspection of the first building.
19. Show right-of-way widths to be dedicated on Revere Street and Nelson Avenue.
20. The developer shall provide a meter and backflow prevention per building per the City of North Las Vegas Municipal Water Services District Service Rules and Regulations.
21. A looped water system may be required, subject to review and approval of the Utilities Department.
22. Ensure parking area is adequately illuminated when there are night services.

**Jim Van Compernelle, 5385 Cameron, Suite 15, Las Vegas, NV** appeared on behalf of the applicant stating he concurred with Staff recommendation. He clarified that the church was 8100 square feet and the need for linear landscaping on one of the interior parking bays was discussed and a waiver was requested, but he did not see that in the Staff Report. On Phase 2, other than the trash enclosure being located in that area, they were not anticipating doing any work in that area, including driveways, landscaping, redoing the parking lot and building as it was the second phase and although it was mentioned that the second phase must be compatible, there was no specific mention as to whether or not they had to bring other things up to Code as far as the perimeter landscaping and was requesting not to at this time.

Mr. Jordan stated in the past, on commercial developments, when people request to waive the linear landscaping within the parking lot, an alternative had been offered. The landscape diamonds for every three parking spaces have been allowed, which allowed the same number of parking spaces but added landscaping and trees to the parking and could be offered to the applicant as an alternative. There was a condition on the site plan that would require landscape diamonds every three parking spaces in a row. Mr. Compernelle stated he missed that in the conditions.

Chairman Steve Brown opened the Public Hearing. The following comments were carried forward from Item No. 9, VN-13-07:

- **Maria Posadas, 2502 Angelfield Street, North Las Vegas, NV 89030** stated the rear of her home faced the church and felt there would be an increase in traffic and the wall was not tall enough to provide privacy for her property and was opposed to the application.
- **Valerie Hodson, 2506 Angelfield Street, North Las Vegas, NV 89030** stated she was concerned the expansion of the church would bring more people and traffic to the neighborhood and felt if the requested set-back was approved, there would not be enough parking and was opposed to the application.
- **Boleslo A. Romero** (no address stated), stated he was in favor of the application.

Chairman Brown asked participants if they had additional comments.

- **Valerie Hodson, 2506 Angelfield Street, North Las Vegas, NV 89030** clarified the current landscaping was not up to code and the applicant was requesting not to bring it up to code.

Chairman Brown closed the Public Hearing.

Mr. Compennoli stated that was correct, as the project was budget driven and explained they were redeveloping 50% of the existing site which was not up to code, and would be bringing that portion up to code. They were adding a large amount of landscape and were also developing the back half of the site which was currently vacant land and installing a new parking lot with landscaping and lighting. The existing building would be renovated into meeting rooms and a social hall in the future and would like to develop that portion of the site when that building was redone.

Mr. Jordan asked to read a new condition into the record for the landscape diamonds. Condition No. 1.f would read: "Landscape Diamonds shall be provided for every three (3) parking spaces contained in a row within every double row of parking."

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH  
CONDITION NO. 1.F ADDED TO READ:

- 1.F. LANDSCAPE DIAMONDS SHALL BE PROVIDED FOR EVERY THREE (3) PARKING SPACES CONTAINED IN A ROW WITHIN EVERY DOUBLE ROW OF PARKING.

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

**11. UN-48-07 (29904) SOUTHERN NEVADA LUMBER YARD (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MITCHELL STREET LLC, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A 50-FOOT HIGH FREESTANDING SIGN WHERE 18 FEET IS THE MAXIMUM HEIGHT ALLOWED. THE ASSESSOR'S PARCEL NUMBER IS 140-06-110-004.**

The application was presented by Marc Jordan, Planning Manager who explained the sign ordinance was governed in the zoning ordinance by the size, the type of the building and in this case, the 18 and 125 square feet of signage was allowed because the applicant had a fairly small office building. The applicant indicated because they had a large storage yard, they should get some sort of benefit from it. In reviewing the plan, the project was 180 feet from the I-15 right-of-way and it appeared the applicant was trying to advertise to people along I-15 and there was no intersection or access for the property in the nearby vicinity for I-15. The zoning ordinance addressed three areas within the City and the proposed location was in one of those areas. Whenever there was a property zoned M-2 that was within 1500 feet of the centerline the Craig Road and the I-15 Interchange, a sign was allowed that could go up to 60 feet. The proposed location was approximately 3,000 feet away; therefore, would not qualify for the exemption. Staff did not believe the application was warranted and was concerned that if the application was approved, it would set a precedent for future signs; therefore, Staff was recommending that UN-48-07 be denied. 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-48-07 is site-specific and non-transferrable.
3. That the development shall be allowed two (2) freestanding signs with maximum height of 25-feet and maximum signage of 125-square-feet.
4. The directory sign shall be provided with a decorative cover and utilize materials, colors, textures or finishes that are complimentary or similar to the materials on the facade of the principal building.
5. The proposed sign shall not be located within the traffic sight visibility zone.

**Lisa Eggleston, 7120 Rafael Ridge Way, Las Vegas, NV 89119** appeared on behalf of the applicant stating they were a wholesale lumber yard, not retail, so they were not opened to the general public. They were requesting a large square footage on the sign because directly to the south there was a billboard sign that they could not compete with.

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

Chairman Brown closed the Public Hearing.

Commissioner Jay Aston asked the height of the Cinder Lite Sign. Mr. Jordan responded he did not know the height of the sign, but many of the signs in that area were 60 and 80 feet but they were done prior to the zoning ordinance being amended. When it was amended, there were a lot of requests for tall signs within that area, so there was a need to cut down on the visual clutter, which was why the ordinance was amended to allow additional heights within those three areas.

Ms. Eggleston explained because they were a lumber yard, they were only putting a 12 X 56 trailer on the site, as a large building was not needed to run their business so they would never have the size of building that would allow for the type of sign they wanted.

Commissioner Aston felt 50 foot was too high but would consider 25 feet.

Commissioner Harry Shull concurred with Commissioner Aston and felt 25 feet would give the exposure the applicant was looking for.

Commissioner Dilip Trivedi asked Staff if the existing billboard came up for renewal. Mr. Jordan responded they did not have to renew. Commissioner Trivedi concurred with Commissioners Aston and Shull that 25 feet was acceptable.

Mr. Jordan stated if there was a desire for approval, he would need to amend Condition No. 4 to read: "The proposed signs shall be provided with a decorative cover and utilize materials, colors, textures or finishes that are complimentary or similar to the materials on the facade of the principal building."

Chairman Brown asked Ms. Eggleston if she was okay with two signs at 25 feet in height.

Ms. Eggleston stated Mitchell did not get any traffic and she really needed the larger square footage as she was taking all 125 feet and putting it on one sign on the property line so it could be seen from the freeway.

Chairman Brown asked if the 125 feet was per sign. Mr. Jordan responded that was correct, there were two signs at 25 feet high and 125 square foot of sign area each.

**ACTION:** APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH  
CONDITION NO. 4 AMENDED TO READ:



4. THE PROPOSED SIGNS SHALL BE PROVIDED WITH A DECORATIVE COVER AND UTILIZE MATERIALS, COLORS, TEXTURES OR FINISHES THAT ARE COMPLIMENTARY OR SIMILAR TO THE MATERIALS ON THE FACADE OF THE PRINCIPAL BUILDING.

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. 13 was heard next.**

12. **T-1297 (29992) MARABELLA VILLAS LLC. AN APPLICATION SUBMITTED BY ROCKWOOD DEVELOPMENT ON BEHALF OF LAS VEGAS DEVELOPMENT ASSOCIATES, LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT FOR A 36 UNIT CONDOMINIUM DEVELOPMENT. THE PROPERTY IS LOCATED 1100 FEET WEST OF COMSTOCK STREET AND NORTH OF LAKE MEAD BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-21-201-001.**

It was requested by the applicant to continue T-1296 indefinitely.

ACTION: CONTINUED INDEFINITELY

MOTION: Commissioner Aston

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

**Item No. 17 was heard next.**

13. **SPR-25-07 (29996) CELL-CRETE OFFICE. AN APPLICATION SUBMITTED BY LOUIS E. FISHER, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT FOR AN OUTDOOR STORAGE YARD. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF ENGLESTAD STREET AND ROCK QUARRY WAY. THE ASSESSOR'S PARCEL NUMBER IS 139-10-310-004.**

The application was presented by Marc Jordan, Planning Manager stating the request was for a waiver of the landscape requirement from the Industrial Design Standards. The applicant was requesting that the landscaping be reduced from 20 feet to 10 feet along Englestad Street and 12 feet along Rock Quarry Way. The applicant indicated there was an elevation difference for their property and that they were required to put in a retaining wall along Englestad Street. Presently, the zoning ordinance would not have any objection to a retaining wall. The applicant would have to provide some landscaping, build a retaining wall and then put in five feet of additional landscaping before the screen wall for the storage yard. The property to the south was a fairly new development with a storage yard and met the perimeter landscaping requirements along Englestad and Rock Quarry and the property to the east was developed prior to the City adopting the Industrial Design Guidelines and was developed with the minimum of five feet of landscaping required at that time. The proposed site was large enough to accommodate the full 20 feet of landscaping, which was consistent with the newer development that had taken place in that area; therefore, Staff was recommending that SPR-25-07 be denied.

**Scott Sabra, 8610 South Eastern Avenue, Suite 177, Henderson, NV 89014** appeared on behalf of the applicant. He showed the location of Cell-Crete's office and explained the entrance to the storage yard would be off of John Peter Lee. The elevation change ranged from five to six feet at the center and created an issue. He explained the applicant was attempting to keep an eight foot wall at sidewalk height, stepped in so that there was only an eight foot drop in case someone were to hop over the fence and fall and then the retaining wall, which was 3 ½ feet to five feet. They were trying to keep the equipment much lower, anywhere from eleven feet to approximately 13 to 14 feet down so it would not be seen from the road. The applicant was also trying to capture as much of the storage yard as possible as they were a specialty concrete company with trucks, pumps, and other issues and believed they needed as much room as possible. Staff indicated Mondale Pines would not work in the area, given the depth of landscaping that was requested and they had done some research on other types of juniper trees and other evergreens that could be used and the area could be lushly landscaped and they were willing to work with Staff on the species of trees and bushes to be used, so they could continue with the appearance in the immediate area and indicated they would have split-faced block on the walls.

Commissioner Jay Aston stated he agreed with Staff recommendation, and indicated other facilities in the area had complied with the Design Guidelines and asked if the Commission were to approve the application with 20 foot landscaping buffers, why Staff was recommending denial.

Mr. Jordan explained Staff was recommending denial of the waiver request; but, the storage yard did not require Planning Commission approval because it was less than the 60,000 minimum that warranted them to come before the Commission. The application was a request to consider the waiver only; so, if there was a desire by the Commission to approve the application, Condition No. 4 would need to be amended because they would be approving the waiver and explained if it was denied, the waiver was being denied.

Chairman Steve Brown agreed with Commissioner Aston and Staff and felt the applicant should comply with the Design Guidelines.

ACTION: DENIED

MOTION: Commissioner Shull

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: None

**14. SPR-26-07 (29989) NLV INDUSTRIAL CENTER LLC. AN APPLICATION SUBMITTED BY NLV INDUSTRIAL CENTER LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW 165,000 SQUARE FEET OF MIXED OFFICE AND INDUSTRIAL OFFICE SPACE. THE PROPERTY IS LOCATED EAST OF BERG STREET AND APPROXIMATELY 530 FEET NORTH OF CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-01-201-020.**

The application was presented by Marc Jordan, Planning Manager who stated the proposed site plan showed there would be two buildings that would be 50,000 square feet each and would also have an additional building approximately 43,500 square feet which would be concrete tilt-up. The applicant had not requested any waivers of the Design Guidelines and it appeared the site was in compliance with the Industrial Design Standards. Staff was concerned that the applicant be mindful of all parking requirements, as it looked like some of the buildings might be designed to house some retail service type uses in the future, which required special use permits and parking issues were a problem. At this time, the site complied with parking requirements for office and warehouse. Staff was recommending approval of SPR-26-07 with the following conditions with the deletion of Condition No. 5:

1. Unless expressly, authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. That no site plan approval is granted, assumed or implied.
3. That development shall comply with Industrial Standards and Design Guidelines, including but not limited to the following;
  - a. Storage and loading zones shall be screened by buildings, decorative walls, and/or dense landscaping
  - b. A solid masonry wall and/or landscaping berm with the minimum of 6 feet above finish grade shall be provided at back of setback to screen any loading or storage area abutting a public street.
  - c. A minimum three (3) foot high landscape berm shall be provided to screen the parking from the public right-of-way.
4. The development shall comply with the current parking requirements.
5. The development shall be limited to a maximum of 36,000 square feet of office space.

6. Approval of SPR-26-07 does not grant approval of retail commercial use without Planning and Zoning Department review and compliance with all applicable code and ordinances.
7. The property owner is required to grant a roadway easement for commercial driveway(s).
8. The property owner is required to sign a restrictive covenant for utilities.
9. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
10. Approval of a drainage study is required prior to submittal of the civil improvement plans.
11. Approval of a traffic study is required prior to submittal of the civil improvement plans.
12. 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.
13. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
14. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
15. 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.
16. All off-site improvements must be completed prior to final inspection of the first building.
17. The developer shall provide a meter and backflow prevention per building per City of North Las Vegas Municipal Water Services District Service Rules and Regulations.
18. A looped water system may be required, subject to review and approval of the Utilities Department

19. Fire lanes shall be marked restricting parking per the fire code.

**Kevin O'Donnell of PBS & J, 2270 Corporate Circle, Henderson, NV** appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NO. 5

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-1296 (30018) NLV INDUSTRIAL CENTER LLC. AN APPLICATION SUBMITTED BY NLV INDUSTRIAL CENTER LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW INDUSTRIAL CONDOMINIUMS IN THREE (3) BUILDINGS. THE PROPERTY IS LOCATED EAST OF BERG STREET AND APPROXIMATELY 530 FEET NORTH OF CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-01-201-020.**

The application was presented by Marc Jordan, Planning Manager who stated the application was in compliance with the M-2 General Industrial Standards; therefore, Staff was recommending approval of T-1296 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 SPR-26-07.
3. The property owner is required to grant a roadway easement for commercial driveway(s)
4. The property owner is required to sign a restrictive covenant for utilities.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. The proposed driveways are too close to the property lines and will need to be revised to meet code.
7. Approval of a traffic study is required prior to submittal of the civil improvement plans.
8. 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.
9. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
10. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
11. 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.
12. All off-site improvements must be completed prior to final inspection of the first building.



**Kevin O'Donnell of PBS & J, 2270 Corporate Circle, Henderson, NV** appeared on behalf of the applicant stating he had conversations with Staff regarding the location of the driveway and felt the condition was in error, as it stated the driveway was too close to the property line. Jennifer Doody of Public Works stated that was Condition No. 6 and was not on their revised memo, so they were agreeable to the deletion of Condition No. 6.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NO. 6

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**16. SPR-28-07 (29995) LMBG INC. OVERFLOW PARKING AREA. AN APPLICATION SUBMITTED BY LMBG, INC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW AN ON-SITE STORAGE YARD. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF LONE MOUNTAIN ROAD AND BERG STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-01-101-011.**

The application was presented by Robert Eastman, Principal Planner who stated the applicant was requesting waivers to reduce the perimeter landscaping to 10 feet along Berg Street and 11 feet along Lone Mountain Road and explained the landscaping area included the sidewalk, so the actual planting area was five or six feet. Staff felt the Industrial Guidelines should be upheld and the proposal for the reduction in landscaping was not appropriate on the site. Also, the applicant was requesting that the waiver be in perpetuity on the site and while there may not be any concerns with a proposed parking lot for the employees, Staff had serious reservations if the site were to be developed into a more intense industrial use; therefore, Staff was recommending that SPR-28-07 be denied.

**John Hamilton, Hamilton civil Engineers, 3945 Pebble Creek Avenue, Las Vegas, NV 89147** appeared on behalf of the applicant stating there was some confusion regarding the actual Municipal Code. It was a shared opinion with his client that the Industrial Guidelines did not apply and was felt that perhaps Title 17.24.200.5, which allowed five foot of landscape for M-2 and M-3 zoning. The grant of perpetuity was because, at this time, there were no buildings proposed for the site and, in light of the fact that there were no buildings proposed for the site, it was merely a parking lot, the proposal was to have the five foot of landscape with overflow for the adjacent development to the south. There was a severe parking condition along Berg Street and explained the purpose of the site was to lease it to Hirschey Masonry and facilitate the use as a storage yard and stated wrought iron would be the primary material stored on the site. He stated road improvements were required on Lone Mountain Road; but there was currently an SID in place and he did not know the status of the project. He also indicated one of the conditions was requesting a drainage study and if a drainage study was necessary, they were looking at Las Vegas Wash, which was not far from the site and he felt due to existing conditions on the property, a full drainage study was not necessary.

Jennifer Doody of Public Works explained the drainage study was required because the off-site improvements for Lone Mountain Road were also required, and the study was needed to make sure the road was meeting criteria and because there would be improvements done to the site and they had to make sure the improvements would not negatively impact any of the adjacent property owners.

Mr. Hamilton asked if Public Works Staff could elaborate on the status of the Lone Mountain SID project as to whether or not infrastructure would be provided and indicated he had received a letter from Public Works requesting lateral locations for water and sewer and also driveway locations. They were also given a subsequent letter informing them that the information was wanted because Public Works would be installing the driveways and then another letter followed indicating there were policy changes and that Public Works would not be installing the driveways but were going to install water and sewer laterals. He asked if, for the 80 foot drive lane requirements, if that would be more appropriately handled by Public Works and their drainage analysis for future construction of Lone Mountain Road or if Lone Mountain Road was no longer an SID project.

Clete Kus of Public Works responded there was not currently a CIP or SID project in place for Lone Mountain Road; therefore, it was the Department's position that should the application be approved, the developer proceed with providing the off-site improvements.

Marc Jordan, Planning Manager pointed out the proposed site was 4 ½ acres, so it met the major site plan review category of storage, so when the application was reviewed, all of the items brought up by Public Works could be considered with the application. He explained the Industrial Design Standards were adopted in December, 1999 and those standards required 20 feet of landscaping along perimeter developments for industrial. The standard of five feet of landscaping had not been used for seven years and the zoning ordinance was written so that when there was a conflict, the most restrictive always applied; therefore, the more restrictive of 20 feet has always been applied as it was consistent with what had been reviewed by the Commission and City Council.

Commissioner Ned Thomas clarified that the proposed site was zoned industrial and that outdoor storage, in this application, was considered an industrial use, so the use was appropriate, but under those circumstances the Industrial Design Guidelines would apply. Mr. Jordan responded that was correct. Mr. Thomas supported Staff that the applicant should comply with the Industrial Design Guidelines.

Commissioner Jay Aston explained to the applicant that the Commission had the option to deny the application, continue it to allow them to work with Staff on some of the issues or approve the application subject to conditions recommended by Staff. He asked the applicant which option he preferred. Mr. Hamilton responded he would like to continue the application so they could work out the issues with Staff.

ACTION: CONTINUED TO JUNE 13, 2007

MOTION: Commissioner Aston  
SECOND: Commissioner Leavitt

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

**There was a break in proceedings at 7:20 p.m.**

**The meeting reconvened at 7:36 p.m.**

**Commissioner Ned Thomas did not return from Break.**

**Item No. 18 was heard next.**

17. **SPR-27-07 (29993) DEER SPRINGS CROSSING. AN APPLICATION SUBMITTED BY DEER SPRINGS CROSSING LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-2 GENERAL COMMERCIAL DISTRICT TO AMEND AN EXISTING SITE PLAN REVIEW (SPR-60-05) TO ADDRESS PARKING LOT SCREENING REQUIREMENTS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF NORTH 5TH STREET AND DEER SPRINGS WAY. THE ASSESSOR'S PARCEL NUMBER IS 124-23-316-002.**

It was requested by the applicant to continue SPR-27-07 to June 13, 2007.

ACTION: CONTINUED TO JUNE 13, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

**Item No. 20 was heard next.**

**18. SPR-24-07 (29966) TRUCK PARTS AND EQUIPMENT. AN APPLICATION SUBMITTED BY TRUCK PARTS & EQUIPMENT, CO., PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW AN OUTDOOR STORAGE YARD FOR RENTAL TRUCKS. THE PROPERTY IS LOCATED AT 4145 FREHNER ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-01-401-002.**

The application was presented by Robert Eastman, Principal Planner who stated truck repairs would not be performed at the proposed location and the existing landscaping was being used, which was adequate, but the ground coverage would need to be increased. Staff was recommending approval of SPR-24-07 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. The development shall comply with the Industrial Development Standards and Design Guidelines including but not limited to the following:
  - a. Sand textured paint shall be applied to the existing structure.
  - b. Landscaping along Frehner Road shall be provided with 60% ground coverage;
  - c. Foundation landscaping shall be provided in the form of planters along the customer entrance;
  - d. A minimum six (6) foot high decorative block wall or a dense landscaped berm shall be provided to the east along Frehner Road and along the southern portion where the chain link fence currently exists.
3. All areas intended to be used for parking space and driveways shall be paved with concrete or asphaltic concrete.
4. Use permit, UN-81-06, shall become null and void.
5. The property owner is required to grant a roadway easement for commercial driveway(s).
6. The property owner is required to sign a restrictive covenant for utilities.
7. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
8. Approval of a drainage study is required prior to submittal of the civil improvement plans.

9. Trucks shall be stored in an adequately illuminated and secure area.

**Stuart Engs, 4120 Donovan Way, North Las Vegas, NV 89030** appeared on behalf of the applicant stating he concurred with Staff recommendation. He confirmed that the wall would go around the entire property instead of bisecting it. Mr. Eastman indicated that was correct.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**Commissioner Ned Thomas returned to Chambers at 7:39 p.m.**

**OLD BUSINESS**

19. **UN-34-07 (29476) TERRIBLE HERBST TROPICAL/LOSEE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TERRIBLE HERBST INC. ON BEHALF OF PARK CENTRAL PLAZA 32 LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD STORE WITH GAS PUMPS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF TROPICAL PARKWAY AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-25-312-004. (CONTINUED APRIL 25, 2007)**

The application was presented by Robert Eastman, Principal Planner who stated the applicant submitted a revised letter of intent requesting waivers from the Commercial Development Standards and Design Guidelines. They were requesting that the foundation landscaping be waived for their building, as they need to provide adequate drive isle width from the gas pumps to the proposed convenience store and it was Staff's position that, as the project was not yet built or developed, that adequate space existed on the site for the applicant to provide the required landscaping; therefore, Staff was not in support of the waiver request. The applicant was requesting a waiver to require landscaping adjacent to the trash enclosures, which Staff was not supporting, as the landscaping helped buffer the trash enclosure and provided a little more space when the enclosure was located in the parking spaces. The applicant was asking to waive the driveway separation from the intersection. It was indicated in the memo from Public Works that there were concerns regarding that request. Due to all of the concerns mentioned, Staff was recommending that UN-34-07 be continued; however, should the Commission determine approval was warranted, Staff was recommending 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 UN-34-07 is site specific and non-transferable.
3. Development of the site shall comply with the Commercial Development Standards and Design Guidelines including, but not limited to the following:
  - a. The buildings shall be relieved by variations in massing or articulation in the facade to prevent box-like or single monolithic forms
  - b. Sidewalks shall be located at least six feet away from the facade of the building to provide foundation landscaping
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 Losee Road and Tropical Parkway.
6. Right-of-way dedication and construction of a flared intersection, including a right turn lane, is required at Losee Road and Tropical Parkway per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1.
7. Right-of-way dedication and construction of a CAT bus turn-out is required on Tropical Parkway west of Losee Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
8. 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.
9. 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.
10. Approval of a drainage study is required prior to submittal of the civil improvement plans.
11. 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.
12. Tropical Parkway and Losee Road are no cut streets.
13. Driveway on Losee Road is not shown in the correct location. The existing driveway is located 329' from centerline intersection. The driveway shown on Losee Road must be eliminated.
14. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
15. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.

16. 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.
17. 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.
18. All off-site improvements must be completed prior to final inspection of the first building.
19. The developer shall provide a meter and backflow prevention per building per City of North Las Vegas Municipal Water Services District Service Rules and Regulations.
20. The sewer main in Losee Road is at capacity. The developer will be required to oversize the existing 8 inch sanitary sewer main to 36 inch from manhole to manhole along front footage of Losee Road. The work needs to be completed prior to the completion of Losee Road Improvement Project.
21. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

Commissioner Dilip Trivedi stated he was currently working with the applicant's architect on another project, which was not related, and felt he could make an impartial decision so he would be voting on this application.

**Katie Fellows, Jones, Vargas, 3773 Howard Hughes Parkway, Las Vegas, NV 89169** appeared on behalf of the applicant stating the use was appropriate for the area and the site was part of a previously approved shopping center. She explained the site was designed in accordance with how the developer of the shopping center had previously indicated they anticipated the site to appear. She explained the waiver of the foundation landscaping was being requested as the soils conditions on the site did not provide for foundation landscaping. The soils report recommends that only hardscaping be used on the site. The soils report indicated moderate to severe collapse potential when water was mixed with the soil; therefore, the applicant felt it would be detrimental to the foundation of the site to provide foundation landscaping. Ms. Fellows stated she would be happy to entertain recommendations from the Commission with respect to what they would like to see with the landscaping, taking into account they would like to maintain the four island gas canopy and would be willing to add some above-ground planters, which would not allow any water seeping onto the sidewalk and would be willing to expand the width of the sidewalk to accommodate those planters. She felt the driveway along Losee Road was a

necessity for the business, because without it, they would lose a significant number of customers as the other driveway access was located 329 feet away from the intersection and providing the additional driveway would help with the traffic movements within the site itself and ease congestion within the center.

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

Chairman Brown closed the Public Hearing.

Commissioner Jay Aston asked if a right-in access only would resolve Staff's concerns. Clete Kus of Public Works responded, in theory, the driveway would only be right-in/right-out and explained the problem was the proximity of the turning movement to the intersection itself. He explained the further the driveway was from the intersection helped to improve through movements through the intersection. Commissioner Aston asked if cars were only allowed to enter at that driveway and were not allowed to exit at all, if it would make a difference. Mr. Kus responded the right turn-in movement was as much a problem as the right-out. Commissioner Aston understood the applicant's concern due to the fact that it might affect the business, if cars were coming up on the business and could not access the driveway by the time they saw the store. He also understood the problem with the soils reports, but the applicant had offered a resolution, so his only concern was the driveway access.

Commissioner Dean Leavitt agreed with Commissioner Aston's comments and asked if the driveway access was not installed, if there might be more congestion further down, where vehicles were trying to enter the shopping center and agreed with Commissioner Aston on the landscaping and felt the applicant provided a good alternative.

Commissioner Harry Shull agreed with Commissioners Aston and Leavitt and felt the driveway situation was difficult.

Mr. Eastman explained on Condition No. 3.b, which currently addressed the foundation landscaping, the City had previously allowed pots as an alternative to the foundation landscaping. The conditions as currently written were more restrictive than the Code, so he suggested that Condition No. 3.b be deleted and fall back to the Commercial Design Standards which would allow the pots proposed by the applicant.

Commissioner Dilip Trivedi concurred with Commissioner Shull, stating that if a driveway further from the corner was enforced, people were being forced to wander through the shopping center instead of coming right into the gas station. He disagreed with the Traffic Department, feeling vehicles exiting the site would not be hazardous to the traffic and felt the driveway entrance was okay as shown on the plan.

Commissioner Leavitt referred to the convenience store located on the northwest corner of Las Vegas Boulevard and Lake Mead Boulevard and asked Staff the distance from the driveway to the corner. Mr. Kus explained both Las Vegas Boulevard and Lake Mead were streets under the jurisdiction of the Nevada Department of Transportation (NDOT) and those driveway locations had been in existence for many years, but there was a long period of time before construction began on the convenience store as NDOT was not supportive of the driveway locations at that site; however, through the direction of the Governor at that time, approval was given to allow the driveways to remain at their existing locations. In the current application, the site plan previously approved was done so that driveway locations met applicable Municipal Code as well as Clark County Standard Drawings. The applicant was now coming forward to put the driveway locations at a distance much closer than Municipal Code and Clark County Standard Drawings allowed and it was the position of the Traffic Department that it would impact the functional operation of the intersection; therefore, the Director of Public Works did not support the waiver request.

Planning & Zoning Director Jory Stewart indicated Staff had reviewed Section 17.24.130 of the Municipal Code as to what could be considered by the Planning Commission, and driveway locations could not be waived by the Commission, it was solely up to the Director of Public Works as stated in Condition No. 8 in the Staff Report.

Commissioner Dilip Trivedi asked if the minimum required distance for a driveway was 200 feet from the street intersection and whether it was measured from the curb or center-line. Mr. Kus explained a good approximation was 200 feet, but there was a minimum distance from the end of the curb return and when looking at a curb face to curb face dimension, you would add the radiuses to get the total distance.

Commissioner Aston explained to the applicant that it appeared the application could be approved with the recommended conditions with the deletion of Condition No. 3.b; but, it appeared something would need to be worked out with the Traffic Engineer on the driveway location. Ms. Fellowes understood the Commission's hands were tied but asked that Condition No. 13 be amended to add the language "unless otherwise approved by the Director of Public Works", for clarification.

**ACTION:** APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NO. 3.B AND CONDITION NO. 13 AMENDED TO READ:

13. DRIVEWAY ON LOSEE ROAD IS NOT SHOWN IN THE CORRECT LOCATION. THE EXISTING DRIVEWAY IS LOCATED 329' FROM CENTERLINE INTERSECTION. THE DRIVEWAY SHOWN ON LOSEE ROAD MUST BE ELIMINATED, OR AS OTHERWISE APPROVED BY THE DIRECTOR OF PUBLIC WORKS.

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

**Item No. 21 was heard next.**

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

It was requested by the applicant to continue UN-37-07 to June 27, 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 JUNE 27, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

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

21. **ZN-94-07 (29023) MARTHA CAZAREZ REZONING (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MARTHA CAZARES, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT AND A C-P PROFESSIONAL OFFICE COMMERCIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF A PROFESSIONAL OFFICE. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF CIVIC CENTER DRIVE AND TONOPAH AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-24-312-114 AND 139-24-312-077. (CONTINUED MARCH 28, 2007)**

The application was presented by Robert Eastman, Principal Planner who stated the site was currently an existing tax business and the applicant was proposing to develop the site to expand the tax business to occupy both lots. The business was currently located on the lot zone C-P the applicant was requesting the PUD zoning because they would have difficulty complying with the C-P District with the existing buildings on the site and explained a PUD should be a larger development. There was a minimum size requirement of five acres for a PUD and what was being proposed by the applicant was not unique and the trade off to the City was minimal; therefore, Staff had concerns about the proposed PUD zoning. It appeared the request for the PUD was a way to waive a number of setback requirements that would normally be in the C-P District. The applicant was proposing to keep the buildings in their current location with some facade upgrades to make the buildings more attractive and closer to complying with the Design Standards than what currently existed; however, they want to use the existing landscaping area along Civic Center Drive, which was small and Staff was not in support. The rear drive isle was smaller than the 24 foot width normally allowed; however, the Fire Department had reviewed it and since there was access from both Civic Center Drive and Perliter Avenue, they were not concerned with the width; however, Public Works indicated they needed a minimum driveway width of 20 feet, which was not shown on the site plan. Staff was not supporting the PUD as there were a number of design issues that were not in compliance and felt ZN-94-07 should be denied to allow the applicant time to come back in with a C-P zoning and a better site design.

**Martha Cazares, 1820 Civic Center Drive, North Las Vegas, NV 89030** stated she was asking for approval, explaining they were trying to improve the appearance of their business and add parking.

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

Chairman Brown closed the Public Hearing.

Commissioner Jay Aston suggested the application be continued to allow the applicant to work with Staff to determine the appropriate zoning for the property and asked how the situation could be resolved and who the applicant could meet with to work out the details.

Marc Jordan, Planning Manager explained the applicant could have been told to move forward with a PUD as deviations in the Code could be allowed and even though Staff might recommend denial or may not be in support of the application did not mean it could not be considered by the Commission. He was concerned the parking and drive isles were adjacent to property shared by residential, as there would be a car parked next to a block wall with the risk of someone running into the wall, so landscaping would be required as a buffer. Commissioner Aston asked if Staff's concerns regarding the parking were addressed in the recommended conditions. Mr. Jordan responded the drive isle widths and landscaping along the eastern property line were not adequately addressed in the conditions. Commissioner Aston asked Staff if they would feel more comfortable with a three week continuance. Mr. Jordan stated he agreed with the continuance and asked the Commission for direction as to what they would like Staff to work on with the applicant.

Chairman Brown clarified if the parking were removed and landscaping added, if the parking would meet requirements. Mr. Eastman responded they were currently overparked by three spaces so they could lose them, but it did not get rid of the parallel parking spaces and he felt the applicant could come more into compliance than what was currently shown on the site plan.

Commissioner Dean Leavitt was in support of Commissioner Aston's comments.

ACTION: CONTINUED TO JUNE 13, 2007

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None



**22. 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. (CONTINUED MAY 9, 2007)**

The application was presented by Robert Eastman, Principal Planner who stated the applicant was proposing storage for tracked vehicles. In the site plan, the applicant was proposing paved drive isles for the trucks with the remaining area to be a gravel surface for the storage of the tracked vehicles. Staff had allowed the configuration previously and felt the use was appropriate and were recommending approval subject to the following conditions:

1. That, unless expressly authorized through the variance, waiver or another method, this development shall comply with all applicable codes and ordinances; and
2. The development of this site shall be in compliance with the Industrial Development Standards and Design Guidelines, unless otherwise noted or deferred herein;
  - a. All areas utilized for parking spaces and driveways of wheeled vehicles shall be paved with concrete or asphaltic concrete;
3. That UN-43-07 is site specific; and
4. That site is in compliance with conditions of approval for SPR-44-06;
5. Fire lanes must be clearly indicated by striping the asphalt or marking the curb.
6. Signs prohibiting parking along one/both sides of the fire access lane shall be installed per the fire code.
7. Knox boxes shall be provided at the gates.
8. Extra lighting shall be provided at the trash enclosures.

**Tony Celeste of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89169** appeared on behalf of the applicant

stating he concurred with Staff recommendation, except for Condition No. 2.a. He asked that it be deleted. He stated the site was designed to provide for the drive isles as well as other parking spaces, so when heavy equipment was transported, it would be on the paved areas, but when it was stored, it would be on recycled asphalt. He indicated the site plan was approved providing that a 24 foot drive isle was paved with asphalt or concrete throughout the yard where the transport trucks would drive, load and unload the equipment and also that the storage area would be paved with recycled asphalt.

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

Chairman Brown closed the Public Hearing.

Commissioner Jay Aston asked the applicant if he was in agreement with the recommended conditions. Mr. Celeste responded he was in agreement with all conditions except Condition No. 2.a, which he was requesting to be deleted.

**ACTION:** APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH  
THE DELETION OF CONDITION NO. 2.A

**MOTION:** Commissioner Shull

**SECOND:** Commissioner Aston

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

**NAYS:** None

**ABSTAIN:** None

23. **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. (CONTINUED MAY 9, 2007)**

Commissioner Ned Thomas stated he would be abstaining as the applicant was his employer.

Commissioner Thomas left Chambers at 8:22 p.m.

The application was presented by Robert Eastman, Principal Planner who stated a revised tentative map was submitted and a number of chicanes were added to the site for traffic calming and there were some minor problems with the tentative map; however, they were minor and could be addressed in the conditions; therefore, Staff was recommending approval of T-1294. The applicant requested that Condition No. 9 be amended to read: "Sidewalks shall be provided on all streets, or as required by the Park Highlands Development Standards and Design Guidelines" and Condition No. 30 be amended to read: "The proposed stub streets must comply with MC Section 16.20.050.P or as amended by the Park Highlands Development Standards and Design Guidelines". 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. A minor modification to change the zoning from RZ-13/MPC Residential Zone up to 13 dwelling units per acre/Master Planned Community District to RZ-6/MPC, Residential Zone up to 6 dwelling units per acre/Master Planned Community District shall be required prior to the recordation of the final map.
4. T-1294 shall conform with the May 3, 2006 Development Agreement between the City and November 2005 Land Investors, LLC/DRHI Inc.

5. T-1294 shall comply with the conditions of approval for T-1261.
6. All common elements shall be owned by the homeowners association.
7. End walls and perimeter walls shall be owned and maintained by the homeowners association.
8. 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.
9. Sidewalks shall be provided on all streets.
10. 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.
11. 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.
12. 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.
13. Street types as defined in the Park Highlands Design Guidelines and Development Standards shall be shown on the final map.
14. Each street shall be labeled with the applicable street type on plot plans.
15. Walls shown with this tentative map application shall be considered conceptual.
16. Approval of a drainage study is required prior to submittal of the civil improvement plans.
17. Approval of a drainage study that conforms to the Overall Master Conceptual Drainage Study is required.

18. The pedestrian pathway shown between Lots 21 and 22 do not appear to link the subdivision to an exterior pathway.
19. The property owner is required to grant roadway easements where public and private streets intersect.
20. All common elements shall be labeled and are to be maintained by the Home Owners Association.
21. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
22. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
23. Approval of a traffic study is required prior to submittal of the civil improvement plans.
24. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Aviary Way and Elkhorn Road.
25. 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.
26. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
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. 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.
29. All off-site improvements must be completed prior to final inspection of the first building.
30. The proposed stub streets must comply with MC section 16.20.050.P. which states: "Terminal streets, not to exceed one hundred fifty (150) feet in length, as measured from the face-of-curb of the intersecting street to the face-of-curb of the terminal street, and with a maximum of four fronting lots, shall terminate in a cul-de-sac with

a minimum back-of-curb radius of twenty-four (24) feet. (Ord. 2246 §§ 1, 2 (part), 2006)" Modifications to site are required to comply with this requirement, as any cul-de-sac exceeding these standards shall provide a standard cul-de-sac design. A sidewalk must be provided on a minimum of 1 side of the street.

31. All proposed street sections shall comply with the Clark County Area Standard Drawings and/or the Park Highlands Design Standards, when approved.
32. Interior streets in excess of five hundred (500) feet shall conform to the minimum curvilinear street requirements as outlined in *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 and subject to review and approval by the City of North Las Vegas Traffic Engineer.
33. 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.
34. Provide an approved secondary emergency entrance compliant with the fire code.
35. 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.
36. 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.
37. 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.
38. 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.
39. 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.

**John Wyland, 9900 Covington Cross, Las Vegas, NV 89144** appeared on behalf of the applicant stating he concurred with Staff recommendation and felt the minor conflict was a matter of Design Guidelines being approved.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH  
CONDITION NOS. 9 AND 30 AMENDED TO READ:

9. SIDEWALKS SHALL BE PROVIDED ON ALL STREETS, OR AS REQUIRED BY THE PARK HIGHLANDS DEVELOPMENT STANDARDS AND DESIGN GUIDELINES.
30. THE PROPOSED STUB STREETS MUST COMPLY WITH MC SECTION 16.20.050.P. OR AS AMENDED BY THE PARK HIGHLANDS DEVELOPMENT STANDARDS AND DESIGN GUIDELINES.

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: Commissioner Thomas

Commissioner Thomas returned to Chambers at 8:24 p.m.

**PUBLIC FORUM**

There was no public participation.

**DIRECTOR'S BUSINESS**

There was no report given.

**CHAIRMAN'S BUSINESS**

There was no report given.

**ADJOURNMENT**

The meeting adjourned at 8:25 p.m.

APPROVED: June 27, 2007

/s/ Steve Brown  
Steve Brown, Chairman

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