

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

July 25, 2007

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

BRIEFING: 5:34 P.M., Conference Room, North Las Vegas City Hall, 2200 Civic Center Drive

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

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

STAFF PRESENT: Jory Stewart, Planning & Zoning Director
Marc Jordan, Planning Manager
Robert Eastman, Principal Planner
Mary Aldava, Senior Planner
Bethany Sanchez, Deputy City Attorney II
Randy Cagle, PW, Real Property Services Manager
Clete Kus, PW, Transportation Planner
Mike Steele, Fire Department
Michelle Menart, Parks Planner
Jose Rodriguez, Police Department
Louise Steeps, Utilities Department
Jo Ann Lawrence, Recording Secretary

WELCOME: Chairman Steve Brown

VERIFICATION: Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE: Commissioner Ned Thomas

- **Election of Planning Commission Officers (Tabled 7/11/07)**

Chairman

ACTION: STEVE BROWN ELECTED CHAIRMAN

MOTION: Commissioner Dean Leavitt

SECOND: Commissioner Harry Shull

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

NAYS: None

ABSTAIN: None

Vice-Chairman

ACTION: DILIP TRIVEDI ELECTED VICE-CHAIRMAN

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

MINUTES

- **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF JUNE 27, 2007.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 4 was heard next.

NEW BUSINESS

1. **ZN-58-04 (31448) PERLITER FAMILY CARE CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RAM K. SINGH, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED PUD, PLANNED UNIT DEVELOPMENT TO AMEND CONDITION #12 REQUIRING EIGHT (8) DATE PALM TREES ALONG CIVIC CENTER DRIVE. THE PROPERTY IS LOCATED AT 2500 PERLITER AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-24-312-076.**

The application was presented by Marc Jordan, Planning Manager who explained the applicant was requesting to amend Condition No. 12 of the previously approved conditions, which required eight date palms with a minimum 10 foot brown trunk feet in height and the applicant was asking that they be allowed to replace them with an ash tree. He explained the site was developed and the applicant had installed the landscaping with the ash trees. He further explained the site had not been watered and the plants on the site were dying. The request for palm trees was required by City Council when the PUD was approved. At the time of approval, the applicant's representative was aware of the request and agreed to the condition. The condition was consistent with other development currently taking place along Civic Center Drive and Staff was not supporting the amendment and were recommending denial of ZN-58-04.

Ram Singh, 2500 Perliter Avenue, North Las Vegas, NV 89030 appeared along with **Mike Wines, Contractor, 1081 Timer Ridge Court, Las Vegas, NV** explained when the application was previously approved, the representative at that time accepted the recommended conditions, but was unaware palm trees were so expensive and would be too large for the area. The contractor informed him it was not possible to install the palm trees as the height was too tall for the overhead power lines.

Mr. Wines explained there was approximately 20 feet from the ground to the bottom power line and date palms grew one foot per year. He indicated they met with Staff and were approved to replace the date palms with ash trees and showed pictures of the ash trees currently on the site, which were eight feet and they were almost too large for the area. He pointed out that eight date palms installed was approximately \$55,000, which was over half the cost of renovating the property and added, the property across Civic Center Drive did not have date palms.

Commissioner Jay Aston understood the problem with the power lines and felt that should be considered. He noticed the ash trees had already been planted and asked if one of the conditions was to have a berm. Mr. Wines responded according to Code, the

water had to flow away from the building, which was not possible with the berm. It had been installed and the inspector had them remove it and explained there was a berm on the north side of the property which was called for in the plans and the building was six inches lower than the sidewalk. Commissioner Aston asked the hours of operation. Mr. Singh responded the hours of operation were 9 a.m. to 5 p.m.

Commissioner Dean Leavitt asked Staff if the building recently approved further to the north was required to have date palms. Mr. Jordan responded it was to the south between Perliter Avenue and Tonopah Avenue and they were required to install date palms. Commissioner Leavitt asked the number of palm trees required. Mr. Jordan thought it was 10 to 14 palm trees that were required, but the site was larger.

Vice-Chairman Dilip Trivedi inquired as to why such a large number of palm trees were required. Mr. Jordan responded the condition was brought up by one of the Council members. Vice-Chairman Trivedi asked if the Commission could override Council's decision. Mr. Jordan responded the Commission had the opportunity to make a recommendation to City Council. Vice-Chairman Trivedi agreed there was a problem with the power line and asked if it was possible to change the recommendation to ash trees or another form of landscaping. Mr. Jordan responded the application was for an amendment to change the palm trees to ash trees and if the Commission was recommending to change the palm trees to ash trees, he would recommend, rather than be specific as to call out ash trees, that the condition be amended to allow a tree that would not interfere with the power lines.

Commissioner Harry Shull asked if the application was in the same district as the new Justice Center and there were no palm trees at that location. Mr. Jordan responded they were both in the downtown area.

Commissioner Jo Cato asked Staff if it was the desire of the Commission to recommend amending the condition to allow ash trees, how the berm would be handled. Mr. Jordan explained berms were required to screen the parking lots from view and the berm was only required to the north and south of the building where the parking was located.

Commissioner Ned Thomas indicated, with the trees, there was a conflict between the Zoning Code and the Building Code and with the original plan had the palm trees and in a subsequent meeting he heard ash trees were approved and the change was not caught. He had a problem with the building permit being approved with the ash trees and understood the original building permit had the palm trees and wondered how that happened. Mr. Wines explained there was never a building permit approved with the date palms. When the job was bid, he informed the applicant of the cost, so, they had a meeting with the Planning Department and were informed to resubmit the plans. The plans were resubmitted with ash trees and were approved.

Commissioner Thomas asked the attorney if the approved ordinance trumped the approval of the building permit. Bethany Sanchez, Deputy City Attorney explained the applicant was required to comply with the terms of the ordinance.

Mr. Jordan explained the building permit did not trump the ordinance. The planner who worked on the application indicated at one time there were date palms shown on the plan and the plans were approved showing the ash trees; however, when a correction was made to a plan, the correction was to be clouded so it drew attention to the correction and in this case, the plan that was stamped was not clouded. So, when the plans were reviewed for approval, because it was not a correction that came to the Planning Department, it was not looked at and the plans were incorrectly stamped, but that did not mean it was done properly and the ordinance would override the building permit.

Commissioner Aston indicated he had previously asked the hours of operation, as the berm was to stop headlights from shining into the street and if the office was closed at 5 p.m., that should not be a problem and felt the amendment could be approved.

Jory Stewart, Planning and Zoning Director asked that the applicant maintain the landscaping that was in place.

Mr. Wines indicated the applicant was willing to replace all plants that were dead and maintain the current landscaping.

Commissioner Aston suggested, if the berm was being left in, that some verbiage be added to place the berm or hedge only along the parking area.

Mr. Jordan suggested the following wording replace the second sentence in Condition No. 12: "The landscape area shall include a three (3) foot high berm or landscape hedge to screen the parking lot from view."

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION WITH CONDITION NO. 12 AMENDED TO READ:

12. THAT A MINIMUM OF 14.6 FEET OF LANDSCAPING, NOT INCLUDING THE SIDEWALK, SHALL BE PROVIDED ALONG CIVIC CENTER DRIVE. THE LANDSCAPE AREA SHALL INCLUDE A THREE (3) FOOT HIGH BERM OR LANDSCAPE HEDGE TO SCREEN THE PARKING LOT FROM VIEW. THE LANDSCAPING ALONG CIVIC CENTER SHALL INCLUDE A MINIMUM OF EIGHT (8) ASH TREES, IN ADDITION TO OTHER REQUIRED LANDSCAPE MATERIALS, AS SET FORTH IN THE

COMMERCIAL DESIGN STANDARDS.

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

2. **GED-01-07 (31454) SILVER NUGGET CASINO (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SILVER NUGGET GAMING LLC, PROPERTY OWNER, FOR A PETITION TO ALLOW AN EXPANSION TO AN EXISTING GAMING ENTERPRISE DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF MCDANIEL STREET AND HUNKINS DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-23-504-002 AND 139-23-601-002.**

The application was presented by Marc Jordan, Planning Manager who explained the request was to expand the existing Gaming Enterprise District (GED) that would allow an expansion of the existing casino. In the original Staff Report two locations were discussed; however, the applicant had withdrawn the area next to Las Vegas Boulevard and were only requesting consideration for the parcel that was at the northwest corner of Hunkins Drive and McDaniel Street. Under Nevada Revised Statutes (NRS), the applicant was required to supply several things to the City that would warrant consideration, or at least approval of the application. The applicant provided an impact statement that addressed all of those items in the NRS, specifically they have amended it and have given surveys that demonstrate that the requested parcel was more than 1500 feet from any church or school, and more than 500 feet from any developed residential district. The reviewing departments within the City had no comments and, therefore, have no objection to the proposal. It should be noted, that in NRS, the applicant was required to provide clear and convincing evidence that the proposed GED was warranted. Staff had no objection and was recommending approval of GED-01-07, for the parcel located at the northwest corner of Hunkins Drive and McDaniel Street only.

Joe Cane, General Counsel for Silver Nugget Gaming (no address stated), introduced some of the people involved with the project and showed a rendering of what was planned for the site, indicating there would be a bowling center, theater and hotel rooms in addition to the casino.

Paul Larsen of Lionel, Sawyer, Collins, 300 South 4th Street, Las Vegas, NV 89101 explained the presentation was to comply with NRS 4683086.6. He indicated an expansion of the casino was being proposed to the south and east of the existing casino. Site plans were submitted as part of the Impact Statement that contain the additional amenities that would be added to the expansion, which included a great deal of additional parking, a hotel tower with 375 rooms, an expansion of the bowling center and the addition of restaurants, theaters and a brewery bar and grill. He was required to demonstrate the roads, water, sanitation, utilities, and related services to the location were adequate and indicated an Impact Statement prepared by Southwest Engineering

which showed those things were in place and was also shown in the Staff Report. The proposed establishment would not unduly impact Public Services consumption of natural resources and the quality of life enjoyed by residents of the surrounding neighborhoods was also addressed in the Impact Statement and the surrounding neighborhoods were essentially vacant property across Las Vegas Boulevard and the neighbors to the south, east and north were either government or commercial buildings. Mr. Larsen explained the proposed establishment would enhance, expand and stabilize employment and the local economy, and submitted an Economic and Fiscal Impact Analysis prepared by Applied Analysis which demonstrated the positive economic impact the project would have on the City. The proposed establishment was located in an area planned or zoned for that purpose and because of that, an application was submitted for a zone change, Item No. 3 on the Agenda, ZN-108-07, and asked that the zone change be heard before the current application, as it would put them in conformance with the statute which required the zoning to be in place prior to the expansion of the GED. The proposed establishment would not be detrimental to the health, safety, or general welfare of the community or be incompatible with the surrounding area and explained the project location was currently a gaming establishment and was being expanded and did not feel there would be a negative impact on the surrounding area. On the day the petition was filed, the property line of the proposed establishment was not less than 500 feet from the property line of a developed residential district, 1500 feet from the property line of a public school, private school, or structure used primarily for religious services or worship and that the proposed establishment would not adversely affect a developed residential district, which was any parcel with a house on it or a public school, private school, or structure used primarily for religious services within 2500 feet. Mr. Larsen asked Kathryn Grider of Southwest Engineering to explain the plans submitted, which showed the radiuses.

Kathryn Grider, Southwest Engineering, 3610 North Rancho Drive, Las Vegas, NV 89130 went over the exhibits which showed the 500 foot separation requirement to residential was met, the 1500 foot separation requirement from schools was met, the 1500 foot separation requirement for churches was met, and the 2500 foot separation requirement was met and indicated the diagrams which showed the distances were part of the Impact Statement.

Mr. Larsen noted the Silver Nugget had been in operation since 1964 in an area that had been historically deemed appropriate for gaming. It was located in the Redevelopment area and would have a positive impact consistent with the redevelopment plans of the City of North Las Vegas.

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

Chairman Brown closed the Public hearing.

The application was tabled so Item No. 3 could be considered.

Item No. 3 was reopened after considering Item No. 2.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL
CONSIDERATION

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 6:50 p.m.

The meeting reconvened at 6:56 p.m.

Item No. 5 was heard next.

3. **ZN-108-07 (31453) SILVER NUGGET HOTEL & CASINO (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SILVER NUGGET GAMING LLC, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM AN R-A/OFF, REDEVELOPMENT AREA/OFFICE SUBDISTRICT AND AN R-A/CR, REDEVELOPMENT AREA/COMMERCIAL/RETAIL SUBDISTRICT TO AN R-A/CHE, REDEVELOPMENT AREA/CASINO/HOTEL/ENTERTAINMENT SUBDISTRICT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF MCDANIEL STREET AND HUNKINS DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-23-601-002 AND 139-23-504-002.**

The application was presented by Marc Jordan, Planning Manager who explained the application was for two parcels, one parcel being the parcel where the Gaming Enterprise District was being considered, which was the Office Subdistrict and the parcel to the north, which was adjacent to Las Vegas Boulevard, which was split with two zoning districts, predominantly most of it was already zoned Casino/Hotel/Entertainment and they were asking for the small triangular piece at the northeast corner to be rezoned. In regards to the fact that the GED was not proposed for that, Staff had no objection to the property being rezoned and was supporting the request for both of those areas and was recommending that ZN-108-07 be approved.

Paul Larsen of Lionel, Sawyer, Collins, 300 South 4th Street, Las Vegas, NV 89101 appeared on behalf of the applicant and explained the tip of the northern parcel had a different zoning and they were asking for a zone change for the entire parcel to be consistent with a resort hotel and the only part being added to the Gaming Enterprise District was the southeast parcel, which would be where the amenities for the expanded hotel would be located. There were no immediate plans for the area, possibly additional amenities, but there would not be any live gaming on the northern parcel pursuant to the requirements of the Gaming Enterprise District.

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

Chairman Brown closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 2 was reopened.

4. **UN-70-07 (31256) MLK/CAREY CAR WASH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ANDRE BATISTE ON BEHALF OF ROGER FOSTER, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW AN AUTOMOBILE SERVICE FACILITY (SMOG CHECK). THE PROPERTY IS LOCATED AT 2415 N. MARTIN LUTHER KING BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-16-410-329.**

It was requested by the applicant to continue UN-70-07 to August 8, 2007.

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

Chairman Brown indicated the Public Hearing would remain open.

ACTION: CONTINUED TO AUGUST 8, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 8 was heard next.

5. **UN-72-07 (31292) EUPHORIA MASSAGE AND DAY SPAS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY EUPHORIA SALONS & DAY SPAS ON BEHALF OF DECATUR AND CENTENNIAL LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A MASSAGE ESTABLISHMENT. THE PROPERTY IS LOCATED AT 6482 NORTH DECATUR BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 124-19-410-003.**

The application was presented by Marc Jordan, Planning Manager who explained Staff had no objection to the use and was recommending that UN-72-07 be approved subject to the following recommended condition:

1. That, unless expressly authorized through a variance, waiver or another approved method, the use shall comply with all applicable codes and ordinances.

Phil Catafamo, 2952 South Horizon Way appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Brown closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

6. **ZN-106-07 (31335) FIRE STATION #53 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE CITY OF NORTH LAS VEGAS, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO AN R-E RANCH ESTATES DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF GOWAN ROAD AND FUSELIER DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-08-601-008.**

The application was presented by Marc Jordan, Planning Manager who explained the City was proposing to develop a fire station on the site and rather than have the future fire station split with two zonings, they wanted the property to be one consistent zoning and the requested R-E was consistent with the R-E to the west and north and was also consistent with the land use plan for the area; therefore, Staff was recommending approval of ZN-106-07.

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

7. UN-74-07 (31334) FIRE STATION #53 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE CITY OF NORTH LAS VEGAS, PROPERTY OWNER, FOR A USE PERMIT IN AN R-E RANCH ESTATES DISTRICT AND AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT (PROPOSED R-E RANCH ESTATES DISTRICT) TO ALLOW A FIRE STATION. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER GOWAN ROAD AND FUSELIER DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-08-601-007 AND 139-08-601-008.

The application was presented by Marc Jordan, Planning Manager who explained the application was to Relocate Fire Station No. 53 to the proposed site, which would be approximately 15,000 feet in size and they were utilizing approximately 82,000 square feet of the property and the property to the west and east would be developed by the Parks and Recreation Department in the future. He indicated he received a note prior to the meeting showing Condition Nos. 16, 17, 18 and 19 were being deleted, which Staff was in agreement with; and was recommending approval of UN-74-07 with the deletion of Condition Nos. 16 through 19. The original recommended conditions are as follows:

1. Unless expressly, authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. The development of this site shall be in compliance with the Commercial Development Standards and Design Guidelines, including but not limited to:
 - a. The perimeter wrought iron fence shall not exceed six (6) feet in height;
 - b. The landscaped terraced level shall be five (5) feet in width;
 - c. Any visible portion of the perimeter retaining wall shall be constructed with decorative block ;
 - d. The perimeter retaining wall shall not exceed six (6) feet in height;
 - e. The building shall be constructed with decorative block;
3. Approval of a drainage study is required prior to submittal of the civil improvement plans.
4. Approval of a traffic study is required prior to submittal of the civil improvement plans.
5. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and *City of North Las Vegas Municipal Code* section 16.24.100.B:
 - a. Gowan Road
 - b. Fuselier Drive
 - c. Simmons Street (right-of-way dedication only)
 - d. associated spandrels

6. Construction of the half street improvements on Simmons Street may be deferred as part of the Simmons Street SID so that the relocation of the natural gas line along Simmons St. can be handled as one integrated project.
7. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
8. Two lanes of uninterrupted traffic flow must be provided on Simmons street, Gowan Road, and Fuselier Drive for the duration of construction.
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. Right-of-way dedication and construction of a flared intersection, including a right turn lane, is required at Gowan Road and Simmons Street per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1.
11. Right-of-way dedication and construction of a CAT bus turn-out is required on Simmons Street north of Gowan Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
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. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
14. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Gowan Road and Simmons Street.
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 property owner is required to grant a public pedestrian access easement for sidewalk located within a common element, or on private property, when that sidewalk is providing public access adjacent to the right-of-way.
18. A revocable encroachment permit for landscaping within the public right of way is required.
19. The property owner is required to grant a roadway easement for commercial driveway(s).
20. Appropriate subdivision and/or parcel mapping is required to complete this project. All mapping shall be in compliance with NRS Chapter 278 and the *City of North Las Vegas Municipal Code*, and associated Master Plans in effect at the time of subdivision and/or parcel map approval. Conformance may require modifications to the site.

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

Chairman Brown closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS
WITH THE DELETION OF CONDITION NOS. 16, 17, 18, AND 19

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. 9 was heard next.

8. **UN-73-07 (31337) MONEYTREE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE MONEYTREE INC ON BEHALF OF RIVERTON PARK LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A DEFERRED DEPOSIT LOAN ESTABLISHMENT. THE PROPERTY IS LOCATED AT 5595 SIMMONS STREET, SUITES 7 & 8. THE ASSESSOR'S PARCEL NUMBER IS 124-32-113-002.**

It was requested by the applicant to continue UN-73-07 to August 22, 2007.

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

Chairman Brown indicated the Public Hearing would remain open.

ACTION: CONTINUED TO AUGUST 22, 2007

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. 19 was heard next.

9. UN-75-07 (31447) WFS-ALIANTE BRANCH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY WASHINGTON FEDERAL SAVINGS & LOAN, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A FINANCIAL INSTITUTION (BANK). THE PROPERTY IS LOCATED AT 3170 W. ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-29-412-003.

The application was presented by Marc Jordan, Planning Manager who explained the request was previously submitted in 2003 and approved and since that time, the use permit expired and the applicant was filing for a new use permit. The request was almost identical to the one that was previously approved. When the use permit was originally considered, one of the things brought up by Staff was that the building match the existing Kavanaugh's Pub & Grill that was within the same center. The elevations have not been changed and was still consistent with the Kavanaugh's and the only issue Staff had was that the appropriate stacking or queuing for the drive-thru be provided and five stacking spaces were needed for the drive-thru lanes, which was minor and could be reviewed with the building permit; therefore, Staff was recommending approval of UN-75-07 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That this special use permit is site-specific and non-transferable.
3. That the development of the financial institution conform to the Commercial Design Standards.
4. That the construction of this site be in substantial compliance with the site plan and elevations approved herein.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. 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
7. 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.

8. Ann Road is a no cut street.
9. Approval of a traffic study is required prior to submittal of the civil improvement plans.
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. 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.
12. 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.
13. All off-site improvements must be completed prior to final inspection of the first building.
14. The use of poly-carbonate glass, security cameras and full-time armed security shall be provided, subject to review and approval of the Police Department prior to the issuance of a building permit.

Gary Nelson, Architect, 811 Baymist, Henderson, NV 89052 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Brown closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

10. VAC-13-07 (31455) DEER SPRINGS TOWN CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DEER SPRINGS TOWN CENTER LLC, PROPERTY OWNER, TO VACATE AN EXISTING FLOOD CHANNEL RIGHT-OF-WAY COMMENCING APPROXIMATELY 320 FEET EAST OF NORTH 5TH STREET SOUTH OF CLARK COUNTY-215 AND PROCEEDING SOUTH EASTERLY APPROXIMATELY 1450 FEET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-23-101-003, 124-23-101-004 AND 124-23-201-001.

The application was presented by Marc Jordan, Planning Manager who explained none of the reviewing departments were opposed to the application; therefore, Staff was recommending approval of VAC-13-07 subject to the following conditions:

1. Should the Order of Vacation not record within two years from the approval date, the vacation shall be deemed null and void.
2. Civil improvement plans for the proposed drainage facility must be approved prior to recording the vacation.
3. A surety/bond for the actual cost of the facility, plus 10% contingency, must be in place prior to recording the vacation.
4. A public drainage easement must be in place prior to recording the vacation.

Jennifer Lazovich of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant indicating she concurred with Staff recommendation.

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

Chairman Brown closed the Public Hearing.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS;
FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION**

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

11. UN-71-07 (31271) CASHMAN EQUIPMENT COMPANY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CASHMAN EQUIPMENT COMPANY ON BEHALF OF JRTL LTD, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW AN 85-FOOT FREESTANDING SIGN. THE PROPERTY IS LOCATED AT 3101 EAST CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-01-702-001.

The application was presented by Mary Aldava, Senior Planner who explained the request was to relocate the existing 1,093 square foot and 75 foot high sign from its current location at the northeast corner of the property and approximately 700 feet to the south and to raise the height of the sign to 85 feet. The City of North Las Vegas was currently working on a realignment on Donovan Way and Craig Road which required the applicant to dedicate additional property along the southern property line, which required the relocation of the existing sign. The relocation of the sign would decrease the visibility of the sign and the increase in height would provide the same visibility line that existed at the current location. The City felt it created the hardship; therefore, Staff was recommending approval of UN-71-07 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That UN-71-07 is site-specific and non-transferrable.
3. The proposed sign shall not be located within the traffic sight visibility zone.
4. The sign shall not exceed 85 feet in height and shall be limited to the same sign area in its current state.

Gary Bunker, 5119 South Cameron, Las Vegas, NV appeared on behalf of the applicant indicating he concurred with Staff recommendation.

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

Chairman Brown closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None
ABSTAIN: None

12. ZN-05-06 (31458) MONTECITO PAVILIONS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY COLONIAL PROPERTIES TRUST ON BEHALF OF TROPICAL-LAMB LLC, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED PUD, PLANNED UNIT DEVELOPMENT FOR CHANGES TO THE RESIDENTIAL COMPONENT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF LAMB BOULEVARD AND TROPICAL PARKWAY. THE ASSESSOR'S PARCEL NUMBERS ARE 123-30-601-013 AND 123-30-601-015.

The application was presented by Mary Aldava, Senior Planner who explained the proposed amendments were mostly for the residential portion of the PUD, which included reorientation of the residential units, requesting apartments in place of the condominiums, removal of the pedestrian priority area in front of commercial pads M & N, proposing parallel parking spaces to the west of commercial pads, D, E, and F and modifying the types of amenities provided in the previous approval. There were minor issues with the development, but Staff felt that could be taken care of without actually having any site plan issues. A 20 foot wide perimeter landscape area would be required from the property line to the perimeter fence or wall along Tropical Parkway and Lamb Boulevard and a 15 foot wide perimeter landscape area should be required from the property line to the perimeter fence along Azure Avenue. Further, the applicant requested that a cap be placed on the residential units at 55 feet high. The elevations provided indicate the buildings would be at 40'6". Staff was recommending a cap of 45 feet. The Parks and Recreation Department originally recommended continuance, however, have submitted a revised memorandum indicating they were recommending approval due to the amenities provided, as it was substantial for the size of development; therefore, Staff was recommending approval of ZN-05-06 subject to the conditions listed in revised memorandum dated July 25, 2007 as follows:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. The residential portion of the development shall comply with the Multi-Family Development Standards. This condition may be modified, waived, replaced or altered to the extent those changes are consistent with the goals, policies, objectives, standards and guidelines of a future mixed use zoning ordinance amendment or other code requirements of the City, as adopted by the City Council upon the submittal of a final development plan.
3. A 20 foot wide perimeter landscape area shall be required from the property line to the perimeter fence or wall along Tropical Way and Lamb Boulevard, and a 15 foot wide perimeter landscape area shall be required from the property line to the perimeter fence or wall along Azure Avenue for the multi-family developments.

4. The commercial / office portion of the development shall comply with the Commercial Development Standards and Design Guidelines. This condition may be modified, waived, replaced or altered to the extent those changes are consistent with the goals, policies, objectives, standards and guidelines of a future mixed use zoning ordinance amendment or other code requirements of the City, as adopted by the City Council upon the submittal of a final development plan.
5. A final development plan shall be required for Planning Commission review and approval. The final development plan shall provide details of the open space/park areas showing landscaping and amenities.
6. All open space and plaza areas shall be provided as shown on the Preliminary Development Plan.
7. The residential portions of the development (Parcel A and Parcel B) shall be limited to three (3) stories and not to exceed 45 feet in height to the top of the roof.
8. The commercial / office portion of the development shall not exceed 44 feet in height, to the top of the building, with the exception that one (1) 70-foot tower shall be permitted.
9. The uses permitted in the commercial portion of the development shall be limited to those allowed in the C-1, Neighborhood Commercial District as principally permitted uses or as special uses subject to Title 17 § 24.020, with the exception that the following shall not be permitted:
 - a. Automobile drive-in theater
 - b. Automobile service
 - b. Automobile washing establishments
 - c. Mini-warehousing
 - d. Mortuaries
 - e. Pawnshop
10. The commercial square footage shown on the preliminary development plan is considered conceptual and shall be reduced if it is found that there is insufficient parking, buffer area or open space, upon submittal of the final development plan.
11. The number of multi-family units shown on the preliminary development plan is considered conceptual and shall be reduced if it is found that there is insufficient parking, buffer area, and open space, upon submittal of the final development plan.

12. The overall design of the site and buildings shall comply with the Commercial Development Standards and Design Guidelines. This condition may be modified, waived, replaced or altered to the extent those changes are consistent with the goals, policies, objectives, standards and guidelines of a future mixed use zoning ordinance amendment or other code requirements of the City, as adopted by the City Council upon the submittal of a final development plan.
13. Special pavers, bricks or patterned concrete shall be provided for all entry areas and walkways, as shown on the preliminary development plan.
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. Approval of a drainage study is required prior to submittal of the civil improvement plans.
16. 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.
17. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*, or as otherwise approved by the Director of Public Works or his designee.
18. Approval of a traffic study is required prior to submittal of the civil improvement plans.
19. 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.
20. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Lamb Boulevard and Tropical Parkway.
21. Right-of-way dedication and construction of a CAT bus turn-out is required on Tropical Parkway near Lamb Boulevard per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
22. 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.

23. The property owner is required to grant a roadway easement for commercial driveway(s).
24. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element, or on private property, when that sidewalk is providing public access adjacent to the right-of-way.
25. A revocable encroachment permit for landscaping within the public right of way is required.
26. Appropriate subdivision and/or parcel mapping is required to complete this project. All mapping shall be in compliance with NRS Chapter 278 and the *City of North Las Vegas Municipal Code* and associated Master Plans in effect at the time of subdivision and/or parcel map approval. Conformance may require modifications to the site.
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. The property owner is required to sign a restrictive covenant for utilities.
29. All off-site improvements must be completed prior to final inspection of the first building.
30. At minimum, the developer will be required to provide the following amenities:
 - a. A minimum of twenty 24-inch box trees per acre;
 - b. Circuitous lighted paths;
 - c. At least two (2) differing, age-appropriate, covered play structures for children with EPDM resilient fall protection over a non-porous surface (2 play structures total). Shaded seating areas should also be provided adjacent to play structure locations for supervision purposes;
 - d. Two swimming pools with accompanying restrooms, drinking fountains, decking, barbecue areas, and shade structures at each location;
 - e. A minimum of one fitness facility;
 - f. A minimum of one clubhouse with no more than 25% of the floor area (included in the open space calculation) dedicated for uses other than

- common recreation and incidental support facilities. The floor plan of each recreation building shall be subject to the approval by the Parks & Recreation Department during review of the Final Development Plan;
- g. Eight (8) picnic tables and barbecue grills;
 - h. Plaza areas shall include a shade structure, picnic table, bbq grill, and trash receptacle;
 - i. One outdoor living room and fire pit in "Open Space Area 5;"
 - j. One grass volleyball area in "Open Space Area 5" with a removable net and poles. Access to volleyball play shall be made available to residents between the hours of 10 a.m until 8 p.m, at minimum, and is the responsibility of the property manager to provide for equipment access during those hours.
 - k. Pedestrian crossings shall be marked and signed;
 - l. Benches spaced along park pathways;
 - m. Exercise stations and mile markers spaced along paths;
 - n. At least one large grassy open space area for group/organized play;
 - o. Dog stations near grass areas and other convenient locations;
 - p. All open space areas and amenities shall be ADA accessible and developed in compliance with the CNLV 2004 Park Design Standards; and
 - q. Details of amenities to be provided.
31. Fire access lanes are to be located within 150 feet of all ground floor exterior walls in accordance with the Fire Code.
32. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.
33. Fire access lanes shall be marked to prohibit parking in accordance with the fire code.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant indicating he concurred with Staff recommendation.

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

Chairman Brown closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS IN REVISED MEMORANDUM DATED JULY 25, 2007; FORWARDED TO

CITY COUNCIL FOR FINAL CONSIDERATION

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

13. ZOA-07-07 (31272) CNLV (PUBLIC HEARING). AN ORDINANCE AMENDMENT INITIATED BY THE CITY OF NORTH LAS VEGAS TO AMEND TITLE 17 (ZONING ORDINANCE), SECTION 17.12.020 TO ADD DEFINITION FOR "HEALTH AND FITNESS CENTER" AND TO ADD "HEALTH AND FITNESS CENTER" AS A SPECIAL USE IN THE C-P, PROFESSIONAL OFFICE COMMERCIAL ZONING DISTRICT. THE PROPOSED AMENDMENT WOULD ALSO REMOVE "RESTAURANT" AS PERMITTED ACCESSORY USE AND "RESTAURANT" AS A SPECIAL USE IN THE C-P, PROFESSIONAL OFFICE COMMERCIAL ZONING DISTRICTS.

The application was presented by Mary Aldava, Senior Planner who explained in other jurisdictions in Clark County, a health fitness center and a restaurant were listed either as a special use or an accessory use in the same zoning classification. The proposed amendment would permit a health fitness center and a restaurant as a special use in the C-P District. The purpose of a special use permit would ensure that the office parks did not become more intensified than intended with the addition of the proposed uses. In addition, by approving the proposed ordinance, the City of North Las Vegas would establish specific standards and conditions for health and fitness centers and restaurants, which would ensure that the proposed uses operate as intended. Staff was recommending approval of ZOA-07-07 and that it be forwarded to City Council for final consideration.

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

Chairman Brown closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

14. ZOA-08-07 (31502) CENTENNIAL APARTMENTS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY OVATION DEVELOPMENT FOR AN AMENDMENT TO TITLE 17, SECTION 17.24.110.L TO ADD SUBDIVISION DIRECTIONAL SIGNS FOR LEASE PROPERTIES.

The application was presented by Robert Eastman, Principal Planner who explained the amendment was being requested to allow residential lease properties to use the subdivision directional signs in a similar manner as for sale residential developments. Currently, the subdivision directional signs are allowed for any for sale product and the actual verbiage was that each sign was good for 24 months or until the last unit of the development was sold. It was not applied to lease properties, as they never sell and there was concern that apartment complexes would never fully lease out and so the directional sign would never be removed; however, in this instance the applicant proposed a few small modifications to allow the subdivision directional sign for 24 months with no extensions. The amendment was similar to what was used in the City of Henderson and Clark County; therefore, Staff felt the change was minor and gave apartments the same benefit as condominiums, so Staff was recommending that ZOA-08-07 be approved and forwarded to City Council for final consideration.

Jennifer Lazovich of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant stating she concurred with Staff recommendation.

Chairman 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

15. SPR-35-07 (31349) CENTENNIAL & MT. HOOD. AN APPLICATION SUBMITTED BY CRAIG FLEISCHNER ON BEHALF OF CENTENNIAL WEST LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A 158,854-SQUARE-FOOT INDUSTRIAL DEVELOPMENT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND MT. HOOD STREET. THE ASSESSOR'S PARCEL NUMBER IS 123-27-501-003.

The application was presented by Mary Aldava, Senior Planner who explained the site plan was in compliance with the Industrial Design Standards; however, there were some minor issues. There was one landscape island needed to meet the requirement along the east property line. The down spouts and scuppers should be incorporated into the design of the building and the trash enclosure should be relocated from Mt. Hood. The applicant submitted a revised site plan that met the requirements of Public Works, aligning the driveways along Centennial Parkway with existing driveways; therefore, Staff was recommending approval of SPR-35-07 subject to the conditions in the revised memorandum dated July 25, 2007 as follows:

1. Unless expressly, authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. The development shall comply with the Industrial Development Standards, including but not limited to the following:
 - a. A six foot wide landscaped island along the east property line shall be relocated and one shall be added.
 - b. All down spouts and scuppers shall be incorporated into the design of the building.
 - c. All sides of a building shall be coherently designed and treated.
 - d. The trash enclosure located on Mt. Hood Street shall be relocated away from the street front.
 - e. Along Mt. Hood Street and Centennial Parkway a decorative wall with a minimum height of 3'6" shall be provided to screen the parking area.
3. Approval of a drainage study update 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. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.

6. 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.
7. 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.
8. All off-site improvements must be completed prior to final inspection of the first building.
9. The property owner is required to grant a roadway easement for commercial driveway(s).
10. The property owner is required to sign a restrictive covenant for utilities.
11. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
12. The applicant must abide by all conditions of the approved traffic study.
13. The civil improvement plans for the project must include schedule 40 PVC fiber optic conduit along Centennial Parkway and Mt. Hood Street.
14. 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 h Municipal Code section 17.24.130.
15. Fire lanes shall be marked to prohibit parking in accordance with the Fire Code.

Mike Gill, RGA Architects, 15231 Alton Parkway, Irvine, CA 92618 appeared on behalf of the applicant indicating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS IN REVISED MEMORANDUM DATED JULY 25, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

16. **SPR-37-07 (31451) BROADSTONE SONATA. AN APPLICATION SUBMITTED BY ALLIANCE RESIDENTIAL COMPANY ON BEHALF OF LAMB CRAIG LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT TO ALLOW A 312-UNIT MULTI-FAMILY DEVELOPMENT. THE PROPERTY IS GENERALLY LOCATED AT THE SOUTHWEST CORNER OF CRAIG ROAD AND LAMB BOULEVARD. THE ASSESSOR'S PARCEL NUMBERS ARE 140-06-601-002, 140-06-611-002, 140-06-701-027 AND 140-06-714-002.**

The application was presented by Mary Aldava, Senior Planner who explained the site plan identified 13 three story multi-family buildings consisting of three different sizes and configurations. In addition to the three residential building types, the site plan also identified a club house, covered trash enclosures, garage buildings with private closet storage units and carports. Staff identified several issues with the design and layout of the proposed site plan that would need to be addressed before construction documents were submitted. Based on the proposed development, the modifications were minor and would not require significant changes or alterations to the site plan; therefore, Staff was recommending approval of SPR-37-07 subject to the conditions listed in the revised memorandum dated July 25, 2007 as follows:

1. The development shall be in full compliance with the Multi-Family Residential Development Standards and Design Guidelines and the R-3 zoning district regulations.
2. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
3. The development shall not exceed 312 dwelling units and 456 total bedrooms, as depicted on the site plan approved herein.
4. Measures to achieve a noise level reduction, outdoor-to-indoor, of 65 decibels must be incorporated into the design and construction of each residential unit.
5. The prospective tenants shall sign a written notice declaring knowledge of the following statement: "This residential property is located within DNL 65-70dB noise contours delineated by Nellis Air Force Base, wherein the housing development may be subject to daytime and nighttime flyovers by U.S. military aircraft, which may cause intermittent noise of approximately 65 - 70 decibels."

6. That the following language be included in any legal contract conveying ownership or leasing of the land or units: "This residential property is located within DNL 65-70dB noise contours delineated by Nellis Air Force Base. The U.S. Air Force discourages residential development within DNL 65-70dB noise contours."
7. That all pedestrian access ways shall be improved with pavers or colored stamped concrete. Pedestrian access ways shall be clearly delineated between each residential unit and the nearest trash collection location, and between each residential unit and the nearest on-site primary amenity. Pedestrian connectivity between on-site amenities is required. The access way improvements shall also be provided in all areas that cross a parking lot and/or drive aisle. All pedestrian access ways shall be identified on the applicable construction documents (e.g., architectural site plans, civil plans, etc.)
8. The perimeter fence along the "Emergency Fire Access" easement (west side), Vandenberg cul-de-sac (west side), Craig Road (north side), primary entrance from Craig Road, and Lamb Boulevard (east side) shall be wrought-iron with decorative pilasters spaced not greater than 25 feet on centers. Pilasters shall also be located at each location where the fence deviates from a straight line. All pilasters shall include a decorative capstone.
9. The wall between the proposed multi-family development and the future commercial development (at the corner of Craig and Lamb) shall be decorative on both sides and shall include a capstone to match those identified in Condition #8 above. Pilasters shall be provided within these wall sections not greater than 60 feet on-center, and in accordance with Condition #8 above.
10. If necessary to prevent headlights from shining into / onto the adjacent parcels to the south or into / onto the Lamb Boulevard right-of-way to the east, a decorative screen wall, berm, hedge, or combination thereof may be required. The screen wall, berm, hedge, or combination thereof would be a minimum three feet in height, as measured from the on-site grade of the affected parking stall. If a decorative block wall is the chosen alternative, then wrought-iron is allowable atop the masonry wall sections to continue the fencing theme. If a hedge is the chosen alternative, then all shrubs shall be reviewed and approved by staff as part of the building permit application packet.
11. At least one additional pedestrian gate shall be provided that allows direct access to the future commercial site at the corner of Craig Road and Lamb Boulevard. The location(s) of said pedestrian gate(s) shall be subject to review and approval

- by the Planning and Zoning Department prior to submittal of the Civil Improvement or Grading Plans.
12. Wall-pack lighting shall be provided on the backsides of the garage buildings adjacent to the future commercial at the corner of Craig and Lamb.
 13. At least one additional pedestrian access gate shall be provided in the immediate vicinity of Building 2. Strong consideration shall be given to provide the most direct access to the future bus stop to be located to the north of Building 2. The final location shall be subject to review and approval by the Planning and Zoning Department prior to submittal of the Civil Improvement or Grading Plans.
 14. If the adjacent parcel to the south of Buildings 12 and 13 (APN 140-06-719-003) is rezoned to any district that supports single-family housing prior to the approval of this item, or if the parcel is mapped for single-family housing prior to the approval of this item, then modifications to this site would be required to adhere to the requirements that prohibit buildings greater than one story to be within fifty feet (50.00') of the affected property line.
 15. Additional architectural embellishments shall be provided for each structure within this development. Additional architectural embellishments may include, but are not limited to, recessed windows, stone or brick veneers, additional roof line delineations and/or wainscot. All accessory buildings are required to match the principal structures in design, colors and materials.
 16. All vehicular ingress and/or egress locations, Emergency or otherwise, shall also include a man-gate for pedestrian access.
 17. Approval of a drainage study is required prior to submittal of the civil improvement plans.
 18. 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.
 19. Based upon approval of the technical drainage study for the project, the property owner may be required to apply for a vacation of the existing drainage easement, and/or utility easement, located along the project's southern boundary. If required, the vacation shall record prior to approval of the civil improvement plans; or as otherwise required by the manager of Development and Flood Control.
 20. All known geologic hazards shall be shown on the preliminary development plan, tentative map and the civil improvement plans. Geological hazards such as fault

lines or fissures affecting residential structures may substantially alter the tentative map layout and require the submission of a revised tentative map which must be approved by the City prior to final approval of the civil improvement plans. The footprint of proposed structures shall be plotted on all lots impacted by faults and/or fissures and a minimum width of five (5) feet shall be provided from the edge of any proposed structure to the nearest fault and/or fissure.

21. No walls or permanent structures will be permitted within the Vandenberg Drainage Easement.
22. The driveway on Lamb Boulevard shall be constructed in accordance with *Clark County Area Uniform Standard Drawing* number 226 and shall be limited to egress only with a right out movement. Additionally, an emergency access easement must be granted for this driveway.
23. Approval of a traffic study is required prior to submittal of the civil improvement plans.
24. A queuing analysis is required.
25. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Craig Road and Lamb Boulevard.
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. Appropriate subdivision and/or parcel mapping is required to complete this project. All mapping shall be in compliance with NRS Chapter 278 and the *City of North Las Vegas Municipal Code*, and associated Master Plans in effect at the time of subdivision and/or parcel map approval. Conformance may require

modifications to the site.

31. The property owner is required to grant a roadway easement for commercial driveway(s).
32. The property owner is required to sign a restrictive covenant for utilities.
33. The property owner is required to grant roadway easements where public and private streets intersect.
34. The property owner is required to grant a public pedestrian access easement for sidewalk located within a common element, or on private property, when that sidewalk is providing public access adjacent to the right-of-way.
35. A revocable encroachment permit for landscaping within the public right of way is required.
36. Building numbering shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
37. The prospective homeowners shall sign a written notice declaring knowledge of the existence of Basic Food Flavors, wherein the housing development will be subject to diesel fuel exhaust emissions and odors generated by that industrial use.
38. Provide signs restricting parking on one/both side(s) of the fire access lanes in accordance with the fire code.
39. Provide fire access roads within 150' of each portion of exterior ground floor walls (as the hose lays).
40. Fire lanes shall be designed in accordance with the fire code.
41. The following list of amenities shall be provided, as a minimum:
 1. Circuitous lighted paths and fitness course;
 2. A minimum of twenty 24-inch box trees per acre;
 3. At least 2 differing, age-appropriate, covered play structures for children with EPDM resilient fall protection over a non-porous surface (2 play structures total). Shade structures shall also be provided adjacent to play structure locations for supervision purposes and may also include picnic/barbecue facilities (as described in #7, below);
 4. A minimum of 1,404 square feet of total swimming pool area, with

- accompanying decking, restrooms, drinking fountains, and shaded picnic/barbecue facilities (as described in #7, below).
5. A minimum of one fitness facility;
 6. A minimum of one clubhouse/recreation building with no more than 25% of the floor area (included in the open space calculation) dedicated for uses other than common recreation and incidental support facilities;
 7. Shaded group picnic areas at a minimum of four different locations (one large and 3 small), which include lighting, picnic table(s), barbecue grills, and trash receptacle(s);
 8. One grass volleyball court, with a removable net and poles. Access to the court shall be made available to residents between the hours of 10am until 8pm, at minimum, and is the responsibility of the property manager to provide for access to equipment during those hours;
 9. At least one large open space area for group/organized play;
 10. Benches spaced along pathways;
 11. Bicycle racks at a minimum of 1 location;
 12. All open space areas and amenities shall be ADA accessible and developed in compliance with the CNLV 2004 Park Design Standards; and
 13. Details of amenities to be provided.
42. There shall be a directory at the entrances and way finding signs throughout the property. The breezeways shall require extra lighting and the stairs shall be of an open design that is in compliance with the Multi-Family Design Standards. The doors on the trash enclosures shall be hung leaving an approximate 8" space from the ground. This condition shall be subject to administrative review and approval by the Departments of Planning & Zoning and Police prior to application of any building permits.

Jennifer Lazovich of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant requesting changes to the recommended conditions and indicated she was in agreement with Staff on what the changes should be. The main issue was Condition Nos. 4, 5, and 6, which dealt with a request to provide noise attenuation of a certain amount based upon the thought process that they were in the flight zone for Nellis Air Force Base where they would be required to provide noise attenuation. She showed a map with the areas where noise attenuation was necessary and indicated the proposed project was outside of the lowest version of the noise attention area; therefore, she felt the project should not have to comply with Condition Nos. 4, 5, and 6 and asked that they be deleted. She asked if the Commission wanted Mr. Eastman to go over the agreed upon changes to the other conditions.

Chairman Brown asked Staff if they had a problem with any of the proposed changes. Mr. Eastman responded he could go over the changes that were agreed to up to this point. He agreed that they were in agreement with all requested changes except for Condition Nos. 4, 5, and 6.

Chairman Brown asked Staff why they did not agree with the applicant's request on the noise attenuation issue. Mr. Eastman explained on the adjacent development, Nellis Air Force Base had submitted a memo requesting the noise attenuation conditions be placed on that site and it also did not appear to be in the noise contour; however, the conditions were placed on the site, so for consistency, those conditions were duplicated on the proposed development.

Commissioner Jo Cato felt since the proposed project was outside of the noise contour, she would support removing the conditions referring to noise attenuation.

Vice-Chairman Dilip Trivedi asked the applicant what type of economic impact the noise attenuation would have on the project. Ms. Lazovich responded the economic impact had not been studied as the property was not in the noise contour area, so that question could not be answered.

Commissioner Dean Leavitt was in support of the deletion of the conditions relating to noise attenuation and felt if Nellis Air Force Base had an issue with the project, they would have informed the City.

Commissioner Harry Shull concurred with comments made by other Commissioners.

Vice-Chairman Trivedi asked the applicant how far the property was from the airport and asked if they needed to make any disclosures. Ms. Lazovich estimated the property was a couple of miles from the airport. Vice-Chairman Trivedi was in support of removing the conditions related to noise attenuation.

Chairman Brown agreed the property was outside of the noise contour and supported removing Condition Nos. 4, 5 and 6, but felt the applicant should consider noise mitigation, as the noise from the planes was very loud.

Bethany Sanchez, Deputy City Attorney suggested if the applicant and Staff had already agreed and had the modified conditions reduced to writing, perhaps they could introduce it to the record as an exhibit rather than reading everything.

Ms. Lazovich noted the changes for the record: delete Condition Nos. 4, 5, 6, and 7, modify Condition No. 8, delete Condition No. 9, modify Condition No. 11, revise Condition No. 15, agree to the language in Condition No. 16, revise Condition Nos. 22 and 29, delete Condition Nos. 32 and 33, following Parks and Recreation memorandum on Condition No. 41 and modify Condition No. 42.

Director Stewart clarified the changes: delete Condition Nos. 4, 5, 6, 7, 9, 32, and 33 and amend Condition Nos. 8, 11, 15, 22, 29, and 42. Ms. Lazovich indicated that was correct.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS IN REVISED MEMORANDUM DATED JULY 25, 2007 WITH THE DELETION OF CONDITION NOS. 4, 5, 6, 7, 9, 32, AND 33 AND CONDITION NOS. 8, 11, 15, 22, 29, AND 42 AMENDED TO READ:

8. THE PERIMETER FENCE ALONG THE "EMERGENCY FIRE ACCESS" EASEMENT (WEST SIDE), VANDENBERG CUL-DE-SAC (WEST SIDE), CRAIG ROAD (NORTH SIDE), PRIMARY ENTRANCE FROM CRAIG ROAD, AND LAMB BOULEVARD (EAST SIDE) SHALL BE WROUGHT-IRON WITH DECORATIVE PILASTERS SPACED NOT GREATER THAN 150' ON CENTERS. PILASTERS SHALL ALSO BE LOCATED AT EACH LOCATION WHERE THE FENCE DEVIATES FROM A STRAIGHT LINE, EXCEPT WHERE THE FENCE JOINS A WALL OR BUILDING. ALL PILASTERS SHALL INCLUDE A DECORATIVE CAPSTONE.
11. THE DEVELOPER WILL PROVIDE AT LEAST ONE ADDITIONAL PEDESTRIAN GATE GENERALLY LOCATED NORTH OF BUILDING 10 FOR ACCESS ONTO CRAIG ROAD NEAR THE FUTURE COMMERCIAL SITE AT THE CORNER OF CRAIG ROAD AND LAMB BOULEVARD.
15. ACCESSORY BUILDINGS MATCH THE PRINCIPAL STRUCTURES IN DESIGN, COLORS AND MATERIALS, EXCEPT THAT CARPORTS SHALL COMPLY WITH THE MULTI-FAMILY DESIGN GUIDELINES.
22. THE DRIVEWAY ON LAMB BOULEVARD SHALL BE LIMITED TO EGRESS ONLY AND CONSTRUCTED IN ACCORDANCE WITH *CLARK COUNTY AREA UNIFORM STANDARD DRAWING* NUMBER 226. ADDITIONALLY, AN EMERGENCY ACCESS EASEMENT MUST

BE GRANTED FOR THIS DRIVEWAY.

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

42. THERE SHALL BE A DIRECTORY AT THE ENTRANCES AND WAY FINDING SIGNS THROUGHOUT THE PROPERTY. THE BREEZEWAYS SHALL REQUIRE EXTRA LIGHTING AND THE STAIRS SHALL BE IN COMPLIANCE WITH THE MULTI-FAMILY DESIGN STANDARDS. THE DOORS ON THE TRASH ENCLOSURES SHALL BE HUNG LEAVING AN APPROXIMATE 8" SPACE FROM THE GROUND. THIS CONDITION SHALL BE SUBJECT TO ADMINISTRATIVE REVIEW AND APPROVAL BY THE DEPARTMENTS OF PLANNING & ZONING AND POLICE PRIOR TO APPLICATION OF ANY BUILDING PERMITS.

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

17. **SPR-38-07 (31452) CENTENNIAL CROSSING. AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF AMERICAN PACIFIC CAPITAL CENTENNIAL SIMMONS LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT FOR A WAIVER FROM THE COMMERCIAL DESIGN STANDARDS TO ALLOW A 3-FOOT LANDSCAPE HEDGE WHERE A 3-FOOT BERM OR BLOCK WALL IS REQUIRED. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-29-113-107.**

The application was presented by Mary Aldava, Senior Planner who explained the applicant was proposing to provide a three foot high hedge at the time of planting and the proposed planting shall be subject to Staff's approval in lieu of the required three foot high block wall or landscape berm. Staff was recommending approval of SPR-38-07 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. At the time of planting, the proposed landscape hedge along the front of Simmons Street shall be a minimum of three (3) in height. The type of planting shall be subject to review and approval of the Planning & Zoning Department.

Jennifer Roberts, Great American Capital 8350 West Sahara Avenue, Las Vegas, NV appeared on behalf of the applicant indicating she concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: Commissioner Thomas

ABSTAIN: None

18. SPR-39-07 (31456) CHEYENNE COMMERCE CENTER 3 & 4. AN APPLICATION SUBMITTED BY VLMK CONSULTING ENGINEERS ON BEHALF OF HARSCH INVESTMENTS PROPERTIES, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT, TO ALLOW 194,162 SQUARE FEET OF WAREHOUSING AND MANUFACTURING. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CHEYENNE AVENUE AND REVERE STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-09-801-005.

The application was presented by Mary Aldava, Senior Planner who explained the submitted site plan indicated the applicant proposes 10 industrial warehouse manufacturing commercial retail use buildings with a total of 190,620 square feet. The applicant was requesting two waivers from the Design Standards, one of them was from the foundation landscaping for Buildings A-1 and A-2. The site plan indicated the proposed sidewalks around the two buildings were approximately 15 feet wide and could easily accommodate the above-ground planters to satisfy the landscape requirement; therefore, Staff was not supporting the foundation landscape waiver. The second waiver was from requiring the parking lots be located to the side or rear of the buildings and away from the street, unless demonstrated that it was not feasible to do. The subject property fronts Cheyenne Avenue and was south of Revere Street. The proposed buildings were for office warehousing and manufacturing, which generates less traffic into the establishments; therefore, Staff was in favor of the waiver request. Staff was recommending approval of SPR-39-07 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 Design Guidelines and Development Standards, including but not limited to the following:
 - a. Provide a detailed landscape plan for review and approval. The proposed landscaping shall include 60% of ground cover with 24" box tree every 15 feet on center.
 - b. Provide fifteen (15) bicycle parking spaces within 100 feet from the building entrance. A typical bicycle parking space shall be at least 6 feet long by 2 feet wide. Covered bicycle parking facilities may be located within a building or structure, under a building eave, stairway, entrance, or similar area, or under a special structure to cover the parking.
 - c. Provide additional trash enclosures near buildings A1, A2, H & J with adequate screening and landscaping.

- d. A six (6) foot wide foundation landscaping shall be provided along the facades featuring customer entrances for buildings A1, A2 (or) an alternative to foundation landscaping recommended in the ordinance shall be provided.
 - e. Parking lots that abut Cheyenne Avenue & Revere Street shall be screened by three (3) foot decorative walls at the rear of the setback area.
3. All down spouts shall be fully enclosed within the buildings.
 4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
 5. Nevada Department of Transportation (NDOT) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
 6. Flow rate may not be increased over existing conditions into the Cheyenne right-of-way. Onsite detention will most likely be required.
 7. Approval of a traffic study is required prior to submittal of the civil improvement plans.
 8. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Cheyenne Avenue and Revere Drive.
 9. Right-of-way **dedication and construction** of a **CAT bus** turn-out is required on Cheyenne Avenue east of Revere Drive per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
 10. 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.
 11. Nevada Department of Transportation (NDOT) approval of driveways on Cheyenne Avenue is required.
 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 on Cheyenne Avenue and Revere Street must be completed prior to final inspection of the first building.
17. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100:
 - 1) 40' on Revere Street
 - 2) associated spandrels
18. The property owner is required to grant a roadway easement for commercial driveway(s).
19. The property owner is required to sign a restrictive covenant for utilities.
20. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
21. An application for the vacation of recorded slope easement Doc#728:585318 must be submitted.
22. Right-of-way **dedication** for a **flared intersection**, including a right turn lane, is required at Cheyenne Avenue and Revere Street per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1.
23. A looped water system may be required for fire protection, subject to review and approval of the Utilities Department.
24. The developer shall provide a meter and backflow prevention per building per City of North Las Vegas Municipal Water Services Rules and Regulations.

Jason Sahlin, VLMK Engineers, 3933 SW Kelly Avenue, Portland, OR 97239 appeared on behalf of the applicant requesting that Condition No. 2.e be amended to allow the option

of a landscape berm or hedge and that Condition No. 3 allow the option of down spouts and scuppers, which would generally be located at the rear of the buildings away from public view.

Chairman Steve Brown asked if it was normally required that down spouts be fully enclosed. Ms. Aldava explained it was normally requested on all industrial and commercial developments. Chairman Brown asked the applicant if the proposal was to have them located at the rear. Mr. Sahlin explained on the industrial projects they have a scupper box with a down spout that ran down the face of the building and typically located them to the truck corridor sides of the projects so they were not visible.

Commissioner Jay Aston asked Staff if they had a concern with the applicant's request to amend Condition No. 2.e. Marc Jordan, Planning Manager explained there was an elevation difference in the property so the berm did not help; therefore, the option was a wall, and in this case, you could add a landscape berm or hedge or a combination to allow some flexibility. Commissioner Aston indicated he did not mind having some leniency, but on the down spouts he was concerned that over a period of time, they would get bent up or become detached from the building and agreed with Staff's recommendation for Condition No. 3.

Robert Eastman suggested Condition No. 2.e be amended to read: "Parking lots that abut Cheyenne Avenue and Revere Street shall be screened by a three (3) foot decorative wall, berm, vegetative hedge or combination thereof at the rear of the setback area."

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

2.E. PARKING LOTS THAT ABUT CHEYENNE AVENUE & REVERE
STREET SHALL BE SCREENED BY A THREE (3) FOOT
DECORATIVE WALL, BERM, VEGETATIVE HEDGE OR
COMBINATION THEREOF AT THE REAR OF THE SETBACK AREA.

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. 20 was heard next.

OLD BUSINESS

19. **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. (CONTINUED MAY 23 AND JUNE 27, 2007)**

It was requested by the applicant to continue UN-50-07 to August 22, 2007.

The applicant was not present for comment.

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

Commissioner Jay Aston suggested, since the applicant was not present, that the application be continue indefinitely.

ACTION: CONTINUED INDEFINITELY

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. 1 was heard next.

20. SPR-33-07 (30593) LOS VERDES. AN APPLICATION SUBMITTED BY AFTON PACIFIC LLC ON BEHALF OF WALTCO LAS VEGAS, LLC, AP-NLVI, LLC, AND NORTH LAS VEGAS LEGACY LLC, PROPERTY OWNERS, FOR A SITE PLAN REVIEW IN A C-2 GENERAL COMMERCIAL DISTRICT TO REDEVELOP K-MART PROPERTY WITH ADDITIONAL RETAIL SHOPS AND CONVENIENCE FOOD RESTAURANTS. THE PROPERTY IS LOCATED AT 2665 - 2671 NORTH LAS VEGAS BOULEVARD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-13-302-002 AND 139-13-302-004. (CONTINUED JUNE 27 AND JULY 11, 2007)

The application was presented by Robert Eastman, Principal Planner who explained the application was continued to allow the applicant time to meet with Staff to address their concerns. The applicant met with Staff and had come to an agreement and the applicant was proposing additional landscaping along Las Vegas Boulevard and was working with the Nevada Department of Transportation (NDOT) to allow their landscape to encroach into the right-of-way of Las Vegas Boulevard. A number of other developments within North Las Vegas recently have done the same, so Staff felt that would occur. The applicant agreed to a combination of a landscape berm and hedge to block headlights from the parking lot screening, specifically, it appears they would meet the three foot hedge unless they were not allowed to landscape into the right-of-way because of NDOT concerns. If that was the case, the berm was somewhat smaller and the landscaping would be increased to mitigate that. Additionally, the applicant was proposing a wall along the northern property line. Staff was agreeing to the parking lot landscaping that was proposed, which was a landscape diamond between every three parking spaces with the six foot landscape islands at the end of every parking row in lieu of the landscaped island running every other row. The landscape diamonds would be off-set to help reduce cut-through traffic in the parking lot, which would be an improvement over the current parking lot landscaping at the K-Mart Center. The applicant proposed two convenience food restaurants in a second phase, which they do not have approval of at this time; however, they would come before the Commission when the use permit applications were submitted. Staff was recommending approval of SPR-33-07 with the conditions listed in the revised memorandum dated July 25, 2007 as follows:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. Submit a copy of the revised site plan to the Planning & Zoning Department. The development shall comply with the Industrial Design Guidelines and Development Standards, including but not limited to the following:
 - a. Provide a detailed landscape plan showing perimeter, foundation and parking lot landscaping for review and approval. The Perimeter landscaping area along Las Vegas Boulevard shall have 24" Palm trees every 20 feet on

- center as street trees and more intense landscaping to achieve eighty (80%) percent ground coverage within two years. The eighty (80%) ground coverage shall be reached within two years of the time a Certificate of Occupancy is issued by the City.
- b. Provide fourteen (14) bicycle parking spaces within 100 feet from the building entrance. A typical bicycle parking space shall be at least 6 feet long by 2 feet wide. Covered bicycle parking facilities may be located within a building or structure, under a building eave, stairway, entrance, or similar area, or under a special structure to cover the parking.
 - c. Show staggered landscape diamonds of 5 feet X 5 feet for every three (3) parking spaces, and a six (6) foot wide landscape island at the end of each row.
 - d. Provide a detail color scheme for all the proposed buildings consistent with the colors to the Las Vegas Valley and its surroundings.
3. Provide a six (6) foot wide foundation landscaping around the proposed new buildings. If the foundation landscaping is determined to be impractical because of soil conditions either landscaping may be transposed with the sidewalk or above ground planters shall be provided.
 4. Provide a six (6) foot high decorative masonry wall along the north property line of both properties to be constructed in the two phases.
 5. If permitted by Nevada Department of Transportation (NDOT) the additional right-of-way along Las Vegas Boulevard shall be landscaped to achieve eighty (80%) percent ground coverage within two years of the time a Certificate of Occupancy is issued by the City.
 6. Approval of a drainage study is required prior to submittal of the civil improvement plans.
 7. Nevada Department of Transportation (NDOT) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
 8. Flow rate may not be increased over existing conditions into Las Vegas Boulevard.
 9. Approval of a traffic study is required prior to the civil improvement plans.

10. 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.
11. All known geological 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.
12. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
13. All off-site improvements must be completed prior to final inspection of the first building.
14. Relocate Commercial driveway closest to APN 139-13-302-004 on Las Vegas Boulevard North to line up with median opening.
15. The property owner is required to sign a restrictive covenant for utilities.
16. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
17. 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.
18. 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.
19. Provide a copy of NDOT encroachment permit for landscaping in the public right-of-way and also need an encroachment permit from NDOT for construction of commercial driveway being relocated.
20. A looped water system may be required, subject to review and approval of the Utilities Department.
21. The developer shall provide a meter and backflow prevention per building per City of North Las Vegas Municipal Water Service Rules and Regulations.
22. Fire access lanes shall be located in accordance with Fire Code requirements.

23. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
24. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.
25. Provide additional lighting and cameras with adequate signage along the long narrow drive thru lane behind building Shop 1. Submit a detailed lighting and security plan for review and approval of the Police Department and Planning & Zoning Department.

John Krappman, 3150 East Patrick Lane, Las Vegas, NV appeared on behalf of the applicant indicating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS IN REVISED MEMORANDUM DATED JULY 25, 2007; FORWARDED TO THE REDEVELOPMENT AGENCY 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

21. UN-62-07 (30594) LOS VERDES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY AFTON PACIFIC LLC ON BEHALF OF WALTCO LAS VEGAS, LLC AND AP-NLV I, LLC, PROPERTY OWNERS, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT WITH A DRIVE-THROUGH. THE PROPERTY IS LOCATED AT 2665 NORTH LAS VEGAS BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-13-302-004. (CONTINUED JUNE 27 AND JULY 11, 2007)

The application was presented by Robert Eastman, Principal Planner who explained the application was for a convenience food restaurant adjacent to the mini-warehouse building. Initially, Staff had concerns regarding the tunnel effect; however, the applicant agreed to Police Department recommendations and conditions for mitigation, which would solve some of the safety concerns. Staff was recommending approval of UN-62-07 subject to the following conditions:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. This use permit is site specific and non transferrable.
3. The proposal shall comply with all the conditions of SPR-33-07.
4. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
5. Fire access lanes shall be located in accordance with Fire Code requirements.
6. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.
7. Provide additional lighting and cameras with adequate signage along the long and narrow drive thru lane behind building Shop 1. Submit a detailed lighting and security plan for review and approval of the Police Department and Planning & Zoning Department.

John Krappman, 3150 East Patrick Lane, Las Vegas, NV appeared on behalf of the applicant indicating he concurred with Staff recommendation.

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

Chairman Brown closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS IN REVISED MEMORANDUM DATED JULY 25, 2007; FORWARDED TO THE REDEVELOPMENT AGENCY FOR FINAL CONSIDERATION

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

- 22. UN-65-07 (31182) SELF-SERVICE AND AUTOMATIC AUTOMOBILE WASHING ESTABLISHMENT AT LONE MT AND SIMMONS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RENU AND SHAWN TANEJA ON BEHALF OF CELEBRATE PROPERTIES LLC, PROPERTY OWNER, FOR A USE PERMIT IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A SELF-SERVE AUTOMOBILE WASHING ESTABLISHMENT AND A DRIVE-THROUGH AUTOMOBILE WASHING ESTABLISHMENT. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF LONE MOUNTAIN ROAD AND SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-32-810-013. (CONTINUED JULY 11, 2007)**

Commissioner Harry Shull stated he would be abstaining from Item Nos. 22, 23, and 24 as his company was in a contract to sell to the applicant.

Commissioner Shull left Chambers at 7:40 p.m.

Item Nos. 22, 23 and 24 were presented together.

The application was presented by Robert Eastman, Principal Planner who explained the applications were continued due to a number of design issues, most notably a complete lack of landscaping on site; however, the applicant submitted a revised site plan and were in compliance with the landscape requirements and were providing foundation landscaping, parking lot landscaping and were in compliance with the Parking Standards. To off-set that, they removed their self-service car wash and proposed smog shack. There was also an application for a convenience food restaurant that was not scheduled to be heard until the September 12, 2007 Planning Commission meeting. Since the site was in substantial compliance with the Design Standards and the uses were appropriate for the site, Staff was recommending approval of all three use permits. The auto service facility bay doors faced the right-of-way, and under normal circumstances, the bay doors should be screened, so Staff would like to see the buildings rearranged so they could provide some screening in the landscape buffer which was a minor change and was addressed in the conditions and would be addressed prior to submittal of the final development plan. Staff was recommending approval of UN-65-07 subject to the following conditions:

1. Unless expressly, authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. Shall comply with all conditions of approval of ZN-25-93.

3. Shall comply with the Commercial Development Standards and Design Guidelines, including but not limited to:
 - a. The perimeter landscaping areas shall be at least 25 feet in width from back of curb, including sidewalks;
 - b. A berm shall be constructed along the southern property line (Lone Mountain Road) and a portion of Simmons Street.
 - c. A meandering sidewalk shall be provided along Lone Mountain Road and Simmons Street.
 - d. A landscaped island shall be provided on both sides of the pedestrian walk commencing on Lone Mountain Road.
 - e. A twenty (20) foot landscaped buffer shall be provided along the east and north property lines (residential).
 - f. All perimeter walls shall be decorative in nature.
 - g. All awnings shall be constructed of sunbrella.
 - h. A minimum of six (6) parking spaces shall measure 20 feet by nine (9).
4. A Final Development Plan shall be approved prior to the issuance of building permits.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. 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.
7. The applicant shall submit a traffic study update for review and approval.
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.
13. The property owner is required to grant a roadway easement for commercial driveway(s).
14. The property owner is required to sign a restrictive covenant for utilities.
15. The property owner is required to grant a public pedestrian access easement for sidewalk located within a common element, or on private property, when that sidewalk is providing public access adjacent to the right-of-way.
16. A revocable encroachment permit for landscaping within the public right of way is required.
17. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
18. Right-of-way dedication and construction of a CAT bus turn-out is required on Simmons near Lone Mountain. It is suggested that the applicant provide the bus stop placement within the exclusive right turn lane for the property per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.3.

For Informational Purposes Only: Developments adjacent to 100' streets are required to have a landscaped median.

19. Marking of the fire lane to restrict parking shall be in accordance with the fire code.
20. A looped water system may be required, subject to review and approval of the Utilities Department.
21. The developer shall provide a meter and backflow prevention for each building per City of North Las Vegas Municipal Water Services District Service Rules and Regulations.

Bruno Vasques for Pacific Design Concepts 3005 West Horizon Ridge Parkway #200, Henderson, NV 89052 appeared on behalf of the applicant indicating he concurred with Staff recommendation.

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

- **Germaine Santinac, 4803 Goal Court, North Las Vegas, NV 89031** indicated her home was located behind the proposed project and was opposed to businesses in the area and would rather see homes built.

Chairman Brown explained the area was already zoned commercial and the applicant was applying for a use permit.

Chairman Brown closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS IN REVISED MEMORANDUM DATED JULY 25, 2007

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: Commissioner Shull

- 23. UN-66-07 (31184) C-STORE AT LONE MT AND SIMMONS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RENU AND SHAWN TANEJA ON BEHALF OF CELEBRATE PROPERTIES LLC, PROPERTY OWNER, FOR A USE PERMIT IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A CONVENIENCE FOOD STORE WITH GAS PUMPS. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF LONE MOUNTAIN ROAD AND SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-32-810-013. (CONTINUED JULY 11, 2007)**

Commissioner Harry Shull stated he would be abstaining from Item Nos. 22, 23, and 24 as his company was in a contract to sell to the applicant.

Item Nos. 22, 23 and 24 were presented together.

The application was presented by Robert Eastman, Principal Planner who explained the applications were continued due to a number of design issues, most notably a complete lack of landscaping on site; however, the applicant submitted a revised site plan and were in compliance with the landscape requirements and were providing foundation landscaping, parking lot landscaping and were in compliance with the Parking Standards. To off-set that, they removed their self-service car wash and proposed smog shack. There was also an application for a convenience food restaurant that was not scheduled to be heard until the September 12, 2007 Planning Commission meeting. Since the site was in substantial compliance with the Design Standards and the uses were appropriate for the site, Staff was recommending approval of all three use permits. The auto service facility bay doors faced the right-of-way, and under normal circumstances, the bay doors should be screened, so Staff would like to see the buildings rearranged so they could provide some screening in the landscape buffer which was a minor change and was addressed in the conditions and would be addressed prior to submittal of the final development plan. Staff was recommending approval of UN-66-07 subject to the following conditions:

1. Unless expressly, authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. Shall comply with all conditions of approval of ZN-25-93.
3. Shall comply with the Commercial Development Standards and Design Guidelines, including but not limited to:
 - a. The perimeter landscaping areas shall be at least 25 feet in width from back of curb, including sidewalks;
 - b. A berm shall be constructed along the southern property line (Lone Mountain Road) and a portion of Simmons Street.

- c. A meandering sidewalk shall be provided along Lone Mountain Road and Simmons Street.
 - d. A landscaped island shall be provided on both sides of the pedestrian walk commencing on Lone Mountain Road.
 - e. A twenty (20) foot landscaped buffer shall be provided along the east and north property lines (residential).
 - f. All perimeter walls shall be decorative in nature.
 - g. All awnings shall be constructed of sunbrella.
 - h. Gas canopy shall have recessed lighting.
4. A Final Development Plan shall be approved prior to the issuance of building permits.
 5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
 6. 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.
 7. The applicant shall submit a traffic study update for review and approval.
 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.
 13. The property owner is required to grant a roadway easement for commercial driveway(s).

14. The property owner is required to sign a restrictive covenant for utilities.
 15. The property owner is required to grant a public pedestrian access easement for sidewalk located within a common element, or on private property, when that sidewalk is providing public access adjacent to the right-of-way.
 16. A revocable encroachment permit for landscaping within the public right of way is required.
 17. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
 18. Right-of-way dedication and construction of a CAT bus turn-out is required on Simmons near Lone Mountain. It is suggested that the applicant provide the bus stop placement within the exclusive right turn lane for the property per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.3.
 19. A queuing analysis is required for drive-through operations.
 20. Modifications to the site may be needed to accommodate the queuing requirements for the drive-through
- For Informational Purposes Only:** Developments adjacent to 100' streets are required to have a landscaped median.
21. Marking of the fire lane to restrict parking shall be in accordance with the fire code.
 22. A looped water system may be required, subject to review and approval of the Utilities Department.
 23. The developer shall provide a meter and backflow prevention for each building per City of North Las Vegas Municipal Water Services District Service Rules and Regulations.

Bruno Vasques for Pacific Design Concepts 3005 West Horizon Ridge Parkway #200, Henderson, NV 89052 appeared on behalf of the applicant indicating he concurred with Staff recommendation.

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

- **Germaine Santinac, 4803 Goal Court, North Las Vegas, NV 89031** indicated her home was located behind the proposed project and was opposed to businesses in the area and would rather see homes built.

Chairman Brown explained the area was already zoned commercial and the applicant was applying for a use permit.

Chairman Brown closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS IN REVISED MEMORANDUM DATED JULY 25, 2007

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: Commissioner Shull

24. UN-67-07 (31185) AUTOMOBILE SERVICE FACILITY AT LONE MT AND SIMMONS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RENU AND SHAWN TANEJA ON BEHALF OF CELEBRATE PROPERTIES LLC, PROPERTY OWNER, FOR A USE PERMIT IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW AN AUTOMOBILE SERVICE FACILITY. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF LONE MOUNTAIN ROAD AND SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-32-810-013. (CONTINUED JULY 11, 2007)

Commissioner Harry Shull stated he would be abstaining from Item Nos. 22, 23, and 24 as his company was in a contract to sell to the applicant.

Item Nos. 22, 23 and 24 were presented together.

The application was presented by Robert Eastman, Principal Planner who explained the applications were continued due to a number of design issues, most notably a complete lack of landscaping on site; however, the applicant submitted a revised site plan and were in compliance with the landscape requirements and were providing foundation landscaping, parking lot landscaping and were in compliance with the Parking Standards. To off-set that, they removed their self-service car wash and proposed smog shack. There was also an application for a convenience food restaurant that was not scheduled to be heard until the September 12, 2007 Planning Commission meeting. Since the site was in substantial compliance with the Design Standards and the uses were appropriate for the site, Staff was recommending approval of all three use permits. The auto service facility bay doors faced the right-of-way, and under normal circumstances, the bay doors should be screened, so Staff would like to see the buildings rearranged so they could provide some screening in the landscape buffer which was a minor change and was addressed in the conditions and would be addressed prior to submittal of the final development plan. Staff was recommending approval of UN-67-07 subject to the following conditions:

1. Unless expressly, authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. Shall comply with all conditions of approval of ZN-25-93.
3. Shall comply with the Commercial Development Standards and Design Guidelines, including but not limited to:
 - a. The perimeter landscaping areas shall be at least 25 feet in width from back of curb, including sidewalks;
 - b. A berm shall be constructed along the southern property line (Lone Mountain Road) and a portion of Simmons Street.
 - c. A meandering sidewalk shall be provided along Lone Mountain Road and Simmons Street.

- d. A landscaped island shall be provided on both sides of the pedestrian walk commencing on Lone Mountain Road.
 - e. A twenty (20) foot landscaped buffer shall be provided along the east and north property lines (residential).
 - f. All perimeter walls shall be decorative in nature.
 - g. All awnings shall be constructed of sunbrella.
 - h. Roll doors shall be screened from the public right-of-way by use of a decorative block wall and/or dense landscaping.
4. A Final Development Plan shall be approved prior to the issuance of building permits.
 5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
 6. 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.
 7. The applicant shall submit a traffic study update for review and approval.
 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.
 13. The property owner is required to grant a roadway easement for commercial driveway(s).
 14. The property owner is required to sign a restrictive covenant for utilities.

15. The property owner is required to grant a public pedestrian access easement for sidewalk located within a common element, or on private property, when that sidewalk is providing public access adjacent to the right-of-way.
16. A revocable encroachment permit for landscaping within the public right of way is required.
17. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
18. Right-of-way dedication and construction of a CAT bus turn-out is required on Simmons near Lone Mountain. It is suggested that the applicant provide the bus stop placement within the exclusive right turn lane for the property per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.3.

For Informational Purposes Only: Developments adjacent to 100' streets are required to have a landscaped median.

19. For information purposes only: Lube shops are in a Group S Occupancy per the building code. All Group S Occupancies require a fire sprinkler system, regardless of size, per the North Las Vegas Municipal Code.
20. Marking of the fire lane to restrict parking shall be in accordance with the fire code.

Bruno Vasques for Pacific Design Concepts 3005 West Horizon Ridge Parkway #200, Henderson, NV 89052 appeared on behalf of the applicant indicating he concurred with Staff recommendation.

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

- **Germaine Santinac, 4803 Goal Court, North Las Vegas, NV 89031** indicated her home was located behind the proposed project and was opposed to businesses in the area and would rather see homes built.

Chairman Brown explained the area was already zoned commercial and the applicant was applying for a use permit.

Chairman Brown closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS IN
REVISED MEMORANDUM DATED JULY 25, 2007

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: Commissioner Shull

Commissioner Harry Shull returned to Chambers at 7:58 p.m.

25. **SPR-06-06 (31194) THE GROVE. AN APPLICATION SUBMITTED BY KAMROS HOLDINGS, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED SITE PLAN REVIEW IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT FOR AN AMENDMENT OF CONDITION #3 REQUIRING A THREE (3) FOOT HIGH BERM OR DECORATIVE WALL. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CRAIG ROAD AND KINGS HILL ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-03-311-016. (CONTINUED JULY 11, 2007)**

The application was presented by Robert Eastman, Principal Planner who explained the application was discussed in great detail at the July 11, 2007 Planning Commission meeting when the applicant was requesting to remove a screen wall along Craig Road from the parking lot; however, since that time, the applicant now agreed to keep the wall that was currently constructed and was asking for a landscape hedge in the portion where the wall was not constructed, which Staff agreed with and was recommending that Condition No. 3 be amended as shown in the Staff Report.

Jennifer Lazovich of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant indicating she concurred with Staff recommendation and explained the waiver was being requested for the area at the western most driveway entrance into the center and agreed with the amended condition in the Staff Report.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Shull

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

26. **SPR-34-07 (31169) PICERNE ROME AND VALLEY. AN APPLICATION SUBMITTED BY PICERNE DEVELOPMENT, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT FOR A WAIVER REQUIRING CARPORTS AND ACCESSORY BUILDINGS, WHICH ARE VISIBLE FROM PUBLIC STREETS, TO BE CONSISTENT WITH THE DESIGN THEME AND SIMILAR MATERIALS TO THOSE USED ON THE MAIN STRUCTURE. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF ROME BOULEVARD AND VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-19-401-014. (CONTINUED JULY 11, 2007)**

The application was presented by Robert Eastman, Principal Planner who explained the Design Standards require that carports visible from public rights-of-way be built in a similar manner and have the same architectural features as the main building and the applicant was requesting that they be allowed to build a more typical carport, since San Mateo and Turkey Lane were not very well utilized rights-of-way and the impact of the carports would be minimal. Staff understood the applicant's argument but did not agree and felt the Design Standards were there so the community would be more attractive to its surrounding neighbors; therefore, Staff felt the requirement was consistent and was recommending that SPR-34-07 be denied.

Jennifer Lazovich of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant explaining they were requesting the waiver in three locations and added they would like all of the structures to match. Along Turkey Lane there was an egress only with an emergency access gate. The only people going into that area were emergency vehicles and the residents who might want to exit onto Turkey Lane. If something else was built along Turkey Lane, there may be some additional traffic but did not think the dead end detracted from the intent of what the condition was trying to protect. With the condition along San Mateo, it was off the main entrance and the applicant felt the carports were attractive enough that they could be left as proposed throughout the rest of the community and it would not detract from it. San Mateo was not a major thoroughfare, where the carports not matching the rest of the community would offend those driving either on San Mateo or Turkey Lane. She indicated there was a block wall along Turkey Lane that would further mitigate what was seen while driving down Turkey Lane and asked that the waiver be granted.

Commissioner Jay Aston felt it would look odd to have the carports in some locations look different than others in the project and did not have a problem with the waiver request.

Commissioner Dean Leavitt asked the applicant the percentage of the total number of carports Staff was requesting modification on. Ms. Lazovich responded they were requesting that seven of the carports not have to match the buildings. Commissioner

Leavitt clarified it was a minority of the total number of carports they were asking to be changed. Ms. Lazovich responded that was true. Commissioner Leavitt agreed with Commissioner Aston and was in support of the waiver request.

Chairman Steve Brown agreed with Commissioners Aston and Leavitt.

Mr. Eastman indicated a condition should be added to read: "That garages and accessory buildings, which are visible from a public street, shall follow the same design theme and use similar materials to those used in the main structure within the development" He explained that pulled carports out as requested by the applicant and granted the requested waiver.

Ms. Lazovich agreed to the condition as read into the record.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE ADDITION OF A CONDITION TO READ:

THAT GARAGES AND ACCESSORY BUILDINGS, WHICH ARE VISIBLE FROM A PUBLIC STREET, SHALL FOLLOW THE SAME DESIGN THEME AND USE SIMILAR MATERIALS TO THOSE USED IN THE MAIN STRUCTURE WITHIN THE DEVELOPMENT.

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: Commissioner Thomas

ABSTAIN: None

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

There was no report given.

CHAIRMAN'S BUSINESS

There was no report given.

ADJOURNMENT

The meeting adjourned at 8:11 p.m.

APPROVED: August 22, 2007

/s/ Steve Brown
Steve Brown, Chairman

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