

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

October 24, 2007

BRIEFING: 5:35 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 - Absent
Commissioner Ned Thomas - Present

STAFF PRESENT: Marc Jordan, Planning Manager
Robert Eastman, Principal Planner
Bob Hoyes, Planner
Nick Vaskov, Deputy City Attorney II
Randy Cagle, PW, Real Property Services Manager
Clete Kus, PW, Transportation Planner
Janice Carr, 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 Dean Leavitt

MINUTES

- **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF SEPTEMBER 26, 2007.**

ACTION: APPROVED

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: Commissioners Cato, and Thomas

Item No. 7 was heard next.

NEW BUSINESS

1. **UN-105-07 (32524) ANN PROFESSIONAL PLAZA PHASE I (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE OFFICES AT ANN ALLEN COMMONS LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-P, PROFESSIONAL OFFICE COMMERCIAL DISTRICT TO ALLOW A HEALTH AND FITNESS CENTER. THE PROPERTY IS LOCATED AT 3980 WEST ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-30-813-017.**

The application was presented by Marc Jordan, Planning Manager who explained the application was consistent with the recently adopted ordinance amending Title 17 that would allow this type of use as a special use. Staff was recommending approval of UN-105-07 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. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

Todd McIntosh, 9500 West Flamingo Road, Las Vegas, NV appeared on behalf of the applicant indicating he agreed 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 Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

2. UN-106-07 (32527) PRESIDENTIAL SELF STORAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MJG PROPERTIES ON BEHALF OF MERCADO DEL PUEBLO, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A MINI-WAREHOUSING FACILITY. THE PROPERTY IS LOCATED WEST OF VALLEY DRIVE AND APPROXIMATELY 277 FEET SOUTH OF CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-06-301-005.

The application was presented by Marc Jordan, Planning Manager who explained there were a few deficiencies that should be in compliance with the Commercial Design Guidelines, one of them being that the applicant was proposing only 10 feet of landscaping along the southern property line, where 20 feet was required. The applicant requested a waiver of that landscape requirement; however, Staff was not in support of the waiver, as it would be intrusive to the existing residential to the south of the site. Furthermore, the proposed building was approximately 32 to 37 feet in height in various places and the maximum building height allowed in a C-1 District was 35 feet, so the building needed to be redesigned to lower it by at least two feet in some areas. Also, the building was approximately 400 feet in length and the Commercial Design Guidelines require buildings of that size to be designed with some jogs and off-sets to break up the visual mass of the building; therefore, Staff was recommending that the application be continued to allow the applicant time to redesign the site and the building to comply with the Commercial Design Guidelines. Should the Commission determine approval was warranted, the following conditions are recommended:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. Development of the site shall comply with the Commercial Development Standards and Design Guidelines, including but no limited to the following;
 - a. A minimum 10 foot landscape buffer with 24" box trees at a maximum spacing of 15 feet on center shall be provided adjacent to the south residential property line.
3. The maximum height of the mini storage building shall not exceed 35 feet.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. Proposed northern driveway is too close to the existing driveway to the north. It must be relocated.
6. Approval of a traffic study is required prior to submittal of the civil improvement plans.

7. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Valley Drive.
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. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
16. Fire lanes shall be marked to prohibit parking on one/ both sides(s) per the fire code.
17. Gates restricting traffic across required access lanes shall be in accordance with the Fire Code requirements.

Ariel Valli, Architect and Todd Pierce, Development Manager for Presidential Self-Storage appeared on behalf of the applicant. Mr. Valli indicated he thought because the site was long and narrow, they would qualify for a hardship and explained they had 200 feet of frontage and 20 feet of set-back which was 10 percent of their site. He indicated they would provide 20 feet of landscaping on the west side and explained traditional storage roofs needed to have a certain slope, which required an extra two feet of building height and they would be able to reduce it to 35 feet, but it would involve going to a conventional built-up roof, which would add about \$200,000 to the cost of the project. He also indicated

they could add more articulation to the building and were willing to work with Staff and asked that some options be discussed.

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

Chairman Brown closed the Public Hearing.

Commissioner Jay Aston clarified there would be a ten foot landscape buffer. Mr. Valli responded they were proposing a ten foot landscape buffer along the south side because the site was only 200 feet deep along Valley Drive and 20 feet would be ten percent of the site. He explained there was a driveway on the south side of the project, so the distance from the property line to the building would be 40 feet, which would allow enough distance to put in the trees to provide adequate screening.

Commissioner Aston was concerned, that with residential being so close, there would be too much noise. He asked the hours of operation. Mr. Valli responded they would be open from 7 a.m. to 7 p.m. Monday through Friday and 8 a.m. to 5 p.m. on Saturday and 10 a.m. to 2 p.m. on Sunday. Commissioner Aston explained the landscape buffer was to help defuse the noise and asked Mr. Valli what he was willing to do to increase the landscape buffer. Mr. Valli responded they could install larger trees or place them closer together (ten foot on center and use a larger box tree).

Mr. Jordan did not recommend going with large box trees. He explained the condition was written so they would be required to place the trees 15 feet on center if the wavier was approved, so if it was approved for ten feet, the condition would be amended to ten feet on center but he did not recommend a 36 inch box tree.

Commissioner Ned Thomas asked to see the aerial view of the site and indicated he was concerned about the height of the building abutting residential property.

Commissioner Dilip Trivedi concurred with Commissioner Thomas and felt there was no hardship as the lot was rectangular and the building could be made smaller to accommodate the required landscaping. He asked the reason for the increase in height of the building. Mr. Valli responded the increased height was to allow the use of conventional metal roofs but could use a different type of roof system to meet code requirements. He added, if the Commission determined the waivers were unreasonable, they would prefer to receive a conditional approval for a 20 foot set-back on the landscaping and lower the building height and they would work with Staff to provide the appropriate articulation in lieu of a continuance.

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

- **Michael Sweet, 4310 Valley Sage Drive, North Las Vegas, NV 89032** indicated he was opposed to the application as his view would be obstructed and due to the traffic going in and out of the facility. He also felt they would lose their privacy due to the height of the building and the lights at night.

Commissioner Thomas asked Mr. Sweet if the homes in his neighborhood were single or two-story. Mr. Sweet responded they were all single-story.

Chairman Brown explained the building height of 35 feet was allowed, but the building could be 20 feet from the property line.

Mr. Sweet explained the other residents were not able to appear, but were also opposed to the application.

Chairman Brown closed the Public Hearing.

Commissioner Aston wanted the building to remain within the building height restriction, but was agreeable to a 10 foot landscape buffer with a higher density of trees at 15 foot on center.

Commissioner Thomas agreed with Commissioner Aston and felt the use was okay. He felt if the building was conditioned to be more compatible with the single-story homes abutting it, he would agree to the use.

Chairman Brown asked Staff how they felt about working with the applicant on the appearance of the building. Mr. Jordan responded he would prefer the application be continued to allow the applicant to redesign the site and come back before the Commission with their revised plan. He explained in the zoning ordinance, when there were large buildings next to single-story residential dwelling units, there were other things that should be incorporated into the design of the building, such as stepping the building back, not necessarily going all the way up to 35 feet, but lowering the height so it was more compatible with the residential. If the item was approved with the 35 foot building height, it would limit Staff so that they would only be looking at some jogs and off-sets in the building and if the applicant was willing to reduce the height of the building; therefore, it was at the Commission's discretion at this time.

Chairman Brown asked if the lighting was facing away from the building or if was on poles facing toward the building. Mr. Valli responded the lights would be mounted on the building and would be the shoe-box fixtures that shine straight down to the ground and the light source was not visible from off-site because the bulb was inside the fixture.

Mr. Jordan explained a photo-metric lighting plan would be submitted, which showed the lighting levels.

Commissioner Thomas liked Staff's idea of a stepped building and suggested Condition No. 3 be amended so the height would not exceed 35 feet and that in order to maintain compatibility with the neighborhood, the building would be stepped to the south.

Commissioner Aston asked the applicant if he was willing to continue the application and work with Staff. Mr. Valli agreed to a continuance. Todd Pierce explained they were in due diligence on the property and went hard on November 5, 2007, based on either a continuance or a conditional approval which would dictate how they moved forward with the project. Commissioner Aston asked the applicant if they were willing to comply with suggested amendments to the conditions. Mr. Valli agreed to the changes and the use of a stepped design on the south side of the building.

Robert Eastman, Principal Planner indicated Condition No. 3 would be amended to read: "The maximum height of the mini storage building shall not exceed 35 feet and shall be stepped with a maximum height of 28 feet for the southerly and westerly 20 feet of the building, subject to Staff review and approval."

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
CONDITION NO. 3 AMENDED TO READ:**

3. THE MAXIMUM HEIGHT OF THE MINI STORAGE BUILDING SHALL NOT EXCEED 35 FEET AND SHALL BE STEPPED WITH A MAXIMUM HEIGHT OF 28 FEET FOR THE SOUTHERLY AND WESTERLY 20 FEET OF THE BUILDING, SUBJECT TO STAFF REVIEW AND APPROVAL.

MOTION: Commissioner Thomas

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

3. **AMP-12-07 (32608) PARK HIGHLANDS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE CITY OF NORTH LAS VEGAS ON BEHALF OF NOVEMBER 2005 LAND INVESTORS LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE 1999 COMPREHENSIVE PLAN, LAND USE ELEMENT TO CHANGE THE CURRENT DESIGNATION OF PUBLIC SEMI-PUBLIC (PSP) TO MEDIUM-LOW DENSITY RESIDENTIAL (MLDR). THE PROPERTY IS LOCATED SOUTH OF FARM ROAD APPROXIMATELY 1,500 FEET WEST OF LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-14-000-001.**

Commissioner Ned Thomas indicated he would be abstaining as his employer worked for the applicants on other aspects of the development.

Commissioner Thomas left Chambers at 6:29 p.m.

Item Nos. 3 and 4 were presented together.

The application was presented by Marc Jordan, Planning Manager who explained the properties were being swapped. The School District was in concurrence with the applications and they were still consistent with the Development Agreement between the City and the Developer; therefore, Staff was recommending approval of AMP-12-07.

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; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: Commissioner Thomas

4. **ZN-114-07 (32561) PARK HIGHLANDS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NOVEMBER 2005 LAND INVESTORS LLC, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM A MASTER PLANNED COMMUNITY PUBLIC/SEMI-PUBLIC DISTRICT (MPC-PSP) TO A MASTER PLANNED COMMUNITY RESIDENTIAL DISTRICT UP TO 6 DU/AC (MPC-RZ6). THE PROPERTY IS LOCATED SOUTH OF FARM ROAD AND APPROXIMATELY 1,500 FEET WEST OF LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-14-000-001.**

Commissioner Ned Thomas indicated he would be abstaining as his employer worked for the applicants on other aspects of the development.

Item Nos. 3 and 4 were presented together.

The application was presented by Marc Jordan, Planning Manager who explained the properties were being swapped. The School District was in concurrence with the applications and they were still consistent with the Development Agreement between the City and the Developer; therefore, Staff was recommending approval of ZN-114-07.

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; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: Commissioner Thomas

5. **AMP-13-07 (32609) PARK HIGHLANDS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE CITY OF NORTH LAS VEGAS ON BEHALF OF NOVEMBER 2005 LAND INVESTORS LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE 1999 COMPREHENSIVE PLAN, LAND USE ELEMENT TO CHANGE THE CURRENT DESIGNATION OF MEDIUM-LOW DENSITY RESIDENTIAL (MLDR) TO PUBLIC SEMI-PUBLIC (PSP). THE PROPERTY IS LOCATED NORTH OF FARM ROAD AND APPROXIMATELY 620 FEET EAST OF REVERE STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-15-000-003.**

Commissioner Ned Thomas indicated he would be abstaining as his employer worked for the applicants on other aspects of the development.

Item Nos. 5 and 6 were presented together.

The application was presented by Marc Jordan, Planning Manager who explained the properties were being swapped. The School District was in concurrence with the applications and they were still consistent with the Development Agreement between the City and the Developer; therefore, Staff was recommending approval of AMP-13-07.

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; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: Commissioner Thomas

6. **ZN-111-07 (32457) PARK HIGHLANDS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NOVEMBER 2005 LAND INVESTORS LLC, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM A MASTER PLANNED COMMUNITY RESIDENTIAL DISTRICT UP TO 6 DU/AC (MPC-RZ6) TO A MASTER PLANNED COMMUNITY PUBLIC/SEMI-PUBLIC DISTRICT (MPC-PSP). THE PROPERTY IS LOCATED NORTH OF FARM ROAD AND APPROXIMATELY 620 FEET EAST OF REVERE STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-15-000-003.**

Commissioner Ned Thomas indicated he would be abstaining as his employer worked for the applicants on other aspects of the development.

Item Nos. 3 and 4 were presented together.

The application was presented by Marc Jordan, Planning Manager who explained the properties were being swapped. The School District was in concurrence with the applications and they were still consistent with the Development Agreement between the City and the Developer; therefore, Staff was recommending approval of ZN-111-07.

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; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: Commissioner Thomas

Commissioner Ned Thomas returned to Chambers at 6:32 p.m.

Item No. 10 was heard next.

7. **AMP-11-07 (32538) GOWAN & COMMERCE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DEVELOPMENT FUNDING GROUP C/O GIDEON RICHARDSON ON BEHALF OF CELEBRATE PROPERTIES LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT TO CHANGE THE CURRENT DESIGNATION OF SINGLE-FAMILY MEDIUM (UP TO 13 DU/AC) TO MULTI-FAMILY (UP TO 25 DU/AC). THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF GOWAN ROAD AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-10-201-009.**

It was requested by the applicant to continue AMP-11-07 to November 14, 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 NOVEMBER 14, 2007

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

8. **ZN-113-07 (32533) GOWAN AND COMMERCE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DEVELOPMENT FUNDING GROUP C/O GIDEON RICHARDSON ON BEHALF OF CELEBRATE PROPERTIES LLC, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM AN R-2, TWO-FAMILY RESIDENTIAL DISTRICT TO AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF GOWAN ROAD AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-10-201-009.**

It was requested by the applicant to continue ZN-113-07 to November 14, 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 NOVEMBER 14, 2007

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

9. **SPR-51-07 (32541) GOWAN & COMMERCE. AN APPLICATION SUBMITTED BY DEVELOPMENT FUNDING GROUP C/O GIDEON RICHARDSON ON BEHALF OF CELEBRATE PROPERTIES LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-2, TWO-FAMILY RESIDENTIAL DISTRICT (PROPOSED R-3, MULTI-FAMILY RESIDENTIAL DISTRICT) TO ALLOW A 216-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF GOWAN ROAD AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-10-201-009.**

It was requested by the applicant to continue SPR-51-07 to November 14, 2007.

ACTION: CONTINUED TO NOVEMBER 14, 2007

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 11 was heard next.

10. UN-104-07 (32502) MCDONALD'S (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MCDONALD'S USA LLC ON BEHALF OF PARK CENTRAL PLAZA 32 LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT. THE PROPERTY IS LOCATED AT 5860 LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-25-312-003.

The application was presented by Bob Hoyes, Planner who explained Staff was recommending approval of UN-104-07 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. This development shall comply with all applicable conditions of approval, including but not limited to the design, materials and colors, for SPR-50-05. In order to achieve this, changes to the proposed elevations will be required and will be administratively reviewed and approved during the building permit application process.
3. The special use permit is site-specific and non-transferable.
4. The special use permit is limited to 5,070 square feet of building, as identified on the approved site plan. Any subsequent expansions and/or additions to the use shall warrant further Planning Commission consideration.
5. A minimum 54 parking spaces shall be constructed prior to the issuance of a Certificate of Occupancy. Said parking stalls shall have immediate accessibility to the proposed restaurant.
6. The applicant shall submit a traffic study update for review and approval.
7. An auto turn analysis must be submitted with civil plans for the drive-through entry. Modifications to this entry may be required.
8. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
9. The property owner is required to grant a roadway easement for commercial driveway(s).

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

Dennis Watts, 3604 Amish, North Las Vegas, NV and Dwayne DeLemos appeared on behalf of the applicant. Mr. Watts explained they were proposing a modern McDonald's that was different than anything previously built in the area. It was the new prototype building, which would be built all over the country. He concurred with Staff recommendation except for the hipped roof element, which they were trying to change. He agreed to bring in a new designed building, more in character with the shopping center and what was being done and be approved at Staff level.

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

Chairman Brown closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 12 was heard next.

11. **T-1308 (32494) NORTHERN BELTWAY INDUSTRIAL CENTER. AN APPLICATION SUBMITTED BY THOMAS AND MACK DEVELOPMENT ON BEHALF OF NORTHERN BELTWAY INDUSTRIAL CENTER LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW AN INDUSTRIAL SUBDIVISION. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF RANGE ROAD AND EL CAMPO GRANDE AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 123-28-301-011 AND 123-28-701-001.**

It was requested by the applicant to continue T-1308 to November 14, 2007.

ACTION: CONTINUED TO NOVEMBER 14, 2007

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 14 was heard next.

12. **SPR-50-07 (32539) SW GAS CORP CENTENNIAL OPERATIONS CENTER. AN APPLICATION SUBMITTED BY SOUTHWEST GAS CORPORATION, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW AN OPERATIONS CENTER WITH A (2) TWO-STORY BUILDING CONSISTING OF 107,905 SQUARE FEET. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND SHATZ STREET. THE ASSESSOR'S PARCEL NUMBER IS 123-27-501-004.**

The application was presented by Bob Hoyes, Planner who explained Staff was recommending approval of SPR-50-07 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. The development shall comply with the Industrial Development Standards and Design Guidelines, including but not limited to the following:
 - a. A six-foot-wide landscaped island shall be provided at each end of all rows of parking: two landscape islands shall be added to the public parking area on the east side of the office building and one each landscape island shall be added adjacent to the north sides of the trash enclosures located along the western property line.
 - b. Exterior downspouts and scuppers are prohibited.
 - c. Exterior roof ladders are prohibited. Access to the roofs shall be from within the buildings.
 - d. All sides of a building shall be coherently designed and treated. Wall planes and roof lines greater than 50 feet in length shall be provided with off-sets, pilasters, recessed windows, cornices and pop-outs, or other approved methods to mitigate the massing and create visual interest.
 - e. The screen wall around the development shall be constructed with tilt-up panels to match the building, including architectural details mentioned in "d" above.
 - f. Wheel stops shall be provided within each parking space along the east side of the building. Said wheel stops shall be identified on the civil Improvement plans and the building plans.

- g. A minimum six feet (6.00') of landscaping, or a suitable alternative, shall be provided between the public parking area (adjacent to Shatz Street) and the building, and between the public parking area (adjacent to Shatz Street) and the eight-foot screen wall.
 - h. The swinging gates located at the controlled-access vehicular driveways shall be wrought-iron. Chain-link is prohibited at these locations.
 - i. A decorative wall shall be provided on the north and east sides of the public parking area (east side of the building). The wall shall measure 3'-6" above the grade of the adjacent parking area/drive aisle and shall be designed to match/complement the building.
 - j. Color samples shall be submitted with the building permit application.
3. Approval of a drainage study is required prior to submittal of the civil improvement plans.
 4. Key Notes 2010 and 2000 used but not defined.
 5. Shatz Street and Centennial Parkway are no cut streets.
 6. Approval of a traffic study is required prior to submittal of the civil improvement plans.
 7. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Centennial Parkway.
 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. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
 10. The property owner is required to grant a roadway easement for commercial driveway(s).
 11. The property owner is required to sign a restrictive covenant for utilities.

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. All off-site improvements must be completed prior to final inspection of the first building.
15. The property owner is required to grant a roadway easement for commercial driveway(s).
16. The property owner is required to sign a restrictive covenant for utilities.
17. Fire access lanes shall be located in accordance with Fire Code requirements.
18. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
19. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.

Shaid ? Of Southwest Gas Corporation, 5241 Spring Mountain Road, Las Vegas, NV 89150, Toot Bales of Zone Engineering, 50 South Jones, Las Vegas, NV 89107 and Jason Andosia, GGW Architects, Dean Martin Road appeared on behalf of the applicant. Mr. Bales indicated they agreed with Staff recommendation with the exception of condition No. 2.e. He informed Staff and the Commission that on the original plan there was a swing gate, which was now a sliding gate and the building square footage was now 105,000 square feet and some of the parking stalls were adjusted to 470 instead of 499 as shown on the original plan. There was parking in the front off of Shatz Street, which was for the public and none of those spaces were compromised.

Mr. Andosia explained regarding Condition No. 2.e, there was a masonry wall that was half scored, so it would not be a common run but would be more decorative and asked that they be allowed to keep that wall instead of a tilt up panel wall.

Commissioner Jay Aston asked Staff if they had the site plan being discussed by the applicant. Mr. Hoyes indicated they did not, but, based on the changes mentioned, they would not consider the changes substantial and indicated Staff would be agreeable to amend Condition No. 2.e to read: "The screen wall around the development shall match the building, including architectural details mentioned in "d" above." Mr. Bales agreed to the amendment to Condition No. 2.e.

Commissioner Ned Thomas asked if Condition No. 2.h needed to be amended to allow swinging gates. Mr. Hoyes responded the word "swinging" could be deleted from the condition.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
CONDITION NOS. 2.E AND 2.H AMENDED TO READ:

2.E. THE SCREEN WALL AROUND THE DEVELOPMENT SHALL
MATCH THE BUILDING, INCLUDING ARCHITECTURAL DETAILS
MENTIONED IN "D" ABOVE.

2.H. THE GATES LOCATED AT THE CONTROLLED-ACCESS
VEHICULAR DRIVEWAYS SHALL BE WROUGHT-IRON. CHAIN-
LINK IS PROHIBITED AT THESE LOCATIONS.

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

13. **T-1207 (32532) OPUS CONDOMINIUMS. AN APPLICATION SUBMITTED BY ROUTE 215 INVESTORS LLC, PROPERTY OWNER, FOR APPROVAL OF AN EXTENSION OF TIME FOR A PREVIOUSLY APPROVED TENTATIVE MAP IN A PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A 431-UNIT CONDOMINIUM DEVELOPMENT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF VALLEY DRIVE AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-30-101-007.**

The application was presented by Bob Hoyes, Planner who explained Staff was recommending approval of T-1207 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. The development shall comply with all conditions of Ordinance Number 2197 (ZN-70-05) and FDP-06-06.
3. Fire access lanes shall be located in accordance with Fire Code requirements.
4. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
5. The development of this site shall be in compliance with all stipulations set forth by the Southern Nevada Health District in the attached letter dated September 24, 2007.

Trish Ortiz, of WRG Design Inc., 3011 West Horizon Ridge Parkway, Henderson, NV 89052 appeared on behalf of the applicant indicating she concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 21 was heard next.

OLD BUSINESS

14. **ZN-107-07 (31910) CENTENNIAL & LOSEE PROJECT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JACK BINION AND PHYLLIS COPE, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM A PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF BUSINESS/OFFICE USES WITH ASSOCIATED RETAIL AND RESTAURANTS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-25-101-001. (CONTINUED SEPTEMBER 12 AND 26, 2007)**

It was requested by the applicant to continue ZN-107-07 to November 14, 2007.

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

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 the continuance was being requested as they were continuing to work on site design issues.

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

Chairman Brown indicated the Public Hearing would remain open.

ACTION: CONTINUED TO NOVEMBER 14, 2007

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item no 15 was heard next.

15. **FDP-05-07 (31589) CENTENNIAL & LOSEE PROJECT. AN APPLICATION SUBMITTED BY JACK BINION AND PHYLLIS COPE PROPERTY OWNERS, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF NINE (9) RETAIL PADS, THREE (3) OFFICE BUILDINGS AND TWO (2) PARKING GARAGES. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS124-25-101-001. (CONTINUED AUGUST 8, 2007)**

It was requested by the applicant to continue FDP-05-07 to December 12, 2007.

ACTION: CONTINUED TO DECEMBER 12, 2007

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

16. **UN-78-07 (31592) CENTENNIAL & LOSEE PROJECT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JACK BINION AND PHYLLIS COPE, PROPERTY OWNERS, FOR A USE PERMIT IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A FINANCIAL INSTITUTION (BANK) WITH A DRIVE-THROUGH. THE PROPERTY LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-25-101-001. (CONTINUED AUGUST 8, 2007)**

It was requested by the applicant to continue UN-78-07 to December 12, 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 DECEMBER 12, 2007

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

17. **UN-79-07 (31593) CENTENNIAL & LOSEE PROJECT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JACK BINION AND PHYLLIS COPE PROPERTY OWNERS, FOR A USE PERMIT IN AN PUD PLANNED UNIT DEVELOPMENT DISTRICT FOR A CONVENIENCE FOOD RESTAURANT WITH A DRIVE THROUGH. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-25-101-001. (CONTINUED AUGUST 8, 2007)**

It was requested by the applicant to continue UN-79-07 to December 12, 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 DECEMBER 12, 2007

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

item No. 19 was heard next.

18. **ZN-11-98 (31904) PUD AMENDMENT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DIABLO PROPERTY MANAGEMENT LLC, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED PUD PLANNED UNIT DEVELOPMENT TO ALLOW RETAIL STORES ADJACENT TO THE NORTHERN PROPERTY LINE. THE PROPERTY IS LOCATED AT 4220, 4260 AND 4116 WEST CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-06-613-002, 139-06-613-003, 139-06-613-004 AND 139-06-613-005. (CONTINUED SEPTEMBER 12, 2007)**

ACTION: WITHDRAWN

19. **ZN-110-07 (32161) ALEXANDER AND MLK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GHASSAN SHAMOUN ON BEHALF OF GHASSAN SHAMOUN AND ZUHAIR ZORA, PROPERTY OWNERS, FOR A RECLASSIFICATION OF PROPERTY FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF AN APPROXIMATE 11,012-SQUARE-FOOT TWO-STORY OFFICE BUILDING. THE PROPERTY IS LOCATED APPROXIMATELY 153 FEET NORTH OF ALEXANDER ROAD AND APPROXIMATELY 170 FEET WEST OF MARTIN LUTHER KING BOULEVARD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-04-410-012 AND 139-04-410-013. (CONTINUED SEPTEMBER 26, 2007)**

It was requested by the applicant to continue ZN-110-07 to January 9, 2008.

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

Chairman Brown indicated the Public Hearing would remain open.

ACTION: CONTINUED TO JANUARY 9, 2008

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 20 was heard next.

20. **SPR-28-05 (32373) CRAIG ROAD CONDOS. AN APPLICATION SUBMITTED BY ROBERT F. DAVIS ON BEHALF OF PUEBLOS PARTNERS INC, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED SITE PLAN REVIEW IN AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT TO WAIVE THE TRASH ENCLOSURE REQUIREMENT. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF VANDENBERG DRIVE AND CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 140-06-722-000 THROUGH 140-06-722-152. (CONTINUED OCTOBER 10, 2007)**

It was requested by the applicant to continue SPR-28-05 to November 14, 2007.

ACTION: CONTINUED TO NOVEMBER 14, 2007

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 1 was heard next.

21. FDP-08-07 (32211) COSTELLO OFFICE WAREHOUSE. AN APPLICATION SUBMITTED BY COSTELLO FAMILY TRUST ETAL, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF ONE (1) RETAIL BUILDING AND TWO (2) OFFICE/WAREHOUSE BUILDINGS. THE PROPERTY IS LOCATED AT 3500 AND 3516 CORAN LANE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-20-202-004 AND 139-20-202-005. (CONTINUED SEPTEMBER 26 AND OCTOBER 10, 2007)

The application was presented by Bob Hoyes, Planner who explained revised plans were submitted; therefore, Staff was recommending approval subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. This development shall comply with all conditions of Ordinance #2347 (ZN-05-01) and T-1153.
3. That the 15 feet of perimeter landscaping and the 30-foot easement along Coran Lane shall be shown as a Common Element to be owned and maintained by the Business Association.
4. That exterior drain scuppers and downspouts are not permitted. All drainage from the roofs shall be through internal downspouts.
5. Exterior roof ladders are not allowed. All access to the roofs shall be provided from within the buildings.
6. A minimum six feet of foundation landscaping and a five-foot sidewalk are required along all facades featuring a customer entrance: east side of Building B1, west side of Building B2 and south side of Building A.
7. Additional architectural details and embellishments in the form of a curved metal awning and hipped roofs shall be added to the north elevation of Building A. The proposed concrete block wall around the outside of the storage areas shall be a minimum eight feet (8.00') in height, but shall not exceed ten feet (10.00') in height, as measured from the outside (i.e., drive aisle.) All gates providing access into the storage areas shall be solid metal.
8. The cornice identified on the front sides of Buildings B1 and B2 shall be added to top of the screen wall along the north and south elevations.

9. The trash enclosures and the southeast and southwest corners of the site shall be re-oriented to allow for direct access into the enclosures from the drive aisles.
10. Landscape islands shall be provided at each end of all rows of parking. The islands shall be a minimum six feet in width and shall contain at least one 24" box tree and shrubs sufficient to provide 60% ground coverage.
11. Some form of physical barrier shall be provided adjacent to the western property line to prevent vehicles from leaving the paved surface. Said barriers shall be identified on the civil plans and the building permit plans.
12. Interconnected shared drive aisles shall be provided from this development to the development to the east and to the future development to the west. The applicant shall record a cross-access easement prior to approval of the Civil Improvement Plans.
13. Fire access lanes shall be marked on one / both side(s) restricting parking per the Fire Code.
14. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100:
 - a. 30' on Coran Lane
15. 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.
16. The property owner is required to sign a restrictive covenant for utilities.
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. The riser and electric box shall be locked and secured.
19. The trash enclosure gates shall be hung approximately 8" from the ground.
20. A method of traffic calming, accepted by the Departments of Police, Fire and Public Works prior to submittal of the civil improvement plans, shall be provided in the drive aisle between the buildings.

Megan Williams, 3471 West Oquendo Road, Las Vegas, NV appeared on behalf of the applicant indicating she concurred with Staff recommendation but had questions regarding Condition Nos. 8 and 12. On Condition No. 8, she requested not to add the cornices to the top of the screen wall, because they were trying to keep the same design through the PUD. On Condition No. 12, they could have a problem getting a cross access agreement, so it could be a problem in the future and asked that it be deleted.

Mr. Hoyes indicated Staff was agreeable to the deletion of Condition No. 8 and if Condition No. 12 was part of the PUD, they would be willing to delete it also. If it was not a condition of the PUD, then Staff would request that the condition remain and when the applicant submitted the final development plan for the adjacent parcel to the west, the same condition would be required, so interconnected drive isles are significant in mitigating potential conflicts, especially on Lake Mead Boulevard.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
THE DELETION OF CONDITION NO. 8

MOTION: Commissioner Leavitt

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

22. SPR-43-07 (32143) CHEYENNE MARKET SQUARE. AN APPLICATION SUBMITTED BY ETHOS THREE ARCHITECTURE ON BEHALF OF SREF/GTIS INVESTLAND LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A WAIVER OF THE FOLLOWING COMMERCIAL DESIGN STANDARDS: 1. BUILDING ORIENTATION REQUIREMENTS 2. PERIMETER LANDSCAPE REQUIREMENTS AND 3. DRIVE APPROACH STANDARDS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CHEYENNE AVENUE AND MARTIN LUTHER KING BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-16-501-001. (CONTINUED SEPTEMBER 26 AND OCTOBER 10, 2007)

The application was presented by Robert Eastman, Principal Planner who explained the applicant submitted a revised site plan that was in general compliance with the guidelines, especially Public Works' concerns previously addressed. The applicant is requesting a waiver of the building orientation, which Staff was supporting and was recommending approval of SPR-43-07 subject to the conditions listed in the revised memorandum dated October 24, 2007 as follows:

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 Commercial Design Guidelines and Development Standards, including but not limited to the following:
 - a. Provide four (4) 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.
 - b. Building surfaces over 50 feet in length must be relieved with a change of wall plane that provides strong shadow and visual interest. Features such as windows, awnings and arcades must total at least 60% of the length of any facade that abuts a public street.
 - c. Provide a detail color scheme for all the proposed buildings consistent with the colors to the Las Vegas Valley and its surroundings.
 - d. 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.

3. Approval of a drainage study is required prior to submittal of the civil improvement plans.
4. Nevada Department of Transportation (NDOT) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
5. Due to proximity to NDOT ROW, on site detention may be required to meet NDOT criteria.
6. Martin Luther King Boulevard is a no cut street.
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 Martin Luther King Boulevard.
9. Right-of-way **dedication and construction** of a **flared intersection**, including a right turn lane, is required at Martin Luther King Boulevard and Cheyenne Avenue per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1. The design is subject to approval by the City Traffic Engineer.
10. Right-of-way **dedication** for a **CAT bus** turn-out is required on Cheyenne Avenue near Martin Luther King Boulevard per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
11. The property owner is required to grant a roadway easement for commercial driveway(s).
12. The property owner is required to sign a restrictive covenant for utilities.
13. 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.
14. A revocable encroachment permit for landscaping within the public right of way is required.
15. 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.

16. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
17. Vacate recorded slope easement, document number 728:585318.
18. 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.
19. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
20. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.
21. All off-site improvements must be completed prior to final inspection of the first building.
22. All existing dry utility appurtenances, vaults, boxes, manholes, etc. to be relocated out of driveways.
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. Direct lighting shall be installed on the east side of the store, along the drive aisle.
26. The trash enclosure gates shall be constructed of a steel mesh material and hung up to eight (8) inches from the ground.

Stephanie Allen 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, but asked for clarification on Condition No. 15. She understood, the existing distribution lines would only need to be placed underground if they were relocated for some reason and asked for clarification. She asked that the condition be amended to add the wording, "or as otherwise approved by the Director of Public Works." Randy Cagle of Public Works agreed to the additional wording.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS IN REVISED MEMORANDUM DATED OCTOBER 24, 2007 WITH CONDITION NO. 15 AMENDED TO READ:

15. 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, OR AS OTHERWISE APPROVED BY THE DIRECTOR OF PUBLIC WORKS.

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

- 23. T-1200 (31596) BRUCE & EL CAMPO GRANDE. AN APPLICATION SUBMITTED BY ORIGIN PROPERTIES ON BEHALF OF THE BRADLEY GROUP II LLC, PROPERTY OWNER, FOR APPROVAL OF AN EXTENSION OF TIME FOR A PREVIOUSLY APPROVED TENTATIVE MAP IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW 105 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF ANN ROAD AND BRUCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-35-501-001, 124-35-501-004, 124-35-501-005, 124-35-501-006, 124-35-801-007, 124-35-501-009 AND 124-35-501-010. (CONTINUED AUGUST 8 AND 22, SEPTEMBER 12 AND 26 AND OCTOBER 10, 2007)**

The application was presented by Robert Eastman, Principal Planner who explained Staff was in support of the extension of time and was recommending approval of T-1200 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. The development shall comply with all conditions of approval for ZN-58-05.
3. A meandering sidewalk shall be provided on Bruce Street and Ann Road.
4. The extension of time shall expire on September 28, 2008.
5. Accept a 50-foot temporary roadway easement for the southern half of Ann Road and a portion of Bruce Street to allow for full intersection improvements. This easement may be temporary in nature but in no event shall the easement terminate prior the permanent dedication of the right of way for Ann Road and Bruce Street. The easement south of Ann Road on Bruce Street will be a triangular shape, transitioning from 40 feet wide at Ann Road, down to zero feet, 200 feet south of Ann Road. These easements must be provided to the City within 60 days of the approval of the tentative map by Planning Commission. Full dedication of the right-of-way will be required with the final map; and completion of outstanding improvements for Ann Road and Bruce Street will be required with the civil improvement plans for the Bruce and El Campo Grande South development.
6. Additional pavement may be required on Ann Rd. and Hammer Ln. From the projects easterly boundary to Lawrence St.
7. The applicant shall submit a traffic study update for review and approval.

8. The civil improvement plans for the project shall include traffic calming measures.
9. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
10. At intersections, street centerlines not in alignment shall be offset at least two hundred (200) feet or as required by the City Engineer.

Mark Bangan of L.R. Nelson Architects, 6765 West Russell Road, Las Vegas, NV appeared on behalf of the applicant requesting that Condition No. 5 be deleted as giving the street dedication at this point would devalue their property and indicated the dedication should be given with the final map.

Randy Cagle of Public Works explained dedications were usually not requested until the final map was recorded, but in this situation, with the current development in the area, improvements were not being done in a safe manner, so to ensure the improvements being built by the School District and the adjacent developers would help satisfy those safety concerns, the dedication was being requested with the Tentative Map. He indicated they had dealt with the developer and the developer's bank and they had indicated it was a problem if the dedication was required at the time of the tentative map; but, he thought they had worked out a deal where they would grant a temporary easement for the roadway until such time as the final map was recorded, because granting an easement did not take away from the gross acreage. Mr. Cagle recommended that the Commission approve the application subject to Staff recommended conditions and if the applicant did not agree with the conditions, he could appeal the application to City Council.

Nick Vaskov, Deputy City Attorney added the City's practice was not to require the dedication until the final map; but, where it was believed development in the area might be delayed or retarded as a result of not getting a needed dedication, it could be conditioned on the tentative map to a certain time before the dedication on the final map. He indicated the applicant was correct, that they had extensive discussions with them and thought they had worked out an agreement and thought the objection might be by the lender and suggested the application could be continued and he would be willing to meet with the lender and possibly come to an agreement.

Commissioner Jay Aston agreed with Mr. Cagle's recommendation, as he felt it would be the most efficient course of action.

Chairman Steve Brown asked if the condition could be amended to give more flexibility to make changes, so the application would not need to be appealed to City Council.

Deputy City Attorney Vaskov indicated from his perspective, Condition No. 5 represented the bottom line of what was needed and if the application was appealed, he was willing to work with the applicant on an agreement before it was heard by Council.

Mr. Bangan indicated if they were able to move forward with Condition No. 5 deleted, their plans were ready to be submitted for review, so there might be a three to four month window; whereas, they were asking for a dedication within 60 days, so it would push it out anywhere from 30 to 60 days longer and he did not see the reason it was so critical.

Chairman Brown asked Mr. Bangan if he wanted to continue the application. Mr. Bangan responded it had been continued numerous times and he would rather call for a vote.

Commissioner Aston clarified the easements must be provided to the City within 60 days and full dedication was with the final map, not within 60 days. Mr. Bangan responded that the new Condition No. 5 in the memorandum had not been agreed on and also indicated the conditions listed in the Memorandum dated October 24, 2007 had not been agreed on by both the applicant and the City.

Chairman Brown explained the conditions listed in the Memorandum dated October 24, 2007 were the conditions being discussed and voted on. Mr. Bangan responded he understood that; however, the conditions were not agreed on by both parties.

Deputy City Attorney Vaskov explained Staff was taking a stand on this, as direction had been received from Council to try to remedy the saw-tooth problems at the earliest stage possible and he thought Condition No. 5 accomplished that and they were trying to accommodate the development, as well, with the easement.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Thomas

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

NAYS: None

ABSTAIN: None

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

There was no report given.

CHAIRMAN'S BUSINESS

Commissioner Dean Leavitt reminded the Board of the Workshop on November 1, 2007 at 3:30 in Council Chambers.

ADJOURNMENT

The meeting adjourned at 7:09 p.m

APPROVED: November 28, 2007

/s/ Steve Brown
Steve Brown, Chairman

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