

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

September 28, 2005

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

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

CALL TO ORDER: 6:05 pm., Council Chambers, North Las Vegas City Hall,
2200 Civic Center Drive

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

STAFF PRESENT: Jory Stewart, Planning & Development Director
Marc Jordan, Planning Manager
Robert Eastman, Principal Planner
Bob Hoyes, Planner
Sean McGowan, City Attorney
Jennifer Doody, PW, Development & Flood Control
Clete Kus, PW, Transportation Planner
James Frater, Fire Department
Tony Taylor, Parks Planner
Jo Ann Lawrence, Recording Secretary

VERIFICATION: Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE: Commissioner Steve Brown

WELCOME: Chairman Jay Aston

MINUTES

• **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF AUGUST 24, 2005.**

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Chairman Aston

AYES: Chairman Aston, Commissioners Shull and Trivedi

NAYS: None

ABSTAIN: Vice-Chairman Cato, Commissioners Leavitt and Brown

CONSENT AGENDA

A. PW-152-05 (22764) LOSEE APARTMENTS: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY PICERNE DEVELOPMENT CORPORATION AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$627,992.22.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

B. PW-153-05 (22765) WESTWIND: APPROVE THE REPLACEMENT SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY BEAZER HOMES NEVADA AND ACCEPT THE REPLACEMENT SUBDIVISION BONDS IN THE AMOUNT OF \$2,273,757.18 AND \$451,991.93.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

- C. PW-154-05 (22766) WESTWIND: ACCEPT THE REPLACEMENT SUBDIVISION BONDS AND OFF-SITE IMPROVEMENTS AGREEMENTS AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY WESTERN INSURANCE COMPANY TO RELEASE THE PERFORMANCE BONDS IN THE AMOUNT OF \$2,273,757.18 AND \$451,991.93 FOR A TOTAL OF \$2,725,749.11.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

- D. PW-155-05 (22768) GEYSER PEAK, UNIT 3: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY MTH-HOMES NEVADA, INC. AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$1,098,141.11.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

- E. PW-156-05 (22769) NORTH RANCH ESTATES: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY D.R. HORTON, INC. AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$1,975,833.96.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

F. PW-157-05 (22770) CLOUD COMMERCIAL CENTER: APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY CLOUD 2000 INSURANCE TRUST AND ACCEPT THE OFF-SITE IMPROVEMENT BOND IN THE AMOUNT OF \$90,582.87.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

G. PW-158-05 (22771) NVE ACTIVE ADULT, UNIT 9 PHASE 1: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY NORTH VALLEY ENTERPRISES, LLC AND ACCEPT THE OFF-SITE IMPROVEMENT BOND IN THE AMOUNT OF \$1,036,551.71.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

H. PW-159-05 (22772) NVE ACTIVE ADULT, UNIT 9 PHASE 2: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY NORTH VALLEY ENTERPRISES, LLC AND ACCEPT THE OFF-SITE IMPROVEMENT BOND IN THE AMOUNT OF \$760,677.83.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

I. PW-160-05 (22773) ANN DECATUR MINI STORAGE: APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY LAACO, LTD. AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$189,466.78.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

J. PW-161-05 (22776) NVE ACTIVE ADULT, UNIT 4 PHASE 1: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY INSURANCE COMPANY OF THE WEST TO RELEASE THE OFF-SITE IMPROVEMENT BOND IN THE AMOUNT OF \$788,253.95.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

K. PW-162-05 (22777) MOUNTAIN SHADOW STAKE CENTER: APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY THE CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS, A UTAH CORPORATION, SOLE AND ACCEPT THE IRREVOCABLE STANDBY LETTER OF CREDIT IN THE AMOUNT OF \$439,673.42.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

- L. PW-163-05 (22778) ANN MARKETPLACE, PHASE 1: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY INSURANCE COMPANY OF THE WEST TO RELEASE THE OFF-SITE IMPROVEMENT BOND IN THE AMOUNT OF \$62,659.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

- M. PW-164-05 (22780) PUMP STATION AT HORSE & DECATUR: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY CENTEX HOMES AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$244,419.82.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 19 was heard next.

NEW BUSINESS

1. **AMP-43-05 (22390) BRUCE & EL CAMPO GRANDE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CRAIG VANDAGRIFF ON BEHALF OF BRADLEY GROUP II, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LOW DENSITY RESIDENTIAL TO MEDIUM LOW DENSITY RESIDENTIAL. 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, 124-35-501-007, 124-35-501-009 AND 124-35-501-010.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending denial of AMP-43-05 as it did not comply with the criteria of the Comprehensive Plan.

Dean Rasmuson of Orion Engineering, 7391 Prairie Falcon Road, Suite 150, Las Vegas, NV 89117 appeared on behalf of the applicant stating they were asking for 5.3 dwellings units per acre, which was only a couple more lots than what was in the existing developments in the surrounding area. He stated they were asking for it, because the applicant did not feel the pig farm was a desirable neighbor from a marketing standpoint and wanted to off-set that with more open space in the development. The decision was not made to pack in extra lots, it was a trade-off for more open space in order to give something to off-set the negativity of having the pig farm as a neighbor.

Chairman Jay Aston opened the Public Hearing. The following participant came forward:

Scott Sauer, 5629 Midnight Breeze, North Las Vegas, NV 89032 stating he was not objecting to the 4500 square foot lots, but suggested the buyers of the homes on Hammer Lane be made aware of the fact Hammer Lane was a regional road and had the potential to be posted as "No Parking" and as long as they were aware of that, he felt it was acceptable. He was concerned about the traffic flow in the area and asked the developer and the City to require all of the off-sites on Ann Road toward Hammer Lane be constructed prior to any vertical construction and to install two additional temporary paving lanes between the proposed development and Lawrence Street. He also requested the developer install a "No Construction Traffic" sign on Ann Road or somehow restrict the construction traffic from using Ann Road east of the proposed development.

Chairman Aston closed the Public Hearing.

Mr. Rasmuson agreed with Mr. Sauer and was pleased the residents were in agreement with his plan.

Chairman Aston asked if the application was approved and the Master Plan changed, what density would be allowed. Mr. Jordan responded if the Master Plan was changed to medium-low density, six units per acre would be allowed. He also stated the map shown was the Zoning Map not the Comprehensive Plan Map and the districts shown were all R-1. According to the Location and Zoning Map, it shows all R-1 or Ranch Estates surrounding the proposed development. There was no medium-low or PUD that would have smaller lots adjacent to the proposed project. The Comprehensive Plan for the proposed area was low density and the zoning was also supportive of that. Chairman Aston clarified from the developers perspective, it was a trade-off, there would be 4500 square foot lots with common area or 6,000 square foot lots without a common area. Mr. Rasmuson stated that was correct.

Commissioner Harry Shull stated he did not see a problem with the density and understood they were trying to add some amenities to compensate for the pig farm being close by. He stated some of the other PUD's in the area also provided amenities as compensation.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

2. **ZN-58-05 (21848) BRUCE & EL CAMPO GRANDE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY BRADLEY GROUP II, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 105 SINGLE-FAMILY RESIDENCES. 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, 124-35-501-007, 124-35-501-009 AND 124-35-501-010.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending ZN-58-05 be continued to allow the applicant to redesign the site so lots were not fronting Hammer Lane. If the Planning Commission desired to approve the item, Staff recommended the following conditions with the deletion of Condition Nos. 8, 9, and 10, and the addition of a new condition, Condition No. 32, to read, "Sixty (60) foot minor residential collector streets may be required to be designed and constructed per *the City of North Las Vegas, 60 Foot Standard Street Section with Offset Sidewalk.*"

Commissioner Dilip Trivedi asked Staff with the new Walkable Community concept, if eyes were wanted on the street, if the lots should face Hammer Lane instead of having a block wall. Mr. Jordan responded that was correct; however, in this case, directly south of the project, the subdivision already being developed did not have any lots fronting Hammer Lane, so the homes in the proposed project would front Hammer Lane and would have a block wall across the street. One of the concerns with homes fronting Hammer Lane was the speed of the traffic and people backing out of their driveways.

Mr. Rasmuson stated Hammer Lane did not go through, there was no bridge planned to take the road across the flood control channel to the east. Even though it was a 60 foot street, it would be a dead end street to the east of the project.

Chairman Aston asked Clete Kus of Public Works, Transportation if the street would remain that way. Mr. Kus responded it was his understanding it would remain that way.

Mr. Rasmuson stated he concurred with Staff recommended conditions with changes as read into the record.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NOS. 8, 9, AND 10 AND THE ADDITION OF CONDITION NO. 32 TO READ:

32. SIXTY (60) FOOT MINOR RESIDENTIAL COLLECTOR STREETS MAY BE REQUIRED TO BE DESIGNED AND CONSTRUCTED PER *THE CITY OF NORTH LAS VEGAS 60' STANDARD STREET SECTION WITH OFFSET SIDEWALK.*

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

3. **T-1200 (21939) BRUCE & EL CAMPO GRANDE. AN APPLICATION SUBMITTED BY BRADLEY GROUP II LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-E RANCH ESTATES DISTRICT CONSISTING OF 105 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF BRUCE STREET AND ANN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-35-501-001, 124-35-501-004, 124-35-501-005, 124-35-501-006, 124-35-501-007, 124-35-501-009 AND 124-35-501-010.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending denial; however, if the Planning Commission were to approve T-1200, that it be 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 tentative map shall be null and void if AMP-43-05 and ZN-58-05 are not approved by the City Council.
3. The development shall comply with all conditions of approval for ZN-58-05.
4. The applicant shall provide a water network analysis per Section 2.03 of the latest edition of the "Uniform Design and Construction Standards for Potable Water Distribution Systems" (UDACS). Said analysis to be reviewed and approved by the City of North Las Vegas Utilities Department staff prior to submitting civil plans for the project.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Chairman Jay Aston recognized former Planning Commissioner, Anita Wood

4. **AMP-44-05 (22391) CENTENNIAL ESTATES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY STANDARD PACIFIC HOMES ON BEHALF OF DARK, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF COMMUNITY COMMERCIAL AND HIGH DENSITY RESIDENTIAL TO MEDIUM LOW DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CENTENNIAL PARKWAY AND DONNA STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-23-401-002.**

Item Nos. 4 and 5 were presented together.

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending denial of AMP-44-05 and ZN-69-05 as the proposed change does not meet the criteria of the Comprehensive Plan and is not consistent with transit oriented development along the North 5th Street corridor. The North 5th Street corridor supports a higher density development and is more transit oriented. The proposed development is a low density product of single family homes that is not appropriate with the proposed transit corridor located along North 5th Street.

Dean Rasmuson of Orion Engineering, 7391 Prairie Falcon Road, Suite 150, Las Vegas, NV 89117 appeared on behalf of the applicant stating they were asking for 6,000 square foot lots at 4.7 dwelling units per acre. He stated the builder needed the 6,000 square foot lots to get more square footage to meet the sales prices in the area. The proposed site was master planned for low density residential which was the zoning being requested by the applicant; they were just asking that it be extended to accommodate the 6,000 square foot lots.

Chairman Jay Aston opened the Public Hearing. There was no public participation.

Chairman Aston closed the Public Hearing.

Commissioner Harry Shull stated if the property was on North 5th Street he would be hesitant, concerning the 5th Street corridor, but felt the 20 acres that would be left on North 5th Street could be developed in whatever manner was seen fit, he did not have a problem with the R-1 being approved.

Chairman Aston stated the cross street on North 5th Street and Centennial Parkway was going to potentially be an important node in that area, so he was not sure if the application should be approved and did not want to hamper future development in that area.

Commissioner Dean Leavitt echoed Chairman Aston's concerns, stating he could not support the application at this time.

Chairman Aston suggested the applicant might continue the item and gain some knowledge

on the adjacent property owners feelings regarding the application; otherwise, he was in agreement with Commissioner Leavitt.

Mr. Rasmuson responded the adjacent property owner should have been notified and they had not shown any opposition. He stated he was looking forward to seeing what was going in the North 5th Street corridor and stated there were many existing developments built next to North 5th Street. The difference this property had from those in existence was it had forewarning of what was going on in the area.

Commissioner Steve Brown stated he was not sure how this project would affect the North 5th Street corridor and Centennial Parkway intersection as the commercial being requested to be changed to R-1 was actually located on Rome Boulevard not Centennial Parkway. Since there was already residential to the south, he had no problem with the lower density being requested but was concerned about adjacent properties already being a higher density and the City needed higher density due to the North 5th Street corridor.

Jory Stewart, Planning & Development Director asked the Commission to consider, since the applicant's representative had indicated the property owner may be interested in the mixed use to the west actually enhancing his client's development, that they consider working with the adjoining property owner on building in some kind of walkable connectivity between the two developments. In the tentative map, T-1206 showed a couple of cul-de-sacs that ended at the western property line, that might be used as opportunities for connecting into the mixed use development to the west.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Brown

AYES: Commissioners Shull, Brown and Trivedi

NAYS: Chairman Aston, Vice-Chairman Cato, and Commissioner Leavitt

ABSTAIN: None

The motion did not carry.

ACTION: DENIED

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: Commissioners Brown and Shull

ABSTAIN: None

5. **ZN-69-05 (22388) CENTENNIAL ESTATES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY STANDARD PACIFIC HOMES ON BEHALF OF DARK, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A PUD PLANNED UNIT DEVELOPMENT DISTRICT AND A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CENTENNIAL PARKWAY AND DONNA STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-23-401-002.**

Nos. 4 and 5 were presented together.

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending denial of AMP-44-05 and ZN-69-05 as the proposed change does not meet the criteria of the Comprehensive Plan and is not consistent with transit oriented development along the North 5th Street corridor. The North 5th Street corridor supports a higher density development and is more transit oriented. The proposed development is a low density product of single family homes that is not appropriate with the proposed transit corridor located along North 5th Street.

Dean Rasmuson of Orion Engineering, 7391 Prairie Falcon Road, Suite 150, Las Vegas, NV 89117 appeared on behalf of the applicant stating they were asking for 6,000 square foot lots at 4.7 dwelling units per acre. He stated the builder needed the 6,000 square foot lots to get more square footage to meet the sales prices in the area. The proposed site was master planned for low density residential which was the zoning being requested by the applicant; they were just asking that it be extended to accommodate the 6,000 square foot lots.

Chairman Jay Aston opened the Public Hearing. There was no public participation.

Chairman Aston closed the Public Hearing.

Commissioner Harry Shull stated if the property was on North 5th Street he would be hesitant, concerning the 5th Street corridor, but felt the 20 acres that would be left on North 5th Street could be developed in whatever manner was seen fit, he did not have a problem with the R-1 being approved.

Chairman Aston stated the cross street on North 5th Street and Centennial Parkway was going to potentially be an important node in that area, so he was not sure if the application should be approved and did not want to hamper future development in that area.

Commissioner Dean Leavitt echoed Chairman Aston's concerns, stating he could not support the application at this time.

Chairman Aston suggested the applicant might continue the item and gain some knowledge on the adjacent property owners feelings regarding the application; otherwise, he was in agreement with Commissioner Leavitt.

Mr. Rasmuson responded the adjacent property owner should have been notified and they had not shown any opposition. He stated he was looking forward to seeing what was going in the North 5th Street corridor and stated there were many existing developments built next to North 5th Street. The difference this property had from those in existence was it had forewarning of what was going on in the area.

Commissioner Steve Brown stated he was not sure how this project would affect the North 5th Street corridor and Centennial Parkway intersection as the commercial being requested to be changed to R-1 was actually located on Rome Boulevard not Centennial Parkway. Since there was already residential to the south, he had no problem with the lower density being requested but was concerned about adjacent properties already being a higher density and the City needed higher density due to the North 5th Street corridor.

Jory Stewart, Planning & Development Director asked the Commission to consider, since the applicant's representative had indicated the property owner may be interested in the mixed use to the west actually enhancing his client's development, that they consider working with the adjoining property owner on building in some kind of walkable connectivity between the two developments. In the tentative map, T-1206 showed a couple of cul-de-sacs that ended at the western property line, that might be used as opportunities for connecting into the mixed use development to the west.

ACTION: DENIED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

6. **T-1206 (22389) CENTENNIAL ESTATES. AN APPLICATION SUBMITTED BY STANDARD PACIFIC HOMES ON BEHALF OF DARK LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT AND A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT (PROPOSED RECLASSIFICATION TO R-1, SINGLE-FAMILY RESIDENTIAL CONSISTING OF 96 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF CENTENNIAL PARKWAY AND DONNA STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-23-401-002.**

It was requested by **Dean Rasmuson of Orion Engineering, 7391 Prairie Falcon Road, Suite 150, Las Vegas, NV 89117** to continue T-1206 indefinitely.

ACTION: CONTINUED INDEFINITELY

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

7. **UN-103-05 (22414) CRAIG RETAIL CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY BUSINESS PROPERTIES GROUP, ON BEHALF OF CRAIG RETAIL PARTNERS, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT FOR THE "ON SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A SUPPER CLUB. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF KINGS HILL ROAD AND CRAIG ROAD.**

The application was presented by Robert Eastman, Planner on behalf of Staff who indicated Staff was recommending approval of UN-103-05 subject to the following conditions:

1. This special use permit is site specific and non-transferable.
2. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
3. That the development comply with the conditions of approval for T-1147.
4. The development comply with the Commercial Development Standards and design guidelines including, but not limited to:
 - a. The building shall be oriented to the corner of the site.
 - b. Landscaping islands shall be provided every fifteen (15) parking spaces.

Nick Laventis, 100 Corporate Park Drive, Henderson, NV 89074 appeared on behalf of the applicant stating he concurred with Staff recommendation.

Chairman Jay Aston opened the Public Hearing. There was no public participation.

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

8. **SPR-52-05 (22440) RACE BUSINESS PARK. AN APPLICATION SUBMITTED BY JOHN DAVID BURKE, ARCHITECT, ON BEHALF OF RICHARD AND KAREN SIKORSKI, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT FOR 259,808 SQ. FT. OF INDUSTRIAL COMMERCIAL DEVELOPMENT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND HOLLYWOOD BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 123-27-801-002.**

Item Nos. 8, 9, 10, 11, and 12 were presented together.

The application was presented by Bob Hoyes, Planner on behalf of Staff who indicated Staff was recommending continuance of all items as the commercial component of the development did not satisfy the commercial design standards and the identification of Shatz Street along the western property line either needed to be built or vacated and removed from the Master Plan of Streets and Highways and neither of the three are identified at this time. Staff is recommending continuance to allow the applicant time to address that and submit appropriate applications if necessary; otherwise, revise the site plan to identify the half street improvements as required.

John Burke Architect, 3471 West Oquendo Road, Suite 301, Las Vegas, NV 89118 appeared on behalf of the applicant stating they were concentrating on the for-sale office warehouses that average 5800 to 7500 square feet. It was a product that had been built in the County, which was successful. He stated they were built to suit lots and showed the Shatz Street alignment, which was being recommended by Public Works Department, to continue until Shatz Street was vacated, which he felt would delay the project. He asked that the items not be continued. The site plan review was for the for-sale portion only and when the one acre lots were purchased, the buyers would have to come back for a site plan review for each individual lot. Mr. Burke stated they would apply for Shatz Street, but if they did not get the vacation of Shatz Street, their plans would not be affected. He stated they would comply with all commercial standards but would like to get the project started.

Chairman Jay Aston stated since the application was for a site plan review for the entire parcel, and there was a street shown on the site plan as being vacated, but there had not been an application submitted for the vacation or any amendment to the Master Plan of Streets of Highways, he was in agreement with Staff that the item should be continued. Chairman Aston asked Staff if the application was for the whole site and if it incorporated Shatz Street. Marc Jordan, Planning Manager responded it was for the whole site and because Shatz Street was adjacent to the site, under Title 16, the applicant was required to provide the appropriate half street improvements as part of the development.

Commission Dilip Trivedi asked if it was possible to move forward with the application by placing conditions on it. Mr. Jordan stated it would be at the Commission's discretion to add conditions of approval which were outlined in the Staff Report.

Vice-Chairman Jo Cato asked if it was possible to have the project done in phases with a condition stating the first phase was according to the site plan review and then the other lots could be done at a later time with the street improvements. Mr. Jordan responded that would be possible.

Chairman Aston asked where the vacation was addressed in the conditions. Mr. Jordan responded Public Works would need to read some conditions into the record.

Commissioner Dean Leavitt asked if the application were approved, if there could be a condition added that the vacation would have to be done or Public Works satisfied before a certificate of occupancy could be issued or before the building permit could be issued.

Clete Kus, Public Works, Transportation Planner stated that even with an additional condition directing the applicant to proceed with an application to amend the Master Plan of Streets and Highways, there could be some consequences. There was presupposition of City Council and the Planning Commission, approving the amendment to the Master Plan of Streets and Highways, in the event that amendment was not approved. The condition would be in such a fashion that the site plan would become null and void. He felt if the applicant desired to move forward with the project, it would be best for them to request a continuance and make the dedication and improvement to Shatz Street. The process to amend the Master Plan of Streets and Highways would take a minimum of two months before it was heard by City Council.

The applicant stated he was willing to continue the applications for two weeks with the understanding he would come back in with a tentative map showing Shatz Street. Bob Hoyes, Planner responded, if the applicant was willing to continue for two weeks, he would inform him what needed to be done to get through the site plan review in two weeks so he could get started constructing the industrial phase of the project. Mr. Burke agreed to a two week continuance.

ACTION: CONTINUED TO OCTOBER 12, 2005

MOTION: Commission Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

9. **UN-89-05 (22420) RACE BUSINESS PARK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JOHN DAVID BURKE, ARCHITECT, ON BEHALF OF RICHARD AND KAREN SIKORSKI LIVING TRUST, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT WITH A DRIVE-THRU ON PAD A. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND HOLLYWOOD BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 123-27-801-002.**

Item Nos. 8, 9, 10, 11, and 12 were presented together.

The application was presented by Bob Hoyes, Planner on behalf of Staff who indicated Staff was recommending continuance of all items as the commercial component of the development did not satisfy the commercial design standards and the identification of Shatz Street along the western property line either needed to be built or vacated and removed from the Master Plan of Streets and Highways and neither of the three are identified at this time. Staff is recommending continuance to allow the applicant time to address that and submit appropriate applications if necessary; otherwise, revise the site plan to identify the half street improvements as required.

John Burke Architect, 3471 West Oquendo Road, Suite 301, Las Vegas, NV 89118 appeared on behalf of the applicant stating they were concentrating on the for-sale office warehouses that average 5800 to 7500 square feet. It was a product that had been built in the County, which was successful. He stated they were built to suit lots and showed the Shatz Street alignment, which was being recommended by Public Works Department, to continue until Shatz Street was vacated, which he felt would delay the project. He asked that the items not be continued. The site plan review was for the for-sale portion only and when the one acre lots were purchased, the buyers would have to come back for a site plan review for each individual lot. Mr. Burke stated they would apply for Shatz Street, but if they did not get the vacation of Shatz Street, their plans would not be affected. He stated they would comply with all commercial standards but would like to get the project started.

Chairman Jay Aston stated since the application was for a site plan review for the entire parcel, and there was a street shown on the site plan as being vacated, but there had not been an application submitted for the vacation or any amendment to the Master Plan of Streets of Highways, he was in agreement with Staff that the item should be continued. Chairman Aston asked Staff if the application was for the whole site and if it incorporated Shatz Street. Marc Jordan, Planning Manager responded it was for the whole site and because Shatz Street was adjacent to the site, under Title 16, the applicant was required to provide the appropriate half street improvements as part of the development.

Commission Dilip Trivedi asked if it was possible to move forward with the application by placing conditions on it. Mr. Jordan stated it would be at the Commission's discretion to add conditions of approval which were outlined in the Staff Report.

Vice-Chairman Jo Cato asked if it was possible to have the project done in phases with a condition stating the first phase was according to the site plan review and then the other lots could be done at a later time with the street improvements. Mr. Jordan responded that would be possible.

Chairman Aston asked where the vacation was addressed in the conditions. Mr. Jordan responded Public Works would need to read some conditions into the record.

Commissioner Dean Leavitt asked if the application were approved, if there could be a condition added that the vacation would have to be done or Public Works satisfied before a certificate of occupancy could be issued or before the building permit could be issued.

Clete Kus, Public Works, Transportation Planner stated that even with an additional condition directing the applicant to proceed with an application to amend the Master Plan of Streets and Highways, there could be some consequences. There was presupposition of City Council and the Planning Commission, approving the amendment to the Master Plan of Streets and Highways, in the event that amendment was not approved. The condition would be in such a fashion that the site plan would become null and void. He felt if the applicant desired to move forward with the project, it would be best for them to request a continuance and make the dedication and improvement to Shatz Street. The process to amend the Master Plan of Streets and Highways would take a minimum of two months before it was heard by City Council.

The applicant stated he was willing to continue the applications for two weeks with the understanding he would come back in with a tentative map showing Shatz Street. Bob Hoyes, Planner responded, if the applicant was willing to continue for two weeks, he would inform him what needed to be done to get through the site plan review in two weeks so he could get started constructing the industrial phase of the project. Mr. Burke agreed to a two week continuance.

Chairman Jay Aston opened the Public Hearing. There was no public participation.

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO OCTOBER 12, 2005

MOTION: Commission Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

10. **UN-90-05 (22422) RACE BUSINESS PARK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JOHN DAVID BURKE, ARCHITECT, ON BEHALF OF RICHARD AND KAREN SIKORSKI LIVING TRUST, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT WITH A DRIVE-THRU ON PAD B. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND HOLLYWOOD BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 123-27-801-002.**

Item Nos. 8, 9, 10, 11, and 12 were presented together.

The application was presented by Bob Hoyes, Planner on behalf of Staff who indicated Staff was recommending continuance of all items as the commercial component of the development did not satisfy the commercial design standards and the identification of Shatz Street along the western property line either needed to be built or vacated and removed from the Master Plan of Streets and Highways and neither of the three are identified at this time. Staff is recommending continuance to allow the applicant time to address that and submit appropriate applications if necessary; otherwise, revise the site plan to identify the half street improvements as required.

John Burke Architect, 3471 West Oquendo Road, Suite 301, Las Vegas, NV 89118 appeared on behalf of the applicant stating they were concentrating on the for-sale office warehouses that average 5800 to 7500 square feet. It was a product that had been built in the County, which was successful. He stated they were built to suit lots and showed the Shatz Street alignment, which was being recommended by Public Works Department, to continue until Shatz Street was vacated, which he felt would delay the project. He asked that the items not be continued. The site plan review was for the for-sale portion only and when the one acre lots were purchased, the buyers would have to come back for a site plan review for each individual lot. Mr. Burke stated they would apply for Shatz Street, but if they did not get the vacation of Shatz Street, their plans would not be affected. He stated they would comply with all commercial standards but would like to get the project started.

Chairman Jay Aston stated since the application was for a site plan review for the entire parcel, and there was a street shown on the site plan as being vacated, but there had not been an application submitted for the vacation or any amendment to the Master Plan of Streets of Highways, he was in agreement with Staff that the item should be continued. Chairman Aston asked Staff if the application was for the whole site and if it incorporated Shatz Street. Marc Jordan, Planning Manager responded it was for the whole site and because Shatz Street was adjacent to the site, under Title 16, the applicant was required to provide the appropriate half street improvements as part of the development.

Commission Dilip Trivedi asked if it was possible to move forward with the application by placing conditions on it. Mr. Jordan stated it would be at the Commission's discretion to add conditions of approval which were outlined in the Staff Report.

Vice-Chairman Jo Cato asked if it was possible to have the project done in phases with a condition stating the first phase was according to the site plan review and then the other lots could be done at a later time with the street improvements. Mr. Jordan responded that would be possible.

Chairman Aston asked where the vacation was addressed in the conditions. Mr. Jordan responded Public Works would need to read some conditions into the record.

Commissioner Dean Leavitt asked if the application were approved, if there could be a condition added that the vacation would have to be done or Public Works satisfied before a certificate of occupancy could be issued or before the building permit could be issued.

Clete Kus, Public Works, Transportation Planner stated that even with an additional condition directing the applicant to proceed with an application to amend the Master Plan of Streets and Highways, there could be some consequences. There was presupposition of City Council and the Planning Commission, approving the amendment to the Master Plan of Streets and Highways, in the event that amendment was not approved. The condition would be in such a fashion that the site plan would become null and void. He felt if the applicant desired to move forward with the project, it would be best for them to request a continuance and make the dedication and improvement to Shatz Street. The process to amend the Master Plan of Streets and Highways would take a minimum of two months before it was heard by City Council.

The applicant stated he was willing to continue the applications for two weeks with the understanding he would come back in with a tentative map showing Shatz Street. Bob Hoyes, Planner responded, if the applicant was willing to continue for two weeks, he would inform him what needed to be done to get through the site plan review in two weeks so he could get started constructing the industrial phase of the project. Mr. Burke agreed to a two week continuance.

Chairman Jay Aston opened the Public Hearing. There was no public participation.

Chairman Aston stated the Public hearing would remain open.

ACTION: CONTINUED TO OCTOBER 12, 2005

MOTION: Commission Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

11. **UN-91-05 (22433) RACE BUSINESS PARK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JOHN DAVID BURKE, ARCHITECT, ON BEHALF OF RICHARD AND KAREN SIKORSKI LIVING TRUST, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A CONVENIENCE FOOD STORE WITH GAS PUMPS ON PAD A. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND HOLLYWOOD BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 123-27-801-002.**

Item Nos. 8, 9, 10, 11, and 12 were presented together.

The application was presented by Bob Hoyes, Planner on behalf of Staff who indicated Staff was recommending continuance of all items as the commercial component of the development did not satisfy the commercial design standards and the identification of Shatz Street along the western property line either needed to be built or vacated and removed from the Master Plan of Streets and Highways and neither of the three are identified at this time. Staff is recommending continuance to allow the applicant time to address that and submit appropriate applications if necessary; otherwise, revise the site plan to identify the half street improvements as required.

John Burke Architect, 3471 West Oquendo Road, Suite 301, Las Vegas, NV 89118 appeared on behalf of the applicant stating they were concentrating on the for-sale office warehouses that average 5800 to 7500 square feet. It was a product that had been built in the County, which was successful. He stated they were built to suit lots and showed the Shatz Street alignment, which was being recommended by Public Works Department, to continue until Shatz Street was vacated, which he felt would delay the project. He asked that the items not be continued. The site plan review was for the for-sale portion only and when the one acre lots were purchased, the buyers would have to come back for a site plan review for each individual lot. Mr. Burke stated they would apply for Shatz Street, but if they did not get the vacation of Shatz Street, their plans would not be affected. He stated they would comply with all commercial standards but would like to get the project started.

Chairman Jay Aston stated since the application was for a site plan review for the entire parcel, and there was a street shown on the site plan as being vacated, but there had not been an application submitted for the vacation or any amendment to the Master Plan of Streets of Highways, he was in agreement with Staff that the item should be continued. Chairman Aston asked Staff if the application was for the whole site and if it incorporated Shatz Street. Marc Jordan, Planning Manager responded it was for the whole site and because Shatz Street was adjacent to the site, under Title 16, the applicant was required to provide the appropriate half street improvements as part of the development.

Commission Dilip Trivedi asked if it was possible to move forward with the application by placing conditions on it. Mr. Jordan stated it would be at the Commission's discretion to add conditions of approval which were outlined in the Staff Report.

Vice-Chairman Jo Cato asked if it was possible to have the project done in phases with a condition stating the first phase was according to the site plan review and then the other lots could be done at a later time with the street improvements. Mr. Jordan responded that would be possible.

Chairman Aston asked where the vacation was addressed in the conditions. Mr. Jordan responded Public Works would need to read some conditions into the record.

Commissioner Dean Leavitt asked if the application were approved, if there could be a condition added that the vacation would have to be done or Public Works satisfied before a certificate of occupancy could be issued or before the building permit could be issued.

Clete Kus, Public Works, Transportation Planner stated that even with an additional condition directing the applicant to proceed with an application to amend the Master Plan of Streets and Highways, there could be some consequences. There was presupposition of City Council and the Planning Commission, approving the amendment to the Master Plan of Streets and Highways, in the event that amendment was not approved. The condition would be in such a fashion that the site plan would become null and void. He felt if the applicant desired to move forward with the project, it would be best for them to request a continuance and make the dedication and improvement to Shatz Street. The process to amend the Master Plan of Streets and Highways would take a minimum of two months before it was heard by City Council.

The applicant stated he was willing to continue the applications for two weeks with the understanding he would come back in with a tentative map showing Shatz Street. Bob Hoyes, Planner responded, if the applicant was willing to continue for two weeks, he would inform him what needed to be done to get through the site plan review in two weeks so he could get started constructing the industrial phase of the project. Mr. Burke agreed to a two week continuance.

Chairman Jay Aston opened the Public Hearing. There was no public participation.

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO OCTOBER 12, 2005

MOTION: Commission Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

12. **UN-92-05 (22435) RACE BUSINESS PARK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JOHN DAVID BURKE, ARCHITECT, ON BEHALF OF RICHARD AND KAREN SIKORSKI LIVING TRUST, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A CONVENIENCE FOOD STORE WITH GAS PUMPS ON PAD B. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND HOLLYWOOD BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 123-27-801-002.**

Item Nos. 8, 9, 10, 11, and 12 were presented together.

The application was presented by Bob Hoyes, Planner on behalf of Staff who indicated Staff was recommending continuance of all items as the commercial component of the development did not satisfy the commercial design standards and the identification of Shatz Street along the western property line either needed to be built or vacated and removed from the Master Plan of Streets and Highways and neither of the three are identified at this time. Staff is recommending continuance to allow the applicant time to address that and submit appropriate applications if necessary; otherwise, revise the site plan to identify the half street improvements as required.

John Burke Architect, 3471 West Oquendo Road, Suite 301, Las Vegas, NV 89118 appeared on behalf of the applicant stating they were concentrating on the for-sale office warehouses that average 5800 to 7500 square feet. It was a product that had been built in the County, which was successful. He stated they were built to suit lots and showed the Shatz Street alignment, which was being recommended by Public Works Department, to continue until Shatz Street was vacated, which he felt would delay the project. He asked that the items not be continued. The site plan review was for the for-sale portion only and when the one acre lots were purchased, the buyers would have to come back for a site plan review for each individual lot. Mr. Burke stated they would apply for Shatz Street, but if they did not get the vacation of Shatz Street, their plans would not be affected. He stated they would comply with all commercial standards but would like to get the project started.

Chairman Jay Aston stated since the application was for a site plan review for the entire parcel, and there was a street shown on the site plan as being vacated, but there had not been an application submitted for the vacation or any amendment to the Master Plan of Streets of Highways, he was in agreement with Staff that the item should be continued. Chairman Aston asked Staff if the application was for the whole site and if it incorporated Shatz Street. Marc Jordan, Planning Manager responded it was for the whole site and because Shatz Street was adjacent to the site, under Title 16, the applicant was required to provide the appropriate half street improvements as part of the development.

Commission Dilip Trivedi asked if it was possible to move forward with the application by placing conditions on it. Mr. Jordan stated it would be at the Commission's discretion to add conditions of approval which were outlined in the Staff Report.

Vice-Chairman Jo Cato asked if it was possible to have the project done in phases with a condition stating the first phase was according to the site plan review and then the other lots could be done at a later time with the street improvements. Mr. Jordan responded that would be possible.

Chairman Aston asked where the vacation was addressed in the conditions. Mr. Jordan responded Public Works would need to read some conditions into the record.

Commissioner Dean Leavitt asked if the application were approved, if there could be a condition added that the vacation would have to be done or Public Works satisfied before a certificate of occupancy could be issued or before the building permit could be issued.

Clete Kus, Public Works, Transportation Planner stated that even with an additional condition directing the applicant to proceed with an application to amend the Master Plan of Streets and Highways, there could be some consequences. There was presupposition of City Council and the Planning Commission, approving the amendment to the Master Plan of Streets and Highways, in the event that amendment was not approved. The condition would be in such a fashion that the site plan would become null and void. He felt if the applicant desired to move forward with the project, it would be best for them to request a continuance and make the dedication and improvement to Shatz Street. The process to amend the Master Plan of Streets and Highways would take a minimum of two months before it was heard by City Council.

The applicant stated he was willing to continue the applications for two weeks with the understanding he would come back in with a tentative map showing Shatz Street. Bob Hoyes, Planner responded, if the applicant was willing to continue for two weeks, he would inform him what needed to be done to get through the site plan review in two weeks so he could get started constructing the industrial phase of the project. Mr. Burke agreed to a two week continuance.

Chairman Jay Aston opened the Public Hearing. There was no public participation.

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO OCTOBER 12, 2005

MOTION: Commission Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

13. **AMP-46-05 (22438) CRAIG & ALLEN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ENGLE HOMES ON BEHALF OF ALLEN VILLAGE, LLC AND CRAIG SELF STORAGE, LLC, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF COMMUNITY COMMERCIAL TO LOW DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED SOUTH OF CRAIG ROAD AND APPROXIMATELY 750 FEET WEST OF ALLEN LANE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-06-701-002, 139-06-701-006 AND 139-06-701-007.**

Item Nos. 13 and 14 were presented together.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending AMP-46-05 be approved.

Robert Cunningham of Taney Engineering, 4445 South Jones Boulevard, Las Vegas, NV 89103 appeared on behalf of the applicant stating he concurred with Staff recommendation.

Chairman Jay Aston opened the Public Hearing. There was no public participation.

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

14. **ZN-74-05 (22462) CRAIG & ALLEN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ENGLE HOMES ON BEHALF OF ALLEN VILLAGE, LLC AND CRAIG SELF STORAGE, LLC, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED SOUTH OF CRAIG ROAD AND APPROXIMATELY 750 FEET WEST OF ALLEN LANE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-06-701-002, 139-06-701-006 AND 139-06-701-007.**

Item Nos. 13 and 14 were presented together.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending ZN-74-05 be approved.

Robert Cunningham of Taney Engineering, 4445 South Jones Boulevard, Las Vegas, NV 89103 appeared on behalf of the applicant stating he concurred with Staff recommendation.

Chairman Jay Aston opened the Public Hearing. There was no public participation.

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

15. **ZN-73-05 (22461) CRAIG & ALLEN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ENGLE HOMES ON BEHALF OF ALLEN VILLAGE, LLC AND CRAIG SELF STORAGE, LLC, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF A MINI-WAREHOUSING FACILITY. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CRAIG ROAD AND ALLEN LANE. THE ASSESSOR'S PARCEL NUMBER IS 139-06-701-002.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending an indefinite continuance to allow the applicant time to redesign the site and incorporate the required elements into the design of the development. The applicant has submitted a revised plan on the date of the Planning Commission meeting but Staff had not had the opportunity to review the plan.

Robert Cunningham of Taney Engineering, 4445 South Jones Boulevard, Las Vegas, NV 89103 appeared on behalf of the applicant stating he worked in conjunction with the commercial developer on the site. The site was designed accordingly and he felt, as a residential developer, that what was designed worked harmoniously for the area and turned the presentation over to Blake Rosser.

Blake Rosser, 2620 West Horizon Ridge Parkway, Henderson, NV 89014 stated a revised site plan was turned in which incorporates Staff's comments.

Mr. Cunningham asked if the item were continued if it was possible the residential application could be heard at City Council. Mr. Jordan responded if the item were continued, the dates this application was heard by City Council would be different from the other items. The applicant would need to ask the Council for continuance of the other items. Mr. Jordan stated the R-1 was not a PUD and the applicant was placing all buffering requirements on the future residential which was not normally done. The buffers are placed on the commercial development. Even though the tentative map was not before the Commission, if you look at it, lot 42, if a normal house were put on it, with a five foot setback, you would have a house that would be five feet away from one of the mini warehousing facilities.

Mr. Cunningham stated it was the residential developer's intent to put the buffering on the property so they could control it, irrigate it and not have to worry about it because it would be controlled by the Homeowners Association.

Chairman Jay Aston opened the Public Hearing. There was no public participation.

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO OCTOBER 12, 2005

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

16. **UN-86-05 (22326) DECATUR/HORSE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GENEVIEVE RAMIREZ ON BEHALF OF THE GENEVIEVE S. RAMIREZ TRUST 4-401, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD STORE WITH GAS PUMPS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF DECATUR BOULEVARD AND HORSE DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-07-301-009.**

Chris Wener, of Spectrum Engineering, 7351 West Charleston Boulevard, Suite 120, Las Vegas, NV 89117 appeared on behalf of the applicant requesting to continue UN-96-05 indefinitely.

Chairman Jay Aston opened the Public Hearing. The following participant came forward:

Sheila Phillips, 4901 Hostetler Avenue, Las Vegas, NV 89131 stated she lived on the northwest corner of Decatur Boulevard and Horse Drive and was opposed to this application.

Randall Roland, 8400 Wildheart Ranch Street, Las Vegas, NV 89131 stated he was opposed to this project

Commissioner Steve Brown asked the representative to work with the residents before bringing the application back before the Commission to try and design a project the neighbors were in agreement with. Mr. Wener stated he was willing to do that, stating it was going to be a very nice project and one of the conditions of the zone change was they would not sell alcohol at the C-Store.

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED INDEFINITELY

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

17. UN-88-05 (22415) GREEN VALLEY GROCERY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREEN VALLEY GROCERY ON BEHALF OF SMITH-CHRISTENSEN ENTERPRISES, LLC, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A CONVENIENCE FOOD STORE WITH GAS PUMPS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF LAMB BOULEVARD AND SMILEY ROAD. THE ASSESSOR'S PARCEL NUMBER IS 123-32-301-018.

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending UN-88-05 be continued to allow the applicant time to submit a traffic study to support the amount of parking proposed on the site.

John Barger of Welles Puglsley Architect, 2480 East Tompkins Avenue, Suite 222, Las Vegas, NV 89121 appeared on behalf of the applicant stating all of the design issues had been addressed but there was still come parking concerns. Mr. Barger showed a revised parking plan.

Chairman Jay Aston opened the Public Hearing. There was no public participation.

Chairman Aston closed the Public Hearing.

Commissioner Dean Leavitt asked Staff if they had seen the proposed revised parking plan. Clete Kus, Public Works Transportation Planner responded he had not seen the proposed parking plan. Commissioner Dean Leavitt stated since Staff had not seen the revised parking plan, the item should be continued to allow Staff time to review it.

Chairman Aston agreed with Commissioner Leavitt the item should be continued.

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO OCTOBER 12, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

18. **UN-94-05 (22436) MULLIGAN'S BAR & GRILL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MULLIGAN'S BAR & GRILL ON BEHALF OF FORBES ENTERPRISES, INC., PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW AN OVERALL SIGN HEIGHT OF 30 FEET, WHERE 18 FEET IS ALLOWED. THE PROPERTY IS LOCATED AT 2312 EAST CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-02-613-010.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending UN-94-05 be denied as the applicant had not explained or demonstrated the sign height was necessary and that it would contribute to the neighborhood. A pole sign 18 feet or less could be visible from Craig Road. If the Commission desires approval, 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. That UN-94-05 is site-specific and non-transferable.
3. The proposed sign shall not be located within a parking stall.
4. The maximum square feet of sign shall not exceed 123 square feet.
5. The sign shall not exceed 30 feet in height.

Jim Guanci, 2312 E. Craig Road, North Las Vegas, NV 89032 appeared on behalf of the applicant stating the sign was not visible to traffic traveling from the east. He explained they were not asking for a larger sign, just more height, so it could be seen by the traffic coming from the east.

Chairman Jay Aston opened the Public Hearing. The following participant came forward:

Bob Borgersen, 7617 Island Rail, North Las Vegas, NV 89032 stated even though he was opposed to bars, the establishment had existed at that location for years and since the area had built up, the sign was not visible to traffic and he felt they should be allowed a taller sign.

Chairman Aston closed the Public Hearing.

Chairman Jay Aston asked Staff if they knew how high the 7-Eleven sign was. Staff responded they did not. Chairman Aston asked the applicant if he had another picture of the proposed sign, asking if they were proposing the sign be the same height as the 7-Eleven sign. Mr. Guanci responded they were proposing 30 feet.

Vice-Chairman Jo Cato asked Staff what the difference was with this proposed sign and the Buffalo Wild Wings sign. Marc Jordan, Planning Manager responded when Buffalo Wild Wings came forward, the request was denied by the Commission. The big difference between the two, was Buffalo Wild Wings was across the street from residential and that was why a monument sign was required; otherwise, they would have been subject to the same rules as the proposed application. The recommendation for denial was based on the same reasoning used for this proposed sign, they are just as visible without the added height.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Brown

SECOND: Commissioner Shull

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

NAYS: Commissioner Leavitt

ABSTAIN: None

There was a break in proceedings at 8:00 p.m.

The meeting reconvened at 8:13 p.m.

Item No. 24 was heard next.

19. **AMP-47-05 (22441) INTERNATIONAL VILLAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RYLAND HOMES ON BEHALF OF D'NAL 3, LLC, ZOMACK 1, LLC, AND 5440 WEST SAHARA, LLC, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL. THE PROPERTY IS GENERALLY LOCATED APPROXIMATELY 1150 FEET NORTHEAST OF THE INTERSECTION OF VALLEY DRIVE AND GOWAN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-07-510-046, 139-07-510-047, 139-07-510-048, 139-07-510-049, 139-07-510-050, 139-07-510-051, 139-07-510-052, 139-07-510-053, 139-07-510-054, 139-07-510-055, 139-07-510-056, 139-07-510-058, 139-07-510-059, 139-07-510-060, 139-07-510-065, 139-07-603-001, 139-07-610-057, 139-07-610-058, 139-07-610-059, 139-07-610-060, 139-07-610-061, 139-07-610-062, 139-07-610-063, 139-07-610-064, 139-07-610-065, 139-07-610-066, 139-07-610-071, 139-07-610-072, 139-07-610-077, 139-07-610-078, 139-07-610-079, 139-07-610-080, 139-07-610-081, 139-07-610-085 AND 139-07-610-088.**

Withdrawn without prejudice by the applicant.

20. **ZN-72-05 (22443) INTERNATIONAL VILLAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RYLAND HOMES ON BEHALF OF D'NAL 3, LLC, ZOMACK 1, LLC, AND 5440 WEST SAHARA, LLC, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS GENERALLY LOCATED APPROXIMATELY 1150 FEET NORTHEAST OF THE INTERSECTION OF VALLEY DRIVE AND GOWAN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-07-510-046, 139-07-510-047, 139-07-510-048, 139-07-510-049, 139-07-510-050, 139-07-510-051, 139-07-510-052, 139-07-510-053, 139-07-510-054, 139-07-510-055, 139-07-510-056, 139-07-510-058, 139-07-510-059, 139-07-510-060, 139-07-510-065, 139-07-603-001, 139-07-610-057, 139-07-610-058, 139-07-610-059, 139-07-610-060, 139-07-610-061, 139-07-610-062, 139-07-610-063, 139-07-610-064, 139-07-610-065, 139-07-610-066, 139-07-610-071, 139-07-610-072, 139-07-610-077, 139-07-610-078, 139-07-610-079, 139-07-610-080, 139-07-610-081, 139-07-610-085 AND 139-07-610-088.**

Withdrawn without prejudice by the applicant.

21. **AMP-48-05 (22449) DEER SPRINGS CROSSING (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DEER SPRINGS CROSSING ON BEHALF OF ROME'S GOLDEN 40, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LOW DENSITY RESIDENTIAL TO COMMUNITY COMMERCIAL. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF NORTH FIFTH STREET AND ROME BOULEVARD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-23-301-001, 124-23-301-002, 124-23-301-003, 124-23-301-004, 124-23-301-005, 124-23-301-006, 124-23-301-007, 124-23-301-008, 124-23-301-010, 124-23-301-011, 124-23-301-012, 124-23-301-013, 124-23-301-014 AND 124-23-301-017.**

It was requested by the applicant to continue AMP-48-05 to October 12, 2005.

Chairman Jay Aston opened the Public Hearing. There was no public participation.

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO OCTOBER 12, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

22. **ZN-71-05 (22450) DEER SPRINGS CROSSING (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DEER SPRINGS CROSSING ON BEHALF OF ROME'S GOLDEN 40, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO A C-2 GENERAL COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF NORTH FIFTH STREET AND ROME BOULEVARD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-23-301-001, 124-23-301-002, 124-23-301-003, 124-23-301-004, 124-23-301-005, 124-23-301-006, 124-23-301-007, 124-23-301-008, 124-23-301-010, 124-23-301-011, 124-23-301-012, 124-23-301-013, 124-23-301-014 AND 124-23-301-017.**

It was requested by the applicant to continue ZN-71-05 to October 12, 2005.

Chairman Jay Aston opened the Public Hearing. There was no public participation.

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO OCTOBER 12, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

23. **VAC-31-05 (22162) DEER SPRINGS CROSSING (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DEER SPRINGS CROSSING ON BEHALF OF ROME'S GOLDEN 40, LLC, PROPERTY OWNER, TO VACATE A PORTION OF ENGEL AVENUE FROM NORTH FIFTH STREET TO DONNA STREET (APPROXIMATELY 1250 LINEAL FEET) AND A PORTION OF HOPE STREET FROM DEER SPRINGS WAY TO ROME BOULEVARD (APPROXIMATELY 1250 LINEAL FEET). THE ASSESSOR'S PARCEL NUMBER IS 124-23-301-00.**

It was requested by the applicant to continue VAC-31-05 to October 12, 2005.

Chairman Jay Aston opened the Public Hearing. There was no public participation.

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO OCTOBER 12, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 31 was heard next.

- 24. UN-93-05 (22437) ICON MORTGAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RYAN B. LEWIS ON BEHALF OF WESTERN STATES CONTRACTING, INC., PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A FINANCIAL INSTITUTION (MORTGAGE LOANS). THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CHEYENNE AVENUE AND CALIFORNIA AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-18-504-002.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of UN-93-05 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. UN-93-05 is site specific and non-transferable.
3. The use shall be limited to mortgage lending only.

Ryan Lewis, 1102 Kruger Court, North Las Vegas, NV 89032 appeared on behalf of the applicant stating he concurred with Staff recommendation.

Chairman Jay Aston opened the Public Hearing. There was no public participation.

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

- 25. VN-23-05 (22446) CHEYENNE POINTE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE MONTECITO COMPANIES ON BEHALF OF LAS VEGAS CORNERS I, LLC, PROPERTY OWNER, FOR A VARIANCE IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A 20-FOOT SETBACK BETWEEN A COMMERCIAL BUILDING AND A RESIDENTIAL ZONE BOUNDARY, WHERE 30 FEET IS REQUIRED. THE PROPERTY IS GENERALLY LOCATED SOUTH OF CHEYENNE AVENUE AND APPROXIMATELY 250 FEET WEST OF CARROLL STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 139-14-511-001, 139-14-512-029 THROUGH 139-14-512-052, AND 139-14-512-159.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending denial of VN-23-05 as the applicant had not demonstrated a unique circumstance or condition that would warrant the requested variance. If the Commission desires approval, the following conditions are recommended:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. The mini-warehouse shall comply with the conditions of approval for SPR-35-05.
3. The mini-warehouse is required to meet the setbacks of the C-2, General Commercial Zoning District except that a twenty-foot setback from a residential zone boundary is permitted along the eastern lot line.
4. The screen walls to the east and to the north of Building B shall be a minimum of nine feet, three inches (9'3") to a maximum of ten (10) feet in height.
5. The overall height of Building B, or any structure in this location, shall not exceed a height of eleven feet, five inches (11'5").

Dave Clapsaddle of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant stating Building "B" was a one story structure and would be 11 feet in height, the wall along the east property line would be 10 feet in height and the properties to the east would not be able to see the building, given the distance, the height of the building and the height of the wall. He also stated there was a hardship in terms of the configuration of the property, because it was not very deep, according to the width, so there were some development constraints for a mini-warehouse project. Also, one of the criteria in the code, for granting a variance, was that it did not adversely affect the Master Plan. Mr. Clapsaddle stated they were advancing the Master Plan because there was a commercial project on an in-fill site, redevelopment that would advance those planned policies and felt the variance was warranted.

Chairman Jay Aston opened the Public Hearing. There was no public participation.

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

26. **AMP-45-05 (22404) VALLEY 215 CONDOS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GSL PROPERTIES, INC. ON BEHALF OF 215 PROPERTIES, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF COMMUNITY COMMERCIAL TO HIGH DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CENTENNIAL PARKWAY AND VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-30-101-007.**

The application was presented by Bob Hoyes, Planner on behalf of Staff who indicated Staff was recommending approval of AMP-45-05.

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

Chairman Jay Aston opened the Public Hearing. There was no public participation.

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

27. VAC-30-05 (22161) VALLEY 215 CONDOS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GSL PROPERTIES, INC. ON BEHALF OF 215 PROPERTIES, LLC, PROPERTY OWNER, TO VACATE A PORTION OF VALLEY DRIVE FROM THE I-215 RIGHT-OF-WAY AND PROCEEDING SOUTH APPROXIMATELY 490 LINEAL FEET. THE ASSESSOR'S PARCEL NUMBER IS 124-30-101-007.

The application was presented by Bob Hoyes, Planner on behalf of Staff who indicated Staff was recommending approval of VAC-30-05 subject to the following conditions:

1. The City shall retain a utility easement over the area to be vacated.
2. The developer shall install schedule 40 PVC fiber optic conduit along Centennial Parkway, Valley Drive and within the area to be vacated; the conduit shall extend to the beltway.

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

Chairman Jay Aston opened the Public Hearing. There was no public participation.

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

28. ZN-70-05 (22403) VALLEY 215 CONDOS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GSL PROPERTIES, INC. ON BEHALF OF 215 PROPERTIES, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A C-2 GENERAL COMMERCIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 492 CONDOMINIUMS IN 6-UNIT AND 12-UNIT BUILDINGS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CENTENNIAL PARKWAY AND VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-30-101-007.

The application was presented by Bob Hoyes, Planner on behalf of Staff who indicated Staff was recommending ZN-70-05 be continued as the requested planned unit development would not be in compliance with the previously recommended approval of the amendment to the Comprehensive Plan for high density residential. High density residential in the Comprehensive Plan, has a density range of 12 to 18 dwelling units per acre. As proposed, the condominium project associated with the zoning amendment was at 20.6 and Staff was recommending the item be continued to allow the applicant time to reduce the number of units to be in compliance with the Comprehensive Plan. If the Commission were to approve ZN-70-05, 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. The development shall be in full compliance with the Multi-Family Residential Development Standards and Design Guidelines.
3. The site plan submitted with this request shall not be considered or implied to be "approved".
4. The development shall not exceed 431 dwelling units, or a maximum density of 18.0 dwelling units per acre.
5. At minimum, the following list of amenities should be provided:
 - a. Circuitous lighted paths
 - b. A minimum of 20 24-inch box trees per acre
 - c. At least 3 sites of 2 differing age-appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada
 - d. At least one large open space area for group / organized play
 - e. One large group shade area / gazebo (30' diameter), lighted
 - f. Two swimming pools with clubhouse
 - g. Picnic tables and barbecue grills

- h. Benches spaced along park pathways
 - i. Doggie stations at dog walk area and other grassy locations
 - j. Details of amenities to be provided
6. Construction of the Developed Open Space is to be started upon the issuance of the 31st building permit, and completed upon the issuance of the 62nd building permit.
 7. Permits are required for all structures except as exempted by the CNLV Municipal Code, Building Administrative Code Section 15.72.140 (B) and (C).
 8. All items mentioned herein shall be satisfied prior to submittal of the Civil Improvement Plans or the recordation of any maps.
 9. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100:
 - a. Centennial Parkway
 - b. Valley Drive
 - c. Ranch House Road
 10. Building numbering shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards. Counterclockwise from the main entrance.
 11. Right-of-way dedication and construction of a CAT bus turn-out is required on Centennial Parkway near Valley Drive per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
 12. If VAC-30-05 is not approved, this application will become null and void.
 13. Approval of a traffic study, including queuing analysis, is required prior to submittal of the civil improvement plans.
 14. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Centennial Parkway and Valley Drive, the conduit shall extend to the beltway.
 15. Roundabout design shall conform to the Federal Highway Administration's *Roundabouts: An Informational Guide* design criteria and is subject to approval of the City Traffic Engineer.
 16. Approval of a drainage study is required prior to submittal 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. Clark County Regional Flood Control District (CCRFCDD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
19. Clark County Public Works concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
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. The CC & R's for the development shall require that garages be utilized for parking and not for storage.
22. The construction of the Centennial Parkway half street improvements must extend over the Western Tributary to the Las Vegas Wash.
23. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.
24. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
25. All buildings shall match the submitted elevations for the Community Building (Sheet A-11.)
26. The cluster of one 12-unit building and three 6-unit buildings shall be moved north to eliminate the long straight drive aisle adjacent to the northern property line.
27. A minimum 20-foot building-to-building separation shall be provided at ground level. Areas less than 20 feet shall not be counted toward the open space calculations.
28. The perimeter wall shall be designed and constructed using the same materials and

finishes as the Community Building (Sheet A-11.) The use of wrought-iron may be incorporated into the perimeter fence/wall. The perimeter wall elevations shall be approved as part of the final development plan.

Jennifer Lazovich of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant stating the project was for-sale condominiums. The applicant had met with Tony Taylor of the Parks and Recreation Department and agreed to a list of amenities. She requested a waiver of Condition No. 4, which limited the density to 18 units per acre.

Chairman Jay Aston opened the Public Hearing. There was no public participation.

Chairman Aston closed the Public Hearing.

Commissioner Dean Leavitt asked if the density was currently 20.6 units per acre or 20.4 units per acre as represented by the applicant. Ms. Lazovich responded it was 20.6.

Commissioner Steve Brown asked if it was legal to have a PUD over 18 units per acre based on the current zoning laws. Sean McGowan, City Attorney responded the PUD zoning ordinance states the total number of dwelling units and the resulting density allowing the PUD shall be consistent with the land use plan of the City's Master Plan. The applicant was asking that provision be waived and thought it might be better to handle that at City Council level.

Ms. Lazovich also asked that Condition No. 8, be amended to read, "all design items mentioned herein shall be satisfied with submittal of the final development plan.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
CONDITION NO. 8 AMENDED TO READ:**

**8. ALL DESIGN ITEMS MENTIONED HEREIN SHALL BE SATISFIED
WITH SUBMITTAL OF THE FINAL DEVELOPMENT PLAN.**

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

29. T-1207 (22406) VALLEY 215 CONDOS. AN APPLICATION SUBMITTED BY GSL PROPERTIES INC. ON BEHALF OF 215 PROPERTIES LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A C-2 GENERAL COMMERCIAL DISTRICT (PROPOSED PUD, PLANNED UNIT DEVELOPMENT) CONSISTING OF 492 UNITS OF CONDOMINIUMS. 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 on behalf of Staff who indicated 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 tentative map submitted with this request shall not be considered or implied to be "approved" until all changes mentioned herein are satisfied.
3. The development shall comply with all conditions of ZN-70-05. If ZN-70-05 is not approved by the City Council, then this tentative map shall be considered null and void.

Jennifer Lazovich of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant asking if the tentative map were approved at this meeting and City Council did not approve 20.6 units per acre, if it would affect the tentative map. Marc Jordan, Planning Manager responded if the tentative map were approved tonight, there was a condition that required the applicant to gain City Council approval and once that was done, there was a condition that required them to comply with all conditions of the PUD. If the Council approved the PUD with Condition No. 4 as written, the applicant would have to reduce some of the dwelling units to comply with the condition. However, if Condition No. 4 was changed to allow 20.6 units per acre, the tentative map showed that and would be consistent with the approval.

Ms. Lazovich stated she concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

30. UN-70-01 (22412) TRIPLE Y ENTERPRISES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY STEVE YEGHIAYAN ON BEHALF OF STEVE AND PAUL YEGHIAYAN, PROPERTY OWNERS, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW AN EXPANSION OF AN AUTO REPAIR FACILITY. THE PROPERTY IS LOCATED AT 3420 PRECISION DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-08-701-029.

The application was presented by Bob Hoyes, Planner on behalf of Staff who indicated Staff was recommending approval of UN-70-01 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 the development of this site be in compliance with all applicable conditions of VN-04-03.
3. That the special use permit is site-specific and non-transferable.
4. The driveway shall be a minimum of 32 feet wide.
5. Only two driveways will be permitted on Precision Drive.
6. The driveway number and location are subject to review and approval of the traffic engineer.
7. Paint spray operations shall be conducted in an approved paint spray booth that is constructed and protected in accordance with Ordinance 1283.
8. Landscape and irrigation plans shall be reviewed and approved by planning prior to application of a business license. Clear-sight visibility zones shall be identified on the plans. All landscape materials shall be installed prior to issuance of a certificate of occupancy.
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. Work or repairs to a vehicle are only permitted to take place indoors.

Chris , 6225 South Valley View Boulevard, Las Vegas, NV 89102 appeared on behalf of the applicant stating he concurred with Staff recommendation. He stated the applicant wished to have a logo across the top of the fabric on the shade structure and would like that condition amended. Bob Hoyes, Planner stated the condition he was referring to was in a correction letter as a result of their submittal of a building permit request for the shade structure. Signage would be allowed on the structure in compliance with City Code and at this time, the City does not allow signage on the roof of a structure. The letter being referred to was not associated with this application. The applicant was unfamiliar with the conditions recommended by Staff and requested a two week continuance.

ACTION: CONTINUED TO OCTOBER 12, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 34 was heard next.

31. **UN-87-05 (22402) ADS PIPE SYSTEM OFFICE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ADVANCED DRAINAGE SYSTEMS, INC. ON BEHALF OF ADJ PROP, LLC, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A TEMPORARY TRAILER. THE PROPERTY IS LOCATED AT 4200 FREHNER ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-01-402-006.**

It was requested by the applicant to continue UN-87-05 to October 12, 2005.

Chairman Jay Aston opened the Public Hearing. There was no public participation.

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO OCTOBER 12, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 33 was heard next.

- 32. SPR-20-05 (20358) PECOS-GOWAN COMMERCIAL CENTER. AN APPLICATION SUBMITTED BY JOSEPH GOLSHAN ON BEHALF OF SHELBOURNE TOWERS, LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT REQUESTING A WAIVER TO THE COMMERCIAL DEVELOPMENT STANDARDS AND THE DESIGN GUIDELINES REQUIREMENT TO REDUCE THE REQUIRED PERIMETER LANDSCAPING ALONG PECOS ROAD FROM 25 FEET TO 20 FEET AND ORIENT THE BUILDING TO THE REAR OF THE SITE. THE PROPERTY IS GENERALLY LOCATED WEST OF PECOS ROAD AND APPROXIMATELY 125 FEET SOUTH OF GOWAN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-12-702-002.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of the requested waivers with Condition No. 2, of the previously approved conditions, amended as follows:

2. That the development shall comply with the Commercial Development Standards and Design Guidelines except that:
 - a. The sidewalk along Pecos Road may be straight rather than meandering and separated from the back of curb;
 - b. The landscape buffer along the southerly property line may be ten (10) feet rather than the required twenty (20) feet. The landscape buffer must contain a 24-inch box tree every 10 foot on center as well as all other required landscaping materials. Additionally, landscaping triangles, containing a tree, must be provided every four (4) parking spaces.
 - c. That the building may be located to the rear of the site as long as cross-access is provided from the property to the north.
 - d. That twenty (20) feet of perimeter landscaping, which may include the sidewalk, may be provided along Pecos Road. Additionally, landscaping triangles, containing a tree, must be provided every four (4) parking spaces.

Arnold Stalk, 7432 West Sahara Avenue, Las Vegas, NV 89117 appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

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

Item No. 1 was heard next.

- 33. FDP-19-05 (22444) RIVERWALK RANCH HIGH NOON. AN APPLICATION SUBMITTED BY D. R. HORTON, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF A 189 UNIT MULTI-FAMILY DEVELOPMENT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF RANCH HOUSE ROAD AND MONTGOMERY STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-30-202-001, 124-30-202-002, 124-30-202-003, 124-30-202-004, 124-30-202-005, 124-30-202-006, 124-30-202-007, 124-30-204-003, AND 124-30-204-004.**

It was requested by the applicant to continue FDP-19-05 to October 12, 2005.

ACTION: CONTINUED TO OCTOBER 12, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 35 was heard next.

34. SPR-50-05 (22447) PARK CENTRAL PLAZA. AN APPLICATION SUBMITTED BY PARK CENTRAL PLAZA ON BEHALF OF PARK CENTRAL PLAZA 32 LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT FOR 228,770 SQ. FT. OF COMMERCIAL RETAIL BUILDINGS. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF ANN ROAD AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-25-312-001.

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of SPR-50-05 subject to the conditions listed in the revised memo dated September 28, 2005 with Condition No. 3 amended to read "The loading dock for Pad 10 shall be screened by the use of walls and/or dense landscaping to minimize visibility and noise from Ann Road." The recommended conditions listed in the revised memo 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 commercial development shall be in compliance with the Commercial Development Standards and Design Guidelines, except Pad 10 are not required to be located at the front of the site at the minimum setback line.
3. The loading dock for Pad 10 shall to be relocated to the southeast corner of the building to minimize visibility from Ann Road; and screening by the use of walls and/or dense landscaping will need to be provided to serve as both a visual and a noise barrier.
4. That the material proposed for the awning shall be subject to staff review and approval.
5. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
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 Tropical Parkway, Losee Road and Ann Road.
8. The entry driveways shall align with the median openings.
9. The applicant shall provide traffic calming on the easterly access road.

10. 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.
11. The owner is required to grant a roadway easement for commercial driveways(s).
12. The property owner is required to sign a restrictive covenant for utilities.
13. Approval of a drainage study is required prior to submittal of the civil improvement plans.
14. 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.

Dave Clapsaddle of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant stating he concurred with Staff recommendation with the exception of Condition No. 3. He would like the loading dock to remain as it was and agreed to the amended condition read into the record by Staff as long as they could design it and work with Staff so it does not impede traffic flow around the drug store or the drive-thru windows.

Vice-Chairman Jo Cato stated she was not in favor of having another Wal Mart. She felt there were too many big box stores. Mr. Eastman stated the facility was a Wal Mart grocery store. Jory Stewart, Planning & Development Director stated market diversity was not a function of zoning and land use planning but was a market function.

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

3. THE LOADING DOCK FOR PAD 10 SHALL BE SCREENED BY THE
USE OF WALLS AND/OR DENSE LANDSCAPING TO MINIMIZE
VISIBILITY AND NOISE FROM ANN ROAD.

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

Item No. 36 was heard next.

- 35. SPR-48-05 (22263) WALGREENS STORE. AN APPLICATION SUBMITTED BY RAND ENTERPRISES, LLC ON BEHALF OF SIEMPRE, LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-2 GENERAL COMMERCIAL DISTRICT FOR A WAIVER OF BUILDING ORIENTATION. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF NORTH FIFTH STREET AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-26-101-001.**

It was requested by the applicant to continue SPR-48-05 to October 12, 2005.

ACTION: CONTINUED TO OCTOBER 12, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 38 was heard next.

36. FDP-18-05 (22411) ANN & COMMERCE TRAILS. AN APPLICATION SUBMITTED BY THE TANEY ENGINEERING ON BEHALF OF EVEREST OPPORTUNITY FUND, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 85 UNITS OF SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF ANN ROAD AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-24-101-015.

The application was submitted by Bob Hoyes, Planner on behalf of Staff who indicated Staff was recommending FDP-18-05 be approved subject to conditions listed in Staff report with the amenities listed in Condition No. 6 replaced with the following:

- a. circuitous lighted paths
- b. a minimum of 20 24-inch box trees per acre
- c. at least 2 differing age appropriate play structure for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada
- d. at least on large open space area for group/organized play
- e. 4 picnic sites w/tables and barbecue grills
- f. benches spaced along park pathways
- g. pavement games at playground site
- h. ADA accessibility
- i. dog stations at grass areas
- j. details of amenities to be provided

The recommended conditions listed in the Staff Report are as follows:

1. That unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
2. That the development comply with all applicable conditions of Ordinance Number 1955 (ZN-12-04) and T-1059.
3. That the submitted elevations are generally acceptable. Each model is required to comply with the Single-Family Development Standards and Design Guidelines at the time of building permit application.
4. The landscaping identified on the final development plan is considered preliminary or conceptual and is not binding. Landscape and Irrigation plans will be required to be reviewed and approved through the building permit application process prior to recordation of any final maps.
5. A minimum 61,573 square feet (1.41 acres) is required as usable open space and must be shown on the revised final development plan prior to submitting any final

maps. If necessary, the total lot count of 85 shall be reduced to satisfy the open space requirements.

6. The following minimum amenities must be provided:
 - a. circuitous lighted paths
 - b. a minimum of 20 24-inch box trees per acre
 - c. at least 2 differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada
 - d. at least one large open space area for group / organized play
 - e. one large group shade area / gazebo (30' diameter), lighted
 - f. picnic tables and barbecue grills
 - g. benches spaced along park pathways
 - h. details of amenities to be provided
7. All areas intended to be used toward the open space calculations must be identified on the revised final development plan and the final maps as "Common Elements." Dimensions and square feet shall be provided accordingly.
8. Four large copies (24" x 36") and one reduced copy (8-1/2" x 11") of the revised final development plan shall be submitted to the Planning & Development Department prior to submittal of the final map. The revised plan shall identify dimensions and square feet for all Common Elements and each proposed homesite.

Chris Zhang of Taney Engineering, 4445 South Jones Boulevard, Suite #1, Las Vegas, NV 89103 appeared on behalf of the applicant stating he concurred with Staff recommendation.

Chairman Jay Aston asked the difference in the amendment to Condition No. 6. Mr. Hoyes responded the main difference appeared to be the specification that four picnic sites with tables and barbecues as opposed to picnic tables and barbecue and the pavement games at playground site. Tony Taylor of Parks and Recreation stated it was a better definition.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NO. 6 AMENDED AS FOLLOWS:

6. THE FOLLOWING MINIMUM AMENITIES MUST BE PROVIDED:
 - A. CIRCUITOUS LIGHTED PATHS
 - B. A MINIMUM OF 20 24-INCH BOX TREES PER ACRE
 - C. AT LEAST 2 DIFFERING AGE APPROPRIATE PLAY

- STRUCTURE FOR CHILDREN WITH EPDM RESILIENT FALL PROTECTION OVER A NON-POROUS SURFACE AND ACCOMPANYING SHADE RAMADA
- D. AT LEAST ON LARGE OPEN SPACE AREA FOR GROUP/ORGANIZED PLAY
 - E. 4 PICNIC SITES W/TABLES AND BARBECUE GRILLS
 - F. BENCHES SPACED ALONG PARK PATHWAYS
 - G. PAVEMENT GAMES AT PLAYGROUND SITE
 - H. ADA ACCESSIBILITY
 - I. DOG STATIONS AT GRASS AREAS
 - J. DETAILS OF AMENITIES TO BE PROVIDED

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: None

37. SPR-51-05 (22445) EWING BROTHERS TOWING. AN APPLICATION SUBMITTED BY EWING BROTHERS INC. ON BEHALF OF EWING INVESTMENTS, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT FOR AN AUTOMOBILE IMPOUND YARD. THE PROPERTY IS LOCATED AT 2102 EAST ALEXANDER ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-02-802-016.

The application was presented by Bob Hoyes, Planner on behalf of Staff who indicated Staff was recommending approval of SPR-51-05 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 applicant shall submit through the Building & Safety Division a landscape and irrigation plan that meets Zoning Ordinance requirements. Said plans shall be reviewed and approved, a building permit shall be issued, all required landscaping and irrigation materials shall be installed and inspected prior to the application for a business license or a certificate of occupancy, whichever occurs first.
3. The proposed storage area shall be properly screened with a wall that meets the requirements of the Zoning Ordinance prior to the application for a business license or a certificate of occupancy, whichever occurs first. A building permit must be issued prior to installation of said wall.
4. SPR-51-05 is site-specific and non-transferable.
5. The submitted "conceptual landscape plan" shall not be considered or implied to be approved in any manner. All landscaping shall be provided in accordance with ordinance requirements.
6. A decorative block wall shall be provided along Alexander Road in accordance with all applicable codes and ordinances. The wall shall be a minimum eight feet (8.00') and a maximum ten feet (10.00') in height.
7. An eight-foot screen wall is required along all interior property lines.
8. All areas within the impound yard shall be paved with asphaltic-concrete or asphalt.
9. The property owner is required to sign a restrictive covenant for utilities.

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. Approval of a traffic study is required prior to submittal of the civil improvement plans.
12. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Alexander Road.
13. 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.
14. Approval of a drainage study is required prior to submittal of the civil improvement plans.

Dave Clapsaddle of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant stating he concurred with Staff recommendation with the exception of Condition No. 8, asking that it be deleted or amended. The property was surrounded by M-2 and was open to the public and the yard was for impounded vehicles. There was ground asphalt with sealer on it, which acts like asphalt and concrete. He asked that the condition be amended to allow the applicant to work with the Public Works Department to come up with an alternative pavement.

Mr. Hoyes stated many times things are placed as conditions, that are otherwise ordinance requirements and sometimes from areas that are not waivable. In this case, it is an ordinance requirement that was just put in the Staff report as a condition of approval, more for a point of reference and a point of information to draw it to the applicant's attention. When the improvement plans are submitted, they would be avoiding a step of receiving a correction letter. If the item were removed as a condition of approval, when the applicant submits the improvement plans, it would still be required.

Chairman Jay Aston called the following person up for comment:

Bob Borgersen, 77617 Island Rail, North Las Vegas, NV 89084 stated Ewing Brothers Towing was a professional business and felt their application should be approved.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

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

Item No. 41 was heard next.

OLD BUSINESS

38. **ZN-60-05 (21854) CENTER POINTE - PHASE 1 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE STRATTON GROUP ON BEHALF OF CENTENNIAL POINTE, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO AN R-4 HIGH DENSITY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF NORTH FIFTH STREET AND DEER SPRINGS WAY. THE ASSESSOR'S PARCEL NUMBER IS 124-22-601-005. (CONTINUED AUGUST 24, 2005)**

It was requested by the applicant to continue ZN-60-05 to October 26, 2005.

Chairman Jay Aston opened the Public Hearing. There was no public participation.

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO OCTOBER 26, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

39. **ZN-61-05 (21855) CENTER POINTE - PHASE 2 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE STRATTON GROUP ON BEHALF OF CENTENNIAL POINTE, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO AN R-4 HIGH DENSITY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF GOLDFIELD STREET AND DEER SPRINGS WAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-22-701-002, 124-22-701-003, 124-22-701-004, 124-22-701-005 AND 124-22-701-008. (CONTINUED AUGUST 24, 2005)**

It was requested by the applicant to continue ZN-61-05 to October 26, 2005.

Chairman Jay Aston opened the Public Hearing. There was no public participation.

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO OCTOBER 26, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

40. **T-1195 (21688) BROADACRES. AN APPLICATION SUBMITTED BY CIVIL WORKS INC. ON BEHALF OF BROADACRES LTD, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A C-2 GENERAL COMMERCIAL DISTRICT AND C-3 GENERAL SERVICE DISTRICT CONSISTING OF APPROXIMATELY 26.5 ACRES OF COMMERCIAL SUBDIVISION. THE PROPERTY IS GENERALLY LOCATED AT THE SOUTHWEST CORNER OF LAS VEGAS BOULEVARD AND PECOS ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-13-605-003, 139-13-605-004, 139-13-605-006, 139-13-605-007, 139-13-605-008, 139-13-605-009, 139-13-605-010, 139-13-605-011, 139-13-605-012, 139-13-605-014, 139-13-605-014 AND 139-13-702-003. (CONTINUED AUGUST 24, 2005)**

It was requested by the applicant to continue T-1195 to October 26, 2005.

ACTION: CONTINUED TO OCTOBER 26, 2005

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

Item No. 32 was heard next.

41. **T-1198 (21843) VILLA SERENO. AN APPLICATION SUBMITTED BY VILLA SERENO ON BEHALF OF VILLA SERENO LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-E RANCH ESTATES DISTRICT CONSISTING OF 90 UNITS OF TOWNHOUSES. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF NORTH FIFTH STREET AND REGENA AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-27-504-002, 124-27-504-004 AND 124-27-504-006. (CONTINUED AUGUST 24 AND SEPTEMBER 14, 2005)**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval 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. This tentative map shall be null and void if ZN-55-05 is not approved by the City Council.
3. This tentative map shall comply with the conditions of approval for ZN-55-05.
4. The tentative map must receive approval of the Clark County Health District.
5. The following list of amenities shall be provided:
 - a. Circuitous lighted paths
 - b. A minimum of twenty 24-inch box trees per acre
 - c. At least two (2) differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada.
 - d. At least one large open space area for group/organized play
 - e. One large group shade area/gazebo (30' diameter), lighted
 - f. Swimming pool with clubhouse
 - g. Picnic tables and barbecue grills
 - h. Benches spaced along park pathways
 - i. Details of amenities to be provided
 - j. Exercise stations and mile markers spaced along paths
 - k. Plaza areas shall include a shade structure, picnic table, bbq grill, and trash receptacle
 - l. Buildings located adjacent to Azure Avenue shall be linked to the circuitous paths
 - m. Safe pedestrian crossing across street connection buildings adjacent to Azure Avenue

6. The text "variance requested," referring to the sidewalk along North Fifth Street, shall be deleted.

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

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

- 42. SPR-45-05 (21850) BROADSTONE HIGH DESERT. AN APPLICATION SUBMITTED BY ALIANCE RESIDENTIAL COMPANY ON BEHALF OF LUCID LAND DEVELOPMENT, UNLIMITED HOLDINGS INC. AND TERRA SANTA LTD, PROPERTY OWNERS, FOR A SITE PLAN REVIEW IN A C-1 GENERAL COMMERCIAL DISTRICT AND PUD PLANNED UNIT DEVELOPMENT DISTRICT (PROPOSED ALL TO A R-3 MULTI-FAMILY RESIDENTIAL DISTRICT) TO ALLOW A 312 UNIT MULTI-FAMILY DEVELOPMENT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF REGENA AVENUE AND NORTH FIFTH STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-26-102-001, 124-26-102-002, 124-26-103-001 AND 124-26-103-003. (CONTINUED AUGUST 24 AND SEPTEMBER 14, 2005)**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of SPR-45-05 subject to the following conditions:

1. That, unless otherwise approved through a variance, waiver or other approved method, this development shall comply with all applicable codes and ordinances.
2. North 5th Street shall be designed in accordance with the *City of North Las Vegas Uniform Standard Drawings for North 5th Street Improvements*.
3. All development along North 5th Street shall provide a twenty foot landscape easement/ common element adjacent to the right-of-way.
4. The development shall comply with the Multi-Family Development Standards including but not limited to the following;
 - a. minimum of 124,800 square feet of Open Space (75% usable)
 - b. minimum of 80 square feet of Patio and 40 square feet of Balcony area
 - c. 20 feet of perimeter landscaping along North 5th Street and 15 feet of perimeter landscaping along Azure Avenue and Regena Avenue which may include sidewalk.
5. The maximum height of all buildings shall not exceed 35.0 feet.
6. The outside-facing elevations of the single-story garage buildings shall include architectural details such that they match the elevations of the club house including, but not limited to, pop-outs and false or real windows.
7. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along North 5th Street.

8. Approval of a traffic study, including a queuing analysis, is required prior to submittal of the civil improvement plans.
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. A construction phasing plan, depicting onsite development and supporting offsite improvements, as well as construction access routes, shall be provided by the developer. Approval by the Department of Public Works is required prior to the issuance of any permits.
11. 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.B:
 - a. North 5th Street
 - b. Regena Avenue
 - c. Azure Avenue
12. 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.
13. A revocable encroachment permit for landscaping within the public right of way is required.
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. Approval of a drainage study is required prior to submittal of the civil improvement plans.
16. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*, or as otherwise approved by the Director of Public Works or his designee.
17. The Regena Avenue access gate, as proposed, shall be used for emergency access only.
18. The installation of sprinklers for fire suppression is required with central monitoring system.

19. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
20. That the following list of minimum amenities shall be provided:
 1. Circuitous lighted paths
 2. A minimum of 20 24-inch box trees per acre
 3. At least 2 differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada picnic tables and barbecue grills
 4. At least one large open space area for group / organized play
 5. One large group shade area / gazebo (30' diameter), lighted
 6. Picnic tables and barbeque grills
 7. Benches spaced along park pathways
 8. Swimming pool w. restroom & shower cabana
 9. Details of amenities to be provided
21. The submitted landscape plan shall be considered conceptual. Landscape and irrigation plans shall be submitted for review and approval through the Building and Safety Division prior to recordation of any final map for the subject development.

Stephanie Allen of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant stating she concurred with Staff recommendation with clarification on Condition No. 17. She asked the condition be modified to read “the Regena Avenue Access gate, as proposed, shall be used for emergency access only unless otherwise approved by Staff and Public Works at a later date.” The reason for the modification was the applicant would prefer to have access on the northern portion of the project off of Regena Avenue, if possible.

Chairman Jay Aston asked Staff if they were in agreement. Clete Kus of Public Works Transportation responded they were agreeable to the condition being amended as read into the record.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NO. 17 AMENDED TO READ:

17. THE REGENA AVENUE ACCESS GATE, AS PROPOSED, SHALL BE USED FOR EMERGENCY ACCESS ONLY UNLESS OTHERWISE APPROVED BY STAFF AND PUBLIC WORKS AT A LATER DATE.

MOTION: Commissioner Leavitt
SECOND: Commissioner Trivedi

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

- 43. AMP-39-05 (22136) BESTWAY RECYCLING (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DAVID KIM, ON BEHALF OF ROBERT C. LEPOME, ET AL, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MEDIUM DENSITY RESIDENTIAL TO INDUSTRIAL. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF GOWAN ROAD AND CIVIC CENTER DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-12-302-008. (CONTINUED SEPTEMBER 14, 2005)**

Item Nos. 43 and 44 were presented together.

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending denial of AMP-39-05 as industrial development at the corner of Gowan Road and Civic Center Drive would create additional truck traffic concerns for the residential and children who would be migrating from the south along Civic Center Drive toward the public school site. While Civic Center does have a large number of trucks already traversing that area, this is the only site that directly impedes the students who are on the east side of Civic Center on their path to the school site; therefore, from a safety standpoint, they are recommending denial of both the AMP and rezoning.

Cash Wilson of Gary Wilson Architects, 7625 South Industrial Road, #100, Las Vegas, NV 89139 appeared on behalf of the applicant and introduced property owner, Gary Kent and Gary Wilson of Gary Guy Wilson Architect.

Gary Wilson, 7625 South Industrial Road, #100, Las Vegas, NV 89139 explained the project. He felt they would be enhancing the safety features in the area and were suggesting the property would be surrounded by a wall with a 20 foot landscaped area and walkway. The development for a recycling center was an interior operation with only a few vehicles coming into the site. The major activity could be controlled with an hourly schedule of operation.

Gary Kent, 2950 South Rancho Drive, Las Vegas, NV 89102 stated at one time the ownership of the property included, this property plus parcels to the south. Part of the property was dedicated to the City for flood control. The flood control channel separated the property from the residential property to the southwest and along Civic Center Drive. The property immediately to the south was zoned R-1, it was in escrow with a home builder and the City of North Las Vegas wanted the property for a flood control project or detention basin and they agreed to cancel the escrow and sell it to the City. There is M-2 zoning to the west along Civic Center Drive and to the north along Gowan Road. It is an island surrounded by heavy industrial zoned property, a flood detention basin and a channel. It is a property that is not able to be developed as low or medium density single family residential and is suited to be developed as industrial.

Chairman Jay Aston opened the Public Hearing. There was no public participation.

Chairman Aston closed the Public Hearing.

Commissioner Dean Leavitt asked how frequently trucks would be delivering to the facility. Mr. Wilson stated there would be eight to ten deliveries, mostly early morning and late evening. Commissioner Leavitt stated he had some concerns regarding the apartments in the surrounding neighborhood as a large percentage of mothers walk their children to school and if he were to consider approval, it would be conditioned that during the hour and a half prior to school opening and an hour and a half after school was dismissed, the trucks would not be allowed to ingress or egress. Mr. Wilson stated notices had been sent out and noone has expressed opposition to the project.

Marc Jordan, Planning Manager stated Staff met with the applicants and wanted to clarify a few things that had been brought up. One of the reasons there had not been any opposition in the community, was due to the property owners being notified and since there were mostly apartments in the area, it was up to the property owner to notify the tenants and Staff had no way of knowing if that has been done. There was also discussion regarding the site plan. The applicant showed a site plan partially developed with a recycling center with an area for future development. Staff was not aware of what would be developed in that area. Therefore, if the application were approved, a condition could not be placed regarding the hours of operation for the trucks entering or leaving the site. Just because it was zoned M-2, there was no guarantee a recycling center would go there. If, for some reason, they decided to go somewhere else, anybody else who met a permitted use in an M-2 district could go in there and it was not known what type of traffic it would bring. The applicant has talked about traffic issues and they had been researched, which showed industrial would bring more traffic than residential to the area.

Commissioner Dilip Trivedi was concerned about the truck traffic going in and out of the site and asked if there was a traffic study required for the project. Clete Kus, responded a traffic study would be required later in the process. Amendments to the Master Plan were usually not conditioned. Commissioner Trivedi stated he would have a hard time supporting the application.

Mr. Kent stated the property was rendered useless as residential as it was on a major intersection, was on two section lines and was an island in the middle of an industrial area.

ACTION: DENIED

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: None

44. **ZN-62-05 (22137) BESTWAY RECYCLING (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DAVID KIM, ON BEHALF OF ROBERT C. LEPOME, ET AL, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO AN M-2 GENERAL INDUSTRIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF GOWAN ROAD AND CIVIC CENTER DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-12-302-008. (CONTINUED SEPTEMBER 14, 2005)**

Item Nos. 43 and 44 were presented together.

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending denial of ZN-62-05 as industrial development at the corner of Gowan Road and Civic Center Drive would create additional truck traffic concerns for the residential and children who would be migrating from the south along Civic Center Drive toward the public school site. While Civic Center does have a large number of trucks already traversing that area, this is the only site that directly impedes the students who are on the east side of Civic Center on their path to the school site; therefore, from a safety standpoint, they are recommending denial of both the AMP and rezoning.

Cash Wilson of Gary Wilson Architects, 7625 South Industrial Road, #100, Las Vegas, NV 89139 appeared on behalf of the applicant and introduced property owner, Gary Kent and Gary Wilson of Gary Guy Wilson Architect.

Gary Wilson, 7625 South Industrial Road, #100, Las Vegas, NV 89139 explained the project. He felt they would be enhancing the safety features in the area and were suggesting the property would be surrounded by a wall with a 20 foot landscaped area and walkway. The development for a recycling center was an interior operation with only a few vehicles coming into the site. The major activity could be controlled with an hourly schedule of operation.

Gary Kent, 2950 South Rancho Drive, Las Vegas, NV 89102 stated at one time the ownership of the property included, this property plus parcels to the south. Part of the property was dedicated to the City for flood control. The flood control channel separated the property from the residential property to the southwest and along Civic Center Drive. The property immediately to the south was zoned R-1, it was in escrow with a home builder and the City of North Las Vegas wanted the property for a flood control project or detention basin and they agreed to cancel the escrow and sell it to the City. There is M-2 zoning to the west along Civic Center Drive and to the north along Gowan Road. It is an island surrounded by heavy industrial zoned property, a flood detention basin and a channel. It is a property that is not able to be developed as low or medium density single family residential. It is suited to be developed as industrial.

Chairman Jay Aston opened the Public Hearing. There was no public participation.

Chairman Aston closed the Public Hearing.

Commissioner Dean Leavitt asked how frequently trucks would be delivering to the facility. Mr. Wilson stated there would be eight to ten deliveries, mostly early morning and late evening. Commissioner Leavitt stated he had some concerns regarding the apartments in the surrounding neighborhood as a large percentage of mothers walk their children to school and if he were to consider approval, it would be conditioned that during the hour and a half prior to school opening and an hour and a half after school was dismissed, the trucks would not be allowed to ingress or egress. Mr. Wilson stated notices had been sent out and noone has expressed opposition to the project.

Marc Jordan, Planning Manager stated Staff met with the applicants and he wanted to clarify a few things that had been brought up. One of the reasons, there had not been any opposition in the community, was due to the property owners being notified and since there were mostly apartments in the area, it was up to the property owner to notify the tenants and Staff has no way of knowing if that has been done. There was also discussion regarding the site plan. The applicant showed a site plan partially developed with a recycling center with an area that for future development. Staff was not aware of what would be developed in that area. Therefore, if the application were approved, a condition could not be placed regarding the hours of operation for the trucking entering or leaving the site. Just because it is zoned M-2, there was no guarantee a recycling center would go there. If, for some reason, they decided to go somewhere else, anybody else who met a permitted use in an M-2 district could go in there and it was not known what type of traffic it would bring. The applicant has talked about traffic issues and they had been researched, which shows industrial would bring more traffic than residential to the area.

Commissioner Dilip Trivedi was concerned about the truck traffic going in and out of the site and asked if there was a traffic study required for the project. Clete Kus, responded a traffic study would be required later in the process. Amendments to the Master Plan were usually not conditioned. Commissioner Trivedi stated he would have a hard time supporting the application.

Mr. Kent stated the property was rendered useless as residential as it was on a major intersection, was on two section lines and was an island in the middle of an industrial area.

ACTION: DENIED

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: None

- 45. ZN-68-05 (22178) CENTENNIAL CROSSING III (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL, ON BEHALF OF ALBERT SEASTRUNK, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF REGENA AVENUE AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-504-001. (CONTINUED SEPTEMBER 14, 2005)**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of ZN-68-05.

The applicant was not present.

Chairman Jay Aston opened the Public Hearing. There was no public participation.

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

- 46. T-1205 (22179) CENTENNIAL CROSSING III. AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF ALBERT SEASTRUNK, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-E RANCH ESTATES RESIDENTIAL DISTRICT, (PROPOSED R-2 TWO FAMILY RESIDENTIAL DISTRICT) CONSISTING OF 44 LOTS FOR A TWO FAMILY (DUPLEX) DEVELOPMENT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF REGENA AVENUE AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-504-001. (CONTINUED SEPTEMBER 14, 2005)**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending T-1205 be continued indefinitely to allow the applicant time to redesign the site to comply with Title 16 requirements and to change the configuration of the lot to remove some of the homes fronting Regena Avenue and Goldfield Street.

The applicant was not present.

Marc Jordan, Planning Manager stated the application could not be continued without concurrence by the applicant. The application would have to be either denied or approved.

ACTION: DENIED

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

- 47. FDP-17-05 (22150) DESERT MOON. AN APPLICATION SUBMITTED BY RICHMOND AMERICAN HOMES, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 82 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED NORTH OF CENTENNIAL PARKWAY APPROXIMATELY 840 FEET WEST OF COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-22-401-003, 124-22-401-005 AND 124-22-401-006. (CONTINUED SEPTEMBER 14, 2005)**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of FDP-17-05 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method the development shall comply with all applicable codes and ordinances.
2. That the development comply with all conditions of approval of ZN-97-04 and T-1130.
3. As a minimum the following amenities shall be provided within the open space:
 - a. Circuitous lighted paths;
 - b. A minimum of 20 24-inch box trees per acre;
 - c. At least 2 differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada;
 - d. A large open space area for group / organized play;
 - e. One large group shade area / gazebo (25' diameter) with BBQ, lighted;
 - f. Five (5) picnic tables and barbecue grills;
 - g. Benches spaced along park pathways;
 - h. Horseshoe pit;
 - i. Sand volleyball court;
 - j. Water fountain at playground area; and
 - k. Details of amenities to be provided.

Rebeka DeWitt of G.C. Wallace, Inc., 2580 Anthem Village Drive, Henderson, NV 89052 appeared on behalf of the applicant stating she concurred with Staff recommendation.

Chairman Jay Aston stated this was not a Public hearing item, but would accept comment on this application. The following participants came forward:

Richard Cherchio, 417 Horse point Avenue, North Las Vegas, NV 89084 stated he was opposed to the project and felt when the project was originally noticed, the notification did not go out to everyone in the area who should have received it.

Harry Himmenger, 331 Riverglider Avenue, North Las Vegas, NV 89084 was opposed to the project and asked that the developer work with the neighbors on the project.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

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 9:39 p.m.

APPROVED: October 26, 2005

/s/ Jay Aston
Jay Aston, Chairman

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